Older Americans Act Reauthorization

March 28, 2014

In the past two months, action on reauthorization of the Older Americans Act (OAA) has dramatically heated up on the House side, with two reauthorization bills introduced and a hearing of the House Education and Workforce Subcommittee of jurisdiction held in February.

Unfortunately, n4a recently learned of a significant roadblock on the Senate side of the Capitol. The confidential working group that Senate HELP Committee Chairman Tom Harkin (D-IA) established back in October 2013, when the bipartisan OAA bill (S. 1562) was passed unanimously out of that Committee, has failed to come to an agreement. Despite months of work on the part of the involved Senators and their staffs, at least one key Senator declined to accept the proposed compromise agreement. This leaves S. 1562 and the overall OAA reauthorization in jeopardy.

What does the Senate news mean for OAA?

The news from the working group is still fresh, so n4a may adjust our analysis (and strategic response) once the dust settles. But unless something major changes, the Senate bill is likely dead.

After S. 1562 passed the Senate HELP Committee in a bipartisan and unanimous vote to approve, Chairman Harkin created the working group to respond to Subcommittee Ranking Member Richard Burr’s (R-NC) strong concerns about the hold harmless provisions in the OAA’s funding formula and how they affect the funding his state and others receive. While Senator Burr’s amendment to remove the hold harmless provision from the law failed in that October Committee mark-up, and the overall bill passed as is, Chairman Harkin created the working group to try to resolve the dilemma. Without nearly universal support from the Senate, S. 1562 would not be able to reach the Senate floor for a vote under the rules governing non-controversial legislation. And without being able to use that parliamentary process, the chance of the bill advancing is greatly diminished.

(Confused about the hold harmless provision or want background on the OAA’s formula? n4a recommends the LCAO fact sheet on this issue.)

The working group has met many times behind closed doors since fall and was reportedly close to a deal on the pivotal issue, but could not achieve consensus. If the bill’s champions were to try to move S. 1562 to the floor, it is assumed that at least one, if not more, Senators would be able to
block its advancement. That would certainly not be the non-controversial, bipartisan OAA reauthorization bill we all desire!

So unless the House manages to craft its own bill that it can use to pressure the Senate (with presumably an acceptable resolution to this same funding formula issue) or the Senate feels more pressure to pass S. 1562 (as is or amended), the bill is dead.

Given the incredible amount of work that n4a leaders, members and staff have put into the OAA reauthorization, and the Senate bill in particular, this is obviously a very disappointing result. Stay tuned for a possible grassroots response once n4a has had time to fully assess the situation.

What about that House activity?

n4a has previously reported on the first bill on OAA from the House, H.R. 3850, a "straight" (e.g., no changes except the dates) reauthorization bill that was put in motion by AAAs, has bipartisan support and was introduced in early January (See our February 21 Advocacy Alert for details.)

Part of the purpose of H.R. 3850 was to create momentum for action on the House side, which had not formally taken any steps toward reauthorizing the Act since it expired in fall 2011. In that, the bill may be considered quite successful. Not only did the House Democratic leaders on the committee of jurisdiction offer a bill of their own by early March, but perhaps even more importantly, the House Education and Workforce Subcommittee on Higher Education and Workforce Training held a formal hearing on February 11. Former n4a President Lynn Kellogg of St. Joseph, Michigan was a witness at the hearing (more).

This means that the Committee’s majority is interested in beginning the process and the minority is interested in being engaged in that process, which is obviously an excellent state of affairs.

The Democrats bill (H.R. 4122) builds on the bipartisan Senate HELP measure (S. 1562), but adds back some language that was lost along the way during the process in that chamber last year. Original co-sponsors of the measure are Education and Workforce Ranking Member George Miller (D-CA), Subcommittee Ranking Member Rueben Hinjosa (D-TX) and Subcommittee Member (and emerging OAA champion) Suzanne Bonamici (D-OR). n4a has reviewed H.R. 4122 and has no major concerns, but we will be holding our endorsement on all OAA House bills until a measure emerges from what we hope will be a full, bipartisan process in the Education and Workforce Committee.

Please continue to advocate for OAA funding (see our March 27 Advocacy Alert for what you can do in the next few days) and for OAA reauthorization at every opportunity. There will be a Capitol Hill staff panel on OAA reauthorization at our Aging Policy Briefing, April 28-29. Please take a moment and skim the agenda—it’s a policy-intensive conference you can’t afford to miss!

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