



# COALITION ON HUMAN NEEDS

## The Human Needs Report

April 25, 2016

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### **Appropriations Bills Move through Committees; Senate Bills Contain Money for Opioid Abuse, Lead Paint Hazards while House Bills Don't**

The lack of a Congressional budget resolution hasn't stopped the Senate from moving forward with work on FY17 spending bills. So far, the Senate Appropriations Committee has cleared four of the 12 spending bills needed to fund the government: the Commerce-Justice-Science (CJS) appropriations bills, the Energy-Water appropriations bill, the Military Construction-Veterans Affairs bill, and the

Transportation-Housing and Urban Development bill. The CJS bill includes [\\$132 million](#) to help communities combat heroin and prescription drug abuse through residential drug treatment programs, prescription drug monitoring, additional enforcement efforts, and other programs. Juvenile justice advocates like those at the [Campaign for Youth Justice](#) and the [Act 4 Juvenile Justice Coalition](#) were pleased that the bill included \$272 million for juvenile justice programs, including a \$5 million (8.6 percent) increase for Title II State Formula Grants and a \$10 million (57 percent) increase for Title V Local Delinquency Prevention Programs. The bill, however, failed to reinstate funding for the Juvenile Accountability Block Grant program, which has supported vital state efforts to strengthen juvenile court services.

While the Senate Transportation-HUD bill's overall total spending level is \$827 million lower than FY16 levels, when certain estimated receipts and other changes are taken into account, the allocation is actually \$1.4 billion more than current levels. Of this, HUD will get \$39.2 billion, an increase of \$891 million over FY16. Advocates like those at the National Low Income Housing Coalition note that there are no major cuts and that a few programs received increases, noting especially that the funding is sufficient to renew existing housing choice vouchers, all project-based rental assistance contracts, and all contracts under the Housing for the Elderly program. The bill increases funding for homeless assistance programs by 2 percent and increases funding for the Housing for People with Disabilities program by a similar percentage. The Community Development Block Grant to help states and local governments support housing and economic development projects would receive level funding. The Choice Neighborhoods Initiative is cut from \$125 million to \$80 million. To compare funding levels in the Senate THUD Appropriations bill, the FY16 enacted levels, and President Obama's budget request, see [NLIHC's updated chart](#).

The THUD bill also [includes](#) a series of initiatives to address lead-based paint hazards in HUD's low-income housing units. In addition to other reforms, the bill would require HUD to align its blood lead level standard for children under the age of six with the level recommended by the Centers for Disease Control and Prevention; provide \$25 million to Public Housing Agencies to address lead-based paint hazards in public housing units; and provide an additional \$25 million over FY16 funding for lead-based paint hazard reduction for an additional 6,200 low and very-low income families.

The full Senate took up the Energy-Water spending bill on Wednesday, April 20; it is expected to get to a final vote on Tuesday, April 26.

All of this action came after the Senate Appropriations Committee on April 14 approved how much money each of the 12 subcommittees will be allowed to spend on the programs in its jurisdiction, known as 302(b) allocations. While the spending limit for domestic and international programs for FY17 is the same as FY16 levels, rising costs in some areas (especially veterans' health care) mean the subcommittee allocations changed from the current year's allocations; the Military Construction-Veterans Affairs Subcommittee, for example, received an increase of [4.7 percent](#) from its FY16 allocations. Most other subcommittees saw reductions to compensate for the \$3.4 billion increase needed for veterans' services. If Congress conforms to the totals established in the Bipartisan Budget Act for FY 2017, the Center on Budget and Policy Priorities estimates that continuing trend of cuts to non-defense appropriations will mean a 13.4 percent reduction below FY 2010 levels, taking inflation

into account. (For this analysis, including all of the FY 2017 allocations, see [this report](#) from the Center on Budget and Policy Priorities.)

The House Appropriations Committee has passed three spending bills, the Military Construction-Veterans Affairs bill, the Agriculture bill, and the Energy-Water bill, even though they haven't agreed to 302(b) allocations for the other spending bills. Unfortunately, an [amendment](#) from Rep. Rosa DeLauro (D-CT) to add emergency funding for the lead poisoning disaster in Flint and other communities was defeated on the Energy-Water bill, and another [amendment](#) from Rep. DeLauro to add emergency funding to address the Zika virus was defeated on the Agriculture bill. House Democratic appropriators may try to add these amendments to other spending bills again as they come up.

