



## THE CALIFORNIA INSTITUTE

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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. The e-mail edition is made possible in part by a computer server donation from Sun Microsystems.*

## HOUSE NATIONAL SECURITY COMMITTEE MARKS UP FY99 DOD AUTHORIZATION BILL

By a vote of 50 to 1 on Wednesday, the House National Security Committee sent to the full House a \$271 billion defense authorization bill. Significant funding changes were rendered difficult due to the absence of a budget agreement, but some policy shifts were included in the measure, including a requirement that the Air Force develop a long-term plan for long range bombers such as the B-2.

By cutting the President's request for F-18 fighters from 30 to 27, and thus freeing \$213 million for other uses, the committee sought increases above the President's recommendations in several areas. These included two training facility items in California -- an additional \$20 million for training facilities at the Air Warfare Center at Nellis Air Force base and a \$5 million boost to the training programs at the Marine Air Ground Combat Center at Twenty Nine Palms.

Noting that the Long Range Airpower Review panel recently recommended upgrades to the current U.S. bomber fleet, the committee recommended \$275.9 million for post production support of the B-2 stealth bomber fleet (\$86 million more than the President's request) and \$145.6 million for modifications to the entire bomber fleet (matching the President's request). The committee also directed the Air Force to report to Congress by March 1999 on planned upgrades to the current bomber fleet, a funding profile for these upgrades, and a timeline for the acquisition of a follow-on bomber.

The committee backed the President's request for \$2.6 billion for 13 C-17 aircraft and \$303.5 million for advance procurement of 15 C-17 aircraft in fiscal year 2000.

The House bill would fund the Joint Strike Fighter (JSF) -- which is to be used jointly by the Air Force, Navy, and Marine Corps -- at \$463.4 million for the Navy JSF development and \$456.1 million for Air Force JSF development, the same levels as in the President's budget.

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The bill would restore \$35 million in DOD funds for impact aid, which aids education programs in school districts with large military populations.

However, regarding stockpile stewardship, the committee recommended a cut to \$485.1 million (\$30 million less than the President had requested) for construction projects at the national laboratories and production sites. A bill summary from the committee commented that the reduction reflects the concern that DOE is starting too many construction projects at the same time.

For more detail, refer to the bill summary on the committee website at <http://www.house.gov/nsc/fy99ndaamarkupsummary.htm>.

## **27 MEMBERS SIGN ON TO BIOMATERIALS LETTER**

Twenty-seven California delegation members signed the letter to Speaker Newt Gingrich urging that the Biomaterials Access Assurance Act (H.R. 872) be considered by Congress as soon as possible. The letter was spearheaded by Reps. Zoe Lofgren (San Jose), Brian Bilbray (Imperial Beach), and Howard Berman (West Hollywood) (*See Bulletin, Vol. 5, No. 14 (4/23/98)*). Access to life-saving implantable devices has been jeopardized by a shortage of the raw bio-materials used to make the devices, because of expensive and frivolous lawsuits. H.R. 872 makes it easier for suppliers of materials used in the manufacture of medical devices to be dismissed from medical malpractice suits brought against manufacturers and others, if their materials met the manufacturer's specifications. It also ensures that negligent or intentionally tortious suppliers can be brought back into a case if subsequent evidence warrants it. The House Judiciary Committee reported the bill on April 1.

## **DELEGATION LETTER SUPPORTING H.R. 1702 GARNERS 30 SIGNATURES**

Thirty members of the California House congressional delegation signed a letter to Senators Boxer and Feinstein urging their support of H.R. 1702, the Commercial Space Act of 1997. The measure passed unanimously by the House last November and is now under consideration by the Senate Commerce, Science, and Transportation Committee.

The letter requested Senators to consider the importance of the bipartisan measure to the state. It would allow federal licensing of the nation's reusable launch vehicles to be landed, as well as launched from the United States. According to the letter, the bill also would improve the regulatory process for America's commercial remote sensing industry to allow more use of satellite information for environmental protection and "precision farming."

## **REPS. BONO AND LEE RECEIVE COMMITTEE ASSIGNMENTS**

Newly elected Reps. Mary Bono (Palm Springs) and Barbara Lee (Oakland) have received their committee assignments. Rep. Bono will serve on the House Judiciary Committee (on which her late husband also served) and the National Security Committee. Rep. Lee has been assigned to the House Banking Committee, which also covers housing issues, and to the Science Committee. As reported previously, newly-arrived Rep. Lois Capps (Santa Barbara) serves on the Science Committee and on International Affairs.

