



COALITION ON HUMAN NEEDS

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Progress Stalls on Appropriations Bills: *Final Decisions Lurching Towards End-of-Year Deal*

Despite the work of House and Senate appropriators to approve most of the funding bills before them, it is not likely that any bills will get full Congressional approval by the September 30 deadline. Democrats and the White House have remained firmly opposed to maintaining the sequestration spending limits. Appropriations levels, as approved by the Republican majority, stay within these restrictive caps. There is one big exception: Congress approved additional uncapped defense spending through the Overseas Contingency Operations (OCO) account, which is meant for spending related to Iraq and Afghanistan operations. At least half of the \$90 billion OCO funding is estimated to cover regular military

expenditures unrelated to these war efforts, blowing a large hole in the supposed limits for the Pentagon.

The Obama Administration has said repeatedly that it will not sign any spending bills that do not exceed the sequester caps, and that it will not agree to different treatment for defense and non-defense programs. Senate Democrats were willing to block the defense appropriations bill from being considered. Knowing that the current spending bills are not going to progress further has opened the door to diversionary tactics. The House Interior/Environment bill got entangled in amendments to ban the Confederate flag from federal cemeteries (and then to reverse that ban); the controversy led to the bill being pulled from the floor, and then to stalling other bills gearing up for floor action. Appropriator Mike Simpson (R-ID) rued the “self-inflicted wound” of his party voting to defend the Confederate flag, according to **CQ**. “We’ve put our heads like a pumpkin on a stick and given them a baseball bat.” In other matters tangential to government spending decisions, the House Homeland Security appropriations bill was amended in committee on July 14 to prohibit “sanctuary cities” from receiving certain federal grants, including Federal Emergency Management Administration (FEMA) funding. Sanctuary cities are municipalities that have chosen to limit their participation in immigration enforcement activities. This is just one of many controversial policy riders that are being attached to appropriations bills, all adding to the difficulty of coming to final agreement on spending for FY 2016.

There is bipartisan interest in going back to the drawing board and negotiating spending levels that exceed the sequestration caps. While many Republicans are most interested in raising defense levels, leaders in both parties have voiced support for increasing domestic spending too.

So far, there is no sign that negotiations have begun to craft a new spending deal that would lift the caps. Senator McCain (R-AZ), Chair of the Senate Armed Services Committee, has been meeting for some time with a bipartisan group of senators to get beyond sequestration for defense programs. Nothing concrete is surfacing from this group. It appears even less is going on to work out higher levels for domestic spending.

No one expects that these issues will be resolved by September 30, the end of the fiscal year. Few expect that the logjam will result in a government shutdown either. Most likely, there will be a temporary extension of current spending levels – a Continuing Resolution (C.R.) – which will delay final deal-making until no earlier than November.

At that point, a number of other important items will be heading toward deadlines as well. The limit on federal borrowing will be reached towards the end of the calendar year. Federal highway fund spending will dry up at the end of July unless Congress acts. At this point, the House leadership prefers an extension till mid-December of highway funding, with the expectation of a longer-term deal to be achieved then. If the House gets its way, highway funding and a range of tax breaks and some increases may be considered at about the same time appropriations and debt limit decisions are being made.

Conservative legislators are starting to list their own demands to support a comprehensive end-of-year deal. They are calling for cuts in mandatory programs such as Medicaid, Medicare, SSI, SNAP/food stamps, or low-income tax credits in exchange for lifting sequestration caps and/or raising the debt limit. Advocates for low-income people have been fighting for increases in appropriated programs from

housing to education to nutrition, but they are making the case that these increases must not come at the expense of vital safety net programs. With so many big issues in play, likely needing a comprehensive agreement to forestall government crisis, low-income advocates will have to work hard to ensure that programs serving the most vulnerable people do not lose ground.

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

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Child Nutrition Reauthorization on the Table this Fall

This fall, Congress is set to reauthorize – with bipartisan support – the law governing child nutrition programs. The Child Nutrition and WIC Reauthorization Act sets the policy and funding structure for all of the federal school meal and child nutrition programs, including School Breakfast, National School Lunch, Child and Adult Care Food, Summer Food Service Program, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and others.

According to the [Food Research and Action Center](#) (FRAC), many of these programs are permanently authorized (subject to Congress funding their operations), but Congress reviews the laws governing them every five years. The current law, the Healthy, Hunger-Free Kids Act of 2010, is set to expire on September 30 of this year. Other programs included in the law that aren't permanently authorized, like WIC, could expire at the end of September, though that is unlikely. There is a chance that, if the reauthorization isn't done before the end of September, a short term Continuing Resolution could be passed to keep the programs funded for a few months, and funding negotiations could get wrapped up in the larger appropriations process this fall.

