



COALITION ON HUMAN NEEDS

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FY20 Spending Bills Passed with Mixed Outcomes for Human Needs Programs

After months of negotiations, uncertainties, and multiple stopgap spending measures, Congress finally passed a nearly \$1.4 trillion FY20 spending package to fund the federal government for the full fiscal year. President Trump is expected to sign the bill into law on Friday, Dec. 20. While topline spending

caps for discretionary (annually appropriated) defense and nondefense programs were agreed upon in a bipartisan budget deal passed by Congress earlier this year, the two “minibus” spending bills, which combined the 12 required appropriations bills covering all government agencies for the rest of the fiscal year in two packages, includes item-by-item spending details.

The spending package includes some wins for advocates and for the communities they fight for, while other parts of the package left advocates disappointed. As CHN noted in its [statement](#) released on Dec. 18, “The appropriations bills will provide important help to many Americans.... [But] there are also some bitter disappointments.” A summary of some of the highs and lows within the legislation follows by department.

For more information, see the following summaries of the spending package from the [Senate Appropriations Committee Majority](#), [Senate Appropriations Committee Minority](#), [House Appropriations Committee Majority](#), and [House Appropriations Committee Minority](#).

Department of Agriculture:

The package included many important increases for nutrition programs for low-income children and adults. The bill includes \$35 million for the **Summer EBT program** to benefit children when school is not in session. It also includes \$6 billion for the **Special Supplemental Nutrition for Women, Infants, and Children (WIC) program**, which according to the [National WIC Association](#) is sufficient to meet expected need based on current estimates, as well as full funding of \$90 million (an increase of \$30 million over FY19) for WIC’s Breastfeeding Peer Counselor Program. This is the first time since the program was expanded in 2010 that Congress has provided full funding for the program. The **Commodity Supplemental Food Program**, which distributes food boxes to low-income home-bound seniors, received \$245 million, an increase of \$22 million over FY19 levels; this program was proposed for elimination in President Trump’s budget.

Mandatory spending for **SNAP/food stamps** is included at a level of \$67.9 billion to cover all eligible participants. Due to declining enrollment, this is \$5.6 billion below FY19 levels. Language was included that would take steps in the right direction to help ensure SNAP payments are still available in the event of a future federal government shutdown. **Child Nutrition Programs** received \$23.6 billion in mandatory funding to fully fund the National School Lunch Program, School Breakfast Program, Summer Food Service Program, and Child and Adult Care Food Program, an increase of \$474 million over FY19 levels.

Department of Education:

Overall, the Department of Education is funded at \$72.8 billion, up \$1.3 billion from FY19 levels. Some programs within the Education Department that received increases include **K-12 Special Education (IDEA) programs**, which was increased by \$410 million to \$13.6 billion. **21st Century Community**

Learning Centers (afterschool programs) received a \$28 million bump to \$1.2 billion, despite the fact that President Trump's budget would have eliminated the program. **Title I grants** for low-income K-12 schools rose \$450 million to \$16.3 billion.

The **GEAR UP program**, which supports low-income students from high school into their first year of college (also slated for elimination in President Trump's budget), received a \$5 million bump to \$365 million. The federal **TRIO program**, which supports low-income, disabled, and first-generation college students, was funded at \$30 million over FY19 levels to \$1.1 billion. Maximum **Pell Grant** awards will be increased by \$150 to \$6,345 per recipient. For more information, see [this statement](#) from the National Education Association.

Department of Health and Human Services:

There were several important increases in the HHS department budget, with base funding of \$94.9 billion, an increase of \$4.4 billion above FY19. Funding for the **Child Care and Development Block Grant (CCDBG)** was increased by \$550 million to \$5.8 billion. This follows historic increases in FY18. **Head Start** funding was increased by \$550 million to \$10.6 billion. **Senior Nutrition programs** received an increase of \$30 million to \$937 million. The **Low Income Home Energy Assistance Program (LIHEAP)** received an increase of \$50 million over FY19 to \$3.7 billion; President Trump's budget had slated LIHEAP for elimination again this year. Despite the increase, funding for LIHEAP is still below FY10 levels. The **Community Services Block Grant**, which provides operating funds for community action programs nationwide, received a small \$15 million increase to \$740 million; this was another program proposed for termination in the Trump budget. Similarly, the Trump budget would have ended the **Social Services Block Grant**, which was level-funded at \$1.7 billion in the spending package.

