To expand communications between Washington and California, the California Institute provides periodic news bulletins regarding current activity on Capitol Hill and other information that directly impacts the state. Bulletins are published weekly during sessions of Congress, and occasionally during other periods.

**Appropriations: House Passes FY15 Transportation-HUD Bill**

The House on June 10, 2014, approved the fiscal year 2015 Transportation, Housing and Urban Development funding bill on a vote of 229-192. The legislation includes funding for the Department of Transportation, the Department of Housing and Urban Development, and other related agencies.

In total, the bill reflects an allocation of $52 billion in discretionary spending – an increase of $1.2 billion above the fiscal year 2014 enacted level and a decrease of $7.8 billion below the President’s budget request. However, given the reduction in offsets caused by a decline in Federal Housing Administration receipts, the program level within the bill is more accurately $1.8 billion below the current level, according to the Appropriations Committee.

During floor consideration, several amendments were adopted. Among them were:

- Rep. Jeff Denham - The amendment prohibits funding for high-speed rail in California or for the California High-Speed Rail Authority. The amendment was adopted on a vote of 227-186.

- Rep. Barbara Lee - The amendment increases funding for the Fair Housing Initiatives Program by $10 million, offset by a reduction in HUD’s Information Technology Fund. The amendment was adopted on a voice vote.

- Rep. Maxine Waters - The amendment prohibits funding for HUD to relocate any asset management positions within the Office of Multifamily Housing. The amendment was adopted on a voice vote.

- Rep. John Garamendi - The amendment prohibits funding for ships in the National Defense Ready Reserve from being crewed, owned, or maintained by foreign entities. The amendment was adopted on a voice vote.

- Rep. Ed. Royce - The amendment prohibits funding for the Public Housing Trust Fund. The amendment was adopted on a voice vote.

- Rep. Karen Bass - The amendment allows for local hiring preferences for projects funded by the bill. The amendment was adopted on a voice vote.

For more information on the bill, go to:
APPROPRIATIONS: HOUSE COMMITTEE APPROVES FY15 HOMELAND SECURITY BILL

On June 11, 2014, by a voice vote, the House Appropriations Committee approved its bill providing FY 2015 funding for the Department of Homeland Security. The bill provides $39.2 billion in discretionary funding for DHS. This is a decrease of $50 million below the fiscal year 2014 enacted level, but an increase of $887.8 million above the President’s request. Highlights of the bill include:

- **Customs and Border Protection (CBP)** – $10.8 billion in discretionary appropriations for CBP – an increase of $219.6 million above the fiscal year 2014 enacted level and $98.3 million above the President’s request. This funding will provide for 21,370 Border Patrol agents and 23,775 CBP officers. Included in the funding is $412.5 million for border security technology, which is $61 million above the 2014 level and $50 million above the President’s request.

- **Immigration and Customs Enforcement (ICE)** – $5.5 billion for ICE – an increase of $466.2 million above the President’s request and $210.9 million above the fiscal year 2014 enacted level. This includes $1.9 billion – an increase of $81.3 million above the fiscal year 2014 level – for domestic and international investigation programs, including efforts to combat human trafficking, child exploitation, cybercrime, and drug smuggling.

- **FEMA** – The bill fully funds FEMA’s stated requirement for disaster relief at $7 billion. The bill provides a total of $2.5 billion for first responder grants, equal to the fiscal year 2014 enacted level, which includes: $1.5 billion for State and Local grants, $680 million for Assistance to Firefighter Grants, and $350 million for Emergency Management Performance Grants.

- **Citizenship and Immigration Services** - $124.8 million for E-Verify, the same as the President’s request.

The bill also includes $43.7 million for the operations at the Air and Marine Operations Center (AMOC), which is located in Riverside County. The funding provided, championed by Rep. Ken Calvert (CA-42), is $15.3 million above the President’s request.

For more information, go to:

APPROPRIATIONS: SENATE COMMITTEE APPROVES COMMERCE, JUSTICE, SCIENCE FUNDING

The Senate Appropriations Committee approved fiscal year 2015 Commerce, Justice, Science, and Related Agencies funding legislation on June 5, 2014, that totals $51.2 billion in proposed discretionary budget authority, a decrease of $398 million below the fiscal year 2014 level and an increase of $1 billion above the President’s request level.

