

FOCUS

Analysis, Commentary and Updates on Legislative and Policy Issues that Affect California Cities

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NEW LEGISLATURE CONVENES DECEMBER 4

Next week, the State Capitol next week will be abuzz with the convening of the 2007-2008 Legislature. Swearing-in ceremonies for all members are scheduled for Monday, December 4. It's a time of hope and promise, fellowship and congratulations. Many members will bring their families to witness the swearing-in ceremonies, as the Capitol takes on a festive atmosphere that is generally free of the partisanship and intensity that can grip the building later on in the session. *For more, see Page 3.*

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FEDERAL UPDATE: ELECTION 2006 OVERVIEW

The November 7 congressional elections were a major victory for Democrats, who secured majorities in both the House of Representatives and Senate. Democrats will begin the first session of the 110th Congress in January under the leadership of **Nancy Pelosi (Calif.-8)**, the first woman and the first Californian to serve as Speaker of the House. *For more, see Page 5.*

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LEAGUE BOARD ADOPTS STRATEGIC GOALS FOR 2007

The League of California Cities set the course of the organization for the coming year, when it met with the leaders of the League's departments, divisions, policy committees and caucuses at the board of directors meeting on November 17-18 in Anaheim. *For more, see Page 4.*

WANT MORE DETAILS
ON BILLS?

Visit the League of
California Cities
website at
[www.cacities.org/
billsearch](http://www.cacities.org/billsearch).

IN THIS ISSUE:

INSTITUTE FOR LOCAL GOVERNMENT ISSUES ITS 2006 ANNUAL REPORT

The Institute for Local Government (ILG), founded in 1955 as the League of California Cities' nonprofit research arm, has published its 2006 Annual Report. The report contains an overview of ILG's accomplishments during the past year.

ILG currently has four active program areas - public service ethics, civic engagement, land use and housing and fiscal stewardship. The following details ILG's 2006 activities:

New Publications.

- *Getting the Most Out of Public Hearings* (www.ca-ilg.org/publichearings);
- *An Ounce of Prevention: Best Practices for Making Informed Land Use Decisions* (www.ca-ilg.org/ounce);
- *Ensuring Continued Affordability in Homeownership Programs* (www.ca-ilg.org/inclusionary);
- *Success in Public Service: What to Know Before You are Elected or Appointed* (www.ca-ilg.org/candidatepamphlet);
- *Doing the Right Thing: Putting Ethics Principles into Practice in Public Service* (www.ca-ilg.org/rightthing);
- *Building a Healthy Fiscal Foundation Through Revenue Diversification* (www.ca-ilg.org/revenuediversification).

ILG also updated its *Regulatory Takings Primer* (www.ca-ilg.org/takings). The ILG board of directors formally expressed its appreciation to the League and the California State Association of Counties (CSAC) for those organizations' leadership in defeating Proposition 90, which would have wiped out more than six years of ILG's work in the regulatory takings area.

- **AB 1234 Implementation.** Helped local officials understand and comply with new state ethics requirements, frequently asked questions (FAQs), regional and state training sessions, online and self-study training opportunities, train-the-trainers efforts and more. By the end of the year, ILG

estimates that it will have directly or indirectly helped nearly 8,000 local officials comply with the requirements.

- **Collaborating.** Welcomed CSAC on board as an ILG supporter.
- **Land Use Program Re-Envisioning.** Engaged in a strategic planning effort to reflect on the direction of ILG's land use program. In 2007, the program will continue to focus on housing issues (including additions to the Housing Resource Center, www.ca-ilg.org/hrc), but also explore the connections between land use and health, and climate change issues for local officials.
- **Annual Conference Symposium.** Connected local officials with cutting edge thinking and research about "How to Talk about Government" in collaboration with the Demos and Frameworks Institute.
- **League Conference Programs.** Organized and delivered a number of sessions at League conferences, including the New Mayors and Council Members, the Planners Institute, Executive Forum, Annual Conference and the Clerks New Law and Election Seminar.
- **Everyday Ethics Column.** Appearing in *Western City* magazine, the column analyzed such issues as federal corruption laws, mass mailing restrictions, promoting a culture of ethics, and fair process requirements.
- **Endowment Fund.** Continued to grow ILG's endowment fund for long term financial security, which accepts support in various forms, including surplus campaign contributions, appreciated securities, charitable remainder trusts, bequests and individual gifts.

ILG also invested in grant-seeking and other fundraising activities to enable it to leverage League and CSAC support on about a one-to-three ratio. Major grants were secured from the James Irvine Foundation, Bank of America Foundation, Commu-

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ILG ANNUAL REPORT from page 2

nity Technology Foundation, and others to carry ILG's work program forward in 2007 and beyond.

ILG is very grateful for the support that it has received from local officials, foundations and private firms. Numerous local officials have provided input to ILG's work programs. ILG was grateful for the opportunity to keep officials abreast of its activities through conferences, ILG's quarterly *NewsWire* e-bulletin, a bi-monthly column in *Western City* magazine and ILG's website, www.ca-ilg.org.



NEW LEG from page 1

Although floor and committee sessions will not occur until January, a number of legislators can be expected to use the few days of session to introduce their first bills.

New Legislators Have Strong Local Government Roots

As noted in the November 17 issue of *Priority Focus*, 17 of 34 new assemblymembers and nine of 12 new senators will arrive at the State Capitol with backgrounds as local elected officials. This could be good news for cities – since these members will come to the State Capitol with an understanding and greater appreciation for the challenges of local governance.

Editor's Note: Portions of this list that appeared in the November 17 edition of Priority Focus contained incorrect listings. The below information has been corrected.

