

# United States Senate

WASHINGTON, DC 20510

March 29, 2023

The Honorable Tammy Baldwin  
Chair  
Appropriations Subcommittee on Labor,  
Health and Human Services, Education, and  
Related Agencies  
United States Senate  
Washington, D.C. 20510

The Honorable Shelley Moore Capito  
Ranking Member  
Appropriations Subcommittee on Labor,  
Health and Human Services, Education,  
and Related Agencies  
United States Senate  
Washington, D.C. 20510

Dear Chair Baldwin and Ranking Member Capito:

As you work to develop the fiscal year 2024 (FY24) Labor Health and Human Services, and Education Appropriations (LHHS) bill, we request that you maintain strong support for publicly funded family planning. The robust funding level proposed in the fiscal year 2023 (FY23) draft LHHS bill was an important step towards meeting the needs of this program, and we urge you to continue that progress by allocating \$512 million for the Title X family planning program (Title X) this year.

Title X is the only federal program dedicated to providing family planning and other sexual health care services — including birth control, pregnancy testing, cancer screenings, STI testing and treatment, and other essential services. The program provides care disproportionately to communities that already face significant and overlapping barriers to accessing health care, including people with low incomes, those who are underinsured or uninsured, people of color, young people, LGBTQ people, and those living in rural communities.

Despite the importance of the Title X program, it has been historically underfunded and is in urgent need of increased funding. The Trump Administration’s devastating program rules, which took effect in 2019, severely decreased access to Title X-funded services.<sup>1</sup> In the meantime, the COVID-19 pandemic exacerbated the need for family planning services<sup>2</sup> and likely contributed to increases in already-unprecedentedly high levels of sexually transmitted infections (STI).<sup>3</sup> And following the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization*, at a time when reproductive health care is increasingly under attack, demand for Title X-funded services will only continue to increase.<sup>4</sup> Prior to the 2019 rules, the program

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<sup>1</sup> Guttmacher Institute, “Estimating the impact of changes in the Title X network on patient capacity,” Mia Zolna Sean Finn, and Jennifer Frost, February 2020, <https://www.guttmacher.org/article/2020/02/estimating-impact-changes-title-x-network-patient-capacity>.

<sup>2</sup> Guttmacher Institute, “Early Impacts of the COVID-19 Pandemic: Findings from the 2020 Guttmacher Survey of Reproductive Health Experiences,” Laura Lindberg et al, June 2020, <https://www.guttmacher.org/report/early-impacts-covid-19-pandemic-findings-2020-guttmacher-survey-reproductive-health>.

<sup>3</sup> Politico, “STDs are surging. The funding to fight them is not,” Alice Miranda Olstein, April 12, 2022, <https://subscriber.politicopro.com/article/2022/04/stds-are-surging-the-funding-to-fight-them-is-not-00024678>

served at least 4 million people annually.<sup>5</sup> By 2020, with the combined effects of those rules and the pandemic, the program was only able to provide health care to 1.5 million individuals despite exceptional need for these services.<sup>6</sup> While the Department of Health and Human Services announced \$256 million in Title X service grants in all 50 states, D.C., and several territories in March 2022, dozens of high-quality family planning providers were approved for grants but did not receive any funding. And dozens more who did receive funding were granted awards significantly below the level they need to serve all Title X-eligible populations in their communities.

In 2016, researchers from the Centers for Disease Control and Prevention, the Office of Population Affairs, and the George Washington University determined that \$737 million in annual funding would be needed to adequately provide family planning care to low-income women without insurance.<sup>7</sup> Currently, Title X is funded at \$286.5 million for FY2023—well below that benchmark figure. As such, we urge you to provide at least \$512 million in FY24 funding for Title X, matching the President’s FY24 Budget proposal. This amount would provide half the difference in amount between current funding levels and that evidence-based standard.

After nine years of level funding and 13 years below the high water mark of \$317 million in fiscal year 2010,<sup>8</sup> now is the time to provide a dramatic increase in funding for Title X. Without this increase, we cannot begin to fully rebuild the network or address the long unmet need for these critical health care services. We thank you for your consideration of this request and look forward to working with you throughout the FY24 appropriations process.

Sincerely,



Elizabeth Warren  
United States Senator



Margaret Wood Hassan  
United States Senator

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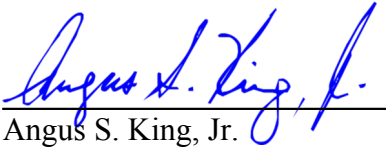
<sup>4</sup> The Hill, “To preserve US contraceptive rights, lawmakers must step up now,” Santaisha Hicks, August 30, 2022, <https://thehill.com/opinion/healthcare/3621092-to-preserve-us-contraception-rights-lawmakers-must-step-up-now/>.

<sup>5</sup> RTI International, “Family Planning Annual Report: 2018 National Summary,” Christina Fowler et al, August 2019, <https://opa.hhs.gov/sites/default/files/2020-07/title-x-fpar-2018-national-summary.pdf>.

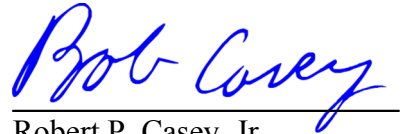
<sup>6</sup> RTI International, “Family Planning Annual Report: 2020 National Summary,” Christina Fowler, Julia Gable, and Beth Lasater, September 2021, <https://opa.hhs.gov/sites/default/files/2021-09/title-x-fpar-2020-national-summary-sep-2021.pdf>.

<sup>7</sup> American Journal of Public Health, “Projecting the Unmet Need and Costs for Contraception Services After the Affordable Care Act,” Euna August, et al, February 2016, 334-341.

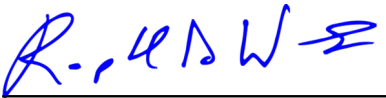
<sup>8</sup> U.S. Department of Health and Human Services, “Title X Program Funding History,” <https://opa.hhs.gov/grant-programs/archive/title-x-program-archive/title-x-program-funding-history>. Accessed April 4, 2022.



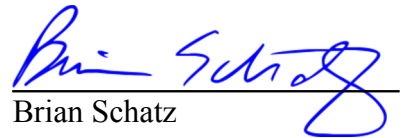
Angus S. King, Jr.  
United States Senator



Robert P. Casey, Jr.  
United States Senator



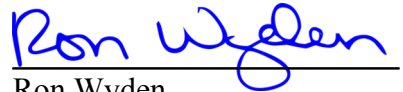
Raphael Warnock  
United States Senator



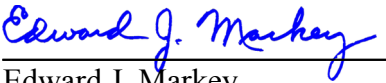
Brian Schatz  
United States Senator



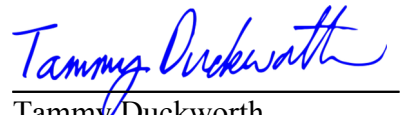
Jeffrey A. Merkley  
United States Senator



Ron Wyden  
United States Senator



Edward J. Markey  
United States Senator




Tammy Duckworth  
United States Senator



Christopher A. Coons  
United States Senator



Michael F. Bennet  
United States Senator



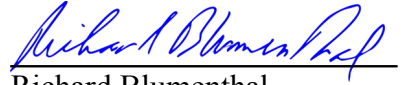
Alex Padilla  
United States Senator



Thomas R. Carper  
United States Senator



Mazie K. Hirono  
United States Senator



Richard Blumenthal  
United States Senator



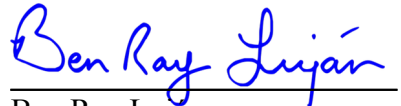
Kirsten Gillibrand  
United States Senator



