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.

TECHNOLOGY: HOUSE PASSES PERMANENT EXTENSION OF INTERNET SALES TAX BAN

On July 15, 2014, by a voice vote under suspension of the rules, the House passed H.R. 3086, the Permanent Internet Tax Freedom Act. The bill had overwhelming bipartisan support with 228 co-sponsors, including over two dozen California members.

H.R. 3086 makes permanent the current moratorium that prohibit states from imposing taxes on access to the Internet. It also prohibits multiple states and local authorities from imposing additional or higher taxes on online purchases, as well as the following kinds of sales taxes: bit taxes, or taxes on e-mail and Internet usage by volume; taxes on goods, property or services that normally would not be taxed by the state if they were purchased outside the Internet; and taxes that would require collection by online retailers that do not have a physical presence in the state. The current moratorium is set to expire on November 1, 2014 (PL 110-108).

On the Senate side, Majority Leader Harry Reid (NV) has indicated that two bills would probably be combined and dealt with together. The first is a 10 year extension, not a permanent ban of the current moratorium on Internet access taxes, and the second is S. 743, previously passed by the Senate, which authorizes the states to collect sales taxes from out-of-state online vendors.

TRANSPORTATION: HOUSE PASSES HIGHWAY TRUST FUND BILL

On July 15, 2014, the House passed H.R. 5021, the Highway Trust Fund Reauthorization in a 367-55 vote; legislation is expected to be taken up in the Senate next week. The bill would reauthorize the federal-aid highway and transit programs for eight months, through May 31, 2015, and transfer $10.8 billion in other federal funds to the Highway Trust Fund to cover projected trust fund shortfalls. The bill would authorize $26.8 billion in highway and highway safety obligations; $293 million in contract authority for administrative expenses of the federal-aid highway program; $454 million for National Highway Traffic Safety Administration programs and $415 million for Federal Motor Carrier Safety Administration; and $5.7 billion for mass transit formula grants, $1.3 billion for capital...
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MaryBeth Sullivan  
Executive Director

investment grants and $44 million for bus and bus facilities grants. Without the legislation, the Trust Fund was set to run out of money within a few months, and transportation projects during the busy summer construction period, would have been vulnerable to shut downs. The cost of the bill was offset primarily by extending customs fees and "pension smoothing" provisions affecting corporations.

“We have an immediate, critical need to address the solvency of the Highway Trust Fund and extend the current surface transportation law. This bill does that in a responsible way with policies that have all previously received strong bipartisan and bicameral support. If Congress fails to act, thousands of transportation projects and hundreds of thousands of jobs across the country will be at risk,” said Transportation and Infrastructure Committee Chairman Bill Shuster.

**APPROPRIATIONS: HOUSE COMMITTEE REPORTS FY15 INTERIOR & ENVIRONMENT FUNDING**

On Tuesday, July 15, 2014, the House Appropriations Committee approved the fiscal year 2015 Interior and Environment Appropriations bill on a vote of 29-19. The legislation includes funding for the Department of the Interior, the Environmental Protection Agency (EPA), the Forest Service, the Indian Health Service, and various independent and related agencies. The full committee approved six minor amendments by voice vote. For more detailed coverage of this bill, please visit: [http://www.calinst.org/bul2/b2119.shtml](http://www.calinst.org/bul2/b2119.shtml).

In total, the bill includes $30.2 billion in base funding, an increase of $162 million above the fiscal year 2014 enacted level and a reduction of $409 million below the President's request. This includes a one-time payment of $442 million for "Payments in Lieu of Taxes" (PILT) - which provides funds to local communities with large areas of federal land to help offset losses in property taxes - and $4.1 billion to prevent and combat devastating wildland fires. In addition, the legislation also includes policy provisions to curtail the regulatory authority of federal agencies such as the EPA.

"The Interior and Environment bill provides the agencies within its jurisdiction with the resources necessary to carry out their mission in times that are fiscally challenging," said Chairman Ken Calvert (Corona), and "continues to place an emphasis on producing energy on federal lands, providing robust funding for our wildland fire accounts, and addressing a variety of health, education, and safety needs within Indian Country. I am especially proud that we have been able to extend and pay for the PILT program, which provides critical resources to so many communities, such as Riverside County, throughout the country."

