



COALITION ON HUMAN NEEDS

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The 114th Congress wrapped up and headed home earlier this month, with the House leaving Capitol Hill on December 8 and the Senate taking its last votes on the early morning hours of December 10. Here's a look at what they did – and didn't – accomplish before coming to a close, as well as a look at other controversial Trump Cabinet nominees.

Shutdown Averted with Stopgap Spending Measure through April 2017

With no time to waste, Congress avoided a shutdown by passing another stopgap spending bill. The new short-term spending bill, known as a Continuing Resolution or CR, will fund most annually-appropriated programs through April 28, 2017. Programs will be funded at the FY2017 budget cap levels agreed upon in the Budget Control Act of 2011, totaling \$1.07 trillion (slightly above FY16 levels of \$1.067 trillion). The House passed [\(326-96\)](#) the CR on December 8, with the Senate following [\(63-36\)](#) on December 9. President Obama signed the bill on December 10.

The CR contains several so-called ‘anomalies,’ or adjustments to funding levels. Some of these anomalies were celebrated by advocates, while others were not. For example, the CR contains much-needed funding for Flint, Michigan and other communities hurt by lead-contaminated water (for more information, see the related article in this *Human Needs Report*). It also contains additional funding for defense and war spending, the care of unaccompanied immigrant children coming into the U.S., preparations for a summer meal demonstration program benefitting low-income students, and for hurricane and flood victims. Advocates were glad that the CR contained funding to allow preparations to continue for the 2020 Decennial Census and contained money to fund the 21st Century Cures Act, which includes \$500 million to states to respond to the opioid crisis. They were concerned, however, that the money for some of the initiatives in the Cures Act was taken from the Prevention and Public Health Fund established under the Affordable Care Act. They were also concerned that the CR did not contain additional funding for HUD-funded housing assistance vouchers and other programs. As rents increase, a lack of additional money will hurt HUD’s ability to continue funding existing vouchers, like those through the Section 8 programs. The Center on Budget and Policy Priorities [estimates](#) that a failure to increase the funding will deny vouchers to 100,000 families, a loss worse than the sequestration cuts in 2013.

The CR’s path was rocky in part because of the uncertainty over Flint funding, and also because a group of senators led by Joe Manchin (D-WV) sought at least a year of funding to cover coal miners’ retiree health benefits, which were scheduled to lapse for more than 25,000 retired miners by the end of January if no action were taken. Instead, those benefits were only continued through the term of the CR, forcing longer-term action in the new Congress.

The Trump Administration has said it wants to have a say in FY17 funding levels, which is why Republicans in Congress chose to pass another short-term CR in December rather than pass a combined spending package that would cover the rest of the fiscal year. Some advocates and elected and government officials (including some Republicans), however, are concerned that the Senate’s busy spring schedule will mean Congress will end up passing another CR in April through the rest of FY17. Twelve spending bills are required to keep the government operating (although more often than not some or all are combined in an omnibus spending bill); to date, the House and Senate Appropriations Committees have each passed its own version of all 12 bills, but only five have been passed by the full House and only four by the full Senate. Only one, the Military Construction and Veterans Affairs appropriations bill, has been signed into law, and was included with the first CR passed in late September.

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Finally - Aid to Flow to Flint

Advocates celebrated the fact that much-needed and long-overdue funding to help the people of Flint, Michigan and other communities hurt by lead-contaminated water was approved by Congress before it left Washington. In a two-bill deal, \$170 million was included in the Continuing Resolution that passed the House on December 8 and the Senate on December 9. However, language included in the CR required that the money be authorized in the Water Resources Development Act (WRDA) before it would be allowed to flow to Flint. This was a complication because of concerns over certain environmental issues in WRDA. The water projects bill passed the House ([360-61](#)) on December 8 and the Senate ([78-21](#)) in the early morning hours of December 10. While it is good news that money will finally be available to help the people of Flint, the aid package that passed is less than the \$220 million package [previously passed](#) in the Senate. *CQ* reports that estimates for the cost of replacing Flint's water pipelines range from \$300 million to \$700 million or more. For more information on the CR, see the related article in this *Human Needs Report*.

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Other Actions Congress Took – or Didn't – Before Heading Home: Criminal Justice, Child Nutrition, Opioids and More

With Congress wrapping up its work and leaving Capitol Hill – for the last time, for many retiring members of Congress and those who lost re-election bids, many issues of importance to human needs advocates were unfortunately left unfinished. Some may be taken up by the next Congress, while others may not see movement for the foreseeable future.

Congress failed to complete a reauthorization of child nutrition programs this year, despite the fact that the previous reauthorization expired September 30, 2015. **The Child Nutrition and WIC Reauthorization Act** sets the policy and funding structure for all of the federal school meal and child nutrition programs. Many of these programs are permanently authorized (subject to Congress funding their operations) and continue to operate, but Congress reviews the laws governing them every five years – or so. While there were efforts throughout the year to move this legislation, complications and disagreements arose. Advocates [opposed](#) the House version of the bill (H.R. 5003) because it would have weakened the Community Eligibility Provision that allows high-poverty schools to provide free meals to all students, failed to address shortfalls in the summer food programs, and created block grants for school meal programs in three states. The House version of the bill passed the Education and Workforce Committee in May, and the Senate version of the bill was approved by the Agriculture Committee in January; neither bill made it the floor in its respective chamber. Looking ahead, advocates will continue to fight back against attempts to block grant the programs, make it harder for families to sign up their children, or in any way diminish the ability of child nutrition programs to reduce hunger, improve health and support learning.

