Minority Views – Budget Views and Estimates for Fiscal Year 2019
Committee on Education and the Workforce
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The House Committee on Education and the Workforce Democrats are pleased to submit our Minority Views and Estimates on the Fiscal Year 2019 budget. To finance $1.5 trillion in tax cuts that largely benefit mostly the wealthiest Americans and corporations, the Trump Administration's FY19 budget proposal disinvests in education, slashes support for individuals with disabilities, undermines the workforce and their health care, and does nothing to create good-paying jobs. Committee Democrats urge the Majority to reject this approach and instead advance a budget that values child care and quality early learning programs, robust opportunities for education and training, good-paying jobs, safe workplaces, strong civil rights enforcement, affordable health care, and a secure and dignified retirement. Additionally, the failure of the Republican-led Congress to resolve the FY18 appropriations process has resulted in five continuing resolutions and two government shut-downs. This ineffective governance limits the planning and operation of Federal agencies to carry out key programmatic functions to provide for the "general welfare" of the American public.[1] Committee Democrats urge the Majority to break this cycle of dysfunction and work in a bipartisan manner to responsibly address pressing issues confronting our country.

EDUCATION: The Administration proposes $63.1 billion in discretionary spending for FY19, a decrease of $3.8 billion, or 5.6%, from the FY17 enacted level.[2]

Early Childhood Education. The FY 2014-2015 and FY 2016-2017 bipartisan budget agreements recognized the importance of quality early care and education for children from low-income families by increasing funding for preschool, child care, and voluntary home visitation programs, as well as by investing in Preschool Development Grants (PDGs) and expanding Early Head Start-Child Care Partnerships. However, the Administration's proposed FY19 Department of Health and Human Services (HHS) budget request ignores the bipartisan budget agreements and denies critical program support to ensure that all of our youngest learners start kindergarten ready to succeed.

- ***Preschool Development Grant Program (PDG):*** The Administration proposes PDG program elimination, which was funded at $250 million in FY17. Committee Democrats support the restoration of the $250 million for PDGs so that additional states may receive grants to create or expand high-quality early learning opportunities.

- ***Head Start:*** Currently, less than 5% of children eligible for Early Head Start are able to enroll due to limited funding.[3] The Administration's FY19 budget proposes a nominal increase of $9.275 billion for Head Start, or merely 0.2% from the FY17 enacted level. This amount is not sufficient to provide a cost of living adjustment for grantees or the

[1] Article I, Section 8 of the United States Constitution
[2] Since the approval of the fifth continuing resolution on February 9, 2018, the Administration modified their proposed budget (originally a decrease of $7.1 billion, or more than 10%) to add back $3.3 billion, allocated amongst the Administration's top priorities.
[3] Center for Law and Social Policy, *Disparate Access Head Start and CCDBG Data by Race and Ethnicity*, February 2016, https://www.clasp.org/sites/default/files/public/resources-and-publications/publication-1/Disparate-Access.pdf.

quality improvement funds needed to ensure that all providers can operate full-day, full-year by 2022 as required under law. Committee Democrats support significant increases for Head Start and Early Head Start in order to support full-day, full-year Head Start programs and increase enrollment of infants and toddlers. Democrats urged appropriators to enact at least $10 billion in Head Start and Early Head Start funding for FY18, which would be approximately $750 million above the FY17 enacted level.

- ***Child Care:*** Currently, only one in six children eligible for the Child Care and Development Block Grant (CCDBG) is able to receive services because of funding shortages.[4] Although the Administration proposes $3 billion, or $150 million above the FY17 enacted level for CCDBG, it also proposes cuts to Temporary Assistance for Needy Families (TANF) and elimination of the Social Services Block Grant, both of which transfer funding into states' CCDBG programs. Committee Democrats oppose this budget gimmick since it would have the effect of erasing the impact of any additional CCDBG funds and would result in less Federal funding available for child care.

K-12 Education. Today's global, information-driven economy demands a high-quality developmental K-12 education system if the U.S. is to maintain its standing in the global economy. More than half of the approximately 50 million students enrolled in public schools come from low-income households,[5] making Federal funding to support state and local investment critical. In the 114th Congress, Committee Democrats pressed for the passage of a bipartisan effort to reauthorize the Elementary and Secondary Education Act (ESEA) our nation's primary K-12 education law – the Every Student Succeeds Act (ESSA) (P.L. 114-95). However, Congress continually fails to adequately fund programs to ensure that our children graduate with the knowledge and skills needed for college and career, jeopardizing educational opportunity for millions of students. The proposed FY19 budget guts vital Federal investment in education programs, including the elimination of seventeen K-12 programs totaling $4.4 billion, including priority programs such as Title II-A to support teacher professional development, Title IV-B for afterschool programs, Title IV-A to provide student support and academic enrichment grants, and Promise Neighborhoods. Democrats oppose all proposed cuts to ESEA programs and urge significantly increased investment, commensurate with increasing enrollment and student poverty levels nationwide.

- ***Private School Vouchers:*** The Administration proposes $1 billion for a new Opportunity Grants program, for which there is no current budget authority. Committee Democrats oppose any effort by Congressional Republicans or the Trump Administration to use the FY19 budget and appropriations process to divert public funds to unaccountable private schools that are free to discriminate against student and parents. Committee Democrats support public funds for public schools.

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[4] National Women's Law Center, *Child Care for All Families that Need It*, February 2017, https://nwlc.org/wp-content/uploads/2017/02/Child-Care-For-All-Families-That-Need-It.pdf.

[5] Southern Education Foundation, *A New Majority Low Income Students Now a Majority in the Nation's Public Schools*, January 2015, http://www.southerneducation.org/getattachment/4ac62e27-5260-47a5-9d02-14896ec3a531/A-New-Majority-2015-Update-Low-Income-Students-Now.aspx.

- ***Title I*-A:** The Administration proposes $15.4 billion for FY19, an amount equal to the enacted FY17 level, for Title I-A grants to support low-income and other at risk children. The proposed level fails to account for inflationary adjustments necessary to maintain state and local educational agency allocations. The Administration also proposes increasing the Title I-A state-level direct student services reservation from 3% to 5%. Committee Democrats oppose this proposed change because it would likely result in public funding to for-profit companies, in combination with the inadequate funding level, it would result in cuts to Title I-A grants for school districts.

- ***Title II-A:*** The Administration proposes program elimination for FY19, which was funded at $2.1 billion in FY17. Title II-A support professional development and support for educators. Committee Democrats oppose this proposed program elimination.

- ***Title III:*** The Administration proposes $737 million for FY19, an amount equal to the enacted FY17 level that fails to account for inflationary adjustments. Title III funding supports ESSA's goal to help meet the unique needs of English learners. Committee Democrats oppose the proposed level because it would result in decreased Title III grants for school districts.

- ***Title IV-A:*** The Administration proposes program elimination for FY19, despite the bipartisan program authorization level of more than $1.6 billion. Committee Democrats urge full funding of the newly-authorized Title IV-A, the Student Success and Academic Enrichment grant program, in order to provide access to critical supports to ensure that students are safe, healthy, and have access to a well-rounded educational experience.