California Assembly – Newly Elected Members with Local Government Experience

- AD 4 Ted Gaines (R), Placer County Supervisor
- AD 11 Mark DeSaulnier (D), Contra Costa Supervisor
- AD 12 Fiona Ma (D), San Francisco County Supervisor
- AD 24 Jim Beall (D), Santa Clara County Supervisor

- AD 28 Anna Caballero (D), Salinas Mayor
- AD 38 Cameron Smyth (R), Santa Clarita City Council Member
- AD 42 Mike Feuer (D), Los Angeles City Council
- AD 44 Anthony Portantino (D), La Canada Flintridge Mayor
- AD 49 Mike Eng (D), Monterey Park City Council Member
- AD 51 Curren D. Price, Jr. (D), Inglewood City Council Member
- AD 55 Laura Richardson (D), Long Beach City Council Member
- AD 56 Tony Mendoza (D), Artesia City Council Member
- AD 65 Paul Cook (R), Yucca Valley Mayor
- AD 67 Jim Silva (R), Orange County Supervisor
- AD 69 Jose Solario (D), Santa Ana City Council Member
- AD 72 Mike Duvall (R), Yorba Linda Mayor
- AD 79 Mary Salas (D), Chula Vista City Council Member

California Senate – Newly Elected Senators with Local Government Experience

- SD 2 Pat Wiggins (D), Santa Rosa City Council Member
- SD 6 Darrell Steinberg (D), Sacramento City Council Member
- SD 8 Leland Yee (D), San Francisco Supervisor
- SD 10 Ellen Corbett (D), San Leandro Mayor
- SD 14 Dave Cogdill (R), Modesto City Council Member
- SD 20 Alex Padilla (D), Los Angeles City Council Member; also Former Past President, League of California Cities
- SD 26 Mark Ridley Thomas (D), Los Angeles City Council Member
- SD 28 Jenny Oropenza (D), Long Beach City Council Member
- SD 34 Lou Correa (D), Orange County Supervisor

STRATEGIC GOALS from page 1

After participating with other League leaders in eight separate discussion groups, the directors considered a list of proposed strategic goals formulated by the discussion groups. The following goals were adopted and will be the focus of work programs for the League and its divisions, departments, caucuses and policy committees for 2007:

- **Infrastructure:** Ensure fair and effective implementation of the 2006 infrastructure bonds, consistent with the needs of California cities.
- **Eminent Domain:** Adopt statutory and constitutional reforms of the laws governing the use of eminent domain for private economic development purposes.
- **Affordable Housing:** Expand the supply of affordable housing by adopting reforms that reduce the barriers to improved planning and expand the financial resources available.

League Celebrates Defeat of Prop. 90

There was a celebratory tone to meetings with leaders of League divisions, departments, policy committees and caucuses, as they met with members of the board of directors to assess the lessons of the successful campaign to defeat Proposition 90, the "Taxpayer Trap" initiative that was on the November ballot.

With the strength of a broad and diverse coalition and with nearly unanimous support by editorial boards across the state, Prop. 90 was defeated. Its passage would have paralyzed government regulation and land use planning and added untold millions in taxpayer expenses by virtue of its ill-conceived and poorly drafted provisions on governmental takings. Using funds received from non-public sources, the League played a central role in organizing the coalition and leading the "No on 90" campaign.

The lesson learned from this campaign is that the League must work with other groups during 2007 to secure balanced reform of eminent domain as it is used for private economic development purposes. The board and League leaders established this as a strategic priority for 2007.

League Board Adopts 2007 Budget

The board of directors also adopted the League budget for calendar year 2007. The budget includes a 4.18 percent dues increase. It will allow the League to maintain momentum and direct the full measure of League resources to the strategic priorities selected for 2007. Under the guidance of the board and the board finance committee, the League eliminated a projected budget deficit in 2006 and approved a balanced budget for 2007.

Other League News

- **Coastal Cities Issue Group.** To help the League address coastal issues more effectively and to improve cooperation with the Coastal Commission, the board of directors voted to create a coastal cities issue group. The League president will appoint the chair of the issue group, which will report to the board and work through relevant policy committees on matters of League policy.

- **League Seeks Collaboration with Indian Nations.** There are 109 sovereign tribal governments in California that face many of the same challenges facing cities, and whose actions often have profound effects on California cities. The board of directors voted to establish a League-Tribal Governments Collaboration Task Force to recommend a mechanism for ongoing dialogue and collaboration. The task force will consist of League representatives appointed by the president and representatives chosen by interested major tribal government associations.

FEDERAL UPDATE from page 1

The newly elected Democratic leadership has vowed to pursue the following agenda within the first 100 hours of the 110th Congress (which begins January 3, 2007):

- Increase the federal minimum wage
- Implement the 9/11 Commission's recommendations
- Cut the interest rate on student loans by half
- Enable the federal government to negotiate with drugs companies to lower prices in the Medicare prescription drug program
- Pass new congressional ethics and budget policies
- Allow stem cell research
- End tax breaks for oil companies

It is unclear whether the nine unfinished FY 2007 appropriations bills will be part of the 110th Congress agenda. Congress must now decide whether or not they will combine the remaining bills into a multi-bill omnibus, or pass a long term continuing resolution that would delay consideration of the legislation until January 2007.

On Thursday, November 16, Congress passed a continuing resolution (CR) that will continue funding for all federal programs that were not part of the FY 2007 Defense or Homeland Security Appropriations bills until December 8.

Congress will have to decide which strategy to pursue when they reconvene on December 4. Republican conservatives, worried that a "budget-busting" omnibus appropriations package will be passed when the lame-duck session resumes this month, are pushing to delay action on the unfinished spending bills until next year.

Democrats, however, want to finish the FY 2007 appropriations bills when the 109th Congress reconvenes the week of December 4, so they can start with their own agenda next year.

House of Representatives

(The names of California representatives and senators are indicated in bold.)

Heading into the election, the House was comprised of 229 Republicans, 200 Democrats and one Independent, with four vacant seats. Republicans held a 28 seat advantage, and Democrats needed to capture 15 seats to gain control of the House, which has been led by a Republican majority since 1995. The elections resulted in a 29-seat gain for Democrats, with the 110th Congress comprised of 232 Democrats and 196 Republicans. Seven election contests still remain undecided.

