

# STATE WIDE

**New York StateWide Senior Action Council, Inc.**

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## 2022 FEDERAL LEGISLATIVE PRIORITIES

### ECONOMIC SECURITY

*StateWide believes that economic security should be defined as having the income, resources, services and supports necessary to meet all basic needs, including housing, health care, transportation, food, miscellaneous essentials, and, when necessary, long term care. We believe more realistic tools are needed to assess elders' economic needs and well-being.*

- StateWide recommends that the federal government use 200% of the federal poverty level (FPL) as a closer approximation of economic security rather than 100% of FPL, to shape planning efforts as well as eligibility for service delivery.
- StateWide opposes any changes to the calculation of the federal poverty level that reduces the rate of growth of future benefits by using the Chained COLA (Cost of Living Adjustment) to adjust the formula.
- StateWide will fight federal cuts to food programs, heating/cooling assistance and other important human service programs that provide assistance so that seniors and their families can live with dignity in the community. StateWide opposes block grant funds that do not keep pace with needs and artificial per capita caps. Federal funding should protect and assist low-income and vulnerable people.
- StateWide supports the National Council on Aging (NCOA) Public Policy Priorities to urge Congress to set the right priorities, found at: <https://www.ncoa.org/page/action-center>
- StateWide supports the legislative agenda of the National Committee to Protect Medicare and Social Security found at: <https://www.ncpssm.org/wp-content/uploads/2022/03/leg-agenda-2022.pdf>
- StateWide urges Congress to protect pension benefits for workers.

- StateWide supports farm legislation that funds the Supplemental Nutrition Assistance Program (SNAP) program to provide adequate food security for all Americans. SNAP must be authorized at levels necessary to meet the needs of a hungry nation, with the funding levels appropriated in the American Recovery & Reinvestment Act restored. Further, StateWide urges the loosening of federal rules that prevent online supermarkets from accepting public assistance as payment.
- StateWide urges Congress to require employers to provide paid family and medical leave. StateWide opposes the New Parents Act because it only provides a paid benefit to new parents during the immediate post delivery months, takes money from the Social Security Fund without replacement revenue to offset the cost, and individuals who claim the benefit would face a cut to Social Security retirement benefits.
- StateWide seeks unemployment benefits for those who cannot work from home and are at a high risk for exposure to disease by going to a workplace during a public health emergency.
- StateWide supports *The Schedules That Work Act* to protect working people who request a change in their schedule from retaliation from their bosses.
- StateWide supports efforts to ensure equal pay for equal work.
- StateWide urges an increase in the federal minimum wage to \$15, and to ensure a livable wage, future increases should be indexed to the rate of inflation.
- StateWide supports the *Domestic Workers Bill of Rights* to extend working rights to domestic workers, ensuring that they are covered by prevailing labor laws, and provide financial stability and safety, including assurance of meal breaks, rest breaks, paid sick days, and advanced notice of scheduling.
- StateWide opposes any cuts to the federal Lifeline program, the only federal program targeted at assisting low-income households with the cost of broadband and telephone service.
- StateWide opposes age discrimination in the workforce and urges Congress to prevent older workers from being demoted or fired without repercussions. We support the *Protecting Older Workers Discrimination Act* to reverse a Supreme Court decision in 2009 that made it harder to claim age bias for a layoff or demotion.
- StateWide supports the *Guardianship Accountability Act* to improve the guardianship system used when a court appoints a family member or

professional to control the assets of a person with diminished or lost capacity.

- StateWide urges efforts to ensure that the digital tele-communications industry achieve universal, affordable, high quality and technologically advanced service.
- StateWide supports the Accessible, Affordable Internet for All Act that would hold giant internet companies accountable by requiring them to issue a consumer-friendly detailed breakdown listing fees and speeds before customers sign a contract.

