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## California Capitol Hill Bulletin

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

### SENATE JUDICIARY APPROVES SCAAP REAUTHORIZATION BILL

The Senate Judiciary Committee, on Thursday, March 17, approved Sen. Dianne Feinstein’s bill to increase funding for the State Criminal Alien Assistance Program (SCAAP). SCAAP partially reimburses state and local governments for the costs of incarcerating undocumented criminal immigrants. Senator Barbara Boxer is a co-sponsor of the bill along with 10 other Senators from both parties.

S.188 authorizes \$750 million for fiscal year 2006; \$850 million for FY 2007; and \$950 million per fiscal year from FY 2008 through FY 2011. The Committee approved the bill by voice vote.

Last year’s FY05 omnibus appropriations bill funded the program at \$297 million, down from a high of \$585 million several years ago. The Bush Administration has proposed zero-funding SCAAP in its last two budgets. California receives about 40 percent of SCAAP funding – almost \$112 million of the \$281.6 million total available in FY04.

### CONGRESS APPROVES NINTH TEMPORARY EXTENSION FOR WELFARE AND CHILD CARE

During the week of March 14, 2005, both Houses of Congress approved H.R. 1160, extending welfare and child care programs for an additional three months, through June 30, 2005. The bill, authored by House Ways & Means Human Services Subcommittee Chairman Wally Herger (Marysville), replaces the previous temporary authorization bill that was nearing its March 30 expiration.

The 1996 welfare reform measure known as the Personal Responsibility, Work, Opportunity and Reconciliation Act (PRWORA) expired in 2002, and Congress has not enacted legislation to succeed it. Since then, nine short term authorization measures have kept welfare and child care grants flowing at 2002 funding levels. The House approved HR 1160 on March 14, and the Senate did so on March 15.

### HOUSE PANEL APPROVES WELFARE REAUTHORIZATION BILL FOR THIRD YEAR

On March 15th, 2005, the House Ways and Means Subcommittee on Human Resources reported a third welfare authorization proposal (H.R. 240) in as many years that would boost work requirements and offer

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marriage strengthening initiative grants to states. The bill known as the Personal Responsibility, Work, and Family Promotion Act of 2005, was reported favorably by a party line vote of 7 to 4. Republicans on the panel, led by Subcommittee Chair Wally Herger (Marysville), staved off a number of Democrat-sponsored amendments that would have boosted child care authorizations and made other policy changes to the measure. Although, the partisan wrangling characterizing most House activity over welfare was very much alive, members made some bipartisan strides; pledging to work together on some components of the bill as it makes its way to the full committee and the House floor. The House has approved Republican-written welfare reauthorization language three years in a row, while Senate companion legislation has stalled in that body, in part due to disagreements over increased work requirements and how extensively to increase federal funding for child care programs.

Chairman Herger in his opening remarks highlighted the success of welfare reform, stressed the need for completing the long term authorization law immediately and described how H.R. 240 would build on prior successes. Enacted in 1996 the prior welfare law (PL 104-193), the Personal Responsibility, Work, Opportunity and Reconciliation Act (PRWORA), ended unlimited entitlements to states and imposed a 30 hour per week minimum work requirement on cash recipients. According to Rep. Herger, that law succeeded in cutting child poverty, slashing welfare rolls by 60 percent, and getting record numbers of dependent people into work. Herger argued that HR 240 would best advance PRWORA's goals by increasing work requirements from 30 to 40 hours, limiting activities that can be counted toward work, hiking state work participation rates from 50 to 70 percent, ramping up child care authorizations by \$1 billion, and providing \$1 billion in marriage promotion programs. Herger expressed dismay at Congress' three year delay in completing a bill since the House first acted on welfare reauthorization. He suggested that Congressional inaction had contributed to a resurgence in child poverty and slowed cash roll reductions, and urged those opposed to Senate action to "consider what has been lost."

