
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.

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The California Institute for Federal Policy Research
4114 Davis Place, NW, Suite 114
Washington, D.C. 20007
Phone: 202-321-6229
www.calinst.org

MaryBeth Sullivan
Executive Director
sullivan@calinst.org

EDUCATION: SENATE COMMITTEE EXAMINES OPPORTUNITIES FOR INNOVATION WITHIN NO CHILD LEFT BEHIND

On Tuesday, February 3, 2015, the Senate Committee on Health, Education, Labor, & Pensions convened for a hearing entitled, "Fixing No Child Left Behind: Innovation to Better Meet the Needs of Students." Chairman Lamar Alexander (TN) conducted the hearing as a roundtable, a conversation between panel witnesses and senators. "The government ought to be more of an enabler and an encourager of innovation, not a mandator," he said.

Witnesses included Robert Balfanz, Research Professor, Center for Social Organization of Schools, John Hopkins University School of Education; Ken Bradford, Assistant Superintendent, Louisiana Department of Education, Baton Rouge, La.; Josh Davis, Vice President, External Affairs, Delta Health Alliance, Stoneville, Miss.; Katie Duffy, CEO, Democracy Prep Public Schools, New York, N.Y.; Dr. James McIntyre, Jr., Superintendent, Knox County Schools, Knoxville, TN; Susan Kessler, Executive Principal, Hunter Lane High School,
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MaryBeth Sullivan
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Nashville, Tenn.; and Henriette Taylor, Community School Coordinator, Historic Samuel Coleridge-Taylor Elementary School, Baltimore, Md.

"While the standards themselves should not be dictated, I think states having to demonstrate that they have adopted rigorous, college and career ready standards is a reasonable requirement under the law. But states should have absolute autonomy and discretion as to the content, substance, structure and requirements of those standards," testified Dr. McIntyre, Jr. He also expressed support for annual assessment requirements in order to measure effectiveness.

Dr. Kessler agreed that disaggregated data is an important measure of achievement, but that it should not be the sole measure nor should it be punitive. She believes that a student's test performance on one day should not be used to indicate whether that student or school is failing or succeeding.

Ms. Taylor testified to the importance of measuring all-around student wellness instead of only academic performance, especially in high-needs areas.

For more information, please visit:
http://www.help.senate.gov/hearings/hearing/?id=b7082021-5056-a032-5289-1341f4ce3f01.

**RESOURCES:**

**HOUSE SUBCOMMITTEE HEARING AND Markup on Drinking Water Protections**

On Thursday, February 5, 2015, the House Energy and Commerce Subcommittee on Environment and the Economy held a hearing titled, "H.R. 212, the Drinking Water Protection Act." The Subcommittee examined legislation that creates a framework for better understanding and addressing the risk posed by algal toxins that can be present in drinking water. H.R. 212 requires the Environmental Protection Agency (EPA) to develop and submit a strategic plan to Congress for assessing and managing risks from cyanotoxins in drinking water provided by public water systems within 90 days.

Witnesses included Dr. Peter Grevatt, Director, Office of Ground Water and Drinking Water, U.S. Environmental Protection Agency; Mr. Mike Baker, Chief, Division of Drinking Water and Ground Waters, Ohio Environmental Protection Agency; Mr. Aurel Arndt, Chief Executive Officer, Lehigh County Authority (PA), on behalf of the American Water Works Association; and Ms. Kristy Meyer, Managing Director, Agricultural, Health, and Clean Waters Programs, Ohio Environmental Council.

"The question to be answered is this: Should the financial burden of solving this important problem fall solely on the customers of the affected public water systems, or also on those responsible for creating or contributing to the overall problem in the first place?" stated Ms. Meyer in the light of a 2014 algal bloom that contaminated the drinking water of the city of Toledo. She noted that drinking water treatment technology does exist, but that it is very expensive to acquire and maintain. She recommended against municipalities bearing the entire burden of such technology, as it would be excessive.
Dr. Grevatt indicated that the Administration has not yet taken a position on the bill. However, the EPA is in the process of working on health advisories for two cyanotoxins, which will establish the concentrations of such contaminants below which adverse health effects are not expected.

