

[COMMITTEE PRINT]

116th CONGRESS

**SUBMISSION OF BUDGET VIEWS AND ESTIMATES FOR FISCAL YEAR 2020
OF THE
COMMITTEE ON EDUCATION AND LABOR**

MR. SCOTT, from the Committee on Education and Labor, submitted to the Committee on the Budget the following.

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The Committee on Education and Labor (the Committee) provides the following Fiscal Year 2020 Budget Views and Estimates pursuant to section 301(d) of the Congressional Budget Act of 1974 and clause 4(f) of Rule X of the Rules of the House of Representatives. The Committee notes the President is required by law to submit a comprehensive federal budget on or before the first Monday in February (31 U.S.C. 1105(a)) but has failed to meet this basic obligation. While we are unable to comment on the President's budget request in this letter, we affirmatively state that the Committee will advance legislation in the coming fiscal year to invest in the education of all students, boost the wages of working Americans, strengthen workplace safety and health, strengthen health care protections for workers, address urgent threats to workers' retirement security, improve child welfare systems, and strengthen supports for children and families. To secure these goals, this letter recommends either specific allocations or three deficit neutral reserve funds for inclusion in the Budget Resolution. In addition, we recommend increasing the caps on non-defense discretionary spending to allow for needed investments in children, students, workers, and families.

Promoting Educational Opportunity

The Committee recognizes that achieving educational equity for all students requires bold federal investments in education – from early education through higher education – and recommends allocations or a deficit-neutral reserve fund in the budget resolution for Fiscal Year 2020 for these vital investments.

Strengthening Early Childhood Education

An investment in our youngest children is an investment in the nation's economy. Providing children with high-quality supports during the first five years of life can put them on a track to lifelong success. Yet today, far too few children have access to the quality programs that support strong, healthy development. It is the Committee's position that all children, regardless of family socioeconomic background or disability, have year-round access to the programs and services that can help them flourish. This includes access to quality child care for all children, Head Start for our country's most economically disadvantaged children, and public pre-

Kindergarten for the nation's four-year-olds. The impact of these early learning programs on young children will only be as strong as the quality of the services they provide; thus, Congress must ensure that efforts to broaden access to these programs also include supports for quality improvement. Providing quality, year-round services that fulfill families' needs will not only support children's strong and healthy development but will also allow many more parents to join the workforce and enable those parents already in the workforce to secure stable, reliable child care.

K-12 Education

A high-quality education is the cornerstone of opportunity. To be most impactful, the Committee will advance legislation to increase investments to support a quality public education for every child, with a focus on programs authorized under the *Elementary and Secondary Education Act* (ESEA) and the *Individuals with Disabilities Education Act* (IDEA). Such investments will facilitate effective implementation of the *Every Student Succeeds Act* (ESSA), the long overdue 2015 reauthorization of the ESEA, to support states and school districts in improving academic outcomes and closing persistent achievement gaps. Additionally, increased federal commitment to IDEA programs will ensure that all students with disabilities receive a free, appropriate public education in the least restrictive environment. For too long, Congress has failed to meet its obligation to disadvantaged children. Increased federal investment in these programs will strengthen communities and improve academic achievement, ensuring all students graduate from high school ready for college and career.

The Committee seeks significant federal investment in the physical and digital infrastructure of public schools across the country to ensure that all students and school staff learn and work in safe, welcoming, and well-resourced schools. Also, public schools must be prioritized in federal infrastructure investment.

Higher Education

The Committee will pursue a comprehensive reauthorization of the *Higher Education Act* to ensure that every student has an opportunity to obtain a high-quality degree or credential that leads to a rewarding career. The Committee will work to make higher education more accessible by strengthening existing access programs, authorizing targeted programs that allow traditionally underrepresented students to enroll in college, and simplifying the financial aid application. Increasing access to two- and four-year degrees will also require providing multiple points of entry, such as high-quality certificates that provide transferable, life-long skills and in-demand technical skills, while also creating a structured path to a college degree. Postsecondary certificates supported by federal funds should serve as the foundation for further study, if the student chooses to continue her education.

The Committee will push legislation to make college more affordable by securing robust investments in the Pell Grant program, incentivizing states to reinvest in their public systems of higher education, and streamlining the student loan system to make it easier for students to repay their loans. To ensure more students finish college, the Committee will promote investment in programs and services – such as career counseling and campus-based child care – that will help students graduate and put them on a path to success. Further, the Committee will reauthorize

mandatory funding for Historically Black Colleges and Universities and Minority-Serving Institutions to ensure students are supported at these institutions.