The Committee's Ranking member, Jim McDermott (WA) objected to HR 240's added work provisions, "We're putting more responsibility and less money on states," said Rep. McDermott. As well as the 10 hour increase in weekly work standards, Mr. McDermott was concerned about a proposal in the Republican written bill that would limit the number of vocational education hours a welfare recipient may count toward the weekly work requirements. The Chair's mark would reduce allowable voc ed hours from 20 per week for up to one year in current law, to one semester of 20 hours per week, followed by 16 hours per week thereafter. An amendment offered by Rep. McDermott that would have: restored higher voc ed work hour allowances, retained the 30 hour work week in current law, and allowed the welfare block grant to serve legal immigrants was defeated by a party line a vote of 5 to 8. Rep. Xavier Becerra (Los Angeles) spoke in support of the amendment, suggesting that legal immigrants have higher workforce participation rates than US native born populations.

An amendment by Rep. Fortney "Pete" Stark (Fremont), seeking to increase child care authorizations to \$11 billion over 5 years, also failed by a vote of 4 to 8. Rep. Stark noted that child care demand was not being met in California, where waiting lists top 280,000 and would grow more sharply with the inclusion of added work requirements in the welfare bill. Speaking against the amendment, Rep. Phil English (PA) agreed that more child care financing was needed but thought that the bill's \$1 billion increase and its one time release of \$2 billion in unobligated TANF funds was sufficient.

Although most proposed modifications to the bill drew partisan disagreements, a McDermott amendment geared toward preventing domestic abuse and an English amendment promoting drug tests for welfare recipients were both received well by members on both sides of the aisle. The English amendment ultimately gained passage on a partisan voice vote, but Reps. Stark and Becerra both approved of the amendment's spirit and expressed interest in working to find common ground. The McDermott amendment was withdrawn after Chair Herger commended the author and pledged to work with him to develop less objectionable language.

For more information on HR 240, visit at: <http://waysandmeans.house.gov/> .

## **SENATE PANEL MAKES QUICK WORK OF HIGHWAYS BILL; EQUITY BONUS TARGETS HIGHER RATE-OF-RETURN ON GAS TAXES, BUT CONSTRAINTS WOULD SLOW CHANGES; FORMULA SHIFT WOULD TRIM CALIFORNIA CMAQ FUNDING**

On March 16 and 17, 2005, Senate transportation authorization committees favorably reported major portions of a \$284 billion surface transportation measure with overwhelming bipartisan support, although many members

expressed disappointment at overall funding levels. Bills that closely resembled last year's Senate legislation (except for the funding levels) were approved by both the Senate Environment and Public Works (EPW) Committee, which has jurisdiction over highways and planning programs, and the Senate Banking, Housing and Urban Affairs Committee, which oversees transit programs. The bills pared down funding authorizations, with the EPW bill providing \$227.4 billion for highway program expenses and the Banking Committee bill approving \$51.6 billion for transit.

EPW Chair James Inhofe (OK), author of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 (SAFETEA), noted that although he backed the higher, \$318 billion funding level of last year's Senate SAFETEA bill (S.1072), the new SAFETEA 2005 had been scaled back to reflect a funding figure that would be acceptable to the White House and to Senate Majority Leader Bill Frist (TN). He correctly anticipated discontent among committee members over funding figures, and in his opening remarks, urged members not to attempt to drive up the funding levels during the mark up, "if the final product is higher than \$283.9 billion over six years," Sen. Inhofe warned, "the bill will not be considered by the Senate." The Bush Administration has threatened to veto any legislation that spends more than that amount.

Ever since the 2003 expiration of the previous transportation law, the Transportation Equity Act for the 21st Century (TEA-21), Congress has struggled to send a successor to the President's desk. Last year, the Senate, House, and White House failed to reach a consensus on overall funding levels, scuttling the 108<sup>th</sup> Congress' renewal efforts at the conference negotiation stage. Temporary extensions have maintained TEA-21 authority at 2003 levels throughout the period, but industry advocates and state and local authorities have pushed Congress to complete work on a multi-year bill before the most recent extension runs out at the end of May.

Sen. Barbara Boxer, a member of both the EPW and Banking Committees, charged that the measure's funding levels were inappropriate, although she expressed hope that the Senate Finance Committee could find additional resources before the bill is sent to the Senate Floor. EPW member Sen. Max Baucus, who is also Ranking Democrat on the Finance Committee pledged to help fill the financing gap, saying, "We will find additional funding."