The House appears no closer to passing an FY17 budget, and absent that or another agreement that would lock in place the topline spending numbers, House rules prevent the chamber from bringing appropriations bills to the floor before May 15. Even after that, disputes in the House over spending limits mean the future of the spending bills is uncertain. House Democrats may choose to vote against the bills brought to the floor first if it looks like additional spending included in them will drain domestic funding and leave little left over for the bills that cover programs for low-income people that may come later.

For more information on all things budget, see our [FY17 budget resource page](#) and our [April 11 Human Needs Report](#).

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## **Supreme Court Hears Case on President's Immigration Executive Actions**

Thousands of advocates gathered outside the Supreme Court building last Monday, April 18, as the justices heard oral arguments for and against President Obama's November 2014 executive actions expanding the Deferred Action for Childhood Arrivals (expanded DACA) guidelines and creating the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program. Texas and 25 other states sued the federal government in December 2014 to block these executive actions, which would allow millions of immigrants to apply for deferral of deportation and work authorization. In February 2015, a federal district court judge in Texas ruled in Texas's favor and blocked both DAPA and the expansion of DACA. In a decision issued in November 2015, a divided panel of the Fifth Circuit Court of Appeals upheld the district court's order. The Supreme Court announced its decision to review *United States v. Texas* on January 19.

Advocates like those at the [National Immigration Law Center](#) are hopeful the Supreme Court will uphold the President's actions, allowing the programs to go forward and allowing millions of immigrants to come out of the shadows, work legally, get better jobs, pay more in taxes and stop living in fear. At least one [D.C. publication](#), however seemed to think a 4-4 tie was possible, which would leave in place the lower court decisions blocking President Obama's actions. Hundreds of immigration, civil rights, labor and social service groups filed [amicus \("friend of the court"\) briefs](#) with the Supreme Court, urging the court to lift the injunction that blocked the executive actions. Advocates have also been working hard to

remind immigrants that the case does not impact the “Dreamer” children who were granted relief from deportation under the 2012 DACA program.

A decision from the Court is expected by the end of June. For more on the history and background of the case, see [these resources from the National Immigration Law Center](#) and [this special report from the American Immigration Council](#).

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### **Legislation to Ensure Competence of Paid Tax Preparers Rejected by Senate Finance Committee**

Despite support from low-income advocates, the Senate Finance Committee last week rejected legislation to require paid tax return preparers to meet a basic standard of competence. The provision, which was offered by Senator Ron Wyden (D-OR) as an amendment during the [committee’s April 20<sup>th</sup> markup](#) on a bill to prevent identity theft and tax refund fraud, failed (12-14) on party lines. The issue is of concern for low-income taxpayers and advocates because most tax returns, including those claiming the Earned Income Tax Credit, are prepared by paid preparers, and nearly three-quarters of these paid EITC preparers are unregulated. In fact, only [four states](#) require preparers to meet tax education and competency standards, and about [400,000 preparers](#) who prepare more than 13 million EITC claims each year never have to pass any test to certify that they know the tax rules or to take any training on changes in tax rules. A [new report](#) suggests these unregulated paid preparers also seem to target low-income taxpayers, noting that zip codes with the highest level of EITC filers have approximately 75 percent more tax preparers per filer than zip codes with fewer EITC filers. Supporters of the amendment hope it might come up at some other time; at least two Republicans on the committee indicated they may be open to working on it at another time, but expressed concern that the underlying bill wouldn’t pass the full Senate with the amendment attached. For more information on this issue, visit the [Consumer Federation of America](#) and the [Progressive Policy Institute](#).

