



COALITION ON HUMAN NEEDS

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Spending Cuts Package Falls in the Senate

Advocates breathed a sigh of relief when, on June 20, the Senate failed to bring to the floor the White House's proposed package of domestic spending cuts, also known as rescissions. Supporters of the package tried a little-used rule in the Senate that allows members to force a bill out of committee and onto the floor with 50 votes, but only [48](#) senators voted in favor of moving the bill. Sens. Richard Burr (R-NC) and Susan Collins (R-ME) joined all Democrats in opposing the move; Sen. Burr voted no because of a cut to the Land and Water Conservation Fund that was included in the package, and Sen. Collins said she opposed the rescissions process. The surprising vote came just days before the June 22nd deadline for using special rules that would allow the package to pass with a simple majority vote.

Advocates opposed the rescissions not only because of the bad cuts to housing, health, and other programs, but because they believe the loss of some of these dollars will make it harder to provide adequate funding levels for human needs priorities in FY19 and beyond. The rescissions package would have also set a dangerous precedent for undoing bipartisan spending decisions. CHN was joined by 150 national organizations in sending a [letter](#) to Congress opposing the cuts. For more information, see CHN's [statement](#) on the rescissions package and our [June 19 Human Needs Report](#).

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Senate Spending Panel Passes Labor-HHS-Education Bill, but House Action is Postponed Again

While there was some movement over the last two weeks on the FY19 Labor, Health and Human Services, and Education (Labor-H) appropriations bills, it's not as much as was expected. While the Senate Appropriations Committee passed (30-1) its bipartisan version of the largest nondefense spending bill on June 28, the House Appropriations Committee postponed taking up its version of the bill for the second time in two weeks.

The \$179.3 billion Senate bill would approve roughly \$2.2 billion more than FY18 levels, with the National Institutes of Health getting a \$2 billion (5.4 percent) bump. Overall, the Department of Labor would be funded at \$12.1 billion, a \$92 million decrease compared to FY18; the Department of Education would get a \$541 million increase to \$71.4 billion; and the Department of Health and Human Services would receive a \$2.3 billion increase to \$90.1 billion. In the Labor Department, apprenticeship programs would receive a \$15 million increase, Job Corps would get a \$15 million bump, and the Veterans Employment Training (VETS) Program would gain \$5 million above FY18 levels. In education, the maximum Pell grant would be boosted by \$100. TRIO programs that provide services to students from disadvantaged backgrounds and first generation college students to help them enter and complete college and postgraduate education would be level funded. IDEA special education grants to states would receive a \$125 million increase. As noted above, most of the increase to the Department of Health and Human Services goes to the NIH, but funds for fighting opioids would increase by \$145 million, and Head Start would get a \$250 million increase. The Low Income Home Energy Assistance Program (LIHEAP) would get a \$50 million increase. The Child Care and Development Block Grant would be flat funded (maintaining the large \$2.37 billion increase that occurred this year). Unlike the House bill, the Senate bill does not include new language restricting HHS's authority to administer or enforce the Affordable Care Act. Summaries of the bill are available from the [majority](#) and the [minority](#). While advocates are generally pleased with the bill and its lack of partisan policy changes known as riders, they contend that the overall spending level for the three departments should be higher given the size and importance of the departments.

The House version of the bill is much more contentious, containing partisan policy changes and defunding the Affordable Care Act. Republicans said the delay in action on the bill was due to scheduling conflicts, but senior Democrats on the committee believe it was done to avoid confrontation over the Trump Administration's family separation and detention policies; the Office of Refugee Resettlement is

part of the Department of Health and Human Services. Rep. Nita Lowey (D-NY) and Rep. Rosa DeLauro (D-CT) said in a [joint statement](#), “The sole purpose of the cancellation is to prevent Democrats from offering amendments that would protect migrant children and keep families together.” For more information on what’s in the House Labor-H bill, see the [June 19 Human Needs Report](#).