## **REP. DREIER TO HEAD HOUSE RULES COMMITTEE IN 106TH CONGRESS**

House Speaker Newt Gingrich last week confirmed that Rep. David Dreier (Covina) will hold the key post of Chairman of the House Rules Committee when the 106th Congress convenes in January. Rep. Gerald Solomon (NY), the current Rules Chairman, has recently announced his retirement from Congress. Dreier, who currently chairs the subcommittee on Rules and Organization of the House, would be the first Californian to chair the panel.

## **PRC BRIEFING ON CENSUS LONG FORM**

How long is the journey to work for a resident of Orange County, California? How many people hold college degrees in Humboldt County? The answers to these questions are all data collected on the long form during the decennial census. On Friday, May 1<sup>st</sup>, the Population Resource Center (PRC) held a briefing on, "Taking the Social & Economic Pulse of America: Data from the Census Long Form," another in the PRC's briefing series on the 2000 Census.

Experts at the briefing said a variation of the long form has existed since 1820, when questions on industry were first asked in addition to population. Today, about one in every six people get the long form, in addition to the census survey that is distributed to every household. Each of the 50-plus questions that appear on the long form are based on federal legislation. For example, a new question for the 2000 census will ask about grandparents providing child care as a result of the recent welfare reform legislation.

Representatives from business, academia, and state and local governments also spoke about the importance of the long form and uses of the data. UCLA's Dr. Leo Estrada said the long form data gives analysts the data to explain differentials in population over time and reconstruct communities to build better frameworks for decision-makers. The National Association of Counties' (NACo) Ms. Jacqueline Byers emphasized local government's need for consistent and comparable data across local and state boundaries. Both Ms. Joan Naymark of the Dayton Hudson Corporation and Mr. Michel Lettré, Assistant Director for the State of Maryland's Office of Planning, showed where long form data influenced crafting of laws and programs and, with the assistance of high technology, showed how the long form data could be analyzed, manipulated, and distributed to the public. All speakers stressed that the long form of the Census is the only place to get the data they use daily.

If you'd like more information on the briefing and upcoming PRC events, please visit their web site at <http://www.members.aol.com/PopResCtr/prc.html> or phone 202/467-5030.

## **CENSUS SUBCOMMITTEE REVISITS 1990 CENSUS**

On Tuesday, the House Government Reform and Oversight Committee's Subcommittee on the Census held a hearing to discuss "Oversight of the 2000 Census: Revisiting the 1990 Census." Organized in November of last year, the Subcommittee is chaired by Rep. Dan Miller (FL) and is charged with oversight of the 2000 Census.

Reps. Tom Petri (WI) and Tom Sawyer (OH), former Chairman of the Subcommittee on Census, Statistics, and Postal Personnel that oversaw the 1990 Census, offered the Subcommittee their insights on the role Congress should play in oversight of the Census. During the discussion, both Reps. Sawyer and Petri said that while the 1990 Census was not perfect, and could be improved, it undertook the largest count and its results compared to previous censuses. In his written testimony, Rep. Sawyer said, "I believe firmly that the 1990 Census was not a failure of execution, but a failure of design -- a 20 year-old design that has outgrown our nation," a nation that is constantly changing and increasingly transient he later remarked. Overall, Chairman Miller expressed his concern that the Commerce Department's plans for the 2000 Census are not receiving adequate congressional input.

A panel of statisticians also testified at the hearing, and focused on the use of sampling to adjust for the total undercount (people missed or counted twice) after the census is completed. In 1992, Commerce Secretary Robert Mosbacher denied the Census Bureau's request to use sampling to adjust the 1990 count. The University of California at Berkeley's Professor Peter Stark said "adjusting the census did not work in 1990, because of statistical bias. Taking a bigger sample, as proposed for the 2000 Census, could make bias even worse." Jerry Coffey, a retired OMB mathematics statistician, and Kenneth Darga, Senior Demographer with the State of Michigan, also charged that there were errors in

the Census Bureau's adjustment for undercounts. Wade Henderson, Executive Director of the Leadership Conference on Civil Rights, also attended the hearing, and in his written testimony said that while the census will never produce a perfect result, the nation should not shy away from using a new method in an effort to improve and refine census techniques.

Please contact the Subcommittee at 202/226-1973 for copies of written testimony.

In related developments, several California jurisdictions are among the cities and other governmental parties joining Los Angeles by intervening in the two pending census lawsuits. These include the cities of New York, Chicago, San Francisco, Oakland, San Jose, Inglewood, Long Beach, Houston, Stamford (CT), Denver, and San Antonio; the State of New Mexico; the California counties of San Francisco, Los Angeles, San Bernardino, Alameda, Riverside, and Santa Clara; Dade County, FL; the League of Women Voters of Los Angeles; and the U.S. Conference of Mayors.

