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## *California Capitol Hill Bulletin*

**Volume 12, Bulletin 26 – September 30, 2005**

*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.*

### **HOUSE MOVES CR TO EXTEND FEDERAL FUNDING THROUGH NOV. 18**

On Thursday, September 29, 2005, the House of Representatives approved H.J.Res 68, a continuing resolution that will maintain funding for the federal government once fiscal year 2005 ends at midnight Friday. The Senate is expected to consider the "CR," during the morning of Friday, September 30, and President Bush will likely sign it later in the day. The measure will keep federal funding flowing through November 18, 2005.

The use of a CR allows Congress time to complete action on the FY 2006 appropriations measures that have yet to be signed into law. Led by Appropriations Committee Chairman Jerry Lewis (Redlands), the full House had approved separate bills funding all government agencies by June 30. The Senate, in contrast, had completed only three bills by that time, and to date still has not brought four measures to the floor. So far, two appropriations bills have been enacted (Interior & Environment, and Legislative Branch), although the conference report on a third (Homeland Security, see below) is expected to be considered in both chambers next week.

Chairman Lewis designed the bill to fund offices and programs at the lower of three levels -- the 2005 appropriated amount, the 2006 House-passed amount, or the 2006 Senate-passed amount -- in order to encourage the Senate to finalize its individual measures. Lewis has consistently sought to enact freestanding measures rather than a catch-all omnibus spending bill at year's end. If the full Senate has not acted on a measure, the CR level would be the lower of the House-passed 2006 or enacted 2005 bill.

Special provisions in the bill include permission to provide current law benefits for child nutrition program and food stamp recipients, allow NASA to execute its FY06 budget in accordance with the structure adopted in the House and Senate appropriations bills, and prohibit funding of new programs or restoring of programs not funded in 2005, except certain Iraq operations and the upcoming Medicare prescription drug benefit. For more information, visit <http://appropriations.house.gov>.

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## **HOUSE-SENATE CONFEREES FINALIZE HOMELAND SECURITY APPROPRIATIONS, FORMULA FUNDING CHANGE WOULD BENEFIT CALIFORNIA**

On Thursday, September 29, 2005, members of the Conference Committee tasked with working through House and Senate differences over the appropriations bill for the Department of Homeland Security reached accord on the FY2006 measure. The bill includes \$30.8 billion for the Department of Homeland Security, an increase of \$1.4 billion from the FY2005 level. (After accounting for an advance allocation in 2005, the actual increase in the bill's total discretionary funding is approximately 5 percent.) In a significant victory for high-risk/high-threat states -- such as California -- the bill would require that the 60 percent of "basic formula" funding that to date has been allocated solely based on population instead be allocated according to risk factors.

The bill will provide \$3.3 billion for grant programs directed toward state and local first responders, including nearly identical amounts from two pots -- \$1.155 billion for risk- and threat-based grants for urban areas, and \$1.135 billion for grants that have historically used a federal funding formula that has been heavily skewed to favor small states over large states (and has provided more than 6 times as much money per capita to Wyoming, North Dakota and Vermont as it has to California, New York, or Texas).

The \$1.155 billion for "high-density urban areas" includes \$765 million for traditional urban area grants, which DHS distributes according to risk and threat information, plus \$150 million for rail security, \$175 million for port security, and \$65 million for other infrastructure protection activities. California has received between 17 and 20 percent of urban area grant funds.

The formula funding portion includes \$550 million for basic formula grants, \$400 million for the state and local law enforcement terrorism prevention program (LETPP), and \$185 million for Emergency Management Performance Grants (EMPG). California historically receives about 8 percent of funds from these programs, which all have used the aforementioned USA PATRIOT Act formula. However, importantly, the conference report includes a change that could improve California's share of these formula funds considerably -- by dividing a portion of funds (after large guarantees for small states have been extracted) in part according to risk and threat. In the past, these funds were distributed solely according to state population, with risk factors unaccounted for.

Also within the first responder funding account is \$655 million for firefighter grants, a program that in 2003 provided approximately 4 percent of its funding to California recipients. Traditionally focused on rural fire departments, the program limits any total grant to \$750,000, regardless of whether the recipient is a volunteer fire department in a town of 1,200 people, or the Los Angeles County Fire Department.