- ***21st Century Community Learning Centers:*** The Administration proposes program elimination for FY19. In FY17, the 21st Century Community Learning Centers program received $1.2 billion. This program supports before-school, after-school, and summer school programs that provide academic enrichment opportunities for nearly 2 million students. Committee Democrats oppose the proposed program elimination.

- ***Charter School Program(CSP):*** The Administration's FY19 budget proposes $500 million for the Charter School Program, a 46% increase above the FY 17 enacted level, and an amount 67% above the authorized level for FY17. Committee Democrats oppose this proposed funding level for CSP due to the Administration's lack of funding increases for ESEA Titles I-A and III; proposed elimination of ESEA Titles II-A, IV-A, and IV-B; and lack of commensurate increase in the funding level for the Magnet Schools Assistance Program.

- ***Magnet School Assistance Program***: The Administration's FY19 budget proposes $98 million for the Magnet Schools Assistance Program, an amount equal to the enacted FY17 level. Committee Democrats support the creation and expansion of quality magnet schools as a means of public school choice that reduces racial and socioeconomic segregation and urge an increase in funding commensurate to the proposed funding increase for the Charter School Program.

- ***Impact Aid:*** The Administration proposes a $69 million cut for FY19, a 5% decrease below the enacted FY17 level. The Impact Aid program provides necessary Federal support to school districts serving Federally connected children, such as military children. Committee Democrats oppose this proposed funding cut.

- ***School Infrastructure:*** Committee Democrats note the absence of Federal funds to support school modernization and infrastructure needs in the Administration's FY19 budget proposal. Democrats support $100 billion for public schools in FY19 as part of any Federal investment in national infrastructure.

Career and Technical Education (CTE). The Administration's FY19 budget requests $1.14 billion for career and technical education (CTE), a 2% increase above the enacted FY17 level. While Committee Democrats commend any increase in funding for CTE programs, the increase should not be at the expense of other educational pathways. Students must have access to a variety of pathways that may include higher education or a post-secondary credential in the workforce. CTE provides students opportunities for college and career, thus it should not be funded at the expense of Federal support for students entering higher education or by cuts to programs that help vulnerable populations succeed post-high school.

Higher Education. Despite improvements in high school graduation and college enrollment rates for low-income and minority students,[6] college remains out of reach for too many students. The cost of a quality postsecondary degree has skyrocketed,[7] leaving millions more reliant than ever before on Federal student aid. Despite this sobering reality and defying logic, the Administration's FY19 budget would make college more expensive for students and families.

- ***Pell Grants***: The Administration proposes $22.475 billion for the Federal Pell Grant Program, an amount equal to FY17 enacted funding. This amount is reflective of no increase in the maximum Pell Grant, which in 2016-17 covered just 29% of the average cost of attendance at a public four-year university. The Administration instead proposes legislative authority to make Pell Grants eligible to fund "high-quality short-term programs". This language mirrors the Committee Republicans' proposal to expand Pell to short-term certificate programs in H.R. 4508, a bill to reauthorize the Higher Education Act. Committee Democrats oppose this, believing any expansion of Pell into short-term programs must be accompanied by both increased investment in the program, and strong quality benchmarks to ensure these programs meet the needs of students and employers.

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[6] National Center for Education Statistics, *Percentage of recent high school completers enrolled in college, by income level 1975 through 2016* (Table 302.30), https://nces.ed.gov/programs/digest/d17/tables/dt17_302.30.asp; National Center for Education Statistics, *Percentage of recent high school completers enrolled in college, by race/ethnicity 1960 through 2016* (Table 302.20), https://nces.ed.gov/programs/digest/d17/tables/dt17_302.30.asp.

[7] College Board, *Trends in College Pricing. Average Tuition and Fees and Room and Board (Enrollment-Weighted) in Current Dollars and in 2017 Dollars, 1971-72 to 2017-18* (Table 2), https://trends.collegeboard.org/college-pricing/figures-tables/tuition-fees-room-and-board-over-time.

- ***Federal Student Loans:*** The Administration's FY19 request proposes several changes to the Federal student loan portfolio that would cut Federal student aid by $203 billion over 10 years, making college more expensive for students and families. Notable changes include proposals to:
    - *Consolidate income-driven repayment (IDR) plans:* IDR plans were created to allow individuals to pay their student loans based on what they can afford. The Administration's proposal would consolidate the existing five IDR plans into one less generous plan that uses a higher discretionary income to calculate a borrower's monthly payment. Committee Democrats oppose the creation of a less generous IDR plan that would eliminate $128.4 billion in mandatory Federal student aid funds over 10 years.
    - *Eliminate Public Service Loan Forgiveness (PSLF):* PSLF encourages college graduates to pursue careers in public service by forgiving remaining student loan balances after 10 years of on-time payments. Democrats oppose this program elimination that would cut $45.9 billion in mandatory student aid funds over 10 years.
    - *Eliminate Subsidized Direct Loans:* Subsidized loans are low-interest student loans that defer interest accumulation on the loan balance until after graduation. More than six million student borrowers receive subsidized loans every year. Democrats oppose the elimination of subsidized loans because it would cut $28.6 billion in mandatory student aid funds over 10 years.
    - *Mandate Use of Fair Value Accounting:* Committee Democrats oppose any proposal from Congressional Republicans or the Trump Administration to mandate the use of the "fair value accounting" method for Federal student loans. Put forth for consideration in the President's Analytical Perspectives document,[8] the fair value accounting approach would misrepresent the cost of the Federal student loan program. Under fair-value accounting, agencies would be required to assume that loan programs incur artificially high costs, ignoring Treasury's ability to borrow at low rates. These exaggerated cost estimates could then easily serve as a pretext for scaling back the loan program. The Office of Management and Budget has long-opposed efforts to use fair value accounting instead of the current approach under the Federal Credit Reform Act. Further, the Government Accountability Office has found that fair value accounting is not an appropriate tool for budgetary purposes.

- ***Campus Based Aid***: The Administration proposes drastic cuts to campus-based aid programs that help low-income students afford college:
    - ***Federal Supplemental Educational Opportunity Grant (FSEOG) Program:*** The Administration proposes the elimination of FSEOG, which was funded at $733 million in FY17. Committee Democrats oppose the elimination of FSEOG because the program provides campus financial aid administrators with a crucial source of grant aid for their neediest students in a world of rising college costs.
    - ***Federal Work Study (FWS):*** The Administration also proposes $500 million for FWS, a nearly 50% cut below the FY17 enacted level of $990 million. The

[8] Budget of the United States Government for Fiscal Year 2019, *Analytical Perspectives*, https://www.whitehouse.gov/wp-content/uploads/2018/02/spec-fy2019.pdf.

Administration projects this would reduce the total number of FWS recipients from 635,000 to 333,000. The Administration also proposes legislative authority to change the statutory formula for the allocation of FWS funds to schools. Committee Democrats oppose the combination of a cut and allocation formula change since together they would result in a direct reduction of FWS jobs available to students, and could make the program unsustainable on many campuses.
    - ***Perkins Loan Program:*** The Administration's budget is silent on the Perkins Loan Program, which without legislative action will fully wind down after this award year. Committee Democrats believe the Perkins Loan Program should be saved as a source of stable, low-cost loans and a tool of financial aid administrators to craft award packages that meet the needs of individual students.