The bill provides total resources of $28 billion for the Department of Justice, $260 million more than the fiscal year 2014 level and $23 million more than the President’s budget request. Highlights of the bill include:

For state and local law enforcement programs, the bill provides $2.3 billion, $10 million more than the President’s budget request and $11 million less than the fiscal year 2014 level. Included in that funding is

http://www.calinst.org/2112/b2114.shtml
$376 million for Byrne Justice Assistance Grants, $181 million for COPS hiring grants, $430 million for Violence Against Women Act programs, and $258 million for juvenile justice and mentoring grants. Funding for the State Criminal Alien Assistance Program (SCAAP) is set at $150 million. The House-passed CJS funding includes $210 million for SCAAP. FY14 funding was $180 million.

To clean up the backlog of 400,000 untested sexual assault kits, $41 million in funding is included in the bill. And to fight cybercrime and promote cybersecurity activities, the bill provides $722 million, the same as fiscal year 2014, to the Department of Justice, $15 million to National Cybersecurity Center of Excellence, and $159 million is included in funding for the National Science Foundation for merit-reviewed, next generation cybersecurity research and development grants.

The total funding for the National Science Foundation (NSF) is set at $7.2 billion, an increase of $83 million over fiscal year 2014. The increase will provide 140 more competitive grants supporting 2,000 more technicians, teachers, scientists, and students in fiscal year 2015.

The bill provides $17.9 billion for NASA, $439 million above the President’s request and $254 million above the fiscal year 2014 enacted level. Included in that funding is $805 million for commercial space flight activities.

Within the Commerce Department funding, $235 million is included for the Economic Development Administration (EDA), including $20 million for the Regional Innovation Program. The bill also fully funds the U.S. Patent and Trademark Office (PTO), with $3.48 billion, the same as the request and $434 million above fiscal year 2014.


**APPROPRIATIONS: SENATE COMMITTEE APPROVES TRANSPORTATION-HUD FUNDING**

The Senate Appropriations Committee approved its FY 2015 funding for the Departments of Transportation, and Housing and Urban Development on June 5, 2015. The bill provides a total of $54.4 billion in discretionary budget authority for fiscal year 2015.

Highlights of the bill include:

**DEPARTMENT OF TRANSPORTATION**

The bill provides a total of $18.1 billion in discretionary budget authority for DOT for fiscal year 2015. The bill includes another $53.6 billion in limitations on obligations for DOT, for a total of $71.7 billion in budgetary resources for fiscal year 2015. This total level of budgetary resources is $536 million more than the fiscal year 2014 enacted level, which included $17.7 billion in discretionary budget authority and $53.5 billion in obligation limitations. The bill is also $17.8 billion less than the funding levels included in the President’s budget request, which included $13.7 billion in discretionary budget authority and $75.8 billion in obligation limitations.

- **“TIGER” Grants**: $550 million for grants to state and local governments to support a wide variety of transportation options, including roads and bridges, railroads, transit systems, and port infrastructure. TIGER grants are distributed by competition, and, according to the committee documents, the demand for these grants is enormous in comparison to the available funding. For fiscal year 2014 funding, for example, DOT received applications from almost every State in the country for projects that totaled $9.5 billion. The recommendation is $50 million below the fiscal year 2014 enacted level. The President’s budget request had included $1.25 billion for this program, but it also assumed that the funding would be provided through new legislation authorizing surface transportation programs instead of the appropriations process.

- **Federal-aid Highways Program**: $40.3 billion for the Federal-aid Highways program, which is equal to the level enacted for fiscal year 2014. The President’s budget request had included $47.3 billion for the highway program, but it also assumed that the mandatory funding would be provided through new legislation authorizing surface transportation programs instead of the appropriations process.
- Rail Investments: $1.39 billion for Amtrak, which is consistent with the level of funding provided in fiscal year 2014. The recommendation is $1 billion less than the budget request, again because MAP-21 has not been reauthorized. The bill also includes $1.973 billion for Next Generation High-Speed Rail.