In total, 20 defending Republican incumbents were defeated, whereas all defending Democratic incumbents were re-elected. Nine seats belonging to retiring Republicans also changed hands in the election, and will be filled by incoming Democrats in the 110th Congress.

House Leadership. The House majority leadership team in the 110th Congress will include current Democratic Leader **Nancy Pelosi (Calif.-8)** serving as House Speaker, current Minority Whip Steny Hoyer (Md.-5) serving as Majority Leader, current Democratic Caucus Chairman James Clyburn (S.C.-6) serving as Majority Whip, and current Democratic Congressional Campaign Committee (DCCC) Chairman Rahm Emmanuel (Ill.-5) serving as chairman of the House Democratic Caucus.

House Republicans met on November 17 and chose John Boehner (Ohio-8) to serve as the Minority Leader in the new session. Congressman Roy Blunt (Mo.-7) was selected to serve as the party's Minority Whip, and Rep. Adam Putnam (Fla.-12) will chair the Republican Conference.

Finally, Republicans selected Congressman Tom Cole (Okla.-4) to serve as the new chairman of the National Republican Congressional Committee (NRCC). Current House Speaker Dennis Hastert (Ill.-14) and Republican Conference Chairwoman Deborah Pryce (Ohio-15) opted

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against seeking any leadership positions in the new Congress.

House Committees. With Democrats back in control of the House after 12 years in the minority, committee leadership and the corresponding agendas of incoming Democratic committee chairs will likely mean a change in priorities for most House committees. Final reorganization of House committee membership will be decided between now and January 2007, when Congress reconvenes for its 110th session.

Agriculture. Current Ranking Member Collin Peterson (Minn.-7) is the most likely candidate to lead the Agriculture Committee through next year's expected rewrite of the Farm Security and Rural Investment Act of 2002. In addition to revamping Federal commodity programs, rural development programs will also be under review in the reauthorization of the bill.

Federal rural development programs have been limited by funding constraints and limited eligibility requirements in recent years, however a coalition of rural municipal stakeholders, including the National Association of Towns and Townships, will be pressing to expand opportunities in rural development programs in the reauthorization of the measure.

Congressman Tim Holden (Penn.-17) is expected to oversee this portion of the bill as the incoming chair of the Conservation, Credit, Rural Development and Research Subcommittee. In addition, **Congressman Joe Baca (Calif.-43)** is expected to assume the chairmanship of the Department Operations, Oversight, Dairy, Nutrition and Forestry Subcommittee.

Appropriations. Current Ranking Member David Obey (Wis.-7) will likely regain the chairmanship of the Appropriations Committee, where he is expected to seek increased funding for domestic discretionary Federal spending programs. Rep. Obey is the current ranking Democrat on the committee's Labor-Health and Human

Services-Education and Related Agencies Subcommittee, though he may have to relinquish his seat on the Subcommittee when he assumes the full committee chairmanship.

In his 12 years as the committee's ranking Democrat, Rep. Obey has consistently advocated for increases in funding for education, medical research, community development, veterans' medical care and border security. However, the Wisconsin Democrat will likely run into several obstacles in his attempt to increase funding for Democratic priorities. In recent years, his proposals to boost such spending have been paired with tax increases; proposals that remain non-starters for the 196 House Republicans and the president.

Rep. Obey will likely oversee a plan by the Democratic leadership to reform the chamber's earmarking process. Obey supported a Democratic proposal to require that Members declare if they stand to benefit personally from any earmarks they are seeking, which is part of a broad lobbying package that Democrats vowed to gain passage of if they won the majority.

Most of the ranking Democratic subcommittee chairmen are expected to become chairmen of their respective subcommittees in the 110th Congress. However, Martin Olav Sabo (Minn.-5), ranking Democrat on the Homeland Security Subcommittee, is retiring. A top candidate to replace Sabo is David Price (N.C.-4), who ranks just below Rep. Sabo on the panel.

Transitioning from ranking member to subcommittee chair on the remaining panels will likely be Rosa DeLauro (Conn.-3) to Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; John Murtha (Penn.-12) to Defense; Peter Visclosky (Ind.-1) to Energy and Water Development, and Related Agencies; Nita Lowey (N.Y.-18) or Jesse Jackson, Jr. (Ill.-2) to Foreign Operations, Export Financing and Related Programs; Norman Dicks (Wash.-6) to Interior, Environment, and Related Agencies; Nita Lowey (N.Y.-18) or Rosa DeLauro (Conn.-3) to Labor,

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FEDERAL UPDATE from page 6

Health and Human Services, Education and Related Agencies; Chet Edwards (Texas-17) to Military Quality of Life and Veterans Affairs, and Related Agencies; Alan Mollohan (W.Va.-1) to Science, State, Justice, and Commerce, and Related Agencies; and John Olver (Mass.-1) to Transportation, Treasury, and Housing and Urban Development, the Judiciary, and District of Columbia.

Republican leadership on the committee is expected to follow a similar path, with current full committee **Chairman Jerry Lewis (Calif.-41)** becoming ranking member, and all current subcommittee chairmen becoming ranking members of the subcommittees which they presently chair in January.

Armed Services. Oversight hearings into the wars in Iraq and Afghanistan will be a top priority of incoming House Armed Services Committee Chairman Ike Skelton (Mo.-4). Congressman Skelton currently serves as ranking member on the committee and has expressed an interest in establishing a new subcommittee devoted to oversight and investigations of both military campaigns.

Other committee priorities include increasing Army spending and improving pay and benefits for military personnel. Democrats are expected to follow seniority rules in determining subcommittee chairmanships. Republicans will likely follow suit, with current full committee **Chairman Duncan Hunter (Calif.-52)** taking the ranking member position, and current Republican subcommittee chairmen filling the ranking member posts on the subcommittees which they currently chair.