Career and Technical Education

Last Congress, Committee Democrats led the effort to pass the *Strengthening Career and Technical Education for the 21st Century Act*. In the 2016-2017 school year, approximately 8.3 million high school students were enrolled in one or more career and technical education courses. The Committee supports continued strong federal investment in career and technical education to engage students in life-long learning and prepare them for college and career.

Raising the Minimum Wage

American workers are more productive than ever, but they are not receiving their fair share of economic growth. Raising the minimum wage is one part of the Committee's commitment to get workers and middle-class families a long overdue raise.

No person working full-time in the richest nation on earth should be living in poverty, yet, according to the Economic Policy Institute, one in nine U.S. workers are paid wages that leave them in poverty, even when working full-time and year-round.¹ There is no place in America where a full-time worker making \$7.25 an hour can afford the essentials.

After nearly ten years with no increase in the minimum wage, the Committee will advance legislation that will gradually raise the minimum wage to \$15 by 2024. Two-thirds (67.3 percent) of the working poor in America would receive a pay increase if the minimum wage were raised to \$15 by 2024.² By putting money in the pockets of nearly 40 million hardworking Americans who will then spend that money in their local economies, this legislation will be good for workers, good for businesses, and good for the economy.

Protecting Workers' Lives: Workplace Safety and Health

The Committee will advance legislation to strengthen workplace safety and health protections by modernizing the almost 50-year-old Occupational Safety and Health Act and by ensuring that vigorous action is taken to stem the rising rates of black lung disease. Due to frozen budgets for the past decade and a shrinking number of safety and health inspectors, the Occupational Safety and Health Administration (OSHA) only has sufficient resources to inspect each establishment in its jurisdiction once every 158 years. To better protect workplace safety, there will need to be a substantial increase in the discretionary budgets for OSHA, the Mine Safety and Health Administration, and the National Institute for Occupational Safety and Health.

Protecting Workers' Voices: Whistleblower Protections

Whistleblowers must be able to file complaints without fear of retaliation. This is critical for a government to operate honestly and for workers to be productive in a safe work environment. OSHA enforces the anti-retaliation provisions of more than 20 laws protecting workers who

¹ David Cooper, *One in nine U.S. workers are paid wages that can leave them in poverty, even when working full time*, The Economic Policy Institute (June 15, 2018), <https://www.epi.org/publication/one-in-nine-u-s-workers-are-paid-wages-that-can-leave-them-in-poverty-even-when-working-full-time/>.

² David Cooper, *Raising the Minimum Wage to \$15 by 2024 Would Lift Wages for Nearly 40 Million American Workers*, Economic Policy Institute (February 2019), <https://www.epi.org/publication/raising-the-federal-minimum-wage-to-15-by-2024-would-lift-pay-for-nearly-40-million-workers/>.

report a broad range of alleged misdeeds – from workplace safety to food safety lapses, railroad hazards, and securities and accounting fraud. The quantity of whistleblower complaints coming to OSHA increased by 29 percent over the last five years while the number of investigators declined by 24 percent. To remedy this problem, there will need to be a substantial increase in the budget for OSHA’s whistleblower protection program.

Protecting the Trust Fund that Provides Black Lung Benefits to Coal Miners and Survivors

Steps need to be taken to ensure the solvency of the Black Lung Disability Trust Fund, which has been undermined by the 55 percent reduction in the excise tax rate on coal that went into effect on December 31, 2018. According to the Government Accountability Office, if Congress does not renew the excise tax rate, the outlays for benefits, administrative costs, and debt service will exceed excise tax revenues for each year for the next 30 years, and the deficit in the Trust Fund will grow from approximately \$5 billion to \$15 billion by the year 2050.³ This shortfall will have to be made up by taxpayers. The costs of black lung disease should be borne by the industry and those who purchase coal and should not be shifted onto the shoulders of taxpayers.

Protecting and Improving Access to Health Coverage

The Committee is committed to building upon the historic achievements of the *Affordable Care Act* (ACA). Thanks to the ACA, an additional 20 million Americans now have health coverage, workers and their families have access to preventive health care without cost-sharing, young adults can stay on their parents’ policy until age 26, plans cannot impose lifetime or annual limits on coverage, and more than 130 million Americans with preexisting health conditions cannot be discriminated against by insurance companies. As the primary committee of jurisdiction regarding employer-sponsored health plans, the Committee is at the center of efforts to solidify the foundation of the ACA and take additional steps to further expand access to quality, affordable, comprehensive health coverage that is essential to the economic security of working Americans.