An Equity Bonus provision in the bill would provide each state with a higher minimum rate of return than the current Minimum Guarantee (MG) level. Highway donor states -- those that send more revenues to the Highway Trust Fund (HTF) than they receive back in federal highway spending -- have led an effort to increase the minimum guarantee from 90.5 percent in current law to 95 percent. Proponents of last year's \$318 billion Senate legislation purported that it would have achieved that 95 percent target, largely because of the larger amount of funding available for distribution. With its lower funding total, the 2005 version of SAFETEA attempts to provide a 92 percent guaranteed rate of return in its Equity Bonus (EB). However, increases above the 90.5 percent level would only be achieved with narrow constraints.

In a number of ways, the Senate EB differs functionally from the MG in current law. The MG guarantees states receive back no less than a set percentage (now 90.5 percent) of its gas tax revenues for several major highway programs. The Senate bill would leave out earmarked High Priority Projects (HPPs) from the "scope" of programs examined to determine equity, whereas the House-passed TEA LU bill would give each state the greater portion of its 90.5 percent MG return measured with or without HPPs counted.

In addition, the Senate EB would set a maximum funding growth "ceiling" and a minimum growth "floor." Although the old 90.5 percent return would continue to hold, the EB growth ceiling would cap any state's percentage funding growth above its TEA-21 average share of total funds to 19 percent (for 2005), 22 percent (for 2006), 23 percent (for 2007), and 28 percent (for 2008). The ceiling would be lifted in 2009.

A minimum growth "floor" in the Senate's EB would ensure that no state receives less than a 10 percent increase in highway program receipts compared to the amount it received under TEA-21. The panel rejected, 5 to 13, Sen. Hillary Clinton's (NY) proposal to amend the bill to increase the state's 10 percent minimum growth floor. The proposal would have benefitted highway donee states such as Connecticut and New York at the expense of donor states, according to senior panelist and amendment opponent Sen. Kit Bond (MO). "Nothing happens in a vacuum," said Sen. Inhofe who voted against the amendment.

The EB includes two hold harmless provisions. One simply says no state may lose actual dollars from one year to the next. However, a second hold harmless would ensure that the *percentage* of total funds enjoyed certain states

would not decline below their TEA-21 averages. The special EB treatment would apply for only states that are either (1) sparsely-populated, (2) low in population, (3) very low-income, or (4) high in traffic fatalities on interstate highways.

The bill also retains last year's S.1072 language that eliminates differential weighting in the calculation of Congestion Mitigation and Air Quality Improvement (CMAQ) program grants to states. CMAQ is the only core highway formula program that offers grants to states with air quality districts not in EPA compliance, for projects intended to reduce congestion and pollutant emissions. Because of the range of air quality challenges in California (particularly ozone and carbon dioxide pollution), the CMAQ formula currently awards the state with 22 percent of CMAQ distributions. The formula apportions funds to states based on the severity of ozone and carbon monoxide pollution, however, the Senate bill proposes to use a single weighting multiplier framework to determine CMAQ awards to areas with ozone pollution, regardless of the severity of that pollution. California's share of CMAQ awards would also be diluted by the introduction of fine particulate matter (PM 2.5) to formula calculations. A number of new areas not currently receiving grants would become eligible under the Senate plan so long as they do not meet PM 2.5 air quality standards. The Los Angeles Metropolitan Transit Authority (LAMTA) estimates that the "one-size fits all" approach and the PM 2.5 adjustments to the formula could cost California as much as \$160 million in CMAQ grants over four years.

The Senate bill did not propose earmarks for highway or transit programs, unlike the House TEA LU bill, which earmarked \$10.7 billion in more than 3,600 High Priority Project programs.

The bill was reported out of EPW by a 17 to 1 vote, with Sen. Joseph Lieberman (CT) submitting the only dissenting vote. For more information on the SAFETEA highways mark up, visit the Senate Environment and Public Works Committee at: <http://epw.senate.gov/>.