In other appropriations news, the Senate passed ([86-5](#)) its first group of FY19 spending bills, or “minibus,” on June 25. The minibus combined three of the 12 required spending bills – Energy and Water, Military Construction and Veterans Affairs, and the Legislative Branch. The House previously passed its version of the same three bills mainly along party lines. The two packages will now head to a House-Senate conference committee where members will attempt to work out the differences, including the topline spending levels. Some in Congress are pushing for conference negotiations on topline spending allocations for each of the 12 appropriations bills, known as 302(b) allocations, which differ in the House and Senate and which advocates think are too low for the bills that cover important human needs programs. If the current minibus or other appropriations bills pass before these funding decisions are made, there is a risk that early bills will spend too much, forcing further cuts in bills like Labor-HHS-Ed that often are taken up later. Some in Congress have been considering pairing the Labor-H bill with the Department of Defense appropriations bill and moving them together on the House and Senate floors. These two bills are typically the top priorities of Democrats and Republicans, respectively. Despite the forward motion of the spending bills, many are already expecting that a stopgap spending bill will be needed to keep the government open from the time the new fiscal year begins on October 1 through sometime after the November elections.

In addition, the House Budget Committee passed (21-13, along party lines) its FY19 budget resolution on June 21. Committee Chairman Steve Womack’s (R-AR) budget resolution calls for \$302 billion in spending cuts through special rules known as reconciliation instructions. Using the reconciliation process allows measures with a budgetary impact (like extending or making permanent the individual tax cuts in the 2017 tax bill, cutting entitlement programs, or a repeal of much of the Affordable Care Act) to be passed in the Senate with only a simple majority instead of the usual 60-vote threshold required in that chamber. However, this only holds true if the Senate also passes a FY19 budget and House and Senate agree on a final version. Most reports are that the Senate is highly unlikely to complete action on a budget resolution. Democrats offered 28 amendments to the budget resolution; all were rejected.

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House Votes in favor of Harmful SNAP Cuts, but Senate Bill Rejects Them

The Senate passed ([86-11](#)) its bipartisan [version](#) of the Farm Bill on June 28. The bill includes the reauthorization of SNAP/food stamps but without the deep cuts and harmful changes to SNAP that were included in the bill the House passed on June 21. The Senate bill maintains current work requirements and eligibility requirements, unlike the House bill that expanded work requirements and tightened eligibility requirements. The Food Research and Action Center (FRAC) [said](#) the Senate bill “keeps food in

the refrigerators and on the tables of struggling individuals and families,” and the Center for Law and Social Policy (CLASP) [said](#) the Senate bill “improves SNAP by building on what works and protecting the program from harmful cuts that would take food off the table of those who face hunger.” An amendment from Senator John Kennedy (R-LA) would have imposed harsh work requirements and required SNAP recipients to show a photo ID when making purchases; advocates applauded the [68](#) senators who voted against this amendment. Other harmful amendments that had been proposed, including ones to restrict eligibility and privatize some functions of the program, were not brought up for a vote.

Advocates strongly oppose the House farm bill, which the Center on Budget and Policy Priorities (CBPP) [estimates](#) would cause more than 1 million low-income households with more than 2 million people – particularly low-income working families with children – to lose their benefits altogether or have them reduced. Roughly 265,000 children in low-income families would also lose access to free meals at school. The first attempt to pass this bill in the House failed in May, mainly because some members of the right-wing House Freedom Caucus opposed the bill then in order to force GOP leadership to first take up a conservative-backed immigration bill. After the immigration vote (see the related article in this *Human Needs Report* for more on this), the House voted again on its version of the bill and, as noted above, it passed by a 2-vote margin ([213-211](#)) on June 21. For more information about the harsh work requirements and other bad changes in the House Farm Bill, see the [May 21 Human Needs Report](#), CHN’s [Protecting Basic Needs resource page](#), and the [recording](#) of a webinar CHN cosponsored with CBPP, Feeding America, and FRAC.

The two bills will now move to a conference committee, where members of the House and Senate will try to work out the differences of the two versions. Advocates like those at FRAC [will](#) “continue to urge policymakers to protect and strengthen SNAP and reject the House Farm Bill.”

