



COALITION ON HUMAN NEEDS

The Human Needs Report

October 26, 2021

IN THIS EDITION:

BUDGET & APPROPRIATIONS:

[Negotiations Continue on Build Back Better Package and Bipartisan Infrastructure Bill](#)

[Senate Democrats' FY22 Spending Bills Released](#)

SOCIAL & ECONOMIC JUSTICE:

[Senate Republicans Block Voting Rights Bill](#)

Subscribe to our blog, [Voices for Human Needs](#), and follow the Coalition on Human Needs on [Facebook](#), [Twitter](#), and [Instagram](#) for the latest information. Visit our [Events and Trainings page](#) for upcoming conferences, briefings, and meetings and our [job announcements page](#) for employment opportunities.

Negotiations Continue on Build Back Better Package and Bipartisan Infrastructure Bill

Democrats in Congress continue to negotiate among themselves and with President Biden to try to reach a deal on a Build Back Better package that can secure all 50 Democratic and Independent votes in the Senate. The Senate package is expected to be dramatically scaled back – by as much as half of the total investments included in the House bill – resulting in program benefits being cut in scope, shortened in length, and/or eliminated altogether. The cuts come largely from the need to garner support from Sens. Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) who have insisted on reducing the size of the bill. Even with these reductions, the final bill will make major investments likely to reduce child poverty by 40 percent, expand access to health care, create millions of jobs, and promote broadly shared economic security.

House Speaker Nancy Pelosi (D-CA) had set an informal deadline of Oct. 31 to vote on both a negotiated Build Back Better package and the separate bipartisan infrastructure bill, since the authorization for federal highway funding (included in the infrastructure package) expires the same day. It is unclear, however, if they will be able to meet that deadline for voting on both packages. Progressive House members have insisted that the Build Back Better provisions need to be agreed to by the Senate, at least in detailed negotiations if not yet a vote, before taking up the bipartisan infrastructure bill.

At this writing, below are just a few of the possible compromises being negotiated in the Senate Build Back Better package:

Health care: The Senate bill will likely not fully expand Medicare to include vision, dental, and hearing benefits because of objections from Sens. Manchin and Sinema, though President Biden suggested it may include \$800 vouchers to help pay for dental care, and Sen. Sinema has expressed an interest in some form of hearing coverage. Sen. Sinema has also objected to allowing the government to negotiate lower prescription drug prices, but some form of prescription drug negotiations appear to be under consideration. It seems possible that the bill will include provisions to close the Medicaid coverage gap by providing a pathway to coverage for more than 2 million low-income people in the 12 states that haven't expanded Medicaid under the Affordable Care Act (ACA), but they are likely to last several years rather than being made permanent. Also uncertain is the increase it will provide for Medicaid home- and community-based services (HCBS); the House bill would provide \$190 billion over 10 years, while the Biden plan called for \$400 billion over eight years; there were reports that funding of over \$200 billion would be included.

Child care and paid leave: The Senate-negotiated bill could provide just four weeks of paid family and medical leave for all U.S. workers, down from 12 weeks in the House bill. Sen. Manchin has said this benefit should have an income cap tied to it. Advocates are pushing back, noting that additional paperwork involved with receiving benefits means fewer people who really need the benefit will receive it. They also note that the benefits are already scaled, with a higher portion of earnings replacement for the lowest income earners. At this point, it appears as though free universal preschool free for 3- and 4-year-olds will remain in the bill.

Low-income tax credits: The Senate bill may extend the American Rescue Plan's Child Tax Credit (CTC) increase (to \$3,000-\$3,600 per child) for 1 year, rather than to 2025 as provided in the House bill and [Biden plan](#), but it will likely ensure children in the poorest families will be able to claim the full CTC on a permanent basis. While Sen. Manchin and some Republicans have called for a work requirement to be added to the Child Tax Credit, advocates adamantly oppose this, and President Biden expressly opposed a work requirement in his recent town hall in Baltimore. It is unclear if the negotiated package will retain House provisions that allow immigrant children with Individual Taxpayer Identification Numbers (ITINs) to qualify for the CTC again or make permanent the Earned Income Tax Credit (EITC) increase for people without dependents.