Many child welfare programs funded through annual appropriations were also level-funded or received small increases. Child protective services state grants provided under the **Child Abuse Prevention and Treatment Act (CAPTA)** grew from \$85.3 million to \$90.1 million. **Adoption Incentive Grants** were level funded (at \$75 million), as was the **Promoting Safe and Stable Families program**, which received \$345 million.

Department of Homeland Security:

The Trump Administration had requested \$8.6 billion for **construction of a wall** along the U.S.-Mexico border, while advocates opposed any funding for the wall; the appropriations package provides \$1.375 billion, the same level as FY19, but provides greater flexibility on where a wall could be built. The package also allows President Trump to retain his authority to transfer funds from the Department of Defense to the wall, which advocates opposed, but it denied a Trump Administration request to backfill \$3.6 billion that is being diverted from military construction projects to finance the wall. A federal

district court in Texas recently issued a [permanent injunction](#) against shifting funds from military construction projects to the wall.

The spending deal also provides \$8.1 billion for **Immigration and Customs Enforcement**, \$494 million above FY19, and it allows the White House to later transfer more money to ICE for additional detention beds. The National Immigration Law Center opposed the provisions in the package, saying in a [statement](#) that the package “will ultimately allow this administration to continue to inflict widespread harm on immigrant communities and flagrantly abuse its power right under Congress’s nose.”

Department of Housing and Urban Development:

The spending package provides HUD programs with \$4.9 billion in funding over FY19 and \$12.4 billion above the President’s request for a total of \$49.1 billion. The spending bill renews all **Housing Choice Vouchers** and provides \$793 million to the **Section 202 Housing for the Elderly program**, a significant increase of \$115 million above FY19 levels. The bill provides \$12.6 billion to renew **project-based rental assistance** contracts for 2020, an increase of \$823 million more than in FY19. Advocates estimate this will be sufficient to renew all contracts. The bill includes \$229 million for the **Section 811 Housing for People with Disabilities program**, a slight increase from FY19.

The bill would increase funding for the **HOME program** by \$100 million to \$1.35 billion, and the **Community Development Block Grant program** grows to \$3.43 billion. President Trump had proposed to eliminate both programs. The **Choice Neighborhoods Initiative** saw a funding increase when compared to last year’s allocation, from \$150 million to \$175 million. The bill provides \$290 million to the **Office of Lead Hazard Control and Healthy Homes’** grants, a small \$11 million increase over FY19. **Public Housing Operating Funds** were cut modestly compared to FY19 levels.

According to the National Low Income Housing Coalition, House and Senate leaders also agreed to include stronger legislative language to force HUD to finally release critical disaster mitigation funds for Puerto Rico. Congress approved more than \$16 billion in mitigation funding for Puerto Rico nearly two years ago, but HUD has delayed releasing the aid. HUD has [ignored a congressionally mandated deadline](#) to release the funds by September of this year. Advocates were disappointed that the bill does not include language to prevent HUD from moving forward with harmful policy proposals to force mixed-status immigrant families to separate or face eviction from HUD-assisted housing. Nor does it include language to prevent shelters from discriminating against transgender and LGBT people experiencing homelessness. For more information, see [this piece](#) from the National Low Income Housing Coalition as well as their [updated budget chart](#).

Department of Labor:

Several important programs within the Department of Labor received modest increases as well, as the agency's budget was increased by \$291 million over FY19 to \$12.4 billion. **Job Corps** vocational training programs received \$25 million more than FY19, to \$1.7 billion. **Workforce Innovation and Opportunity Act grants**, which help people with barriers to work gain new skills and find employment, is funded at \$2.8 billion, \$30 million more than FY19. **Registered apprenticeship programs** received a \$15 million boost to \$175 billion. **Migrant and Seasonal Farmworkers programs** received a \$3 million increase to \$92 million; President Trump's budget eliminated this program.