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Immigration Bills Defeated in the House, as Judge Orders Reunification of Migrant Families

The House rejected two immigration bills opposed by advocates in the last two weeks. The more restrictive of the two bills, sponsored by Rep. Bob Goodlatte (R-VA), was considered by advocates to be extremely anti-immigrant. It would have made historic cuts to the number of immigrants, end the family-based immigration system and the diversity visa lottery, provide no path to citizenship for Dreamers (people who were brought to the U.S. as children), and make unlawful presence in the U.S. a criminal offense instead of a civil one, in addition to other harmful provisions. That bill failed [193-231](#), with 41 Republicans joining all Democrats in opposition, on June 21. Some moderate Republicans had been working with their conservative counterparts on a second immigration bill that, while maintaining many of the harmful pieces of the Goodlatte bill, would create a new limited merit-based visa program for a small percentage of Dreamers. This bill was also defeated, [121-301](#) with 112 Republicans joining all

Democrats is opposition, on June 27. According to [Politico](#), some Republicans “feared backing a bill that could be tagged as “amnesty” by the right.”

Advocates had been supportive of efforts by Democrats and a number of Republicans in the House to take up four immigration bills, with one of the bills being a clean [Dream Act](#) to provide a pathway to permanent residency and eventual citizenship for Dreamers. However, signatures from 218 representatives were needed to force votes on four bills, and supporters were only able to secure 216 signatures.

Clearly responding to the groundswell of revulsion against its family separation policy, President Trump signed an Executive Order ending family separation at the border, but was unspecific about the process of reuniting children now placed apart from their parents; it sought to detain children with their parents indefinitely until their family case is decided. A federal judge on June 26 ordered the federal government to reunite migrant parents with children taken from them under the Trump Administration’s zero-tolerance family separation policy. As reported by [Politico](#), the judge ordered all children younger than 5 years of age returned to their parents within 14 days and all older children returned to their parents within 30 days. More than 2,000 children who were taken from their parents at the U.S.-Mexico border remain separated. The judge also prohibited future family separations except in certain cases. However, a previous court ruling does not allow for children to be detained with their parents for more than 20 days. The Trump Administration and some in Congress are seeking to overturn that ruling. Thousands of advocates took to the streets in cities across the country on June 30 protesting the Trump Administration’s “zero-tolerance policy,” family separation and detention, and prosecution of those legally seeking asylum. Their rallying cry, among other messages, is that jailing families together is not the answer to family separation, and those seeking asylum should have their day in court.

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Supreme Court Upholds Discriminatory Muslim Ban

On June 26, the Supreme Court issued a 5-4 ruling upholding the Trump Administration’s Muslim ban, allowing the government to effectively ban individuals from several Muslim-majority countries from coming to the U.S. The Court had previously allowed this third iteration of the ban, issued in September 2017, to go into effect while the case was moving through the courts. The [New York Times](#) said the decision “sends a blunt message of rejection to visa seekers from some of the destitute and dysfunctional countries... who saw the Supreme Court as their last hope.”

The National Immigration Law Center, a member of CHN, said in a [statement](#), “The Court’s decision ignores and empowers this administration’s bigotry and serves as a tacit approval of religious and ethnic discrimination that runs counter to the inclusionary principles that our country aspires to. President Trump’s Muslim ban has already caused immeasurable suffering to families and communities and is part of the administration’s overall strategy of attacking and separating immigrant and refugee families.” CHN also issued a [statement](#), saying in part, “In disregarding repeated statements showing the Trump

anti-Muslim bias, the Supreme Court has affirmed an injustice. The decision recalls our worst national acts, not our enduring values.” The ACLU [called](#) the decision “one of the Supreme Court’s great failures.” Advocates have vowed to continue fighting for Muslim families and communities and pushing members of Congress to take action to end the Muslim ban.

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Supreme Court Rules Against Working Americans

In a blow to millions of working Americans, the U.S. Supreme Court on June 27 ruled 5-4 against unions’ rights to collect “fair share” or “agency” fees from non-union members. Under current law, workers who choose not to join their workplace’s union do not pay union dues but do pay fair share fees to cover the basic costs for union representation, as these workers are still covered under collective bargaining agreements negotiated by the unions. *Janus v. AFSCME*, which overturns a 1977 Supreme Court decision, is the third such case to come before the Supreme Court in five years involving public-sector unions’ ability to collect fair share fees. A report from the [Economic Policy Institute](#) found that all three of these cases have been funded by “a small group of foundations with ties to the largest and most powerful corporate lobbies.”

