Agenda

❖ Timelines – Where we are

❖ What Has Happened?

❖ What is Still Pending?
Timelines

❖ 117th Congress Convened in January 2021
  ❖ January 2021 – December 2022

❖ Congressional Election - November 8, 2022
  ❖ All 435 seats in the House
  ❖ 35 seats in the Senate
  ❖ 36 Governors and numerous state representatives

❖ Lame Duck Session of Congress

❖ 118th Congress - Convenes in January 2023
Major Laws Enacted

- 2021 American Rescue Plan
- Bipartisan Infrastructure Plan
- Bipartisan Safer Communities Act
- Inflation Reduction Act of 2022
2021 American Rescue Plan Act (ARP)

- Enacted in March 2021
- Included $1.9 trillion with one-time only IDEA funds:
  - $2.5 billion for Part B
  - $200 million for Section 619
  - $250 million for Part C
- Unfortunately, no Part D funds included
- Advocates worked for full year with many partners to achieve this
- Funds being spent currently
American Rescue Plan
Includes:

- $350 billion for state, local, and territorial governments
- $1 billion for Head Start
- Expanded student loan forgiveness and emergency grants for college students
- $1400 Stimulus checks for eligible individuals and families
- $25B for child care stabilization, $15 billion for CCDBG, and $3.55B in Child Care Entitlement to States
- $50 billion for testing expansion and $20 billion for a national vaccination program;
- Temporarily expands Child/Dependent Care Tax Credit (CDCTC) and expands the Child Tax Credit
- 100,000 person public health corps and funding for community health centers/tribal health services
- Investments in COVID-19 treatment and new strain research and vaccine administration
- 15% increase in SNAP benefits through September 2021
- Extended unemployment benefits and federal eviction and foreclosure moratorium until 9/21
- $150 million for the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program.
Bipartisan Infrastructure Legislation - $550 Billion Investment

- $110 billion for roads and bridges
- $73 billion to upgrade the electric grid
- $66 billion for rail (passenger and freight)
- $65 for broadband (including rural)
- $55 billion for water quality
- $50 billion for climate change measures
- $21 billion for environmental cleanup
- $15 billion for electric vehicles
- $39 billion for public transit
- 42 billion for ports and airports
Bipartisan Safer Communities Act

- First time gun legislation enacted in recent history
- Debated, drafted, enacted within a month
- Includes significant investments in mental health
- $500m for School-Based Mental Health Demonstration Grants
- $500m for School-Based Mental Health Services Grants
- $1b through ESSA Title IV-A to improve school climate
- $50m for afterschool programs for older youth
- $240m to increase awareness of mental health
- $28m set-aside for trauma care in schools
After Over A Year Of Internal Party Debate and Negotiation
Inflation Reduction Act

• Passed Senate 50 to 50 with the Vice President breaking the tie
• House passed 220-207; President signed into law over $700 billion package
• Includes nearly $370 billion into climate provisions over 10 years
• Extends the expanded Affordable Care subsidies for three years
• Allows the Health and Human Services Secretary to negotiate prices for a number of high-cost prescription drugs within the Medicare program
• A $2,000 out-of-pocket cap on prescription drug costs for patients with Medicare prescription drug coverage, starting in 2025
• Monthly cap on Medicare copays for insulin to $35 per month, beginning in 2023
• Corporate tax changes
• Reduction of deficits by roughly $300 billion over the next decade.
What Was Not Included

• Any child care and early learning provisions
• Extension of the Child Tax Credit and Earned Income Tax Credit
• Increased funds for maternal health, home and community based services for the aging and people with disabilities
• National paid leave
• Affordable housing
• Nutrition aid
• Closing the Medicaid coverage gap

Senate Majority Leader Schumer said, “I pledge to my colleagues and to the American people that I will keep working with Senator Murray until we get something done to increase access to high-quality child care for working families.”
Final FFY 2022 Omnibus Appropriations

- Includes a $14.5 million increase for Part C that brings the total Part C funding to $496.3 million
- Includes a $12 million increase for Preschool Special Education (Section 619) to $409.5 million
- Funds were allocated to states July 1, 2022.
- Only one of the policy changes proposed was included:

“Provided further, That, notwithstanding section 638 of the IDEA, a State may use funds it receives under section 633 of the IDEA to offer continued early intervention services to a child who previously received services under part C of the IDEA from age 3 until the beginning of the school year following the child’s third birthday with parental consent and without regard to the procedures in section 635(c) of the IDEA.”
October 1, 2022 through September 30, 2023

IDEA awards July 1, 2023

We have funding requests from the President, the House and the Senate Appropriations Committee

Continuing Resolution (CR) until after the election is likely

Differences in the House and Senate funding levels and policy proposals need to be conferenced

Bill becomes law when agreed to by full House and full Senate and signed by the President

May have several CRs depending on the election results
President’s FFY 2023 Budget Request

• Not binding, will not be voted on; starts the conversation.

