

# CRS Report for Congress

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## Appropriations for FY2001: Labor, Health and Human Services, and Education

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Appropriations are one part of a complex federal budget process that includes budget resolutions, appropriations (regular, supplemental, and continuing) bills, rescissions, and budget reconciliation bills. The process begins with the President's budget request and is bounded by the rules of the House and Senate, the Congressional Budget and Impoundment Control Act of 1974 (as amended), the Budget Enforcement Act of 1990, and current program authorizations.

This report is a guide to one of the 13 regular appropriations bills that Congress considers each year. It is designed to supplement the information provided by the House and Senate Appropriations Subcommittees on Labor, Health and Human Services, and Education. It summarizes the current legislative status of the bill, its scope, major issues, funding levels, and related legislative activity. The report lists the key CRS staff relevant to the issues covered and related CRS products.

This report is updated as soon as possible after major legislative developments, especially following legislative action in the committees and on the floor of the House and Senate.

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# Appropriations for FY2001: Labor, Health and Human Services, and Education

## Summary

This report tracks the legislative action by the 106<sup>th</sup> Congress on the FY2001 appropriation bill for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED). This bill will provide discretionary funds for three federal departments and related agencies. The report summarizes L-HHS-ED discretionary funding issues, but not authorization or entitlement issues.

On February 7, 2000, the President submitted the FY2001 budget to the Congress. For L-HHS-ED discretionary appropriations, the request includes \$106.1 billion in “current year” funding (funds from any bill for FY2001), and \$107.1 billion in “program level” funding (funds from the FY2001 bill for any year); these terms are discussed later in the report (p. 3). Compared to FY2000 discretionary appropriations, the FY2001 current year request represents a \$20.6 billion increase (24.1%), and an increase of \$9.9 billion (10.2%) at the program level, for L-HHS-ED programs. The House amended and passed H.R. 4577 on June 14, 2000, and the Senate amended and passed its version of H.R. 4577 (S. 2553) on June 30, 2000.

***U.S. Department of Labor (DOL):*** Increases of \$100 million or more are requested for the Workforce Investment Act, the State Unemployment Insurance and Employment Service Operations, and Departmental Management. Current year DOL discretionary funding is \$8.8 billion; \$12.4 billion is requested.

***U.S. Department of Health and Human Services (DHHS):*** Increases of \$100 million or more are requested for the Child Care and Development Block Grant, Ryan White AIDS programs, Centers for Disease Control and Prevention, National Institutes of Health, Substance Abuse and Mental Health Services Administration, Head Start, and the Administration on Aging. The Public Health and Social Services Emergency Fund would be reduced by \$223 million. Current year DHHS discretionary funding is \$40.3 billion; \$45.0 billion is requested.

***U.S. Department of Education (ED):*** Increases of \$100 million or more are requested for a School Renovation Initiative; Educational Technology; 21<sup>st</sup> Century Community Learning Centers; Small, Safe, Successful High Schools; Title I Grants to Local Educational Agencies; Teaching to High Standards; Class Size Reduction and Teacher Assistance; other School Improvement programs; Special Education State Grants; Pell Grants; and GEAR UP. Impact Aid, Goals 2000: Educate America Act, and the Fund for the Improvement of Education would be reduced by \$100 million or more. Eisenhower Professional Development grants and the Innovative Education Strategies (block grant) program would be eliminated. Current year ED discretionary funding is \$29.4 billion; \$40.1 billion is requested.

***Related Agencies:*** Increases of at least \$100 million are requested for the Social Security Administration Administrative Expenses and Supplemental Security Income (SSI). Current year discretionary funding is \$8.1 billion; \$8.7 billion is requested.

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| Mine Safety and Health Administration               | Edward B. Rappaport         | DSP      | 7-7740    |
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| Head Start  | Melinda Gish                | DSP      | 7-4618    |
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| NIH, health research policy                         | Judith A. Johnson           | DSP      | 7-7077    |
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| Social Services Block Grant                         | Melinda Gish                | DSP      | 7-4618    |
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| Education block grants                              | Paul M. Irwin         | DSP      | 7-7573    |
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| National education goals, Goals 2000                | James B. Stedman      | DSP      | 7-7356    |
| Pell Grants   | Margot A. Schenet     | DSP      | 7-7378    |
| Reading Excellence Act                              | Gail McCallion        | DSP      | 7-7758    |
| Rehabilitation Act                                  | Carol O'Shaughnessy   | DSP      | 7-7329    |
| Safe and Drug-Free Schools and Communities          | Edith Fairman Cooper  | DSP      | 7-7019    |
| School facilities                                   | Susan Boren           | DSP      | 7-6899    |
| School-to-Work Opportunities Act                    | Richard N. Apling     | DSP      | 7-7352    |
| Special education, IDEA                             | Richard N. Apling     | DSP      | 7-7352    |
| Special education, IDEA                             | Nancy Lee Jones       | ALD      | 7-6976    |
| Student aid   | Margot A. Schenet     | DSP      | 7-7378    |
| Student loans                                       | Adam Stoll            | DSP      | 7-4375    |
| Teacher recruitment, preparation, and training      | James B. Stedman      | DSP      | 7-7356    |
| TRIO, GEAR UP                                       | James B. Stedman      | DSP      | 7-7356    |
| 21 <sup>st</sup> Century Community Learning Centers | Gail McCallion        | DSP      | 7-7758    |
| <b>Related Agencies</b>                             |                       |          |           |
| Corporation for National and Community Service      | Ann Lordeman          | DSP      | 7-2323    |
| Corporation for Public Broadcasting                 | Bernevia McCalip      | G&F      | 7-7781    |
| Library services                                    | Gail McCallion        | DSP      | 7-7758    |
| National Labor Relations Board                      | Gail McCallion        | DSP      | 7-7758    |
| National Labor Relations Board                      | Jon Shimabukuro       | ALD      | 7-7990    |
| Railroad Retirement Board                           | Rachel W. Kelly       | DSP      | 7-4271    |
| Social Security Administration                      | David S. Koitz        | DSP      | 7-7322    |
| Social Security Administration                      | Geoffrey Kollmann     | DSP      | 7-7316    |
| Supplemental Security Income                        | Rachel W. Kelly       | DSP      | 7-4271    |

Division abbreviations: ALD = American Law; DSP = Domestic Social Policy; G&F = Government and Finance.

## Contents

|   |    |
|---|----|
| Most Recent Developments .....                      | 1  |
| Status .....  | 1  |
| Summary and Key Issues .....                        | 2  |
| Program Level and Current Year Appropriations ..... | 3  |
| Other FY2000 Discretionary Estimates .....          | 4  |
| Funding Changes Proposed by the President .....     | 4  |
| Presidential Veto Threat .....                      | 6  |
| House Legislative Action .....                      | 6  |
| Senate Legislative Action .....                     | 7  |
| Conference Report .....                             | 9  |
| 302(a) and 302(b) Allocation Ceilings .....         | 9  |
| Advance Appropriations .....                        | 10 |
| Major Funding Trends .....                          | 10 |
| For Additional Reading, Background .....            | 11 |
| CRS Issue Briefs .....                              | 11 |
| Other CRS Products .....                            | 11 |
| Selected World Wide Web Sites .....                 | 12 |
| U.S. Department of Labor .....                      | 13 |
| Key Issues .....                                    | 13 |
| President's Request .....                           | 13 |
| House Bill .....                                    | 14 |
| Senate Bill .....                                   | 15 |
| For Additional Reading .....                        | 15 |
| CRS Issue Briefs .....                              | 15 |
| CRS Reports .....                                   | 15 |
| Selected World Wide Web Sites .....                 | 16 |
| Detailed Appropriation Table .....                  | 16 |
| U.S. Department of Health and Human Services .....  | 19 |
| Key Issues .....                                    | 19 |
| President's Request .....                           | 19 |
| House Bill .....                                    | 21 |
| Senate Bill .....                                   | 21 |
| Abortion: A Perennial L-HHS-ED Issue .....          | 22 |
| For Additional Reading .....                        | 22 |
| CRS Issue Briefs .....                              | 23 |
| CRS Reports .....                                   | 23 |
| Selected World Wide Web Sites .....                 | 24 |
| Detailed Appropriation Table .....                  | 24 |
| U.S. Department of Education .....                  | 27 |
| Key Issues .....                                    | 27 |

|   |    |
|---|----|
| President's Request .....   | 27 |
| House Bill .....  | 29 |
| Senate Bill .....   | 30 |
| Forward Funding and Advance Appropriations .....                      | 30 |
| For Additional Reading .....  | 31 |
| CRS Issue Briefs .....  | 32 |
| CRS Reports .....   | 32 |
| Selected World Wide Web Sites .....                                   | 33 |
| Detailed Appropriation Table .....                                    | 33 |
| Related Agencies .....  | 36 |
| Key Issues .....  | 36 |
| President's Request .....   | 36 |
| House Bill .....  | 37 |
| Senate Bill .....   | 37 |
| For Additional Reading .....  | 38 |
| CRS Issue Briefs .....  | 38 |
| CRS Reports .....   | 38 |
| Selected World Wide Web Sites .....                                   | 38 |
| Detailed Appropriation Table .....                                    | 39 |
| Related Legislation .....   | 42 |
| FY2000 Supplemental Appropriations, P.L. 106-246 (H.R. 4425) .....    | 42 |
| FY2001 Budget Resolution, H.Con.Res. 290 .....                        | 43 |
| Appropriations in the 106 <sup>th</sup> Congress, First Session ..... | 43 |
| Appendix A: Terminology .....   | 45 |
| Appendix B: Scope of the L-HHS-ED Bill .....                          | 46 |

## List of Tables

|  |    |
|--|----|
| Table 1. Legislative Status of Labor, Health and Human Services,<br>and Education Appropriations, FY2001 ..... | 1  |
| Table 2. Summary of L-HHS-ED Appropriations .....  | 3  |
| Table 3. 302(b) Discretionary Allocations for L-HHS-ED Programs .....  | 10 |
| Table 4. L-HHS-ED Discretionary Funding Trends From FY1996 .....   | 11 |
| Table 5. Department of Labor Discretionary Appropriations .....  | 13 |
| Table 6. Detailed Department of Labor Appropriations .....   | 17 |
| Table 7. U.S. Department of Health and Human Services<br>Discretionary Appropriations .....                    | 19 |
| Table 8. Detailed Department of Health and Human Services Appropriations<br>.....                              | 25 |
| Table 9. Department of Education Discretionary Appropriations .....  | 27 |
| Table 10. Detailed Department of Education Appropriations .....  | 34 |
| Table 11. Related Agencies Discretionary Appropriations .....  | 36 |
| Table 12. Detailed Related Agencies Appropriations .....   | 40 |
| Table B.1. Scope of the L-HHS-ED Bill .....  | 46 |

# Appropriations for FY2001: Labor, Health and Human Services, and Education

## Most Recent Developments

*The President submitted the FY2001 budget to the Congress on February 7, 2000, which included appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED). On April 13, 2000, the House and Senate reached agreement on the FY2001 Budget Resolution, H.Con.Res. 290, setting the aggregate spending limits for FY2001 appropriations. The House Appropriations Committee reported H.R. 4577 (H.Rept. 106-645), providing for FY2001 L-HHS-ED Appropriations, on June 2. The House amended and passed H.R. 4577 on June 14. The Senate Appropriations Committee reported S. 2553 (S.Rept. 106-293) May 12. The Senate took up H.R. 4577, substituted the text of S. 2553, and amended and passed H.R. 4577 on June 30, 2000. The Administration has threatened to veto either the House or Senate versions of the FY2001 L-HHS-ED funding proposals. On August 3, 2000, the House Appropriations Committee released highlights of the L-HHS-ED conference report; however, an actual conference report is not anticipated to be filed before September.*

## Status

**Table 1** tracks the key legislative steps that are necessary to enact the FY2001 L-HHS-ED Appropriations Act.

**Table 1. Legislative Status of Labor, Health and Human Services, and Education Appropriations, FY2001**

| Subcommittee Markup |               | House Report                             | House Passage                   | Senate Report                         | Senate Passage                | Conference Report | Conference Report Approval |        | Public Law |
|---------------------|---------------|--|---------------------------------|---------------------------------------|-------------------------------|-------------------|----------------------------|--------|------------|
| House               | Senate        |  |                                 |                                       |                               |                   | House                      | Senate |            |
| 5/10/00<br>8-6      | 5/10/00<br>uc | H.R. 4577<br>H.Rept.<br>106-645<br>29-22 | 6/14/00<br>217-214 <sup>a</sup> | S. 2553<br>S.Rept.<br>106-293<br>28-0 | 6/30/00<br>52-43 <sup>b</sup> | —                 | —                          | —      | —          |

**Note:** uc = unanimous consent.

<sup>a</sup> The **House** began consideration of FY2001 L-HHS-ED Appropriations with passage of the rule, **H.Res. 518** (H.Rept. 106-657), that governed House floor debate on H.R. 4577 by a vote of 218-204 (roll call #247), June 8, 2000. Under the provisions of H.Res. 518, a similar rule, **H.Res. 515** (H.Rept. 106-653), was laid on the table. For House consideration of H.Res. 518, see *Congressional Record*, daily



edition, June 8, 2000, p. H4044-54. For House consideration of H.R. 4577, see *Congressional Record*, daily edition, June 8, p. H4055-77, H4087-4106, H4107; June 12, p. H4194-4215; June 13, p. H4229-4310; and June 14, p. H4367-4436. Roll Call #273 (217-214), June 14, 2000, p. H4436.

