



# COALITION ON HUMAN NEEDS

## *The Human Needs Report*

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### **House Passes 10 of 12 FY20 Spending Bills, but Still No Deal on Spending Levels**

The House of Representatives fell slightly short of its goal of passing all 12 required FY20 spending bills before the end of June. On June 19, the House passed a “minibus” package ([H.R. 2740](#)) consisting of the FY20 Labor, Health and Human Services, and Education spending bill; the Defense bill; the Energy and Water bill; and the State and Foreign Operations bill ([226-203](#); seven Democrats and all Republicans voted no). The [National Education Association](#) said the package “includes several billion dollars in crucial increases for early childhood, K-12, and higher education initiatives.”

On June 25, the House passed a second FY20 minibus package ([H.R. 3055](#)) consisting of the Agriculture spending bill; the Transportation and Housing and Urban Development bill; the Commerce, Justice, and Science bill; the Interior-Environment bill; and the Military Construction and Veterans’ Affairs bill ([227-](#)

[194](#); one Democrat joined all Republicans in opposition). The [National Low Income Housing Coalition](#) said the package, “includes robust funding for affordable housing and community development investments at HUD and USDA, as well as several positive amendments.” The second minibus also included back pay for an estimated [580,000 federal contractors](#) who were furloughed or had to work without pay during the partial government shutdown that ended in January, as well as funds for gun violence research and language blocking the Trump Administration from repurposing military construction funds to build a wall on the southern border. The package also includes language blocking the inclusion of a citizenship question on the 2020 Census (for more information on this, see the related article in this *Human Needs Report*).

Before last week ended, the House on June 26 also passed the FY20 Financial Services spending bill ([H.R. 3351](#)), which funds the Treasury Department, IRS, Securities and Exchange Commission, White House, and other government agencies ([224-196](#); five Democrats joined all Republicans in voting no). The measure included language blocking the Trump Administration from using Treasury Department funds to build a wall on the southern border.

The Trump Administration issued [Statements of Administration Policy](#) saying it would recommend vetoes if either of the minibuses or the Financial Services bill reach his desk. The House left two FY20 spending bills unfinished, however — the Homeland Security bill and the Legislative Branch bill.

Formal action on FY20 spending bills has not yet begun in the Senate. A new bipartisan deal to raise tight spending caps put in place by the 2011 Budget Control Act still needs to be reached between the House and Senate and signed by President Trump if Congress is to avoid the deep cuts required by the 2011 law. Last week, [more than 250 national organizations joined CHN](#) in urging Congress to lift budget caps and set domestic and international spending for FY 2020 at levels no less than the House totals. The House agreed on a FY 2020 cap for appropriations of \$631 billion for programs other than defense, and placed additional funds for programs including the 2020 Census outside the budget cap. If current budget law is not changed, domestic programs will face cuts of about 10 percent in the fiscal year that begins October 1. Because certain program areas must increase, such as the constitutionally required 2020 Census and previously enacted increases in veterans’ health services, other programs will lose even more.

Senate Appropriations Chair Richard Shelby (R-AL) said again on June 27 that if a spending caps agreement is not reached by the time Congress returns from its July 4 recess, he will push for his committee to set its own spending limits so it can begin work on the Senate’s version of spending bills. He had previously said his committee would write spending bills to the lower numbers required by existing law, with the expectation that they could add funds if there was an agreement to lift the caps. However, Senate Majority Leader Mitch McConnell (R-KY) responded later that day saying he did not want the Senate to set its own spending limits or to proceed with work on spending bills until a spending caps deal was reached with the House and the Trump Administration.

For more information, see the [June 17 Human Needs Report](#).

## **Congress Passes Emergency Border Aid after Disagreement among House Democrats**

Last week the House passed and sent to President Trump a \$4.59 billion emergency spending bill for the humanitarian crisis on the southern U.S. border. President Trump is expected to sign the measure, which primarily consists of funds for food, shelter, medicine, and enforcement personnel.

The vote was a victory of sorts for the Trump Administration; the House had previously passed a different version of the bill, one which contained additional protections for unaccompanied minor immigrants, and restrictions on the Administration's use of funds.

The legislation revealed a split between House progressives and centrist Democrats. The Senate had passed a bill with fewer protections for minor immigrants and fewer restrictions on the Trump Administration by a bipartisan 84-8 vote. House progressives favored their more sweeping measure, but the Trump Administration was vigorously opposed, and fears arose that if the House did not go along with the Senate version before the chambers adjourned for their week-long 4<sup>th</sup> of July recess, the legislation would stall and some agencies responsible for addressing the humanitarian crisis would run out of money at the end of June.

In the end, the House passed the Senate version of the emergency spending bill on a 305-102 vote. And it passed largely because of GOP votes – 176 Republicans voted yes, while seven Republicans voted no. Among Democrats, 129 members voted yes, while 95 members voted no.