Other areas of note:

The deal included the extension of many programs. **Medicaid funding for Puerto Rico and the territories** is extended for two years. It was reported that Congressional leaders on a bipartisan basis wanted a four-year extension, but President Trump objected. Funding for **Community Health Centers** and several other health care programs, as well as funding for the **Temporary Assistance for Needy Families (TANF) program**, was only extended through May 22, 2020; it is suggested that perhaps a deal on surprise medical bills and prescription drug costs could be wrapped up at this time.

For the first time in decades, the spending deal includes \$25 million to research **gun violence** at the Centers for Disease Control and Prevention and the National Institutes of Health. The deal also contains \$502.5 million, the highest funding level ever, for grants provided by the Office on **Violence Against Women**.

The bill included \$7.6 billion for the **Census Bureau**, \$3.7 billion higher than in FY19, the amount sought by census experts to ensure the department has the resources to carry out the 2020 Decennial Census. The **Legal Services Corporation**, which provides legal assistance for low-income people with housing, domestic violence, employment, consumer or other legal trouble, received a boost of \$25 million to \$440 million; President Trump's budget would have eliminated the program. The **Corporation for National and Community Service**, which runs programs including AmeriCorps, VISTA and Senior Corp, received a boost of \$21 million to \$1.1 billion; this program was also eliminated in Trump's budget.

The spending deal also included several **tax provisions**; see the related article in this *Human Needs Report* for more information.

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Year-end Tax Package Fails to Help Low-Income Families

Advocates were deeply disappointed that a tax package added on to the FY20 spending deal did not include provisions to help low-income families. Advocates had been pushing members of Congress to include improvements to the Earned Income Tax Credit (EITC) and the Child Tax Credit (CTC) to any tax package that passed this year. Instead, Congress added legislation to the FY20 spending package to

continue expired or soon-to-expire tax provisions largely benefiting businesses, and known as “tax extenders.” The spending deal also repealed three key taxes included in the 2010 Affordable Care Act: the so-called “Cadillac” tax on high-cost insurance plans, a tax on medical device manufacturers, and a tax on health insurers. In total, the tax package will cost \$426 billion over 10 years, according to Americans for Tax Fairness. As CHN said in a [statement](#), “The most basic fairness requires that if billions in extended or new tax reductions for businesses are included, the poorest children and workers should not be left out. But they were.”

The tax package did not include “technical corrections” to the 2017 Tax Cuts and Jobs Act that some businesses had been pushing for. This gives advocates hope that a deal on these corrections and improvements to the EITC and CTC can be reached in early 2020.

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Congress Passes Paid Parental Leave and Ban the Box Provisions for Federal Workers

Advocates applauded congressional passage of two provisions that will benefit federal workers and prospective employees. The first will give all federal civilian employees 12 weeks of paid leave for the birth, adoption, or fostering of a child. The benefit will apply to roughly 2 million employees. Federal workers currently have access to 12 weeks of unpaid leave through the Family and Medical Leave Act (FMLA). The National Partnership on Women and Families [said](#) the measure, “promotes economic justice for women and women of color.” The American Federation of State, County, and Municipal Employees (AFSCME) [called](#) the deal the “first major benefit expansion for federal workers since FMLA was enacted in 1993” and said it will continue to advocate for a broader paid leave law – including one that allows workers paid leave to care for other family members – for all workers.

The second provision will prohibit federal agencies and private-sector federal contractors from asking about job applicants’ arrest and conviction record until later in the hiring process. The National Employment Law Project (NELP), which has been involved in the “Ban the Box” campaign for years, said in a [statement](#), “By requiring employers to hold off on asking job applicants about their conviction records until after a conditional job offer has been made, more than 700,000 Americans will gain a fairer chance at finding employment and securing a better future for themselves and their families.”

The provisions were passed as part of the defense authorization compromise bill (known as the conference report), which is a broad package affecting defense and security policies. The bill cleared the House on Dec. 11, and the Senate passed the legislation on Dec. 17. President Trump is expected to sign the measure in the evening of Friday, December 20.

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Advocates Oppose Trump Administration Effort to Radically Increase Fees for Aspiring Citizens, Asylum Seekers, and DACA recipients; Comments due by Dec. 30

Last month, the U.S. Citizenship and Immigration Services (USCIS) [published a proposed rule](#) that would drastically raise the costs of vital immigration benefits while simultaneously reducing access to benefits for low-income and other vulnerable immigrants. It's the latest attack by the Trump Administration on the immigrant community.