Budget. The Budget Committee will have some of the most important changes in the 110th Congress with the Democratic takeover, because of its role in setting the overall discretionary spending targets for the coming fiscal year. The committee is expected to be chaired by current ranking member John Spratt (S.C.-5), who has repeatedly urged a budget summit between both parties and

President Bush to discuss ways to slow the rising federal debt. Congressman Spratt has also urged a combination of spending restraints and a roll-back of the President's tax cuts.

Democratic leadership have proposed rule changes that the panel will likely consider as part of a budget overhaul package, including a return to pay-as-you-go rules requiring tax cuts and new spending to be offset so they do not add to the deficit. With the defeat of Republican Jim Ryan (Kan.-2) and retirement of current chairman Jim Nussle, Ander Crenshaw (Fla.-4) is expected to become the Committee's ranking member.

Education and the Workforce. With current committee **Ranking Member George Miller (Calif.-7)** expected to take over as chairman, Democrats should be able to move some of their top legislative priorities through the panel next session. The committee is expected to begin consideration of the reauthorization of the 2001 education law known as No Child Left Behind (NCLB), where Rep. Miller is likely to focus on the need to increase funding to better enable schools to comply with the law.

Congressman Miller helped write the 2001 law and supports the majority of its provisions, but Democrats have consistently advocated for increased annual appropriations for the law's provisions. While the law authorizes expenditures of \$20 billion annually, the average annual appropriation has been closer to \$12 billion. Incoming chairman Miller is also expected to renew Democratic efforts to increase the federal minimum wage to \$7.25 per hour over two years and to reduce student interest loan rates.

The following Democrats are expected to advance to the corresponding subcommittee chairmanships in the 110th Congress—Dale Kildee (Mich.-5) to 21st Century Competitiveness; **Lynn Woolsey (Calif.-6)** to Education Reform; Robert Andrews (N.J.-1) to Employer-Employee Relations; Ruben Hinojosa (Texas-15) to Select Education; and Dennis Kucinich (Ohio-10) to Workforce Protection.

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Congressman Miller has a good working relationship with the committee's current chairman, **Howard P. "Buck" McKeon (Calif.-25)**, who is expected to remain the top-ranking Republican on the panel. All current Republican subcommittee chairs are expected to become ranking members of their subcommittees next session.

Energy and Commerce. Having chaired the committee from 1981 until Republicans took control in 1994, current ranking member John Dingell (Mich.-15) will return to his post next year with the aim of addressing a broad series of issues ranging from climate and national energy policy to health and telecommunications issues.

Rep. Dingell has also indicated that he will consider health insurance initiatives for single parents and plans on working to lower insurance premiums for small businesses, as well as revive efforts to develop a patients' bill of rights and pursue legislation authorizing the Health and Human Services Department to negotiate for lower prescription drug prices. Regarding the rewrite of the 1996 Telecommunications Act, Rep. Dingell has pledged to fix flaws in the House-passed Communications Opportunity, Promotion, and Enhancement (COPE) Act of 2006.

While Rep. Dingell has not expanded on perceived flaws, he was supportive of establishing build-out provisions in a rewrite of Federal telecommunications law when the committee considered the COPE Act earlier this year, though the House-passed bill did not ultimately contain such provisions. He may also seek to address issues such as the Universal Service Fund (USF) and net neutrality, which were not included in the COPE Act.

The following committee Democrats are expected to assume the corresponding subcommittee chairmanships in the 110th Congress—Janice Schakowsky (Ill.-9) to Commerce, Trade and Consumer Protection; Rick Boucher (Va.-9) to Energy and Air Quality; **Hilda Solis (Calif.-32)** to Environment and Hazardous Materials; **Henry**

Waxman (Calif.-30) to Health; Bart Stupak (MI-1) to Oversight and Investigations; and Edward Markey (Mass.-7) to Telecommunications and the Internet.

All current Republican committee chairmen are expected to become ranking members of their respective subcommittees in the new session.

Financial Services. Current Ranking Member Barney Frank (Mass.-4) is expected to take over the chairmanship of the Financial Services Committee in the 110th Congress, where he will likely focus on expanding Federal housing programs. Rep. Frank is also expected to move legislation to crackdown on predatory lending that the panel has been working on for more than a year. Republican Richard Baker (La.-5) is expected to become the Committee's ranking member.

Of all of the ranking Democrats on the Financial Services subcommittees who are in line to become subcommittee chairs, the most significant is that of **Congresswoman Maxine Waters (Calif.-35)**, who will take over the Housing and Community Opportunity Subcommittee next session. Serving as committee chair, Congresswoman Waters is expected to continue to advocate for expansion of safe, affordable housing for low income families and individuals.

Government Reform. Current committee Ranking Member **Henry Waxman (Calif.-30)** is expected to serve as the committee's chairman in the 110th Congress, where he will likely seek to launch further investigations Iraq contracting, the recovery from hurricanes Katrina and Rita, Vice President Chaney's energy task force, and any election irregularities at the polls in the recent election. The committee's current chairman, Congressman Thomas Davis (Va.-11) is expected to hold onto the top Republican seat and serve as the committee's ranking member.

Homeland Security. Incoming Homeland Security Committee Chairman Bennie Thompson

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(Miss.-2) aims to make rail and mass transit security major priorities for the Homeland Security Committee next session. While the port security bill enacted in October (PL 109-347) did not contain rail and mass transit security funding authorizations, the Senate-passed version of the bill included about \$4.5 billion for that purpose. Rep. Thompson is expected to develop stand-alone legislation to address these issues.

The committee could gain increased authority on homeland security and anti-terrorism issues if incoming Democratic Speaker Nancy Pelosi is successful in implementing the 9/11 Commission's recommendations. Of note concerning changes to the current subcommittee chair roster, **Congresswoman Loretta Sanchez (Calif.-47)** is expected to chair the Economic Security, Infrastructure Protection and Cybersecurity Subcommittee.

