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Fiscal Year (FY) 2020 Appropriations Update

Both the House and Senate returned last week from their August recess with approximately two weeks before the September 30 end of FY 2019. Lawmakers in both chambers have indicated that a Continuing Resolution (CR) extending current funding levels through mid-November or early December will be necessary.

Democratic leaders have said they want a "clean" CR that can win bipartisan support. Despite this, a draft bill being circulated in the House would prevent the Trump Administration from holding up any further aid to Ukraine, freeze the President's trade relief payments to farmers, and reject a White House request for flexibility on border fencing, potentially complicating final negotiations. The draft CR does not currently have an end date specified, but House Majority Leader Steny Hoyer (D-MD) has said he would like it to extend to November 15 or 21. The Senate has indicated that a CR would likely extend to November 22, the last day the Senate is in session before the weeklong Thanksgiving recess.

In the meantime, the Senate Appropriations Committee finally began the FY 2020 appropriations process with passage of their Defense and Energy & Water bills on Thursday, September 12. Senate appropriators had tentatively planned to move four bills through Committee each week for the next three weeks, however those plans changed when scheduled markups of the Labor-HHS and State-Foreign Operations bills were cancelled after disputes over abortion policy riders.

On Tuesday, just minutes before the scheduled start of the Labor-HHS Subcommittee markup, Committee leaders delayed the markup "until further notice" after Democrats indicated they were preparing to offer an amendment at the full Appropriations Committee markup that would block the Trump Administration from enforcing a rule preventing federal grant money from going to organizations that offer abortions or refer patients for abortions.

Appropriators had been hoping to avoid disputes on these types of policy riders this year because of an agreement reached as part of the two-year budget deal enacted this summer. That agreement prohibits "poison pill" policy riders unless they have backing from top Congressional leaders of both parties and President Trump, but according to Appropriations Committee Chairman Richard Shelby (R-AL) lawmakers have been unable to agree on what constitutes such a policy rider.

In addition, during the Appropriations Committee markup of the Defense and Energy & Water bills, appropriators also adopted the FY 2020 302(b) spending allocations, in a 16-15 party line vote. Alternative allocations were proposed by Vice Chairman Patrick Leahy (D-VT) at the markup, but were rejected along party lines. Vice Chairman Leahy's proposed allocations would have taken \$3.6 billion from the Homeland Security budget for a border wall and instead applied it to the Labor-HHS bill. Vice Chairman Leahy also wanted to provide more funding for the Coast Guard and for the Transportation-HUD measure.

As of now, there is no clear path forward for the Labor-HHS bill, once hoped to be part of the first appropriations package on the Senate floor along with the Defense, Energy & Water, and Foreign Operations measures. Chairman Shelby said that the Defense and Energy & Water bills might make it to the floor this week, but given Democrats' united opposition to the Defense measure at last week's

markup due to the recent transfer of Pentagon funds for President Trump's border wall it doesn't appear likely the bill can garner the 60 votes needed to end debate and proceed to a final vote.

The House has approved ten of the twelve spending bills. While they wait for their colleagues in the Senate to advance their versions of the FY 2020 spending measures, they will be focused on legislation to address gun violence as well as approving the CR.

We will continue to communicate with the Hill regarding the status of the Labor-HHS bill and SSA's administrative funding needs and provide updates.

NCSSMA Twitter Account

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