The proposal would raise the cost of the naturalization fee a whopping 83 percent, from the current cost of \$640 to \$1,170. The cost for DACA renewals would increase in similar fashion, from \$495 to \$765.

More ominous is that the proposal would eliminate critical fee waivers for immigrants experiencing severe financial hardship. It would end a long-standing fee waiver program that has kept naturalization, green card renewals and other benefits accessible. These waivers historically have allowed qualifying, low-income and other vulnerable people to maintain their immigration status or take the next step to become a permanent resident or citizen. Terminating this program will put people at risk of potentially losing their documents and becoming subject to deportation.

Immigration advocates say the proposal would make it nearly impossible for low-income and working-class immigrants to apply for naturalization, preventing them from becoming fully integrated and participating members of society. They are urging organizations to submit comments to USCIS by Dec. 30.

You can download the Catholic Legal Immigration Network's template comment guide [here](#). The guide has background information on the proposed fee schedule and how to comment. It also includes template comments that organizations can customize according to their area of expertise. You can review the paragraphs in the template and pull any that are of particular interest to your organization into the main body of your letter, then customize the language to fit your own organization's position and experiences.

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House Vote Boosts Prospects for Immigrant Farmworkers

Undocumented farmworkers and their families could have a path to legal immigration status and citizenship if landmark legislation approved earlier this month by the House becomes law.

On a [260-165](#) vote, House members approved the Farm Workforce Modernization Act, which, if passed by the Senate and signed by President Trump, would be the first comprehensive agriculture reform legislation passed by Congress in more than three decades. 226 Democrats and 34 Republicans voted for the bill, while 161 Republicans, three Democrats and one independent opposed it. One Democrat voted present.

A path to immigration status for undocumented farmworkers is critically important to the country's food and agriculture system. A majority of the nation's 2.4 million farmworkers are undocumented and living in fear of deportation. With legal status and a path to citizenship, farmworkers would be better able to improve their wages and working conditions and challenge serious labor abuses. This would result in a more stable farm labor force, and greater food safety and security to the benefit of employers, workers, and consumers.

The legislation was the result of months of delicate negotiations between representatives of farmworkers and leaders of the agricultural industry. Although many agricultural groups backed the legislation, some – such as the powerful American Farm Bureau Federation – balked, saying it would result in higher labor costs as well as increased legal risk for employers. The bill's future in the Senate is uncertain.

Nonetheless, advocates praised the legislation as an extraordinary breakthrough.

“Achieving compromise on complex, polarizing labor-management and immigration issues was possible because of the wide recognition that farmworkers are essential to our nation's food and agriculture systems,” said Bruce Goldstein, President of Farmworker Justice. “Our nation's immigration system is broken and results in great unfairness, as over one-half of the 2.4 million people who labor on our farms and ranches to feed us are undocumented immigrants. This bill, despite shortcomings that are inevitable in any compromise, is a responsible effort to fix our broken immigration system and enable many farmworkers and their families to gain a greater measure of justice.”

The House bill was sponsored by Reps. Zoe Lofgren (D-CA) and Dan Newhouse (R-WA). The compromise measure includes important new protections for immigrant farmworkers, such as granting them the same legal protections that U.S. farmworkers have.

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5th Circuit Panel Voids ACA Individual Mandate – but Not the Law's Protections; Future of Case Uncertain

A three-judge panel of the 5th Circuit Court of Appeals on Wednesday struck down the individual mandate included in the Affordable Care Act. The [2-1 ruling](#) raised more questions than it answered, but guarantees that the ACA will remain a potent political issue for some time to come.

The panel, consisting of two judges appointed by Republican presidents and one judge appointed by a Democrat, dodged the issue of “severability,” which involves whether the entire body of the ACA can be struck down after Congress removed the penalty for not having health insurance in its sweeping 2017 tax legislation. If a future court says the ACA can be struck down, then such provisions as guarantees against denying coverage for pre-existing conditions and bans on a lifetime cap on receiving benefits would be in danger – potentially affecting millions of Americans, to say nothing of those who benefited from Medicaid expansion.