The Subcommittee also conducted a markup on H.R. 212 that same day. Chairman Shimkus (IL) proposed an amendment in the nature of a substitute, which broadens the language in alignment with the Clean Water Act. The bill was approved as amended by voice vote.

For more information, please visit:
http://energycommerce.house.gov/hearing/hr-212-drinking-water-protection-act

IMMIGRATION: HOUSE COMMITTEE DISCUSSES IMMIGRATION ENFORCEMENT; DHS FUNDING DEADLINE LOOMS

On Tuesday, February 3, 2014, the House Judiciary Committee held a hearing entitled "Examining the Adequacy and Enforcement of Our Nation's Immigration Laws." In his opening statement, Chairman Bob Goodlatte (VA) spoke against the end of the Secure Communities Program, a decrease in the number of deportations, and a too-generous asylum process created by President Obama's immigration policy priorities. The hearing took place just weeks before funding for the Department of Homeland Security expires at the end of February.

Witnesses included Paul Babeu, Sheriff, Pinal County, Florence, AZ; Jan C. Ting, Professor of Law, Temple University Beasley School of Law, Philadelphia, PA; Jessica Vaughan, Director of Policy Studies, Center for Immigration Studies, Washington, D.C.; and Marc R. Rosenblum, Deputy Director, U.S. Immigration Policy Program, Migration Policy Institute, Washington, D.C.

Sheriff Babeu, Professor Ting, and Ms. Vaughan firmly opposed the President's Executive Actions on Immigration taken in November 2014 and emphasized enforcement of immigration law. "There are three key elements to secure the border," stated Sheriff Babeu. He continued, "First, deploy 6,000-armed soldiers for a period of two years. While armed soldiers are deployed, complete the double barrier fence with the surveillance platforms, lighting, sensors, and asphalt roads to support rapid deployment of US Border Patrol. Thirdly, fully enforce the law without any diversion option for illegals."

Mr. Rosenblum encouraged Congress to consider a more holistic immigration system that addresses the root causes of illegal immigration. He stated that unauthorized immigration has decreased since 2007, partly as a consequence of increased enforcement. Mr. Rosenblum questioned the monetary cost, as well as the implicit costs, of an immigration system that relies too heavily on enforcement. "The modern era of immigration enforcement also implicates other key U.S. law enforcement efforts, and has especially adverse consequences for the U.S. families of unauthorized immigrants. Today's enforcement system also has adverse implications for the civil rights, economic activity and other quality of life issues in many U.S. communities; and they have likely contributed to increased crime and violence on the Mexican side of the border," he stated.

For more information, please visit:

IMMIGRATION: HOUSE SUBCOMMITTEE DISCUSSES LEGAL WORKFORCE ACT AND IMMIGRATION

The Subcommittee on Immigration and Border Security of the House Judiciary Committee convened for a hearing on Wednesday, February 4, 2015 concerning the Legal Workforce Act. According to Chairman Bob Goodlatte (VA), the Legal Workforce Act "will play an integral role in the
enforcement of U.S. immigration laws and the discontinuation of the jobs magnet responsible for so much illegal immigration." The Legal Workforce Act expands the E-Verify system and increases penalties for employers that hire undocumented workers. The intent of the legislation includes a decrease in illegal immigration and a preservation of jobs for American workers, according to the Chairman.

Witness included Randel K. Johnson, Senior Vice President, Labor, Immigration and Employee Benefits, U.S. Chamber of Commerce; Jill G. Blitstein, International Employment Manager, Human Resources, North Carolina State University; Angelo Amador, Vice President, Labor and Workforce Policy, National Restaurant Association; and Chuck Conner, President and CEO, National Council of Farmer Cooperatives.