○ **Supplemental Security Income (SSI)**

*StateWide supports modernization of the SSI program in order to reduce or end poverty among persons with disability and the elderly and the blind in this nation. StateWide urges action to update the income and asset limits to better reflect reasonable assistance in today's dollars.*

- Raise the Federal Benefit Rate for SSI to 100% of the Federal Poverty Level (FPL) and undertake a re-evaluation of the FPL.
- Raise the income to offset inflation since 1974.
- Raise the allowable resource limits to offset inflation since 1989.
- Treat defined contribution pension plans in the same manner as defined benefit pension plans.
- Restore full eligibility to all otherwise eligible immigrants lawfully admitted for permanent residence or with permanent residence under color of law (PRUCOL).
- Restore eligibility to otherwise eligible persons whose qualifying disability is drug addiction or alcoholism.
- Provide funding for community outreach and assistance with applications and appeals to currently eligible low-income people who are not receiving SSI benefits.
- Encourage states to provide or improve state supplementary payments, at least until there is a full federalization of an adequate SSI benefit (recommendations 1 – 3 above), by:
  - Authorizing the disregard of state SSI supplements in calculating SNAP eligibility.

- Raising the federal match for Medicaid payments for SSI Medicaid eligible persons.
- Increase the personal needs allowance for residents of Long Term Care facilities.
- Raise the resources limit and increasing the general income disregard imposed on people with disabilities receiving Supplemental Security Income
- StateWide supports the Supplemental Security Income Restoration Act to bring the Supplemental Security Income (SSI) program into the 21st Century and ensure disabled and older Americans are able to live with dignity and respect.

○ **SOCIAL SECURITY – An Earned Benefit**

*Social Security is a promise to generations of people who have contributed through dedicated taxes that there will be protection against lost wages due to old age, disability or death. Social Security did not cause the federal deficit. The Social Security Board of Trustees found that Social Security can pay 100% of promised benefits until 2034 from dedicated revenues and reserves of \$2.9 trillion.*

*Social Security benefits are a lifeline for retirees as well as surviving children and spouses and persons with disabilities. There are 3,586,883 Social Security beneficiaries in New York. Social Security is a driving force to the economy, contributing to the spending power in communities. New York residents receive Social Security benefits totaling over \$ \$56.6 billion per year.*

- StateWide will urge Congress to oppose all efforts to privatize Social Security and reduce benefits for future generations of retired workers and their families. We oppose the Trust Act that will create a Congressional fast track process for cuts to Social Security and Medicare.
- StateWide is part of two national campaigns to ensure that Social Security is maintained and enhanced for future generations. StateWide has endorsed the Principles of the Strengthen Social Security campaign.
- StateWide supports gradually eliminating the cap on Social Security payroll contributions (currently \$ 147,000) which would eliminate 95 percent of the projected shortfall.
- StateWide opposes adoption of the Chained CPI for a cost of living adjustment and supports the CPI-E methodology that includes health care costs that lead to economic insecurity for older Americans.

- StateWide opposes any further adjustments that increase the retirement age.
- StateWide opposes reduced services, including closure of Social Security offices, elimination of benefit verification letters and a reliance primarily on web-based information.
- StateWide supports providing credits for those who have had to leave the workforce to volunteer as a caregiver for a family member or friend
- StateWide urges Congress to responsibly reallocate funds between the Old-Age and Survivors trust fund and the Disability Insurance trust fund. Further, we support combining the Social Security Old Age and Disability Trust funds to ensure that both remain solvent through 2034.
- StateWide opposes any use of the Social Security Trust Fund other than to fund earned entitlements and opposes any reduction below actuarial requirement to support the program for 75 years.
- StateWide supports the SAVE Benefits Act, a one-time \$580 payment for 70 million Americans receiving Social Security, to serve as a lifeline in a year of rising out-of-pocket costs, but no Cost of Living Adjustment.
- StateWide supports the Stop Social Security Garnishment Act. Currently approximately 160,000 elderly Social Security beneficiaries and an additional 83,000 people with disabilities between the ages of 50-65 are having their benefits garnished to pay off student loans.
- StateWide supports the *Social Security 2100 Act* to provide an increase for all beneficiaries equal to 2% of the average benefit, and ensure that the new minimum benefit is 25% above the federal poverty line. Changes would be financed by a gradual phase in of an increased payroll tax contribution rate so that by 2043 workers and employers would pay 7.4% rather than the current 6.2% - an increase of about 50 cents/week.
- StateWide supports the Protecting Our Widows and Widowers in Retirement (POWR) Act, to increase survivors' benefits so that widows and widowers can live with dignity. (Currently, the surviving spouse only receives the higher of the two benefits which was their household Social Security income. The POWR Act creates a new Social Security option for widows and widowers in two-income households that would equal 75 percent of the combined benefits they received while both individuals were alive. Currently, the average widow or widower sees a benefit cut between 33 and 50 percent after the death of a spouse, but he or she requires

around 79 percent of the combined benefit total to maintain his or her standard of living.)