In addition to the funding for wildland firefighting and prevention programs and for PILT, the bill includes $7.5 billion for the EPA, $4.6 billion for the Indian Health Service, $1.1 billion for the Bureau of Land Management, $2.6 billion for the National Park Service, $5.6 billion for the Forest Service, $1.4 billion for the U.S. Fish and Wildlife Service, and $1 billion for the U.S. Geological Survey.

IMMIGRATION: SENATE HOMELAND SECURITY CONTINUES HEARINGS ON BORDER ISSUE

Last week, the Senate Homeland Security and Governmental Affairs Committee held a hearing examining the Administration’s response to a recent surge in migration from Central America, including unprecedented numbers of unaccompanied minors being apprehended by Border Patrol. The Committee convened again this week on Wednesday, July 16, 2014 for a follow up hearing titled "Challenges at the Border: Examining and Addressing the Root Causes Behind the Rise in Apprehensions at the Southern Border." Addressing the root causes of the steady increase of violence in the Central American region—El Salvador, Honduras, and Guatemala each have some of the highest rates of homicide in the world—and the lack of economic opportunity for citizens must be a part of a sustainable, long-term solution to this growing crisis, argued Chairman Tom Carper (DE). “Twenty years ago, Colombia was close to being a failed state, and the economic situation in Mexico was so bad that more than a million Mexicans were apprehended trying to cross our border every year. Today, we are seeing record low numbers of Mexicans being apprehended at the border, with some researchers suggesting that more Mexicans may actually be leaving the U.S. each year than are coming here illegally. And Colombia has become a vibrant and trusted democratic partner in the region. Of course, these two countries still face challenges, but I believe we can all agree that there has been a dramatic turnaround in both countries....we need to figure out what worked in Mexico and Colombia, and do more of that,” he said.

Witnesses at the hearing included: Michael Shifter, President, Inter-American Dialogue; Eric L. Olson, Associate Director, Latin American Program, Woodrow Wilson International Center for Scholars; Eric Farnsworth, Vice President, Americas Society/Council of the Americas; Richard Jones, Deputy Regional Director, Global Solidarity and Justice in Latin America and the Caribbean, Catholic Relief Services; and Bryan Roberts, Senior Economist, Econometrica, Inc.

“The bulk of President Obama’s $3.7 billion request to Congress, though targeted to essential purposes that mostly deal with current conditions on the US side of the border, is nonetheless unlikely to stem yet another wave of migrants coming from Honduras, Guatemala, and El Salvador down the road,” opened Michael Shifter of the Inter-American Dialogue. Shifter argued that funds should be increased to support US collaboration focused on enhancing the rule of law, particularly through the strengthening of institutions such as the police and court system, which he identified as the core of these countries’ governance problems. He also argued that current U.S. funds should be reallocated: focusing on the interdiction of drugs passing through Central America has had little impact on the quantity or price of narcotics in the United States and may be fueling the spreading criminality, according to some experts, and bolstering state capacity and governance will do more to reduce the drug problem that is contributing to the rampant violence, he said.

Some of the witnesses discussed the U.S. framework for addressing security concerns in Central America that began under the Bush Administration, known as CARSI—the Central America Regional Security Initiative. While acknowledging the strengths of programs under CARSI, Eric Olson of the Woodrow Wilson International Center for Scholars said that CARSI “lacks an overall strategic framework that sets priorities and ensures that programs are complementary rather than working at cross purposes. Inter-agency coordination has to mean more than simply reporting what each agency is doing. We need to measure outcomes—like a reduction in crime and more effective prosecution—not inputs—like how many police we have trained—to ensure that our efforts produce the desired outcomes. Training alone is insufficient to turn the tide against corruption and criminal networks operating within government institutions. Aggressive anti-corruption and prosecution strategies are more immediately important.” He went on to describe other policy proposals that he argued could help
strengthen the rule of law in Central America, bringing about a more sustained peace in the region that would stem the flow of migration to the U.S. “There are no easy solutions or shortcuts for dealing with these issues. It will require long-term bipartisan commitment to the region, discipline to stay focused on the framework, and adequate, not unlimited, resources. Hopefully some of these ideas can help the discussion going forward,” he concluded.