• House, the Senate and the President must reach agreement by September 30, 2022 or a Continuing Resolution (CR) is needed to keep the government open until agreement can be reached.

• A CR is expected to extend the time for reaching agreement until after the upcoming November 8th election.

• Includes significant increases in early childhood and quite a few proposed policy changes.

• Some were included in last year’s process, others are new this year.
Comments from the FFY 2023 Budget Request

“The proposed increase and reforms ...would support a significant expansion of early intervention programs that provide services to infants and toddlers with disabilities, particularly for historically underserved children such as children of color and children of low-income families.”

The Administration language supports a commitment to closing gaps in access and “ensuring all children who need these vital services receive them in a timely manner. Doing so would improve outcomes for underserved children as evidence shows that early intervention services reduce the likelihood of special education placement later in a student’s life. Therefore, the request proposes a range of proposals to increase equity and access to Part C services as described below.”
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<thead>
<tr>
<th>Program</th>
<th>FFY 2021</th>
<th>FFY 2022</th>
<th>Proposed FFY 2023</th>
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<tbody>
<tr>
<td>IDEA Part B 611</td>
<td>$12.9 billion</td>
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<td>IDEA Part B 619</td>
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<td>IDEA Part C</td>
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<td>Parent Training Information Centers (PTIs)</td>
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<td>National Special Education Research</td>
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<td>Program</td>
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<td>Child Care and Development Block Grant (CCDBG)</td>
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<td>Head Start and Early Head Start</td>
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<td>EHDI</td>
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<td>Preschool Development Grant Birth Through Five (PDG B-5) program</td>
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<td>Infant Early Childhood Mental Health</td>
<td>$8 million</td>
<td>$10 million</td>
<td>$10 million</td>
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House Appropriations Markup for FFY 2023

- IDEA Part B Preschool Grants: $439.6 million
  - A $30.1 million increase over FY2022
- IDEA Part C Grants for Infants and Toddlers: $621.3 million
  - A $125 million increase over FY2022
- Child Care and Development Block Grant (CCDBG) program: $7.17 billion
  - A $1.0 billion increase over FY2022
- Head Start and Early Head Start: $12.4 billion
  - A $1.36 billion increase over FY2022
- Preschool Development Grant Birth Through Five (PDG B-5) program: $350 million
  - A $60 million increase over FY2022
Senate Appropriations Markup for FFY 2023

- IDEA Part B Preschool Grants: $445,000,000
  - An increase of $35.5 million more than fiscal year 2022
- IDEA Part C Grants for Infants and Toddlers: $591,306,000
  - An increase of $95 million more than fiscal year 2022
- Child Care and Development Block Grant (CCDBG) program: $7,165,330,000
  - An increase of $1 billion over fiscal year 2022.
- Head Start and Early Head Start: $12,036,820,000
  - An increase of $1 billion over fiscal year 2022
- Preschool Development Grant Birth Through Five (PDG B-5) program: $350,000,000
  - An increase of $60 million over fiscal year 2022.
Policy Proposals Under Consideration in FFY 2023 Bill

• The President’s budget, the House and the Senate bill all include continuation of the FFY 2022 transition language:

• A State may use funds it receives under Part C to offer continued early intervention services to a child who previously received services under Part C from age 3 until the beginning of the school year following the child’s third birthday with parental consent and without regard to the procedures in section 635(c) of the IDEA:
Policy Proposals in the FFY 2023 Recommendations

• Would require all States receiving funds under Part C to reserve at least 10 percent of their annual allocations to develop and implement an equity plan approved by the Secretary. *(In President’s Request and in House bill)*

• A state may reserve from its award an amount necessary for use in a manner described in a State plan, approved in the State, to ensure equitable access to and participation in part C services in the State, particularly for populations that have been traditionally underrepresented in the program; *(In Senate bill)*
Policy Proposals in the FFY 2023 Recommendations

• The Department is proposing to address inequity in access to services through appropriations language that would prohibit States from charging family fees or out-of-pocket expenses. *(In President’s Request and in House bill)*

• Not in the Senate bill
Policy Proposals Under Consideration in FFY 2023 Bill

• The Administration is proposing appropriations language that would allocate Part C funds based on a formula which, like funding under the Grants to States and Preschool Grants programs, allocates 85 percent of funding on the basis of a State’s relative share of the population birth through age 2, and 15 percent on the basis of a State’s relative share of individuals in that age range living in poverty.