A top priority of the reauthorization for child nutrition advocates is increasing access to meals for low-income children outside of school. With about half of the nation's schoolchildren eligible for free or reduced price school meals, far less access to food assistance during the summer months poses a real hardship for many families. Provisions like those included in the Summer Meals Act would increase access to summer and afterschool meals at feeding sites, and the Stop Child Summer Hunger Act would help families who aren't near a feeding site. On the WIC front, advocates hope to see, among other things, a state option to extend eligibility for children to age six. For more information on what to look for in the pending reauthorization legislation, see [this piece](#) from FRAC and Feeding America, as well as the National WIC Association's [reauthorization letter](#) to members of Congress and their [reauthorization agenda](#).

The House Education and Workforce Committee and the Senate Agriculture Committee have already had hearings related to the reauthorization. For witness testimony, statements, and archived webcasts, see [FRAC's Child Nutrition Reauthorization \(CNR\) page](#). For additional information and resources from FRAC, No Kid Hungry, Feeding America, NEA, the National WIC Association and more, visit the [Child Nutrition Forum site](#).

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No Child Left Behind Overhaul Moves through Congress

The Senate last Thursday passed ([81-17](#)) a bipartisan overhaul of the No Child Left Behind federal education law. The passage of the bill, the Every Child Achieves Act (S. 1177), came a week after the House narrowly passed ([218-213](#)) its version, the Student Success Act (H.R. 5). Both bills would reauthorize the Elementary and Secondary Education Act (ESEA) and shrink the federal government's role while giving more power to state and local agencies, but the House version is seen by many advocates as being more conservative.

Politico [noted](#) that the House version would allow for a voucher system, which is opposed by Democrats and the White House. The Senate voted down similar amendments. The Senate bill provides for greater access to early childhood education, unlike the House bill. According to the [National Education Association](#), an amendment to make career and technical education a core subject passed in the Senate, while an amendment to convert ESEA funding into a block grant program failed. The National Women's Law Center [noted](#) its disappointment that the Senate bill fails to that require critical education resources be allocated to the most disadvantaged students.

Representatives and Senators will meet in conference committee to hammer out the differences between the two bills and come up with a compromise bill that, if passed by both chambers, will go to the White House. The Administration issued a [veto threat](#) against H.R. 5 in February saying the bill's caps on federal education spending would lock in budget cuts for the rest of the decade and that the bill "would allow funds currently required to be used for education to be used for other purposes, such as spending on sports stadiums or tax cuts for the wealthy." The White House [urged](#) specific changes to S. 1177, mainly around accountability, but called it "an important step forward" and [said](#) the Administration "remains committed to working with the Congress on a bipartisan approach to replace NCLB with a law that expands opportunity for all of America's children." The No Child Left Behind Act technically expired in 2007, but Congress's failure to pass a new education law since then means that NCLB remains intact.

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Advocates Push Congress to Pass Family-friendly Workplace Legislation

Citing a lack of family-friendly policies, especially for low-income workers, advocates have been calling for legislation focused on work/life balance to move through Congress. The [Healthy Families Act](#), introduced by Sen. Patty Murray (D-WA) and Rep. Rosa DeLauro (D-CT), would create a national paid sick days standard, with workers accruing sick days to use for their own medical needs, care for an ill family member, or address issues related to domestic violence, sexual assault, or stalking. Earlier this spring, a bipartisan majority of U.S. senators, including 44 Democrats, 15 Republicans and two independents, [voted in favor](#) of a nonbinding paid sick days amendment. To date, four states, 19 cities, and one county have passed earned sick days laws, and there are ongoing campaigns in a number of other cities and states.

The [Family and Medical Insurance Leave \(FAMILY\) Act](#), championed by Sen. Kirsten Gillibrand (D-NY) and Rep. Rosa DeLauro would provide up to 12 weeks of paid leave per year that workers could use when they or a family member have medical issues, or to care for a newly born or adopted child. The program would be funded with modest employee and employer payroll contributions. As CHN [previously reported](#), the United States remains the only high-income country that does not guarantee paid family and medical leave. In fact, almost half of workers in the lowest 25 percent of wage earners have no paid time off at all – no sick days, personal days, vacation, or family or medical leave. Nearly 80 percent of workers earning less than \$15,000 per year lack access to sick days.