More information regarding transportation reauthorization and its potential effect on California, visit the California Institute's transportation page, at <http://www.calinst.org/transpo.htm>. The information and analysis are made available thanks to capabilities developed under the *Federal Formula Grants and California* project, a joint venture between the California Institute for Federal Policy Research and the Public Policy Institute of California (PPIC). For all products in the study series, visit <http://www.ppic.org/main/series.asp?i=22>. The project includes two major transportation reports. A paper on California's relationship with federal highway programs is available at <http://www.ppic.org/main/publication.asp?i=467>, and a September 2004 report on federal transit programs is available at <http://www.ppic.org/main/publication.asp?i=550>.

## **SENATE BANKING COMMITTEE MARKS UP TRANSIT REAUTHORIZATION BILL**

On Thursday, May 17, 2005, the day after the EPW Committee marked up provisions to reauthorize federal highway programs, the Senate Banking Committee met to mark up the transit component of transportation renewal. Like the EPW session, the transit mark up also featured bipartisan grumbling over inadequate financing and support for speedy completion of a bill before the May 31st deadline. In the end, the bill was reported favorably out of committee unanimously.

Some Democrats on the committee objected to the disproportionate cut in transit spending in the committee bill, noting that the Senate-approved 2004 bill had apportioned 18.8 percent of that total to transit spending whereas the 2005 bill, cuts the transit share to 18.1 percent, a disparity of \$1.7 billion. Opting to not offer an amendment in committee, Ranking member Paul Sarbanes (MD) stated that he may propose a more balanced highways-transit split once the bill reaches the Senate Floor.

During the EPW mark up, Sen. Bond insisted that without additional funding drawn out of the transit budget, SAFETEA would not be able to guarantee the 10 percent growth floor in the reported bill.

Sen. Charles Schumer (NY) representing the state with the highest national share of transit receipts expressed support for the effort to boost transit funding to \$53.3 billion, "We cannot let these ratios erode," said Sen. Schumer, "Mass transit is the life blood of our economy." California receives the second largest share of transit grants, 14.8 percent of total spending throughout the course of TEA-21. Sen. Schumer also warned panelists of the dangers of underfunding transit in a time when transit popularity is growing at overwhelming levels. According to Sen. Schumer, transit ridership grew 28 percent nationally between 1992 and 2002, making it the fastest growing mode of transportation.

The bill's highway safety provisions have yet to be addressed before the bill may be debated on the floor. Transportation advocates predict that floor proceedings will commence on the week of April 18th to give members enough time to report a bill and move into conference negotiations.

For more information on the SAFETEA transit mark up, visit the Senate Banking, Housing and Urban Affairs website at: <http://banking.senate.gov/index.cfm?Fuseaction=Hearings.Detail&HearingID=143> .

More information regarding transportation reauthorization and its potential effect on California, visit <http://www.calinst.org/transpo.htm> , which presents analysis made developed under the *Federal Formula Grants and California* project, a joint venture between the California Institute for Federal Policy Research and the Public Policy Institute of California (PPIC), at <http://www.ppic.org/main/series.asp?i=22> . A 2004 report on federal transit programs and California is available at <http://www.ppic.org/main/publication.asp?i=550> .

## **BIPARTISAN CALIFORNIA CONGRESSIONAL DELEGATION HOSTS CITY OFFICIALS FOR BRAC ROUNDTABLE DISCUSSION**

On Thursday, as part of the League of California Cities' annual lobbying visit to Washington, the organization sponsored a roundtable discussion on the upcoming Base Realignment and Closure (BRAC) round. Held in the U.S. Capitol building the roundtable featured comments from a bipartisan cross-section of California Congressional Delegation members: Representatives David Dreier (San Dimas), Sam Farr (Carmel), Ellen Tauscher (Alamo), Susan Davis (San Diego), Jane Harman (Venice), and Wally Herger (Marysville).