<sup>b</sup> The **Senate** began consideration of H.R. 4577, as amended by substituting the provisions of S. 2553, on June 22, 2000. See *Congressional Record*, daily edition, June 22, p. S5588-5609, S5628-48; June 23, p. S5713-21, S5725-30; June 26, p. S5781-87; June 27, p. S5823-73; June 28, p. S5941-6003; June 29, p. S6047-61, S6062-6103; and June 30, 2000, S6186-6218. Roll Call #171 (52-43), June 30, 2000, p. S6218. For the text of H.R. 4577, as amended by the Senate, see *Congressional Record*, daily edition, July 10, 2000, p. S6356-97.

**DATA NOTE:** Unless otherwise noted in this report, budget data for FY2000 and FY2001 are based on an unofficial staff table of the House Appropriations Committee, July 20, 2000. Data for FY2000 from this table reflect the Emergency Supplemental Act, 2000 (Division B of P.L. 106-246, July 13, 2000), providing supplemental appropriations and rescissions for L-HHS-ED programs. Data for FY2001 from this table correspond to appropriations that would be provided by H.R. 4577, as passed by the House, and H.R. 4577, as amended with the provisions of S. 2553 and passed by the Senate. In most cases data represent net funding for specific programs and activities and take into account current and forward funding, advance appropriations, rescissions, and supplementals; however, they are subject to additional budgetary scorekeeping. FY2000 amounts may be modified by further legislation during FY2000. Except where noted, budget data refer only to those programs within the purview of the L-HHS-ED appropriations bill, and not to all programs within the jurisdiction of the relevant departments and agencies.

## Summary and Key Issues

This report describes the President's proposal for FY2001 appropriations for L-HHS-ED programs as submitted to the Congress February 7, 2000. It compares the President's FY2001 request to the current FY2000 L-HHS-ED amounts. It tracks legislative action and congressional issues related to the FY2001 L-HHS-ED appropriations bill, with particular attention paid to discretionary programs. In addition, the report summarizes activities related to the annual budget process, such as the congressional budget resolution, continuing resolutions, and supplemental appropriations (see *Related Legislation*, page 42). However, the report does not follow specific funding issues related to mandatory L-HHS-ED programs – such as Medicare or Social Security — nor will it follow the authorizing legislation necessary prior to funding some of the President's initiatives. For a glossary of budget terms, please see *Appendix A: Terminology* (page 45). For a discussion of the L-HHS-ED bill jurisdiction, please see *Appendix B: Scope of the L-HHS-ED Bill* (page 46).

The L-HHS-ED bill typically is one of the more controversial of the 13 regular appropriation bills, not only because of the size of its funding total and the scope of its programs, but also because of the continuing importance of various related issues, such as restrictions on the use of federal funds for abortion. This bill provides most of the discretionary funds for three federal departments and several related agencies including the Social Security Administration (SSA). Of the 13 annual appropriation bills, the L-HHS-ED bill is the largest single source of discretionary funds for domestic federal programs; the Defense bill is the largest source of discretionary funds among all federal programs. For FY2000, the L-HHS-ED bill accounted for \$96.6 billion (16.3%) and the Defense bill

accounted for \$272.7 billion (46.1%) of the estimated \$591.5 billion total for all federal discretionary budget authority.<sup>1</sup> This section summarizes the larger funding changes proposed for L-HHS-ED, as well as related budget issues such as 302(b) allocations and advance appropriations. Later sections will provide additional details for each L-HHS-ED department.

**Program Level and Current Year Appropriations**

**Table 2** summarizes the L-HHS-ED appropriations for FY2001, including both discretionary and mandatory appropriations.

**Table 2. Summary of L-HHS-ED Appropriations**  
(\$ in billions)

| Type of funding   | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|---|-----------------------------|----------------|--------------|---------------|--------------|
| <b>Discretionary appropriations</b>                       |                             |                |              |               |              |
| Program level (from the current bill for any year)        | \$97.2                      | \$107.1        | \$102.7      | \$104.4       | —            |
| Current year (for the current year from any bill)         | 85.5                        | 106.1          | 99.5         | 100.5         | —            |
| Advances for future years (from the current bill)         | 19.0                        | 19.8           | 19.8         | 19.0          | —            |
| Advances from prior years (from previous bills)           | 8.8                         | 18.9           | 19.0         | 19.0          | —            |
| Scorekeeping adjustments                                  | 1.5                         | 0.1            | 2.4          | 3.9           | —            |
| <b>Current year discretionary and mandatory funding</b>   |                             |                |              |               |              |
| Discretionary   | 85.5                        | 106.1          | 99.5         | 100.5         | —            |
| Mandatory   | 230.8                       | 242.3          | 242.3        | 241.2         | —            |
| Total current year  | 316.3                       | 348.4          | 341.8        | 341.7         | —            |
| <b>Grand total of funding for L-HHS-ED bill, any year</b> |                             |                |              |               |              |
| Grand total any year                                      | 330.3                       | 356.1          | 351.7        | 352.3         | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000. Data are given only for programs included in the L-HHS-ED appropriation bill.

<sup>a</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

<sup>1</sup> In this comparison, FY2000 discretionary budget authority is based on the *Budget of the United States Government Fiscal Year 2001*, Table S-8.

**Table 2** shows various aggregate measures of the FY2001 L-HHS-ED Appropriations, including discretionary program level, current year, and advance appropriations, as well as mandatory appropriations in the L-HHS-ED bill. Because appropriations may consist of mixtures of budget authority enacted in various years, at least two summary measures are used: program level appropriations and current year appropriations. **Program level appropriations** reflect the total discretionary appropriations in a given bill, regardless of the year in which they will be spent, and therefore include advance funding for future years. **Current year appropriations** represent discretionary appropriations in a given bill for the current year, plus discretionary appropriations for the current year that were enacted in prior years. Current year discretionary appropriations are similar to the amount counted for the 302(b) allocations ceilings (discussed later, p. 9). An **advance appropriation** is funding that will become available in a fiscal year beyond the fiscal year for which the appropriations act is enacted, for example, funds included in the FY2000 Act that cannot be spent until FY2001 at the earliest. **Scorekeeping adjustments** are made to account for special funding situations; the Congressional Budget Office (CBO) monitors these adjustments. All of these amounts are shown in **Table 2**, along with current year funding for mandatory programs and some grand totals for the L-HHS-ED bill. How do these terms fit together? For an “operational definition,” program level funding equals (a) current year, plus (b) advances for future years, minus (c) advances from prior years, plus (d) scorekeeping adjustments.

**Other FY2000 Discretionary Estimates.** The two estimates for FY2000 discretionary appropriations that are shown in **Table 2** (\$97.2 billion and \$85.5 billion) are based on unofficial staff estimates of the House Appropriations Committee. Several other estimates exist for FY2000 L-HHS-ED appropriations which differ because of scorekeeping and other definitional distinctions. The Office of Management and Budget (OMB) estimates the FY2000 L-HHS-ED discretionary total to be \$96.6 billion.<sup>2</sup> The table in the FY2000 conference report, H.Rept. 106-479, gave \$86.1 billion as the FY2000 current year discretionary total for L-HHS-ED programs. The Congressional Budget Office (CBO) keeps track of discretionary appropriations for each Appropriations Subcommittee bill, and shows the total FY2000 discretionary budget authority (regular and emergency) for L-HHS-ED in “CBO’s Current Status of Discretionary Appropriations.”<sup>3</sup> As of July 28, 2000, CBO estimates these FY2000 amounts as \$86.5 billion for both the House and the Senate; however, these amounts reflect legislation that may have been reported or passed only by the House or the Senate, and do not distinguish amounts actually enacted.

## Funding Changes Proposed by the President

With regard to the President’s FY2001 budget, the issues in the early stages of the appropriations process generally relate to proposed funding changes. The summary below notes changes proposed for discretionary budget authority of at least \$100 million, compared to the FY2000 appropriations. Viewing this list by itself should be done with

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<sup>2</sup> *Budget of the United States Government Fiscal Year 2001*, Table S-8.

<sup>3</sup> This document is dated July, 28, 2000, and was downloaded from the CBO website on August 7, 2000, at: [<http://www.cbo.gov/>].

caution, since the relative impact of a \$100 million funding change to a \$500 million program (a 20% increase or decrease) might be greater than a \$100 million change to a \$5 billion program (a 2% increase or decrease). Later discussions for budgets of individual departments include tables to compare the FY2001 request with the FY2000 funding for many of the major programs in the L-HHS-ED bill.

- ! For U.S. Department of Labor (DOL) programs, an additional \$730 million is requested for job training programs authorized by the Workforce Investment Act of 1998 (WIA); an increase of \$176 million is proposed for State Unemployment Insurance and Employment Service Operations (SUI/ESO); and an increase of \$206 million is requested for activities in the Departmental Management account. Overall, \$12.4 billion in current year discretionary appropriations is requested, a 40.9% increase over the FY2000 amount of \$8.8 billion. For discretionary funding at the program level (discussed below, p. 3), \$12.4 billion is requested (an 9.7% increase); \$11.3 billion is provided in FY2000.
- ! For U.S. Department of Health and Human Services (DHHS) programs, the largest discretionary funding change (in absolute terms) is an increase of \$1.6 billion over a 2-year period proposed for the Child Care and Development Block Grant (CCDBG). Other proposed increases include an additional \$125 million for the Ryan White AIDS programs; an increase of \$155 million for the Centers for Disease Control and Prevention (CDC); an increase of \$1.1 billion for the National Institutes of Health (NIH); a \$172 million increase for the Substance Abuse and Mental Health Services Administration (SAMHSA); \$1.0 billion more for Head Start; and \$151 million more for the Administration on Aging. Overall, \$45.0 billion in current year discretionary appropriations is requested, an 11.7% increase over the FY2000 amount of \$40.3 billion. For discretionary funding at the program level, \$45.8 billion is requested (an 9.8% increase); \$41.7 billion is provided in FY2000.
- ! For U.S. Department of Education (ED) programs, the largest proposed discretionary change (in absolute terms) is \$1.3 billion for the School Renovation Initiative. Other major increases include \$137 million more for Educational Technology programs; an additional \$547 million for the 21<sup>st</sup> Century Community Learning Centers program; \$120 million for a Small, Safe, and Successful High Schools Initiative; an additional \$417 million for Title I Grants to Local Educational Agencies (LEAs) for the Education of the Disadvantaged; \$690 million for the Teaching to High Standards Initiative; \$450 million more for the Class Size Reduction and Teacher Assistance program; \$373 million for various other School Improvement programs; an additional \$298 million for State Grants under the Individuals with Disabilities Education Act (IDEA); \$716 million more for the Pell Grant program; and an additional \$125 million for Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP). A decrease of \$408 million is requested for Goals 2000: Educate America Act programs; \$136 million less for Impact Aid; and

a \$107 million reduction for Fund for the Improvement of Education (FIE). No funds are requested for either the \$335 million Eisenhower Professional Development program or the \$366 million Innovative Program Strategies (education block grant) program. Overall, \$40.1 billion in current year discretionary appropriations is requested, a 36.4% increase over the FY2000 amount of \$29.4 billion. For discretionary funding at the program level, \$40.1 billion is requested (a 12.6% increase); \$35.6 billion is provided in FY2000.

