The results of this week’s mid-term elections undoubtedly mean major shake-ups are in store and guarantee that the 114th Congress will look, feel and act very different than the 113th. So far, in the House, Republicans have gained 13 seats and currently have a 244 to 180 majority. Ten races are still outstanding, so that number could change in the coming days and weeks. Across the Hill, Republicans currently have a 52 to 44 majority in the Senate, but the two Independent Senators will still caucus with the Democrats. The Republican majority could grow depending on the results of Sen. Mark Begich’s (D) race in Alaska and Sen. Mary Landrieu’s (D) December 6 run-off election in Louisiana.

What all of that congressional change means for agencies, advocates and older Americans still remains to be seen. We’ve taken our best guess at making predictions on what Congressional leadership, committees and stakeholders have to look forward to, but caucus elections and committee assignments could also change these projections.

But before Members in the 114th Congress are sworn in, there will be a several-week “lame duck” session to close the 113th Congress. The laundry list of legislative leftovers slated for consideration during this brief period continues to grow. n4a has also outlined some of these priorities to discuss with your Representatives and Senators before the end of this year.

Congress Returns This Week, Now What?

Battle-weary Members return on November 12 either jubilant that they survived a contentious campaign season or licking their wounds after unsuccessful contests. Either way, lawmakers still have a number of outstanding items to deal with before closing out the 113th Congress. n4a and other national aging organizations will be urging Members to address several legislative priorities important to older adults during the lame-duck session.

We encourage you to contact your Congressional delegations and let them know that you know that the legislative session is not over yet! Finishing FY 2015 Older Americans Act appropriations, securing Aging and Disability Resource Center gap funding for this year, and laying the important
ground work for Older Americans Act reauthorization discussions in the new year are all critically important.

**OAA Appropriations**

The current government funding bill expires on December 11, so legislators will have to act before then to avoid a shutdown. Republican leadership in both chambers has echoed the call from House and Senate Appropriations Committee leaders to finish a full-year FY 2015 funding bill by the end of December. On both sides of Capitol Hill, members seem reticent to start a new Congress with appropriations baggage from the old one.

If this happens, Congress will either consider a full-year continuing resolution (CR), which would simply extend current funding levels for the remainder of the fiscal year; pass a full-year omnibus* appropriations bill, which would allow for funding flexibility, including funding new priorities n4a has advocated for; or consider a CR-omnibus combination to finish allocating federal funding through FY 2015. (Note: An omnibus bill is merely a compilation of many smaller bills, packaged together to make it politically easier to pass them all at once.)

n4a and other aging advocates will send a letter next week from the Leadership Council of Aging Organizations that outlines our shared lame-duck appropriations priorities but the upshot is this: we want Congress to finish its FY 2015 work by passing a proper appropriations bill (i.e., one that really sets specific levels and doesn’t just keep everything frozen at last year’s levels as a CR does) and we want that bill to include increased spending for OAA programs. (n4a’s FY 2015 request.)

**Aging and Disability Resource Center Funding**

Even if Congress passes a full-year funding bill that allows for program flexibility, it seems unlikely that appropriators will heed advocates’ calls to fill the $10 million FY 2015 gap in Aging and Disability Resource Center (ADRC) funding left by the expiration of mandatory funding in September 2014. Disappointingly, in the only version of a Labor-HHS spending bill that has been released this year, the Senate Labor-HHS Appropriations Subcommittee failed to allocate this additional funding for ADRC activities as n4a had requested.

To avoid significant erosion in this “no-wrong-door” network of LTSS information and referral services for older adults and people with disabilities, n4a partner organizations are asking Senate Finance and House Energy and Commerce Committee members to fill this gap in a must-pass “fix” to the Medicare Sustainable Growth Rate (SGR). The current “SGR patch” expires in March 2015, and lawmakers are currently discussing either a permanent or another temporary solution to prevent a significant cut in physician reimbursement rates.

n4a and other advocates have successfully attached funding proposals to past SGRs to extend funding for AAAs, SHIPs and ADRCs doing individual outreach and enrollment assistance to low-income beneficiaries (MIPPA), and we are asking that Congress also include at least $10 million to fill the gap in 2015 ADRC funding.

**Older Americans Act Reauthorization**

Short of a holiday legislative miracle, discussions to reauthorize the Older Americans Act will start over in 2015. However, it is important to lay the groundwork now—especially to new members and Committee leadership—about OAA programs and the importance of a bipartisan reauthorization. During the lame duck, n4a will meet with current and future authorizing committee members to discuss any opportunities to complete OAA reauthorization before year’s end and also set the
stage for a 2015 reauthorization conversation. Please reach out to your Representatives and Senators and let them know that it is critical that we achieve bipartisan OAA reauthorization.

**Looking toward the New Year and the New Congress**

Advocates all over Washington are consulting their legislative crystal balls to make predictions about the key players and issues next year. With Republicans handily seizing the Senate majority, there are sure to be significant changes in Congressional “business as usual” for at least the next two years. Whether the new Congressional majority will play hardball and stonewall the Administration or whether new opportunities will open up for compromise remains to be seen.