Housing: The Senate package is expected to significantly cut the [\\$327 billion in affordable housing](#) included in the House bill, possibly down to \$100 billion or less, though there is a major push for funding for rental vouchers, public housing maintenance and the Housing Trust Fund to be about \$200 billion. The House investments would [sharply cut](#) homelessness and housing instability.

Immigration reform/citizenship: Democrats are preparing a third proposal after the Senate Parliamentarian twice ruled that a pathway to citizenship cannot be pursued under the special rules of the reconciliation process, which is being used to allow the Build Back Better legislation to be enacted with only a simple majority in the Senate. This "Plan C" would provide five-year work permits and deportation protection to undocumented immigrants who have lived in the U.S. for at least a decade. Some are urging the Democratic leadership in the Senate to overturn the Parliamentarian's recommendation if no version of immigration reform is approved for inclusion in the reconciliation bill.

The House proposal included a pathway to citizenship for Dreamers, people with Temporary Protected Status, and essential workers, including farm workers.

Hunger/food and nutrition: The House bill invests nearly [\\$35 billion](#) in additional funding for Child Nutrition Programs; expands the number of schools that would be able to offer free meals to all students, helping nearly 9 million students; extends Summer EBT nationwide for students who receive free or reduced-price school meals; and provides funding to increase access to healthier foods. Anti-hunger advocates are continuing to press for no less than these provisions, and the final outcome remains uncertain.

Climate and the environment: The \$150 billion in the House bill for a Clean Electricity Performance Program that would require utility companies to use more sustainable fuel sources is likely out of the Senate package due to objections from Sen. Manchin. Negotiators are seeking agreement on alternative measures that would help the U.S. meet emissions goals. President Biden wants to be able to announce forward movement on this at the Glasgow climate summit starting this coming weekend.

Tax justice/fair revenues: Sen. Sinema said she opposes any increases in tax rates for corporations or the wealthy, killing for now the Democrats' hopes of rolling back the 2017 Trump tax cuts, which included rate reductions. This was a key component of how the Democrats planned to pay for the package, putting more programs on the chopping block. However, Senate Finance Committee Chair Ron Wyden (D-OR) has developed a billionaires' income tax proposal, which would raise about \$250 billion through taxes on holdings such as stocks, art, or property. It would target 700 billionaires and those earning \$100 million a year for three years in a row. This new tax has been okayed by Sens. Sinema and Manchin. Other revenues have to be finalized, but there is optimism that negotiators will be able to assemble a package big enough to cover the cost of the Build Back Better investments.

Education: While the Senate bill is expected to provide free preschool for all 3- and 4-year-olds over a 10-year period, it likely will not provide two years of free community college as President Biden wanted. Instead, there may be an increase in Pell grants (college aid targeted to students with low/moderate incomes).

For more information about what is in the House version of the Build Back Better Act, see [the October 11 Human Need Report](#).

Advocates continue to fight to include in the Build Back Better package as much as possible of the major advances approved in House committees, insisting that the more comprehensive House bill is needed now more than ever. They also note, however, that even with proposed cuts, a negotiated smaller package could still mean historic investment in many areas and could still significantly reduce poverty.

[Return to Top](#)

Senate Democrats' FY22 Spending Bills Released

On October 18, Senate Democrats released their remaining nine FY22 spending bills. The Senate bills would increase spending on non-defense (domestic and international) discretionary programs, also known as NDD, by roughly [13 percent](#) over FY21 levels. Most education and housing programs fall into this category, plus many social service, public health, veterans' services, criminal justice, homeland security, environmental and community development programs. Funding for defense programs would increase by roughly 5 percent over FY21 in the Senate FY22 spending bills.

These numbers differ from the House bills, which would increase NDD spending by roughly 16 percent and increase defense spending by roughly 2 percent over FY21. The increases in the House bills closely align with the increases called for in [President Biden's FY22 budget request](#). Republicans have called for "parity," or equal increases for both defense and nondefense. The FY22 spending bills are the first ones in a decade that are not limited by the low spending caps for discretionary (annually-appropriated) programs previously required by the Budget Control Act.