- StateWide supports a technical fix in the benefits calculation for those born in 1960, who would otherwise suffer reduced Social Security lifetime payments, not caused by the beneficiaries' personal salary history. The formula calculation uses a broad labor market average factor, which in 2020 has collapsed under the pandemic economy, and must be adjusted to protect those coming into retirement age.

#### ○ **OLDER AMERICANS ACT (OAA)**

***Congress must make critical investments in the Older Americans Act by protecting these essential programs and continuing to restore the capacity lost to sequestration and years of funding erosion, to better meet the increasing demand for these cost-effective services such as home and community-based services that keep older adults out of more expensive nursing homes.***

Last reauthorized in 2020, the Older Americans Act still must ensure that funding is allocated to:

- meet the service needs of the rapidly increasing older demographic, and
- update program design to reflect the way services need to be delivered now and into the future.
- End sequestration budget cuts

State Wide supports the Older Americans Modernization Act to address antiquated and outdated parts of the Older Americans Act, to learn from and address service delivery after the pandemic and to provide the area agencies on aging with increased flexibility and the resources that bring us into the 21st century.

#### ○ **ELDER JUSTICE ACT**

According to a recent National Institute of Justice study, almost 11% of people ages 60 and older (5.7 million) faced some form of elder abuse. Financial exploitation of older adults is increasingly alarming. A 2009 report by the MetLife Mature Market Institute and the National Committee for the Prevention of Elder Abuse (NCPEA) estimates that seniors lose a minimum of \$2.5 billion each year.

Elder abuse, neglect and exploitation are serious and widespread social justice problems and major health issues. Victims of elder abuse are often abused by family members or someone close to them and victims tend to be older, frail and often dependent on their abusers for life's basic necessities and care. Victims of elder abuse, neglect and financial exploitation have three times the risk of dying

prematurely. To this day, elder abuse is the only form of family violence for which the federal government provides virtually no resources.

- StateWide encourages members of Congress to allocate \$25 million for the Elder Justice Act which was passed without any support for an ongoing funding stream.
- StateWide supports expansion of the federal definition of elder abuse, neglect and exploitation.
- StateWide supports incorporation of elder abuse prevention training, screening and reporting protocols into all senior services access points that receive federal funding.
- StateWide urges congress to direct funding from the Elder Justice Act to grassroots organizations which reach marginalized populations which do not necessarily access services from traditional sources and agencies – to provide outreach, education, information and services to this population.

### **HEALTH CARE SYSTEM**

***The escalation of health care costs and failure of existing legislation to achieve universal coverage require continued emphasis on this vital issue. The best protection for Medicare, which now covers the most medically challenged part of the population, is to expand the risk pool to all, including younger, healthier Americans. StateWide supports federal Universal Health Insurance, the expansion of Improved Medicare for All, as the most effective vehicle for achieving universal coverage and cost control.***

- StateWide supports the expansion of the Medicare program to provide universal health care for all. (Medicare for All is a single payer for all US residents that will provide coverage for all ages and improve Medicare by eliminating co-payments, deductibles, premiums and adding coverage for dental, vision, hearing and long term care.)
- StateWide will monitor the implementation of the Affordable Care Act to ensure that it is fair and realistic for senior citizens and their families. Any changes made should improve access and quality, not impact Medicare's solvency, and should continue to fund the expansion of Medicaid and the Essential Benefits Plan.
- StateWide urges that social determinants of care be included as a covered health insurance benefit and that non-medical community-based organizations be recognized as providers so that they can be paid by the health system for services they provide that improve the health of clients.