The majority of the bill's funding, and 85 percent of the year-over-year increase, will be used to provide \$19.1 billion for border protection, immigration enforcement, and related activities. Within that amount is \$1.8 billion for border security and control and to provide an additional 1,000 agents for the Border Patrol (in addition to 500 new agents funded by the FY 2005 supplemental appropriations bill). It also includes \$3.4 billion for Immigration and Customs Enforcement (ICE), in part funding an additional 250 criminal investigators and 100 new immigration agents. Other border/immigration funding items include \$41 million for border security technology, \$139 million for the Container Security Initiative (helping track and monitor cargo containers), \$54.2 million for the Customs-Trade Partnership Against Terrorism (C-TPAT), \$21 million for FAST/SENTRI/NEXUS to "maintain security and facilitate travel on our land borders," \$2.9 billion for the Coast Guard's homeland security activities and \$933 million for the Coast Guard's Deepwater program, \$135 million for transportation and removal of illegal immigrants, and \$5 million to train State and local officers to enforce immigration laws. (Elsewhere, the bill provides \$2.6 billion for traditional Coast Guard operating activities, including maritime safety, drug interdiction, and fisheries, environmental, and humanitarian missions.) In addition, the bill requires that DHS develop and submit "a comprehensive immigration enforcement strategy that reduces the number of undocumented aliens by 10 percent per year" and requires DHS and ICE to develop "a national detention plan for undocumented aliens."

The bill provides \$6.3 billion for the Transportation Security Administration (TSA), including \$2.5 billion for passenger and baggage screeners, \$443 million for in-line explosive detection systems, \$1 billion for aviation direction and enforcement, and \$686 million for air marshals. It also provides \$1.9 billion for citizenship and immigration services (including \$1.7 billion in fee-funded activities).

Within \$1.5 billion for homeland-related science and technology activities are the following: \$538 million to develop radiological, nuclear, chemical, biological, and high explosives countermeasures; \$110 million for research, development, and testing of antimissile devices for commercial aircraft; \$20 million for container security research; and \$63 million for university-based centers of excellence and fellowships.

## **HOMELAND APPROPRIATIONS WOULD BOOSTS STATE'S FIRST RESPONDER SHARE**

Although discretionary funds cannot be predicted with certainty, the first responder funding formula change included in the FY 2006 Homeland Security Appropriations Conference Report (discussed above), which was approved by the House-Senate conference committee on September 29, 2005, is likely to yield additional funding for California. Although unlikely to qualify as a windfall, the state's current 8 percent share could increase to an arguably more equitable 10 to 13 percent share -- yielding tens of millions of additional dollars for state and local first responders in California.

To date, total homeland security formula funds has in practice come from two pots of funds -- 40% is distributed equally to each state, and 60 percent is distributed via other means. As such, for 2003-2005, California received about 8 percent of formula funding. The state received 0.8 percent from the one-size-fits-all minimum guarantee portion (or 40% of the pot of money multiplied by the 2% share that every state received) plus 7.2 percent from the population-based portion (or 60% of the pot of money multiplied by the state's 12% share of the U.S. population).

Whereas the 2006 conference report's formula would give California the same 0.8 percent share (40% x 2%) of the "minimum" pot, the state will likely receive a larger share of the remaining funds. Thus, supposing the state were to receive between 15 and 20 percent of the "above-minimum" pot of funds, for example, California's share of total formula funds could increase to between 9.8 percent (0.8%, plus 15% x 60%) and 12.8 percent (0.8%, plus 20% x 60%).

Much will also depend on whether the bill changes the formula for all applicable programs - the bill includes \$550 million for basic grants, \$400 million for LETPP, and \$185 million for EMPG. For example, a hypothetical "threat share" of 17% for the state would yield an 11% formula share. Applied to just \$550 million (basic grants only), the state would receive an additional \$16.5 million. Applied to all \$1.1 billion that now depend on the formula, California's share of funds would grow by \$34 million.

In a future communication, we will provide more precise information, once additional information about the bill and the allocation become available.

For additional information on homeland security grants, see "Federal Formula Grants and California: Homeland Security" -- part of a joint publication series from the Public Policy Institute of California (PPIC) and the California Institute, at <http://www.ppic.org/main/publication.asp?i=481> .