Also, **Rep. Zoe Lofgren (Calif.-16)** is likely to chair the Intelligence, Information Sharing, and Terrorism Risk Assessment Subcommittee. Current committee Chairman Peter King (N.Y.-3) is expected to become the committee's ranking member when Congress reconvenes for the new session in January 2007.

Intelligence. On December 1, incoming **Speaker Pelosi** announced that she had appointed Congressman Silvestre Reyes of Texas to chair this committee. The announcement followed several weeks of speculation as to whether she would bypass ranking Intelligence Committee member **Jane Harman (Calif.-D 36)**, to appoint Congressman Alcee Hastings (Fla.-D 23) to the chairmanship.

In announcing the appointment, Pelosi referenced Reyes past experience as a Vietnam War veteran, a senior law enforcement officer in Texas, and his membership of the House Select Intelligence, Armed Services, and Veterans' Affairs Committees.

She also praised Harman's past service as ranking committee member, as well as the foreign

affairs expertise that Hastings had brought to the committee. "All of the Democrats who serve on the Intelligence Committee in the 109th Congress will continue to be great resources on national security matters to the Democratic Caucus, the Congress, and the country."

Judiciary. Current Ranking Member John Conyers (Mich.-14) is expected to serve as chairman of the Judiciary Committee in the 110th Congress. Rep. Conyers is expected to emphasize an agenda of oversight of the Administration's exercises of executive power, particularly the National Security Agency's warrantless surveillance program. Democrats may also revisit a law (PL 109-366) governing the interrogation and trial of terrorist detainees.

In a distinct departure from the committee's current work, Rep. Conyers is also likely to remove from the agenda amendments to ban gay marriage and flag burning and reduce or eliminate bills that aim to impose mandatory minimum prison sentences. Current committee Chairman James Sensenbrenner (Wis.-5) is expected to become the committee's ranking member. In a noteworthy change to subcommittee leadership, **Rep. Howard Berman (Calif.-28)** is expected to serve as chair of the Courts, the Internet and Intellectual Property Subcommittee.

Resources. Congressman Nick Rahall (W.Va.-3) is expected to become the chairman of the Resources Committee. His agenda will likely be much different than that of outgoing **Chairman Richard Pombo (Calif.-11)**, who tried repeatedly to rewrite the Endangered Species Act (PL 93-205), which directs federal agencies to conserve threatened species and prohibits industrial actions that could harm endangered wildlife.

Rep. Rahall has argued that more funding is necessary for federal agencies to fulfill their responsibilities under the law, and does not favor a complete overhaul of the law sought by outgoing Chairman Pombo. Rep. Pombo's election defeat will likely put Congressman Jim Saxton (N.J.-3) in the post of ranking member for the committee. In

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a notable change in subcommittee leadership, **Congresswoman Grace Napolitano (Calif.-38)** is expected to chair the Water and Power Subcommittee.

Rules. Democrats will get their first chance in a dozen years to establish the ground rules for House operations and floor debate when current Rules committee Ranking Member Louise Slaughter (N.Y.-28) moves into the chairmanship position on the committee in January.

Current committee **Chairman David Dreier (Calif.-26)** is expected to serve as the committee's ranking member in the new session, and Democrats are expected to expand their representation on the panel, where they are presently outnumbered 9-4. Incoming **Speaker Nancy Pelosi** will likely play a significant part in choosing members of her party to fill any new seats on the panel.

Transportation and Infrastructure. Current Transportation and Infrastructure Committee Ranking Member James Oberstar (Minn.-8) is expected to become the committee's new chairman in the 110th Congress. At the top of the committee's agenda will be the reauthorization of the Federal Aviation Administration (FAA), which the committee takes on every four years.

In addition, the committee is likely to begin preparations for the next highway bill, and consider pipeline safety. Assuming Democrats do not alter the subcommittee structure and that they adhere to a seniority-based system, the following Democrats will become subcommittee chairs of the corresponding subcommittees in January—Jerry Costello (Ill.-12) to Aviation; **Bob Filner (Calif.-51)** to Coast Guard and Maritime Transportation; Eleanor Holmes Norton (Washington D.C.-At Large) to Economic Development, Public Buildings and emergency Management; Peter DeFazio (Ore.-4) to Highways, Transit and Pipelines; Corrine Brown (Fla.-3) to Railroads; and Eddie Bernice Johnson (Texas-30) to Water Resources and Environment. Current committee Chairman Don Young (Alaska-At Large) will likely

serve as the committee's ranking member in January.

Ways and Means. After 36 years in the House, current Ways and Means Committee Ranking Member Charles Rangel (N.Y.-15) will finally ascend to chairman of the tax panel in January. Rep. Rangel will chair a radically altered committee because some of its veteran Republican members either retired, as was the case of current committee Chairman Bill Thomas (Calif.-22), or were defeated in their re-election bids, which is true of second-ranking panel Republican E. Clay Shaw (Fla.-22) and third-ranking Nancy Johnson (Conn.-5).

Republican members J.D. Hayworth (Ariz.-5), Melissa Hart (Penn.-4) and Chris Chocola (Ind.-2) were also defeated. Republicans will likely place **Wally Herger (Calif.-2)** or Jim McCrery (La.-4) in the ranking member position for the Committee in the new session. Rep. Rangel is expected to seek passage of that would make permanent the research-and-development tax credit.

The incoming chairman also has expressed an interest in expanding the earned income tax credit for low-income wage earners. The following Democrats are expected to chair their respective subcommittees in January—**Fortney "Pete" Stark (Calif.-13)** to Health; Jim McDermott (Wash.-7) to Human Resources; John Lewis (Ga.-5) to Oversight; and Michael McNulty (N.Y.-21) to Select Revenue Measures.

Senate

With all 33 Senate races accounted for, Democrats will claim the majority in the Senate for the first time in 12 years. The Democrats gained six seats to control the Senate by a 51-49 margin, including two independents, Joe Lieberman (I-Conn.) and Bernie Sanders (I-Vt.), who will caucus with the Democrats. Despite the two-member majority, Senate Democrats will have little flexibility and strength on partisan issues and will have to reach across the aisle to pass controversial legislation.