Maria Cantwell  
United States Senator




Christopher S. Murphy  
United States Senator



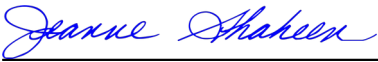
Ben Ray Lujan  
United States Senator



Mark R. Warner  
United States Senator



Tim Kaine  
United States Senator



Jeanne Shaheen  
United States Senator



Cory A. Booker  
United States Senator



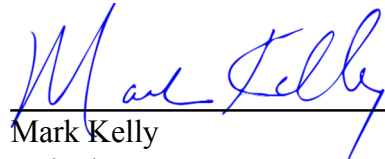
Sherrod Brown  
United States Senator



Tina Smith  
United States Senator



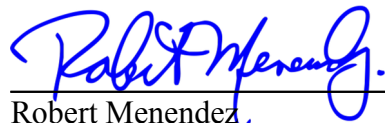
Jack Reed  
United States Senator



Mark Kelly  
United States Senator



Catherine Cortez Masto  
United States Senator



Robert Menendez  
United States Senator



Gary C. Peters  
United States Senator



Dianne Feinstein  
United States Senator



Jacky Rosen  
U.S. Senator



Jon Ossoff  
United States Senator



Benjamin L. Cardin  
United States Senator



John Hickenlooper  
United States Senator



Richard J. Durbin  
United States Senator



Chris Van Hollen  
United States Senator



Martin Heinrich  
United States Senator



Sheldon Whitehouse  
United States Senator



Debbie Stabenow  
United States Senator



Peter Welch  
United States Senator



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Bernard Sanders  
United States Senator



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John Fetterman  
United States Senator



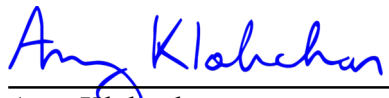
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Kyrsten Sinema  
United States Senator



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Jon Tester  
United States Senator



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Amy Klobuchar  
United States Senator

# United States Senate

WASHINGTON, DC 20510

March 30, 2023

The Honorable Tammy Baldwin  
Chair  
Senate Committee on Appropriations  
Subcommittee on Labor, Health and  
Human Services, Education  
and Related Agencies  
SD-186  
United States Senate  
Washington, D.C. 20510

The Honorable Shelley Moore Capito  
Ranking Member  
Senate Committee on Appropriations  
Subcommittee on Labor, Health and  
Human Services, Education  
and Related Agencies  
SD-125  
United States Senate  
Washington, D.C. 20510

Dear Chair Baldwin and Ranking Member Capito:

As you begin drafting the Fiscal Year (FY) 2024 Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS) appropriations bill, we respectfully request that you provide robust funding for the Bureau of Labor Statistics (BLS), at a level no less than the amount requested by BLS in its FY 2024 budget justification,<sup>1</sup> including full funding for the supplement to the Current Population Survey (CPS) to capture data on contingent work arrangements and full funding for the survey on employer training. We also ask that you include specific language aimed at improving data collection and assessing the true impact of new employment trends, particularly as the United States continues to grapple with the economic fallout of the COVID-19 pandemic. Response rates on household and establishment surveys have declined significantly since the beginning of the pandemic,<sup>2</sup> and additional funding is needed to allow BLS to fully reevaluate response rates across the agency to ensure that we can continue to collect representative information on the state of the U.S. labor market as we continue economic recovery from the pandemic.

BLS' role as the only independent statistical agency that objectively and accurately measures labor market activity is crucial for informed policymaking on a variety of major economic and labor issues. Policymakers around the country—along with researchers, businesses, and jobseekers—rely heavily on the accuracy, independence, and timeliness of BLS data, and even small errors can lead to major miscalculations of benefits payments, public sector salaries, and many other important policy determinations. Yet over the past decade, a lack of meaningful increases in the BLS budget has put it “on the path to irrelevance and operational failure,” according to former BLS Commissioner Erica Groshen.<sup>3</sup> In fact, BLS's budget is virtually the same as it was a decade ago in nominal terms, meaning that its real value has declined

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<sup>1</sup> U.S. Department of Labor, “FY 2024 Department of Labor: Budget in Brief,” <https://www.dol.gov/sites/dolgov/files/general/budget/2024/FY2024BIB.pdf>.

<sup>2</sup> Bureau of Labor Statistics, “Household and establishment survey response rates,” <https://www.bls.gov/osmr/response-rates/>.

<sup>3</sup> Politico, “Weekly Shift: DOES BLS NEED A RAISE?,” Ted Hesson, March 23, 2018, <https://www.politico.com/newsletters/morning-shift/2018/03/23/oig-emanuel-violated-ethics-pledge-148836>.



considerably.<sup>4</sup> This has led a drop in survey response rates,<sup>5</sup> and to the agency cutting key products like Measuring Green Jobs—which provided data on jobs related to production of green goods and services, jobs related to use of green technologies and practices, and green careers—and “reducing the scope and frequency” of others, such as the Quarterly Census of Employment and Wages.<sup>6</sup>

We strongly urge you to rectify this situation by substantially increasing BLS’s funding in FY 2024. The funding requested in the BLS budget justification, at minimum, is essential to expand and modernize BLS data capacities by investing in the long-term relevance and sustainability of the CPS, including the capability to produce new or additional statistics on groups or workers currently not being captured, improve the CPS data collection methods, and ensure adequate sample sizes and response rates to be able to analyze data by both race and gender—which is critical for policymakers to be able to identify and address disparities in the labor market. In addition, more funding could enable BLS to continue evaluating questions about sexual orientation and gender identity; these factors may also be linked to disparate employment outcomes, but researchers currently have few tools to analyze employment among people of different sexual orientations and gender identities because not all BLS surveys currently include the relevant questions, and testing is needed to reach consensus regarding best practices for asking about these variables in ways that are easily understood by respondents and produce clear data.

Collecting detailed data on contingent work arrangements, including the gig economy, on an ongoing basis is critical to our understanding of this rapidly growing and evolving sector of our economy.<sup>7</sup> This data will help us better understand overall trends in our workforce, both for workers in more traditional full-time employment, and for workers in contingent arrangements. New technologies, including digital platforms that are used in the gig economy, have brought renewed attention to concerns about the precarious nature of contingent work. We need new and better information so we can understand the potential policy ramifications when workers, whether by personal choice or economic necessity, are making a living with no connection to a single employer, or without access to the benefits, training, and worker protections typically provided through traditional full-time employment.

We are pleased that in November 2021, the Department of Labor (DOL) released a report synthesizing the results of its Contingent Workers and Alternative Work Arrangement Supplement (CWS), along with data from other relevant surveys on these topics.<sup>8</sup> The CWS,

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<sup>4</sup> See Department of Labor budgets for FY 2013-2023, subsection on the Bureau of Labor Statistics. U.S. Department of Labor, “About Us: Budget,” <https://www.dol.gov/general/aboutdol#Budget>.

<sup>5</sup> Federal Economic Statistics Advisory Committee, “Survey Nonresponse: Trends, Challenges, and Strategies,” December 9, 2022, <https://apps.bea.gov/fesac/meetings/2022-12-09/Williams-Survey%20Response.pdf>.

<sup>6</sup> U.S. Bureau of Labor Statistics, “2014 Budget Enacted for Bureau of Labor Statistics,” updated June 18, 2014, [https://www.bls.gov/bls/budget2014\\_enacted.htm](https://www.bls.gov/bls/budget2014_enacted.htm); U.S. Bureau of Labor Statistics, “Green Jobs: Green Careers,” updated June 24, 2015, <https://www.bls.gov/green/greencareers.htm>.

<sup>7</sup> Forbes, “Will The Gig Economy Become The New Working-Class Norm?,” Marcin Zgola, August 12, 2021, <https://www.forbes.com/sites/forbesbusinesscouncil/2021/08/12/will-the-gig-economy-become-the-new-working-class-norm/?sh=25deefd2aee6>.

<sup>8</sup> U.S. Department of Labor, “What Do We Know about Alternative Work Arrangements in the United States? A Synthesis of Research Evidence from Household Surveys, Employer Surveys, and Administrative Data,” Katharine G. Abraham and Susan N. Houseman, revised September 5, 2021,

fielded six times between 1995 and 2017, measures the size and scope of the contingent workforce, and is an essential tool in addressing the unique issues facing contingent workers, including gig workers.<sup>9</sup> Accurate data on these types of employment can help policymakers ensure that workers with nontraditional employment contracts and schedules are not taken advantage of, and that they receive the benefits they are rightfully due. This is particularly true for populations often marginalized in our economy, such as Black and brown workers, who are overrepresented in the contingent workforce.<sup>10</sup>

However, as the November 2021 report recognizes, previous iterations of the CWS have had substantial shortcomings, including challenges capturing the full scope of contingent work arrangements and insufficient analysis of the work scheduling practices associated with contingent work. Appropriations for BLS in FY 2024 and into the future should ensure that the agency can implement improvements to the CWS that reflect the considerable importance of the contingent workforce to our nation’s economy and help policymakers and the public continue to improve our understanding of the challenges workers are facing and the evolving employment landscape. This should include gathering additional data on the prevalence and impact of inflexible and uncertain scheduling arrangements and how workers’ contingent status has affected their need and ability to obtain additional employment.