## **HOUSE APPROVES REVISIONS TO ENDANGERED SPECIES ACT**

By a vote of 229-193 on Thursday, September 29, the House passed a comprehensive rewrite of the Endangered Species Act, after narrowly defeating an amendment in the nature of a substitute by a vote of 206-216. The Threatened and Endangered Species Act (H.R. 3824), co-authored by Resources Committee Chair Richard Pombo (Tracy) and Rep. Dennis Cardoza (Atwater) significantly alters the ESA enacted in 1973. See, *Bulletin, Vol. 12, No. 25 (9/22/05)* and <http://www.resourcescommittee.house.gov> .

Two of the most controversial provisions in the bill, the elimination of critical habitat and the easing of private property compensation rules were thoroughly vetted during the floor debate. While opponents of the language labeled the compensation provisions as a "huge giveaway" to private landowners and developers,

Chair Pombo and numerous supporters defended the provisions as necessary to engender vital support from landowners and as merely compensating them for the loss of their property, as required by the Constitution.

The substitute amendment, offered by Rep. George Miller (Martinez), also would have eliminated critical habitat. However, the substitute amendment also would have toughened the recovery plan and enforcement provisions in the bill, as well as allow for the use of private land for recovery plans if public land was not adequate.

The Senate held a hearing on the ESA last week, *see*, [Bulletin, Vol. 12, No. 25 \(9/22/05\)](#), but a Senate bill has not been introduced and is not expected to be considered this year.

## **BALANCING FLEXIBILITY WITH EDUCATIONAL PROGRESS IS NCLB RENEWAL'S CHALLENGE, EDUCATION SECRETARY TESTIFIES**

The House Education and the Workforce Committee (E&W) heard testimony from top education official Margaret Spellings on the implementation of the No Child Left Behind (NCLB) federal education reform law, on September 29, 2005. Secretary of Education Spellings and other panelists discussed NCLB's impacts and challenges as Congress builds up for next year's reauthorization of the legislation that has been a cornerstone of President Bush's domestic policy agenda. Improvements and successes from the law's sweeping reforms were reported as well as suggestions for how to build on those improvements.

After four years of enactment, NCLB, which was designed to provide accountability, improve teacher quality, increase parental options, and enhance the academic performance of disadvantaged K-12 students and schools, has already produced positive results, according to Committee Chair John Boehner (OH). In opening remarks, he cited the latest Nation's Report Card results to support his assertion that the law has produced substantial gains for minority and low income students. The topic that concerned him was how to encourage schools to meet NCLB's requirement of achieving 100 percent English and math proficiency in all schools by 2014.

Sec. Spellings testified that she supported the 100 percent Annual Yearly Progress (AYP) indicator set forth in NCLB and its being pegged to a specific deadline. Accelerated instruction, she said, and funding for supplemental services was necessary to improve the academic performance of schools not meeting progress benchmarks. She thought other strategic intervention policies would help low performing schools and students meet achievement goals.

Last year, California's State Superintendent of Public Instruction Jack O'Connell joined with education officials from 14 other states and came out in support of revising the accountability provisions of NCLB, to accommodate what is known as a "growth model."

The growth model, used in California since 1999, is an alternative school rating process that acknowledges different starting points for different schools. California's model known as the academic performance indicator or API, varies from the federal status-based model in that school, student, and subgroup achievement is compared to statewide performance levels for each to mark growth as opposed to setting the same minimum levels of proficiency for all populations, as is outlined in NCLB.

In response to the call for accountability flexibility Sec. Spellings set up a working group in April 2005 to consider growth model options and to develop appropriate criteria that would be consistent with AYP goals.

Rep. George Miller (Martinez), the committee's senior Democrat affirmed the assertion that gains had been made since NCLB became law but he wanted to avoid any growth model provision in future law that would set impossible targets not sensitive to variations in achievement among different populations. He spoke in favor of greater fiscal management controls to monitor supplemental services accountability beyond current law safeguards, and supported an investment of additional resources for Title I programs, noting that this year's appropriation for the NCLB's largest grant to states would not keep pace with inflation.

Senior Committee Republican and Chair of the Education Subcommittee on 21<sup>st</sup> Century Competitiveness, Howard “Buck” McKeon (Santa Clarita) suggested that the education community has been resistant to the reforms contained in NCLB, in spite of the monumental successes that have been observed since its enactment. In response to a McKeon question on how to best move forward with smooth implementation while being flexible to state needs, Sec. Spellings said that it was important to strike a balance by staying the course, focusing on results and staying true to the law’s principles while being reasonable.