For the full testimony of witnesses, please visit:

For a white paper about the current crisis, published by the California Senate Office of Research, please visit:

**SCIENCE AND R&D: HOUSE SCIENCE EXAMINES FUSION ENERGY PROGRAM**

On Friday, July 11, 2014, the Energy Subcommittee of the House Science, Space and Technology Committee held a hearing titled “Fusion Energy: The World’s Most Complex Energy Project.” Witnesses discussed the Fusion Energy Science (FES) program within the Department of Energy’s (DOE’s) Office of Science, focusing on the United States’ involvement in the International Thermonuclear Experimental Reactor (ITER) project located in Cadarache, France, as well as its current operating status. The pursuit of fusion energy is an attempt to replicate the energy-producing power of a star on earth as a sustainable, renewable, zero-emissions energy source.

Witnesses included: Frank Rusco, Director, Natural Resources and Environment, Government Accountability Office; Pat Dehmer, Deputy Director for Science Programs, Department of Energy; Robert Iotti, Council Chairman, ITER; and Ned Sauthoff, Director, U.S. ITER Project, Oak Ridge National Laboratory.

The ITER project is a collaboration to design, build, and operate a first-of-a-kind research facility to achieve and maintain a burning plasma (the primary constituent matter of most stars) with a peak output tenfold the input power. The Energy Policy Act of 2005 authorized U.S. participation in the project, leading to the DOE being obligated to ITER for: (1) supplying personnel; (2) providing cash contributions to the ITER Organization; and (3) delivering assigned hardware components.

“The U.S. continues to be a strong and demanding partner in the ITER project, with contributions in fabrication, technical innovation, and management practices. The impact of U.S. contributions to ITER extends across the country, contributing to manufacturing and high technology industries, leading-edge research at universities and national laboratories, and U.S. readiness for fusion energy development. More than 80% of the project total funding will be spent in the U.S. Through March 31, 2014, there have been over $616 million in purchase orders to U.S. industry and universities, and commitments to Department of Energy National Laboratories, in 40 states plus Washington, DC.

The R&D portion of the U.S. fabrication project effort is nearly complete (87%) and >70% (by value) of the U.S. hardware is in final design or beyond. Fabrication and delivery of hardware is underway. The U.S. schedule for these deliverables is driven by the international schedule,” explained Dr. Sauthoff, director of the U.S. ITER Project.

According to committee documents, the President’s fiscal year 2015 request cuts ITER funding by $50 million, in favor of wind and solar projects. The Consolidated Appropriations Act of 2014 provided $199.5 million for ITER with a stipulation that “not more than $22,790,000 may be available for U.S. cash contributions to the International Thermonuclear Experimental Reactor project until its governing Council adopts the recommendations of the Third Biennial International Organization
Management Assessment Report.” Dr. Iotti, the recently appointed Council Chairman, detailed the steps being taken to correct these management issues and testified that the project should have a predictable schedule by mid-2015, which will enable knowledge of costs, among other outstanding issues. “I firmly believe that ITER will be a great success, not only as an experimental facility, but as a model of international cooperation, and the U.S must be part of this grand challenge,” he concluded.

For more information, please visit:
http://science.house.gov/hearing/subcommittee-energy-hearing-fusion-energy-world-s-most-complex-energy-project

TOURISM: HOUSE ENERGY & COMMERCE REPORTS TRAVEL PROMOTION BILL

The House Committee on Energy and Commerce convened on Tuesday, July 15, 2014 to mark up seven bipartisan bills aimed at improving public health and strengthening the economy. All bills were approved by voice vote, including H.R. 4450, the Travel Promotion, Enhancement, and Modernization Act of 2014. Eight California members joined the list of cosponsors of this bill to extend the Travel Promotion Act of 2009, which established the public-private partnership Corporation for Travel Promotion (Brand USA) to encourage increased international visitation to the United States and to grow America’s share of the global travel market. The goal is to bring millions of new international visitors who spend billions of dollars in the United States, creating tens of thousands of new American jobs. Through an amendment to the Immigration and Nationality Act, H.R. 4450 reauthorizes 100 percent matched public funding of the Travel Promotion Fund through FY 2020.