- ***Institutional Aid:*** The Administration request $352.7 million for Institutional Aid programs authorized under Titles III and V of the HEA for FY19, a cut of $234 million from the FY17 enacted level. Additionally, the Administration's proposal requests budget authority for harmful consolidations and program reforms.
    - ***Historically Black Colleges and Universities (HBCUs):*** The budget proposal flat-funds programs supporting Historically Black Colleges and Universities (HBCUs) to the FY17 enacted level ($315.4 million). Committee Democrats oppose this funding level, and recommend an additional $196 million to support HBCUs including:
        - $130.3 million for the Strengthening HBCUs Program;
        - $61.7 million for the Strengthening Historically Black Graduate Institutions Program; and
        - $4 million for the Strengthening HBCU Masters Program.
    - ***Strengthening Institutions Program*:** The Administration proposes elimination of this program, a cut of $86.534 million from the FY17 level. Committee Democrats oppose this cut as it would eliminate the sole Federal source of funding many under-resourced, rural and low-income serving institutions and community colleges have to improve student supports.
    - ***Strengthening Alaska Native and Native Hawaiian-Serving Institutions (ANNH) Program:*** The Administration proposes elimination of this program, a cut of $13.8 million from the FY17 enacted level.
    - ***Strengthening Predominately Black Institutions Program*:** The Administration proposes elimination of this program, a cut of $9.9 million from the FY17 enacted level.
    - ***Strengthening Asian American- and Native American Pacific Islander-serving Institutions Program*:** The Administration proposes elimination of this program, a cut of $3.3 million from the FY17 enacted level.
    - ***Strengthening Native American-Serving Nontribal Institutions Program*:** The Administration proposes elimination of this program, a cut of $3.3 from the FY17 enacted level.
    - ***Developing Hispanic Serving Institutions Program*:** The Administration proposes elimination of this program, a cut of $107.8 million from the FY17 enacted level.

- *Promoting Postbaccalaureate Opportunities for Hispanic Americans Program***:** The Administration proposes elimination of this program, a cut of $9.6 from the FY17 enacted level.
- The Administration requests the legislative authority to create a new Consolidated MSI Grant program funded at $147.9 million, roughly the same budget authority of the eliminated MSI-serving programs. Because these various grant programs are designed to meet the differing needs of different MSI sectors, Committee Democrats oppose the elimination of the various MSI serving programs and the creation of a new consolidated program.

- ***TRIO and GEARUP***: The Administration proposes $900 million for TRIO in FY19, an amount equal to the enacted FY17 level. However, the budget eliminates the GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) Program, a cut of $340 million from the FY17 enacted level. The Administration proposes new legislative authority to change TRIO from a competitive grant program to a state formula grant, and to allow TRIO funds to be used for activities currently authorized under GEAR UP. Committee Democrats oppose this proposed change because if enacted, it would effectively reduce the amount of funds available for TRIO and GEAR UP activities below FY17 levels and conflate the purposes and goals of two necessarily distinct programs designed to help first-generation students access and complete postsecondary education.

- ***Teacher Quality Partnership Grants:*** The Administration proposes to eliminate Teacher Quality Partnership Grants (appropriated at $43.1 million in FY17). Committee Democrats remain opposed to any effort by Congressional Republicans or the Trump Administration to use the FY19 budget and appropriations process to exacerbate our teacher shortage crisis.

- ***Graduate Assistance in Areas of National Need (GAANN)****:* The Administration's FY19 request eliminates GAANN, a decrease of $28 million below the FY17 enacted level. GAANN provides grants to institutions for the development of graduate fellowships in areas of national need (e.g., engineering, chemistry, math, nursing, etc.) to low-income doctoral candidates. Democrats oppose this proposed program elimination.

- ***International Education and Foreign Language Studies Domestic and Overseas Programs:*** The Administration proposes to eliminate these programs (appropriated at $65.1 million and $7.1 million, respectively, in FY17), and justifies the elimination with language that suggests that the activities supported by these programs are better advanced by other agencies whose primary mission is national security. Committee Democrats oppose these program eliminations, as they will make it more difficult and costly for undergraduate students to master foreign languages and area studies critical to our national security and international relations needs.

Individuals with Disabilities. The Administration proposes significant reductions to Federal investment in programs to support individuals with disabilities in education, employment, and independent living administered by the Departments of Education, Health and Human Services, and Labor.

- ***The Individuals with Disabilities Act (IDEA):*** The Administration's FY19 budget proposes to level fund the Individuals with Disabilities Act (IDEA) Formula Grants and Programs at $12.8 billion, equal to the FY17 enacted level. This proposed funding does not account for inflation, and is effectively a cut in the overall amount of funding toward the per pupil expenditure (approximately 15.7% in FY17, 14.0% in the FY19 budget request). The proposed budget would also flat fund the IDEA Part D program, a program critical to supporting personnel development and technical assistance, at $222.1 million. Committee Democrats remain committed to meeting the developmental and educational needs of children with disabilities to empower each individual to pursue opportunities for independent living and full integration into society. To meet these needs, Committee Democrats support IDEA full funding, or $32.2 billion for FY19. This is the funding level sufficient to cover 40% of the average per pupil expenditure (APPE) to educate students with disabilities. Committee Democrats recognize this amount far exceeds the FY17 enacted level and suggest year after year funding increases to achieve IDEA full funding in 10 years (approximately $40 billion by FY29).

- ***Special Olympics:*** The Administration proposes program elimination for the Special Olympics in FY19, a decrease of $10 million below the enacted FY17 level. Special Olympics support training, athletic competition, and health care for individuals with intellectual disabilities to help each individual reach his or her full potential. Committee Democrats oppose the elimination of this critical program and encourage continued investment to expand opportunities provided by the Special Olympics.

- ***Disability Programs Authorized by the Workforce Innovation and Opportunity Act:*** The Administration proposes $3.5 billion for Vocational Rehabilitation Grants, an increase of more than $123 million above the FY17 enacted level. Although Committee Democrats support an increased FY19 funding level, the proposed increase falls short of the promise to provide adequate supports and services to individuals with disabilities as they enter competitive, integrated employment opportunities. Further, the Administration's budget proposal eliminates the Supported Employment program, a decrease of $27.5 million below the enacted FY17 level. The Supported Employment program provides highly individualized job training and employment services to individuals with significant disabilities.

  The Administration's FY19 Department of Health and Human Services (HHS) budget request also significantly reduces support for programs supporting individuals with disabilities authorized under the Workforce Innovation and Opportunity Act (WIOA). The Administration proposes $56 million for the State Councils on Developmental Disabilities, a $17 million decrease below the enacted FY17 level. The State Councils provide extensive support to individuals with developmental disabilities from birth through adulthood. The Administration also proposes program elimination of the National Institute on Disability, Independent Living, and Rehabilitation Research

(NIDILRR), a $104 million decrease below the enacted FY17 level. NIDILRR conducts research, demonstration projects, training, and technical assistance that maximize full inclusion in society for people with disabilities. Although a small program, NIDILRR has a tremendous impact on improving outcomes for people with disabilities by sharing best practices and expanding knowledge about the capabilities of people with disabilities. Committee Democrats oppose these proposed cuts and call for continued investment in quality vocational rehabilitation programs authorized by WIOA to provide individuals with disabilities the opportunity for success in employment and in life.