Committee Californian Rep. Susan Davis (San Diego) was in favor of paying closer attention to programs that improve student study skills and academic advancement. Singling out the Advancement by Individual Determination (ABID) program for its successful support in helping 95 percent of 250,000 high school students advance to college, Rep Davis expressed interest in seeing greater promotion for ABID and similar programs.

For more information on this hearing or to view testimony, visit the House Education and the Workforce website at: <http://edworkforce.house.gov/>

### **SENATE JUDICIARY COMMITTEE ADDRESSES COPYRIGHT PROTECTION**

On Wednesday, September 28, the Senate Judiciary Committee held a hearing focused on “Protecting Copyright and Innovation in a Post-Grokster World.” The Committee heard from a number of witnesses, including: MaryBeth Peters, U.S. Register of Copyrights; Debra Wong Yang, U.S. Attorney for the Central District of California and Chair of the Attorney General’s Advisory Committee on Cyber/Intellectual Property Subcommittee, Los Angeles; Cary Sherman, President, Recording Industry Association of America; Gary Shapiro, President and Chief Executive Officer, Consumer Electronics Association; Mark Lemley, William H. Neukom, Professor of Law, Stanford University Law School and Director, Stanford Program in Law, Science and Technology; and Ali Aydar, Chief Operating Officer, SNOCAP, San Francisco.

Ms. Peters detailed the Supreme Court’s opinion in the *Grokster* case, where it held that those who offer products and services in a way that induces others to engage in copyright infringement can be held secondarily liable for that infringement. She opined that in the aftermath of the decision, companies that had been at cross purposes before appear to be entering into agreements to license and provide copyright management technologies and database services to enable the online distribution of the copyright holders’ music catalogs through authorized peer-to-peer services and online retailers. She also noted that since the *Grokster* ruling three foreign courts have followed suit and issued decisions consistent with the ruling. She stated that the ruling should also be helpful to the United States as it continues to negotiate with other countries to improve their copyright standards and enforcement efforts. She also testified that with the Court’s ruling in *Grokster*, the need for legislation to address Peer-to-Peer networks and copyright infringement has diminished. “[I]t probably is not much of an overstatement to say that in effect, the Court enacted its own judicial version of the [pending legislation] when it clarified that ‘one who distributes a device with the object of promoting its use to infringe copyright, as shown by clear expression or other affirmative steps taken to foster infringement, is liable for the resulting acts of infringement by third parties.’” The Court’s ruling struck an appropriate balance between the rights of copyright holders and the flexibility necessary to enable and encourage technologists to continue to develop new products.” Nevertheless, Ms. Peters stated that the Section 115 compulsory licensing process for musical works still must be reformed, whether by establishing a blanket or collective license process, or by other means. She concluded, “If the legitimate music industry continues to be saddled with a time-consuming and transactionally-expensive licensing process, then it can never compete effectively with the “pirates” who can offer a wider variety of music faster and cheaper. Thus far, the representatives of various copyright owners and music services have been unable to make substantial progress in settling their differences over the shape a new licensing regime should take and the royalties that should be paid to copyright owners. I believe that if there is to be any hope

of a resolution, Congress must either send a clear message to the parties or take action on its own to reform the system.”

For the testimony of all witnesses, go to the Committee’s website at: <http://www.judiciary.senate.gov> .

## **WAYS AND MEANS HOLDS HEARING ON U.S.-JAPAN RELATIONS**

On September 28, the House Ways and Means Committee held a hearing on U.S.-Japan Economic and Trade Relations. The Committee heard from several witnesses, including: Wendy Cutler, Assistant U.S. Trade Representative for Japan, Korea and Asia-Pacific Economic Cooperation Affairs, Office of the U.S. Trade Representative; David Loevinger, Deputy Assistant Secretary for Africa, Middle East, and Asia, U.S. Department of the Treasury; A. Ellen Terpstra, Administrator, Foreign Agricultural Service, U.S. Department of Agriculture; A.G. Kawamura, Secretary of Agriculture, California Department of Food and Agriculture; and A. Mussallem, Chief Executive Officer, Edwards Lifesciences Corporation, Irvine, CA and Chairman of the International Board Committee, Advanced Medical Technology Association.