- StateWide will support efforts to maximize funding opportunities for aging and disability home and community-based services (HCBS) including additional resources for providers to remain financially stable, to recruit and retain sufficient numbers of workers to care for homebound individuals, and to keep their workforce safe and healthy.
- StateWide supports *The Community Integration Act* (CIA) to create a new Title of the Americans with Disabilities Act (ADA), to require states to provide community-based services first, and offer home and community based services (HCBS) to people currently in institutions as a civil right.
- StateWide supports the Disability Integration Act (DIA) to create an absolute right for all people with disabilities to live in the community instead of being forced into institutional settings by prohibiting the state and long term care insurance providers from denying community-based services that would enable such individuals to live in the community and lead an independent life.
- StateWide urges making permanent the Money Follows the Person (MFP), to support people transitioning from a nursing home back to the community.
- StateWide supports the Health Force and Resilience Force Act to recruit, train and employ hundreds of thousands of Americans to respond to the COVID-19 pandemic in their communities, provide capacity for ongoing and future public health care needs, and build skills for new workers to enter the public health and health care workforce.
- StateWide supports revised standards for staffing in nursing homes to require a professional registered nurse (RN) be on duty 24 hours a day/7 days a week and ensure 4.1 hours per day of total nursing time per resident. StateWide seeks the adoption of standards in acute settings to establish safe nurse to patient ratios.
- StateWide supports incentives and actions to reduce barriers to the redesign of nursing homes to small house models that focus on resident centered care with continuity of care from staff, so that they are able to follow the principles of the Pioneer movement.
- Statewide proposes that the Centers for Medicare and Medicaid (CMS) further refine the quality reports required of nursing homes, home health agencies, long-term care hospitals and in-patient rehabilitation units. (CMS now has a uniform tool for assessing an individual's need for personal assistance to perform activities of daily living - such as bathing, toileting, dressing, and walking. This assessment protocol, known as Section GG, provides the basis for meaningful discussions between staff,



patients and families to assess the current level of an individual's independent function and determine his/her expected future level of function: either a recovery to the past level, maintenance of current function or recognition that function is likely to decline based on the particular medical diagnosis. This assessment structure will enable clear expectations across institutional and home-based settings. It provides a means for evaluating the appropriateness of a care plan relative to the individual's personal goal as well as a structure for appealing for changes in that care plan to the insurance company or institutional care provider.)

- StateWide calls on the Center for Medicare and Medicaid Services (CMS) to ban the use of pre-dispute, forced arbitration clauses in nursing home contracts as part of its revisions to the federal nursing home regulations. (Taking away the ban on pre-dispute arbitration agreements deprives nursing facility residents of important rights and opens the door to the routine use and enforcement of arbitration agreements that a resident signs before knowing what the dispute is or what is at stake.)
- StateWide will fight federal cuts to Medicaid and attempts to block grant state payments or create per capita caps that do not reflect future funding needs.
- StateWide supports efforts to improve palliative care by investing in a trained workforce to expand health care system capacity, enhancing research in pain management, palliative care and hospice and providing a public awareness campaign.
- StateWide supports efforts to eliminate or loosen eligibility restrictions that require a patient to be "home bound" for either palliative care services or home care services; and instead provide the best care for each patient for their "quality of life."
- StateWide supports ending age discrimination against low-income individuals over the age of 65 by providing Medicaid expanded coverage, as provided to those under the age of 65, to 138% of the federal poverty level with no asset test.
- StateWide supports enhanced funding for the Centers for Disease Control (CDC) to ensure that the CDC is prepared to deal with the effects of natural or manmade disasters, and to effectively prevent the spread of communicable disease.
- Given the increasing number of older Americans, StateWide supports incentives for physicians and nurses to develop clinical expertise as geriatricians to improve treatment for the specific needs of older adults, Furthermore, we urge the development of incentives to develop clinical

expertise in gerontology for social workers, physical therapists, occupational therapists, speech/language therapists, pharmacists.

- StateWide recommends that screening and treatment of depression and suicide prevention be included in all primary care visits.
- StateWide opposes the “Patient Rights Act” that would, in fact, dishonor patient rights by denying payment to health care providers who honor the wishes of patients to direct their own care, and do not want extreme measures to preserve life.
- StateWide recognizes that technology such as on-line patient portals and telemedicine visits are a component of the modern health care delivery system, but they must not be imposed as a practice for all patients.

○ **Medicare**

*While StateWide supports the expansion of the Medicare program to provide universal health care for all, in the context of the current program:*

- In an incremental approach to achieving universal care for all, StateWide also supports allowing residents over the age of 50 to buy in to the Medicare system.
- StateWide supports the preservation of Medicare as a program available to everyone age 65 and older, and persons with disabilities, without discrimination.
- StateWide supports adding an out-of-pocket limit to Medicare Parts A & B.
- StateWide opposes the creation of a voucher system that forces future beneficiaries to shop for coverage rather than obtaining coverage as provided by the current Medicare program.
- StateWide urges Congress to ensure that the health care system does not further deteriorate, ensuring that enrollee premiums and co-payments remain affordable. We urge Original Medicare to adopt a standardized and affordable cap on out of pocket costs.
- StateWide supports giving Medicare the authority to maximize negotiating power to achieve fair and affordable prices for medicines.
- StateWide opposes reduction of income level (currently \$91,000 for individual and \$182,000 for couple) for additional means testing.