Child Safety. Committee Democrats support robust Federal funding to support evidence-based state, local, and institutional efforts to protect all children from abuse, neglect, homelessness, and other threats to safety, including drug abuse and gun violence prevention efforts.

- ***School Safety National Activities:*** Despite budget authority to fund ***Project Prevent*** grants and ***Project SERV*** grants provided in subpart 3 of Part F of Title IV of the ESEA, the Administration proposes zero dollars for either program, $68 million below the enacted FY17 level for Project SERV. The enacted FY17 level for Project SERV was $68 million, and grants supplement funding to cover the cost of post-incident recovery, stabilizing students' and faculties' lives and restoring a sense of safety and security to schools affected by disaster, including school shootings.

  In the place of Project Prevent and Project SERV, the Administration proposes $43 million for School Climate Transformation Grants to support school-based opioid prevention and abuse treatment, a 37% reduction in national activities funding for school safety below the enacted FY17 level, despite more the than 230 school shootings since the massacre at Sandy Hook Elementary School,[9] including the recent massacre in Parkland, Florida. Democrats oppose the Administration's proposal because Congress must support schools to combat both the opioid epidemic, and substance abuse generally, and school shootings. Committee Democrats support funding for school-based substance abuse and prevention treatment efforts, including but not limited to efforts to combat opioid abuse, but do not support such funding in place of federal funding for gun violence prevention and response.

- ***Child Abuse Prevention and Treatment Act (CAPTA):*** The Administration's FY19 HHS budget request proposes $98 million for CAPTA for FY19, an amount equal to the enacted FY17 level. CAPTA is the only Federal legislation dedicated, solely, to addressing child abuse and neglect – including prevention, identification, assessment, treatment, and prosecution – by providing funding to States, discretionary grants to public agencies and nonprofit organizations including Indian Tribes and Tribal organizations, and community based grants. Significant increases in national incidence rates of child abuse and neglect,[10] much of which is due to the opioid epidemic, render the Administration's proposed FY19 CAPTA funding level insufficient.

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[9] The New York Times, *After Sandy Hook, More than 400 People Have Been Shot in Over 200 School Shootings*, February 2018, https://www.nytimes.com/interactive/2018/02/15/us/school-shootings-sandy-hook-parkland.html.
[10] The Administration for Children and Families, *Child Abuse, Neglect Data Released*, February 2018, https://www.acf.hhs.gov/media/press/2018/child-abuse-neglect-data-released.

- ***Runaway and Homeless Youth Act (RHYA):*** The Administration's FY19 HHS budget request also proposes $119 million for the Runaway and Homeless Youth Act (RHYA) for FY19, an amount equal to the enacted FY17 level. RHYA specifically supports efforts to address youth and young adult homelessness across the U.S., including funding for: education, treatment and counseling, referrals to vital services, temporary shelter, family reunification services, and transitional living services for older youth. Significant increases in national incidence rate of youth homelessness[11] renders the proposed FY19 RHYA funding level insufficient.

Juvenile Justice. The Administration's FY19 Department of Justice budget requests $229.5 million for juvenile justice programs. This amount is a $17.5 million reduction from the FY17 enacted level. This proposed budget request:

- Flat funds the ***Part B Formula Grants to States*** at $58 million. This Federal grant is awarded to state juvenile justice systems to operate their programs in accordance with the mandates of the Juvenile Justice and Delinquency Prevention Act (JJDPA) – the law that creates the Federal guardrails that protect children in state juvenile justice systems. Committee Democrats support increased funding for Part B at $76.125 million.
- Provides $58 million for ***Youth Mentoring Grants***, a $22 million decrease from the FY17 enacted level.
- Recommends $17 million for D***elinquency Prevention grants***, a $2.5 million increase over the FY17 enacted level; Committee Democrats support funding at $91.85 million.
- Eliminates ***Community-Based Violence Prevention Initiatives***. Committee Democrats oppose this elimination.

Significant advances in research have been made in the area of juvenile justice since JJDPA was last reauthorized in 2002. Committee Democrats joined with the Majority during the 115th Congress to introduce and pass H.R. 1809, the Juvenile Justice Reform Act of 2017. This bipartisan reauthorization of JJDPA would make the juvenile justice system fairer, cost-effective, and more responsive to both victims and youthful offenders. H.R. 1809 includes provisions from the Youth PROMISE Act (H.R. 2197 in the 114th Congress) to increase funding for evidence-based prevention models designed to eliminate the School-to-Prison Pipeline.

Civil Rights in Education. Despite significant increases in claims submitted for investigation by the Office of Civil Rights (OCR),[12] including a marked increase in complaints alleging racial hostility since the presidential campaign of Donald Trump,[13] the Administration's FY19 budget a $1.1 million decrease for OCR from the FY17 enacted level of $108.5 million. This proposed cut is in addition to the Administration's targeted elimination of OCR full time

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[11] The Huffington Post, *A Hidden Population Youth Homelessness is on the Rise*, July 2017, https://www.huffingtonpost.com/entry/a-hidden-population-youth-homelessness-is-on-the-rise_us_595f942fe4b08f5c97d068db; National Center for Homeless Education, *Federal Data Summary School years 2013-14 to 2015-16 Education for Homeless Children and Youth*, December 2017, https://nche.ed.gov/downloads/data-comp-1314-1516.pdf.

[12] Department of Education Office for Civil Rights, *Budget Request* (p. Z-13), https://www2.ed.gov/about/overview/budget/budget19/justifications/z-ocr.pdf.

[13] Southern Poverty Law Center, *The Trump Effect The Impact of The 2016 Presidential Election on Our Nation's Schools*, November 28, 2016, https://www.splcenter.org/20161128/trump-effect-impact-2016-presidential-election-our-nations-schools#the%20ugliness%20is%20new.

employees.[14] Committee Democrats believe we must commit Federal resources necessary to fully address discrimination stemming from disparate treatment, disparate impact, and retaliation in violation of these laws to provide all students, in kindergarten through college, a high-quality, equitable education.

Child and Maternal Health, and Nutrition. Food insecurity remains a prevalent problem across the country; more than 16% of American households have children experiencing food insecurity.[15] Despite this sobering reality, the Administration's FY19 Department of Agriculture (USDA) budget proposes cuts to Federal programs that support child health and nutrition, including drastic cuts to the Supplemental Nutrition Assistance Program (SNAP) by more than $213 billion over the next ten years. These cuts will threaten the ability of children to access Federal child nutrition programs (CNPs), as fewer families will be enrolled in SNAP and therefore automatically eligible for other CNP benefits. Committee Democrats remain steadfast in their support for improving access to healthy foods in schools and other settings, and for maintaining robust and science-based nutrition standards in Federal nutrition programs.