Furthermore, the past three years have highlighted the necessity of independent, accurate, and timely data in assessing the impact of COVID-19 on the economy and on the labor market. The pandemic has had a disproportionate impact on certain groups of workers, such as people of color and women, who in particular faced barriers—such as a lack of affordable, quality child care—to remaining in and returning to the workforce.<sup>11</sup> BLS’ data has allowed policymakers to react effectively and swiftly to redress harms caused to workers by pandemic—especially since BLS data sources like the Employment Situation Summary are among the only tools that provide a monthly snapshot of how different groups of workers are faring. We welcome the DOL Equity Action Plan, released in 2021, for its commitment to improving the well-being of underserved, marginalized communities.<sup>12</sup> BLS’s data on unemployment, workforce training, and other areas serve as the statistical underpinning of these equity efforts, and adequate funding is necessary to achieve these important goals, including through improving sample size and survey response rates across racial and ethnic groups.

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[https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/Alternative\\_Work\\_Arrangements\\_Abraham\\_Houseman\\_Oct\\_2021\\_508c.pdf](https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/Alternative_Work_Arrangements_Abraham_Houseman_Oct_2021_508c.pdf).

<sup>9</sup> *Id.*

<sup>10</sup> The Employee Rights Advocacy Institute for Law & Policy, “The Gig Economy By The Numbers,” Christy England and Paul H. Tobias, [http://employeerightsadvocacy.org/wp-content/uploads/2020/10/Gig-Economy-By-The-Numbers-The-Institute\\_2020.pdf](http://employeerightsadvocacy.org/wp-content/uploads/2020/10/Gig-Economy-By-The-Numbers-The-Institute_2020.pdf).

<sup>11</sup> Center for American Progress, “The Economic Fallout of the Coronavirus for People of Color,” Connor Maxwell and Danyelle Solomon, April 14, 2020, <https://www.americanprogress.org/article/economic-fallout-coronavirus-people-color/>; Marketplace, “Child care disruptions have been driving more women than men to quit their jobs,” Samantha Fields, February 17, 2022, <https://www.marketplace.org/2022/02/17/child-care-disruptions-have-been-driving-more-women-than-men-to-quit-their-jobs/>.

<sup>12</sup> U.S. Department of Labor, “Department of Labor Equity Action Plan,” <https://www.dol.gov/sites/dolgov/files/general/equity/DOL-Equity-Action-Plan.pdf>.

In addition, the last time BLS conducted its survey of employer-provided or employer-financed employee training was in 1995—nearly 30 years ago.<sup>13</sup> As interest in workforce training has increased in recent years among policymakers in both parties, reinstating this survey will help fill gaps in our knowledge about our workforce training system by providing a reliable sense of the extent to which employers provide or sponsor formal job skills training.

Finally, we respectfully request that you include language in the FY24 Labor-HHS appropriations bill, directing BLS to implement the improvements called for above, including steps to modernize data collection, ensure sample sizes and response rates are adequate to analyze data by race and gender, assess the impact of caregiving challenges on workforce participation, improve the CWS, conduct an employee training survey, and meet equity goals. This sort of data collection and analysis will take time, and continued, annual surveys will inform our long-term solutions to the unique policy needs of today’s economy.

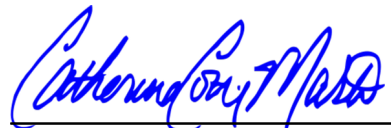
Thank you in advance for your consideration of these provisions. These programs are of critical importance in providing us important data as we craft policy for the American workforce.

Sincerely,



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Elizabeth Warren  
United States Senator



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Catherine Cortez Masto  
United States Senator



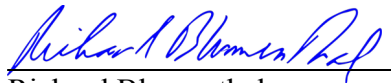
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Tammy Duckworth  
United States Senator



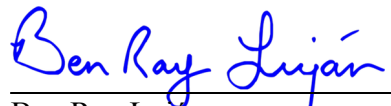
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Christopher S. Murphy  
United States Senator



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Richard Blumenthal  
United States Senator




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Ben Ray Lujan  
United States Senator

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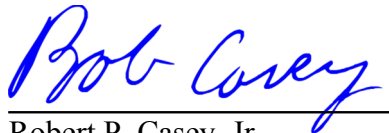
<sup>13</sup> U.S. Bureau of Labor Statistics, “Survey of Employer-Provided Training,” <https://www.bls.gov/ept/>.



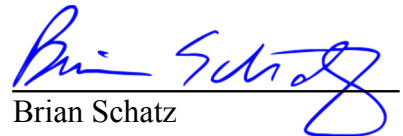
Sherrod Brown  
United States Senator



Alex Padilla  
United States Senator



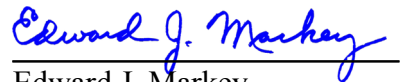
Robert P. Casey, Jr.  
United States Senator



Brian Schatz  
United States Senator



Mazie K. Hirono  
United States Senator



Edward J. Markey  
United States Senator



Cory A. Booker  
United States Senator



Peter Welch  
United States Senator



Mark R. Warner  
United States Senator

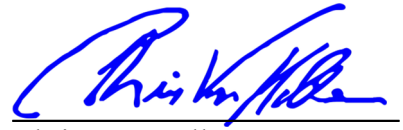


Benjamin L. Cardin  
United States Senator



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Bernard Sanders  
United States Senator



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Chris Van Hollen  
United States Senator



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Martin Heinrich  
United States Senator

# Congress of the United States

Washington, DC 20515

March 28, 2023

The Honorable Tammy Baldwin  
Chair  
Senate Committee on Appropriations  
Subcommittee on Labor, Health and  
Human Services, Education,  
and Related Agencies  
SD-135  
United States Senate  
Washington, D.C. 20510

The Honorable Shelly Moore Capito  
Ranking Member  
Senate Committee on Appropriations  
Subcommittee on Labor, Health and  
Human Services, Education,  
and Related Agencies  
SD-156  
United States Senate  
Washington, D.C. 20510

Dear Chair Baldwin and Ranking Member Moore Capito:

We respectfully request that as you begin drafting the Fiscal Year (FY) 2024 Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS) appropriations bill, you support the expansion of Federal Financial Aid Programs, including the Pell Grants and the TRIO Programs, to grant eligibility to Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), Deferred Enforced Departure (DED) beneficiaries as well as other undocumented students. The latter group includes those who are DACA eligible but have been barred from applying due to the unlawful attempt by the previous Administration to end the program.<sup>1</sup> Currently, the Pell Grant is awarded only to eligible U.S. citizens and nationals, lawful permanent residents, and certain other individuals with legal status to assist with postsecondary education expenses.<sup>2</sup> Similarly, the TRIO Programs, which support students from underserved backgrounds to access higher education, requires that students be U.S. citizens and nationals, lawful permanent residents, and certain other individuals with legal status,<sup>3</sup> thus excluding hundreds of thousands of students.<sup>4</sup>

Nationwide, undocumented students, including DACA-recipient or DACA-eligible students, are actively enrolled in institutions of higher education, working to obtain degrees that help them build skills that they will go on to use as significant contributors to the U.S. economy. And they do all this despite facing significant barriers in financing a college education. Each year, nearly 100,000 undocumented students graduate from U.S. high schools and are ineligible for federal financial aid, including grants, work-study, and government loans,<sup>5</sup> limiting their ability to

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<sup>1</sup> NPR, "Supreme Court Rules For DREAMers, Against Trump," Nina Totenberg, June 18, 2020, <https://www.npr.org/2020/06/18/829858289/supreme-court-upholds-daca-in-blow-to-trump-administration>.

<sup>2</sup> Federal Student Aid, "Eligibility for Non-U.S. Citizens," <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>.

<sup>3</sup> 34 C.F.R. § 643.3(a)(1); § 644.3(a)(1); § 645.3(a); § 646.3(a); and § 647.3(a).

<sup>4</sup> Presidents' Alliance on Higher Education and Immigration and New American Economy, "Report: Undocumented Students in Higher Education: How Many Students are in U.S. Colleges and Universities, and Who Are They?," press release, April 15, 2020, <https://www.presidentsalliance.org/report-undocumented-students-in-higher-education-how-many-students-are-in-u-s-colleges-and-universities-and-who-are-they/>.