In a joint [statement](#) issued after the ruling, the American Federation of State, County and Municipal Employees (AFSCME), Service Employees International Union (SEIU), the National Education Association (NEA) – all CHN members – and the American Federation of Teachers (AFT), said, “[I]t is shameful that the billionaire CEOs and corporate special interests behind this case have succeeded in manipulating the highest court in the land to do their bidding. This case was nothing more than a blatant political attack to further rig our economy and democracy against everyday Americans in favor of the wealthy and powerful.” The National Employment Law Project, also a member of CHN, [said](#), “Workers’ ability to form unions and act collectively has helped make the American ideals of prosperity and economic security a reality for millions of workers. Today, by a single-vote majority, this Supreme Court has put those ideals at risk.” CHN [said](#) that the Court’s decision, “by undermining unions, threatens all working people and will further increase income inequality, while giving aid and comfort to the wealthiest Americans and big corporations.... [I]t is not just union members who will be harmed – workplace standards for millions more will be at risk.”

Following the handing down of this decision, Justice Anthony Kennedy announced he would retire from the Supreme Court effective at the end of July. Advocates rallied in front of the Court on June 28, many demanding that the Senate wait until after the midterm elections to vote on a Trump nominee. The Leadership Conference on Civil and Human Rights [said](#), “All senators need to put country over party and use all of the tools available to them to stop President Trump’s plan to take over the Supreme Court for the next 40 years. No one should be considered for the Supreme Court until the people have a say in the November midterm elections.”

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House Passes Bipartisan Package to Fight Opioid Crisis

The House overwhelmingly passed ([396-14](#)) the SUPPORT for Patients and Communities Act on June 22 as part of ongoing efforts to combat the opioid crisis. Advocates across the spectrum applauded Congress for taking action following the 21 percent increase in deaths from drug overdose from 2015 to 2016. This bill represents the most extensive piece of legislation addressing the opioid crisis thus far, as it combines 58 bipartisan bills passed over the previous several weeks. In its entirety, the passage was met with widespread support for its efforts in curbing the epidemic. [Advocates](#) and health-related groups such as the [American Psychiatric Association](#) and [the American Hospital Association](#) voiced support, calling for its passage throughout the process. The bill addresses several opioid-related issues including the expansion of access and coverage, alternatives to opioid use for pain treatment, a shift to evidence-based treatment, and the reduction of illegal drugs entering the country through the mail. A widely supported provision, Jessie's Law requires the Department of Health and Human Services (HHS) to establish best practices in displaying a patient's addiction history to prevent a relapse. The bill is named after Jessie Grubb, who died from an opioid overdose two years ago when her doctor—unaware of her addiction history—prescribed her oxycodone. Other notable provisions include:

- Expansion of Medicaid coverage for former foster youth under age 26 and for juveniles transitioning out of incarceration
- Student loan forgiveness for practitioners in the substance use disorder field
- Increased and improved access to buprenorphine, a form of medication-assisted treatment
- Addition of methadone clinics to the Medicaid program to treat addiction
- More money for states to fund more Medicaid providers and improve reimbursement rates

Despite overall support, some provisions of the bill were controversial, including the partial repeal of the Institutions for Mental Disease (IMD) exclusion, which prohibits the use of federal Medicaid funds for adult beneficiaries with opioid use disorder (OUD) in these institutions. [Numerous civil and human rights advocates](#), including the Leadership Conference, fear this will limit expansion of care to those with OUD while neglecting those suffering from other substance use disorders (SUD). Although it ultimately failed to include all SUDs, the provision was expanded to include crack cocaine, which disproportionately affects African Americans.

Some Democrats such as Rep. Frank Pallone of New Jersey provided further criticism, claiming the bill doesn't go far enough to combat the opioid crisis. Advocates recognize the House bill as a good start, but they emphasize the need for a sustainable funding stream to adequately address the issue.

Amidst funding concerns, the [Senate appropriations bill](#) covering HHS received committee approval this week and includes \$3.7 billion to fight the opioid crisis, a \$145 million increase. The [House bill](#) allots a similar amount of \$3.85 billion, including \$1 billion for State opioid response grants. Overall, opioid funding has increased by \$3.5 billion (1,300 percent) since FY2015.

The Senate is expected to take up the issue this summer, but no official timeline has been established. It is unclear if Senate leadership will take up the House bill or will do its own version.

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We appreciate your input. Give us your thoughts on our *Human Needs Report* at limbery@chn.org.