The bill includes additional accountability measures, such as requirements for Brand USA to establish a competitive procurement process and a set of performance metrics to measure the impact of BrandUSA’s marketing efforts.

Visit California is a nonprofit organization with a mission to develop and maintain marketing programs — in partnership with the state's travel industry — that keep California “top-of-mind” as a premier travel destination. According to Visit California, travel and tourism expenditures generated $109.6 billion in revenue for California businesses in 2013, a 3.2 percent increase from the prior year. The money spent by travelers directly supported jobs for 965,800 Californians and generated $7.1 billion in state and local tax revenues. Tourism is California’s fourth-largest employer and fifth-largest contributor to the gross state product. Visit California provides integrated marketing resources with Brand USA on its website:
http://industry.visitcalifornia.com/Travel-Industry/Hidden/Brand-USA-Resources/

For the full text of H.R. 4450, please visit:
http://docs.house.gov/meetings/IF/IF00/20140714/102506/BILLS-113HR4450ih.pdf

TRADE: WAYS & MEANS SUBCOMMITTEE EXAMINES TRADE AND WTO ISSUES

The House Ways and Means Trade Subcommittee, chaired by Rep. Devin Nunes (Tulare) held a hearing on Wednesday, July 16, 2014 on “Advancing the U.S. Trade Agenda: The World Trade Organization.” The focus of the hearing included: (1) implementation of the Trade Facilitation Agreement and opportunities created by that agreement; (2) the potential benefits of an ambitious agreement to expand the Information Technology Agreement; (3) the launch of the recently notified environmental goods agreement; (4) the important role of ongoing monitoring and enforcement activities; and the (5) future work of the WTO.

In announcing the hearing, Chairman Nunes said, “The World Trade Organization had been instrumental in liberalizing world trade. But many of its efforts have focused on twentieth-century
issues such as reducing and eliminating tariffs. We’d like to explore ways the WTO could more effectively address today’s behind-the-border barriers to trade and continue to address remaining tariff and non-tariff barriers, including sanitary and phytosanitary barriers to agriculture trade that are not based on sound science.”

The only witness was Ambassador Michael Punke, Deputy United States Trade Representative and U.S. Ambassador and Permanent Representative to the World Trade Organization, Office of the United States Trade Representative.

In his testimony the Ambassador laid out the United States’ efforts at the WTO’s 9th Ministerial Conference last December in Bali to complete the Trade Facilitation Agreement (TFA), the first successful conclusion of multilateral trade negotiations in the two-decade history of the WTO. The USTR is also working on several other initiatives, including a Trade in Services Agreement (TiSA), expansion of the Information Technology Agreement (ITA), and an Environmental Goods Agreement (EGA).

Ambassador Punke also noted that when the U.S. completes the Trans-Pacific Partnership and the Trans-Atlantic Trade and Investment Partnership agreements, we will have free trade with two-thirds of the global economy.

For more information on the hearing, go to: http://waysandmeans.house.gov/calendar/eventsingle.aspx?EventID=387199

ENTEERTAINMENT:  SENEAT COMMERCE EXPLORES FUTURE OF VIDEO MARKET

On Wednesday, July 16, the Senate Commerce, Science and Transportation Committee held a hearing titled “At a Tipping Point: Consumer Choice, Consolidation and the Future Video Marketplace,” to consider policy questions around the evolution of online video services and how to foster maximum consumer choice, competitive alternatives, high quality content, and lower rates, in upcoming consideration of the proposed Consumer Choice in Online Video Act.

Witnesses included: Mr. David L. Cohen, Executive Vice President, Comcast Corporation; Mr. John Stankey, Senior Executive Vice President and Chief Strategy Officer, AT&T Inc.; Mr. Gene Kimmelman, President & CEO, Public Knowledge; Mr. Shawn Ryan, Member, Writers Guild of America, West; Mr. Jeffrey Blum, Senior Vice President and Deputy General Counsel, Dish Network; and Mr. Justin (Gus) Hurwitz, Assistant Professor of Law, University of Nebraska College of Law.