<sup>5</sup> Migration Policy Institute, "How Many Unauthorized Immigrants Graduate from U.S. High Schools Annually?," Jie Zong and Jeanne Batalova, April 2019,

succeed academically and to achieve their career goals. Despite these obstacles, many undocumented young people in the United States continue to strive to achieve academic success, with more than 450,000 undocumented students (approximately 2% of all students) enrolled in higher education; 87% of DACA-eligible students enroll in undergraduate programs, and 13% of DACA-eligible students enroll in graduate-level programs.<sup>6</sup>

Undocumented students are an important part of our local communities and contribute greatly to this country and its economic growth: they are workers, taxpayers, consumers, and entrepreneurs. They actively pursue careers that fill critical jobs in the United States, including in healthcare, education, STEM, and many more,<sup>7</sup> and become better positioned to support themselves, their families, local communities, and our economy. In 2016, immigrants added \$2 trillion to the United States gross domestic product and \$492.4 billion in state, local and federal taxes in 2019.<sup>8</sup> Overall, they also have \$1.3 trillion in spending power.<sup>9</sup> Furthermore, a study from the Center for Migration Studies notes that 69% of immigrants in the labor force, and 74% of undocumented workers, are essential workers helping the United States rebound from the COVID-19 pandemic.<sup>10</sup>

By expanding access Federal Financial Aid programs, including the TRIO Programs and Pell Grants, Congress can enable more students to receive a postsecondary education and contribute more meaningfully to the country that they call home. Therefore, we request the following bill and report language be included in the Labor, Health and Human Services, Education, and Related Agencies Appropriations bill for FY 2024:

*Bill Language: Section 484(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1091(a)(5)) is amended—by striking the requirement of Legal Permanent Residency and U.S. Citizenship for federal student financial aid eligibility.*

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<https://www.migrationpolicy.org/sites/default/files/publications/UnauthorizedImmigrant-HS-Graduates-FactSheet-Final.pdf>; Federal Student Aid, “Many non-U.S. citizens qualify for federal student aid.”

<https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>.

<sup>6</sup> New American Economy, “Undocumented Students in Higher Education: How Many Students are in U.S. Colleges and Universities, and Who Are They?,” April 2020, <https://www.presidentsimmigrationalliance.org/wp-content/uploads/2020/07/Undocumented-Students-in-Higher-Education-April-2020.pdf>.

<sup>7</sup> United We Dream, “A Portrait of Deferred Action for Childhood Arrivals Recipients: Challenges and Opportunities Three-Years Later,” Zenén Jaimes Pérez, October 2015, <https://unitedwedream.org/wp-content/uploads/2017/10/DACA-report-final-1.pdf>; Center for American Progress, “A Demographic Profile of DACA Recipients on the Frontlines of the Coronavirus Response,” Nicole Prchal Svajlenka, April 6, 2020, <https://www.americanprogress.org/article/demographic-profile-daca-recipients-frontlines-coronavirus-response/>.

<sup>8</sup> National Academies, “The Economic and Fiscal Consequences of Immigration,” September 2016, <https://nap.nationalacademies.org/catalog/23550/the-economic-and-fiscal-consequences-of-immigration>; New American Economy, “Immigrants and the Economy in the United States of America,” <https://www.newamericaneconomy.org/locations/national/>.

<sup>9</sup> New American Economy, “Immigrants and the Economy in the United States of America,” <https://www.newamericaneconomy.org/locations/national/>.

<sup>10</sup> Center for Migration Studies of New York, “US Foreign-Born Essential Workers by Status and State, and the Global Pandemic,” Donald Kerwin, Mike Nicholson, Daniela Alulema, and Robert Warren, May 2020, <https://cmsny.org/wp-content/uploads/2020/05/US-Essential-Workers-Printable.pdf>.

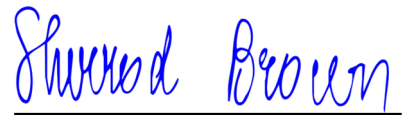
Report Language: *The committee strikes the requirement of Legal Permanent Residency and US Citizenship in the Higher Education Act to allow all students- regardless of immigration status- access to federal financial aid. In recognition that there are 589,660 DACA recipients in the United States as of September 2022, and more than 450,000 undocumented students enrolled in higher education, 87% of DACA-eligible students are enrolled in undergraduate programs, and 13% of DACA-eligible students are enrolled in graduate-level programs. Many undocumented students are ineligible for any state and federal financial aid, including loans and grants. Expanding the federal financial aid eligibility to DACA beneficiaries, TPS and DED holders, and other undocumented students to access federally funded financial aid will allow them to continue their education in the US, and contribute more fully to the US economy.*

We appreciate your subcommittee's consideration of this request.

Sincerely,



Elizabeth Warren  
United States Senator



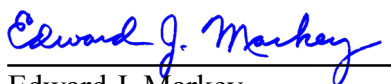
Sherrod Brown  
United States Senator



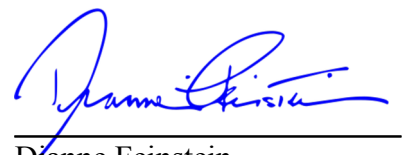
Christopher S. Murphy  
United States Senator



Alex Padilla  
United States Senator



Edward J. Markey  
United States Senator

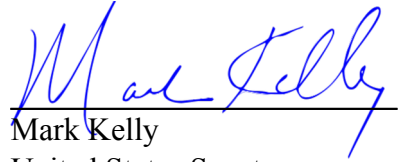


Dianne Feinstein  
United States Senator





Cory A. Booker  
United States Senator



Mark Kelly  
United States Senator



Robert Menendez  
United States Senator



Mazie K. Hirono  
United States Senator




Sheldon Whitehouse  
United States Senator



Richard J. Durbin  
United States Senator



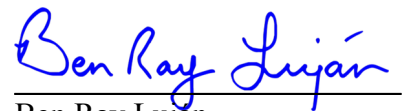
Peter Welch  
United States Senator



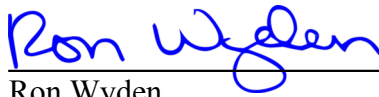
Bernard Sanders  
United States Senator



Catherine Cortez Masto  
United States Senator



Ben Ray Lujan  
United States Senator



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Ron Wyden  
United States Senator



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Jacky Rosen  
United States Senator



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Richard Blumenthal  
United States Senator



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Martin Heinrich  
United States Senator

# United States Senate

WASHINGTON, DC 20510

April 7, 2023

The Honorable Tammy Baldwin  
Chair  
Appropriations Subcommittee on Labor,  
Health and Human Services, Education, and  
Related Agencies  
United States Senate  
Washington, D.C. 20510

The Honorable Shelley Moore Capito  
Ranking Member  
Appropriations Subcommittee on Labor,  
Health and Human Services, Education,  
and Related Agencies  
United States Senate  
Washington, D.C. 20510

Dear Chair Baldwin and Ranking Member Capito:

As you work to develop the fiscal year 2024 (FY24) Labor Health and Human Services, and Education Appropriations (LHHS) bill, we request that you include \$78 million for the Department of Health and Human Services' Office for Civil Rights (HHS OCR).

HHS OCR is responsible for ensuring that Americans who receive services from programs administered by the Department of Health and Human Services (HHS) can access them free from discrimination, and with confidence that the privacy and security of their health information will be protected.<sup>1</sup> HHS OCR is uniquely charged with administering and enforcing 55 federal civil rights laws and privacy laws, including the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security, and Breach Notification Rules, and the Patient Safety Act and Rule.<sup>2</sup> These laws protect Americans' fundamental rights of nondiscrimination and health information privacy. Through its work, HHS OCR helps to ensure equal and non-discriminatory access to HHS programs, protects Americans' privacy and health information, and provides tools for covered entities and individuals to understand their rights and obligations under the law.<sup>3</sup>

To protect patient privacy, HHS OCR administers and enforces the HIPAA Privacy, Security and Breach Notification. This includes the publishing of annual guidance or new rulemaking, technical assistance, and enforcement actions to address challenges to patient privacy and promote greater HIPAA compliance across the health care industry.<sup>4</sup> For example, OCR has issued guidance to address privacy and security risks to patient health information

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<sup>1</sup> HHS Office for Civil Rights, "About Us," <https://www.hhs.gov/ocr/about-us/index.html>.

