



COALITION ON HUMAN NEEDS

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Stopgap Spending Bill Edges Closer to Deadline

While the House was originally expected to vote last week on a continuing resolution (CR) to keep the government funded after the new fiscal year starts October 1, an eleventh hour request from the Obama Administration for money for its push against ISIS pushed the vote to this week. The vote on the \$1.012 trillion temporary spending measure ([H.J. Res. 124](#)) is now expected to take place Wednesday in the House, just days before the expected recess, with the measure moving to the Senate following the House vote.

The CR will keep the government funded and operating through Dec. 11 at current FY 2014 spending levels. This would give Congress time, after the November elections, to either draft and pass an omnibus bill comprised of all 12 required spending bills, or pass another CR that will extend into 2015. If the Republicans take control of the Senate in the upcoming elections, the latter could be a more appealing option to them. Anticipating a Senate victory, Senator Cruz (R-TX) has been arguing for passing a CR that extends into next March, so that the Democratic majority in the lame duck Senate plays no role in making final decisions about FY 2015. Republicans are split on this strategy. House Appropriations Committee Chair Harold Rogers (R-KY) agrees with his Senate counterpart Chairwoman Barbara Mikulski (D-MD) that it would be best to pass an omnibus bill in the lame duck session, so the new Congress does not have to start out by finishing up old work. The longer the CR lasts, agencies and programs are hurt as it severely limits their ability to adjust their spending and activities to respond to changing realities.

The request from the Administration that delayed the vote revolves around including authorization language and \$500 million for the U.S. to fight the Islamic State terrorist organization. The CR, drafted before the President's request was made last week, did not include such funding, and House leaders had to decide what they would include. Other exceptions, or so-called 'anomalies,' in the CR include reauthorizing the Export-Import Bank through June 2015, and funding to deal with the Ebola crisis in Africa. Not included in the CR is additional funding for the child refugee crisis, although the legislation does provide some flexibility sought by the Obama Administration for the Departments of Homeland Security and Health and Human Services to move money within their agencies to continue operations to deal with the crisis. For more information on the border situation, see the related article in this *Human Needs Report*. Also included is an extension of the Temporary Assistance to Needy Families (TANF) program through the duration of the CR, and an increase in funding for the Commodity Supplemental Food Program, which provides food packages for low-income elders,

The House is expected to leave town at the end of the week to hit the campaign trail and won't be returning until after the November elections. By waiting until this week to vote, they are in essence forcing the Senate to approve whatever the House passes or risk a government shutdown, an option that is not likely to happen. The Senate is expected to vote on the bill by the end of this week or early next week and close up shop until after the November elections.

In other appropriations news, Democrats on the House Appropriations Subcommittee on Labor, Health and Human Services, and Education [released](#) a draft of their version of the FY15 spending bill to cover these departments on Monday. While the bill is not expected to move forward, it is useful in laying out the [priorities](#) sought by the minority party in the House, especially as neither the House nor the Senate passed a Labor-HHS-Education appropriations bill through their full Appropriations Committees. The House Democrats' bill would increase funding above 2014 levels for many [programs](#) (and return to pre-sequestration levels for some), including Head Start, job training grants, the Low Income Home energy Assistance Program (LIHEAP), the Child Care and Development Block Grant, Pell Grants, and research at the

National Institutes of Health. At \$155.59 billion, the [overall spending level](#) for “Labor-H” programs in the House, which was set by the Republican majority, is nearly \$1.1 billion below FY 2014 levels. In July, the Senate Appropriations Subcommittee for Labor-HHS-Education released [full detail](#) of the bill it had approved in June. The Senate had provided the same amount for Labor-HHS-Education for FY 2015 as is available in FY 2014 (\$156.77 billion). For more information on the Senate version of the bill, see CHN’s August 4 [Human Needs Report](#).

President Delays Action on Relief for Immigrants; The Administration’s Request for Money for Children on the Border Goes Unheeded

On September 6, President Obama announced that he would delay issuing an Executive Order (EO) related to undocumented immigrants currently in the United States. In the same statement, he unequivocally affirmed that action would occur after the fall elections. Conservatives in Congress who have consistently worked to block comprehensive immigration reform jumped on the President’s announcement, denouncing it as a political decision. Immigration reform advocates were bitterly disappointed in the delay. Many who have worked on the ground with immigrant populations, both those who have been here for decades and new arrivals, understand that the delay will mean more suffering for immigrant families. Deportations will continue to separate family members and millions remaining here will continue to live in fear.

In explaining his delay, the President [cited](#) the shift in public attitude during the summer as the “surge in kids who were showing up at the border, got a lot of attention.” The politicization and polarization of the issue led the President to decide that more groundwork needed to be laid to assure that any action taken will remain in place and to make a clear case to the public for the rationale and legal authority behind an EO. The Administration has held a series of in-person listening sessions as well as a conference call organized by the Coalition on Human Needs with people who provide services to immigrants around the country, seeking input as it determines the scope of the EO and which immigrant populations will be the focus.

Advocates continue to press for bold action by the Administration that will remove the threat of deportation for millions of immigrants, many who have been in the United States for many years working hard to provide for their families.