- Transit Investments: $11.1 billion for transit programs, $309 million above the fiscal year 2014 enacted level and $6.6 billion below the request. The bill includes $8.6 billion for formula grants, $36.5 million for research and technical assistance, and $150 million to continue modernizing the Washington Metropolitan Area Transit Authority. In addition, it provides $2.163 billion for the transit capital investment grants, an increase of $221 million to help communities build new rail and bus rapid transit capacity in California, Maryland, North Carolina, Colorado, Florida, Texas and other states.

- Air Transportation: $15.9 billion for the Federal Aviation Administration (FAA), which is $126 million above the fiscal year 2014 enacted level and $580 million above the President’s budget request. The recommendation includes $149 million to fully fund the FAA’s contract towers in fiscal year 2015 and $3.5 billion for airport grants.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The bill provides a total of $36 billion in discretionary budget authority for HUD for fiscal year 2015. The bill also includes offsetting receipts estimated by CBO at $9.8 billion, which allows for program funding levels totaling $45.8 billion. The level of discretionary budget authority is $3.4 billion more than the $32.7 billion requested by the President. However, the President’s budget assumed $4.2 billion more in offsetting receipts, as estimated by OMB, which allowed for a program level of $46.7 billion. As a result, the level of discretionary funding in the bill is $3.4 billion more than the President’s request, but the overall program funding level included in the bill is $853 million less than the President’s request. The level of funding in the Committee recommendation is $3.2 billion more than the fiscal year 2014 enacted level and supports $369 million more in program funding.

- Community Development Block Grant (CDBG): $3.02 billion for the CDBG program, which provides grants to states and local governments to support housing and economic development projects in urban and rural communities across the country. The recommendation is $220 million more than the budget request and $10 million less than the 2014 enacted level.

- Section 8 Rental Assistance: $19.6 billion for tenant base rental assistance, which supports housing for over 2 million of the nation’s low-income families and individuals, including elderly and disabled residents. The recommendation is $385 million more than the fiscal year 2014 enacted level and $483 million less than the President’s request.

The program also includes $75 million for HUD-VASH to provide housing for 10,000 additional veterans experiencing homelessness. This program has helped reduce homelessness among veterans by 24 percent since 2010.

- Section 8 Project-based Rental Assistance (PBRA): $9.7 billion for project-based rental assistance, which supports an estimated 17,400 contracts with private owners of multifamily housing. The recommendation is consistent with the budget request and $200 million below the fiscal year 2014 enacted level. Through this program, HUD and private sector partners support the preservation of safe, stable and sanitary housing for more than 1.2 million low-income Americans, 60 percent of whom are elderly or disabled.

- Homeless Assistance Grants: $2.15 billion for the Homeless Assistance Grants program,

- Choice Neighborhoods: $90 million for Choice Neighborhoods grants, which helps tear down and rebuild distressed public or HUD assisted housing, and builds on the HOPE VI program.

- Public Housing: The bill provides public housing agencies (PHAs) with resources to manage their programs, including $1.9 billion for the public housing capital fund and $4.48 billion for the public housing operating fund. The recommendation for the capital fund is $25 million more than the fiscal year 2014 enacted level and $25 million less than the budget request. The recommendation for the operating fund is $75 million more than the fiscal year 2014 enacted level and $125 million less than the budget request.
NATURAL DISASTERS: HOUSE RESOURCES ASSESSES EARTHQUAKE EARLY WARNING SYSTEM

On June 10, 2014, the Energy and Mineral Resources Subcommittee of the House Natural Resources Committee held a hearing titled "Whole Lotta Shakin': An Examination of America's Earthquake Early Warning System Development and Implementation." In his opening remarks, Chairman Doug Lamborn (CO) noted that while early warning systems have helped to mitigate the damage of high-magnitude earthquakes in other countries, the United States has yet to implement the large-scale regional systems needed to save lives and property. Because electric signals transmit more quickly than seismic waves caused by earthquakes, these systems can alert areas surrounding earthquake epicenters of the imminent shaking, allowing anywhere from a few seconds to minutes for people to take cover, stop or slow trains, halt elevators, open firehouse doors, and other steps to prepare for the effects of sustained shaking. The first U.S. regional earthquake early warning system was launched only two months ago as a public-private partnership between Imperial County, CA and Seismic Warning Systems. The United States Geological Survey (USGS) and a coalition of Universities are currently developing an earthquake early warning system for the Western United States.