Ms. Cutler noted that Japan is currently the United States’ fourth largest goods trading partner with \$180 billion in total two-way goods trade during 2004. Overall, Japan is our third largest export market and also our third largest market for U.S. agricultural exports. Although acknowledging that there remain barriers to change in our trade relationship with Japan, Ms. Pope noted that there is good news. For instance, she stated, “Japan has significantly lowered retail rates for calling mobile networks, and by reducing monopoly control over networks and equipment, Japan has created conditions for one of the most competitive broadband markets in the world. It has dramatically reduced certain customs processing fees at its ports, thereby lowering the cost of doing business for U.S. exporters and express carriers. Japan has undertaken significant liberalization of both its electricity and gas sectors. It has significantly strengthened its intellectual property rights regime by, for example, extending the term of copyright protection for cinematographic works from 50 to 70 years. And it has bolstered the independence and staffing of its antitrust watchdog, the Japan Fair Trade Commission or JFTC, so that it can better promote a competitive environment in the Japanese market for domestic and foreign companies alike.” She also noted that Japan’s has recently committed to take steps to bring its phytosanitary measures in line with international standards, and has also made progress on resolving other agriculture disputes with the United States. On the other hand, though, Ms. Cutler stated that Japan’s continued ban on U.S. beef remains a major problem. In addition, the Administration continues to work on other important issues with Japan aimed at ensuring a level playing field and increasing trade.

Secretary Kawamura testified that Japan consistently ranks as the No. 2 or No. 3 market for California’s agricultural exports, which in 2003 totaled \$913 million. The top five export commodities for that year were rice, almonds, beef, hay and wine. Additionally, in 2003 California beef producers shipped \$86 million in beef and beef products to Japan, which comprised 40 percent of all California beef exports that year. As a result, Sec. Kawamura said the “continuing ban on U.S. beef, despite our rigorous surveillance and testing protocols, is of great concern to all of us who believe in the validity of science-based measures to ensure food safety.” He called for harmonization of sanitary and phytosanitary standards and other trade barriers between the U.S. and Japan, noting, for instance, that California’s stone fruits, lettuce and rice exports face restrictive policies that significantly limit shipments of those commodities into Japan.

He also testified that, “over the last two years, Japan has been in the process of transitioning maximum residue limits from a negative list system to that of a positive. This will result in determination of allowable chemical residues for a wide variety of agricultural products, including specialty crops and value-added foods. With full faith in scientific standards, recognizing food safety and security, California stresses that these standards must reflect production needs and establish criteria for new compound evaluations that facilitate, not restrict, the access to high quality, safe and nutritious U.S. agricultural products.”

For witness testimony, visit the Committee’s website at: <http://www.waysandmeans.house.gov> .

## **NASA REAUTHORIZATION MEASURE APPROVED ON SENATE FLOOR**

By voice vote on Wednesday, September 28, 2005, the Senate approved S.1281, its version of a bill to reauthorize the National Aeronautics and Space Administration (NASA). The bill would authorize the space agency at \$16.6 billion in 2006, an amount that would increase to \$18.5 billion by 2010, the final authorized year. The House had approved its version of the NASA authorization bill in July 2005.

The Senate bill reflects the desire of its authors that the U.S. maintain continuous ability to conduct human space flight, but it falls short of requiring it. Under the bill, NASA would be required to develop a plan to deal with the potential consequences of the termination of the Space Shuttle program (currently expected in 2010) prior to operational capability of an alternative manned launch vehicle.

## **HEALTHCARE BUDGET CUTS LIMIT SOME SERVICES, PPIC SURVEY SUGGESTS**

A statewide survey of local healthcare professionals and state budget practices finds that the budget cuts in California disadvantage poor and other special populations in need of public health services the most. AIDS and alcohol and drug treatment programs represent those local health services that are more likely to be eliminated or scaled back from budget squeezes as well as services for low income and indigent populations. Despite budget cuts, many programs remained in operation at comparable levels to the prior year and some experienced service increases, the survey reports.

The study which was conducted by the Public Policy Institute of California's (PPIC) Mark Baldassare and Mark Newman to assess the impact of the state's budget deficits, finds the most significant budget cuts among surveyed health and mental health providers in preventive care, public health service delivery, and outpatient care to indigent populations program areas. Compared to one year ago, AIDS treatment and education was cut by 39 percent of respondents, alcohol and drug prevention treatment reduced in 35 percent of those cases surveyed and indigent care services cut 23 percent of the time among the local health care officials surveyed. The most popular types of cuts tended to be staff reductions (49%), program reductions (44%) and program elimination (37%), according to the authors.