According to the [Senate Appropriations Committee](#), the Senate Labor – Health and Human Services – Education (Labor-H) spending bill would provide \$33.1 billion for **Title I grants** to high-poverty schools, up \$16.6 billion over FY21. This would be the largest increase in the program's history, but it is short of the \$36 billion the House bill and president's budget would provide. The bill would also boost the maximum **Pell Grant** amount by \$400, matching an increase in Biden's request and the House bill. **Minority-serving institutions**, including historically Black colleges and universities, tribal colleges and Hispanic-serving institutions, would receive \$1.1 billion, a \$295 million increase from current funding; the president's proposal increased this by \$600 million. Funding for federal **TRIO programs** would increase \$186 million over FY21, shy of the \$201 million increase in the House bill. The bill did not contain a provision in the House bill and president's budget to allow Deferred Action for Childhood Arrivals (DACA) participants to receive Pell Grants.

Among the Department of Health and Human Services programs, the Senate bill provides \$9.73 billion for the **Centers for Disease Control** (CDC), \$1.8 billion more than last year's funding, but about \$900 million less than the House has proposed. Both Senate and House have proposed \$153 million for programs related to **Social Determinants of Health**, a substantial \$150 million increase over last year's start-up funding. The Senate Democratic appropriators are proposing \$32.3 billion for all the **Administration for Children and Families** programs, \$1 billion more than the House version, and more than \$5 billion higher than last year. That includes \$7.3 billion for the **Child Care and Development Block Grant**, about \$100 million less than the House bill. (These annual appropriations are in addition to the new child care funding expected to be approved over the next decade through the Build Back Better legislation; see the Build Back Better article elsewhere in this edition). **Head Start** receives \$11.9 billion in the Senate proposal, \$300 million less than the House version; both are higher than last year's funding.

The **Substance Abuse and Mental Health Services Administration (SAMHSA)** is funded at \$9.1 billion in the Senate bill, short of the House's \$9.16 billion but more than \$3 billion higher than last year's

funding, in response to the continued alarming levels of substance use disorders as well as increasing need for mental health related to the pandemic.

The Senate bill significantly increases funding for the **Office of Refugee Resettlement** under HHS, with \$6 billion (\$4.1 billion over last year's funding and \$1.4 billion more than the House bill provides). The largest share of these funds is for **Unaccompanied Children** (funded at \$4.9 billion in the Senate bill, about \$1.5 billion more than the House), intended to respond to the large influx of migrants at our Southern border.

The Senate Labor-H bill would also provide \$278.7 million for the Department of Labor's **Wage and Hour Division** to help enforce laws surrounding issues like the federal minimum wage and overtime pay, and \$120 million for **YouthBuild** – up \$24 million over FY21, but \$25 million less than the House bill and president's budget. The Senate bill includes \$3.9 billion for the **Low Income Home Energy Assistance Program (LIHEAP)**, which provides heating and cooling assistance to about 6 million low-income households; this is an increase of \$175 million over FY21 and roughly \$50 million more than the House bill. Similar to the House bill, the **Community Services Block Grant (CSBG)**, which provides operating expenses for roughly 1,100 poverty-fighting community action agencies, would receive \$800 million in the Senate bill, up \$24.7 million over FY21 and up \$46 million over the president's budget.

According to the [National Low Income Housing Coalition](#), the Senate Transportation – Housing and Urban Development (THUD) spending bill provides critical funding for affordable housing programs at levels greater than FY21, but unfortunately does not include the major expansion of **rental assistance** proposed by both President Biden and the House. The House bill would expand rental assistance to 125,000 additional households, while President Biden requested expanding the program to serve 200,000 additional households. The Senate bill likely provides enough funding to renew all existing contracts provided through **Housing Choice Vouchers and Project-Based Rental Assistance** but does not include expanded rental assistance. The Senate bill calls for \$3.8 billion for the **public housing capital fund**, an increase of \$852 million over the FY21 enacted level, \$76 million more than what was provided in the House bill, and \$116 million more than the president's request. The Senate bill proposes funding the **HOME Investment Partnerships Program (HOME)** at \$1.45 billion, \$400 million less than the House proposal and president's request, but \$100 million above FY21 enacted levels. It would also provide \$227 million to support affordable, accessible **housing for people with disabilities**; this amount is same amount enacted for FY21 and is \$125 million less than provided in the House bill and \$45 million less than the president's request. For more details on the Senate HUD proposal and how it differs from the House and Biden proposals, see NLIHC's [budget chart](#) and [full analysis](#).