- StateWide opposes deemed status of nursing home providers to ensure, high, government controlled, standards.
- StateWide supports expanding benefits to include Long Term Care, eyeglasses, eye exams, hearing aids, cavity fillings and dentures and coverage for alternative or complementary health providers, such as massage therapists and acupuncturists.
- StateWide opposes combining the Part A and B deductibles, shifting additional costs on to beneficiaries who do not use hospital care.
- StateWide urges the Center for Medicare and Medicaid Services (CMS) to immediately implement reforms to help people with Medicare better navigate Part D denials and appeals.
- StateWide calls on Congress to limit prior authorization and step therapy in Medicare Part D coverage to assure these provisions do not delay patients' access to needed medical care.
- StateWide urges a prohibition on advertising of prescription drugs to the consumer.
- StateWide urges the Department of Health and Human Services, the Department of Labor and the Social Security Administration to implement a system for notifying individuals approaching Medicare eligibility to inform them of their rights and obligation as they near enrollment.
- StateWide supports ensuring that hospital stays defined as observation status are counted toward coverage for nursing home/rehabilitation services in the same manner as inpatient stays.
- StateWide supports changes in Medicare policy to allow for appeal rights relating to observation status.
- StateWide will monitor new CMS regulations requiring that patients be automatically granted inpatient admission status if they remain in the hospital for over 48 hours.
- StateWide urges Congress to prohibit Medicare Advantage organizations' ability to remove a service provider or supplier from a plan network without cause, and require disclosure of information on the measures used in establishing or modifying the plans provider network. StateWide urges CMS to require Medicare Advantage Plans to post and update monthly their provider panels.

- StateWide urges CMS to stop appearing to show a bias of preferences for Medicare Advantage enrollment, a most disturbing trend particularly since the administrative costs for such plans are much higher than original Medicare.
- StateWide urges stricter oversight on Medicare Advantage plans to avoid further overpayment at the expense of the beneficiaries and the American taxpayer.
- StateWide supports inclusion in Original Medicare benefits all supplemental benefits that are provided through Medicare Advantage plans.
- StateWide supports simplifying and aligning the Low Income Subsidy (LIS) and Medicare Savings Program (MSP) programs so that if an enrollee is qualified for the LIS program they would be automatically enrolled in the appropriate MSP program.
- StateWide supports the Helping Seniors Afford Health Care Act, making it easier for seniors to qualify for subsidies provided by Medicare Savings Programs, which help pay for Medicare premiums, copayments, deductibles and other health care expenses.
- StateWide supports the Enhancing Retirement Security for Medicare Beneficiaries Act, to exclude disbursements from covered retirement accounts from counting as income for the purposes of determining eligibility under the Medicare Part D low-income subsidy (LIS) program.
- StateWide supports inclusion of coverage for removal of polyps during screening colonoscopies.
- StateWide opposes any use of the Medicare Trust Fund other than to fund earned entitlements and opposes any reduction below actuarial requirement to support the program for 75 years.
- StateWide supports updates to the "Welcome to Medicare" package and enhanced education to promote understanding among newly eligible beneficiaries about enrollment considerations and rules.
- StateWide supports funding to allow Medicare enrollees, and caregivers to receive unbiased information and counseling that is culturally and linguistically appropriate to ensure informed decision making when choosing health insurance and prescription coverage plans, through the SHIP program. We call for improvement in the Medicare Plan Finder, to provide external links to specific plan web sites so that the user can review

the plan formulary and the provider network while using the Plan Finder and return to their active session.

- StateWide supports an enhanced Medicare reimbursement rate for medically necessary air ambulance transports to ensure access for patients, particularly those in rural areas.