- ***Special Supplemental Nutrition Program for Women, Infants, and Children (WIC):*** The Administration's FY19 budget proposes $5.535 billion for WIC, a slight increase over the enacted FY17 level. WIC currently serves approximately 50% of all infants across the country, and inadequate resources would be detrimental to their development. Committee Democrats will remain vigilant to ensure that WIC can serve all eligible applicants who seek program benefits. The budget also proposes eliminating funding for the WIC Farmers Market Nutrition Program, a proposal that Committee Democrats oppose.

- ***National School Lunch Program (NSLP):*** The Administration's FY19 budget proposes $11.713 billion for the National School Lunch Program, $627 million below the enacted FY17 level of $12.340 billion (a 5% decrease, due to the use of carryover funding). President Harry S. Truman signed this program into law in 1946, "as a measure of national security, to safeguard the health and well-being of the Nation's children." Committee Democrats understand that lunches provided under NSLP address students' health and academic needs by reducing the risk of chronic preventable diseases later in life and by promoting healthy eating habits that are optimal for development.[16]

- ***School Breakfast Program (SBP):*** The Administration proposes $5.082 billion for the School Breakfast Program for FY19, $612 million above the enacted FY17 level. This program began as a pilot program in 1966 to provide free or reduced-price nutritious morning meals, and became permanent in 1975. The more than 14 million breakfasts provided under SBP prepare students for the school day with nutritious meals linked to healthier eating habits and improved academic performance in reading, math, and

[14] POLITCO, *Civil rights office at Education Department hit hard by buyout offers*, November 21, 2017, https://www.politico.com/story/2017/11/21/civil-rights-education-department-buyouts-095773.
[15] USDA Economic Research Survey, *Household Food Security in the United States in 2016*, September 2017, https://www.ers.usda.gov/publications/pub-details/?pubid=84972.
[16] USDA, *Dietary Guidelines for Americans*, 2010, http://www.cnpp.usda.gov/sites/default/files/dietary_guidelines_for_americans/ExecSumm.pdf.

science.[17] Committee Democrats understand that schools that provide breakfasts to students see improved attendance, behavior, and academic achievement.[18]

- ***Child and Adult Care Food Program (CACFP):*** The Administration proposes $3.933 billion for CACFP for FY19, $442 million above the enacted FY17 level of $3.491 billion. This program assists in improving the quality of childcare and makes it more affordable for many low-income families, including by providing meals to children and adults receiving childcare at family child care homes, child care centers, Head Start programs, afterschool programs, and adult care centers. Committee Democrats believe in the vital role of CACFP in reducing food insecurity.[19]

- ***Summer Electronic Benefits Transfer for Children (SEBTC):*** The Administration proposes $23 million for the SEBTC demonstration project for FY19, essentially the same amount as the enacted FY17 level. This program is designed to offer money per child per month on an EBT card to provide meals during the summer months. Committee Democrats believe the SEBTC program substantially reduces food insecurity among children.[20]

- ***Summer Food Service Program (SFSP):*** The Administration proposes $519.5 million for the SFSP for FY19, $108 million below the enacted FY17 level of $627 million (a 17% decrease, due to the use of carryover funding). In 2016, SFSP provided meals to 2.8 million children each day at over 48,000 sites during the program's peak month of July. Committee Democrats strongly support the SFSP and believe that the program is vital to ensuring that students are ready to learn when school begins in the fall.

- ***School Meal Equipment Grants:*** The Administration proposes to eliminate School Meal Equipment Grants for FY19, which received $25 million in FY17. Funds from this program allow school food authorities to purchase equipment to serve healthier meals that meet the updated meal patterns, with emphasis on more fruits and vegetables in school meals. Committee Democrats recognize that these grants are essential in ensuring schools have the tools they need to serve healthy meals and oppose their proposed elimination.

Community Support Programs. The FY19 budget proposes eliminating important programs that support the wellbeing of communities. Among these programs targeted for elimination are the Low Income Home Energy Assistance Program (LIHEAP) and the Community Services Block Grant (CSBG). LIHEAP, which received approximately $3.4 billion in FY17, helps keep families safe and healthy through energy cost assistance. CSBG, which received approximately $700 million in FY17, supports a range of anti-poverty initiatives, including Meals on Wheels. Committee Democrats strongly oppose the elimination of these and other programs that invest in communities.

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[17] The University of Iowa, *Better breakfast, better grades*, March 12, 2015, https://now.uiowa.edu/2015/03/better-breakfast-better-grades.
[18] Food Research & Action Center (FRAC), *Breakfast for Learning*, October 2016, http://frac.org/wp-content/uploads/breakfastforlearning-1.pdf.
[19] Food Research & Action Center (FRAC), *Facts The Child and Adult Care Food Program (CACFP)*, February 2018, http://frac.org/wp-content/uploads/cacfp-fact-sheet.pdf.
[20] USDA Food and Nutrition Service, *Report on the Summer Food for Children Demonstration Projects for Fiscal Year 2013*, December 2013, https://fns-prod.azureedge.net/sites/default/files/SEBTC_2013.pdf.

Corporation for National and Community Service (CNCS). The FY19 budget proposes to eliminate funding for CNCS. Elimination of this program means removing talented, civic-minded corps members from over 50,000 communities across America, which include volunteer corps members ranging from young individuals who recently graduated high school or college to senior citizens. Corps members help communities recover from natural disasters, such as the mudslides in California and the Hurricanes in Texas, Puerto Rico, and the U.S. Virgin Islands; support military families; and run educational programs in under-resourced schools and communities. Committee Democrats believe in uplifting service to communities and the nation and support maintaining the current funding of $1.03 billion for CNCS.

LABOR: The Administration's request for the Department of Labor and related agencies for FY19 is $10.898 billion, $1.188 billion below the FY17 enacted level.

Jobs/Workforce Development. If America is to remain competitive in the global marketspace, then it must support a highly trained workforce that is afforded safe workplaces with the security and protection of labor and civil rights.

- ***Workforce Innovation and Opportunity Act (WIOA):*** The Administration's FY19 budget provides level funding for youth, adult employment, and dislocated worker training activities under the Workforce Innovation and Opportunity Act. Cumulatively, WIOA's Title I state formula funds are authorized to be funded at $3.2 billion; however, the Administration's requests $2.7 billion – the FY17 enacted level. Committee Democrats note that fully funding WIOA programs will ensure the workforce development system works optimally to help workers gain the skills necessary for good-paying jobs. Commitment to the goals set forth in WIOA must also include maintaining the integrity of each WIOA funding stream as the law provides for separate funding streams for youth, adults, and dislocated workers to ensure that the varying needs of the different populations were met. By requiring a separate funding stream for youth activities, WIOA acknowledges the distinct challenges of out-of-school and low-income, in-school youth in entering the workforce. The Administration's FY19 budget undermines support for these populations by allowing local areas to divert all funds allocated for youth activities to adult activities. Committee Democrats oppose this particular request.