California Republican Congressional Delegation Chairman David Dreier welcomed roundtable participants and urged that proponents for California military bases hone their arguments to emphasize how reductions in California facilities would negatively affect national security. Speaking on behalf of the California Democratic Congressional Delegation, Rep. Farr expressed frustration that the Department of Defense had rejected the bipartisan California Congressional delegation's recommended additions to the list of criteria by which the BRAC Commission will assess potential closures. (For additional information regarding the bipartisan delegation's efforts to affect the BRAC criteria, including suggested additions, see [Bulletin, Vol. 11, No. 5, 2/12/2004](#).) Rep. Farr also discussed his extensive experiences with the nation's largest closed base, Fort Ord, quipping that he is "BRAC-certified." Rep. Tauscher, who touted the value of Travis Air Force Base in her district, noted that the House Armed Services Committee last year attempted to push the closure round back to 2007, which was ultimately rejected in conference. Rep. Susan Davis emphasized that the base closure issue is one on which Californians are united, and she urged special attention be paid to the issue of housing for the military. Citing the need for bipartisan unity on base closures, Rep. Harman pointed to the strategic importance and statewide economic value of the Space and Missile Command (SMC) at Los Angeles Air Force Base, commenting that moving it elsewhere would hurt not only the area but also the nation's security (as many knowledgeable experts would decline to move to less desirable alternative locations). Finally, Rep. Herger cited the value of Beale AFB, a hub for surveillance missions and UAVs, and noted that the Pentagon's proposed 20-25 percent BRAC reduction could mean the loss of nearly 20 more California bases.

The roundtable also featured a panel of three BRAC experts: Phil Grone, the Deputy Undersecretary for Installations and Environment at the Department of Defense and one of the key decision-makers in the BRAC process, Patrick O'Brien, Director of the Office of Economic Adjustment whose organization helps with the reuse of closed bases, and David Berteau, a consultant from Clark and Weinstock who is working with the State of California and the state's Council on Base Support and Retention. The three quickly spoke about the BRAC process and then answered questions from those in attendance. Together, they addressed the importance of emphasizing the military value of California's bases.

## **PRESIDENT BUSH NAMES NINE MEMBER BRAC COMMISSION; CLOSURE LIST RELEASE LESS THAN TWO MONTHS AWAY**

On Tuesday, March 15, 2005, President Bush formally submitted recommendations for a nine-member Base Realignment and Closure (BRAC) Commission. As part of the BRAC process, the Senate must confirm the nominations before the Commission membership becomes final. The BRAC Commission has the power to add,

remove or modify the fate of any base on the list of installations recommended for closure or realignment that will be submitted by the Secretary of Defense by May 16.

As is customary in this process, prior to the President's formal announcement, Congressional leaders suggested individuals to serve on the Commission. The Senate Majority Leader (Sen. Bill Frist, TN) and the Speaker of the House (Rep. J. Dennis Hastert, IL) were each entitled to recommend two people for the Commission, while the Senate (Sen. Harry Reid, NV) and House (Nancy Pelosi, CA) Minority Leaders suggested one name each. The President named the final three commissioners.

Sen. Frist proposed Harold W. Gehman Jr. of Virginia, a retired Navy admiral and former NATO supreme allied commander, and John G. Coburn, former commanding general of Army Material Command and the service's deputy chief of staff of Logistics. Rep. Hastert recommended James V. Hansen of Utah, a Navy veteran and former congressman who served on the armed services committee, and Samuel Knox Skinner of Illinois, a former Army reservist and one-time chief of staff and secretary of transportation under President George H.W. Bush. Sen. Reid proposed James H. Bilbray of Nevada, a former Army reservist and a former congressman who served on the international relations, armed services and intelligence committees. Rep. Pelosi recommended Philip Coyle of Los Angeles, California, a senior adviser to the Center for Defense Information and a former assistant defense secretary. The White House accepted all of the recommendations with the exception of Coburn; Claude M. Kicklighter of Georgia, a retired Army lieutenant general and the assistant secretary for policy planning at the Veteran Affairs Department, was named in Coburn's place.

On February 17, 2005, President Bush used one of his recommendations to name former Veterans Affairs Secretary and current San Diego resident, Anthony J. Principi to chair the Commission. With his close ties to California, Principi could be very valuable to the state during the Commission's work. For his final two recommendations, on Tuesday the President named James T. Hill of Florida, a retired Army general and former combatant commander of the U.S. Southern Command, and Sue Ellen Turner of Texas, a retired Air Force brigadier general who is a member of the American Battle Monuments Commission.