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Prior to November 7, Democrats were optimistic that they would be able to regain control of the Senate, even though they had to win six currently controlled Republican seats.

With a controversial war in Iraq and concerns over the corruption in Congress, Senate Democrats were able to gain the six seats needed to control the Senate as well as win all other democratically controlled incumbent seats. In two of those states, Virginia and Montana, the races were decided by less than a few thousand votes.

There were six Republican incumbent senators who lost their election campaign on November 7. Claire McCaskill (D-Mo.), a longtime state auditor and prosecutor, defeated Sen. Jim Talent (R-Mo.). Jon Tester (D-Mont.), a small business owner and farmer, defeated Conrad Burns (R-Mont.).

Seven-term Congressman Sherrod Brown (D-Ohio), defeated Mike DeWine (R-Ohio). Bob Casey Jr. (D-Penn.), a former state treasurer, defeated Republican Conference Chair, Rick Santorum (R-Penn.), the third ranking Republican in the Senate. Sheldon Whitehouse (D-R.I.), a former attorney general defeated Lincoln Chafee (R-R.I.). Former Navy Secretary Jim Webb (D-Va.) defeated George Allen (R-Va.).

In total, 10 new senators will join the 110th Congress including, Ben Cardin (D-Md.), replacing retiring Sen. Paul Sarbanes (D-Md.), Amy Klobuchar (D-Minn.), replacing retiring Sen. Mark Dayton (D-Minn.), Bob Corker (R-Tenn.), replacing retiring Senate Majority Leader Bill Frist (R-Tenn.), and Bernie Sanders (I-Vt.) replacing retiring Sen. James Jeffords (I-Vt.).

Senate Leadership. With Democrats gaining control of the Senate, current Senate Minority Leader Harry Reid (D-Nev.) will become the Senate Majority Leader in the 110th Congress and Sen. Richard Durbin (D-Ill.) will ascend to the position of Majority Whip.

The Senate Democratic leadership team will also include West Virginia's Robert Byrd, who will

serve as the chamber's President Pro Tempore, and New York's Charles Schumer, who will serve as Vice Chair of the Democratic Conference as well as Chairman of the Democratic Senate Campaign Committee (DSCC). **California Sen. Barbara Boxer** will serve as the party's Chief Deputy Whip.

Senate Republicans will look to new leadership in the 110th Congress from current Majority Whip Mitch McConnell (R-Ky.), as current Senate Majority Leader Bill Frist (R-Tenn.) is retiring at the close of the current session. On November 15, Mississippi Sen. Trent Lott defeated Sen. Lamar Alexander (R-Tenn.) in his bid to become the Senate Minority Whip in the coming session.

Senate Committees. The November 7 Senate election results will enable Democrats to regain the chairmanships of all of chamber's committees. However, because Democrats will only have a two-seat advantage over Republicans, the ratio of Democrats to Republican committee members will be slim, most likely a one-seat advantage.

Currently, Republicans hold a two-seat advantage over Democrats on most Committees. However, party ratios on committees are subject to negotiation between the majority and minority, so it could be weeks before Committee rosters are finalized.

Agriculture, Nutrition and Forestry. Current Agriculture, Nutrition and Forestry Committee Ranking Member Tom Harkin (D-Iowa) is expected to become chairman of the committee in January, where he will oversee the reauthorization of the farm bill. Sen. Harkin has expressed an interest in working to strike a balance between competing demands from commodity groups that want continued government subsidies and environmentalists who will seek additional funding for conservation and renewable energy incentives.

The senator's home state of Iowa is a chief producer of corn and soy, and he is expected to

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look more closely at renewable energy technology derived from the use of those sources. The committee's current chairman, Sen. Saxby Chambliss (R-Ga.), will likely become the panel's ranking member in the 110th Congress. Newly elected Sens. Bob Casey (D-PA) and Amy Klobuchar (D-Minn.) will also join the panel.

Appropriations. Current Appropriations Committee Ranking Member Robert Byrd (D-W.Va.) will regain his chairmanship of the committee in the 110th Congress, and current Chairman Sen. Thad Cochran (R-Miss.) is expected to become the panel's ranking member.

Sen. Byrd is expected to take a greater interest in increasing funding for federal domestic programs such as healthcare, education and homeland security. However, it is unlikely that the incoming chairman will be able to significantly raise spending levels for these domestic priorities given the budget constraints imposed by the ongoing military campaigns in Iraq and Afghanistan.

Two Republican committee members, Mike DeWine (R-Ohio) and Conrad Burns (R-Mont.), were defeated in the elections and it is likely that they will not be replaced. Instead, new Democrats Jack Reed (R.I.), Frank Lautenberg (N.J.) and Ben Nelson (Neb.) will be added to the panel. Most of the Democrats serving as ranking members on the panel's subcommittees are expected to become subcommittee chairs in the 110th Congress, which may elevate **California Sen. Dianne Feinstein** to chair of either Interior and Related Agencies or the Military Construction and Veterans Affairs and Related Agencies Subcommittee in January.

Sen. Feinstein will likely continue to serve on the Agriculture, Rural Development and Related Agencies; Defense; Energy and Water and Related Agencies; Homeland Security; and Interior and Related Agencies Appropriations Subcommittees in the coming session.

Transitioning from ranking member to subcommittee chair on the remaining panels will likely be Herbert Kohl (D-Wis.) to Agriculture, Rural Development and Related Agencies; Barbara Mikulski (D-Md.) to Commerce, Justice and Science; Daniel Inouye (D-Hawaii) to Defense; Mary Landrieu (D-La.) to District of Columbia; either Robert Byrd (D-W.Va.) or Patty Murray (D-Wash.) to Energy and Water and Related Agencies; either Robert Byrd (D-W.Va.), Daniel Inouye (D-Hawaii) or Patrick Leahy (D-Vt.) to Homeland Security; Byron Dorgan (D-N.D.) to Interior and Related Agencies; Tom Harkin (D-Iowa) to Labor, Health and Human Services, Education and Related Agencies; Richard Durbin (D-Ill.) or Tim Johnson (D-S.D.) to Legislative Branch; Patrick Leahy (D-Vt.) to State, Foreign Operations, and Related Programs; and Patty Murray (D-Wash.) to Transportation, Treasury, the Judiciary and Housing and Urban Development, and Related Agencies.