Witnesses included: Richard Allen, Director, Berkeley Seismological Laboratory, University of California Berkeley; John McPartland, Director, Bay Area Rapid Transit (BART); Bill Leith, Senior Science Advisor for Earthquake and Geologic Hazards, U.S. Geological Survey; John D. Schelling, Interim Mitigation and Recovery Section Manager, Washington State Emergency Management Division; and Douglas Toomey, Professor of Geophysics, University of Oregon.

“The earthquake risk in California is substantial, and too easily forgotten,” Dr. Allen of the Berkeley Seismological Laboratory testified. “A FEMA study estimates that more than 50% of the nation’s earthquake risk is in California where there are large populations on many faults. There is a 99% probability of an earthquake with a magnitude greater than 6.7 in the next 30 years. The southern San Andreas Fault south of Los Angeles, and Hayward Fault through the East San Francisco Bay Region are the highest hazard faults with more than 25 million people at risk. Oregon and Washington are threatened by even larger earthquakes.”

He testified that a clear opportunity exists to leverage existing federal investments in our seismic and GPS networks to deliver a robust public warning system that will provide warnings to all Californians, Oregonians, and Washingtonians, and could eventually be rolled out nationwide. The California Integrated Seismic Network, a statewide collaboration with the California Institute of Technology, the California Emergency Management Agency, the California Geological Survey, and the US Geological Survey, has been developing and testing a statewide earthquake early warning system since 2006 called ShakeAlert; it has been running as a demonstration system in California for more than two years, and it provided a 40 second warning to Los Angeles in the recent Anza earthquake. Up to a minute warning could be provided for bigger earthquakes in the future.

“The USGS has developed an implementation plan showing this system could be operational in two years; the cost of building and implementing the west coast system would be $120 million for the first five years. It will then cost $16 million per year to operate in addition to the current spending on the Advanced National Seismic System (ANSS). By comparison, preventing one BART train derailment will save about $30 million, and that is just the value of the train,” Dr. Allen said.

On behalf of the San Francisco Bay Area Rapid Transit (BART), one of the several agencies and private companies testing the system already, Mr. McPartland testified, “this notification system represents the best available technology but [BART] would welcome additional federal investment in and attention to the development of next generation technology that would provide more robust and advance notification.”
RESOURCES: HOUSE WATER RESOURCES HOLDS HEARING ON CWA JURISDICTIONAL RULE

On June 11, 2014, the Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee held a hearing titled "Potential Impacts of Proposed Changes to the Clean Water Act Jurisdictional Rule," in which the U.S. Environmental Protection Agency (EPA), the U.S. Army Corps of Engineers (Corps), and several stakeholder representatives testified regarding a joint EPA and Corps proposed rulemaking to redefine the regulatory term "waters of the United States" under the Clean Water Act.

Witnesses included: J. D. Strong, Executive Director, Oklahoma Water Resources Board on behalf of the Western Governors Association and Western States Water Council; Dusty Williams, General Manager and Chief Engineer, Riverside County, California Flood Control and Water Conservation District on behalf of the National Association of Counties and the National Association of Flood & Stormwater Management Agencies; Bob Stallman, President, American Farm Bureau Federation; Robert W. Perciasepe, Deputy Administrator, EPA; Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, Army Corps of Engineers; Mark Pifher, Manager, Southern Delivery System, Colorado Springs Utilities on behalf of the National Water Resources Association and Western Urban Water Coalition; Kevin Kelly, President, Leon N. Weiner and Associates, Inc. and 2014 National Association of Home Builders Board Chairman; and Eric Henry, President, TS Designs, on behalf of the American Sustainable Business Council.

