Congress Pushes Forward on FY18 Budget but Lacks Consensus

A House bill maintains level funding for the Ryan White HIV/AIDS Program but kills critical support for the Minority AIDS Initiative Fund.

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With the September 30 deadline to fund the government looming large, House and Senate budget and appropriations leaders are pushing forward to complete their work.

Appropriations

Last Wednesday, the House Appropriations Committee approved a $156 billion Labor-HHS-Education spending bill for fiscal 2018 that invests about $21.6 billion more than the White House proposed in its fiscal 2018 budget but provides $5 billion less than the current FY 2017 total funding. The bill maintains level funding for the Ryan White HIV/AIDS Program and CDC HIV, hepatitis and STD Prevention programs. Unfortunately, the bill eliminates critical funding for the Secretary's Minority AIDS Initiative Fund and cuts Minority Aids Initiative (MAI) funds from the Substance Abuse and Mental Health Services Administration (SAMHSA). The bill would boost spending for the National Institutes of Health while eliminating the Title X family planning program, a $286 million program that serves as the nation's only dedicated family planning funding source. The bill also includes several contentious riders dealing with abortion and fetal tissue research.

During the Appropriations Committee mark-up of the Labor-HHS bill, Representative Barbara Lee (D-CA) offered an amendment to restore the Secretary's MAI ($53.9 million) and the SAMHSA ($17.7 million) funding to the bill. The amendment was included in a package to restore funding to other minority health programs, including the Office of Minority Health, the Health Careers Opportunity Program, Centers of Excellence, and Nursing Workforce Diversity. While the Lee amendment failed by a vote of 23 to 29, Chairman Cole (R-OK) noted that he is responsible for the funding levels and would work toward increases. It is crucial that advocates highlight these program eliminations and funding cuts.

The bill was approved by the committee and sent to the House floor along a party line vote, 28-22. As the largest nondefense spending bill, the measure has rarely reached a floor vote in recent years.

In an effort to wrap up the FY 2018 appropriations process, House Republicans began to whip

support for a catchall 12-bill fiscal 2018 omnibus package. However by the end of the week, leadership had shifted to advancing a “minibus” spending package made up of four bills: Defense, Energy-Water, the Legislative Branch, and Military Construction-Veterans Affairs. A vote on the minibus package is expected next week, before the House leaves for a shortened August recess. This would mean that funding decisions on domestic HIV programs would be delayed until September.

Meanwhile, the Senate Appropriations Committee approved FY 2018 top-line spending allocations for the 12 spending bills under the committee’s jurisdiction. The panel adopted its allocations at the fiscal 2017 funding level of $1.07 trillion in base discretionary funding, with $104 billion for Overseas Contingency Operations, or war funding. The Senate is also expected to begin its LHHS Markup with a $164.06 billion allocation soon, and the goal is to pass out of full committee by the end of the month.

Budget

House Republicans are releasing their fiscal 2018 budget plan, which they’re calling “Building a Better America” on Friday, July 21. In addition to setting out Republican fiscal aspirations, the Building a Better America budget would provide a maximum discretionary spending level and reconciliation instructions written into the budget resolution. This would set the stage for Republicans to be able to move a giant tax and entitlement spending cut bill through the Senate immune to any filibuster. The reconciliation instructions do not include language to increase the debt ceiling, which will be coming to a head early this fall. These proposed entitlement cuts stoke fears of a shutdown with the approaching debt ceiling.

The draft budget resolution was marked up by the full Budget Committee on Wednesday and approved on a party-line vote.

The Building a Better America House Budget will likely be difficult to pass on the floor. For many conservatives, the proposed entitlement cuts do not go deep enough. Tuesday Group moderates, led by Representative Dent (R-PA), are calling for a bicameral bipartisan effort. This leaves Republicans with only one option if they want to use reconciliation to rewrite the tax code: a shell budget. They used this process in January to set up the reconciliation vehicle for their health care overhaul. A shell budget would simply outline topline spending limits and include the reconciliation instructions for the tax-writing committees, forgoing the hundreds of pages of aspirational policy ideas that usually go into the budget.

The $1.132 trillion top-line spending level House Republicans are using puts them on a collision course with Democrats because it would exceed defense caps in the 2011 Budget Control Act (BCA), Public Law 112-25. The House budget also differs sharply from the total that Senate Republican appropriators are using. They are using the actual FY 2017 spending total, but that total also exceeds the BCA spending caps for FY 2018. Senate Republicans will need Senate Democrats to get the 60 votes to bust those caps. Democrats are open to exceeding defense limits only if there is parity in spending increases (i.e. if there are equal increases in non-defense spending).

We must make it clear that any cut in entitlements would be devastating for communities affected by HIV. Advocates must remain vigilant, we must demand parity in defense and non-defense spending increases, we must fight for restoration of cuts to HIV programs, and we must demand access and coverage to the health care we depend upon.

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