The Administration has endlessly worked to undermine the law through recent rulemaking by the U.S. Departments of Labor, Treasury, and Health and Human Services. These Executive actions have expanded the reach of association health plans and short-term, limited duration plans – that are not subject to fundamental consumer protections under the ACA – while limiting women’s access to contraceptive care. The Committee will exercise its oversight authority over these rules and other actions that jeopardize access to affordable coverage for the American people, particularly those with preexisting conditions.

Promoting Retirement Security by Addressing the Multiemployer Pension Crisis

The Committee recommends allocations or the inclusion of a deficit-neutral reserve fund in the budget resolution for Fiscal Year 2020 to address the multiemployer pension crisis. Over 100 multiemployer pension plans are headed toward insolvency and will soon be unable to pay out benefits owed to 1.4 million retirees. Making matters worse, the Pension Benefit Guaranty Corporation (PBGC), which insures 1,400 plans covering 10.6 million participants in multiemployer benefit plans, is rapidly running out of money to backstop plans.

³ Government Accountability Office, *BLACK LUNG BENEFITS PROGRAM: Options for Improving Trust Fund Finances*, (GAO 18-351) (May 2018), <https://www.gao.gov/assets/700/692103.pdf>.

The PBGC has approximately \$2.3 billion in assets (including meager premium income and investment returns) to meet \$56 billion in liabilities over the next ten years. The Joint Select Committee on Solvency of Multiemployer Pension Plans, which conducted five hearings in 2018, examined the history and structure of multiemployer pensions plans, and it received testimony that made it clear that if Congress fails to act, there will be catastrophic consequences for workers, retirees, and employers, as well as huge costs to the federal budget. The Joint Select Committee learned that the costs of inaction to the federal budget dwarf the costs to taxpayers for any of the solutions under consideration. In Fiscal Year 2020, the Committee intends to advance legislation to responsibly address the solvency of the PBGC's multiemployer pension program and fix the multiemployer pension crisis that is threatening the retirement security of millions of Americans.

Legislative proposals include the *Rehabilitation for Multiemployer Pensions Act* (H.R. 397), which would establish a Pension Rehabilitation Administration to administer federal loan financing to troubled pension plans to help the plans return to firmer financial footing without pension cuts.

Shifting Toward Prevention in Child Welfare

The Committee recommends allocations or the inclusion of a deficit-neutral reserve fund in the budget resolution for Fiscal Year 2020 to support and improve child welfare systems to provide support for the nation's most vulnerable children at a critical time in their young lives. Historically, child welfare efforts have largely focused on identifying and treating children who may have suffered abuse or neglect. It is the Committee's position that child welfare systems must be responsive to the latest science and, moving forward, integrate a prevention perspective in their work. Congress needs to invest in and support families before child abuse and neglect occurs to prevent the suffering that follows instances of abuse and neglect. The Committee wants to ensure that families that experience multiple, complex needs – who are the most at-risk of experiencing child abuse and neglect – receive adequate prevention supports. This federal investment may also serve to fight racial inequities within the child welfare system that unjustly hurt children and families of color.

Investing in the Health and Nutrition of Children and Families

The Committee recommends robust investment in child nutrition programs – the bulk of which receive mandatory funding – including the National School Lunch Program, the School Breakfast Program, and the Child and Adult Care Feeding Program, among others. In 2017, nearly one in six American children lived in a food insecure household, meaning that they did not have a consistent source of adequate nutritious food.⁴ Moreover, childhood obesity nearly tripled between 1970 and 2000, resulting in poor health and high health care costs.⁵ Healthy food in schools for the approximately 30 million children who eat school meals every day can serve as a powerful tool to combat both.

The authorization for child nutrition programs as well as the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) lapsed in 2015. Improvements made in the

⁴ U.S. Department of Agriculture, Economic Research Service, *Household Food Security in the United States in 2017* (September 2018), <https://www.ers.usda.gov/webdocs/publications/90023/err-256.pdf?v=0>.

⁵ Robert Wood Johnson Foundation, *The State of Obesity, Childhood Obesity Trends*, <https://stateofobesity.org/childhood-obesity-trends/> (last visited Feb. 28, 2019).

Healthy, Hunger-Free Kids Act of 2010, such as the Community Eligibility Provision (CEP), should be the basis on which we continue to strengthen federal feeding programs. School environments play a key role in ensuring children have access to the nutrition they need and develop healthy eating habits for a lifetime. The Committee supports robust funding for kitchen infrastructure to support schools in serving healthier meals, testing and replacement of school drinking water infrastructure to ensure water is lead-free and safe to drink, and nutrition education programs such as Team Nutrition.

The Committee also recognizes that the need for healthy food does not end when the school day or school year ends. The Summer Food Service Program, the Child and Adult Care Food Program, and the summer Electronic Benefit Transfer (EBT) program allow healthy food to reach children in other settings.