From a California perspective, the Commission's makeup appears favorable. With the naming of Principi as the Chairman of the Commission and Coyle as a Commissioner, California will have two people at the table when the Commission reviews and revises the Pentagon's closure and realignment list. Their presence on the Commission should help California bases. Additionally, four of the nine Commissioners hail from the Western region of the U.S., so Western state concerns are unlikely to be ignored.

Once the Secretary of Defense submits his list of recommended bases for closure and realignment on May 16, 2005, the BRAC Commission will have approximately four months to review, revise, and alter those suggestions. A simple majority vote of five of the nine Commissioners can remove a base from the Secretary's list, while seven of nine votes are required to add an installation not selected by the Secretary. During the four month review period, the BRAC Commission will travel the country, visiting bases recommended for closure and realignment and listening to arguments from interested parties as to why those installations should not be closed. By September 8, the Commission must submit its modified list of closures and realignments to the President for his approval. If the President approves, he passes the closure and realignment recommendations on to Congress for final approval. In the past, the BRAC Commission's recommendations have been accepted by both the President and Congress.

In previous BRAC rounds in 1988, 1991, 1993 and 1995, California suffered remarkably disproportionate cuts in personnel, absorbing more than half of the nation's approximately 176,000 job losses. Despite those cuts, California is still home to more Department of Defense personnel and bases than any other state in the nation.

### **HASC CHAIRMAN HUNTER ADDRESSES DEFENSE AND BRAC AT GSR LUNCHEON**

Speaking at a luncheon on Tuesday, March 15, 2005, Rep. Duncan Hunter (Alpine), Chairman of the House Armed Services Committee, addressed a variety of defense issues, ranging from the ongoing conflicts in Iraq and Afghanistan to the upcoming Base Closure and Realignment (BRAC) round. After an introduction by Rep. Ken Calvert, an Armed Service Committee member, Chairman Hunter focused much of his 30 minute talk on the wars in Iraq and Afghanistan, emphasizing the important roles troops from California have played in ousting the oppressive regimes and helping those two nations hold elections within the past year. (One of Hunter's two sons has been stationed in Iraq.) Hunter also spoke of efforts within Congress and the Department of Defense to make

the military more responsive to threats in the combat areas, and easing procurement rules for needed items such as body armor.

Looking ahead to the hearings that will be held by the BRAC Commission at bases recommended for closure, Chairman Hunter urged base defenders to develop well reasoned arguments that promote an installation's military value. Rep. Hunter said that making California a better home to the military, aerospace and business community in general will be an important step toward maintaining the state's bases in the future and strengthening the state's economy. The California State Society sponsors Golden State Roundtable luncheons, which feature remarks by key California and Washington speakers.

### **METHAMPHETAMINE CLEAN-UP BILL ADVANCES TO FULL HOUSE**

The Methamphetamine Clean-Up Bill, sponsored by Rep. Ken Calvert (Corona), Bart Gordon (TN) and House Science Committee Chair Sherwood Boehlert (NY) was reported favorably by the House Science Committee, receiving unanimous approval. The bill, H.R. 798, would establish a research program within the Environmental Protection Agency (EPA) to develop voluntary health guidelines for the clean-up of meth labs, put in place a research program at the National Institutes of Science and Technology to develop meth detection equipment, and initiate a study on the long-term health impacts of children taken from meth labs. In support of those efforts, the bill authorizes \$3 million per year for EPA for FY2006-2009 and \$1.5 million for the National Institutes of Science and Technology for the same period. Meth labs, which are often located in residential neighborhoods, are especially dangerous because of flammable chemicals involved in the meth-making process. Similar legislation passed the House last year but died in the Senate.

In 2002, of the 272 "super labs" closed down in the U.S. last year, 199 of them were in California. Meth labs in California account for the vast majority of meth produced in the United States.

### **HOUSE JUDICIARY EXAMINES PORT SECURITY**

The House Judiciary Subcommittee on Crime, Terrorism and Homeland Security held an oversight hearing on Tuesday, March 15 to examine the security of the nation's cargo as it enters U.S. ports and the methods used by the government and the private sector to combat the smuggling of illegal and potentially dangerous cargo into the United States.