[In a letter to every member of Congress](#) before the final vote, CHN expressed dismay over the failure of the Trump Administration to safeguard the immigrant children and adults in its care. The letter urged members to approve the funding, but also to pass many more protections for children and other immigrants, closer to the initial House bill. House Speaker Nancy Pelosi (D-CA) had hoped to amend the Senate bill with changes that included a 90-day limit on how long children can spend in holding facilities; less funding for the Immigration and Customs Enforcement (ICE) agency; and a provision to ensure lawmakers could visit facilities that hold children without prior notice. But Senate Republicans and the Trump Administration opposed these changes.

In the end, Pelosi decided to take up the Senate bill for a vote with no changes after an hour-long conversation with Vice President Pence. Pence did agree to administratively implement two changes sought by Pelosi – the 90-day limit on keeping children in holding facilities, and an agreement to notify Congress within 24 hours after the death of a child in custody.

“At the end of the day, we have to make sure that the resources needed to protect the children are available,” Pelosi said in a letter to her Democratic colleagues. “In order to get resources to the children fastest, we will reluctantly support the Senate bill.”

The legislation includes \$2.88 billion for the HHS Office of Refugee Resettlement, which cares for unaccompanied children. The spending bill also includes more than \$200 million in funding for Immigration and Customs Enforcement (ICE) and \$110 million in overtime funding for DHS Customs and Border Protection employees, as well as money for the Pentagon and other agencies.

Meanwhile, immigrant advocates expressed outright alarm over reports that ICE soon would begin rounding up thousands of immigrants in ten U.S. cities who had court-ordered removal notices. The imminent raids, announced by President Trump in a tweet, were to begin Sunday, June 23, but Trump subsequently announced the raids would be delayed by two weeks.

CHN condemned the impending raids, [saying in a statement](#) that they “are the latest reminder that President Trump’s immigration policies are cruel and inhumane and not representative of the type of nation we aspire to be.”

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### **Supreme Court Blocks Citizenship Question; Next Steps Uncertain**

A deeply divided Supreme Court last week halted, for now, efforts by the Trump Administration to include a citizenship question in the 2020 Census. A majority of justices did not find that a citizenship question is unconstitutional *per se*, but rather that the Department of Commerce had offered up a “contrived” reason for wanting to include the question, and in doing so had violated the Administrative Procedure Act.

The key passage in the controlling, 5-4 opinion, authored by Chief Justice John Roberts and joined by the Court’s more liberal justices, noted that governmental agencies must offer “genuine justifications for important decisions, reasons that can be scrutinized by courts and the interested public.”

“Accepting contrived reasons would defeat the purpose of the enterprise,” the opinion continued. “If judicial review is to be more than an empty ritual, it must demand something better than the explanation offered for the action taken in this case.”

The decennial count of the nation’s population determines the size of each state’s congressional delegation, the number of votes it receives in the electoral college, and how the federal government allocates hundreds of billions of dollars. In addition, state and local officials use the data to redraw political districts ranging from city council to school board to state legislative and congressional seats.

Census officials have estimated that including a citizenship question would result in an undercount of more than 8 million people. Areas most affected would be states and urban areas with large Hispanic and immigrant populations. In particular, households with young children, especially children of color, would be adversely affected, as would immigrant families, those who identify as Hispanic/Latino, and low-income households.

The central question that now confronts the Trump Administration, which still wants to include a citizenship question, as well as advocates for an accurate 2020 Census, is whether the Trump Administration can move quickly enough to come up with a new rationale and gain judicial clearance for that rationale.

The Trump Administration had claimed that the deadline for finalizing the Census questionnaire was June 30; however, some government officials have said the “real” deadline is in the fall. Even if the deadline is in the fall, there are any number of hoops the Administration must jump through in order to prevail. In addition, litigation against the citizenship question continues in U.S. District Courts in Maryland and New York over allegations that the Trump Administration’s motivation was racially discriminatory.

The judges in Maryland and New York have said they would consider new allegations regarding the claim that Commerce Secretary Wilbur Ross’s actions violated equal protection guarantees and were part of a conspiracy to drive down the count of minorities.

The allegations arose after files of a deceased Republican operative, Thomas Hofeller, were turned over to plaintiffs by his estranged daughter. The files showed that Hofeller, who had been in touch with Census officials early in the Trump Administration, wrote a memo that said adding the citizenship question might help Republicans and white voters in subsequent redistricting decisions based on census data.

[In a statement](#) released after the Supreme Court’s ruling, CHN Executive Director Deborah Weinstein said Secretary Ross should give up on his efforts to include the citizenship question and instead focus on carrying out the Census Bureau’s plan to conduct the Census. “The Census Bureau should now move forward to ensure an accurate count with no more interference from the Secretary,” she said, adding that Ross “should follow the advice of the Census Bureau’s expert staff and drop his effort to add a citizenship question to the 2020 Census. The clock is ticking. It is time to focus on operational preparations and securing IT systems prior to the Census commencing.”

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### **House Committees Highlight the Importance of Public Benefits**

Multiple House committees have recently held several hearings highlighting the importance of public benefits in meeting the needs of low-income people and investigating the impact of cuts to these programs. On June 19, the House Budget Committee held a hearing titled, “[Poverty in America: Economic Realities of Struggling Families](#).” Witnesses included Rev. Dr. William J. Barber and others from the [Poor People’s Campaign](#). Rev. Dr. Barber, in his testimony, made the case that it is economically irresponsible for Congress not to comprehensively address poverty. Several other witnesses shared their personal experience with living in poverty.