Although some opponents of immigration reform used the increase in child migrants to claim that the border was “out of control,” that was not the case. The children, many of whom traveled without relatives, were for the most part fleeing from violence and coercion in Guatemala, Honduras, and El Salvador. In large numbers, they presented themselves to U.S. border authorities seeking sanctuary. Earlier this summer, the Administration asked Congress to provide \$3.7 billion in emergency funding to address the humanitarian crisis of the influx of children and some accompanying adults arriving on the Rio Grande Valley border in Texas. Nearly half (\$1.8 billion) of the request would go to the Department of Health and Human Services to provide for shelter, food, education, counseling and ultimately more stable living situations for the children and families. The Department of Homeland Security, Immigration and Customs Enforcement would receive \$1.1 billion for transportation costs associated with relocating the children and detention and/or removal of undocumented adults and children. The Department of Justice would receive \$64 million to provide judges and other legal resources to deal with the significant

increase in caseloads. The remaining \$300 million would go to the Department of State for repatriation efforts and media campaigns targeting potential migrants. In response, the attempt by the Senate to pass a \$2.7 billion supplemental bill (S. 2648) failed when Republicans killed the bill just prior to the August recess. The House passed a much smaller \$694 million bill (H.R. 5230), but it included policy riders that would, among other things, undercut due process for vulnerable children. The bill would also require cuts in programs elsewhere to pay for its cost. The Administration [strongly opposes](#) the House bill (H.R. 5230) while supporting the Senate bill (S. 2648). For more information, see CHN's August 4 [Human Needs Report](#).

Over the course of the summer, the influx of children has decreased. Advocates note that this is typical in the summer months because of the heat, but caution that the numbers may increase again in the fall. As it has become clear that Congress will not provide supplemental funding to address these needs, many hoped that additional money would be provided in the continuing resolution (CR) that must pass by September 30 to continue funding government programs when the new fiscal year begins on October 1 (see the Appropriations article in this *Human Needs Report* for more information). However, conservative Republicans are poised to demand restrictive changes to immigration policy in exchange for additional money. So instead, the Administration requested more flexibility to move money within the agencies to deal with the new immigrants. The House version of the CR provides flexibility to both the Departments of Homeland Security and Health and Human Services but not to Justice. However, advocates believe that flexibility will not be enough, and that more money will be needed in FY 2015. They hope added funding will be addressed during the lame duck session in December.

Republicans Reject Pay Fairness for Women

Before recessing for the November elections, Senate Democrats brought to the floor the Paycheck Fairness Act (S. 2199). Unlike in April when Republicans refused to allow debate on the bill, on September 10th, all Democrats and Independents were joined by 19 Republicans in a [73-25](#) procedural vote that opened the bill for floor debate. Some, however, openly acknowledged that their vote was part of a strategy to use up floor time to keep other bills they did not want to vote on from being considered. A vote on passage of the legislation is expected to take place Monday evening, but the bill is not expected to pass due to a lack of support from Republicans.

The Paycheck Fairness Act amends the portion of the Fair Labor Standards Act of 1938 (FLSA) known as the Equal Pay Act of 1963, which prohibits wage discrimination by gender. It is designed to strengthen the 1963 Equal Pay Act and reinforce the principal of equal pay for equal work. Its provisions include: prohibiting retaliation against workers who inquire, discuss, and/or disclose the wage of another employee or disclose their own wage; allowing plaintiffs to recover full compensation and punitive damages for gender-based discrimination like that based on race or ethnicity; and putting the onus on employers to show that a pay differential is caused by something other than gender. Republicans cite as a reason for opposing the legislation that it will be a disincentive for employers to hire women for fear of law suits. Major women's organizations such as the National Partnership for Women and Families, National Organization for Women, MomsRising, and the National Women's Law Center strongly favor the Paycheck Fairness Act.

The Paycheck Fairness Act is one element of the Senate Democrats' 2014 "A Fair Shot for Everyone" agenda. Other legislation on the agenda includes raising the minimum wage to \$10.10, and reforming the student loan system.

Bipartisan Agreement for Long-Awaited Child Care Bill

A bipartisan group of senators and representatives announced their agreement on legislation to reauthorize the federal low-income child care program on September 12. The new legislation is the first time the rules governing the Child Care and Development Block Grant (CCDBG) have been reauthorized since 1996; this updating would cover the next six years.

Funding for child care grants to states is split between mandatory (not subject to annual appropriations) and discretionary (needing annual funding approval) sums. The mandatory portion has been set at \$2.9 billion for many years. Discretionary child care spending has grown from \$2.1 billion in FY 2010 to \$2.36 billion in FY 2014. Only one in six eligible children gets subsidized child care. The new legislation would authorize \$2.4 billion in FY 2015 in discretionary funding, rising by FY 2020 to \$2.7 billion. As authorized levels, they set a ceiling of what appropriators can approve, but do not force them to provide the total allowed. Many programs receive less than the authorized level, and in an era of discretionary spending caps, there will be pressure to appropriate less.

One of the main features of the legislation is its focus on improvement in the quality of child care. Similar to legislation enacted in the Senate in March (S. 1086), child care providers receiving CCDBG funding will have to meet health and safety standards, with annual inspections, required criminal background checks for staff and mandated child abuse reporting. Funding must be set aside to provide training for child care workers. Child care advocates and service providers have long strongly favored such improvements. They also recognize that if the funding increases proposed are not actually appropriated, the quality improvements will result in fewer child care placements being funded. Inadequate funds have resulted in the number of children getting child care slots [declining](#) from 2.5 million in FY 2009 to 2.1 million in FY 2013. Nevertheless, the new agreement is an important first step towards improving child care. It is now expected that the new bill will be taken up in the House and Senate before the Congressional recess, before some of its key champions, Senate Health, Education, Labor and Pensions Committee Chair Tom Harkin (D-IA) and Rep. George Miller (D-CA, Ranking member of the House Education and the Workforce Committee) retire. Advocates are hopeful that the bipartisan legislation can make it to the President's desk.