The Subcommittee heard from the following witnesses: Jayson P. Ahern, Assistant Commissioner, U.S. Customs and Border Protection; Rear Admiral Larry Hereth, Director of Port Security, United States Coast Guard; Peter Scrobe, Member, International Cargo Security Council; and Jeff Kever, Deputy Executive Director, Virginia Port Authority.

Mr. Ahern detailed several initiatives that the Department of Homeland Security and his Bureau have initiated to strengthen port security. Included in those initiatives are: the National Strategy for Maritime Security – a policy directive to integrate and align all U.S. Government maritime security programs; the Trade Act – legislation that now requires advance, detailed, and accurate information for targeting shipments before arrival to the United States; the Advanced Trade Data Initiative (ATDI) – a CBP effort to gather and analyze specific information already available from commercial supply chain participants; the Smart Box Initiative – a Test and Evaluation effort to assess commercially available container security devices; Non-Intrusive Inspection Technology – Advanced inspection equipment to screen shipments rapidly for WMD, nuclear or radiological materials, terrorist weapons, and other contraband; the Customs – Trade Partnership Against Terrorism (C-TPAT) – A public-private partnership program for securing global supply chains; and The National Targeting Center (NTC) – A single location for targeting technology and subject matter expertise.

Two premier programs that Mr. Ahern addressed are the Automated Targeting System (ATS), which will increase CBP personnel's ability to identify high-risk targets in the cargo environments. Mr. Ahern testified that targeting rule sets are in production for sea, truck, and rail cargo, and CBP anticipates deployment of ATS Air Cargo Targeting during the second quarter of the 2005 calendar year. The second program – The Container Security Initiative (CSI) – uses cooperative arrangements with U.S. trading partners to push the nation's borders outward by inspecting high risk containers prior to their loading onto ships.

Admiral Hereth also detailed the steps the Coast Guard is taking to enhance port security. He noted that while work remains to be done to reduce America's vulnerabilities to terrorism and other maritime security threats. He testified that the Coast Guards' initiatives are in direct alignment with their counterpart bureaus in the Department of Homeland Security and they all work together closely to maintain port security at the ports.

Testimony of all witnesses is available at: <http://www.judiciary.house.gov> .

## **EDUCATION AND WORKFORCE REVIEWS FOREIGN STUDENT VISA PROGRAM**

The House Education and the Workforce Subcommittees on 21st Century Competitiveness & Select Education held a hearing on "Tracking International Students in Higher Education: A Progress Report" on March 17, 2005. The Subcommittees heard from several witnesses, including: Victor X. Cerda, Counsel to the Assistant Secretary, Immigration and Customs Enforcement, U.S. Department of Homeland Security; Stephen A. Edson, Managing Director of the Visa Services Directorate, Bureau of Consular Affairs, Department of State; Randolph C. Hite, Director, Information Technology Architecture and Systems Issues, Government Accountability Office; and Dr. C. D. Mote, Jr., President, University of Maryland.

Mr. Ceda reported on the Student and Exchange Visitor Information System (SEVIS), which was deployed on January 1, 2003, as required by the USA PATRIOT Act. Mr. Ceda stated that "of the 70,000 previously certified schools, approximately 8,000 schools now remain in SEVIS due to the enhanced and centralized SEVP [Student and Exchange Visitor Program] certification process, which requires a site visit, and consistent reporting in SEVIS of changes in the student's status and performance at the institution. As a result SEVIS data is more reliable and, therefore, more useful as an enforcement tool." The SEVIS system created an electronic, real-time, centralized repository of foreign students records. The electronic system is used to track the status of foreign students from the moment they are accepted at a U.S. institution, through the completion of their program. As of February 25, 2005, Mr. Ceda reported, 609,517 students, 142,901 exchange visitors, and 120,870 of their dependents are registered in SEVIS. These individuals report to --and are monitored by-- 7,960 certified schools and 1,453 exchange visitor program sponsors.