The survey found good news in that a substantial amount of services were not heavily impacted by budget contractions experienced this year, and in some cases saw an increase. According to the survey, emergency medical services remained at high levels (97%) compared to the prior year and so too did maternal and child health (92%), and inpatient care (86%). The survey recorded increases in 25 percent of trauma care services, 31 percent improvements in bioterrorism preparedness, 23 percent in children's services, and a 20 percent reported growth in communicable disease control.

For more information on this report entitled, "The State Budget and Local Health Services in California: Surveys of Local Health Officials" or to download a free copy, visit the PPIC website at: <http://www.ppic.org/main/publication.asp?i=634>

## **CHRIS MATTHEWS ADDRESSES CALIFORNIA STATE SOCIETY**

Chris Matthews, host of the political television show "Hardball" on MSNBC entertained at the most recent California State Society (CSS) luncheon on September 27, 2005, providing his take on many aspects of current political events. Mr. Matthews, introduced by State Society Chair Rep. Edward Royce as someone who influences politics and "plays an enormous role in shaping the debate," predicted that the upcoming race for California Governor in 2006 will be among the most exciting in the country. Mr. Matthews shared his expertise on topics such as future contenders for the presidency in 2008, the Iraq war, and the race for California Governor in 2006. For information on upcoming events, visit the California State Society website at: <http://www.cssdc.org/>

## **PPIC STATEWIDE SURVEY ON INITIATIVES**

The Public Policy Institute of California's latest PPIC Statewide Survey focuses on Californians and the initiative process. The Survey found that Californian's focus on Hurricane Katrina and rising gas prices has

resulted in less voter interest in and support for the upcoming special election. 62 percent of those surveyed felt that the nation was moving in the wrong direction, and 60 percent believed the state was moving in the wrong direction. Much of this pessimism, PPIC believes, is being driven by economic worries with only 32 percent of Californian's expecting good economic times ahead - down by 15 points from January 2005.

The Survey found that a majority of likely voters (53%) think the special election is a bad idea, with only 40% calling it a good idea. When asked to name the ballot measure that interested them the most, voters' top response was "don't know" (38%) or none (12%). None of the propositions supported by Gov. Arnold Schwarzenegger has the support of the majority of likely voters, the Survey found. Support for the Teacher Tenure initiative has fallen to 43%; and the State Spending and School Funding initiative garners only 26% support, with 63% opposing it. According to PPIC, the redistricting initiative (Proposition 77) has the support of only 33% of likely voters, with 50% opposing and 17% undecided.

The full results of the Survey are available on the PPIC website at: <http://www.ppic.org>.

### **PEW REPORT DETAILS GROWTH IN MIGRATION TO UNITED STATES**

The Pew Hispanic Center recently released *Rise, Peak, and Decline: Trends in U.S. Immigration 1992-2004*. The Report finds that the number of migrants coming to the United States each year, legally and illegally, grew very rapidly starting in the mid-1990s, hit a peak at the end of the decade, and then declined substantially after 2001. By 2004, the annual inflow of foreign-born persons was down 24% from its all-time high in 2000, according to the authors, Jeffrey S. Passel and Roberto Suro.

Using Census Bureau and other government agency datasets, the Report concludes that from the early 1990s through the middle of the decade, slightly more than 1.1 million migrants came to the United States every year on average. In the peak years of 1999 and 2000, the annual inflow was about 35% higher, topping 1.5 million. By 2002 and 2003, the number coming to the country was back around the 1.1 million mark. This basic pattern of increase, peak and decline, according to the Report, is evident for the foreign-born from every region of the world and for both legal and unauthorized migrants.

The Report also found that migration from Mexico followed the same overall trends. It peaked in 1999-2000 at a level more than one third above the inflows of the mid-1990s, then declined by about one quarter to 2002-2003 levels that were only slightly higher than those of the mid-1990s. Throughout this period, the Mexican share of total migration held relatively steady at about a third of the overall flow. However, according to the authors, there are indications in new data for 2004-2005 that Mexican migration is again increasing.