"If we accept that there will be stiff penalties for an employer's failure to complete the electronic employment verification process, we insist that process (i) reflect one, single national policy - and uniform enforcement standards, (ii) establish strong safe harbors for compliant employers, (iii) provide an integrated, single employment verification system, and (iv) include no mandatory re-verification requirement for current staff," stated Mr. Johnson, reversing the Chamber of Commerce's previous opposition to the expansion of E-Verify. Currently, various states have their own policies concerning employment verification, which the Legal Workforce Act would preempt.

For more information, please visit: http://judiciary.house.gov/index.cfm/hearings?ID=E0E1AAC5-9B3B-429D-898E-9299BBC6F431.

**IMMIGRATION: SENATE HOMELAND SECURITY WEIGHS PROS AND CONS OF IMMIGRATION EXECUTIVE ACTIONS**

On Wednesday, February 4, 2015, the Senate Homeland Security and Government Affairs Committee held a hearing entitled, "Deferred Action on Immigration: Implications and Unanswered Questions." In his opening statement, Chairman Ron Johnson (WI) voiced concern about the effect of the President's Executive Actions on attempted illegal crossings into the country, citing the increase of children attempting to enter the country after the 2012 Executive Actions. "Are those Executive Actions going to help the problem or exacerbate the problem?" he asked.

Witnesses included Stephen C. Goss, Chief Actuary, Social Security Administration; Eileen J. O'Connor, Partner, Pillsbury Winthrop Shaw Pittman LLP; Luke P. Bellocchi, of Counsel, Wasserman, Mancini & Chang; Shawn Moran, Vice President, National Border Patrol Council; and Bo Cooper, Partner, Fragomen, Del Rey, Bernsen & Loewy LLP.

Mr. Goss testified to the impact of the November 20, 2014 Executive Actions on Social Security, Medicare, and population growth: "Net immigration into the United States adds about one million extra people into our population every year. Now compare that with four million births that we have on our shores every year, that's a substantial component of the growth of our population. Not only does it cause our population to grow faster than it would otherwise, but it also changes the age distribution, which… is incredibly critical to the financing of Social Security, Medicare, and all retirement plans." Extra employment from extra immigration increases GDP, he added.

Ms. O'Connor testified to the negative impacts on tax administration: "We know from experience that the actions upon which the Administration embarks are guaranteed to inflict substantial damage on tax administration and enforcement, and to drain even more billions of hard-earned dollars from the Federal Treasury than past follies are already costing and continue to cost." Of particular concern are "refundable credits," which may be granted to those without a Social Security number or with false documentation.
Additional topics discussed in the hearing included the U.S. Citizenship and Immigration Services (USCIS) application process and border security. For example, Mr. Bellocchi stated that USCIS expects more applications than ever before in the agency's history. Additionally, family relationships are to be established through documentation and confirmation from family members and will not include DNA tests. Lastly, Mr. Moran indicated that illegal immigration would only end if the net costs outweigh the benefits for the immigrant, disapproving of policies that encourage immigrants to hide in the shadows until there is a pathway to legal status.

For more information, please visit: http://www.hsgac.senate.gov/hearings/deferred-action-on-immigration-implications-and-unanswered-questions.

**APPROPRIATIONS: SENATE FAILS TO MOVE FORWARD ON FUNDING FOR HOMELAND SECURITY**

In its third attempt to move forward on FY 2015 funding for the Department of Homeland Security, the Senate on February 5, 2015 again failed to invoke cloture. With 60 votes needed to advance the bill, the vote fell short, 52-47. Funding for DHS is set to expire on February 27th.

The House passed H.R. 240 would provide $39.7 billion to fund DHS through the end of the fiscal year on September 30th. The House, however, added several provisions to undo President Obama’s executive action deferring the deportation of several million undocumented immigrants. Senate Democrats have unified to vote against the bill, as long as those provisions remain in it.

The path forward for the bill is quite uncertain, although another vote, at least on procedure, is expected next week.

For more information on the bill, go to: http://www.calinst.org/bul2/b2202.pdf