### **UCSD STUDY FINDS LOW-SKILLED WORKERS STILL NEEDED IN WORKFORCE**

A recent study conducted by the University of California, San Diego has concluded that unskilled, low-wage immigrant labor continues to be needed in today's high technology-dominated workforce. The three-year study, conducted by Political Science Prof. Wayne Cornelius, focused on interviews with 1,169 employers and employees in the San Diego area and Hamamatsu, a similarly industrial city in Japan.

The high-tech industry employs low-skilled workers in a variety of jobs, including production of electronic components such as circuit boards and CD-ROMs, according to the findings. In releasing these results, Dr. Cornelius commented that in his view it is better for the U.S. to have these jobs, with their accompanying multiplier effects on the rest of the economy, than to have them done in third-world countries.

To obtain a copy of the study, contact Dr. Cornelius directly through UCSD's website at: <http://dssadmin.ucsd.edu/PoliSci/FacContactInfo.htm>.

### **FOUR CALIFORNIA WATER DISTRICTS REQUEST MODIFICATION OF SALTON SEA BILL**

Coachella Valley Water District, the Imperial Irrigation District, the Metropolitan Water District of Southern California, and San Diego County Water Authority have written a letter to the Salton Sea Task Force asking for modifications to H.R. 3267, the Sonny bono Memorial Salton Sea National Reclamation Act. The Task Force is comprised of Reps. Mary Bono (Palm Springs), George Brown (San Bernardino), Ken Calvert (Corona), Duncan Hunter (Alpine), and Jerry Lewis (Redlands).

The letter requests that language be added to the bill to ensure that Imperial Irrigation District and Coachella Valley Water District will be immune from any liability resulting from the actions of the Secretary of the Interior in implementing the Act. The water districts argue that the language is needed because they are currently involved in litigation over flooding of land that forms part of the seabed, and if the implementation of the act requires adding more water to the Sea, the Districts should not be held liable for any resulting damage. The modification would also ensure that the flood immunity of the United States extends to any diversion of flood flows to the Salton Sea under the Act, and protect entities who cooperate with the Secretary from liability. Finally, the requested changes would delete a current section of the bill that they fear would force them to dedicate water to the Salton Sea or would be read to contradict existing court judgments and State Water Resources Control Board decisions.

### **CALIFORNIA: 33 MILLION AND STILL COUNTING . . .**

The California Department of Finance (DOF) on Wednesday released its January 1998 population estimates for the state and its counties and cities. Last year, California's population broke the 33 million mark, according to DOF, increasing 582,000 (1.8%) over January of 1997. The population increases were attributed to foreign immigration and the reversal of a long-term trend of domestic out-migration (where more people moved out, instead of into, the state.) According to state demographers, the current trend is continuing based on population estimates released in March.

For the 1997 calendar year, about 95% (446 of 471) California's cities gained population, while only 11 lost and 14 had no change in population. Los Angeles is still the state's largest city, its population growing 1.3% to 3,722,500 in 1997. The only other California city with over a million residents, San Diego grew 2.2% to 1,224,800. The next largest cities, San Jose (894,000) and San Francisco (789,600) grew at 2.3% and 2.2% respectively. The state's fastest growing cities were Corcoran (22.1% --- the jump is credited to a new corrections facility added in 1997), Brentwood (16.4%), Ferndale (14.6%), Soledad (10.5%), and Santa Clarita (9.7%).

The state's largest counties were also the largest numerical gainers of residents in 1997. Los Angeles County's population increased 1.4% (132,400) to 9,603,300 people, meaning that the county is home to almost 29% of the state's total population. San Diego County rose 2.4% (65,700) and Orange County also went up 1.7% (44,800). The County of San Francisco (789,600) joined the "state's top ten largest counties" list for the January 1998 estimates, edging out Fresno County (786,800) which had been the tenth largest at last measure. Since January 1997, California's fastest growing counties, based on percentage change, were Kings (5.2%), Monterey (4.7%), San Benito (3.4%), Del Norte (3.4%), and Calaveras (3.4%).

Of California's 58 counties, DOF found population declines in only two small counties: Trinity (which fell by just 50 residents to 13,250) and Lassen (declining by 200 to 34,150). Only two cities, both with a significant Navy presence, showed substantial population declines: Alameda (which declined by 4,200 to 72,500 residents) and Coronado (dipping 2,450 to 26,800 residents). All other cities showed increases or nearly stable populations.