- ! For the related agencies, the budget includes proposed increases of \$289 million for the Social Security Administration (SSA) Limitation on Administrative Expenses, and \$238 million for discretionary activities related to the Supplemental Security Income (SSI) program. Overall, \$8.7 billion in current year discretionary appropriations is requested, an 7.4% increase over the FY2000 amount of \$8.1 billion in FY2000. For discretionary funding at the program level, \$8.8 billion is requested (a 7.3% increase); \$8.2 billion is provided in FY2000.
- ! The \$110 million School-to-Work Opportunities Act program, jointly administered by DOL and ED, would be terminated.

**Presidential Veto Threat.** On June 14, 2000, on the same evening as the House passed H.R. 4577, the White House issued a statement by the President stating that the bill “fails to address critical needs of the American people.” The funding levels for education, child care, and worker training were singled out as “unacceptable” and, if left unchanged, would cause the President to veto the bill. Additional details on what the President considers critical in the FY2001 L-HHS-ED bill are discussed in Statement of Administration Policy (SAP) published by the Office of Management and Budget (OMB) on June 7, 2000, with regard to H.R. 4577 as reported by the House Appropriations Committee, and on June 22, 2000, with regard to S. 2553, as reported by the Senate Appropriations Committee.<sup>4</sup>

## House Legislative Action

The House Appropriations Committee marked up its FY2001 L-HHS-ED bill on May 24, 2000, and reported H.R. 4577 (H.Rept. 106-645) on June 2 by a vote of 29 to 22. On June 14, 2000, the House amended and passed H.R. 4457 by a vote of 217 to 214 (roll call #273). On the House floor, 37 amendments were introduced for consideration. Of these, three were accepted by the House, including:

- ! A restriction on NIH on granting exclusive, private licensing agreements for new drugs developed with assistance from NIH research grants (Representative Sanders);

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<sup>4</sup> A listing and full text of OMB SAPs on all current legislation can be found at: [<http://www.whitehouse.gov/OMB/legislative/sap/index.html>].

- ! A prohibition on the promulgation of any standard for implementing a uniform medical identifier for private individuals (Representative Paul); and
- ! A restriction on federal funds from being used to prohibit military recruiting at secondary schools (Representative Stearns).

Highlights of the House bill, as passed, include the following additional provisions; details and funding amounts are provided in the separate agency summaries below.

- ! For DOL programs, total funding for WIA programs would be reduced (compared to FY2000 funding levels), and funding for One-Stop Career Centers would be eliminated.
- ! For DHHS programs, funding would be increased for Ryan White AIDS programs, CDC, NIH, CCDBG, and Head Start. Funding would be reduced for the Health Care Financing Administration (HCFA) Program Management.
- ! For ED programs, funding would be increased for Education Technology, 21<sup>st</sup> Century Community Learning Centers, Title I Grants to LEAs, Individuals with Disabilities Education Act (IDEA) State Grants, Pell Grants, and the TRIO program. Funding would be reduced for Goals 2000: Educate America Act programs and the Eisenhower Professional Development program. Initial funding would be provided for the Teacher Empowerment Act, if authorized, replacing the Class Size Reduction program. Funding would not be provided for several of the President's initiatives, including School Renovation; Teaching to High Standards; and Small, Safe, Successful High Schools.
- ! For related agencies, funding would be increased for the SSA Limitation on Administrative Expenses.

## **Senate Legislative Action**

The Senate Appropriations Committee reported its version of the FY2001 L-HHS-ED bill, S. 2553 (S.Rept. 106-293), on May 12, 2000, by a vote of 28 to 0. On June 30, 2000, the Senate completed consideration of H.R. 4457, as amended by the substitution of the provisions of S. 2553, and amended and passed H.R. 4577 by a vote of 52 to 43 (roll call #171). On the Senate floor, 135 amendments were introduced for consideration. Of these, 55 amendments were accepted by the Senate. Some of these amendments modified the funding levels of existing programs. Other amendments:

- ! designate funds that must be used for specific activities, including: antimicrobial resistance monitoring and prevention (Senator Cochran); a clearinghouse on safe needle exchange technology (Senator Reid); same gender schools (Senators Hutchinson and Collins); Fetal Alcohol Syndrome and Fetal Alcohol Effects (Senator Harkin for Senator Daschle); loan forgiveness for child care providers (Senator Wellstone); a certification program for suicide hotlines and crisis centers (Senator Reid for Senator Wellstone); substance abuse services for homeless adults (Senator Specter for Senators Collins and Reid); Web-Based

Education Commission (Senator Harkin for Senator Kerrey); external defibrillators and basic cardiac life support (Senator Specter for Senator Collins); medication management, screening, and education (Senator Specter for Senator Jeffords); school dropout prevention (Senator Harkin for Senator Bingaman); physical education and fitness (Senator Specter for Senator Stevens); early childhood learning (Senator Specter for Senator Stevens); construction and renovation for Tribal Colleges and Universities (Senator Harkin for Senator Bingaman); detection and treatment of childhood lead poisoning (Senator Harkin for Senator Torricelli); and programs to teach American history (Senator Harkin for Senator Byrd);

- ! prohibit funds from being used for specific activities, including: the regulation of ergonomic standards at DOL (Senator Enzi); and postcoital emergency contraception (Senator Helms);
- ! require changes in policies or procedures concerning: a reasonable rate of return on intramural and extramural medical research at NIH (Senator Wyden); the protection of children, schools, and libraries connected to the Internet (Senators McCain and Santorum); an off-budget lockbox to strengthen Social Security and Medicare (Senator Ashcroft and Senator Reid for Senator Conrad); a prohibition on health discrimination based on genetics (Senator Jeffords); access to health care and consumer protection in managed care plans and other health coverage (Senator Nickles); the care of chimpanzees used in NIH research (Senator Specter for Senator Smith of NH); and residents' rights protection at health care facilities (Senator Harkin for Senator Dodd); and
- ! specify studies of: federal fetal tissue practices (Senator Smith of NH); unreimbursed health care provided to foreign nationals (Senator Harkin for Senator Graham); targeting of funds under the Title I Grants to Local Educational Agencies program (Senator Harkin for Senator Lieberman); and sexual abuse in schools (Senator Specter for Senator Smith of NH).
- ! In addition, the Senate sustained a point of order (by Senator Gramm) against a provision that would have shifted the payment date of October 2000 SSI benefits from October 2 to September 29, 2000.

Highlights of the Senate bill, as passed, include the following additional provisions; details and funding amounts are provided in the separate agency summaries below.

- ! For DOL programs, funding for Departmental Management would be increased (compared to FY2000 funding levels).
- ! For DHHS programs, funding would be increased for Community Health Centers, CDC, NIH, and Head Start. Funds would be reduced for Health Professions, the Agency for Health Care Research and Quality (AHRQ), Low-Income Home Energy Assistance Program (LIHEAP), CCDBG, and the Public Health and Social Services Emergency Fund (PHSSEF). However, program service levels (the level of services provided regardless of funding source) would be maintained for LIHEAP and increased for AHRQ. Funds available from unexpended balances

for the State Children's Hospital Insurance Program (SCHIP) would be shifted to FY2003.

- ! For ED programs, funding would be increased for 21<sup>st</sup> Century Community Learning Centers, Title I Grants to LEAs, Impact Aid, Eisenhower Professional Development, Innovative Education Program Strategies, IDEA State Grants, and Pell Grants. Funding would be decreased for several Education for the Disadvantaged programs and the Fund for the Improvement of Education. No funds would be provided for the Class Size Reduction program, as currently authorized.
- ! For related agencies, funding would be increased for discretionary activities under the SSI program and the SSA Limitation on Administrative Expenses.

### Conference Report

The FY2001 L-HHS-ED Conference Report has not yet been issued, and is not anticipated to be filed before September. However, the House Appropriations Committee issued a news release on August 3, 2000, entitled, "Highlights of the Labor, Health and Human Services, Education Conference Report." This summary and accompanying table show that most major discretionary programs would be funded at the greater of the House- or Senate-passed levels, with several exceptions funded at either lower or higher levels. The total L-HHS-ED discretionary amount would equal approximately the total requested by the President for FY2001.

### 302(a) and 302(b) Allocation Ceilings

The ceiling for L-HHS-ED discretionary spending is set through the annual budget allocation process. The congressional budget resolution for FY2001, **H.Con.Res. 290** (see *Related Legislation*, page 42), sets the aggregate discretionary spending limit for the 13 annual appropriations bills; this limit is known as the 302(a) allocation. From this amount the House and Senate appropriations committees allocate funds among their subcommittees for each of the 13 appropriations bills, known as the 302(b) allocations. The 302(b) allocations can and do get adjusted during the year as the various appropriations bills progress toward final enactment. Current 302(b) allocations for the FY2001 L-HHS-ED appropriations bill from the House and Senate Appropriations Committees will be shown in **Table 3** as they become available. Comparable amounts for FY2000 and the President's FY2001 budget are also shown. Subject to scorekeeping considerations, 302(b) allocations are similar to current year discretionary appropriations. Both the 302(a) and the 302(b) allocations regularly have become contested issues in their own right.



**Table 3. 302(b) Discretionary Allocations for L-HHS-ED Programs**  
(budget authority in billions of dollars)

| <b>FY2000<br/>enacted<br/>comparable</b> | <b>FY2001<br/>request<br/>comparable</b> | <b>FY2001<br/>House<br/>allocation</b> | <b>FY2001<br/>Senate<br/>allocation</b> | <b>FY2001<br/>conference<br/>comparable</b> |
|--|--|--|---|---|
| \$85.5                                   | \$106.1                                  | \$99.5                                 | \$100.0                                 | —   |

**Source:** The House FY2001 amount is available from the House Appropriations Committee website: [<http://www.house.gov/appropriations/01302b1.htm>], dated July 19, 2000. The comparable Senate FY2001 amount is available at: [<http://www.senate.gov/~appropriations/releases/press.htm>], dated May 4, 2000. The FY2000 comparable and the FY2001 request are based on the unofficial staff table of the House Appropriations Committee of July 20, 2000.

**Note:** Under current scorekeeping provisions, advance appropriations that were enacted as part of the FY2000 appropriation are counted in the FY2001 totals, and any advance appropriations that might be enacted as part of the FY2001 appropriation would be counted in the FY2002 totals.

## Advance Appropriations

Concern over the use of advance appropriations increased last year, and may become an issue this year as well. Advance appropriations occur when funding is enacted in one fiscal year that cannot be used until the following fiscal year at the earliest. For example, P.L. 106-113, which included FY2000 L-HHS-ED appropriations, provided the Corporation for Public Broadcasting (CPB) \$350 million for use in FY2002. Advance appropriations can be used for several objectives. These include the provision of long-term budget information to agencies and other recipients, such as state and local educational systems, to enable better planning for future program activities and personnel levels. The more contentious aspect of advance appropriations, however, is that they avoid the 302(a) and 302(b) allocation ceilings for the current year. Such funding must be counted in the year in which it is spent, thereby using up ahead of time part of what will be counted against the allocation ceiling in future years. The L-HHS-ED bill increasingly has used advance appropriations in recent years. As part of the FY1998 L-HHS-ED appropriations, \$4.0 billion in discretionary appropriations was enacted for future years; in FY1999, the advance appropriation was \$8.9 billion; and in FY2000, the advance appropriation was \$19.0 billion. For the FY2001 L-HHS-ED bill, the President's request is for \$19.8 billion for FY2002 and beyond.<sup>5</sup>

## Major Funding Trends

The L-HHS-ED appropriations consist of mandatory and discretionary funds; however, the Appropriations Committees fully control only the discretionary funds. Mandatory funding levels for programs included in the annual appropriations bills are modified through changes in the authorizing legislation; these changes typically are accomplished through the authorizing committees and combined into large, omnibus

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<sup>5</sup> For the impact of advance appropriations on program administration, see the discussion in the U.S. Department of Education section (p. 30).

reconciliation bills. **Table 4** shows the trend in total discretionary budget authority under the L-HHS-ED appropriations for FY1996 through FY2000. The L-HHS-ED funds have increased by 43.8% for this 5-year period. The 5-year increase is reduced to an estimated 35.7% after adjustment for inflation by use of the Gross Domestic Product (GDP) deflator. When compared to all federal discretionary budget authority, the L-HHS-ED portion increased from 13.4% in FY1996 to 16.8% in FY2000. When compared to all federal budget authority, both discretionary and nondiscretionary (mandatory), the L-HHS-ED portion increased during this period from 4.3% in FY1996 to 5.4% in FY2000.