Similar to the House bill, the Senate Defense Department spending bill would do away with separate funding for the previously uncapped and controversial **Overseas Contingency Operations (OCO)** account and instead roll this money into the base defense funding. Both House and Senate spending bills for the Department of Homeland Security would rescind \$1.9 billion in previous **border wall funding**. For more information, see a topline summary and a summary of each bill from the [Senate Appropriations Committee](#).

At first glance, Senate Dems seem to spend \$30 billion less than their House counterparts on NDD programs. However, Senators used a few different accounting tactics that lessen the actual difference in spending in the two chambers. In the Labor-H bill, for example, the Senate's base allocation appears to be nearly \$17 billion below the House's. However, according to **CQ**, the Senate bill would reclaim more unspent dollars from the Children's Health Insurance Program than the House bill. This practice of using savings from mandatory programs to boost discretionary spending, known as Changes in Mandatory Programs or CHIMPs, means that the actual difference between the two FY22 Labor-H bills would be roughly \$7 billion, and that the Senate bill would provide a nearly 25 percent increase over FY21 for programs in its jurisdiction. CHIMPs have been used in the past to loosen spending caps for domestic programs. Senate Dems also used a special "cap adjustment" to exempt \$7.6 billion in veterans' private medical care funding that will not count against the regular budget allocation. Taking cap adjustments and CHIMPs into account, the difference in total nondefense spending between the House and Senate shrinks from \$30 billion to just \$13 billion.

To date, the House has passed nine of its 12 spending bills, including [seven](#) that were bundled together and passed – along party lines – in July. The Senate Appropriations Committee earlier approved three bills but hasn't yet reached agreement on how to divide funding among all the subcommittees (known as the 302(b) allocations). The Committee has an even number of Republicans and Democrats, so needs some bipartisan agreement to approve bills in committee. The Committee is not expected to take up the nine newly-released bills, though Committee Chair Patrick Leahy (D-VT) has said he would like to see them get a floor vote.

However, appropriations bills need 60 votes – and therefore Republican support – to pass in the Senate. As Republicans oppose the higher nondefense and lower defense funding levels used in the House and Senate bills, Democratic and Republican leaders will need to agree on both topline funding levels and subcommittee allocations to get appropriations bills passed. The Senate bills may therefore serve more as a starting point for these negotiations. Agreements would have to happen within the coming weeks if Congress is going to be able to pass all 12 FY22 spending bills before the current stopgap spending bill, known as a Continuing Resolution or CR, expires Dec. 3. If this doesn't happen, another CR would be needed come Dec. 3.

Because Congress is consumed with the Build Back Better and infrastructure package, FY22 appropriations bills could get pushed off until the new year. However, advocates warn that additional stopgap bills mean lost opportunity to increase badly needed funding levels for human needs programs for this fiscal year. Under a CR, most government agencies and programs see flat funding levels from FY21 spending bills, which were enacted under President Trump.

There is some talk that Senate appropriators could try to come to agreement on two years' worth of topline spending levels rather than just for this year, similar to budget cap deals Congress has made many times in the past.

[Return to Top](#)

Senate Republicans Block Voting Rights Bill

Republican Senators on Oct. 20 blocked a voting rights and election reform bill. Sixty votes were needed to overcome a procedural hurdle that would have allowed Senators to move forward with the bill, but not a single Republican supported advancing the measure.

The Freedom to Vote Act (S. 2747) would set national standards for early voting and voting by mail, set standards for states that require voter identification, end partisan gerrymandering, limit the influence of dark money so that billionaires can't buy elections, and make Election Day a national holiday. The bill is in part a response to Republican state legislatures that have this year enacted [multiple bills to restrict access to voting](#), disproportionately affecting people of color, and making it easier to challenge election results. It was scaled back from the House-passed For the People Act, which was opposed by Sen. Joe Manchin (D-WV), to try to gain his support and that of Republicans. Senate Majority Leader Chuck Schumer (D-NY) said he may bring up the narrower John Lewis Voting Rights Act for a floor vote soon.

Some advocates have supported abolishing the filibuster or reforming it to allow certain bills, like voting rights legislation, to pass with only a simple majority instead of the 60-vote supermajority required for most legislation. But Sen. Manchin has repeatedly said he opposes changes to filibuster rules. It would take 50 votes plus Vice President Harris's tie-breaker to modify the filibuster; with no anticipated Republican support, the loss of one Democratic or Independent senator would sink the effort.

[Return to Top](#)

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