Among the report's major findings are the following:

- From 1992 to 2004, the unauthorized share of immigration inflows increased and the share that was legal decreased. By the end of the period, more unauthorized migrants than authorized immigrants were entering the United States.

- Declines in legal immigration accounted for the largest part of the drop from the peak flows at the turn of the 21st century. From the peak in 1999-2000 to the trough in 2003, over 60% of the decrease in flow is attributable to lower levels of inflows of legal permanent residents and legal temporary immigrants counted as part of the population.

- The shift of immigrant flows away from states with large foreign-born populations such as California and New York towards new settlement states such as North Carolina and Iowa accelerated during both the peak and the decline that followed.

For more information from the Report, go to the Center's website at: <http://pewhispanic.org>.

### **CONGRESSIONAL WINE CAUCUS TO HOST WINE AUCTION/BENEFIT ON OCTOBER 5**

On Wednesday, October 5th, 2005, in Washington DC, the Congressional Wine Caucus along with the California State Society, the Washington State Society, the Wine Institute, the Napa Valley Vintners

Association, Wine America and numerous wine industry groups will be hosting a charity wine auction to benefit the Bush-Clinton Katrina Relief Fund.

All of the nation's top wine growing regions will be represented, and auction lots will include unique items such as wines from Dalla Valle, Screaming Eagle and Colgin Cellars, an 8 magnum vertical of Turley wines, 6 magnums of Arietta, and a lot of 36 magnums of Napa Valley cabernet sauvignon.

"Hurricane Katrina caused horrific devastation to our neighbors in the Gulf States," Rep. Mike Thompson (Napa Valley) said. "We hope that this event will raise money for our fellow Americans who are in need of a helping hand. So far, we have had a phenomenal response from the wine industry and we will be auctioning some exceptional lots of rare wines."

Rep. George Radanovich (Mariposa) said, "As Co-Chairs of the Congressional Wine Caucus, and as fellow Americans, it is so important that we step up to the plate and help our friends rebuild their cities, their homes and their lives in the Gulf Region. The Charity Wine Auction will be our small contribution to raise critically needed funds for the survivors of Katrina."

The event will include both live and silent auctions, and renowned wine auctioneer Fritz Hatton will preside over the live auction. Charlie Palmer Steak will donate catering to the event, which will take place from 6:00-8:30 pm (live auction at 7:15) at 101 Constitution Ave, NW, on the 11th Floor. The hosts are asking a \$20 minimum donation at the door. Checks should be payable to the Bush-Clinton Katrina Fund. Space is limited, and replies are requested at [CSSWineAuction@yahoo.com](mailto:CSSWineAuction@yahoo.com).

For more information, visit <http://www.californiastatesociety.org/events.html>, contact 202-543-9559, or email [CSSWineAuction@yahoo.com](mailto:CSSWineAuction@yahoo.com).

### **PPIC LUNCHEON BRIEFING ON FRIDAY (9/30) TO ADDRESS EDUCATIONAL ATTAINMENT OF CALIFORNIA'S MEXICAN AMERICAN IMMIGRANT CHILDREN**

The Public Policy Institute of California and the California Institute will host a briefing entitled: *Educating Immigrants -- California's Mexican American Children Make Strong Progress, But Still Lag Behind Other Groups*, presented by Debbie Reed. The luncheon briefing will take place Friday, September 30, 2005, from 12:00 noon - 1:30 p.m. in Room B-369 of the Rayburn House Office Building.

While some prior research has found little or no progress in educational attainment between second- and third-generation immigrants of Mexican ancestry, the PPIC study provides evidence that this group is, in fact, making steady progress. The share earning a high school diploma climbs steeply from 46 percent to 82 percent between second-generation parents and their third-generation children.

Moreover, college completion rates more than double from 5 percent to 11 percent, according to the report. Nevertheless, Ms. Reed finds that despite these advances, Mexican American education attainment remains low. Among young adult Californians in third and subsequent generations, only a fraction of Mexican Americans graduate from college (11%), compared to much larger shares of East and South Asians (46%), and whites (38%). This is particularly unsettling because among the state's 13 to 24 year olds, Latinos are the largest group (41%) — and a vast majority of them are of Mexican ancestry (83%).

Ms. Reed will address this gap between Mexican Americans and other ethnic groups and the implications for California policy.

To attend this luncheon briefing, please email (acceptances only, thank you) to [randsell@calinst.org](mailto:randsell@calinst.org).