On behalf of the Western Governors Association (WGA) and Western States Water Council (WSWC), J.D. Strong urged congressional direction to EPA and the Corps to more effectively consult state agencies in the development of the proposed CWA rule in two ways: first, EPA and the Corps should engage states early and often (separate and before public involvement) in the development of any CWA rulemaking, guidance, policies, or studies as such efforts cannot help but affect the roles and jurisdiction of the states, and second, the EPA should include more balanced Science Advisory Board (SAB) representation, to include state participation that constitutes no less than 10% of the membership of SAB committees, subcommittees and subject matter panels. "Such consultation will be critical in ensuring the effectiveness of this particular rulemaking and in avoiding unintended consequences, especially in the West, which is defined by arid landscapes and unique hydrologic and geographic features not found in the East. As such, state water managers must have a robust and meaningful voice in the development of any rule regarding the jurisdiction of the CWA," Strong testified.

Another concern, expressed by Dusty Williams on behalf of the National Association of Counties (NaCO) and the National Association of Flood & Stormwater Management Agencies (NAFSMA), is that while the proposed rule is intended to clarify issues raised in recent Supreme Court decisions on the Clean Water Act's (CWA) Section 404 permit program, the proposed rule may extend federal jurisdiction in not only this program, but also nine different regulatory programs. Bob Stallman of the American Farm Bureau (AFB) further emphasized the concern that the proposed rule would over-extend the scope of federal jurisdiction to regulate land and water resources. "Contrary to EPA's assurances to farmers and ranchers, this expansion of federal regulatory reach would essentially negate several longstanding statutory exemptions for agriculture....Under this rule, farmers and ranchers will have to get federal permits for ordinary and essential agricultural activities," Stallman testified.

Robert W. Perciasepe, the EPA's Deputy Administrator, testified that the proposed rule would not change jurisdictions and would not regulate projects that are not already regulated under current rules. In response to a question about storm water discharge regulations that are going to be imposed on communities by EPA, Mr. Perciasepe noted that under the Clean Water Act, areas that have stormwater runoff are required to get a permit. Mr. Perciasepe also said that fertilizer is not considered pollution and that
pesticides, if applied properly, are not considered pollutants if applied to crops, but they would require a permit if applied on water. Furthermore, he said that permitting requirements do not apply to pesticides when a field is flooded for falling purposes because the waters on a farmer's field are not considered jurisdictional.

Jo-Ellen Darcy, the Assistant Secretary of the Army for Civil Works, said that she thought that the rulemaking would lead to fewer lawsuits and greater clarity about the law. She also responded to a question about the time it takes to issue permits, saying that varies permit to permit and region to region, but that generally nationwide permits are issued more quickly than individual permits. She also refuted a claim that the rule would expand jurisdiction to include groundwater.

EPA and the Corps have recently announced a 91 day extension to the comment period to October 20, 2014.

For the full testimony of witnesses, please visit:

**HEALTH: SENATE AGRICULTURE EXAMINES CHILD NUTRITION PROGRAMS**

On June 12, 2014, the Senate Agriculture, Nutrition and Forestry Committee held a hearing titled "A National Priority: The Importance of Child Nutrition Programs to our Nation's Health, Economy and National Security." Witnesses discussed the far-reaching effects of the rising obesity epidemic, the scope and persistence of chronic childhood hunger, and the ways that school breakfast and lunch programs can continue to address these issues.

Witnesses included: General Richard Hawley, United States Air Force (Ret.), Mission: Readiness, Newport News, VA; Mr. Otha Thornton, President, National Parent Teacher Association, Fort Stewart, GA; Dr. Stephen R. Cook, Physician, Associate Professor, School of Medicine and Dentistry, University of Rochester Medical Center, Rochester, NY; and Ms. Yolanda Stanislaus, Principal, Francis Scott Key Middle School, Silver Spring, MD.

