



COALITION ON HUMAN NEEDS

The Human Needs Report

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Fiscal Year 2016 Appropriations Process Continues

The House and Senate are going through the motions of marking up FY 2016 appropriations bills. The House has passed six of the 12 bills on the floor; the Senate has passed three bills out of the full Appropriations Committee but none has yet to reach the floor. Looming over the process are the Administration's statements that the President will veto any appropriations bills that come to his desk while the 'sequestration' cuts for FY 2016 are still in place. Sequestration is the imposition of deep cuts, primarily to appropriations, required by the 2011 Budget control Act if Congress does not agree to other means of reducing the deficit. The President's budget released in February ended sequestration for FY 2016 by adding \$37 billion for both non-defense discretionary and defense discretionary programs.

Democrats' strong opposition to the appropriations process stems from that fact that Republicans, whose majority status allows them to draft the bills, have kept in place the sequester cuts for non-Pentagon programs while skirting the limit on Pentagon spending. They have done this by adding \$38 billion more to the war-related Overseas Contingency Operations fund (OCO) than the Administration

requested. OCO is not subject to sequestration cuts. Democrats think that equal relief should be available for non-Pentagon programs for which there is no OCO-like account. The Coalition on Human Needs' [report](#) documents the cuts in discretionary programs critical to low-income programs and the need to restore funding.

It is almost certain that at some point Republicans will have to agree to negotiate with the President and Democrats to adjust current discretionary sequester spending caps. The only one of the House bills that passed with a margin wide enough to override a Presidential veto is the Legislative Branch bill, which includes funding for Members' salaries. However, House Democrats could still change their vote to uphold a Presidential veto if the bill were to reach the President's desk.

Senate Democrats have determined a strategy to hold the line before the appropriations bills reach the floor. Most have come to consensus that they will vote against the motion to proceed to bring the bills to the floor, which requires 60 votes to pass. Several Democrats have not yet agreed to the strategy, but even without them it seems the 46-member caucus will prevail. The first test might come in late June when Republicans have indicated that the first bill they will bring to the floor will be the Defense Appropriations bill. The Senate is currently debating the Defense Authorization bill. Democrats were unanimous in support of an amendment by Senator Jack Reed (D-RI) to move \$38 billion out of the OCO fund back into the regular Pentagon budget, but the amendment failed 46-51 along party lines. The motion to vote on final passage will come this week. It is not yet known if Democrats will object to the motion to proceed to final passage on the authorization bill or wait until the Defense Appropriations bill comes to the floor. The House passed its Defense Appropriations bill by a vote of 278-149, enough to sustain a Presidential veto.

While the appropriations process will likely grind to a halt this summer, it is concerning that the bills that are passing the House contain many ominous program cuts and policy 'riders' that could be hard to remove later in the process. The Transportation-Housing and Urban Development bill takes non-appropriated money that is intended to fund the National Housing Trust Fund and uses it to offset shortfalls in appropriated programs. Similarly, the House Financial Services bill moves funding for the Consumer Financial Protection Bureau, which is outside of the appropriations process, into the appropriations bill, likely a strategy over time to gut the agency which has long been opposed by Republicans. The Commerce-Justice-State bill would deny any funding from Homeland Security for the President's November immigration executive orders.

In the context of SAVE for All Campaign meetings with staff of Republican members of the House and Senate Appropriations Committees, it is clear that some of them support a deal mitigating the impact of sequestration. House Appropriations Chairman Harold Rogers (R-KY) is among those who have expressed the need for more money to complete the appropriations bills. Senate Appropriations Chairman Cochran (R-MS), House Majority Leader John Boehner (R-OH) and Senate Majority Leader Mitch McConnell (R-KY) are not ready to concede that a deal is necessary.

There will most likely need to be a Continuing Resolution to fund appropriated programs when FY 2016 begins on October 1. Negotiations will likely be wrapped up into a broader negotiation in November or December when it will be necessary to increase the federal debt ceiling.

Stay tuned to the *Human Needs Report* and CHN's blog, [Voices for Human Needs](#), for updated information.

Immigration Programs Remain Blocked, For Now

On May 26, a panel of the Fifth Circuit Court of Appeals denied the Department of Justice's request for an emergency stay of a lower court's decision temporarily blocking two of the biggest initiatives under President Obama's executive action on immigration. The circuit court's decision will keep the expanded Deferred Action for Childhood Arrivals (DACA) program and the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program from being implemented for the time being. It doesn't mean, however, that these programs are dead in the water; the Fifth Circuit is scheduled to hear oral arguments on the Justice Department's formal appeal of the district court's decision the week of July 6. A Texas federal district court judge issued the ruling blocking the implementation of these programs in February while a lawsuit challenging the president's November executive action made its way through the courts.

Advocates were disappointed with the circuit court's ruling but believe that expanded DACA and DAPA will ultimately be implemented. The [National Immigration Law Center](#) and other advocates have been working hard to remind immigrants that the ruling does not impact the "Dreamer" children who were granted relief from deportation under the 2012 DACA program. The Texas court's ruling also doesn't impact the executive action's direction to immigration agents to focus deportation efforts on felons, not families. The expanded DACA and DAPA initiatives, if allowed to go forward, would mean millions of undocumented immigrants would no longer have to worry about being deported and would be able to come out of the shadows, work legally, get better jobs, pay taxes and stop living in fear.

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Organizations Urge President Obama to End Family Detention

Last week, more than 80 national advocacy organizations signed [a letter](#) to President Obama urging him to end the practice of detaining mothers and children who come to the U.S. fleeing violence in Central America. Since June 2014, the number of family detention beds operated by the Obama Administration has skyrocketed by 4,300 percent. Mothers and children seeking asylum are often victims of horrific sexual assault, intense physical violence, kidnaping and sex trafficking. Making matters worse are the deplorable family detention facilities they are being held in and the harm the children and their mothers are suffering while they wait for their cases to be heard. A very high percentage of the families who have the chance to tell their stories have been granted asylum or have been found to have a credible fear of persecution. Advocates stress that it is legal for families to seek asylum, that these families for years met their legal requirement without the harm of detention, and that locking up families who are fleeing violence is not the way the government should be responding.

The letter from advocacy organizations follows letters from [33 senators](#) and [136 representatives](#) to Homeland Security Secretary Jeh Johnson that also called for the end to the practice of family detention. For more information, see [this guest post from ACLU](#) on CHN's blog, [Voices for Human Needs](#).