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### **Senate Makes Headway on Emergency Funding for Zika; New Flint Funding Bill Introduced**

In addition to the requests for emergency funding for lead poisoning and opioid abuse that were attached to spending bills in the Senate (see related appropriations article in this edition for more information), Senators took additional measures to move emergency funding to fight the Zika virus and lead contamination. *CQ* reported that top Republicans and Democrats from Senate appropriations committees are working together on an emergency supplemental measure to provide funding to combat the Zika virus. It is not yet clear whether the measure will provide the total \$1.9 billion asked for earlier this year by President Obama. Senate appropriators hope to attach the measure to an appropriations bill on the Senate floor “in the near future” with the hopes of getting it to the President’s desk.

Senator Bill Nelson (D-FL) and Minority Leader Harry Reid (D-NV) are also expected to introduce legislation that would fully fund the administration’s \$1.9 billion request. Whether either measure could

receive enough support in the House is still unclear. The White House had previously announced that \$589 million would be redirected from Ebola funding to fight the Zika virus. As CHN noted in this [blog post](#), major cuts to public health funding have left health departments unable to deal with a serious outbreak of the Zika virus, which has a potentially disparate impact on low-income people.

In an effort to address the lead contamination crisis in Flint, Michigan and other communities, 28 Senate Democrats introduced a [comprehensive bill](#) last Wednesday, April 20 to update the country's water infrastructure and help local water utilities replace lead pipes. The Testing, Removal and Updated Evaluations of Lead Everywhere in American for Dramatic Enhancements that Restore Safety to Homes, Infrastructure and Pipes Act of 2016, or True LEADership Act (S. 2821), includes [two bills](#) introduced earlier this year, the Lead-Safe Housing for Kids Act of 2016 and the Copper and Lead Evaluation, Assessment and Reporting Act of 2016 (CLEAR ACT). According to lead sponsor Senator Ben Cardin's (D-MD) [website](#), the bill would provide \$70 billion over the next decade through loans, grants and tax credits to establish mandatory testing and notification of lead in water systems, help schools assist children with lead poisoning and improve the country's water infrastructure, among other things. A bill to help Flint replace its corroded pipes remains stalled in the House.

Advocates have been continuing to push the Senate to pass [a bill](#) to provide nearly \$250 million to assist with the repair of water infrastructure in Flint and other localities affected by lead-contaminated water. Advocates also continue working to ensure the federal government acts to protect all children and families in federal housing programs from lead poisoning by supporting the [Lead-Safe Housing for Kids Act of 2016](#).

The Coalition on Human Needs is co-hosting a webinar on Tuesday, May 3 at 1pm ET that will cover expert evidence about the consequences of lead poisoning in children, examples of work being done in Flint and Philadelphia to stop this scourge, and timely information about Congressional proposals to fund the solutions. Advocates can [register here](#).

For additional information on these emergency situations, see our [March 14 Human Needs Report](#).

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### **Advocates Oppose House Child Nutrition Reauthorization Bill**

Anti-hunger advocates reacted strongly in opposition to a House Child Nutrition Reauthorization [bill](#) introduced last Wednesday, April 20. A [statement](#) from the Food Research and Action Center (FRAC) said the bill would roll back years of progress, leaving countless children without access to nutritious meals. [Analysis](#) from the Center on Budget and Policy Priorities said the bill could increase food insecurity in high-poverty neighborhoods. Among the major concerns advocates noted is that the bill would weaken the Community Eligibility Provision that allows high-poverty schools to provide free meals to all students. The bill would require that 60 percent of the student body be low-income for the school to qualify, up from the current threshold of 40 percent. If the bill becomes law, 7,000 of the 18,000 schools currently participating in the program would be affected – with over 4 million students – and 11,000 additional schools not currently participating would lose the option to participate in the future.

The bill would also increase school meal verification requirements in ways that would cause eligible student to lose access to free or reduced-price school meals, fail to address shortfalls in the summer food program, create barriers to the efficient operation of the Women, Infants and Children (WIC) program and weaken school nutrition standards. Advocates will be urging the House Education and Workforce Committee to make changes to the bill to better address the needs of children. There was no immediate indication of when the House bill might be marked up. The Senate Agriculture, Nutrition and Forestry Committee approved its version of the bill in January, but there has been no movement on it since then. For more information, see [FRAC's statement](#) opposing the House bill.