• *(Not in House or Senate bill)*
Policy Proposals Under Consideration in FFY 2023 Bill

• Allow the Department to reserve up to $200 million under the Part C State Incentive Grants (SIG) program and add a new allowable use of that funding to support States serving at-risk infants and toddlers. *(In President’s Budget - not in House bill)*

• The Secretary may reserve up to $45 million under Part C to provide grants to States that are either carrying out the policy described in sections 632(5)(B)(ii) and 635(c) or are serving at-risk infants and toddlers as defined in section 632(1) and 632(5)(B)(i) in order to facilitate the implementation of such policy *(Senate language)*
Policy Proposals in the FFY 2023 Recommendations

• Provides flexibility to use Part C funds to conduct child find, public awareness, and referral activities for individuals who are expected to become parents of an infant or toddler with a disability. *(In President's Budget Request and House Committee bill)*

• State may use funds under Part C to conduct child find, public awareness and referral activities for an individual who is expected to become a parent of an infant with a disability, as established by medical or other records; Any State electing to use funds under this provision shall ensure, that as soon as possible but not later than 45 days after the child’s birth, it completes the referral and eligibility process under Part C for that child; *(Senate bill)*
Policy Proposals in the FFY 2023 Recommendations

• The Department proposes to address such uncertainties and disparities in the provision of services through appropriations language that would require States to provide families at least 24 months’ advance notice of any changes to eligibility requirements under the Part C program. *(Similar language in House and Senate bills)*
Policy Proposals in the FFY 2023 Recommendations

- Birth Through Five System Study – The Secretary may reserve up to $5,000,000 from IDEA 6111 to study issues related to the creation and implementation of a comprehensive system of services and supports for children with disabilities from birth through age 5.

- *(In the President’s Budget Request and in the Senate bill)*
Funding Early Childhood is the Right IDEA Act

- Federal funding has not kept pace with growth and inflation continuing decrease in federal per child funding
- Highest was:
  - Part C - $650 per child
  - Preschool 619 - $506 per child
- Significant efforts across many advocacy partners are addressing the issue
- Bill establishes glide path of increasing authorizations
- Bill is parallel to the Part B Full Funding Act efforts
- Mark DeSaulnier (CA-D) and Rodney Davis (IL-R) introduced the bill in the last Congress
Funding Early Childhood is the Right IDEA Act

• Representatives Mark DeSaulnier (D-CA), Rodney Davis (R-IL), and Jared Huffman (D-CA) introduced in the House (H.R. 6532) – has 21 co-sponsors as of 8/20/22

• Senator Maggie Hassan (D-NH) introduced in Senate (S. 3544) – 4 co-sponsors Casey (PA), Van Hollen (MD), Murphy (CT) and Reed (RI) as of 8/20/22

• A bipartisan, bicameral bill to restore full funding for educational and early intervention services for children with disabilities

• Press Release with 65 groups signed on to support the bill is located at: https://desaulnier.house.gov/media-center/press-releases/representatives-desaulnier-davis-and-huffman-introduce-bipartisan

• https://www.congress.gov/
What Is Due or Overdue?

- IDEA
- CAPTA
- Higher Education Act
- Education Sciences Reform Act
- Head Start Act
- Newborn Hearing
- Home Visiting – expires if not reauthorized by September 30, 2022
Home Visiting Reauthorization

• Learn About the Positive Impact of MIECHV in Your State
  • Released June 22, 2022
  • Home Visiting in your state
  • First Five Years Fund

What’s Still Possible In the Rest of the Second Session?

❖ Remember all bills not passed when the 117th Congress adjourns must be reintroduced in the 118th Congress

www.congress.gov
Outlook for the remainder of the Year

❖ All House Members and 1/3 of Senators are up for reelection
❖ Productivity tends to slow as we near election day
❖ Partisanship/political divides tend to amplify
❖ No authorizing initiatives likely
❖ Appropriations the biggest “must-do”
❖ Big year-end package possible as a “finale” for the 117th Congress
Thank you!