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.

SPECIAL REPORT: INSTITUTE RELEASES REPORT ON EPA PROPOSED OZONE RULE AND CALIFORNIA IMPLICATIONS

On November 25, 2014, the Environmental Protection Agency (EPA) proposed to strengthen the National Ambient Air Quality Standards (NAAQS) for ground-level ozone, citing public health and environmental concerns. The proposed rule was submitted to the Federal Registrar on December 17, 2014, which initiated a ninety-day commentary period that will end on March 17, 2015. The Final Rule is expected to be signed on October 1, 2015.

The California Institute has released a Special Report on the proposed rule and its specific implications for California. It can be obtained by following this link: http://www.calinst.org/pubs/EPAOzoneRules.pdf

TRANSPORTATION: HOUSE COMMITTEE ANALYZES PLAN TO GROW AMERICA

On Wednesday, February 11, 2015, the House Transportation and Infrastructure Committee convened a hearing titled, "Surface Transportation Reauthorization Bill: Laying the Foundation for U.S. Economic Growth and Job Creation, Part I." Among the challenges faced by the nation's transportation system are inadequate and inconsistent funding, unnecessarily lengthy reviews, and outdated project delivery. Both Democrats and Republicans expressed support for a long-term transportation reauthorization bill.

The Secretary of the Department of Transportation, Anthony R. Foxx, was the sole witness. "Transportation is a critical engine of the Nation's economy. Investments in our transportation network over the country's history have been instrumental in developing our Nation into the world's largest economy and most mobile society. Over time, however, our level of investment as a percentage of the gross domestic product has dropped significantly, as it fails to keep pace with our growing economy and population," stated Secretary Foxx.

Secretary Foxx primarily expressed support of the GROW AMERICA Act (the Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of
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Infrastructure and Communities throughout America), President Obama's 2016 six-year Budget multimodal proposal of $478 billion to improve safety, support critical infrastructure projects, and create jobs while improving roads, bridges, transit systems and railways across the country. The GROW AMERICA ACT prioritizes safety, closing the infrastructure debt, and modernization through technology and infrastructure, the Secretary testified. To pay for the bill, the Administration proposes imposing a one-time 14 percent transition tax on the untaxed foreign earnings that U.S. companies have accumulated overseas. That would fully pay for the proposal when coupled with projected fuel tax receipts.

Congressman John Garamendi (Walnut Grove) indicated interest in the pending GROW AMERICA legislation, specifically the "Buy American" provisions, which require that transportation funds be spent in support of American workers and manufacturers. He added that this provision was included in the Grow America Act of 2014, which he supported, although the bill did not pass.

Aside from specific provisions, funding for the program is expected to be the most challenging task for the Administration and Congress as it works on reauthorizing transportation programs.

For more information, please visit:

EDUCATION: HOUSE COMMITTEE MARKS UP STUDENT SUCCESS ACT

On Wednesday, February 11, 2015, the House Education and Workforce Committee conducted a Full Committee Markup of H.R. 5: the Student Success Act. The bill addresses outstanding issues with No Child Left Behind by allowing states and school districts increased flexibility, including changes to current national accountability measures based on high stakes tests.

"If stagnant student achievement and disappointing graduation rates have taught us anything, it is that expanding the federal government's footprint in classrooms does not prepare students with the knowledge and skills they need to succeed," stated Chairman John Kline (MN).

A number of Democratic members objected to the bill's timeline, which they claim did not allow them to discuss the legislation and reach a bipartisan solution. Rep. Katharine Clark (MA) indicated that the process, particularly the absence of a hearing to consider the bill, fails students.