“Video competition today is strong and dynamic. Competition is increasing sharply as both incumbent and new providers find new ways to satisfy video demand,” said John Stankey of AT&T. “This increased competition is being driven by broadband advances and investments. National wireless broadband networks can now deliver video quickly and efficiently. Advanced wireline connections to the home have more capacity and are becoming more widely available. As a result, it has never been easier for consumers to find the video programming they want to watch, when and how they want to watch it.” He went on to explain why a merger between AT&T and DIRECTV would be a benefit to consumers: rather than stifle competition, he posited that the merger would enable the company to be a more effective, nationwide competitor with traditional cable television companies by leveraging the broadband access of AT&T and the video offering of DIRECTV. Doing so would enable AT&T to build and enhance high-speed broadband service to at least 15 million customer locations, most of them rural, within four years of the transaction, he testified. Mr. Cohen gave similar testimony about the competitive nature of both the video and broadband marketplaces, giving testimony about the benefits to consumers of the proposed Comcast-Time Warner merger.
Gene Kimmelman of Public Knowledge offered a different perspective about the nature of the current competitive environment in the video marketplace. He acknowledged that while a vibrant broadband economy is beginning to allow for alternatives to subscription television, he said that the advent of online video and connected devices still have a somewhat limited competitive effect. “At the moment, [online video and connected devices] are not driving down cable prices because anti-competitive practices and outdated policies have relegated them to being a supplement to cable and satellite, not a replacement. Incumbent providers control both the content and the infrastructure that new competitors need to provide service to viewers,” he argued. He outlined why Public Knowledge is advocating against the proposed Comcast-Time Warner merger, saying that the combination of the two largest cable companies will threaten the viability of nascent competitors and endanger the emergence of innovative new video and other types of services delivered over the Internet, and is inconsistent with antitrust policy, the goals of the Communications Act, and the broader public interest. On behalf of the Writers Guild of America, Shawn Ryan offered further testimony in opposition to the proposed mergers of major media companies in favor of policies that in his view would serve the public interest by increasing viewpoint diversity and competition in program supply and result in a thriving independent production sector.

For the full testimony of witnesses, please visit:
http://www.commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord_id=b6ff2efd-1203-4b0e-87d5-87edcc63e4d&ContentType_id=14f995b9-4e9a-407a-9d35-56cc7152a7ed&Group_id=b06c39af-e033-4cba-9221-de668ca1978a

HEALTH: HOUSE ENERGY & COMMERCE ASSESSES TECHNOLOGICAL ADVANCES IN HEALTH CARE

The Communications & Technology and Health Subcommittees of the House Committee on Energy and Commerce convened on Thursday, July 17, 2014 for a joint hearing entitled “21st Century Technology for 21st Century Cures.” The members heard from witnesses about how the evolution of communication technology is transforming how patients, researchers, and doctors can interact, including through such concepts as telemedicine and mHealth (or mobile health). Policymakers considered how laws might be updated to foster new technologies and harness the power of these innovations to accelerate and strengthen the discovery, development, and delivery cycle of new cures and treatments. “The collaboration of the Health and Communications and Technology Subcommittees allows for an exciting conversation about what’s next and how we can best leverage our nation’s technological leadership to improve our health care system,” noted full Committee Chairman Upton.

Witnesses included: Robert Jarrin, Senior Director, Government Affairs, Qualcomm Incorporated; Paul Misener, Vice President, Global Public Policy, Amazon; Dr. Jonathan Niloff, Chief Medical Officer and Vice President, McKesson Connected Care and Analytics, McKesson Corporation; Dan Riskin, Founder, Health Fidelity; and Dave Vockell, Chief Executive Officer, LyfeChannel.

On behalf of Qualcomm, and their subsidiary Qualcomm Life, Robert Jarrin testified to the scope of investments to date in mobile health space, the benefits realized from this investment, and challenges to further adoption of mobile health technology. With mobile health, remote patient monitoring is proliferating, which has the potential to increase patient access to medical attention at a lower cost. However, he said, lack of reimbursement payment coverage is a major barrier to telehealth and remote patient monitoring technologies. “Current Medicare telehealth reimbursement provisions in the Social Security Act are outdated inhibitors to the proliferation of mobile health. They are limiting patient access to new technologies, effectively discouraging providers from utilizing advanced
information communications in their practices,” he explained. Another challenge, he explained, is the outdated criteria used by Centers for Medicare and Medicaid Services EHR incentive payment program to evaluate the usefulness of these new technologies. Finally, he commended the Committee for working to make mobile broadband spectrum more available to enable the widespread use of these technologies.