Advocates had also hoped to see further movement of the **Sentencing Reform and Corrections Act of 2015 (S. 2123)**, which would reduce sentences for many of those convicted of drug offenses – who are disproportionately African American, Latino and low income. Despite having strong bipartisan support and having cleared the Senate Judiciary Committee in October 2015, the bill was never brought up for a vote on the Senate floor.

Congress also failed to act to protect children and families from **lead paint and dust in housing**, which along with lead-contaminated water, also disproportionately affects low-income families. The Lead-Safe Housing for Kids Act (S. 2631) was introduced by Senator Dick Durbin (D-IL), with the same bill introduced in the House by Rep. Keith Ellison (H.R. 4694). These bills focus on protecting children from lead poisoning in federally-assisted housing. A more limited set of protections is being initiated through HUD rules changes.

Congress passed the **21st Century Cures Act (H.R. 34)**, which will direct billions of dollars to the National Institutes of Health for cancer research. It will also direct \$1 billion to states over two years to help fight prescription drug abuse, subject to the appropriations process; \$500 million for states was included in the stopgap spending bill signed into law earlier this month. (For more information about that, see CR article in this issue.) The Cures Act also contains provisions to improve mental health care. The bill was passed with strong bipartisan support by the House ([392-26](#)) on November 30 and by the Senate ([94-5](#)) on December 7, and it was signed by President Obama on December 13.

A bipartisan group of senators introduced legislation on December 9 to protect young undocumented immigrants from deportation should President Trump discontinue the **Deferred Action for Childhood Arrivals (DACA)** program. According to Sen. Dick Durbin (D-IL), the lead sponsor of the bill along with Sen. Lindsey Graham (R-SC), the Bar Removal of Individuals who Dream and Grow our Economy (BRIDGE Act) [would](#) ensure that “Dreamers” who were brought to the U.S. as children could continue to work and study and be protected from deportation “while Congress debates broader legislation to fix our broken immigration system.” More than 740,000 young people have been granted protection under DACA, but President-elect Trump has promised to repeal those protections, a move that would force these young people back to coping with the fear of deportation. The bill is expected to be reintroduced next year. Sen. Graham [said](#) that he believes the executive action creating DACA was unconstitutional and that President-elect Trump would be right to repeal it, but also said that it would not be right to “pull the rug out” from under the young people who applied for the program.

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President-elect Trump’s Cabinet Picks Continue to Alarm Advocates

As was mentioned in the [December 6 Human Needs Report](#), human needs advocates have opposed several nominees to President-elect Trump’s cabinet, including his picks to head the Departments of Health and Human Services, Housing and Urban Development, and Education. Trump’s nominee for Secretary of Labor, CKE Restaurants CEO Andrew Puzder, is also causing concern among advocates. The

National Employment Law Project said in a [statement](#) that, “it’s hard to think of anyone less suited for the job of lifting up America’s forgotten workers — as Trump had campaigned on — than Puzder: He opposes raising the minimum wage, threatens to replace restaurant workers with machines, has consistently opposed long-standing rules that protect workers and law-abiding employers, and demonstrated that he prizes corporate welfare and profits over workers’ well-being.” The National Women’s Law Center [said](#) Puzder “would have a devastating impact on women in the workplace.”

President-elect Donald Trump also nominated Rep. Mick Mulvaney (R-SC) to be the director of the Office of Management and Budget. A deficit hawk, Rep. Mulvaney is a co-founder of the ultra-conservative House Freedom Caucus and has [introduced](#) a number of bills aimed at cutting government spending, especially Medicare and Social Security. The OMB chief is instrumental in shaping and administering the federal budget and overseeing agency regulatory reform; OMB’s approval is needed for most regulations issued by agencies, and Mulvaney would also play a key role in repealing regulations implemented by the Obama Administration.

Many advocate groups also [oppose](#) the nomination of Sen. Jeff Sessions (R-AL) to be Attorney General. The confirmation hearings for Sen. Sessions are currently scheduled to take place January 10-11 in the Senate Judiciary Committee; dates have not yet been announced for confirmation hearings for the other cabinet nominees. All nominees to the cabinet have to be confirmed by a simple majority of the Senate.

For information on what to expect in policy changes from the Trump Administration and the new Congress in 2017, see the [December 6 Human Needs Report](#) and CHN’s [Washington 2017 resource webpage](#). For more information, view **The New Congress: How it Plans to Cut...And How to Fight Back**, a webinar originally held on December 16, and available [here](#).

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Editor’s note: The 115th Congress convenes on January 3. Look for the next *Human Needs Report* in your inbox on January 17. For updates in the interim, subscribe to CHN’s blog, [Voices for Human Needs](#). Thanks for reading, and from all of us at CHN, best wishes for a safe and happy holiday season.