Last month, the [Pregnant Workers Fairness Act](#) was reintroduced, this time with bipartisan support. Sens. Kelly Ayotte (R-NH), Dean Heller (R-NV), Robert Casey (D-PA), Jeanne Shaheen (D-NH) and Rep. Jerry Nadler (D-NY) jointly introduced the legislation, which would help prevent employers from forcing pregnant women out of the workplace and help ensure that employers provide reasonable accommodations to pregnant women who want to continue working. The National Employment Law Center, [National Partnership for Women & Families](#), the [National Women’s Law Center](#), and other advocates are also calling on Congress to raise the minimum wage ([Raise the Wage Act](#)), close the wage gap between men and women ([Paycheck Fairness Act](#)), give workers predictability and stability in their schedules ([Schedules that Work Act](#)) and expand the Family and Medical Leave Act to cover workers in smaller businesses and those who need to care for extended family members (like grandparents and siblings) to make workplaces more family friendly and level the playing field for low-wage workers.

In addition, the White House’s recently-proposed rule change to extend overtime protections to workers making up to \$50,440 would benefit nearly 5 million workers by giving them more money or more time with their families. Women, African Americans, Latinos, workers under 35, and workers with lower levels of education would benefit [the most](#). The [Department of Labor](#) is [taking comments](#) on the proposed rule from the public through Sept. 4; that input will be used to determine what to include in the final rule next year. For more information, see CHN’s related blog post, [5 Things to Know about Fixing the Overtime Rule](#).

In contrast, many advocates believe that the Working Families Flexibility Act, introduced by Sen. Mike Lee (R-UT) and Rep. Martha Roby (R-AL) is a bad deal for workers. The bill claims to give hourly workers more flexibility by allowing them to choose paid time off, or “comp time,” for working more than 40 hours a week instead of getting paid overtime. As CHN’s [blog](#) and a [fact sheet](#) from the National Partnership for Women & Families show, however, it would actually leave workers with less flexibility, less time, and less pay.

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House Draft Bill Offers Potential Improvements to TANF

A discussion [draft bill](#) released by the House Ways and Means Subcommittee on Human Resources contains a number of substantive reforms aimed at helping the Temporary Assistance for Needy Families (TANF) program better facilitate employment and reduce poverty. On July 15, the Human Resources Subcommittee held a hearing to solicit feedback about the proposals, which could be

included in legislation to reauthorize TANF. While the legislation is based on bills introduced by committee Republicans, it has received bipartisan support. Reauthorizing legislation needs to be enacted by September 30, although it may be temporarily extended if Congress is not ready at that time.

A major focus of the legislation is on holding states accountable for outcomes instead of procedures. To accomplish this, the draft bill adds an accountability measure requiring states to reach established targets in employment rates and earnings gains for those leaving TANF in order to receive full federal funding. Currently, states are only held accountable for the number of hours TANF participants log in work-related activities, but not for their actual employment outcomes, giving states little incentive to address the unique barriers to employment that many recipients face. Another big change is an expansion in the activities that can count toward the work participation requirement; the bill allows satisfactory school attendance and vocational training to count toward the requirement at a wider range of ages and for a longer amount of time, and eliminates the distinction that currently limits the percentage of an individual's work requirement that can be met with certain educational activities. Among other reforms, the bill also adds poverty reduction as a goal of TANF, eliminates higher work hours for married couples, and replaces the TANF Contingency Fund with a number of grants to states, with the majority for case management, but also modestly funding subsidized jobs. The proposal would also eliminate the caseload reduction credit that currently serves as an incentive for states to cut off benefits without actually helping people find work.

Human needs advocates have [long pushed](#) for many of these same changes, arguing that the requirements currently in place can prevent states from doing what will actually best promote employment, and can allow states to spend very little on the core goals of the TANF program as well as serve very few people. However, some have argued that the proposed bill does not go far enough. At the hearing, Representative Joseph Crowley (D-NY) said he was glad the draft bill contained improvements he has supported for years, although he was disappointed that the bill did not contain any new funding for child care support. In her [testimony](#), LaDonna Pavetti, Vice President for Family Income Support at the Center on Budget and Policy Priorities, said she supported most of the proposed changes, but argued that the bill needs to go further by fixing some of the difficult reporting requirements and providing incentives for states to serve a greater number of people in need. She also cautioned that the method currently outlined in the draft bill for measuring employment outcomes could be problematic. Further, Dr. Pavetti pressed Congress to support some changes currently marked as "open issues" in the draft bill, such as the elimination of the cap on the percentage of the work requirement that can be satisfied with vocational education. The draft does increase the time allowed for vocational education from one to two years.

The TANF block grant has not been fully reauthorized in recent years, but has instead been temporarily extended a number of times since it was last due for reauthorization in 2010. It is unclear how quickly the draft reauthorization will move forward (if at all). While the bill appears to have support in the House, there has been no action as of yet on the Senate side. For more information, see the May 19 [Human Needs Report](#).

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