Twenty-six amendments were offered, but only five were approved; all by voice vote. Among them was an amendment in the nature of a substitute, supported by the chair in his opening statement, and offered by Congressman Todd Rokita (IN). The substitute clarifies that state education leaders should consult with representatives of Indian tribes when developing state plans. It also clarifies federal funds can be used to support all academic subjects and permits state implementation of blended learning models. The amendment was adopted by voice vote. The other amendments offered included an affirmation of state's rights (Rep. Steve Russell-OK), the disaggregation of achievement data for military dependent students (Rep. Joe Heck-NV), annual reporting of reduced federal funding (Rep. Dave Brat-VA), and exemption of the scores of English learners from a state's accountability system (Rep. Carlos Curbelo-FL).
H.R. 5 was reported out of the committee as amended with a vote of 21-16.
For more information, please visit:

**IMMIGRATION: HOUSE SUBCOMMITTEE CONSIDERS BORDER ENFORCEMENT LEGISLATION**

On Wednesday, February 11, 2015, the House Judiciary Subcommittee on Immigration and Border Enforcement convened for a hearing concerning pending immigration enforcement legislation. The Subcommittee considered three pieces of legislation from the 113th Congress: H.R. 2278 - The Strengthen and Fortify Enforcement (SAFE) Act, H.R. 5143 - The Protection of Children Act, and H.R. 5137 - The Asylum Reform and Border Protection Act, pending reconsideration in the current legislative session. The draft bills discussed would:

- improve immigration law enforcement within the interior of the United States;
- modify the treatment of unaccompanied alien children who are in Federal custody by reason of their immigration status; and
- amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to provide for the expedited removal of unaccompanied alien children who are not victims of a severe form of trafficking in persons and who do not have a fear of returning to their country of nationality or last habitual residence.

Witnesses included Sam Page, Sheriff, Rockingham County, North Carolina; Frank Morris, Vice President, Progressives for Immigration Reform; Dan Cadman, retired official, Immigration and Naturalization Service/Immigration and Customs Enforcement; and Gerald Kicanas, Bishop of Tucson, Roman Catholic Diocese of Tucson, Ariz.

Chairman Bob Goodlatte (VA) supported all three bills in his opening statement for allowing local law enforcement the option of enforcing immigration laws and for tightening refugee status eligibility. Also in support of the proposed legislation, Mr. Morris testified to the impact on labor: "American laws are meant to protect American workers and keep our communities safe. When civil or criminal laws are not enforced against any group or class for any reason, that group or class has a de facto privileged status under American law, whether formally recognized or not. When that privileged status goes to noncitizens who benefitted from breaking labor and immigration laws by working, this surpasses any similar benefit available to American citizens."

Bishop Kicanas expressed opposition to the bills on behalf of the United States Conference of Catholic Bishops. He stated in his testimony, "The bills adversely impact immigrant and refugee children, perhaps the most vulnerable population impacted by our nation's immigration laws. Among other things, these bills would repeal the Deferred Action for Childhood Arrivals (DACA), and would repeal protections for children fleeing violence in Central America, and would keep children in detention for long periods of time, and would weaken protections for abandoned, neglected and abused children." He criticized the bills for criminalizing immigrants and failing to defend human rights in defiance of the values of the nation.

For more information, please visit:
POVERTY: HOUSE SUBCOMMITTEE SEEKS TO UNDERSTAND ISSUES IMPACTING LOW-INCOME FAMILIES

The House Ways and Means Subcommittee on Human Resources convened for a hearing on programs and challenges for low-income individuals and families on Wednesday, February 11, 2015. This hearing focused on current labor market trends and their impact on low-income families and individuals, trends in poverty in recent years, how changing family and household dynamics impact economic wellbeing, and how Federal policy may influence these issues.

Witnesses included Ron Haskins, Senior Fellow, Economic Studies, The Brookings Institution; Scott Winship, Walter B. Wriston Fellow, Manhattan Institute; W. Bradford Wilcox, Visiting Scholar, American Enterprise Institute; and Frances Deviney, Associate Director, Center for Public Policy Priorities.

"Even though this is technically the sixth year of the current 'recovery,' far too many Americans are struggling to get ahead in today's economy. With poverty rates stuck at historically high levels and far too many unable to find work, we need to make sure we're doing all we can to help people get ahead," proclaimed Chairman Charles Boustany (LA) as he explained the hearing's purpose.

Mr. Wilcox testified to socioeconomic factors contributing to poverty, particularly the decline of marriage rates: "In recent years, the United States has witnessed a dramatic retreat from marriage that has had a disparate impact on lower-income Americans, in particular, and, more generally, among Americans who do not hold a college degree." He stated that the retreat from marriage does not immediately allow for the pooling of income and assets between couples with children. Additionally, he presented data that shows that children from unmarried families are less likely to thrive in the labor market and have a greater likelihood of incarceration or teen pregnancy. Solutions he proposed include raising the earned income tax credit for single, childless adults in addition to raising the child credit. Expansions in vocational educational programs and apprenticeships are also a part of the solution, he stated.