**Table 4. L-HHS-ED Discretionary Funding Trends From FY1996**  
(budget authority in billions of dollars)

| Type of funds  | FY1996    | FY1997    | FY1998    | FY1999    | FY2000    |
|--|-----------|-----------|-----------|-----------|-----------|
| L-HHS-ED discretionary                                     | \$67.2    | \$74.7    | \$81.1    | \$89.5    | \$96.6    |
| L-HHS-ED discretionary in estimated FY2000 dollars         | \$71.2    | \$77.8    | \$83.4    | \$90.8    | \$96.6    |
| L-HHS-ED % of all federal discretionary funds <sup>a</sup> | 13.4%     | 14.6%     | 15.2%     | 15.3%     | 16.8%     |
| L-HHS-ED % of total federal budget authority               | 4.3%      | 4.5%      | 4.8%      | 5.0%      | 5.4%      |
| Total federal discretionary                                | \$502.6   | \$512.9   | \$534.2   | \$583.1   | \$574.7   |
| Total federal budget authority                             | \$1,580.8 | \$1,642.9 | \$1,692.2 | \$1,776.5 | \$1,801.1 |
| GDP deflator   | 1.0000    | 1.0170    | 1.0300    | 1.0434    | 1.0590    |

**Source:** *Budget of the United States Government Historical Tables Fiscal Year 2001*, Tables 5.2, 5.4, and 10.1 (for federal totals and GDP deflator); and *Budget of the United States Government*, various years (for L-HHS-ED discretionary budget authority).

<sup>a</sup> Discretionary funds include both defense and non-defense activities.

## For Additional Reading, Background<sup>6</sup>

### CRS Issue Briefs.

CRS Issue Brief IB10052, *Budget for Fiscal Year 2001*, by Philip D. Winters.

### Other CRS Products.

CRS Report RS20441, *Advance Appropriations, Forward Funding, and Advance Funding*, by Sandy Streeter.

CRS Report RL30203, *Appropriations for FY2000: Labor, Health and Human Services, and Education*, by Paul M. Irwin.

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<sup>6</sup> Products related to individual programs are listed with the details for each L-HHS-ED department.

CRS Report RL30500, *Appropriations for FY2001: An Overview*, by Mary Francis Bley.

CRS Info Pack 538B, *Budget for Fiscal Year 2001*.

CRS Report RL30499, *Budget FY2001: A Chronology with Internet Access*, by Pearl Thomas.

CRS Info Pack 12B, *Budget Process*.

CRS Report 97-684, *The Congressional Appropriations Process: An Introduction*, by Sandy Streeeter.

CRS Report RS20095, *The Congressional Budget Process: A Brief Overview*, by James V. Saturno.

CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Recent Practices*, by Sandy Streeeter.

CRS Report RS20403, *FY2000 Consolidated Appropriations Act: Reference Guide*, by Robert Keith.

CRS Report RL30457, *Supplemental Appropriations for FY2000: Plan Columbia, Kosovo, Foreign Debt Relief, Home Energy Assistance, and Other Initiatives*, by Larry Nowels, *et al.*

### **Selected World Wide Web Sites.**

General information regarding the budget and appropriations may be found at the following web sites. Web sites specific to departments and agencies funded by the L-HHS-ED appropriations are listed in the appropriate sections of this report.

#### **House Committee on Appropriations**

[<http://www.house.gov/appropriations>]

[<http://www.house.gov/appropriations/fact.htm>]

[<http://www.house.gov/appropriations/news.htm>]

[<http://www.house.gov/budget/>]

#### **Senate Committee on Appropriations**

[<http://www.senate.gov/~appropriations/>]

[<http://www.senate.gov/~appropriations/releases/index.htm>]

[<http://www.senate.gov/~budget/>]

#### **Congressional Research Service (CRS) Appropriations and Budget Products**

[<http://www.loc.gov/crs/products/apppage.html>]

#### **Congressional Budget Office (CBO)**

[<http://www.cbo.gov>]

#### **General Accounting Office (GAO)**

[<http://www.gao.gov>]

#### **Office of Management & Budget (OMB)**

[<http://www.whitehouse.gov/OMB>]

[<http://www.whitehouse.gov/OMB/usbudget/index.html>]

[<http://www.whitehouse.gov/OMB/legislative/sap/index.html>]

## U.S. Department of Labor

Discretionary appropriations for the U.S. Department of Labor (DOL) are shown in **Table 5**. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects the appropriations in the current bill, regardless of the year in which they will be spent. **Current year** represents appropriations for the current year; the source may be either the current bill or a prior enactment, and the amount is similar to what is counted for the 302(b) allocations ceilings. A discussion of advance appropriations as they relate to 302(b) allocations may be found in the U.S. Department of Education section (see page 30).

**Table 5. Department of Labor Discretionary Appropriations**  
(\$ in billions)<sup>a</sup>

| Type of funding                                    | FY2000 enacted <sup>b</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| Program level (from the current bill for any year) | \$11.3                      | \$12.4         | \$10.7       | \$11.5        | —            |
| Current year (for the current year from any bill)  | 8.8                         | 12.4           | 10.7         | 11.5          | —            |
| Advances for future years (from the current bill)  | 2.5                         | 2.5            | 2.5          | 2.5           | —            |
| Advances from prior years (from previous bills)    | 0.0                         | 2.5            | 2.5          | 2.5           | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> The amounts shown represent only discretionary programs funded by the L-HHS-ED appropriation bill; appropriations for mandatory programs are excluded.

<sup>b</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and on the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

Mandatory DOL programs included in the L-HHS-ED bill are funded at \$1.9 billion in FY2000, and consist of the Black Lung Disability Trust Fund (\$1.0 billion), Federal Unemployment Benefits and Allowances programs (\$0.4 billion), Advances to the Unemployment Insurance and Other Trust Funds (\$0.4 billion), and Employment Standards Administration Special Benefits programs (\$0.1 billion).

### Key Issues

**President's Request.** The President's FY2001 budget request for DOL is intended to support three broad strategic goals: (a) a prepared workforce, (b) a secure workforce, and (c) quality workplaces. According to the Administration, a prepared workforce increases employment opportunities by providing the education and training for each

worker to compete in a global economy. The goal of a secure workforce means promoting the economic security of all workers and their families, including pension coverage, retirement benefits, and health benefits. A quality workplace means a safe and healthful workplace, with equal opportunity for every worker, as well as protection for children in the workplace both here and abroad.

Discretionary increases of at least \$100 million requested for DOL programs under the President's FY2001 budget include the following:

- ! An additional \$730 million is requested for programs authorized by the Workforce Investment Act of 1998 (WIA), which is currently funded at \$5.4 billion. For specific WIA programs, \$182 million more is requested for Dislocated Worker Assistance, funded at \$1.6 billion in FY2000; \$125 million more for Youth Opportunity Grants, funded at \$250 million in FY2000; and \$400 million more for four new federally administered WIA programs, including \$255 million for a Fathers Work/Families Win Initiative.
- ! An increase of \$176 million is proposed for the \$3.2 billion State Unemployment Insurance and Employment Service Operations (SUI/ESO), including State Operations for Unemployment Compensation (\$93 million), other Employment Service activities (\$39 million), and One-Stop Career Centers (\$44 million).
- ! An additional \$206 million is requested for Departmental Management, which is funded at \$498 million in FY2000; the increases include \$97 million for International Labor Affairs and \$100 million for other management activities, including \$54 million for a department-wide Information Technology Investment Fund.

Like its ED counterpart, the \$55 million DOL portion of the School-to-Work Opportunities Act program would be terminated in FY2001, as specified in the sunset provision of its authorization.

**House Bill.** As passed, the House bill does not accept all the funding changes proposed in the President's FY2001 budget.

- ! WIA programs would receive \$5.0 billion, \$1.1 billion less than requested and \$362 million less than is currently provided for FY2000. For specific WIA programs, Dislocated Worker Assistance would receive \$1.4 billion, \$389 million less than requested and \$207 million less than in FY2000. Youth Opportunity Grants would be funded at \$175 million, \$200 million less than requested and \$75 million less than in FY2000. Other Federally Administered Programs under WIA would be funded at \$196 million, \$396 million less than requested and \$30 million less than in FY2000.
- ! No FY2001 funding would be provided for One-Stop Career Centers, a program funded at \$110 million in FY2000; \$154 million was requested for FY2001.

- ! Departmental Management would receive \$498 million, the same as in FY2000 but \$206 million below the request. International Labor Affairs would receive \$70 million, the same as in FY2000 but \$97 million less than requested. Other management activities would be funded at \$227 million, \$100 million less than requested but the same as the FY2000 funding level.

**Senate Bill.** As passed, the Senate bill differs from the House bill with regard to several programs.

- ! WIA programs would receive \$5.5 billion, \$439 million more than the House amount and \$77 million more than in FY2000. The bill would provide \$1.6 billion for WIA Dislocated Workers, \$207 million more than the House bill would provide but the same as in FY2000. Youth Opportunity Grants would receive \$250 million, \$75 million more than the House but the same as the FY2000 amount. Other Federally Administered Programs under WIA would be funded at \$296 million, \$100 million more than the House amount and \$71 million more than the FY2000 amount.
- ! One-Stop Career Centers would be funded at \$110 million, the same as in FY2000; no funds would be provided under the House bill.
- ! Departmental Management would receive \$599 million, \$101 million more than the House amount and the FY2000 amount.

## **For Additional Reading**

### **CRS Issue Briefs.**

- CRS Issue Brief IB10048, *The Davis-Bacon Act: Action During the 106<sup>th</sup> Congress*, by William G. Whittaker.
- CRS Issue Brief IB10042, *OSHA Reform: "Partnership" with Employers*, by Edward B. Rappaport.
- CRS Issue Brief IB98023, *Trade Adjustment Assistance for Workers: Proposals for Renewal and Reform*, by James R. Storey.

### **CRS Reports.**

- CRS Report 97-724, *Ergonomics in the Workplace: Is it Time for an OSHA Standard?* by Edward B. Rappaport.
- CRS Report 97-536, *Job Training Under the Workforce Investment Act: An Overview*, by Ann Lordeman.
- CRS Report 95-917, *Older Americans Act: Programs and Funding*, by Carol O'Shaughnessy and Paul J. Graney.
- CRS Report 97-541, *School-to-Work Opportunities Act*, by Richard N. Apling.
- CRS Report 95-742, *Unemployment Benefits: Legislative Issues in the 106<sup>th</sup> Congress*, by Celinda M. Franco.
- CRS Report RS20134, *Welfare Reform: Welfare-to-Work Legislation in the 106<sup>th</sup> Congress*, by Christine Devere.

CRS Report RS20244, *The Workforce Investment Act: Training Programs Under Title I at a Glance*, by Ann Lordeman.