<sup>2</sup> HHS, "HHS Announces New Divisions Within the Office for Civil Rights to Better Address Growing Need of Enforcement in Recent Years," February 27, 2023, press release, <https://www.hhs.gov/about/news/2023/02/27/hhs-announces-new-divisions-within-office-civil-rights-better-address-growing-need-enforcement-recent-years.html>.

<sup>3</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 251.

<sup>4</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 266.

resulting from the use of online tracking technologies.<sup>5</sup> During the COVID-19 pandemic, HHS OCR published guidance on telehealth to both strengthen compliance with HIPAA rules<sup>6</sup> and ensure that all individuals can access telehealth.<sup>7</sup> HHS OCR has also proposed creating a new complaints portal and strengthening enforcement of confidentiality protection for substance use disorder patient records.<sup>8</sup>

Between FY 2012 and FY 2022, HHS OCR experienced a roughly 300% increase in complaints,<sup>9</sup> with over 51,000 complaints received in 2022 alone.<sup>10</sup> This increase reflects the explosion in digital health technology over that same time period,<sup>11</sup> including a surge in reports of large breaches of unprotected health information, which are HIPAA breaches that affect over 500 individuals.<sup>12</sup> Between FY 2017 and FY 2021, there was a 100% increase in this type of breach,<sup>13</sup> and these large breaches comprised 75 percent of all reported breaches in 2021.<sup>14</sup> During that same period, the office saw a 258% increase in large breach reports to OCR caused by hacking, and a 180% increase in large breach reports caused by ransomware. As the enforcer of the HIPAA Security rule, OCR plays a critical role in both helping organizations improve compliance with HIPAA and holding the sector accountable when breaches occur. OCR currently enforces the HIPAA Security rule by investigating major data breaches and litigating entities it finds in violation of the rule, but the agency has fewer investigators than it needs to sufficiently investigate these highly complex cases.<sup>15</sup>

Despite this increased activity, HHS OCR's budget has remained virtually flat since 2012. Insufficient funding has resulted in severe staffing shortages across the agency that limit

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<sup>5</sup> HHS, "Use of Online Tracking Technologies by HIPAA Covered Entities and Business Associates," <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/hipaa-online-tracking/index.html>.

<sup>6</sup> HHS, "HHS Issues Guidance on HIPAA and Audio-Only Telehealth," June 13, 2022, press release, <https://www.hhs.gov/about/news/2022/06/13/hhs-issues-guidance-hipaa-audio-telehealth.html>

<sup>7</sup> HHS, "Guidance on Nondiscrimination in Telehealth: Federal Protections to Ensure Accessibility to People with Disabilities and Limited English Proficient Persons," <https://www.hhs.gov/civil-rights/for-individuals/disability/guidance-on-nondiscrimination-in-telehealth/index.html>

<sup>8</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 161.

<sup>9</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 267.

<sup>10</sup> HHS, "HHS Announces New Divisions Within the Office for Civil Rights to Better Address Growing Need of Enforcement in Recent Years," February 27, 2023, press release, <https://www.hhs.gov/about/news/2023/02/27/hhs-announces-new-divisions-within-office-civil-rights-better-address-growing-need-enforcement-recent-years.html>.

<sup>11</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 267.

<sup>12</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 268.

<sup>13</sup> *Id.*

<sup>14</sup> HHS, "HHS Office for Civil Rights Delivers Annual Reports to Congress on HIPAA Compliance and Breaches of Unsecured Protected Health Information," February 17, 2023, press release, <https://www.hhs.gov/about/news/2023/02/17/hhs-office-civil-rights-delivers-annual-reports-congress-hipaa-compliance-breaches-unsecured-protected-health-information.html>

<sup>15</sup> Politico, "Hackers have laid siege to U.S. health care and a tiny HHS office is buckling under the pressure," Ben Leonard, August 28, 2022, <https://www.politico.com/news/2022/08/28/hackers-have-laid-siege-to-u-s-health-care-and-a-tiny-hhs-agency-is-buckling-under-the-pressure-00053941>.

HHS OCR's enforcement abilities.<sup>16</sup> Therefore, we urge you to provide \$78 million for HHS OCR in Fiscal Year 2024 to ensure the office can address existing programmatic needs, as well as increase activities to protect Americans' civil rights and health information privacy. We thank you for your consideration of this request and look forward to working with you throughout the appropriations process.

Sincerely,



Elizabeth Warren  
United States Senator



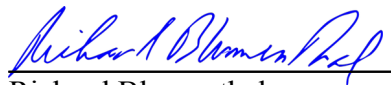
Robert Menendez  
United States Senator



Debbie Stabenow  
United States Senator



Tina Smith  
United States Senator



Richard Blumenthal  
United States Senator



Cory A. Booker  
United States Senator

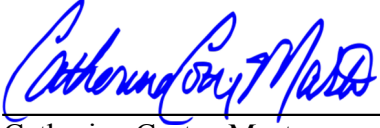


Mazie K. Hirono  
United States Senator

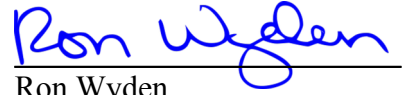


Benjamin L. Cardin  
United States Senator

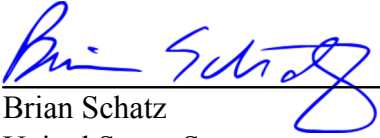
<sup>16</sup> HHS, "Department of Health and Human Services Fiscal Year 2024 Justification of Estimates for Appropriations Committees," <https://www.hhs.gov/sites/default/files/fy-2024-gdm-cj.pdf>, pp. 268.




Catherine Cortez Masto  
United States Senator



Ron Wyden  
United States Senator



Brian Schatz  
United States Senator



Bernard Sanders  
United States Senator



Chris Van Hollen  
United States Senator

# United States Senate

WASHINGTON, DC 20510

April 9, 2023

The Honorable Tammy Baldwin  
Chair  
Subcommittee on Labor, Health and Human  
Services, Education, and Related Agencies  
141 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Shelley Moore Capito  
Ranking Member  
Subcommittee Labor, Health and Human  
Services, Education, and Related Agencies  
172 Russell Senate Office Building  
Washington, D.C. 20510

Dear Chair Baldwin and Ranking Member Capito,

As the subcommittee considers the Fiscal Year 2024 Labor, Health and Human Services, Education, and Related Agencies appropriations bill, we request you provide \$2.7 billion – consistent with the President’s budget – to fund the Office of Federal Student Aid (FSA).<sup>1</sup>

FSA is the largest provider of student financial aid in the nation, overseeing a \$1.6 trillion program that serves nearly 44 million people.<sup>2</sup> FSA is responsible for managing the financial assistance programs authorized under Title IV of the *Higher Education Act*, which includes work-study, grant funding, and loan funds for students seeking college or a career and technical education.<sup>3</sup> Fully funding the President’s request for FSA this fiscal year – a \$620 million increase from FY 2023<sup>4</sup> – is particularly critical given that FSA’s FY 2023 funding was stagnant from the previous year, which severely undermines FSA’s ability to implement critical programs.

FSA is currently expected to make major improvements to student loan servicing, including an overhaul of the Free Application for Federal Student Aid (FAFSA) as Congressionally-required through the *Fostering Undergraduate Talent by Unlocking Resources for Education Act* (FUTURE Act) and the *FAFSA Simplification Act*, which work together to expand access to federal aid and address longstanding concerns over the complexity of the application process.<sup>5</sup> The student aid application and award process have been widely critiqued for their length, complexity, and lack of transparency for students and their families.<sup>6</sup> Students are typically unaware of how much federal aid they may be eligible for until they receive a university’s financial award letter. This additional FSA funding is necessary to simplify the current FAFSA:

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<sup>1</sup> White House, “Budget of the U.S. Government FISCAL YEAR 2024,” report, p. 70, [https://www.whitehouse.gov/wp-content/uploads/2023/03/budget\\_fy2024.pdf](https://www.whitehouse.gov/wp-content/uploads/2023/03/budget_fy2024.pdf).

<sup>2</sup> Federal Student Aid, “Federal Student Loan Portfolio,” <https://studentaid.gov/data-center/student/portfolio>.