### ○ **Prescription Drugs**

*Congress must improve the Medicare prescription drug benefit to simplify access to the benefit, lower drug prices for all beneficiaries, protect vulnerable beneficiaries, and support state programs such as Elderly Pharmaceutical Insurance Coverage (EPIC).*

- StateWide works to promote and protect American consumer access to sources of safe, affordable prescription drugs. We partner with *RxRights*, a national coalition dedicated to raising awareness and spurring action around safe prescription drug importation, to provide legal access to safe and affordable drugs from abroad.
- StateWide supports the disclosure of gifts to prescribers from pharmaceutical industry representatives.
- StateWide supports a cap on the amount that the pharmaceutical industry can charge for prescription drugs and supports efforts to require drug manufacturers to notify insurance companies and Medicare, no less than 60 days prior to expected price increases, so they will issue the final notice to consumers and patients no less than 30 days prior to the effective date so the patients can anticipate increased costs.
- StateWide calls for the investigation of drug price gouging and efforts to prevent coverage for less expensive competitors' products. We support the "Stop Price Gouging Act."
- StateWide supports the proposed Medicare Drug Savings Act that would lower Rx costs for Medicare beneficiaries through rebates and other similar proposals and correct payments to drug companies.
- StateWide supports giving the federal government the authority to negotiate Medicare drug prices similar to the Veterans Administration, and ensure discounts and rebates negotiated through Medicare Part D are shared with patients. We oppose any provision that could significantly increase out-of-pocket costs for enrollees and efforts to allow monopoly pricing. We advocate an out-of-pocket maximum for Part D beneficiaries in the catastrophic coverage phase.

- StateWide urges the federal government to establish a Medicare run drug plan to compete with Part D insurance models.
- StateWide supports assuring access to prescription medicines for the six protected classes of vulnerable patients under Medicare Part D.
- StateWide urges the end of "pay for delay" a practice in which brand name prescription drug companies pay other companies not to manufacture cheaper generic drugs.
- StateWide opposes the Orphan Product Extensions Now Act, allowing the pharmaceutical industry an additional six months of exclusivity while they can charge as much as they would like.

## **HOUSING**

- StateWide urges funding the National Housing Trust Fund (NHTF) through two basic modifications to mortgage interest tax benefit: converting the benefit from a deduction to a 15% tax credit (which, in addition to providing important resources for extremely low income rental housing, would make the benefit available to approximately 16 million more low and moderate income homeowners who do not currently benefit), and reducing the cap on the size of mortgage eligible for the benefit from \$1 million to \$500,000.
- StateWide supports The Housing Opportunities through Modernization Act to update and streamline rental assistance programs, expanding access to higher-opportunity areas, addressing homelessness, supporting renovation of public housing, strengthening work incentive, easing administrative burdens and trimming program costs. The bill improves low-income families' access to areas with low poverty and crime and high-performing schools by enabling state and local housing agencies to use project-based vouchers where it is difficult to use tenant-based vouchers.
- StateWide supports tax credits for home modifications that enable aging in place.

## **StateWide supports the National Community Reinvestment Coalition's housing agenda:**

- ***Restore Housing Counseling Funding in the Budget.***  
When supported by Department of Housing and Urban Development (HUD), housing counseling services help individuals navigate a complicated market on topics ranging from mortgage delinquency and default resolution to accessing safe reverse mortgages. Housing

counseling has proved a critical resource during the foreclosure crisis and must be maintained. The \$88 million dollars devoted to these services must be restored in the budget.

- ***Protect Affordable Housing for Older Americans.***

Seniors' access to affordable housing units is at risk in ongoing debt negotiations. Housing programs operated by HUD and other federal agencies are further threatened in the event of sequestration should the Joint Committee on Deficit Reduction fail to meet its established goals. Affordable housing programs should be funded at no less than FY2010 levels to ensure an appropriate stock of affordable housing is available for today and for future generations of older adults.

- ***Expedite Database Development on Foreclosure Trends and HMDA Enhancements.***

One charge of the newly developed Consumer Financial Protection Bureau (CFPB) and HUD involves the development of a database allowing the public to track foreclosure trends by census tract. Database development should be accelerated to better understand the affects of foreclosure in census tracts with concentrations of older adults in the aftermath of the Great Recession. In addition, the CFPB is responsible for enhancing the Home Mortgage Disclosure Act (HMDA) to include the age of the borrower as well as more information on loan terms and conditions. The CFPB should expeditiously propose changes to HMDA so that researchers, agencies, stakeholders and the general public can track whether older Americans continue to receive loans with onerous terms and conditions.