Instead, the court remanded the case back to a conservative federal district judge in Texas who has been a harsh critic of the ACA. The court – in a minor but notable chastisement – instructed the judge to employ a “fine-tooth comb” in ascertaining which parts of the ACA should be stricken beyond the individual mandate, if any.

According to media reports, California Attorney General Xavier Becerra, who is leading a coalition of 20 states plus D.C. in defending the law, has indicated that they probably will ask the U.S. Supreme Court for an expedited review of the 5th Circuit’s ruling. A brief requesting such a review would have to be filed in fairly short order in order for the case to have any chance of appearing on the Supreme Court’s docket this term. If the high court declines to hear the case this term, it likely will not be decided until after the November 2020 election.

“It’s time to get rid of the uncertainty,” Becerra [told Politico](#). “In many respects, many of us believe that this is a merry-go-around. The last thing Americans need is to have their security and the health of their kids depend on these circular arguments that are going around.”

“The rule of law demands a careful, precise explanation of whether the provisions of the ACA are affected by the constitutionality of the individual mandate as it exists today,” read the two-judge majority opinion.

But the appeals court dodged the question of whether the ACA’s protections, such as pre-existing conditions, should be struck down. *Politico* noted that the ruling came just hours after the latest ACA enrollment period ended, and that the decision does not interrupt coverage for anyone covered through the ACA’s insurance marketplaces or Medicare expansion.

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Bill to Lower Prescription Drug Costs Passes House

The House on Dec. 5 passed ([230-192](#)) legislation to lower the cost of prescription drugs. Two Republicans joined all Democrats in supporting H.R. 3, the Elijah E. Cummings Lower Drug Costs Now Act. The bill would allow Medicare to negotiate prescription drug prices, and those negotiated prices would be available to Americans with private insurance as well. It would levy steep taxes on drug manufacturers who refuse to accept a Medicare price keyed to what’s paid in other economically advanced countries. It would also create a new \$2,000 out-of-pocket limit on prescription drug costs for Medicare beneficiaries. In addition, the bill would expand the Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) and tribal home visiting programs.

[Families USA](#) called the bill “the most significant step Congress has taken to combat high prescription drug prices.” Savings generated from the bill would be used to expand Medicare benefits to cover dental, vision, and hearing and, according to the [Child Welfare League of America](#), to pay for important

provisions related to child welfare, foster care, and home visiting programs. The bill is likely to die in the Senate, however, and the White House has issued a [veto threat](#) against it.

The White House has, however, [indicated its support](#) for a Senate bill also intended to lower drug prices. Sponsored by Sen. Ron Wyden (D-OR) and Sen. Chuck Grassley (R-IA), the Prescription Drug Pricing Reduction Act (S. 2543) previously passed the Senate Finance Committee with support from both Republicans and Democrats. The Senate bill does not grant Medicare negotiating power, but it would limit what seniors have to pay out of their own pockets for prescription drugs. It also would require drug companies to pay rebates to Medicare if they hike prices beyond the inflation rate.

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House Members Announce They Will Sue USDA Over Final Rule to Deny SNAP to Nearly 700,000 Poor People

Many members of Congress joined with anti-hunger advocates on December 19 to stand outside the U.S. Department of Agriculture's offices to voice strong opposition to USDA's recently announced final rule expected to result in close to 700,000 poor individuals losing SNAP assistance. The rule significantly restricts states' authority to waive the harsh time limit imposed on individuals without dependents. The rule is contrary to the intent of Congress, which rejected these restrictions in the bipartisan farm bill passed in 2018.

Members of Congress speaking passionately against the USDA rule included Rep. Marcia Fudge (D-OH), Chair of the Nutrition, Oversight, and Department Operations Subcommittee of the House Agriculture Committee, and many members of the Congressional Black Caucus. Also speaking was Rep. Jim McGovern (D-MA), a member of this subcommittee and also Chair of the House Rules Committee. He announced that Congress had included legislative language giving it the right to sue USDA if it imposed restrictions such as this new rule, and that they would pursue such a lawsuit.

Anti-hunger champions including Jim Weill, President of the Food Research & Action Center (FRAC) and Sr. Simone Campbell, Executive Director of NETWORK Lobby for Catholic Social Justice, also spoke against the final rule, which unless stopped in court or by Congress will take effect on April 1. For more information, see FRAC's [website](#).

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