"The alarming fact is that an estimated 75 percent of all young Americans between the ages of 17 and 24 cannot qualify for military service. People are shocked when they hear that number - and they should be. There are three key barriers to enlistment that comprise that 75% figure: Our young adults are either unprepared academically - because they lack a high school degree or can't pass the military's entrance exam; they are too overweight to handle the physical tasks that military service demands; or they have a serious criminal record," General Hawley began. He noted that the leading medical disqualifier is obesity. Other costs of obesity to the Department of Defense include $90 million a year to recruit and train replacements for the 1,200 first-term enlistees discharged due to weight problems at a cost of $75,000 per person. Also, $1.1 billion are spent on obesity-related expenses through TRICARE, the healthcare program that serves service members, retirees, and their families. He stressed the importance of starting early to encourage and educate youth on healthy living practices, and said “the school nutrition environment is one of the best places where we can begin to change habits.”

As both a pediatrician and internist, Dr. Cook said that he is witnessing first-hand the alarming effects of childhood obesity, including onset of adulthood diseases such as type 2 diabetes, hypertension, and fatty liver disease in children at unprecedented levels. "More than 90 percent of U.S. children meet none or only one of the five components that the American Heart Association uses to define a healthy diet. Indeed, the obesity epidemic can be traced back to a number of nutrition factors, such as higher costs for healthy foods; cheaper junk foods and beverages, high in sugars and unhealthy fats; bigger portion sizes; and increased school vending and a la carte foods. A lack of regular physical activity is also a major factor that needs to be addressed. He argued that schools can and should be instrumental in positively changing the social-environmental landscape for healthier lifestyles."
For more information, please visit:

**ENERGY: SEVERAL CALIFORNIANS RECEIVE DOE’S LAWRENCE AWARDS**

On June 24, 2014, the Department of Energy will honor the recipients of its 2013 Ernest Orlando Lawrence Awards. Several California scientists are being honored.

The Award was established in 1959 in honor of a scientist who helped elevate American physics to world leadership. Mid-career U.S. scientists and engineers are selected for their exceptional contributions in research and development in support of the Department of Energy and its mission to advance the national, economic and energy security of the United States. The awards are administered by the Office of Science, and the winner receives a $20,000 honorarium, a citation signed by the Secretary of Energy, and a gold medal bearing the likeness of Ernest Orlando Lawrence.

E.O. Lawrence was a Nobel Laureate in physics, and he played a leading role in establishing the U.S. system of national laboratories, two of which (Lawrence Berkeley and Lawrence Livermore) now bear his name.

Once again, California is well-represented in that three of the six 2014 honorees are from California-based laboratories. They are:

- Adam P. Arkin from the Lawrence Berkeley National Laboratory, for his work in the biological and environmental sciences;
- Siegfried H. Glenzer from the SLAC National Accelerator Laboratory for his work in fusion and plasma sciences; and
- Stephen C. Myers from the Lawrence Livermore National Laboratory for his work in national security and nonproliferation.

For more details about the work of the awardees, please visit:
http://science.energy.gov/lawrence/ceremony

**REPORT: RAND STUDIES ASSESSING “21ST CENTURY COMPETENCIES” IN EDUCATION**

In a recent report by the RAND Corporation, authors Brian Stecher and Laura Hamilton discuss what are often referred to as “21st century skills” or “21st century competencies,” as they are becoming increasingly central in education policy discussions, and how to go about assessing the development of these competencies in students. These so-called 21st century competencies are typically broad concepts such as creativity, adaptability, and global awareness, considered important for career and college readiness, that public school systems are expected to promote in addition to specific academic achievement. As the authors note, assessing these competencies can provide educators with a broader set of indicators they can use to inform instruction and set goals with students. However, evidence about the effects of testing suggests that caution and careful planning is warranted when developing and launching a new assessment system.

Based on a comprehensive review of assessments of 21st century competencies, including widely used measures and some that are in development, as well as interviews with educators about how these measures are being used and about the challenges and limitations associated with them, the authors identified a set of key lessons learned for those who develop or implement these new assessment systems. Among several recommendations, the authors argued that it is important to understand that innovative assessments often come with a cost; context and culture matter; data should drive instruction to create learning opportunities; and partnerships should be leveraged to development assessments.

For the full set of recommendations from this review, please visit:
http://www.rand.org/blog/2014/02/how-to-assess-21st-century-competencies-12-key-lessons.html