<sup>3</sup> Federal Student Aid, “About Us,” <https://studentaid.gov/about>.

<sup>4</sup> White House, “Budget of the U.S. Government FISCAL YEAR 2024,” report, p. 70, [https://www.whitehouse.gov/wp-content/uploads/2023/03/budget\\_fy2024.pdf](https://www.whitehouse.gov/wp-content/uploads/2023/03/budget_fy2024.pdf).

<sup>5</sup> Federal Student Aid, “What is the FAFSA Simplification Act,” <https://studentaid.gov/help-center/answers/article/fafsa-simplification-act>.

<sup>6</sup> The Heichinger Report, “One surprising barrier to college success: Dense higher education lingo,” Andy Johnston, June 14, 2019, <https://heichingerreport.org/one-surprising-barrier-to-success-in-college-understanding-higher-education-lingo/>.

a 10-page form with more than 100 questions,<sup>7</sup> which may discourage potential students and their families from applying for aid needed to access and successfully complete college or job training programs. The *FUTURE Act* and *FAFSA Simplification Act* will make significant changes to streamline and shorten the application and award process, making federal student aid more accessible to all students.<sup>8</sup>

Further, FSA is expected to implement a series of necessary reforms to fix aspects of the student loan system that have failed borrowers, including making long-overdue improvements to the Public Service Loan Forgiveness (PSLF) program, increasing accountability efforts to root out predatory programs, introducing a new and transformative income-driven repayment plan (IDR) that will dramatically reduce borrowers' payments, completing a review of millions of borrower records to determine if borrowers have been improperly denied relief due to longstanding flaws of the IDR program, and implementing President Biden's historic student debt cancellation plan.<sup>9</sup> In addition, FSA is responsible for overseeing the herculean task of helping millions of federal student loan borrowers resume payments on their loans, or enter repayment for the first time, following the expiration of the payment pause after more than three years.<sup>10</sup> FSA and its services will be expected to communicate important timelines, provide an accessible call center service, answer questions from millions of borrowers, and accurately process extensive paperwork to ensure a smooth transition for borrowers back into repayment.<sup>11</sup> The Department of Education has projected that without additional loan relief, ending the payment pause will result in a devastating spike in delinquencies and defaults.<sup>12</sup> However, that projection would understate the catastrophic consequences for millions of working and middle-class Americans if FSA also lacks sufficient funding to provide the outreach and servicing needed to assist borrowers simultaneously needing to navigate the requirements and options for starting payments.

Last year's flat funding of FSA could lead to severe implementation delays that harm families and undermine Congress' directive. This is particularly concerning given that implementation of the *FAFSA Simplification Act*, which passed in Congress in 2020, has already faced a year-long delay, which may be further exacerbated due to underfunding.<sup>13</sup> Earlier this month, FSA officials announced that a redesigned version of the FAFSA will not be ready to accept applications until

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<sup>7</sup> Federal Student Aid, "2022-2023 Free Application for Federal Student Aid," <https://studentaid.gov/sites/default/files/2022-23-fafsa.pdf>.

<sup>8</sup> Federal Student Aid, "FAFSA Simplification: A Better FAFSA Process Means a Better Future for Borrowers," <https://financialaidtoolkit.ed.gov/tk/announcement-detail.jsp?id=better-fafsa-better-future>.

<sup>9</sup> The White House, "FACT SHEET: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/>; The Department of Education, "Department of Education Announces Actions to Fix Longstanding Failures in the Student Loan Programs," press release, April 19, 2022, <https://www.ed.gov/news/press-releases/department-education-announces-actions-fix-longstanding-failures-student-loan-programs>.

<sup>10</sup> Federal Student Aid, "COVID-19 Emergency Relief and Federal Student Aid," <https://studentaid.gov/announcements-events/covid-19>; Congressional Research Service, "Federal Student Loan Debt Relief in the Context of COVID-19," report, Alexandra Hegji, October 12, 2022, <https://crsreports.congress.gov/product/pdf/R/R46314>.

<sup>11</sup> NPR, "Exclusive: New Biden student loan plan unveiled amid agency funding crisis," Cory Turner, January 10, 2023, <https://www.npr.org/2023/01/10/1147758692/exclusive-new-biden-student-loan-plan-unveiled-amid-agency-funding-crisis>.

<sup>12</sup> *State of Nebraska v. Biden* (8<sup>th</sup> Circuit, 2023), Exhibit 1, p. 8, <https://www.courtlistener.com/docket/65385675/27/1/state-of-nebraska-v-biden/>.



December 2023 – two months after the annual October 1<sup>st</sup> release of the form – which could create massive disruptions and delays in providing students with their financial aid offers and impact their ability to make decisions on their futures.<sup>14</sup> Without additional funding, it is also unclear if FSA has the resources to restore the seven million federal student loan borrowers from default to good standing through the Fresh Start program or process borrower defense applications from students who attended schools that misled them.<sup>15</sup> *NPR* reported that under FSA’s current budget, the agency would not be able to make necessary reforms to IDR without delaying or scaling back other obligations to borrowers.<sup>16</sup>

FSA’s responsibilities have increased to protect students and borrowers, but its federal funding has remained stagnant. The lack of adequate resources creates more barriers for students to continue their education. We believe this funding request is needed to provide FSA with the resources it needs to fulfill its goal of ensuring that all eligible students and families can access federal student grants, loans, and work-study funds to pursue education and training beyond high school. Thank you for your time and consideration of this request and your continued support in sustaining the strengthening of FSA.

Sincerely,



Elizabeth Warren  
United States Senator



Sherrod Brown  
United States Senator



Tina Smith  
United States Senator



Tammy Duckworth  
United States Senator


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<sup>13</sup> Inside Higher Ed, “Education Department Hints at Possible Delay of FAFSA,” Katherine Knott, February 8, 2023, <https://www.insidehighered.com/news/2023/02/08/education-department-hints-possible-delay-new-fafsa>.

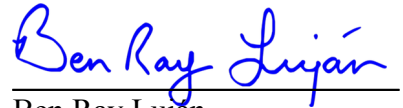
<sup>14</sup> Federal Student Aid, “Implementing the 2024–25 FAFSA Process,” March 21, 2023, <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2023-03-21/implementing-2024-25-fafsa-process>.

<sup>15</sup> NPR, “The student loan pause has been extended until the end of the summer,” Cory Turner, April 6, 2022, <https://www.npr.org/2022/04/06/1091018301/student-loan-pause-extended>.

<sup>16</sup> NPR, “Exclusive: New Biden student loan plan unveiled amid agency funding crisis,” Cory Turner, January 10, 2023, <https://www.npr.org/2023/01/10/1147758692/exclusive-new-biden-student-loan-plan-unveiled-amid-agency-funding-crisis>.




Richard Blumenthal  
United States Senator



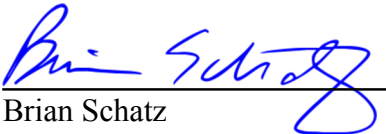
Ben Ray Lujan  
United States Senator



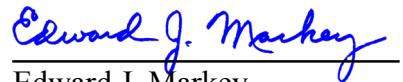
Richard J. Durbin  
United States Senator



Robert P. Casey, Jr.  
United States Senator



Brian Schatz  
United States Senator



Edward J. Markey  
United States Senator



Cory A. Booker  
United States Senator



Benjamin L. Cardin  
United States Senator




Amy Klobuchar  
United States Senator



Peter Welch  
United States Senator



Bernard Sanders  
United States Senator



Chris Van Hollen  
United States Senator



Alex Padilla  
United States Senator

April 13, 2023

The Honorable Patty Murray  
Chairwoman  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Susan Collins  
Vice Chairwoman  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Tammy Baldwin  
Chairwoman  
Labor, Health and Human Services, and  
Education, and Related Agencies  
Washington, D.C. 20510


The Honorable Shelley Moore Capito  
Ranking Member  
Labor, Health and Human Services, and  
Education, and Related Agencies  
Washington, D.C. 20510

Dear Chairwoman Murray, Vice Chairwoman Collins, Chairwoman Baldwin and Ranking Member Capito:

I certify that neither I nor my immediate family has a pecuniary interest in any of the congressionally directed spending items that I have requested in the Fiscal Year 2024 Labor, Health and Human Services, and Education, and Related Agencies appropriations bill, consistent with the requirements of paragraph 9 of Rule XLIV of the Standing Rules of the Senate.