**Selected World Wide Web Sites.**

**U.S. Department of Labor**

[<http://www.dol.gov>]

[[http://www.dol.gov/dol/\\_sec/public/budget/main.htm](http://www.dol.gov/dol/_sec/public/budget/main.htm)]

[[http://www.dol.gov/dol/\\_sec/public/budget/budget01.htm](http://www.dol.gov/dol/_sec/public/budget/budget01.htm)]

[[http://www.dol.gov/dol/\\_sec/public/budget/000322ah.htm](http://www.dol.gov/dol/_sec/public/budget/000322ah.htm)]

**Detailed Appropriation Table**

**Table 6** shows the appropriation details for offices and major programs of DOL.

**Table 6. Detailed Department of Labor Appropriations**  
(\$ in millions)

| Office or major program  | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| <i>Employment and Training Administration (ETA)</i>  |                             |                |              |               |              |
| Training and Employment Services, Workforce Investment Act (WIA) Adult Training Grants to States   | 950                         | 950            | 857          | 950           | —            |
| WIA Youth Training   | 1,001                       | 1,022          | 1,001        | 1,001         | —            |
| WIA Dislocated Worker Assistance   | 1,589                       | 1,771          | 1,382        | 1,589         | —            |
| WIA Job Corps  | 1,358                       | 1,393          | 1,400        | 1,364         | —            |
| WIA Youth Opportunity Grants (YOG)   | 250                         | 375            | 175          | 250           | —            |
| WIA Other Federally Administered Programs  | 226                         | 592            | 196          | 296           | —            |
| WIA subtotal   | 5,373                       | 6,103          | 5,011        | 5,450         | —            |
| School-to-Work Opportunities   | 55                          | 0              | 0            | 0             | —            |
| Training and Employment Services (TES), Other  | 8                           | 4              | 5            | 4             | —            |
| Community Service Employment for Older Americans   | 440                         | 440            | 440          | 440           | —            |
| Federal Unemployment Benefits and Allowances, Trade Adjustment and NAFTA Activities (mandatory)    | 415                         | 407            | 407          | 407           | —            |
| State Unemployment Insurance and Employment Service Operations (SUI/ESO) Unemployment Compensation | 2,266                       | 2,359          | 2,266        | 2,284         | —            |
| SUI/ESO Employment Service   | 817                         | 856            | 811          | 836           | —            |
| SUI/ESO One-Stop Career Centers  | 110                         | 154            | 0            | 110           | —            |
| SUI/ESO Work Incentives Grants   | 20                          | 20             | 20           | 20            | —            |
| SUI/ESO subtotal   | 3,213                       | 3,389          | 3,097        | 3,250         | —            |
| Advances to Unemployment Trust Fund and Other Funds (mandatory)                                    | 356                         | 435            | 435          | 435           | —            |
| ETA Program Administration   | 146                         | 159            | 146          | 156           | —            |
| ETA subtotal   | 10,007                      | 10,937         | 9,541        | 10,142        | —            |



## CRS-18

| Office or major program                                    | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| Pension and Welfare Benefits Administration                | 99                          | 108            | 99           | 103           | —            |
| Pension Benefit Guaranty Corporation (PBGC) Administration | 11                          | 12             | 11           | 12            | —            |
| PBGC service level (non-add)                               | 165                         | 177            | 165          | 173           | —            |
| <i>Employment Standards Administration (ESA)</i>           |                             |                |              |               |              |
| ESA Salaries and Expenses                                  | 339                         | 363            | 339          | 353           | —            |
| ESA Special Benefits (mandatory)                           | 79                          | 56             | 56           | 56            | —            |
| ESA Black Lung Disability Trust Fund (mandatory)           | 1,014                       | 1,028          | 1,028        | 1,028         | —            |
| ESA subtotal   | 1,432                       | 1,447          | 1,423        | 1,437         | —            |
| Occupational Safety and Health Administration (OSHA)       | 382                         | 426            | 382          | 426           | —            |
| Mine Safety and Health Administration (MSHA)               | 228                         | 242            | 233          | 245           | —            |
| Bureau of Labor Statistics                                 | 434                         | 454            | 440          | 447           | —            |
| Departmental Management, International Labor Affairs       | 70                          | 167            | 70           | 115           | —            |
| Departmental Management, Veterans Employment and Training  | 201                         | 210            | 201          | 207           | —            |
| Departmental Management, Other                             | 227                         | 327            | 227          | 277           | —            |
| Departmental Management subtotal                           | 498                         | 704            | 498          | 599           | —            |
| <b>TOTALS, DEPARTMENT OF LABOR</b>                         |                             |                |              |               |              |
| Total Appropriations <sup>b</sup>                          | 13,091                      | 14,329         | 12,627       | 13,409        | —            |
| Current Year: FY2001                                       | 10,628                      | 11,866         | 10,164       | 10,946        | —            |
| FY2002   | 2,463                       | 2,463          | 2,463        | 2,463         | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and on the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

<sup>b</sup> Appropriations totals include discretionary and mandatory funds, and may be subject to additional scorekeeping and other adjustments.

## U.S. Department of Health and Human Services

Discretionary appropriations for the U.S. Department of Health and Human Services (DHHS) are shown in **Table 7**. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects the appropriations in the current bill, regardless of the year in which they will be spent. **Current year** represents appropriations for the current year; the source may be either the current bill or a prior enactment, and the amount is similar to what is counted for the 302(b) allocations ceilings. A discussion of advance appropriations as they relate to 302(b) allocations may be found in the U.S. Department of Education section (see page 30).

**Table 7. U.S. Department of Health and Human Services  
Discretionary Appropriations**  
(\$ in billions) <sup>a</sup>

| Type of funding                                    | FY2000 enacted <sup>b</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| Program level (from the current bill for any year) | \$41.7                      | \$45.8         | \$46.4       | \$43.0        | —            |
| Current year (for the current year from any bill)  | 40.3                        | 45.0           | 45.0         | 45.3          | —            |
| Advances for future years (from the current bill)  | 3.7                         | 4.5            | 4.5          | 1.4           | —            |
| Advances from prior years (from previous bills)    | 2.3                         | 3.7            | 3.7          | 3.7           | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> The amounts shown represent discretionary programs funded by the L-HHS-ED appropriation bill; appropriations for mandatory programs are excluded.

<sup>b</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

Mandatory DHHS programs included in the L-HHS-ED bill are funded at \$196.8 billion in FY2000, and consist primarily of Grants to States for Medicaid (\$118.0 billion), Payments to Medicare Trust Funds (\$69.3 billion), Foster Care and Adoption (\$5.9 billion), and Social Services Block Grant (\$1.8 billion).

### Key Issues

**President's Request.** The President's FY2001 budget request for DHHS focuses on a number of programs related to the funding and delivery of health care and social services. The DHHS budget emphasizes expanded health care coverage primarily through changes in Medicare, Medicaid, and State Children's Health Insurance Program (SCHIP);

increased support for children and families; continued investments in biomedical science; and increased assistance for a healthier America.

Discretionary increases of at least \$100 million requested for DHHS programs under the President's FY2001 budget include the following:

- ! The largest discretionary increase requested (in terms of absolute dollars) is an additional \$1.6 billion proposed for the Child Care and Development Block Grant (CCDBG). This program is currently advance funded at \$1.2 billion for FY2001; half of the increase would bring FY2001 funding up to \$2.0 billion, and the remainder would be used to bring advance appropriations up to the \$2.0 billion level in FY2002 as well.
- ! An additional \$125 million is proposed for the \$1.6 billion Ryan White AIDS programs to expand medical and support services for individuals and families with HIV.
- ! An increase of \$155 million is requested for the Centers for Disease Control and Prevention (CDC); \$3.0 billion is provided in FY2000 for the prevention and control of diseases, injuries, and disabilities.
- ! An increase of \$1.1 billion is requested for the \$17.7 billion National Institutes of Health (NIH) to support activities that maintain and improve health through medical science.
- ! An additional \$172 million is proposed for the \$2.7 billion Substance Abuse and Mental Health Services Administration (SAMHSA).
- ! An increase of \$1.0 billion is requested for the \$5.3 billion Head Start program, an early childhood development program for children and their families to assist low-income children start school ready to learn.
- ! \$151 million more is proposed for the Administration on Aging, which is funded at \$933 million in FY2000; the increase would be used to respond to the needs of the expanding older population.
- ! FY2001 supplemental grant funds to states under the Temporary Assistance for Needy Families (TANF) program would be limited to the FY1998 level, providing a \$240 million offset to discretionary L-HHS-ED appropriations.

The FY2001 budget proposes no new funding for the Agency for Healthcare Research and Quality (AHRQ), which is currently funded at \$110 million. However, on a service level basis (the level of services provided regardless of funding source), funding would actually be increased from \$199 million in FY2000 to \$250 million under the request, using funds set aside for AHRQ from other programs. The AHRQ budget would place a priority on reducing medical errors, improving health information systems, and improving health services for on-the-job injuries.

The Emergency Supplemental Act, 2000 (P.L. 106-246), added \$600 million to the Low-Income Home Energy Assistance Program (LIHEAP) Emergency Allocation, for an FY2000 total of \$900 million (see *Related Legislation*, p. 42). The FY2001 request is

for \$300 million, the same as the original FY2000 amount before the supplemental appropriation.

**House Bill.** As passed, the House bill does not accept all the funding changes proposed in the President's FY2001 budget.

- ! Health Professions would receive \$411 million, \$113 million more than requested and \$69 million more than was provided in FY2000.
- ! CDC programs would be funded at \$3.3 billion, \$156 million more than requested and \$311 million more than the FY2000 amount.
- ! The AHRQ would be provided \$124 million, \$14 million above the current level; this activity would not be funded under the budget request. However, at the service level (the level of services provided regardless of funding source), funding for AHRQ activities would be increased by \$51 million under the request and by \$25 million under the House bill by using funds set aside for AHRQ activities from other programs.
- ! Health Care Financing Administration (HCFA) Program Management would receive \$1.9 billion, \$220 million less than the requested amount and \$130 million less than in FY2000.
- ! The CCDBG would be funded at \$2.4 billion, \$417 million less than requested but \$1.2 billion more than in FY2000.
- ! The House bill would fund the Head Start program at \$5.7 billion, \$600 million less than requested but \$400 million more than in FY2000.
- ! The Administration on Aging would be provided \$926 million, \$158 million less than requested and \$7 million less than in FY2000.
- ! Technically, NIH would receive \$20.5 billion, \$1.7 billion more than the President's budget request. However, a provision of the House bill (§213) would prohibit the obligation of any funds greater than the amount requested by the President (\$18.8 billion), an increase of \$1.1 billion compared to the FY2000 appropriation of \$17.7 billion.

**Senate Bill.** As passed, the Senate bill differs from the House bill with regard to several programs.

- ! Health Professions would receive \$231 million, \$180 less than the House amount and \$111 million less than in FY2000.
- ! The NIH would be funded at \$20.5 billion, \$1.7 billion more than the House amount and \$2.8 billion more than in FY2000.
- ! The Senate bill would provide no direct funding for the AHRQ, compared to \$124 million in the House bill; \$110 million was provided for FY2000. However, at the service level (the level of services provided regardless of funding source), the Senate bill would provide \$46 million more than the House bill and \$71 million more than in FY2000, by using funds set aside for AHRQ activities from other programs.

- ! HCFA Program Management would be funded at \$2.0 billion, \$153 million more than the House amount and \$23 million more than in FY2000.
- ! The LIHEAP advance appropriation for FY2002 would be zeroed out in the Senate bill; the House bill would provide \$1.1 billion, the same as the FY2000 advance appropriation. The FY2001 program level funding of \$1.1 billion, enacted as part of FY2000 L-HHS-ED Appropriations, would not be affected by the Senate bill.
- ! The CCDBG would be funded at \$817 million, \$1.6 billion below the House level and \$366 million less than the FY2000 amount.
- ! Head Start would receive \$6.3 billion, \$600 million more than the House amount and \$1.0 billion more than in FY2000.
- ! The Social Services Block Grant (SSBG), an entitlement program, would be funded at \$600 million, \$1.1 billion less than the House amount and \$1.2 billion less than in FY2000.
- ! The Public Health and Social Services Emergency Fund (PHSSEF) would receive \$265 million, \$236 million less than the House amount and \$299 million less than is currently provided. The PHSSEF provides extra funding for a variety of activities such as anti-bioterrorism and AIDS prevention and treatment in minority communities.
- ! A provision of the Senate bill (§217) would shift \$1.9 billion of funds currently available from unexpended balances for SCHIP and make it available in FY2003.

**Abortion: A Perennial L-HHS-ED Issue.** Since FY1977, the annual L-HHS-ED appropriations acts have contained restrictions that limit the circumstances under which federal funds can be used to pay for abortions to cases where the life of the mother is endangered. Popularly referred to as the Hyde Amendment, these provisions generally apply to all L-HHS-ED funds; Medicaid is the largest program affected. The 103<sup>rd</sup> Congress modified the provisions to permit federal funding of abortions in cases of rape or incest. The FY1998 L-HHS-ED Appropriations Act, P.L. 105-78, extended the Hyde provisions to prohibit the use of federal funds to buy managed care packages that include abortion coverage, except in the cases of rape, incest, or life endangerment. For FY1999, the FY1998 Hyde Amendment provisions were continued, along with a clarification to ensure that the Hyde Amendment applies to all trust fund programs (namely, Medicare) funded by the FY1999 L-HHS-ED Appropriations Act, P.L. 105-277, as well as an assurance that Medicare + Choice plans cannot require the provision of abortion services. The FY2000 L-HHS-ED Appropriations Act retained the FY1999 language without amendment, but the issue may be revisited for FY2001.<sup>7</sup>

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<sup>7</sup> For additional information, see CRS Issue Brief IB95095, *Abortion: Legislative Response*, by Karen J. Lewis and Thomas P. Carr.