- ***Job Corps:*** The Administration's FY19 budget provides $1.297 billion for Job Corps, a $407 million decrease below the FY17 enacted level. Committee Democrats support Job Corps to be funded at its authorized level of $1.9 billion. Job Corps serves the youth for whom the traditional routes of education and training have failed. The residential component, in particular, provides young people with a refuge and an immersive structure for learning. The program, which serves up to 60,000 students annually, provides its students with intensive social, academic, career and technical education at approximately 130 Job Corps centers and satellite campuses in all 50 states, the District of Columbia, and the Commonwealth of Puerto Rico. According to the Department of Labor, more than 80% of Job Corps graduates go on to join the workforce, enlist in the military, or enroll in higher education. Committee Democrats oppose the Administration's request to cut nearly $400 million from the Job Corps program, as well as proposals to close or consolidate, rather than reform, poorly performing centers. Committee Democrats also do not support proposals to focus Job Corps participation on older youth, as it contradicts Congressional intent as stated in WIOA.

- ***Opportunity Youth:*** Unlike the FY17 proposed budget, the FY19 budget does not include any additional funding requests or proposals to provide at-risk and opportunity youth with increased employment opportunities. Furthermore, the Administration's FY19 budget endangers access to already-funded supports for at-risk and opportunity youth by proposing to allow local areas to divert all WIOA funds allocated for youth activities to adult activities. Nearly 5 million young people ages 16 to 24 are disconnected from both school and work. Disconnection during this critical period can leave young people without the entry-level work experience and postsecondary credentials they need to succeed in the workforce. Committee Democrats continued their commitment to improving employment opportunities for young Americans, introducing and supporting the *Opening Doors for Youth Act of 2017*. This proposed legislation expands opportunities for our nation's at-risk and opportunity youth by authorizing over four years $3.5 billion in formula funding for year-round and summer employment opportunities and $2 billion in competitive grants to support community efforts to keep youth connected to school and training. Committee Democrats support this multi-year funding proposal.

- ***Apprenticeships:*** The Administration's FY19 budget proposes $200 million for Apprenticeship Grants, a $105 million increase above the FY17 enacted level. Committee Democrats are committed to expanding high-quality, registered apprenticeship programs to help people gain the skills they need to enter and thrive in the middle class. The meaningful accountability for program quality and outcomes of the registered apprenticeship model has meant workers and employers can be assured quality and nationwide acceptance of their credentials. Although we believe a $200 million investment in apprenticeships, as proposed in the budget, is a step in the right direction to expand apprenticeships, Committee Democrats disagree with efforts to promote alternative models or systems without quality standards that support a high-quality, nationally-recognized program. Committee Democrats call for maintaining the integrity of apprenticeship programs through the registered apprenticeship model.

- ***Reentry Employment Opportunities (formerly Reintegration of Ex-Offenders)*****:** The Administration's proposed budget requests $78.3 million for the Reintegration of Ex-Offenders program, a $9.1 million decrease below the FY17 enacted level of $88 million. Committee Democrats support an increase in funding to $95 million, a $7 million increase over the FY17 enacted level as employment is a critical predictor of successful reintegration into society.

National Labor Relations Board (NLRB)**.** The Administration's request for FY19 proposes a 9% cut to the NLRB, from $274 million to $249 million enacted in FY17. The NLRB administers Federal labor law for much of the private sector by conducting union representation elections and adjudicating allegations of unfair labor practices. Committee Democrats support increased funding for the NLRB at not less than $275 million, which is $0.8 million more than the $274.2 enacted in FY17.[21] The NLRB's funding has remained level for the past five years, and has failed to increase with the rate of inflation. Reduced funding for the NLRB would impede its ability to resolve unfair labor practices where workers have been fired or punished for asserting their rights at work. As a result, those workers would have to wait years before receiving the reinstatement or back-pay they are rightfully owed.

Mine Safety and Health (MSHA). The Administration's FY19 budget request for the Mine Safety and Health Administration is $376 million which is a $2 million increase compared with the $374 million enacted in FY17. Committee Democrats support adequate funding at not less than $397 million, the FY17 requested level, for MSHA to meet its statutory mandate to inspect every underground mine four times per year and every surface mine twice per year. Following MSHA's closure of 3 District Offices and 5 Field Offices in response to declining coal production, the FY19 request reduces coal mine enforcement by $1 million and increases metal/non-metal mine enforcement by the same amount. Since 2000, the rates of the most severe forms of black lung disease have surged in Appalachia largely due to increased silica exposure caused by thin seam coal mining, [22] and NIOSH has documented that the rates of progressive massive fibrosis now exceed those found in the early 1970s.[23] To stem this surge, sufficient resources are needed for MSHA to enforce its 2014 respirable dust rule, substantially expand monitoring of operator compliance with its existing silica rule, and develop a more protective silica standard.

Occupational Safety and Health. The Administration's FY19 request for the Occupational Safety and Health Administration (OSHA) is $549 million, a $3 million cut from the $552 million enacted in FY17. This level of funding is insufficient for OSHA to carry out its statutory mission "to assure so far as possible that every working man and woman in the Nation [have] safe and healthful working conditions." At the proposed level, OSHA will be able to inspect each workplace within its jurisdiction, on average, once every 159 years.[24] Moreover, this sparse funding level fails to provide sufficient resources to conduct an adequate number of inspections at high hazard workplaces such as oil refineries, chemical plants and construction sites. This level also fails to meet the Federal commitment to match funding for state OSHA programs. Under this budget, the backlog of 2,500 whistleblower complaints filed under 22 separate laws is projected to grow 16%. The budget eliminates the Susan Harwood training program, which provides safety training to workers in high hazard industries through community colleges, trade associations, labor unions and community based worker groups, and instead misdirects scarce funds into an expansion of an employer recognition program for employers who have highest performing safety programs—instead of focusing on employers with the most dangerous workplaces. The budget cuts off valuable advice to the agency leadership by eliminating the

[21] Since gaining a majority in 2011, Education and Workforce Committee Republicans have held 36 hearings and markups devoted to undermining the rights protected by the NLRB, which is more than on any other subject within the Committee's jurisdiction. This Congress, Committee Republicans have moved two partisan bills to cripple the NLRB's ability to protect workers' rights for workers.
[22] National Public Radio, *Black Lung Study Finds Biggest Cluster Ever of Fatal Coal Miners' Disease,* February 6, 2018, https://www.npr.org/2018/02/06/583456129/black-lung-study-biggest-cluster-ever-of-fatal-coal-miners-disease.
[23] Centers for Disease Control and Prevention, *Resurgence of Progressive Massive Fibrosis in Coal Miners — Eastern Kentucky, Morbidity and Mortality Weekly Report,* December 16, 2016, https://www.cdc.gov/mmwr/volumes/65/wr/pdfs/mm6549.pdf.
[24] AFL-CIO, *Death on the Job The Toll of Neglect*, 2017 (pp. 3), https://aflcio.org/reports/death-job-toll-neglect-2017.

Whistleblower Protection Advisory Committee and the Federal Advisory Committee on Occupational Safety and Health. Committee Democrats urge a funding level not less than $595 million, the FY17 requested level.