Thank you.

Sincerely,

  
Elizabeth Warren  
United States Senator

April 13, 2023

The Honorable Patty Murray  
Chairwoman  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Susan Collins  
Vice Chairwoman  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Tammy Baldwin  
Chairwoman  
Labor, Health and Human Services, and  
Education, and Related Agencies  
Washington, D.C. 20510


The Honorable Shelley Moore Capito  
Ranking Member  
Labor, Health and Human Services, and  
Education, and Related Agencies  
Washington, D.C. 20510

Dear Chairwoman Murray, Vice Chairwoman Collins, Chairwoman Baldwin and Ranking Member Capito:

As you begin working on the Fiscal Year 2024 Labor, Health and Human Services, and Education, and Related Agencies appropriations bill, I request your consideration of the following programs I believe are of great importance to Massachusetts and the Nation. Specifically, I hope the Subcommittee will consider providing the attached requests. None of the entities for which I have requested congressionally directed spending are for-profit entities.

Thank you in advance for your consideration. If you have any questions or need any additional information, please contact Meaghan Body of my staff at 4-5233 or [meaghan\\_body@warren.senate.gov](mailto:meaghan_body@warren.senate.gov).

Sincerely,

  
Elizabeth Warren  
United States Senator

**Labor and Health and Human Services Group Letter Table  
LHHS\_Warren\_Group\_230413-053701[LetterID 15653]**

| ID     | Sub        | Request Agency or Account  | Request Project Name   | Request (\$000) |
|--------|------------|--|--|-----------------|
| 115706 | LHHS Group | [Title III]/[Education]/[Student Aid Administration]<br><b>[Member Staff]</b> - Carlo Juntilla carlo_juntilla@warren.senate.gov 202-224-4543   | Increased Funding for the Office of Federal Student Aid (FSA)<br><b>[Member's Request (text)]</b> - Requesting you provide \$2.7 billion – consistent with the President’s budget – to fund the Office of Federal Student Aid.                 | \$0             |
| 119525 | LHHS Group | [Title II]/[HHS]/[Office of the Secretary (OS)]/[Office of Civil Rights]<br><b>[Member Staff]</b> - Carlo Juntilla carlo_juntilla@warren.senate.gov 202-224-4543   | FY24 HHS Office of Civil Rights<br><b>[Member's Request (text)]</b> - We request that you include \$78 million for the Department of Health and Human Services’ Office for Civil Rights (HHS OCR)  | \$0             |
| 96311  | LHHS Group | [Title II]/[HHS]/[Health Resources and Services Administration (HRSA)]/[HRSA-Wide Activities & Program Support]/[Program Management]<br><b>[Member Staff]</b> - Carlo Juntilla carlo_juntilla@warren.senate.gov 202-224-4543 | Increase funding for Title X Family Planning Program<br><b>[Member's Request (text)]</b> - Robust funding  | \$5,120         |
| 110403 | LHHS Group | [Title I]/[DOL]/[Bureau of Labor Statistics (BLS)]<br><b>[Member Staff]</b> - Carlo Juntilla carlo_juntilla@warren.senate.gov 202-224-4543   | Robust funding for the Bureau of Labor Statistics (BLS)<br><b>[Member's Request (text)]</b> - robust funding for the Bureau of Labor Statistics (BLS), at a level no less than the amount requested by BLS in its FY 2024 budget justification | \$0             |
| 110451 | LHHS Group | [Title III]/[Education]/[Higher Education]/[Fund for the Improvement of Postsecondary Education (FIPSE)]<br><b>[Member Staff]</b> - Carlo Juntilla carlo_juntilla@warren.senate.gov 202-224-4543                             | Include report language eliminating citizenship requirement from accessing federal financial aid programs  | \$0             |

**Request ID: 115706**

|                         |  |                           |  |
|-------------------------|--|---------------------------|--|
| Agency or Account:      | [Title III]/[Education]/[Student Aid Administration]   | Project Name:             | Increased Funding for the Office of Federal Student Aid (FSA)  |
| Member/s:               | Warren, Elizabeth(D-MA); Blumenthal, Richard(D-CT); Booker, Cory(D-NJ); Brown, Sherrod(D-OH); Cardin, Benjamin(D-MD); Casey, Robert(D-PA); Duckworth, Tammy(D-IL); Durbin, Richard(D-IL); Klobuchar, Amy(D-MN); Luján, Ben Ray(D-NM); Markey, Edward(D-MA); Padilla, Alex(D-CA); Sanders, Bernard(I-VT); Schatz, Brian(D-HI); Smith, Tina(D-MN); Van Hollen, Chris(D-MD); Welch, Peter(D-VT)   | Subcommittee:             | LHHS   |
| Request Type:           | Group  | Staff Contact:            | Carlo Juntilla<br>carlo_juntilla@warren.senate.gov<br>202-224-4543   |
| Justification:          | <p>FSA is the largest provider of student financial aid in the nation, overseeing a \$1.6 trillion program that serves nearly 44 million people. FSA is responsible for managing the financial assistance programs authorized under Title IV of the Higher Education Act, which includes work-study, grant funding, and loan funds for students seeking college or a career and technical education. Fully funding the President's request for FSA this fiscal year – a \$620 million increase from FY 20234 – is particularly critical given that FSA's FY 2023 funding was stagnant from the previous year, which severely undermines FSA's ability to implement critical programs.</p> <p>FSA's responsibilities have increased to protect students and borrowers, but its federal funding has remained stagnant. The lack of adequate resources creates more barriers for students to continue their education. We believe this funding request is needed to provide FSA with the resources it needs to fulfill its goal of ensuring that all eligible students and families can access federal student grants, loans, and work-study funds to pursue education and training beyond high school.</p> |                           |  |
| Proposed Bill Language: |  | Proposed Report Language: |  |
| Member's Request:       | \$0  | Member's Request (text):  | Requesting you provide \$2.7 billion – consistent with the President's budget – to fund the Office of Federal Student Aid. |
| Enacted Level:          | \$0  | President's Request:      | \$0  |
| CDS Request:            | No   |                           |  |

**Request ID: 119525**

|                         |  |                           |   |
|-------------------------|--|---------------------------|---|
| Agency or Account:      | [Title II]/[HHS]/[Office of the Secretary (OS)]/[Office of Civil Rights]   | Project Name:             | FY24 HHS Office of Civil Rights   |
| Member/s:               | Warren, Elizabeth(D-MA); Blumenthal, Richard(D-CT); Booker, Cory(D-NJ); Cardin, Benjamin(D-MD); Cortez Masto, Catherine(D-NV); Hirono, Mazie(D-HI); Menendez, Robert(D-NJ); Sanders, Bernard(I-VT); Schatz, Brian(D-HI); Smith, Tina(D-MN); Stabenow, Debbie(D-MI); Van Hollen, Chris(D-MD); Wyden, Ron(D-OR)  | Subcommittee:             | LHHS  |
| Request Type:           | Group  | Staff Contact:            | Carlo Juntilla<br>carlo_juntilla@warren.senate.gov<br>202-224-4543  |
| Justification:          | HHS OCR is responsible for ensuring that Americans who receive services from programs administered by the Department of Health and Human Services (HHS) can access them free from discrimination, and with confidence that the privacy and security of their health information will be protected. HHS OCR is uniquely charged with administering and enforcing 55 federal civil rights laws and privacy laws, including the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security, and Breach Notification Rules, and the Patient Safety Act and Rule. These laws protect Americans' fundamental rights of nondiscrimination and health information privacy. Through its work, HHS OCR helps to ensure equal and non-discriminatory access to HHS programs, protects Americans' privacy and health information, and provides tools for covered entities and individuals to understand their rights and obligations under the law. |                           |   |
| Proposed Bill Language: |  | Proposed Report Language: |   |
| Member's Request:       | \$0  | Member's Request (text):  | We request that you include \$78 million for the Department of Health and Human Services' Office for Civil Rights (HHS OCR) |
| Enacted Level:          | \$0  | President's Request:      | \$0   |
| CDS Request:            | No   |                           |   |