Aging policy trajectories will depend largely on leadership on key committees, and while final assignments won’t be announced until January, n4a has put together our “best guess” predictions for important committees. If your member is poised or predicted to take over a leadership spot, please reach out to reinforce n4a priorities.

**OAA Authorizing Committees**

In the Senate, all signs point toward Sen. Lamar Alexander (R-TN) taking the Senate Health, Education, Labor and Pensions (HELP) Committee chairman’s seat. With the retirement of longtime HELP leader, Sen. Tom Harkin (D-IA), Sen. Patty Murray (D-WA) is the favorite to assume the Ranking Member spot. However, according to some reports, Sen. Mike Enzi (R-WY), who is term-limited at ranking member but not chairman, may try to pull rank on Alexander to head the panel.

Senator Alexander is the only Republican co-sponsor of the Older Americans Act Reauthorization Act of 2014 (S. 1562), and he and his staff have been deeply engaged in the reauthorization process. Senator Bernie Sanders (I-VT), who has championed OAA reauthorization activities for more than four years, could potentially chair the Budget Committee, which could shake up the Primary Health and Aging Subcommittee leadership, with potentially Sen. Richard Burr (R-NC) becoming chair of that subcommittee.

In the House, Education and Workforce Committee membership is a little murkier and many changes are in store for this panel. The current Chair, Rep. John Kline (R-MN), will have to seek a term-limit waiver if he wants to keep his spot. Ranking Member George Miller is retiring and reports predict that either Virginia Democrat Rep. Bobby Scott or Rep. Ruben Hinojosa from Texas will assume that role. Things are less clear at the Higher Education and Workforce Training Subcommittee level that has jurisdiction over OAA.

**Appropriations Committees**

These key Senate and House committees will largely influence the direction of the President’s funding priorities over the next two years and may determine how sequestration cuts are made between programs. Senator Richard Shelby (R-AL) is technically next-in-line to assume the leadership role, but he will likely relinquish that role to Sen. Thad Cochran (R-MS) in order to head up the Senate Banking Committee. Reports predict that either Virginia Democrat Rep. Bobby Scott or Rep. Ruben Hinojosa from Texas will assume that role. Things are less clear at the Higher Education and Workforce Training Subcommittee level that has jurisdiction over OAA.

It is possible that Sen. Murray may continue in Sen. Harkin’s footsteps and also move over from the Transportation-HUD Subcommittee leadership to serve as Ranking Member on the Labor-HHS Subcommittee, which has jurisdiction over OAA funding. Barring any surprises, Sen. Jerry Moran (R-KS) is expected to take over as chair of the subcommittee.
Current House Appropriations Committee Chairman Hal Rogers (R-KY) and Ranking Member Nita Lowey (D-NY) will keep their posts, but there will be some changes on the Labor-HHS Subcommittee. Chairman Jack Kingston (R-GA) is retiring, and several Members are jockeying for this position including Rep. Charlie Dent (R-PA), Rep. Tom Graves (R-GA) and Rep. Tom Cole (R-OK).

Other Committees

While official announcements won’t be made until next year, there are a number of other House and Senate Committee leadership posts that have been widely predicted.

In the Senate, Sen. Orrin Hatch (R-UT) is expected to take over the Finance panel with jurisdiction over tax reform and mandatory spending. Current Chairman Ron Wyden (D-OR), who recently assumed the top spot when former Sen. Max Baucus became the U.S. Ambassador to China, will move to Ranking Member. Some predict that Sen. Chuck Grassley (R-IA) may want the Chairman’s role, but he is expected to take over the top spot on the Senate Judiciary Committee.

Representative Paul Ryan (R-WI) is term-limited on the House Budget Committee, and will probably move to chair the House Ways and Means Committee, but he may have to withstand a challenge from Rep. Kevin Brady (R-TX) first. Current Chairman Dave Camp (R-MI) is retiring, but Ranking Member Sander Levin (D-MI) will remain the top Democrat.

Senator Susan Collins (R-ME) will chair the Senate Aging Committee, and because Sen. Bill Nelson (D-FL) is expected to move to Ranking Member of the Commerce Committee, Sen. Bob Casey is will assume the Ranking Member spot on the panel. Also in the Senate, Sen. Sherrod Brown (D-OH) should assume the Ranking Member spot on the Banking Committee with the retirement of Sen. Tim Johnson (D-SD). The Banking panel has jurisdiction over many senior transportation programs and will play a key role in future transportation reauthorization discussions.

House Transportation and Infrastructure Committee Chairman Bill Schuster (R-PA) will continue to lead reauthorization efforts in that chamber. However, Ranking Member Nick Rahall’s (D-WV) unsuccessful reelection bid will likely elevate Rep. Peter DeFazio (D-OR) to that slot.

Without a doubt, many changes are ahead, and now more than ever it is critical that local and national aging advocates get and stay engaged to ensure that the new Congress and its many new faces understand the critical role that local AAAs play in protecting and promoting the well-being of older Americans.

This Legislative Update is an n4a membership benefit. For more information about these and other federal aging policy issues, please contact n4a’s policy team Amy Gotwals (agotwals@n4a.org) and Autumn Campbell (acampbell@n4a.org) or 202.872.0888.