Scientific Research in NIOSH on Workplace Safety and Health. The Administration's request slashes funding for the National Institute for Occupational Safety and Health (NIOSH) by 40% from $335 million enacted in FY17 to $200 million in FY19. NIOSH performs scientific and technical research to support mine and workplace safety, investigates health hazards in the workplace, certifies respiratory protection equipment, implements the 9/11-World Trade Center medical monitoring and health care program, and provides scientific support for estimating occupational radiation exposures under the Energy Employees Occupational Illness Compensation Program Act. The budget proposes to shift most of NIOSH out of the Centers for Disease Control (CDC) and dissolve its functions into the National Institutes for Health, while leaving the 9/11-World Trade Center program in CDC. Dissolving NIOSH would violate the Occupational Safety and Health Act of 1970, which permanently established the agency; moreover, its functions were permanently expanded to cover mining research in the Mine Improvement and New Emergency Response Act of 2006 (MINER Act). Committee Democrats urge retaining NIOSH in CDC, and fully funding NIOSH at not less than the FY17 enacted level, including the continuation of the Agriculture, Fishing and Forestry Program (AgFF), the Education Resource Centers, the Total Worker Health program, and extramural research activities.

Federal Workers' Compensation Programs (Mandatory Programs)

- ***Black Lung Excise Tax and the Black Lung Disability Trust Fund (Mandatory Spending)*:** The Black Lung Disability Trust Fund, which is funded by an excise tax on mined coal, pays black lung benefits to disabled miners and their survivors when coal operators have gone out of business, filed for bankruptcy or there is insufficient insurance coverage. The Black Lung Excise Tax (BLET) rate of $1.10 per ton on underground coal and $0.55 per ton on surface coal, which was renewed for a 10-year period in 2008 as part of the Emergency Economic Stabilization Act of 2008, will – absent Congressional action – be reduced by 55% on December 31, 2018 ($0.50 per ton on underground coal, and $0.25 per ton on surface coal). Acknowledging this change in law, the President's FY19 budget request projects that BLET revenues will decline from $473 million in FY18 to $290 million in FY19. The budget request does not recommend renewing the tax rate, even though the reduced revenues are insufficient to cover benefits, administrative costs, and service on the Trust Fund's accumulated $5.8 billion in debt.[25] The GAO is currently analyzing the projected revenues and expenses for the Trust Fund, and it is possible that its study will indicate more revenues are needed to ensure the solvency of the Trust Fund. If there is a shortfall in the Trust Fund, the Trust Fund can borrow from the Treasury to make benefit payments. Evidence shows that if the excise tax is not renewed at its current rate by December 31, 2018, the borrowing by the Trust Fund debt is projected to grow sharply—thereby shifting the cost of paying benefits from the coal industry to the taxpayer.

[25] Department of the Treasury, *Monthly Report on the Black Lung Disability Trust Fund*, January 31, 2018, ftp://ftp.publicdebt.treas.gov/dfi/tfmb/dfibl0118.pdf.

- ***Federal Employees' Compensation Act (FECA):*** Committee Democrats oppose the Administration's proposal to slash Federal and postal workers' compensation benefits under the Federal Employees' Compensation Act (FECA). FECA benefits are paid from a revolving fund in the Treasury and treated as mandatory spending, even though each agency reimburses the revolving fund from discretionary appropriations based on previous year outlays. A core principle underpinning workers' compensation is that workers who are injured on the job should not be economically worse off, nor better off, than if they had not been injured. The Administration's legislative proposal cuts FECA benefits for permanently disabled workers at normal retirement age on the grounds that it is too generous, and thus reduces incentives for workers to return to work when they recover from their injury. There is no empirical evidence to support this assessment. To the contrary, the Government Accountability Office analyzed this legislative proposal in 2012 and reported that the median disabled Federal worker receiving FECA benefits would receive 65% to 69% of the income at retirement age that they would have received had they been able to work a full 30-year career and earn a retirement.[26] Instead of slashing benefits, Democrats support legislation focused on ensuring taxpayers' interests are fairly protected through program integrity measures, updating obsolete benefit levels, assisting injured workers in returning to work, and ensuring claimants receive full due process.

Wage and Hour Division. The Administration's FY19 budget requests $230 million for the Wage and Hour Division (WHD). This amount is a $2.5 million increase from the enacted FY17 level; yet, less than the rate of inflation. Committee Democrats support increasing WHD's budget to $276.6 million with an additional 300 investigators. Committee Democrats are concerned that the Administration's budget request is insufficient to combat wage theft as it projects fewer enforcement personnel than FY17. The Wage and Hour Division is tasked with protecting more than 135 million working people at over 7.3 million establishments. However, the Wage and House Division only has 894 investigators. By contrast, in the 1940s, WHD had 1,000 investigators and was charged with protecting just one-seventh of the size of today's workforce from wage and hour violations.[27] Wage theft is a rampant problem, as confirmed in a 2017 study from the Economic Policy Institute that found that workers lost $8 billion annually to minimum wage violations alone.[28]

Committee Democrats are also concerned with the WHD's current use of resources. Since July 20, 2017, WHD has operated under a national non-enforcement policy for the Department of Labor's (DOL) regulations relating to the retention of tips received by employees who are paid at least the Federal minimum wage. In 2017, DOL proposed to rescind parts of its 2011 rule that clarified tips are the property of the employee, regardless of whether an employer takes a tip

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[26] Testimony of the GAO before the Subcommittee on Workforce Protections, Committee on Education and the Workforce (GAO-15-604T), F*EDERAL EMPLOYEES' COMPENSATION ACT Analysis of Benefits Associated with Proposed Program Changes* (pp.21), May 20, 2015, https://www.gao.gov/assets/680/670291.pdf.
[27] POLITICO, *Behind the Minimum Wage Fight, a Sweeping Failure to Enforce The Law*, February 18, 2018, https://www.politico.com/story/2018/02/18/minimum-wage-not-enforced-investigation-409644.
[28] Economic Policy Institute, *Employers steal billions from workers' paychecks each year*, May 10, 2017, http://www.epi.org/publication/employers-steal-billions-from-workers-paychecks-each-year-survey-data-show-millions-of-workers-are-paid-less-than-the-minimum-wage-at-significant-cost-to-taxpayers-and-state-economies/.

credit. According to an analysis by the Economic Policy Institute, this proposal would transfer $5.8 billion in tips from workers to their employers each year.[29] Committee Democrats are concerned that DOL has carried out this proposed rulemaking without conducting a legally required cost-benefit economic analysis. Further, reports that DOL conducted this analysis, and then suppressed it because it would reveal that the rule would cause employers to pocket a substantial portion of workers' tips, is raising questions about the integrity of the DOL rulemaking process.

Office of Disability Employment. The Administration proposes $27 million for the Labor Department's Office of Disability Employment Policy (ODEP), an $11.2 million decrease from the FY17 enacted level. ODEP works to develop and influence policies and practices that support eliminating barriers in the training and employment of people with disabilities. Committee Democrats oppose this proposed cut because it would limit ODEP's already limited ability to provide support to businesses employing people with disabilities.

Family and Medical Leave. Committee Democrats support a comprehensive, national paid family and medical leave program. Respected economists believe it is good for both working people and our nation's economy.[30] However, Committee Democrats are concerned with the Administration's proposal to provide only six weeks of paid parental leave by drawing on an already strained Unemployment Insurance system. The proposal would only provide paid parental leave to new parents to use in the event of a childbirth or adoption. The proposal provides $700 million in mandatory funding for the states' start-up costs and administrative costs to operate the program through grants provided by the Employment and Training Administration. The FY19 budget request lacks further details on the implementation of this program. Committee Democrats believe the Administration's paid leave request would leave millions of workers unable to access paid family and medical leave. Instead, Committee Democrats support strong, comprehensive, and sensible solutions such as, H.R. 947, the Family and Medical Leave Insurance (FAMILY) Act, which would provide 12 weeks of partially paid, family and medical leave to all employees and include leave for caregiving responsibilities for parents, spouses and children, in addition to parental leave. The program would be funded by small employer and employee payroll contributions.

Health Care. The Administration's FY19 budget urges Congress, to again, attempt to repeal the Affordable Care Act (ACA) by passing legislation modeled on the Graham-Cassidy proposal and assumes $675 billion in savings. The FY19 budget also calls for the rescission of the ACA's Medicaid expansion and endorses a plan to provide health care funding in block grants to states. Committee Democrats remain committed to protecting health insurance coverage for American

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[29] Economic Policy Institute, *Employers would pocket $5.8 billion of workers' tips under Trump administration's proposed tip stealing' rule*, December 12, 2017, http://www.epi.org/publication/employers-would-pocket-workers-tips-under-trump-administrations-proposed-tip-stealing-rule/. EPI estimates that the annual amount of employees' tips pocketed by employers as a result of this rule is between $523 million and $13.2 billion, with the best estimate being $5.8 billion.

[30] Researchers estimate that workers lose over $20 billion annually because of a lack of access to paid leave. See: Center for American Progress, *The Cost of Work-Family Policy Inaction*, September 22, 2016, https://www.americanprogress.org/issues/women/reports/2016/09/22/143877/the-cost-of-inaction/. S&P Global estimates that if women entered the workforce at the same rate as Norway (a country with generous paid family and medical leave policy), the U.S. economy would be $1.6 trillion larger. See: S&P Global, *The Key to Unlocking U.S. GDP Growth Women*, 2017, https://www.spglobal.com/our-insights/The-Key-To-Unlocking-US-GDP-Growth-Women. The Department of Labor similarly estimated that if the female labor force participation rate grew at the same rate as Canada or Germany (countries with paid leave and other family policies), the U.S. would see an additional $500 billion of additional economic activity per year. See: U.S. Department of Labor, *The Cost of Doing Nothing,* September 4, 2015, https://www.dol.gov/featured/paidleave/cost-of-doing-nothing-report.pdf.

families and building on the gains made by the ACA. Instead of taking away the vital coverage gains that have been made, Committee Democrats want to expand health insurance options, protect access to health coverage, and provide the robust public health investments needed to stem the opioid crisis, and substance abuse generally, and create a healthier workforce.

The FY19 budget also requests a $2 million increase in funding for the Employee Benefits Security Administration (EBSA) for 15 full-time equivalent employees (FTEs) for oversight of association health plans (AHPs). The Administration's request is made in anticipation of Congress adopting legislation or DOL finalizing its regulatory proposal that would increase the number of non-comprehensive and poorly regulated AHPs. Committee Democrats oppose legislation or regulations that undermine the ACA's consumer protections for workers and small business owners and would result in higher costs and less coverage for many. A variety of patient and consumer groups, the National Association of Insurance Commissioners, and the American Academy of Actuaries share Committee Democrats' concerns with proposals to promote AHPs.[31]

Retirement Security. The Administration's FY19 budget provides $190 million for EBSA, which implements and enforces the Federal statute pertaining to employer-provided health and retirement benefits. This amount represents an $8.5 million increase over the FY17 enacted level. Additionally, the FY19 budget proposes new premiums for the Pension Benefit Guaranty Corporation's (PBGC's) multiemployer pension program totaling approximately $16 billion over the 10-year budget window.

Committee Democrats are committed to addressing the solvency of the PBGC's multiemployer pension program and fixing the multiemployer pension crisis that is threatening the retirement security of millions of Americans. To that end, Committee Democrats are hopeful that the Joint Select Committee on the Solvency of Multiemployer Pension Plans, which was established by the Bipartisan Budget Act of 2018, will advance a responsible, bipartisan solution. Committee Democrats also believe the Administration's premium proposal should be scrutinized by the Joint Select Committee and Congress so its impact on multiemployer plans, participants, and employers can be thoroughly understood.

Older Americans. The Administration's proposed budget would eliminate the Senior Community Service Employment Program (SCSEP) which was funded at $400 million in FY17 as part of the Department of Labor's Employment and Training Administration. The budget also proposes to cut Elder Rights Support Activities by $2 million. Congress passed a bipartisan reauthorization of the Older Americans Act in the 114th Congress and Committee Democrats are committed to full funding and implementation of the law.

Civil Rights in Employment.

[31] See: American Academy of Actuaries, *Letter to Chairwoman Foxx and Ranking Member Scott*, March 8, 2017, https://www.actuary.org/files/publications/AHPs_HR1101_030817.pdf; National Association of Insurance Commissioners, *Letter to Chairwoman Foxx and Ranking Member Scott*, February 28, 2017, http://www.naic.org/documents/health_archive_naic_opposes_small_business_fairness_act.pdf; Families USA, *Letter to Speaker Ryan and Leader Pelosi*, March 20, 2017, http://familiesusa.org/sites/default/files/documents/AHP_sign_on_3_20_final.pdf.

Office of Federal Contract Compliance Programs. The Administration's proposed budget requests $91.1 million for the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP), a $12.7 million (or 12%) decrease from the FY17 enacted level. Additionally, the budget requests a decrease in FTEs; the budget requests 450 FTEs, a 75 FTE decrease from the FY17 enacted level. Committee Democrats support $120 million for the OFCCP to help ensure a well-staffed agency that will enforce Federal civil rights laws with regard to companies that do business with the Federal government.

Equal Employment Opportunity Commission. The Administration's FY19 proposed budget requests $363.8 million for the U.S. Equal Employment Opportunity Commission (EEOC), a $1.7 million increase over the FY17 enacted level. The EEOC's funding has remained level for the past five years. Additionally, the budget supports funding for 2,025 FTEs, a decrease from the 2,082 FTEs in FY17. Committee Democrats support robust funding for the EEOC as it is the principle agency charged with enforcing Federal employment anti-discrimination laws. Specifically, Committee Democrats endorse a funding level of $402 million for FY19 to address an increase in filed charges based on race, age, disability, and retaliation, as well as the increased awareness of sexual harassment in the workplace. Additionally, the funds will allow the EEOC to reduce the pending inventory of more than 60,000 charges.

ROBERT C. "BOBBY" SCOTT
Ranking Member

RAÚL M. GRIJALVA

MARCIA L. FUDGE

GREGORIO KILILI CAMACHO SABLAN

SUZANNE BONAMICI

ALMA S. ADAMS

DONALD NORCROSS

RAJA KRISHNAMOORTHI

ADRIANO ESPAILLAT

SUSAN A. DAVIS

JOE COURTNEY

JARED POLIS

FREDERICA S. WILSON

MARK TAKANO

MARK DeSAULNIER

LISA BLUNT ROCHESTER

CAROL SHEA-PORTER