The U.S. Census Bureau's last estimate (July 1997) of the state's population was about 32.26 million; DOF had estimated about 32.9 million for that date. According to the Department of Finance, both agencies use similar methods to calculate the state's population, but vary in the indicators used to determine state population.

If you would like more detailed information, please see the Department of Finance's web site at <http://www.dof.ca.gov/html/Demograp/whatsnew.htm>.

## **DISASTER MITIGATION DRAFT BILL REVIEWED**

The Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee received testimony on Thursday on its draft bill, the Mitigation and Cost Reduction Act of 1998. Previously this year, the Subcommittee held two hearings (*see Bulletin, Vol. 5, Nos. 3 (1/29/98) and 11 (3/27/98)*) to examine the Federal Emergency Management Agency's (FEMA) current initiatives and other ways to reduce the costs of natural disasters. According to the Subcommittee, federal disaster expenditures increased from \$3.3 billion to more than \$13 billion over the last five years, with expectations of continued rising costs in the future.

The draft bill focuses on Subcommittee Chairman Sherwood Boehlert's (NY) desire to place more emphasis on hazard mitigation, by specifically authorizing federal funding for pre-disaster activities like FEMA's Project Impact. Last year FEMA began Project Impact, a pilot program that provides federal funds to seven communities nationwide to form private-public partnerships to undertake pre-disaster hazard mitigation. FEMA is planning to expand Project Impact to every state by the end of this year. Oakland is one of the seven communities participating in Project Impact.

The bill would also make “streamlining and cost reduction” changes to the public assistance program and create state competitive grants for mapping modernization. FEMA expressed its opposition to the draft bill’s proposal to create a pilot program to allow states to administer the assistance program, and instead, highlighted its own approach, *The New Public Assistance Program*. Reforms to the program identified by FEMA include: maximize the use of information technology; provide a single-point of contact for applicants; provide on-site eligibility; and provide training and credentializing inspectors. FEMA said it already established hazard disaster mitigation officers in each state in 1995, and recently added environmental officers in each region. FEMA specified it supports a provision in the draft bill that allows public assistance grants to be made on the basis of estimates.

During testimony, Rep. Jay Kim (Diamond Bar) referenced a letter, signed by 33 members of the delegation, sent last fall to FEMA Director Witt recommending changes to the agency’s current administration of the Public Assistance Program. The letter, among other things, proposed: providing public due process prior to the adoption of new or modified policies; working with local jurisdictions to ensure NEPA compliance; delegating eligibility decision-making to those closest to the disaster; and expanding on-line reporting. FEMA Associate Director Michael Armstrong, who testified at the hearing, said he would review the letter and consider its suggestions in regard to the draft bill.

If you would like a copy of the testimony, please visit the Subcommittee’s web site at <http://www.house.gov/transportation/water/wrhearin/05-07-98/05-07-98memo.htm>.

## **UNRESOLVED BUDGET SLOWS ISTE A TALKS**

ISTEA conferees continue to meet and hammer out the details but the major funding issues at the center of the reauthorization transportation laws wait to be resolved. On May 1<sup>st</sup>, the six-month stop-gap extension Congress approved last fall, expired without another authorization.

The heart of the disagreement is over what level, and how, transportation should be funded out of the federal budget. House Transportation Chairman Bud Shuster (PA) favors dedicating highway trust funds revenues for transportation by taking the Highway Trust Fund off-budget, however, many disagree with this approach. Transportation Secretary Slater said that the funding levels proposed by the House (H.R. 2400) and Senate (S. 1173) bills “remain a paramount concern of the administration.” Senate negotiators had presented a compromise plan to House Speaker Newt Gingrich (GA), but there is speculation as to whether a deal will be agreed to this week.

In the meantime, conferees approved a third set of provisions, recommended by staff, on Wednesday. The provisions include the authorization of a range of studies, including requiring the Transportation Secretary to conduct a comprehensive assessment of transportation infrastructure on the southwest border between the U.S. and Mexico. For a detailed list of this week’s agreed upon provisions, and the agreements from April 24<sup>th</sup> and 28<sup>th</sup>, as well as other relevant documents, visit the Senate’s Environment and Public Works’ Committee web site at [http://www.senate.gov/~epw/istea\\_lk.htm](http://www.senate.gov/~epw/istea_lk.htm).

**CORRECTION:** Last week, we reported on a letter sent by Caltrans to all California ISTE A conferees which stated that Rep. Dana Rohrabacher (Huntington Beach) was appointed a conferee. He has not been appointed to the ISTE A conference committee. We regret any confusion or inconvenience this may have caused.