Mr. Edson testified that the Department of State has instructed all of its overseas posts to give priority to foreign student and exchange visas and it has "added to the resources dedicated to processing visas, in spite of the significant drop over the last two years in the number of visa applications we have received. We have created more than 350 new consular positions since September 2001 and the President's FY 2006 Budget request includes funding for an additional 121 consular officer positions." He stated that State has increased the level of data sharing among the Department and other federal agencies to enhance border security -- for instance, making visa information available to DHS Customs and Border Protection Officers at ports of entry. He argued that this actually facilitates entry, since it resolves immediately any questions an inspector might have about fraud.

Dr. Mote testified on behalf of the Association of American Universities (AAU), the National Association of State Universities and Land-Grant Colleges (NASULGC), the American Council on Education (ACE) as well as the University of Maryland. He testified that there have been "alarming decreases in the applications and enrollment rates of international students at our colleges and universities. International applications at the University of Maryland were down 37% last year and another 5% this year. Nationally, these decreases are 28% and 5% respectively."

Dr. Mote attributed the decline to three major factors:

"First, increased difficulties obtaining visa approval from the United States following 9/11, along with implementation of the SEVIS program, have contributed to a perception that international students are no longer welcome here;

Second, other nations have seized this opportunity to recruit the most talented students to their universities; and

Third, countries that have sent many students here are working to keep their students at home with better opportunities for research and post-graduate jobs as well as policies intended to squelch what they perceive to be a brain drain to the United States."

Dr. Mote offered several recommendations to solve the problem, including urging the U.S. government to pursue changes in visa reciprocity agreements between the United States and key sending countries, such as China

and Russia; and encouraging the government to extend the “very helpful improvements made in the processing of student visas” to visiting scholars and scientists.

For testimony from all witnesses, visit the Committee’s website at: <http://edworkforce.house.gov> .

### **CALIFORNIA SPACE PROPONENTS VISIT WASHINGTON**

The week of March 14, 2005 was California Space Week Washington DC and industry leaders and advocates visited the nation’s capital for various meetings and events to educate federal officials about the California Space Authority (CSA) and space enterprise needs in California. During the visit, participants discussed issues related to BRAC, support for the President’s initiative to the Moon and Mars, and export controls, as well as homeland security efforts that utilize space enterprise.

On March 16, the bipartisan leadership of the California Congressional delegation, Republican Chairman David Dreier (San Dimas) and Democrat Chair Zoe Lofgren (San Jose) served as honorary hosts of a Capitol Hill reception for delegation members, staff, and others. CSA representatives also met with executive branch officials from agencies such as the U.S. Departments of Defense, State, Transportation, Commerce and NASA. For more information, visit <http://www.californiaspaceauthority.org> .

### **SCIENCE COMMITTEE APPROVES SUPERCOMPUTING PLANNING LEGISLATION**

On Thursday, March 17, 2005, the House Science Committee approved legislation (H.R. 28, the High Performance Computing Revitalization Act of 2005) that would require development of a long range plan for ensuring access to high-performance computing. The required plan, which would anticipate cooperation from a number of federal agencies -- including the National Science Foundation, Department of Energy, NOAA, and NASA -- would also promote college-level training in software engineering, computer science, computer and network security, applied mathematics, library and information sciences and computational science.

### **PPIC RELEASES SURVEY OF LOS ANGELES COUNTY**

On Wednesday, March 16, the Public Policy Institute of California (PPIC) released its third annual survey of Los Angeles County. In general, the study found that “residents of Los Angeles County are increasingly disturbed by a host of local problems - from traffic to race relations - and express growing pessimism about the future of the county and their own long term prospects in the region.” More people believe that the county will be a worse place (37 percent) than a better place (24 percent) to live twenty years from now. As such, the study found that a full one-third of county residents “expect to leave Los Angeles County in the next five years.” PPIC Statewide Survey Director Mark Baldassare stated that “More L.A. city residents say they plan to leave the county than voted in last week’s mayoral race (35 percent to 26 percent.)” The survey also addresses race relations, taxes, politics, education, environmental quality, commuting, and airport expansion in L.A. county.

In order to compile the survey, PPIC called 2,003 Los Angeles County adult residents. Interview were conducted in both English and Spanish.

To view the full survey results and analysis, visit PPIC’s website at <http://www.ppic.org> .