## **For Additional Reading**

### **CRS Electronic Briefing Book.**

#### **Tobacco Briefing Book**

[<http://www.congress.gov/brbk/html/ebtobtop.html>]

### **CRS Issue Briefs.**

CRS Issue Brief IB95095, *Abortion: Legislative Response*, by Karen J. Lewis, *et al.*

CRS Issue Brief IB10044, *Immigration Legislation and Issues in the 106<sup>th</sup> Congress*, by Andorra Bruno, Coordinator.

CRS Issue Brief IB98017, *Patient Protection and Managed Care: Legislation in the 106<sup>th</sup> Congress*, by Jean P. Hearne.

CRS Issue Brief IB10051, *Research and Development Funding: Fiscal Year 2001*, by Michael E. Davey, Coordinator.

CRS Issue Brief IB98037, *Tax Benefits for Health Insurance: Current Legislation*, by Bob Lyke.

CRS Issue Brief IB93034, *Welfare Reform: An Issue Overview*, by Vee Burke.

### **CRS Reports.**

CRS Report 95-1101, *Abortion Procedures*, by Irene E. Stith-Coleman.

CRS Report 96-293, *AIDS Funding for Federal Government Programs: FY1981-FY2001*, by Judith A. Johnson.

CRS Report 98-476, *AIDS: Ryan White CARE Act*, by Judith A. Johnson and Paulette L. Como.

CRS Report 96-253, *Cancer Research: Selected Federal Spending and Morbidity and Mortality Statistics*, by Judith A. Johnson.

CRS Report RL30021, *Child Care Issues in the 106<sup>th</sup> Congress*, by Melinda Gish and Karen Spar.

CRS Report 97-335, *Cloning: Where Do We Go From Here?*, by Irene E. Stith-Coleman.

CRS Report RS20124, *Community Services Block Grants: Background and Funding*, by Karen Spar.

CRS Report RS20385, *Connecting Fathers to Their Children: Fatherhood Legislation in the 106<sup>th</sup> Congress*, by Carmen Solomon-Fears.

CRS Report RS20194, *Developmental Disabilities Act: 106<sup>th</sup> Congress Legislation*, by Paul J. Graney.

CRS Report RS20470, *The Earned Income Tax Credit: Current Issues and Benefit Amounts*, by Melinda T. Gish.

CRS Report 97-757, *Federal Health Centers Program*, by Sharon Kearney.

CRS Report RL30006, *Genetic Information: Legal Issues Relating to Discrimination and Privacy*, by Nancy Lee Jones.

CRS Report RS20537, *Head Start: Background and Funding*, by Alice Butler and Melinda Gish.

- CRS Report RL30254, *Long-Term Care: The President's FY2001 Budget Proposals and Related Legislation*, by Carol O'Shaughnessy, *et al.*
- CRS Report 94-211, *The Low-Income Home Energy Assistance Program (LIHEAP)*, by Melinda Gish.
- CRS Report 97-350, *Maternal and Child Health Block Grant*, by Sharon Kearney.
- CRS Report RL30483, *Medical Research Funding: Summary of a CRS Seminar on Challenges and Opportunities of Proposed Large Increases for the National Institutes of Health*, by John K. Iglehart, Contractor, and Pamela W. Smith, Coordinator.
- CRS Report RL30109, *Medicare and Medicaid Organ Transplants*, by Sibyl Tilson.
- CRS Report 95-917, *Older Americans Act: Programs and Funding*, by Carol O'Shaughnessy and Paul J. Graney.
- CRS Report 94-953, *Social Services Block Grants (Title XX of the Social Security Act)*, by Melinda Gish.
- CRS Report RS20628, *State Children's Hospital Insurance Program (SCHIP): FY2000 and FY2001 Appropriations*, by Evelyne P. Baumrucker.
- CRS Report RS20523, *Stem Cell Research*, by Judith A. Johnson and Brian A. Jackson.
- CRS Report RS20623, *The Substance Abuse and Mental Health Services Administration (SAMHSA): An Overview*, by C. Stephen Redhead.
- CRS Report 97-1048, *The Title X Family Planning Program*, by Sharon Kearney.
- CRS Report RS20195, *Violence Against Women Act: Reauthorization, Federal Funding and Recent Developments*, by Leslie W. Gladstone.
- CRS Report RL30471, *Violent Crime Reduction Trust Fund: An Overview*, by David L. Teasley.
- CRS Report RS20619, *Welfare Reform: Summary of Financing and Recent Spending Trends in the TANF Program*, by Gene Falk and Jacqueline Cooke.

### **Selected World Wide Web Sites.**

#### **U.S. Department of Health and Human Services**

[<http://www.hhs.gov>]

[<http://www.hhs.gov/progorg/asmb/budget/index.html>]

[<http://www.hhs.gov/asmb/budget/fy2001.html>]

[<http://www.hhs.gov/news/speeches/20000207.html>]

[<http://www.hhs.gov/asmb/budget/testimony.html>]

### **Detailed Appropriation Table**

**Table 8** shows the appropriation details for offices and major programs of DHHS.

**Table 8. Detailed Department of Health and Human Services Appropriations**  
(\$ in millions)

| Office or major program  | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| <i>Public Health Service (PHS)</i>   |                             |                |              |               |              |
| Health Resources and Services Administration (HRSA), Community Health Centers                | 1,019                       | 1,069          | 1,100        | 1,119         | —            |
| HRSA National Health Service Corps   | 117                         | 117            | 121          | 117           | —            |
| HRSA Health Professions  | 342                         | 298            | 411          | 231           | —            |
| HRSA Maternal and Child Health Block Grant   | 709                         | 709            | 709          | 709           | —            |
| HRSA Ryan White AIDS Programs  | 1,595                       | 1,720          | 1,725        | 1,650         | —            |
| HRSA Family Planning (Title X)   | 239                         | 274            | 239          | 254           | —            |
| HRSA Vaccine Injury Compensation (mandatory)   | 62                          | 114            | 114          | 114           | —            |
| HRSA, other  | 575                         | 501            | 416          | 604           | —            |
| HRSA subtotal  | 4,658                       | 4,802          | 4,835        | 4,798         | —            |
| Centers for Disease Control and Prevention (CDC)   | 2,979                       | 3,134          | 3,290        | 3,252         | —            |
| National Institutes of Health (NIH) <sup>b</sup>   | 17,749                      | 18,813         | 18,813       | 20,513        | —            |
| Substance Abuse and Mental Health Services Administration (SAMHSA) Mental Health Block Grant | 356                         | 416            | 416          | 366           | —            |
| SAMHSA Substance Abuse Block Grant   | 1,600                       | 1,631          | 1,631        | 1,631         | —            |
| SAMHSA, Other  | 695                         | 776            | 681          | 734           | —            |
| SAMHSA subtotal  | 2,651                       | 2,283          | 2,728        | 2,731         | —            |
| Agency for Healthcare Research and Quality (AHRQ)  | 110                         | 0              | 124          | 0             | —            |
| AHRQ service level (non-add)   | 199                         | 247            | 224          | 270           | —            |
| PHS subtotal   | 28,147                      | 29,572         | 29,790       | 31,294        | —            |
| <i>Health Care Financing Administration (HCFA)</i>   |                             |                |              |               |              |
| Medicaid Grants to States (mandatory)  | 117,972                     | 129,794        | 129,794      | 129,794       | —            |
| Payments to Medicare Trust Funds (mandatory)   | 69,289                      | 70,382         | 70,382       | 70,382        | —            |
| HCFA Program Management  | 1,996                       | 2,086          | 1,866        | 2,019         | —            |
| HCFA subtotal  | 189,258                     | 202,262        | 202,042      | 202,195       | —            |
| <i>Administration for Children and Families (ACF)</i>  |                             |                |              |               |              |
| Family Support Payments to States (Welfare, Child Support) (mandatory)                       | 3,225                       | 3,889          | 3,889        | 3,889         | —            |



| Office or major program  | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| Low Income Home Energy Assistance Program (LIHEAP)                     | 1,100                       | 1,100          | 1,100        | 0             | —            |
| LIHEAP Emergency Allocation <sup>c</sup>                               | 900                         | 300            | 300          | 300           | —            |
| Refugee and Entrant Assistance   | 426                         | 433            | 433          | 426           | —            |
| Child Care and Development Block Grant (CCDBG)                         | 1,183                       | 2,817          | 2,400        | 817           | —            |
| Social Services Block Grant (Title XX) (mandatory)                     | 1,775                       | 1,700          | 1,700        | 600           | —            |
| Children and Family Services Programs (CFSP), Head Start               | 5,267                       | 6,267          | 5,667        | 6,267         | —            |
| CFSP Child Welfare Services  | 292                         | 292            | 292          | 292           | —            |
| CFSP Developmental Disabilities  | 122                         | 122            | 122          | 127           | —            |
| CFSP Community Services Block Grant                                    | 528                         | 510            | 528          | 550           | —            |
| CFSP Violent Crime Reduction   | 118                         | 134            | 118          | 134           | —            |
| CFSP, other  | 501                         | 481            | 504          | 526           | —            |
| Rescission of mandatory appropriations                                 | -21                         | 0              | -21          | -21           | —            |
| Promoting Safe and Stable Families (mandatory)                         | 295                         | 305            | 305          | 305           | —            |
| Foster Care and Adoption Assistance State Payments (mandatory)         | 5,915                       | 6,604          | 6,599        | 6,604         | —            |
| ACF subtotal   | 21,626                      | 24,954         | 23,936       | 20,816        | —            |
| Administration on Aging  | 933                         | 1,084          | 926          | 955           | —            |
| Office of the Secretary, Public Health/Social Services Fund            | 564                         | 491            | 501          | 265           | —            |
| Retirement Pay and Medical Benefits, Commissioned Officers (mandatory) | 215                         | 220            | 220          | 220           | —            |
| Office of the Secretary, Other   | 289                         | 284            | 282          | 287           | —            |
| <b>TOTALS, DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>                 |                             |                |              |               |              |
| Total Appropriations <sup>d</sup>                                      | 241,031                     | 258,865        | 259,397      | 256,030       | —            |
| Current Year: FY2001   | 204,552                     | 215,421        | 214,223      | 215,686       | —            |
| FY2002   | 36,480                      | 43,443         | 43,473       | 40,343        | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

<sup>b</sup> The House bill appropriates \$20.5 billion for NIH, but restricts obligations to the budget request amount of \$18.8 billion (\$213); the latter amount is used for subtotals and totals in this table.

<sup>c</sup> The original FY2000 LIHEAP Emergency Allocation was \$300 million. The Emergency Supplemental Act, 2000 (P.L. 106-245) increased this appropriation to \$900 million.

<sup>d</sup> Appropriation totals include discretionary and mandatory funds, and may be subject to additional scorekeeping and other adjustments.

## U.S. Department of Education

Discretionary appropriations for the U.S. Department of Education (ED) are shown in **Table 9**. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects the appropriations in the current bill, regardless of the year in which they will be spent. **Current year** represents appropriations for the current year; the source may be either the current bill or a prior enactment, and the amount is similar to what is counted for the 302(b) allocations ceilings. A discussion of advance appropriations as they relate to 302(b) allocations may be found below (see page 30).

**Table 9. Department of Education Discretionary Appropriations**  
(\$ in billions) <sup>a</sup>

| Type of funding                                    | FY2000 enacted <sup>b</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| Program level (from the current bill for any year) | \$35.6                      | \$40.1         | \$37.1       | \$40.3        | —            |
| Current year (for the current year from any bill)  | 29.4                        | 40.1           | 37.1         | 38.0          | —            |
| Advances for future years (from the current bill)  | 12.4                        | 12.4           | 12.4         | 14.7          | —            |
| Advances from prior years (from previous bills)    | 6.2                         | 12.4           | 12.4         | 12.4          | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> These amounts represent only discretionary programs funded in the L-HHS-ED appropriation bill; appropriations for mandatory programs are excluded.

<sup>b</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and on the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

A single mandatory ED program is included in the L-HHS-ED bill — the Vocational Rehabilitation State Grants program — funded at \$2.3 billion in FY2000.

### Key Issues

**President's Request.** The amount of Federal support for education has been a priority of both the Congress and the President in recent years, and the FY2001 budget request for ED continues to reflect that emphasis. Under the request, funding would be increased for a variety of ED programs that focus on school improvement, student achievement, effective practices, and school choice. Additional support is requested for improving teacher quality, modernizing schools, meeting the needs of special student populations, reaching and completing a postsecondary education, and making college

affordable. Hispanic Education receives special attention to overcome the challenges of language and cultural barriers to education.