On June 20, the House Agriculture Subcommittee on Nutrition, Oversight, and Department Operations held a [hearing](#) on a Trump Administration proposal to roll back states’ ability to tailor their SNAP/food stamps income and asset limits to help more low-income households. According to the [Food Research & Action Center](#), the option, known as “broad-based categorical eligibility” allows states to screen families

with gross incomes slightly above 130 percent of the poverty line to determine if their net incomes would make them eligible for SNAP benefits. According to the [Center on Budget and Policy Priorities](#), categorical eligibility has been a success for 20 years, and more than 40 states have adopted it to make SNAP more responsive to the needs of low-income families. While Congress has repeatedly rejected proposals to roll back the option, the Trump Administration has said it will try to implement the change through executive action.

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## **Two Pro-Labor, Pro-Union Bills Introduced**

Collective bargaining agreements are especially important in closing the gender and racial wage gaps. Two bills that would protect the rights of workers to organize have recently been introduced in Congress.

The [Public Service Freedom to Negotiate Act](#) (H.R. 3463/S. 1970) was introduced on June 25 by Rep. Matt Cartwright (D-PA) and Sen. Mazie Hirono (D-HI). Unlike private sector workers, there is currently no federal law that protects the freedom of public service workers to join together in a union and collectively bargain for fair wages, hours, and working conditions. This bill would set a minimum nationwide standard of collective bargaining rights that states must provide, giving public sector workers the same basic rights and freedoms enjoyed by workers in the private sector. The House Education and Labor Subcommittee on Health, Employment, Labor, and Pensions held a [hearing](#) on the bill on June 26.

In a [statement](#) praising the bill's introduction, Lee Saunders, President of the American Federation of State, County and Municipal Employees (AFSCME) said, "This legislation is about defending the freedom of public sector employees to form and join unions if they choose to do so. Public service workers show up every day to make our communities healthier, safer and stronger. It's time for elected officials to show up for them and give them the respect and voice on the job they deserve to negotiate for themselves and their communities." The bill is supported by CHN members AFSCME, the National Education Association, and the Service Employees International Union (SEIU), among others.

The [Protecting the Right to Organize \(PRO\) Act](#) (H.R. 2474/S.1306) was introduced in May by Rep. Bobby Scott (D-VA) and Sen. Patty Murray (D-WA). According to the [Economic Policy Institute](#), the bill would provide stronger and swifter remedies when employers in the private sector interfere with workers' rights to form a union and provide more freedom to organize without employer interference. The bill would also ensure unions can collect "[fair share](#)" fees from non-union members. In his testimony at a May hearing of the House Education and Labor Subcommittee on Health, Employment, Labor, and Pensions, Richard Trumpka, President of the AFL-CIO, said, "The PRO Act would do many important things, chief among them provide more substantial relief for workers whose rights have been violated...ensure a process for reaching a first contract once a union is recognized...and create a true deterrent, so employers think twice before violating the law."

## **Bill to Expand Tax Credits for Working Families Passes House Committee**

The House Ways and Means Committee on June 20 passed legislation that would expand and improve the Earned Income Tax Credit (EITC) and Child Tax Credit (CTC) for working families. The [Economic Mobility Act of 2019](#) (H.R. 3300) was introduced by Committee Chair Richard Neal (D-MA).

Among other improvements, the bill would, for the next two years, nearly triple the maximum EITC for workers who aren't raising children in their homes (the sole group that the federal tax code taxes into, or deeper into, poverty); make the credit available for people who aren't full-time students starting at age 19 up to age 66; and provide federal matching funds for Puerto Rico's new EITC and would provide similar matching funds for other U.S. territories. Additionally, the bill would, for the next two years, make the CTC fully refundable so children in households with little or no earnings will benefit from it. It would also introduce a new Young Child Tax Credit (YCTC) worth an additional \$1,000 for a child under age 4. The bill would also expand for two years the Child and Dependent Care Tax Credit, which subsidizes child care expenses, and make it refundable.

The [Center on Budget and Policy Priorities](#) estimates that the legislation would raise the after-tax income of 16 million childless adults. The bill's CTC changes would benefit more than 42 million children.

The Committee also passed several other bills on June 20, including ones that would increase federal funding for the Child Care and Development Block Grant (H.R. 3298); continue roughly 30 expired or soon-to-expire tax provisions (known as "tax extenders") and provide some tax benefits to victims of certain 2018 and 2019 natural disasters; and extend some tax benefits to same-sex married couples. As reported in the [June 17 Human Needs Report](#), another bill previously introduced in the House and Senate, the Working Families Tax Relief Act, would also expand and improve the EITC and CTC in multiple ways.

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**We appreciate your input.** Give us your thoughts on our *Human Needs Report* at [limbery@chn.org](mailto:limbery@chn.org).

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