Cloud computing can accelerate the discovery, development, and delivery of new biomedical treatments and cures, said Paul Misener of Amazon, and he offered three recommendations to Congress to help further this goal. According to Misener, first, Congress could work with NIH to establish and operate cloud-based data management platforms, which federally-funded researchers could use to share their data. Second, he advocated the enactment of both H.R. 967, the Advancing America's Networking and Information Technology Research and Development Act, and H.R. 1232, the Federal IT Acquisition and Reform Act. Finally, Congress could work with the Department of Health and Human Services to modernize implementation of the Health Insurance Portability and Accountability Act (HIPAA) so that healthcare providers can readily employ the benefits of cloud computing without any compromise of the strong privacy protections HIPAA now affords health information. The potential benefits of the use of new technologies go well beyond the goals of identifying and targeting better individual treatments—they stand to revolutionize the way that medical research impacts the field as a whole, potentially making drastic improvements in patient outcomes at a reduced cost.

For more information, please visit:

**RESEARCH & DEVELOPMENT: HOUSE SCIENCE SUBCOMMITTEE EXPLORES BIOMEDICAL R&D INVESTMENTS**

On Thursday, July 17, 2014, the House Science and Technology Subcommittee on Research and Technology held a hearing to explore public and private sector efforts in basic, applied, translational, and clinical scientific research for medical breakthroughs discovered through interdisciplinary biomedical R&D. Chemistry, physics, mathematics, computing, and engineering are playing an increasingly important role in the interdisciplinary approach to biomedical research, which has been crucial to advancing cures to complex human diseases and injury. Publicly-funded biomedical research is estimated at approximately $50 billion annually (with the National Institutes of Health budget $30.1 billion in FY2014), while privately-funded biomedical research in the U.S. is estimated at over $70 billion annually. Witnesses provided insight to guide public policies that will spur more innovation and investment for medical breakthroughs.

Witnesses Scheduled: Jay Keasling, Professor of Biochemical Engineering, University of California, Berkeley; Craig Venter, Founder, Chairman, and CEO, J. Craig Venter Institute, Synthetic Genomics, Inc., and Human Longevity, Inc.; Marc Tessier-Lavigne, President and Professor, Laboratory of Brain Development and Repair, The Rockefeller University; and Harold Varmus, Director, National Cancer Institute.

Jay Keasling is a University of California, Berkeley professor of Chemical and Biomolecular Engineering and of Bioengineering and a Senior Faculty Scientist at the Lawrence Berkeley National Laboratory. In his view, the federal government can play a crucial role in advancing engineering biology for the greatest public benefit through: sustained federal investment in foundational tools and research; interagency coordination that enables a shared research agenda and vision for achieving outcomes consistent with public values and priorities; and promotion of industry-academic-government collaboration to align strategic research aims, spur economic development, promote commercialization
of academic research, leverage private investment and encourage new start-up ventures; policy coordination and regulatory research and development capacity to address potential economic, security, safety, and environmental effects of engineering biology, establish regulatory jurisdiction, reduce regulatory uncertainty, and address ethical, legal and social concerns; increased educational opportunities for workforce development in the STEM fields; development of public infrastructure, such as libraries of genetic information and materials to provide the pre-competitive platform for innovators to thrive; and public engagement at the national level.

“Just as the information age transformed life in the 20th century, so too the engineering of biology is poised to bring tremendous changes to society in the 21st century. And we will be able to do it more quickly, more cost-effectively, and more precisely than ever before. But we must act quickly to put a national initiative in play; the role of the U.S. in the bioeconomy that results from the tools of synthetic biology will be determined by the actions of the federal government in the next five years,” he concluded.

For more information, please visit: http://science.house.gov/hearing/subcommittee-research-and-technology-hearing-policies-spur-innovative-medical-breakthroughs