Discretionary increases of at least \$100 million requested for ED programs under the President's FY2001 budget include the following.

- ! The largest ED discretionary increase requested (in terms of absolute dollars) is an initial \$1.3 billion for a School Renovation Initiative to assist local educational agencies (LEAs) repair or renovate their schools. The amount would include \$175 million in grants to LEAs, and the remainder to support 7-year, interest free loans to LEAs.
- ! Education Technology programs would be increased \$137 million to provide additional assistance to teachers and schools in the use of technology and telecommunications for elementary and secondary education; the FY2000 amount is \$766 million.
- ! An increase of \$547 million is proposed for 21<sup>st</sup> Century Community Learning Centers for grants that support school-based programs providing multiple services to meet the needs of the community; the FY2000 amount is \$453 million.
- ! An initial \$120 million is proposed for a Small, Safe, and Successful High Schools Initiative to improve the learning environments in the Nation's 700 largest high schools.
- ! An additional \$417 million is requested for the \$7.9 billion Title I Grants to LEAs for the Education of the Disadvantaged, the largest federal formula grant program for elementary and secondary education.
- ! An initial \$690 million is proposed for a Teaching to High Standards Initiative, a new formula grant program for professional development and classroom improvement to replace the existing \$335 million Eisenhower Professional Development program.
- ! \$450 million more is requested for the Class Size Reduction and Teacher Assistance program, which is currently funded at \$1.3 billion and was first initiated under the FY1999 appropriations.
- ! \$373 million more is requested for various other School Improvement activities, more than doubling the \$290 million currently available for these programs. The additional funds would be used primarily in the area of teacher quality initiatives.
- ! \$298 million more is requested for the \$5.8 billion Special Education State Grants program of the Individuals with Disabilities Education Act (IDEA).
- ! An increase of \$716 million is requested for the \$7.6 billion Pell Grant program to increase access to a postsecondary education for students from low-income families. The proposed maximum award would be increased by \$200 to \$3,500.
- ! \$125 million more is proposed for Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), which is funded at \$200 million in FY2000.

Decreases requested in the President's budget include the following:

- ! \$408 million less would be provided for Goals 2000: Educate America Act programs, which is funded at \$491 million in FY2000; the decrease corresponds with the repeal of major program components in FY2000.
- ! \$136 million less would be provided for the \$906 million Impact Aid programs.
- ! The Fund for the Improvement of Education (FIE) would be reduced by \$107 million; \$244 million is provided in FY2000. The proposed funding level would support continuation grants, ongoing projects, and a limited number of new activities.
- ! No funds are requested for either the \$335 million Eisenhower Professional Development program or the \$366 million Innovative Program Strategies (education block grant) program; however, these funds would be more than offset by new teacher initiatives and other School Improvement activities.
- ! Like its DOL counterpart, the \$55 million ED portion of the School-to-Work Opportunities Act program would be terminated in FY2001, as specified in the sunset provision of its authorization.

**House Bill.** As passed, the House bill does not accept all the funding changes proposed in the President's FY2001 budget.

- ! 21<sup>st</sup> Century Community Learning Centers would receive \$600 million, \$400 million less than requested but \$147 million more than in FY2000.
- ! Title I Grants to LEAs would be funded at \$7.9 billion, \$417 less than requested but the same as in FY2000.
- ! Impact Aid would receive \$985 million, \$215 million more than requested and \$79 million more than in FY2000.
- ! The bill would fund Innovative Education Program Strategies at \$366 million, the same as in FY2000; the President requested program termination.
- ! The bill would fund the Teacher Empowerment Act, if authorized, at \$1.8 billion. This Act would replace the Class Size Reduction program, for which the President requested \$1.8 billion. Class Size Reduction is currently funded at \$1.3 billion.
- ! Other School Improvement activities would be funded at \$340 million, \$329 million less than requested but \$44 million more than in FY2000. In particular, the House did not fund a series of small national program initiatives requested by the President
- ! IDEA Special Education State Grants would be increased to \$6.3 billion, \$202 million more than the request and \$500 million more than in FY2000.
- ! GEAR UP would receive \$200 million, the same as the current funding level but \$125 million less than the request.
- ! The House bill would not fund several of the President's FY2001 initiatives, including Small, Safe, Successful High Schools (\$120 million

requested), Teaching to High Standards (\$690 million), and School Renovation (\$1.3 billion).

**Senate Bill.** As passed, the Senate bill differs from the House bill with regard to several programs.

- ! Education Technology programs would be funded at \$795 million, \$110 million less than the House amount but \$29 million more than in FY2000.
- ! Title I Grants to LEAs would receive \$8.3 billion, \$395 million more than the House amount and the FY2000 level.
- ! The bill would provide \$651 million for other programs for the Education of the Disadvantaged, \$225 million less than the House amount and \$109 million less than the FY2000 amount. In particular, the bill would provide no funds for the Comprehensive School Reform Demonstration program, currently funded at \$170 million.
- ! Eisenhower Professional Development program would be funded at \$435 million, \$100 million more than the current level; the House bill would provide no funds for this program.
- ! Innovative Education Program Strategies program would receive \$3.1 billion, \$2.7 billion more than the House amount and the FY2000 amount. The additional amount would be reserved for LEAs to be used “as part of a local strategy for improving academic achievement” that might include the recruitment and training of qualified teachers, class size reduction, or school construction or renovation.
- ! No funds would be provided for the Class Size Reduction program, funded at \$1.3 billion in FY2000; the House bill would provide \$1.8 billion for a Teacher Empowerment Act.
- ! IDEA Special Education State Grants would be funded at \$7.1 billion, \$0.8 billion more than the House amount and \$1.3 billion more than the FY2000 level.
- ! Pell Grants would receive \$8.7 billion, \$384 million more than the House amount and \$1.1 billion more than the FY2000 amount. The Senate bill would increase the maximum grant to \$3,650. The current maximum award is \$3,300; both the House bill and the President’s budget would set the maximum at \$3,500.

**Forward Funding and Advance Appropriations.** Many of the larger ED programs have either authorization or appropriation provisions that allow funding flexibility for school program years that differ from the federal fiscal year. For example, some of the elementary and secondary education formula grant programs receive funding through appropriations that become available for obligation to the states on July 1 of the same year as the appropriations, and remain available through the end of the following fiscal year. That is, FY2000 appropriations for some programs will become available for obligation to the states on July 1, 2000, and will remain available for a 15-month period until September 30, 2001. This budgetary procedure is popularly known as “forward” or “multi-year” funding, and is accomplished through funding provisions in the L-HHS-ED appropriations bill.

Forward funding in the case of elementary and secondary education programs was designed to allow additional time for school officials to develop budgets in advance of the beginning of the school year. For Pell Grants, however, aggregate program costs for individual students applying for postsecondary educational assistance cannot be known with certainty ahead of time. Appropriations from one fiscal year primarily support Pell Grants during the following academic year, that is, the FY2000 appropriation supports the 2000-2001 academic year. Unlike forward funded programs, however, the funds remain available for obligation for 2 full fiscal years. Thus, if cost estimates turn out to be too low, funds may be borrowed from the following year's appropriations, or conversely, if the estimates are too high, the surplus may be obligated during the following year.

An advance appropriation occurs when the appropriation is provided for a fiscal year beyond the fiscal year for which the appropriation was enacted. In the case of FY2000 appropriations, funds would normally become available October 1, 1999, under regular funding provisions, but would not become available until July 1, 2000, under the forward funding provisions discussed above. However, if the July 1, 2000 forward funding date were to be postponed for obligation by 3 months, until October 1, 2000, the appropriation would be classified as an "advance appropriation" since the funds would become available only in the next fiscal year (FY2001). For Title I Grants to LEAs, the FY1998 appropriation of \$7.4 billion was split — \$6.0 billion of forward funding, and \$1.4 billion as an advance appropriation. For FY1999, \$7.7 billion was split so that \$1.5 billion was for forward funding and \$6.2 billion was an advance appropriation. The FY2000 appropriation under P.L. 106-113 is \$7.9 billion for Title I Grants to LEAs, with forward funding of \$1.7 billion, plus an advance appropriation of \$6.2 billion in forward funding.

What is the impact of these changes in funding provisions? At the program or service level, relatively little is changed by the 3-month delay in the availability of funds, since most expenditures for a standard school year occur after October 1. At the appropriations level, however, a significant technical difference occurs because forward funding is counted as part of the current fiscal year, and is therefore fully included in the current 302(b) allocation for discretionary appropriations. Under federal budget scorekeeping rules, an advance appropriation is not counted in the 302(b) allocation until the following year. In essence, a 3-month change from forward funding to an advance appropriation for part or all of the annual appropriations for a given program allows a one-time shift from the current year to the next year in the scoring of discretionary appropriations.<sup>8</sup>

## **For Additional Reading**

### **CRS Electronic Briefing Book.**

#### **K-12 Education Briefing Book**

[<http://www.congress.gov/brbk/html/ebedd1.html>]

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<sup>8</sup> For additional information on budget enforcement procedures, see CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith and Allen Schick.

**CRS Issue Briefs.**

- CRS Issue Brief IB10029, *Education for the Disadvantaged: ESEA Title I Reauthorization Issues*, by Wayne Riddle.
- CRS Issue Brief IB98013, *Elementary and Secondary Education Block Grant Proposals in the 106<sup>th</sup> Congress*, by Wayne C. Riddle and Paul M. Irwin.
- CRS Issue Brief IB98047, *Elementary and Secondary: Reconsideration of the Federal Role by the 106<sup>th</sup> Congress*, by Wayne Riddle, et al.
- CRS Issue Brief IB98035, *School Choice: Current Legislation*, by Wayne Riddle and James Stedman.

**CRS Reports.**

- CRS Report RL30106, *Adult Education and Family Literacy Act, Title II of the Workforce Investment Act of 1998, P.L. 105-220*, by Paul M. Irwin.
- CRS Report RS20447, *Class Size Reduction Program: Background and Issues*, by James B. Stedman.
- CRS Report RS20156, *Elementary and Secondary School Teachers: Action by the 106<sup>th</sup> Congress*, by James B. Stedman.
- CRS Report RL30448, *Even Start Family Literacy Programs: Background and Reauthorization Issues*, by Gail McCallion and Wayne Riddle.
- CRS Report 98-676, *Federal Elementary and Secondary Programs: Ed-Flex and Other Forms of Flexibility*, by Wayne Riddle.
- CRS Report RL30568, *Goals 2000: Implementation, Impact, and Action by the 106<sup>th</sup> Congress*, by James B. Stedman.
- CRS Report RL30075, *Impact Aid: Overview and Reauthorization Issues*, by Richard N. Apling.
- CRS Report 97-433, *Individuals with Disabilities Education Act: Full Funding of State Formula*, by Richard N. Apling.
- CRS Report RS20366, *Individuals with Disabilities Education Act (IDEA): Overview of Major Provisions*, by Richard Apling and Nancy Lee Jones.
- CRS Report 96-178, *Information Technology and Elementary and Secondary Education: Current Status and Federal Support*, by James B. Stedman.
- CRS Report 98-67, *Internet: An Overview of Key Technology Policy Issues Affecting Its Use and Growth*, by Marcia S. Smith, et al.
- CRS Report RS20036, *Internet — Protecting Children from Unsuitable Material and Sexual Predators: Overview and Pending Legislation*, by Marcia S. Smith.
- CRS Report RS20532, *The Safe and Drug-Free Schools and Communities Act: Reauthorization and Appropriations*, by Edith Fairman Cooper.
- CRS Report RS20171, *School Facilities Infrastructure: Background and Legislative Proposals in the 106<sup>th</sup> Congress*, by Susan Boren.
- CRS Report 97-541, *School-to-Work Opportunities Act*, by Richard N. Apling.
- CRS Report 98-969, *Technology Challenge Programs in the Elementary and Secondary Education Act*, by Patricia Osorio-O’Dea.
- CRS Report 98-957, *TRIO and GEAR UP Programs: Provisions and Status*, by James B. Stedman.

CRS Report RL30306, *21<sup>st</sup> Century Community Learning Centers: An Overview of the Program and Analysis of Reauthorization Issues*, by Gail McCallion.