- ***Establish "elderliness" or "older Americans" as a Protected Class of the Fair Housing Act (Title VIII).***

To date, no federal protections against discrimination on the basis of age exist in the fair housing or fair lending arena. Federal acknowledgement of older adults as a protected class will strengthen the ability of local advocates and service providers to protect seniors from financial abuses tied to housing.

- ***Reconvene a Bi-Partisan Commission to Explore Senior Housing Trends.***

In 2002, the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century released a summative analysis on the nation's growing aging population and the lack of affordable housing, A Quiet Crisis in America. The affect of the Great Recession on housing for older adults has likely worsened this quiet crisis. We recommend establishing a bi-partisan commission to re-examine senior housing trends to both increase the visibility of this crisis and to devise cost-effective

solutions for the long-term. This bi-partisan commission should assess how cost burdens for older renters and homeowners can be most effectively addressed with either demand-side interventions (more Section 8 vouchers) and/or supply-side interventions (increasing the supply of affordable renter housing, for example through construction of Section 202 units).

### **WEATHERIZATION PROGRAM**

***We urge that the state plan be changed to restore this program through the State Office for the Aging.***

StateWide is also concerned about the funding reduction in the Weatherization Referral Assistance Program (WRAP). This program has always had an earmark for seniors for “last resort” help to prevent emergency heating situations. This funding has now been cut in the state plan presented by the NYS Office of Temporary and Disability Assistance (OTDA), leaving no ready source of emergency help for older persons should their heating system and equipment need immediate repair or replacement. Not only was the federal funding amount reduced by 25% but the State OTDA also changed the State Plan so that there is 5% less for conservation than in 2011. So even if they put more money back in the program there is still less money that will be available.

NOTE: Up to now we have reported on federal legislation concerned with senior issues. But there are broader issues relating to the needs of all ages in our population which we are also vitally concerned about and require action on our part:

### **REVENUE**

***StateWide promotes tax fairness. Congress should look to fair financing to maintain the guaranteed benefits under Social Security for retirement, disability and survivors.***

- Congress should end oil and gas subsidies.
- Congress should eliminate tax loopholes, such as inversion, and foreign tax shelters for big business and corporations and carried interest for individuals. Corporate tax reform should raise a significant amount of revenue over the long term, not be revenue neutral, in order to help meet our country’s critical needs. Further, the tax code should not permit corporations to invest in foreign countries rather than the United States, such as by allowing them to pay a lower tax rate on their offshore profits than on their domestic profits.



- StateWide supports reforms that would tax capital gains at the same rate as earned income.

StateWide opposes a balanced budget amendment (BBA) that would:

- undercut Social Security, Medicare, and other programs that have built up reserves. The BBA prohibits Social Security, Medicare Part A, the Federal Deposit Insurance Corporation, the military and civil service retirement funds, and other funds from using their accumulated reserves. That's because the BBA prohibits spending from exceeding the revenues collected in that year. For example, Social Security couldn't use the \$2.9 trillion in Treasury securities it holds to help pay benefits to retired baby boomers since almost all of it was collected in prior years.

- prohibit all federal borrowing. The BBA would prohibit the federal government from building "rainy day" reserves during good times and draw on them in bad times because it prohibits spending from exceeding revenues collected in that single year.

- be silent on the critical question of who would be responsible to balance the budget or allow unilateral action by the White House.

## **ENVIRONMENTAL ISSUES**

NOTE: We also recognize that our planet is facing its most serious threat in terms of the effect of climate change. StateWide promotes the spreading of information about this crisis, and encourages positive action as a way of preventing increased problems of climate change.

- Ban hydraulic fracturing (fracking) on public lands in areas where it pollutes the water supply or is near faults.
- Ban fracking, keep fossil fuels in the ground, stop building fossil fuel infrastructure and rapidly transition to 100 percent renewable energy.
- StateWide urges Congress to close loopholes in governance of hazardous wastes so that those associated with the exploration, development or production of crude oil, natural gas or geothermal energy are identified.
- Repeal the "*Monsanto Protection Act*," that prohibits federal courts from being able to halt the sale or planting of controversial genetically modified or genetically engineered seeds, no matter what health issues may arise in the future.
- StateWide urges Congress to temporarily halt the use of certain pesticides while safe pesticides are being developed that do not cause risk to honeybees, inherently important to our food supply.