Armed Services. Current Committee Ranking Member Carl Levin (D-Mich.) will likely become the new chairman of the Senate Armed Services Committee, with Arizona senator and 2008 presidential hopeful John McCain assuming the duties of ranking member. As committee chairman, Sen. Levin will continue to be critical of the President's strategy in Iraq, procurement practices and troop levels.

Sen. Levin voted against the 2002 resolution authorizing the use of force in Iraq (PL 107-243), warning that it constituted a blank check approval of unilateral operation. He has also charged that the Administration manipulated intelligence about Iraq to justify the war.

Although Sen. Levin remains a war critic, he has not advocated for immediate withdrawal of U.S. forces in Iraq. Instead the senator has advocated that the U.S. should begin withdrawing its troops to pressure Iraqis to take on their own defense, though he has not endorsed a deadline for finishing that job.

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Both Sens. Levin and McCain advocate for increasing the size of the Army and Marine Corps to reduce the need for repeated deployments, increasing funding to replace and improve equipment used in Iraq and Afghanistan, and protecting taxpayers from contracting schemes that result in unnecessary spending on weapons programs.

Both parties lost a member on the committee in the elections, with Minnesota Democrat Mark Dayton retiring and Missouri Republican failing to gain reelection. Newly elected Sens. Claire McCaskill (D-Mo.) and James Webb (D-Va.) will also join the panel.

Budget. Current Ranking Member Kent Conrad (D-N.D.) and Chairman Judd Gregg (R-N.H.) will change position titles when Congress reconvenes for a new session in January. During his tenure as ranking member, Sen. Conrad has repeatedly called for tight discretionary spending and the need for Congress to re-subscribe to pay-as-you-go budget rules.

Such rules require new tax cuts and entitlement spending, such as Social Security and Medicare, to be offset by cuts in other programs. Republicans let those rules expire, making it easier for them to advance their tax cuts, and have blocked Democratic efforts to restore them. Sen. Conrad, like his House counterpart, John Spratt (N.C.-5), is likely to face pressure from his Democratic colleagues to allocate more money to domestic programs, even if that requires finding more revenue.

Democrats will add newly elected Sens. Sheldon Whitehouse (D-R.I.) and Bernie Sanders (I-Vt.) to the committee, and Republicans may be forced to remove Sen. Lindsey Graham (R-S.C.) to agree with new party ratios.

Commerce, Science and Transportation. Current Chairman Ted Stevens (R-Alaska) and ranking minority member Daniel Inouye (D-Hawaii) will swap titles in the 110th Congress. Sens. Stevens and Inouye have similar priorities and have worked together closely for decades on

this committee as well as the Appropriations Committee. With action on telecommunication legislation unlikely during the lame-duck session, the panel is expected to try again next year, with a focus on stabilizing the Universal Service Fund (USF).

Sen. Inouye has also been supportive of build-out requirements and is likely to be more receptive to incorporating them in any federal telecommunications law rewrite that the panel may consider in the coming session. The panel may also try again to strengthen rail and mass transit security as well as reauthorize the Federal Aviation Administration.

Committee members Conrad Burns (R-Mont.) and George Allen (R-Va.) were both defeated in their races, leaving Republicans with their current committee roster to hold their remaining 10 seats on the panel. Democrats will add newly elected Sens. Claire McCaskill (D-Mo.) and Amy Klobuchar (D-Minn.) to the committee.

Energy and Natural Resources. New Mexico Sens. Jeff Bingaman (D) and Pete Domenici (R) will switch titles in the 110th Congress, with Sen. Bingaman becoming chairman of the Energy and Natural Resources Committee. Both senators have worked together to develop bipartisan energy legislation in the past including the comprehensive policy overhaul enacted in 2005 (PL 109-58). On many issues, changes are likely to be a matter of degree.

For example, while Sen. Bingaman agrees that the nation needs to boost domestic oil and gas production, he is a stronger advocate than Sen. Domenici of improving energy efficiency and increasing the use of power sources like wind and solar energy. Both senators also recognize the need for the federal government to address global warming through some kind of mandatory controls on greenhouse gas emissions.

Republicans lost three senators on the committee - Jim Talent (R-Mo.) and George Allen (R-Va.) and Conrad Burns (R-Mont.)—but will likely be

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able to replace only one when the Democrats assume control of the panel in January. Senate Democrats will add newly elected Sen. John Tester (D-Mont.) to the Committee. California Sen. Dianne Feinstein is expected to retain her assignments on the panel's Energy, Public Lands and Forests, and Water and Power subcommittees.

Environment and Public Works. There are few panels in Congress that will see a greater impact from the Democratic victory at the polls than the Senate Environment and Public Works Committee. With the retirement of Sen. James Jeffords (I-Vt.) and Sen. Joe Lieberman's (I-Conn.) likely ascension to the Homeland Security and Government Affairs Committee chairmanship, Chairman James Inhofe (R-Okla.) will assume the position of ranking member and relinquish his chairmanship to California Sen. Barbara Boxer.

The two have clashed on nearly every issue that has come before the committee, with the most heated debate arising from the issue of global warming. Serving as committee chairman, Sen. Inhofe blocked bills seeking to cut the greenhouse gases contributing to global warming, calling the issue "the greatest hoax perpetrated on the American people."

Sen. Inhofe also attempted to overhaul the Endangered Species Act and supported the Administration's 2002 rules to roll back provisions in the Clean Air Act. Sen. Boxer has already pledged to introduce legislation to curb greenhouse gases, strengthen environmental laws regarding public health and hold oversight hearings on Federal plans to clean up Superfund sites across the country.

