



COALITION ON HUMAN NEEDS

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Budget Season Begins: What to Watch For

Less than two months after FY16 appropriations were wrapped up in December, Congress and the Obama Administration are already working on FY17 budgets. President Obama is technically required to submit his budget proposal to Congress by the first Monday of February, but that timeline has slipped to March or April in past years. This year, President Obama is scheduled to release his requested FY17 budget – the last budget of his Administration – on February 9, formally kicking off the new budget season. The White House has started to release some detail of what will be included, like \$12 billion over 10 years to [reduce child hunger during the summer](#) (for more information, see the related article on child nutrition in this *Human Needs Report* and this [blog post](#) on CHN's blog, [Voices for Human Needs](#)).

Moving at an earlier timeline than in previous years, House Budget Committee Chairman Tom Price (R-GA) is expected to release the House Republican budget in February, with consideration by the House Budget Committee planned for February 25. Floor action in the House is expected the first week in March. The Senate is expected to move more slowly than the House.

Congressional budget resolutions serve as an outline, including policy recommendations and providing an overall total funding level for annual appropriations, but without the line-item detail of the President's budget. However, in this case, the overall funding totals for FY17 were set by the [Bipartisan Budget Act of 2015](#). Therefore, it is not necessary for Congress to pass a budget this year. The Congressional budget resolution is not subject to the President's signature and is not signed into law. The two chambers have an April 15th deadline for agreeing on a joint budget resolution, although that deadline has often been ignored.

There is talk that Republicans in the House and perhaps even in the Senate will include a process in the budget resolution known as reconciliation to cut and make changes to mandatory spending programs (those programs not subjected to the annual appropriations process, like Medicaid, Medicare, SNAP/food stamps, and Social Security) and/or to enact tax cuts. When included, this language instructs authorizing committees to draw up legislation based on the instructions. A reconciliation bill cannot be filibustered and only needs 51 votes to pass in the Senate. However, unlike a budget resolution, it has to be signed into law by the President and therefore is subject to a possible veto.

According to *CQ* and [Morning Consult](#), Chairman Price said House Republicans could use reconciliation instructions to overhaul the welfare system, and that overhauling the tax system was an "outside possibility." Repealing the Affordable Care Act (President Obama vetoed a bill to repeal the ACA, which was passed by Congress using reconciliation, on January 8) and the changes Rep. Price proposed to Medicare last year (turning it into a voucher program and cutting funding) are also expected to make a return, and it is possible we may again see proposals to turn low-income programs into block grants. The [FY16 House budget](#), also authored by Rep. Price, slashed funds for critical human needs programs and would have pushed millions of people into, or deeper into, poverty. If Congressional Republicans hope to present a balanced budget, draconian cuts to low-income programs are almost certainly expected, especially given the Congressional Budget Office's [recent projection](#) that the federal budget deficit will increase this year for the first time since 2009. Part of the reason for the growth in the deficit is the [\\$680 billion package of tax cuts](#), mostly for corporations, Congress passed along with the omnibus in December.

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Child Nutrition Reauthorization Passes Senate Committee

Bipartisan legislation to reauthorize child nutrition programs passed the Senate Agriculture Committee on January 20. **The Improving Child Nutrition Integrity and Access Act of 2016** sets the policy and funding structure for all of the federal school meal and child nutrition programs, including National School Lunch, Summer Food Service Program, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and others. Many of these programs are permanently authorized (subject to

Congress funding their operations), but Congress reviews the laws governing them every five years (approximately; 2010 was the last reauthorization for child nutrition).

According to the [Food Research and Action Center](#), the new legislation contains many positive changes. It allows for the option of an additional snack for children in care for nine or more hours a day; allows for after-school and summer meal providers to streamline their operations through one program, significantly reducing duplicative paperwork and confusing rules; and increases the age of eligibility for children to receive benefits through WIC to their sixth birthday rather than their fifth birthday, except for children in full-day kindergarten. It also protects the new school meal nutrition standards for healthier meals, with a slight change to the whole grain requirement and a slight delay of the next sodium reduction target.

Another potential positive step is the ability in some states for some families who qualify for free and reduced-price school meals to receive a debit card, or Electronic Benefit Transfer (EBT) card, that they can use to buy certain foods at select stores during the summer. The White House [announced](#) on January 27 that President Obama's FY2017 budget will include \$12 billion over 10 years for a permanent Summer EBT program for all families with children eligible for free and reduced-price school meals. For more information on the Obama Administration's proposals, see [CHN's blog post](#).

There are some concerns with the bill, however. FRAC and other child nutrition advocates are concerned that stricter verification requirements for families' school meal applications will cause some eligible students to lose access to free or reduced-price school meals, particularly students whose families are homeless, migrant, immigrant and/or have limited English proficiency. Another part of the Obama Administration's [announcement](#) on January 27 was a new initiative will allow states to use Medicaid data to certify students for free and reduced price lunches, with the goal of reducing paperwork for the states, schools, and families and increasing access for low-income children. Five states are expected to begin the demonstration project during the upcoming 2016-2017 school year with additional states added in subsequent years.

Dates have not yet been set for when the bill will be taken up by the full Senate or by the House Education and Workforce Committee. For more specifics on the legislation, see [this analysis](#) from FRAC.

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Supreme Court To Rule On Two Cases of Interest to Human Needs Community This Term

There are at least two cases the Supreme Court will rule on this session that are of interest to the human needs community. On January 11, the Court heard oral arguments in the case of *Friedrichs v. California Teachers Association*. According to [SCOTUSblog](#), the law of the land for the last 40 years has been that, although public employees who don't join a union cannot be required to pay for the union's political activities, they can be charged an "agency" or "fair share" fee to pay for other costs that the union incurs, like for collective bargaining. The rationale is that the union is required by law to represent everyone in the workplace, whether they are a union member or not, and all public employees enjoy the benefits that the union negotiates, like better wages and working conditions. However, that law is now being challenged. If the Supreme Court rules against the California Teachers Association, it could severely impact public sector unions.

In April, the Supreme Court will hear arguments about whether the President's executive orders 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 will survive. The Court announced its decision to review *United States v. Texas*, the case that put on hold the President's initiatives to allow millions of immigrants to apply for deferral of deportation and work authorization, on January 19. Advocates like those at the [National Immigration Law Center](#) are confident 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 taxes and stop living in fear. Advocates have 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 in June. For more on the history and background of the case, see the [June 15 Human Needs Report](#).

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