Mr. Haskins agreed with Mr. Wilcox’s assessment. He also made two points on federal policies that have helped lead to a decline in poverty. “The first point is that the employment of low-income single mothers has increased over the two decades, in large part because of work requirements in federal programs, especially Temporary Assistance for Needy Families (TANF).... The second point is that the work-based safety net is an effective way to boost the income of working families with children that would be poor without the work supports. In my view, this combination of work requirements and work supports is the most successful approach the nation has yet developed to fight poverty in single-parent families with children.”

For more information, please visit: http://waysandmeans.house.gov/calendar/eventsingle.aspx?EventID=398014

RESOURCES: COMMERCE COMMITTEE REPORTS DRINKING WATER BILL

The House Energy and Commerce Committee convened for opening statements regarding a Full Committee markup on several bipartisan public health bills on Wednesday, February 11, 2015. The Markup was held on Thursday, February 12th. The legislation considered included H.R. 212, the Drinking Water Protection Act.

The legislation creates a framework for better understanding and addressing the risk posed by algal toxins that can be present in drinking water. It 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. H.R. 212 was approved by a voice vote without amendment.

For more information, please visit:
http://energycommerce.house.gov/markup/hr-734-hr-212-hr-471-hr-639-hr-647-and-hr-648

**IMMIGRATION: HOUSE SUBCOMMITTEE LOOKS AT IMMIGRATION ACTIONS AND ELECTIONS**

The House Committee on Government and Oversight Reform Subcommittee on National Security convened on Thursday, February 12, 2015 for a hearing entitled, "The President's Executive Actions on Immigration and Their Impact on Federal and State Elections." Of particular concern to the Committee is whether the Executive Actions provide increased opportunity for voter fraud.

Witnesses included Kris Kobach, Kansas Secretary of State; John A. Husted, Ohio Secretary of State; Matthew Dunlap, Maine Secretary of State; and Hans A. von Spakovsky, Senior Legal Fellow, Edwin Meese III Center for Legal and Judicial Studies, The Heritage Foundation.

"Four States - Kansas, Arizona, Georgia, and Alabama - require documentary proof of citizenship in order to register to vote. The other 46 states require no such proof of citizenship and face considerably greater vulnerability to the problems caused by the Executive Actions in immigration, " testified Kansas Secretary Kris Kobach.

The Executive Actions allow qualified recipients to receive work authorization and an accompanying Social Security number as well as the ability to obtain a state driver's license. Concerns arise over the ability of a non-citizen to accidentally or intentionally submit an affidavit of registration, thus registering to vote and perhaps actually voting in state and federal elections.

The National Voter Registration Act (NVRA) requires voter registration to be offered with a driver's license application without the requirement of duplicate personal information. Additionally, the Help America Vote Act (HAVA) permits a Social Security number as a valid form of identification for purposes of voting. It should be noted that the state of California has passed legislation that is in its first year of implementation that allows undocumented immigrants to obtain driver's licenses. Also, legal permanent residents are a category of non-citizens with the ability to obtain driver's licenses and Social Security numbers long before the most recent Executive Actions. Successful voter registration requires signature under penalty of perjury attesting to citizenship status. Voter fraud is a felony and prevents an applicant for naturalization from receiving citizenship.

Maine’s Secretary Dunlap attempted to debunk concerns regarding en masse voting by non-citizens: "Given that our systems are not now abused because of the barriers in place to prevent fraud … there really is no argument that I can discern that someone who is now ineligible to vote and ineligible to receive a Social Security number or driver's license would throw their good fortune to the wind, and vote illegally just as they were finding a path to prosperity by coming out of the shadows. Because rest-assured, we would find them." Additionally, he charged that only 30-40% of those who are eligible to vote actually do so.

Mr. Spakovsky argued that the U.S. already has a problem with noncitizens registering and voting - whether intentionally or not - “with little chance of detection or even prosecution when they are detected.”

For more information, please visit: