



# Fact Sheet

COMMITTEE ON EDUCATION & THE WORKFORCE DEMOCRATS

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The Hon. Bobby Scott • Ranking Member

Overall, the omnibus includes \$177 billion for Labor-HHS-ED, which is \$16.075 billion increase above the FY17 enacted level.

## DEPARTMENT OF EDUCATION

The FY18 Omnibus includes \$70.9 billion in discretionary appropriations for the Department of Education, which is a \$3.9 billion increase above the FY17 enacted level. The Omnibus' Department of Education funding is a rejection of the Trump/DeVos FY18 budget priorities, as it provides no funding or authorization for private school vouchers; increases funds for ESEA Titles I-A and IV-A; rejects the Administration's proposed public school cuts and program eliminations, including Title II-A for teacher professional development and IV-B for after school programs; and overrides Secretary DeVos' Agency reorganizations in the Office of Civil Rights and Budget Service.

### K-12 Education

- \$15.8 billion for Title I-A, a \$300 million increase above the FY17 enacted level and the Administration's proposed FY18 level.
- \$2.3 billion for Title II-A to support teacher professional development, equal to the FY17 enacted level. The Administration's FY18 budget proposed program elimination.
- \$737.4 million for Title III to support English language acquisition, equal to the FY17 enacted level and the Administration's proposed FY18 level.
- \$1.1 billion for Student Support and Academic Enrichment Grants, a \$700 million increase above the FY17 enacted level. The Administration's FY18 budget proposed program elimination.
- \$1.21 billion for 21<sup>st</sup> Century Community Learning Centers (after school programs), a \$20 million increase above the FY17 enacted level. The Administration's FY18 budget proposed program elimination.
- \$400 million for the Charter School Program, a \$58 million increase above the FY17 enacted level and \$100 million below the Administration's FY18 budget proposal.
- \$105 million for the Magnet Schools Assistance Program, a \$7.3 million increase above the FY17 enacted level and the Administration's proposed FY18 level.
- \$90 million for Title IV-F (Sec. 4631) to support School Safety National Activities, an increase of \$15.1 million above the FY17 enacted level, with \$5 million appropriated for Project SERV grants.
- \$1.4 billion for Impact Aid, an \$86 million increase above the FY17 enacted level, and a sizable increase above the Administration's proposed FY18 level.
- Maintains discriminatory appropriations general provisions that prohibit the use of federal funds for transportation of students or staff to overcome racial imbalances.
  - Includes a provision to resolve conflict with the above-mentioned provisions and authorization for transportation in the Magnet Schools Assistance Program in ESEA Section 4407(a)(9).

### Career and Technical Education

- \$1.2 billion for Career and Technical Education, a \$75 million increase above the FY17 enacted level.

## Special Education and Disability Employment

- \$12.3 billion for the Individuals with Disabilities Education Act (IDEA) Part B Formula Grants and Programs, a \$275 million increase above the FY17 enacted level.
- \$381 million for IDEA Preschool Grants, a \$12.9 million increase above the FY17 enacted level.
- \$470 million for IDEA Part C Grants for infants and families, a \$11.4 million increase above the FY17 enacted level.
- \$237 million for IDEA National Activities (including Special Olympics), a \$2.5 million increase above the FY17 enacted level, and a rejection of the Trump/DeVos budget, which proposed to cut Special Olympics funding by \$10 million.
- \$3.5 billion for Vocational Rehabilitation State Grants, a \$54.4 million increase above the FY17 enacted level.
- \$5.8 million for Demonstration and Training Programs, equal to the FY17 enacted level.
- \$22.5 million for Supported Employment grants that assist individuals with the most significant disabilities obtain and succeed in competitive, integrated employment, a \$5 million decrease below the FY17 enacted level, but a rejection of the Trump/DeVos budget, which proposed to eliminate the program.
- \$56 million for Research in Special Education at the Institute of Education Science, a \$2 million increase above the FY17 enacted level.
- Includes directives for GAO to conduct a study on data reported to the Office of Civil Rights and on efforts to reduce seclusion and restraint in K12 schools. The report will include best practices and effective alternatives to reduce the use of seclusion and restraint, as well as how to improve data collection efforts.

## Agency Organization

- Prohibits the elimination of the Education Budget Service Office, rejecting the Trump/DeVos proposal to dismantle the office.
- \$117 million for the US Department of Education Office of Civil Rights (OCR), an \$8 million increase above the FY17 enacted level. OCR must use the increase in funds to hire full time staff in order to investigate complaints and maintain all 12 regional offices.

## Higher Education

- \$24.2 billion for Student Financial Assistance, an increase of \$247 million above the FY7 enacted level. This funding includes:
  - \$1 billion for TRIO, a \$60 million increase
  - \$350 million for GEAR-UP, a \$10.2 million increase and rejection of the Trump/DeVos budget, which proposed to cut the program by over 60 percent
  - \$840 million for FSEOG, a \$106.8 million increase and rejection of the Trump/DeVos budget, which proposed to eliminate the program
  - \$1.1 billion for Federal Work Study, a \$140.2 million increase and rejection of the Trump/DeVos budget, which proposed to cut funding by half.
  - \$50 million for CCAMPIS, a \$35 million increase
  - \$175 increase in the base discretionary Pell Grant award. Rescission of \$48 million in FY17 mandatory Pell funding. Authorizes the Max Pell for Children of Fallen Heroes Act. Support for the Pell Grant program is a rejection of the Trump/DeVos budget, which would have cut Pell Grant funding by nearly \$4 billion.

- \$2.2 billion for Higher Education programs, an increase of \$191 million above the FY17 enacted level. This funding includes:
  - \$99 million for Strengthening Institutions, a \$12.4 million increase
  - \$123 million for Hispanic Serving Institutions, a \$15.4 million increase
  - \$244 million for HBCUs, a \$35 million increase
  - \$72.3 million for HBCU Graduation Institutions, a \$9 million increase
  - \$11.4 for Predominantly Black Institutions, a \$1.4 million
- \$43 million for Teacher Quality Partnership Grants, equal to the FY17 enacted level and a rejection of the Trump/DeVos budget, which proposed to eliminate the program.
- \$1.7 billion to remain available through FY19 for Student Aid Administration, which administers Federal student assistance programs. Rejects the Trump/DeVos student loan servicers' proposal by prohibiting the Secretary from awarding funds for a new Federal student loan servicing environment unless multiple servicers can manage a unique portfolio of borrower accounts. The Secretary must allocate student loan borrower accounts to servicers based on performance. Requires FSA to hold subcontractors accountable for meeting the requirements of the contracts and requires FSA to provide more funding to support borrowers at risk of being distressed.
  - \$2.3 million of the \$1.7 billion must be used by the Secretary of Education to conduct outreach to borrowers who want to qualify for Public Service Loan Forgiveness (PSLF) but are in the wrong repayment plan and all Direct Loan borrowers who may be interested in PSLF. Support for PSLF is a rejection of the Trump/DeVos budget, which eliminated the program.
- An additional \$350 million is available until expended for loan cancellation for borrowers who were in the wrong repayment plans. The total loan volume at application that is eligible for loan cancellation cannot exceed \$500 million. The Secretary shall provide loan cancellation under this section to eligible borrowers on a first-come, first-serve basis, based on the date of application.
- \$233 million for Howard University, an \$11 million increase above the FY17 enacted level.
- \$20 million for HBCU Capital Financing to make new loans, equal to the FY17 enacted level. Also includes an additional \$10 million to modify existing loans at private schools in financial distress.
- \$128 million for Gallaudet University, an \$11.7 million increase above the FY17 enacted level.
- \$11.8 million for Model Transition Programs for Students with Intellectual Disabilities in higher education, equal to the FY17 enacted level.
- \$72 million for International Education and Foreign Language programs, equal to the FY17 enacted level and a rejection of the Trump/DeVos budget, which proposed to eliminate the program.
- Extends authorization of NACIQI for an additional year.
- Allows an institution of higher education (IHE), with explicit written consent from the applicant, to provide a student's FAFSA information to a scholarship granting organization, including a tribal organization, to assist the applicant in applying for financial assistance.
- Allows the Secretary, through FY19 to waive Cohort Default Rate (CDR) penalties for community colleges located in an economically depressed county and a Tribal College or University or public IHEs that enroll majority Indian or Alaska Native students.

## **DEPARTMENT OF LABOR**

The FY18 Omnibus includes \$12.2 billion in discretionary appropriations for the Department of Labor, \$129 million over the FY17 enacted level. While many toxic riders were excluded, the omnibus does include the

tipped worker language and objectionable provisions exempting minor league baseball players from overtime pay regardless of hours worked during the season.

- \$2.7 billion for adult, youth and dislocated worker activities, equal to the FY17 enacted level
- \$1.7 billion for Job Corps, a \$14.5 million increase over the FY17 enacted level
- \$89.5 million for YouthBuild, a \$5 million increase over the FY17 enacted level
- \$93 million for the Reintegration of Ex-Offenders program, a \$5 million increase over the FY17 enacted level
- \$145 million to expand opportunities for apprenticeships registered under the National Apprenticeship Act, a \$50 million increase over the FY17 enacted level
- \$38.2 million for the Office of Disability Employment Policy (ODEP), equal to 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.

Worker Protection Agencies as a whole (EBSA, Wage and Hour, OFCCP, MSHA, OSHA, Workers Compensation, OLMS) \$1.59 billion levels funded with the FY17 enacted levels.

- \$181 million for the Employee Benefits Security Administration (EBSA), equal to the FY17 enacted level
- \$227.5 million for the Wage and Hour Division, equal to the FY17 enacted level
- MSHA \$373.8 million levels with FY 17
- OSHA \$552 million level with FY 17. The President's FY18 Budget proposed eliminating OSHA's Susan Harwood Training grants, which fund grants for safety and health competency training by industry, labor unions, community colleges and non-profits. The FY18 Omnibus included \$10.5 million for these grants, which is equal to the FY17 enacted level.
- OFCCP \$103 million, which is \$1.0 million less than F17. Report states: "No funds are provided in this agreement to undertake any activities to prepare for or facilitate the transfer of OFCCP's functions to another Federal agency."
- \$612 million for the Bureau of Labor Statistics (BLS), a \$3 million increase over the FY17 enacted level
- \$86 million for the International Labor Affairs Bureau (ILAB), equal to the FY17 enacted level. The President's FY18 Budget proposed cutting ILAB by over \$67 million.
- \$400 million for Senior Community Service Employment Program (SCSEP), equal to the FY17 enacted level. The President's FY18 Budget proposed eliminating funding for LIHEAP.
- \$88 million for the Migrant and Seasonal Farmworkers Training Program, a \$6 million increase over FY17 enacted level. The President's FY18 Budget proposed eliminating funding for this program.

## Policy Riders

- (recurring) Allows the Secretary to competitively select an entity to operate a Civilian Conservation Center (a Job Corps Center run by the Forest Service in the USDA) if the center has had consistently low performance as determined by WIOA's accountability metrics
- (recurring) exempts insurance claims adjusters from overtime requirements when working in response to areas affected by national disasters
- (recurring) Allows private wage surveys (PWS) for determining prevailing wages to be paid to H-2B workers (PWSs depress wages for U.S. workers) and blocking DOL from enforcing H-2B three fourths guarantee (Employers must offer H-2B worker 75% of hours promised in job offer) and corresponding

employment requirements (H-2B employers must provide non-H-2B workers the same protections and benefits as H-2B workers)

- (new) Allows the Secretary to furnish, through grants, cooperative agreements, contracts, and other arrangements, up to \$2 million of excess personal property to apprenticeship programs for the purpose of training apprentices in those programs. Note you just signed onto a GAO oversight letter on this programming.
- (new) Grants the Secretary of Labor the authority to dispose of or divest the property on which the Treasure Island Job Corps Center is situated. The Secretary can use this funding for a new Job Corps Center or to carry out the Job Corps Program.
- (new) so-called "Save America's Pastime Act" - the minimum wage and overtime provisions of the FLSA will not apply to minor league baseball players contracted to play during the championship season as long as he's paid at a rate not less than \$7.25/hour for a 40-hour work week regardless of how many hours he works. Note: This issue is pending in court--minor league players are suing MLB for FLSA violations right now in a collective action in federal district court in California.
- (new) Tipped Provision - amends FLSA to prohibit employers from keeping employees' tips, adds enforcement mechanism and penalties for this violation, and rolls back parts of the 2011 DOL regulation relating to tips as the property of workers
- (new) DOL Security Detail, 1 year only

#### **Policy Riders that the Omnibus DOES NOT Include:**

- House rider prohibiting the Equal Employment Opportunity Commission from moving forward with a policy change aimed at collecting employee gender and race information from employers
- House rider blocking funding for the DOL's "fiduciary rule"
- House rider blocking funding for OSHA's Injury and Illness reporting rule, which requires employers in high-risk industries to report injuries and illnesses electronically to OSHA
- Added the text of H.R. 644, the Conscience Rights Act, which would limit women's access to health care services and potentially put some women's lives in danger, while creating a new right to private litigation.

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

- \$2.2 billion for the Administration for Community Living, which is \$178 million above last year
- \$897 million for Older Americans Act senior nutrition programs, which is \$59 million more than the FY2017 enacted level
- \$190 million for caregiving support programs, an increase of \$32 million from FY2017 enacted level
- \$3.6 billion for the Low-Income Home Energy Assistance Program (LIHEAP), which is \$250 million more than the FY2017 enacted level. The President's FY18 Budget proposed eliminating funding for LIHEAP.
- Eliminated funding for the HHS Faith-based Center (\$1.3 million in FY2017)
- Black Lung Clinics. - \$10,000,000, an increase of \$2,734,000 over fiscal year 2017. This reflects the amount adopted by the House from the Scott-Griffith amendment.
- National Institute for Occupational Safety and Health (NIOSH) \$335,200,000, level funded with FY 17. This is level funded. The FY18 President Budget proposed eliminating multiple NIOSH safety research programs, including Agriculture, Fishing, Forestry, and Education Resource Centers.
- \$85 million for Child Abuse Prevention and Treatment Act state grants, an increase of \$60 million above the FY17 enacted level. States must use the additional funds to prioritize infant plans of safe care.

- \$9.9 billion for Head Start, a \$610 million increase above the FY17 enacted level.
- \$5.2 billion for Child Care and Development Block Grant, a \$2.37 billion increase above the FY17 enacted level.
- \$250 million for Preschool Development Grants, equal to the FY17 enacted level and a rejection of the Trump/DeVos budget, which proposed to eliminate the program.
- Includes the Sewell-Scott proposal to prohibit federal funds from going to child care providers whose neglect of children resulted in a death or serious injury.

### **Policy Riders**

- No language related to ACA stabilization or the Administration’s proposed rule on short-term plans and association health plans.

### **DEPARTMENT OF AGRICULTURE**

- Funds mandatory child nutrition programs consistent with current cost estimates. Those include:
  - \$13.1 billion for the School Lunch Program
  - \$4.8 billion for the School Breakfast Program
  - \$3.8 billion for the Child and Adult Care Food Program
  - \$564 million for the Summer Food Service Program
- \$28 million for summer EBT, a \$5 million increase above the FY17 enacted level.
- \$6.175 billion for WIC, which is enough to meet the expected need based on current estimates. This amount includes a rescission due to lower than expected caseloads.
- \$10 million for Farm to School, a \$5 million increase above the FY17 enacted level.
- \$30 million for school meal equipment grants, a \$5 million increase above the FY17 enacted level.
- \$2 million for a new grant to develop training programs for school nutrition personnel.

### **Policy Riders**

- Prohibition on funding for poultry products from China in school meals.
- Prohibition on overt identification and segregation of children eligible for free or reduced meals.
- Requires only school food authorities with a negative balance as of January 31, 2018 to comply with paid lunch equity.

### **DEPARTMENT OF JUSTICE**

- \$229.5 million for Juvenile Justice programs, a \$35.5 million increase above the FY17 enacted level.
- \$60 million for Part B Formula Grants to States, the federal grants to state juvenile
  - justice systems to operate their programs in accordance with the mandates of JJDPA, a \$2 million increase above the FY17 enacted level.
- \$94 million for Youth Mentoring Grants, a \$14 million decrease below the FY17 enacted level.
- \$27.5 million for delinquency prevention grants, a \$13 million increase above the FY17 enacted level. This funding includes \$8 million for a new program addressing opioid-affected youth.

## INDEPENDENT AGENCIES

- \$274.2 million for the National Labor Relations Board (NLRB), equal to the FY17 enacted level. The President's FY18 Budget proposed a \$16 million cut to the NLRB.
- \$11 million for the Chemical Safety Board (CSB), equal to the FY17 enacted level. The President's FY18 Budget proposed eliminating the CSB.
- \$379 million for the EEOC, a \$15 million increase from FY17 enacted level to deal with increase in sexual harassment claims
- \$1 billion for the Corporation for National and Community Service, a \$34 million increase above the FY17 enacted level and a rejection of the Trump/DeVos budget, which proposed to sunset the program.
- Omnibus does not include House rider adding the so-called Tribal Labor bill. It also does not include the riders blocking the NLRB's Election rule, Joint Employer standard, and its ability to rule on the proper size of collective bargaining units.