On global warming, **Sen. Boxer** said she would model federal legislation after a California law signed this summer by Governor Arnold Schwarzenegger. That law imposes the first statewide cap on greenhouse gases and seeks to cut California's emissions by 25 percent, dropping them to 1990 levels by 2020.

The president has opposed a federal mandate to limit greenhouse gas emissions from industry and automobiles, asserting that such steps should be voluntary. His administration also has ruled that greenhouse emissions are not a pollutant.

To better shape the committee's agenda, **Sen. Boxer** has recently announced a reorganization of the panel's subcommittees, including a new Public Sector Solutions to Global Warming, Oversight, Children's Health Protection and Nuclear Safety Subcommittee.

The newly created panel is to be chaired by the **Sen. Boxer** and maintain jurisdiction over Global Warming, Oversight, Children's Health Protection, Nuclear Regulatory Commission (NRC) and the National Environmental Policy Act (NEPA).

Other subcommittees will include the Subcommittee on Transportation and Infrastructure, to be chaired by Sen. Max Baucus (D-Mont.); the Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection, to be chaired by Sen. Joseph Lieberman (I/D-Conn.); the Subcommittee on Clean Air, Nuclear Plant Security and Community Development, to be chaired by Sen. Tom Carper (D-Del.); the Subcommittee on Superfund and Environmental Health, to be chaired by Sen. Hillary Rodham Clinton (D-N.Y.); and the Subcommittee on Transportation Safety, Infrastructure Security, and Water Quality, to be chaired by Sen. Frank Lautenberg (D-N.J.). The committee will also welcome newly elected Sens. Amy Klobuchar (D-Minn.) and Sheldon Whitehouse (D-R.I.) to its ranks.

Despite **Sen. Boxer's** aggressive agenda, the Democrats' narrow control of the chamber may force the senator to settle for high-profile oversight activity rather than passage of complex, controversial environmental legislation.

Health, Education, Labor and Pensions. Edward Kennedy (D-Mass.) is expected to regain the chairmanship of the Health, Education, Labor and Pensions (HELP) Committee in the 110th Congress, while current Committee Chairman

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Mike Enzi (R-Wyo.) will likely become the ranking member. In assuming the chairmanship, Sen. Kennedy will chart the course for the committee's review of the 2001 education law known as No Child Left Behind (NCLB).

Sen. Kennedy was instrumental in forging an agreement with congressional Republicans and the White House to gain passage of the law, and will certainly be a central figure in drafting its reauthorization. Sen. Kennedy has also been a consistent advocate for increasing the federal minimum wage, and is expected to renew his campaign to increase the current wage to \$7.25 per hour over two years.

The incoming chairman has also expressed an interest in increasing access to affordable healthcare for all Americans, and is expected to revisit the committee's efforts to reauthorize the Ryan White Care Act next session. New to the committee in 2007 will be Illinois Democratic Sen. Barack Obama and newly elected Sens. Bernie Sanders (I-Vt.) and Sherrod Brown (D-Ohio).

Homeland Security and Government

Affairs. Despite Ranking Member Joseph Lieberman's (I-Conn.) campaign departure from the Democratic party, he is expected to retain his seniority in the group and assume the chairmanship of the Homeland Security and Government Affairs Committee in the next Congress.

Current Chairwoman Susan Collins (R-Maine) will remain in the top spot for the Republican position, assuming the role of Ranking Member. Sen. Lieberman is expected to conduct vigorous oversight of the sprawling Homeland Security Department. The senator was a driving force behind the creation of the Department in 2002 (PL 107-296) and has repeatedly expressed frustration by its many operational issues.

While the chamber's House companion, the House Homeland Security Committee, may revisit the funding formula for homeland security grant programs, Sens. Lieberman and Collins are

unlikely to favorably entertain any changes to the current formula. Both senators serve small states that benefit from the current formula.

Leaving the committee in the 110th Congress will be retiring Sen. Mark Dayton (D-Minn.) and Sen. Lincoln Chafee (R-R.I.), who was defeated in his reelection bid. Newly elected Sens. Claire McCaskill (D-Mo.) and Jon Tester (D-Mont.) will join the panel in January.

Judiciary. Current Judiciary Committee Ranking Member Patrick Leahy (D-Vt.) and Chairman Arlen Specter (R-Penn.) will switch titles in January. As committee chairman, Sen. Leahy is expected to conduct much more rigorous oversight of President Bush's counterterrorism tactics and lead the effort to reject any controversial White House-recommended judicial nominees.

However, Sens. Leahy and Specter are likely to find common ground with the Administration in crafting comprehensive immigration reform legislation, should the current Congress fail to adopt such a measure in the post-election session. The incoming chairman and ranking member are also expected to move a bipartisan anti-gang measure in the next Congress.

With the elections resolved, it is unclear whether or not the issue of eminent domain will attract enough support to receive committee consideration in the new Congress. No such legislation is expected to move in the post-election session. Newly elected Democrats Ben Cardin (Md.) and Sheldon Whitehouse (R.I.) will join the committee in January, while Ohio Republican Sen. Mike DeWine, who was defeated in his reelection bid, will not return.

Rules and Administration. **California Sen. Dianne Feinstein** is expected to chair the Rules and Administration Committee in the 110th Congress, with Mississippi Republican Trent Lott serving as the committee's ranking member. **Sen. Feinstein** has expressed interest in taking up a rules change that would require disclosure of

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the senators responsible for all “earmarks” in appropriations, authorizations and tax bills. The House adopted a similar rule in September that will expire at the end of this Congress, though the Senate did not.

Sen. Feinstein also plans to address election overhaul legislation with a focus on implementing reliable electronic voting systems. Three senators will not be returning to the Committee in January—Bill Frist (R-Tenn.) and Mark Dayton (D-Minn.), who are retiring; and Rick Santorum (R-Penn.), who was defeated in his re-election bid.

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