**Request ID: 96311**

|                         |   |                           |  |
|-------------------------|---|---------------------------|--|
| Agency or Account:      | [Title II]/[HHS]/[Health Resources and Services Administration (HRSA)]/[HRSA-Wide Activities & Program Support]/[Program Management]  | Project Name:             | Increase funding for Title X Family Planning Program               |
| Member/s:               | Warren, Elizabeth(D-MA); Bennet, Michael(D-CO); Blumenthal, Richard(D-CT); Booker, Cory(D-NJ); Brown, Sherrod(D-OH); Cantwell, Maria(D-WA); Cardin, Benjamin(D-MD); Carper, Thomas(D-DE); Casey, Robert(D-PA); Coons, Christopher(D-DE); Cortez Masto, Catherine(D-NV); Duckworth, Tammy(D-IL); Durbin, Richard(D-IL); Feinstein, Dianne(D-CA); Fetterman, John(D-PA); Gillibrand, Kirsten(D-NY); Hassan, Margaret Wood(D-NH); Heinrich, Martin(D-NM); Hickenlooper, John(D-CO); Hirono, Mazie(D-HI); Kaine, Tim(D-VA); Kelly, Mark(D-AZ); King, Angus(I-ME); Klobuchar, Amy(D-MN); Luján, Ben Ray(D-NM); Markey, Edward(D-MA); Menendez, Robert(D-NJ); Merkley, Jeff(D-OR); Murphy, Christopher(D-CT); Ossoff, Jon(D-GA); Padilla, Alex(D-CA); Peters, Gary(D-MI); Reed, Jack(D-RI); Rosen, Jacky(D-NV); Sanders, Bernard(I-VT); Schatz, Brian(D-HI); Shaheen, Jeanne(D-NH); Sinema, Kyrsten(D-AZ); Smith, Tina(D-MN); Stabenow, Debbie(D-MI); Tester, Jon(D-MT); Van Hollen, Chris(D-MD); Warner, Mark(D-VA); Warnock, Raphael(D-GA); Welch, Peter(D-VT); Whitehouse, Sheldon(D-RI); Wyden, Ron(D-OR) | Subcommittee:             | LHHS   |
| Request Type:           | Group   | Staff Contact:            | Carlo Juntilla<br>carlo_juntilla@warren.senate.gov<br>202-224-4543 |
| Justification:          | As you work to develop the fiscal year 2024 (FY24) Labor Health and Human Services, and Education Appropriations (LHHS) bill, we request that you maintain strong support for publicly funded family planning. The robust funding level proposed in the fiscal year 2023 (FY23) draft LHHS bill was an important step towards meeting the needs of this program, and we urge you to continue that progress by allocating \$512 million for the Title X family planning program (Title X) this year.   |                           |  |
| Proposed Bill Language: |   | Proposed Report Language: |  |
| Member's Request:       | \$5,120   | Member's Request (text):  | Robust funding   |
| Enacted Level:          | \$0   | President's Request:      | \$0  |
| CDS Request:            | No  |                           |  |

**Request ID: 110403**

|                         |  |                           |  |
|-------------------------|--|---------------------------|--|
| Agency or Account:      | [Title I]/[DOL]/[Bureau of Labor Statistics (BLS)]   | Project Name:             | Robust funding for the Bureau of Labor Statistics (BLS)  |
| Member/s:               | Warren, Elizabeth(D-MA); Blumenthal, Richard(D-CT); Booker, Cory(D-NJ); Brown, Sherrod(D-OH); Cardin, Benjamin(D-MD); Casey, Robert(D-PA); Cortez Masto, Catherine(D-NV); Duckworth, Tammy(D-IL); Heinrich, Martin(D-NM); Hirono, Mazie(D-HI); Luján, Ben Ray(D-NM); Markey, Edward(D-MA); Murphy, Christopher(D-CT); Padilla, Alex(D-CA); Sanders, Bernard(I-VT); Schatz, Brian(D-HI); Van Hollen, Chris(D-MD); Warner, Mark(D-VA); Welch, Peter(D-VT)  | Subcommittee:             | LHHS   |
| Request Type:           | Group  | Staff Contact:            | Carlo Juntilla<br>carlo_juntilla@warren.senate.gov<br>202-224-4543   |
| Justification:          | As you begin drafting the Fiscal Year (FY) 2024 Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS) appropriations bill, we respectfully request that you provide robust funding for the Bureau of Labor Statistics (BLS), at a level no less than the amount requested by BLS in its FY 2024 budget justification, <sup>1</sup> including full funding for the supplement to the Current Population Survey (CPS) to capture data on contingent work arrangements and full funding for the survey on employer training. We also ask that you include specific language aimed at improving data collection and assessing the true impact of new employment trends, particularly as the United States continues to grapple with the economic fallout of the COVID-19 pandemic. Response rates on household and establishment surveys have declined significantly since the beginning of the pandemic, <sup>2</sup> and additional funding is needed to allow BLS to fully reevaluate response rates across the agency to ensure that we can continue to collect representative information on the state of the U.S. labor market as we continue economic recovery from the pandemic. |                           |  |
| Proposed Bill Language: |  | Proposed Report Language: |  |
| Member's Request:       | \$0  | Member's Request (text):  | robust funding for the Bureau of Labor Statistics (BLS), at a level no less than the amount requested by BLS in its FY 2024 budget justification |
| Enacted Level:          | \$0  | President's Request:      | \$0  |
| CDS Request:            | No   |                           |  |

**Request ID: 110451**

|                         |   |                           |   |
|-------------------------|---|---------------------------|---|
| Agency or Account:      | [Title III]/[Education]/[Higher Education]/[Fund for the Improvement of Postsecondary Education (FIPSE)]  | Project Name:             | Include report language eliminating citizenship requirement from accessing federal financial aid programs   |
| Member/s:               | Warren, Elizabeth(D-MA); Blumenthal, Richard(D-CT); Booker, Cory(D-NJ); Brown, Sherrod(D-OH); Cortez Masto, Catherine(D-NV); Durbin, Richard(D-IL); Feinstein, Dianne(D-CA); Heinrich, Martin(D-NM); Hirono, Mazie(D-HI); Kelly, Mark(D-AZ); Luján, Ben Ray(D-NM); Markey, Edward(D-MA); Menendez, Robert(D-NJ); Murphy, Christopher(D-CT); Padilla, Alex(D-CA); Rosen, Jacky(D-NV); Sanders, Bernard(I-VT); Welch, Peter(D-VT); Whitehouse, Sheldon(D-RI); Wyden, Ron(D-OR)  | Subcommittee:             | LHHS  |
| Request Type:           | Group   | Staff Contact:            | Carlo Juntilla<br>carlo_juntilla@warren.senate.gov<br>202-224-4543  |
| Justification:          | Nationwide, undocumented students, including DACA-recipient or DACA-eligible students, are actively enrolled in institutions of higher education, working to obtain degrees that help them build skills that they will go on to use as significant contributors to the U.S. economy. And they do all this despite facing significant barriers in financing a college education. Each year, nearly 100,000 undocumented students graduate from U.S. high schools and are ineligible for federal financial aid, including grants, work-study, and government loans, limiting their ability to succeed academically and to achieve their career goals. Despite these obstacles, many undocumented young people in the United States continue to strive to achieve academic success, with more than 450,000 undocumented students (approximately 2% of all students) enrolled in higher education; 87% of DACA-eligible students enroll in undergraduate programs, and 13% of DACA-eligible students enroll in graduate-level programs. |                           |   |
| Proposed Bill Language: | Section 484(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1091(a)(5)) is amended—by striking the requirement of Legal Permanent Residency and U.S. Citizenship for federal student financial aid eligibility.  | Proposed Report Language: | The committee strikes the requirement of Legal Permanent Residency and US Citizenship in the Higher Education Act to allow all students- regardless of immigration status- access to federal financial aid. In recognition that there are 589,660 DACA recipients in the United States as of September 2022, and more than 450,000 undocumented students enrolled in higher education, 87% of DACA-eligible students are enrolled in undergraduate programs, and 13% of DACA-eligible students are enrolled in graduate-level programs. Many undocumented students are ineligible for any state and federal financial aid, including loans and grants. Expanding the federal financial aid eligibility to DACA beneficiaries, TPS and DED holders, and other undocumented students to access federally funded financial aid will allow them to continue their education in the US, and contribute more fully to the US economy. |
| Member's Request:       | \$0   | Member's Request (text):  |   |
| Enacted Level:          | \$0   | President's Request:      | \$0   |
| CDS Request:            | No  |                           |   |