- StateWide opposes federal action that would prevent states from passing legislation requiring Genetically Modified Organisms (GMO) labeling or GMO product sales.
- StateWide urges assistance for Flint, Michigan and other communities with lead-contaminated water or other contaminants in The Water Resources Development Act (WRDA) reauthorization - lead poisoning prevention funding.
- StateWide supports funding for testing water supplies and treatment in areas that have been exposed to contaminants or through the degradation of leaded pipes as part of the water delivery system or in public housing facilities to ensure no cost to homeowners/residents.
- StateWide opposes state interference in national parks decisions regarding no-fishing zones that have been specifically created to help rebuild reefs and fish populations, and supports honoring of treaties with native populations that have sovereignty.

## **GUN CONTROL**

- StateWide supports a more rigorous enforcement of background checks of people seeking to purchase guns according to federal law including closing background check loopholes for Internet and gun show sales, expanding the background check database and cracking down on the illegal gun market.
- StateWide supports digitized gun ownership records at The Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF).
- StateWide supports a ban on the manufacture, sale and possession of bump stocks and/or any device or kit which can convert a semi-automatic weapon to an automatic weapon, and gun silencers.
- StateWide supports banning the plans, production, use and sale of guns made from a 3-D print imager to avoid the registration laws.

## **BANKING**

- StateWide opposes overturning the Credit Union Tax Exemption.
- StateWide supports enactment of consumer protection rules for the debt collection market, including the accuracy of information used by debt collectors, how to ensure consumers know their rights, and the

communication tactics collectors employ to recover debts, and adding consumer complaints about debt collections to the federal Consumer Financial Protection Bureau's public Consumer Complaint Database.

- StateWide urges passage of the 21<sup>st</sup> Century Glass-Steagall Act to decrease the likelihood of future financial crises by separating traditional banks with savings and checking privileges insured from the FDIC from riskier financial institutions that offer investment banking and hedge funds.
- StateWide supports regulation of the payday lenders industry by the Consumer Financial Protection Bureau (CFPB) to restrict the predatory lending nature of their practices by placing new rules on the industry, which currently operate on a state-by-state regulatory basis.
- StateWide urges the preservation and expansion of the Consumer Financial Protection Bureau which aims to make consumer financial markets work for consumers, responsible providers, and the economy as a whole. They protect consumers from unfair, deceptive, or abusive practices and take action against companies that break the law. They arm people with the information, steps, and tools that they need to make smart financial decisions.
- StateWide supports the Consumer Protection and Recovery Act to restore the Federal Trade Commission's authority to obtain monetary redress for consumers in court for all violations of the laws it enforces.
- StateWide supports the regulation of credit reporting agencies to ensure that the industry standard protects against hacking and data breaches.

### **CAMPAIGN FINANCING**

StateWide supports passage of a constitutional amendment to overturn the Citizens United Supreme Court decision.

StateWide opposes weakening of the Johnson Amendment, the provision of federal tax law that protects charitable nonprofits from demands from politicians and others for endorsements and other support. We oppose the diversion of charitable assets to influence partisan political campaigns.

StateWide supports the For the People Act to strengthen and reform our democracy by making voting easier and taking big money out of politics.

## **IMMIGRATION**

StateWide opposes diminution of current law that allows immigrants to receive credit toward future Social Security benefits for wages earned prior to being granted lawful presence, when and if they acquire lawful presence.

StateWide supports efforts to allow lawfully present individuals who are working and paying all applicable taxes to be able to access the federal safety net programs they have contributed toward through taxation, particularly Medicare and Medicaid.

StateWide supports providing legal status and citizenship to the undocumented population to allow these aspiring Americans to collect benefits upon retirement.

Statewide opposes proposed regulations (Department of Homeland Security 8 CFR Parts 103, 212, 213, 214, 245 and 248 [CIS No. 2499-10; DHS Docket No. USCIS-2010-0012] RIN 1615-AA22.) to limit immigrants' rights to enter the US or receive green cards if they're deemed likely to use public benefits like food stamps or Medicaid or Medicare Extra Help/Low Income Subsidy assistance.

## **CONCLUSION**

Finally, StateWide recognizes the need for a solid multi-generational education programs and positive curricula on aging which is vital if our democratic system is to survive. We need a well-educated population; therefore we support budgets for local school systems, colleges and universities and programs which would improve this system.