**Selected World Wide Web Sites.**

**U.S. Department of Education Home Page**

[<http://www.ed.gov/>]

[<http://www.ed.gov/offices/OUS/budget.html>]

[<http://www.ed.gov/offices/OUS/Budget01/>]

[<http://www.ed.gov/offices/OUS/Budget01/BudgetSumm/>]

[<http://www.ed.gov/offices/OUS/budnews.html>]

[<http://www.ed.gov/Speeches/02-2000/20000207.html>]

**Detailed Appropriation Table**

**Table 10** shows the appropriation details for offices and major programs of ED.



**Table 10. Detailed Department of Education Appropriations**  
(\$ in millions)

| Office or major program  | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|--|-----------------------------|----------------|--------------|---------------|--------------|
| <i>Office of Elementary and Secondary Education (OESE)</i>     |                             |                |              |               |              |
| Goals 2000: Educate America Act                                | 491                         | 83             | 0            | 40            | —            |
| School-to-Work Opportunities                                   | 55                          | 0              | 0            | 0             | —            |
| Educational Technology   | 766                         | 903            | 905          | 795           | —            |
| 21 <sup>st</sup> Century Community Learning Centers            | 453                         | 1,000          | 600          | 600           | —            |
| Small, Safe, Successful High Schools Initiative                | 0                           | 120            | 0            | 0             | —            |
| Title I Education for the Disadvantaged, Grants to LEAs        | 7,941                       | 8,358          | 7,941        | 8,336         | —            |
| Education for the Disadvantaged, Other                         | 760                         | 792            | 876          | 651           | —            |
| Impact Aid   | 906                         | 770            | 985          | 1,075         | —            |
| School Improvement (SI), Eisenhower Professional Development   | 335                         | 0              | 0            | 435           | —            |
| SI Innovative Education Program Strategies                     | 366                         | 0              | 366          | 3,100         | —            |
| SI Teaching to High Standards Initiative                       | 0                           | 690            | 0            | 0             | —            |
| SI Class Size Reduction, Teacher Empowerment <sup>b</sup>      | 1,300                       | 1,750          | 1,750        | 0             | —            |
| SI Safe and Drug-Free Schools                                  | 600                         | 650            | 599          | 642           | —            |
| SI Magnet Schools  | 110                         | 110            | 110          | 110           | —            |
| SI, other  | 296                         | 669            | 340          | 386           | —            |
| Reading Excellence Act   | 260                         | 286            | 260          | 286           | —            |
| Indian Education   | 77                          | 116            | 108          | 116           | —            |
| School Renovation Initiative                                   | 0                           | 1,300          | 0            | 0             | —            |
| OESE subtotal  | 14,716                      | 17,597         | 14,840       | 16,572        | —            |
| Bilingual and Immigrant Education                              | 406                         | 460            | 406          | 443           | —            |
| <i>Office of Special Education and Rehabilitative Services</i> |                             |                |              |               |              |
| IDEA Special Education, State Grants                           | 5,755                       | 6,053          | 6,255        | 7,053         | —            |
| IDEA Special Education, National Activities                    | 282                         | 316            | 295          | 300           | —            |
| Vocational Rehabilitation State Grants (mandatory)             | 2,339                       | 2,400          | 2,400        | 2,400         | —            |
| Rehabilitation Services, other                                 | 368                         | 399            | 377          | 400           | —            |
| Special Institutions for Persons With Disabilities             | 144                         | 150            | 154          | 155           | —            |
| <i>Office of Vocational and Adult Education</i>                |                             |                |              |               |              |
| Vocational Education   | 1,193                       | 1,184          | 1,228        | 1,214         | —            |

| Office or major program                                       | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|---|-----------------------------|----------------|--------------|---------------|--------------|
| Adult Education   | 470                         | 556            | 491          | 491           | —            |
| Incarcerated Youth Offenders                                  | 19                          | 12             | 0            | 22            | —            |
| <i>Office of Student Financial Assistance Programs</i>        |                             |                |              |               |              |
| Pell Grants   | 7,640                       | 8,356          | 8,308        | 8,692         | —            |
| Supplemental Educational Opportunity Grants                   | 631                         | 691            | 691          | 691           | —            |
| Federal Work-Study  | 934                         | 1,011          | 1,011        | 1,011         | —            |
| Federal Perkins Loans, Capital Contributions                  | 100                         | 100            | 100          | 100           | —            |
| Federal Perkins Loans, Loan Cancellations                     | 30                          | 60             | 40           | 60            | —            |
| Leveraging Educational Assistance Partnership (LEAP)          | 40                          | 40             | 0            | 75            | —            |
| Federal Family Education Loans, Administration                | 48                          | 48             | 48           | 48            | —            |
| <i>Office of Postsecondary Education</i>                      |                             |                |              |               |              |
| Aid for Institutional Development                             | 293                         | 389            | 389          | 358           | —            |
| Federal TRIO Programs   | 645                         | 725            | 760          | 737           | —            |
| GEAR UP   | 200                         | 325            | 200          | 225           | —            |
| Other Higher Education  | 392                         | 357            | 339          | 385           | —            |
| Howard University   | 219                         | 224            | 226          | 224           | —            |
| College Housing and Academic Facilities Loans, Administration | 1                           | 1              | 1            | 1             | —            |
| <i>Office of Educational Research and Improvement</i>         |                             |                |              |               |              |
| Research and Statistics                                       | 277                         | 325            | 277          | 287           | —            |
| Fund for the Improvement of Education                         | 244                         | 137            | 145          | 142           | —            |
| Other Research and Improvement                                | 70                          | 56             | 72           | 78            | —            |
| Departmental Management                                       | 488                         | 526            | 488          | 505           | —            |
| <b>TOTALS, DEPARTMENT OF EDUCATION</b>                        |                             |                |              |               |              |
| Total Appropriations <sup>c</sup>                             | 37,945                      | 42,495         | 39,542       | 42,675        | —            |
| Current Year: FY2001  | 25,497                      | 30,047         | 27,094       | 27,926        | —            |
| FY2002  | 12,448                      | 12,448         | 12,448       | 14,748        | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

<sup>b</sup> The FY2001 House appropriation is contingent on enactment of the Teacher Empowerment Act.

<sup>c</sup> Appropriation totals include discretionary and mandatory funds, and may be subject to additional scorekeeping and other adjustments.

## Related Agencies

Discretionary appropriations for the L-HHS-ED Related Agencies are shown in **Table 11**. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects the appropriations in the current bill, regardless of the year in which they will be spent. **Current level** represents appropriations for the current year; the source may be either the current bill or a prior enactment, and the amount is similar to what is counted for the 302(b) allocations ceilings. A discussion of advance appropriations as they relate to 302(b) allocations may be found in the U.S. Department of Education section (see page 30).

**Table 11. Related Agencies Discretionary Appropriations**  
(\$ in billions) <sup>a</sup>

| Type of funding                                    | FY2000<br>enacted <sup>b</sup> | FY2001<br>request | FY2001<br>House | FY2001<br>Senate | FY2001<br>final |
|--|--------------------------------|-------------------|-----------------|------------------|-----------------|
| Program level (from the current bill for any year) | \$8.2                          | \$8.8             | \$8.6           | \$8.6            | —               |
| Current year (for the current year from any bill)  | 8.1                            | 8.7               | 8.5             | 8.5              | —               |
| Advances for future years (from the current bill)  | 0.4                            | 0.4               | 0.4             | 0.4              | —               |
| Advances from prior years (from previous bills)    | 0.3                            | 0.3               | 0.3             | 0.3              | —               |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> These amounts represent only discretionary programs funded by the L-HHS-ED appropriation bill; appropriations for mandatory programs are excluded.

<sup>b</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and on the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

Mandatory programs for related agencies included in the L-HHS-ED bill are funded at \$30.3 billion in FY2000, including \$29.6 billion for the Supplemental Security Income (SSI) program and \$0.5 billion for Special Benefits for Disabled Coal Miners.

### Key Issues

**President's Request.** The President's FY2001 budget for related agencies includes increases in discretionary spending of at least \$100 million for the following.

- ! \$298 million additional is proposed for the SSA Limitation on Administrative Expenses, which is currently funded at \$4.2 billion.

- ! An increase of \$238 million is requested for discretionary activities related to the SSI program, primarily administrative activities; the current funding level is \$2.4 billion.

Smaller increases are proposed for Corporation for National and Community Service (CNS) programs (\$18 million); the Corporation for Public Broadcasting (CPB), including the CPB Digitalization program (\$15 million and \$75 million, respectively); and the National Labor Relations Board (NLRB) (\$10 million).

Reductions are requested for several Related Agencies programs, including the Railroad Retirement Board (\$11 million).

**House Bill.** As passed, the House bill does not accept all the funding changes proposed in the President's FY2001 budget.

- ! The House bill would provide \$2.4 billion for discretionary activities related to the SSI program, \$227 million less than requested but \$11 million more than the FY2000 amount.
- ! \$4.5 billion would be provided for activities funded under the SSA Limitation on Administrative Expenses, \$71 million more than requested and \$360 million more than in FY2000.
- ! A provision of the House bill (§514) would move the delivery date of the October 2000 SSI benefits payment of \$2.4 billion from October 2, 2000 (FY2001) back to September 29, 2000 (FY2000).

**Senate Bill.** As passed, the Senate bill differs from the House bill with regard to several programs.

- ! The Senate proposal would provide \$2.7 billion for SSI discretionary activities, \$227 million more than the House bill and \$238 million more than in FY2000.
- ! \$4.4 billion would be provided for the SSA Limitation on Administrative Expenses, \$194 million below the amount proposed by the House but \$166 million more than in FY2000.
- ! A provision of the Senate bill, as reported (§515), would have moved the October 2000 SSI benefits payment of \$2.4 billion from October 2, 2000, to September 29, 2000, but this provision was deleted on the Senate floor.<sup>9</sup>

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<sup>9</sup> A similar provision has been enacted as part of the Emergency Supplemental Act, 2000 (Division B of P.L. 106-246, §5105); see discussion in *Related Legislation*, p. 42. September 29, 2000 (FY2000), was the payment date for October 2000 SSI benefit payments prior to the enactment of §5527 of the Balanced Budget Act of 1997, P.L. 105-33, which reset the SSI payment date as October 2, 2000 (FY2001).

## **For Additional Reading**

### **CRS Electronic Briefing Book.**

#### **Social Security Briefing Book**

[<http://www.congress.gov/brbk/html/ebssc1.html>]

### **CRS Issue Briefs.**

CRS Issue Brief IB98048, *Social Security Reform*, by David S. Koitz.

### **CRS Reports.**

CRS Report RL30186, *Community Service: A Description of AmeriCorps, Foster Grandparents, and Other Federally Funded Programs*, by Ann Lordeman and Alice D. Butler.

CRS Report 97-755, *National Labor Relations Act: Regulation of Unfair Labor Practices*, by Michael Schmerling.

CRS Report RS20548, *Public Broadcasting: Frequently Asked Questions*, by Bernevia McCalip.

CRS Report RS20408, *Railroad Retirement and Unemployment Benefits: A Fact Sheet*, by Rachel W. Kelly.

CRS Report RS20635, *Railroad Retirement Legislation: An Overview of the Railroad Retirement and Survivors Improvement Act of 2000 (H.R. 4844)*, by Rachel W. Kelly.

CRS Report 98-422, *Social Security and the Federal Budget: What Does Social Security's Being "Off Budget" Mean?*, by David Stuart Koitz.

CRS Report RS20165, *Social Security "Lock Box"*, by David Stuart Koitz.

CRS Report 94-486, *Supplemental Security Income (SSI): A Fact Sheet*, by Carmen Solomon-Fears and Rachel Kelly.

CRS Report RS20019, *Supplemental Security Income (SSI): Fraud Reduction and Overpayment Recovery*, by Carmen Solomon-Fears.

CRS Report RS20419, *VISTA and the Senior Volunteer Service Corps: Description and Funding Levels*, by Ann Lordeman.

### **Selected World Wide Web Sites.<sup>10</sup>**

#### **Armed Forces Retirement Home**

[<http://www.afrh.com>]

#### **Corporation for National and Community Service**

[<http://www.cns.gov>]

[[http://www.cns.gov/news/2000\\_1\\_11\\_1.html](http://www.cns.gov/news/2000_1_11_1.html)]

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<sup>10</sup> Not all of the L-HHS-ED related agencies have web sites, and not all web sites include FY2001 budget information.

**Corporation for Public Broadcasting**

[<http://www.cpb.org>]

**Federal Mediation and Conciliation Service**

[<http://www.fmcs.gov>]

**Institute of Museum and Library Services**

[<http://www.imls.gov>]

[[http://www.imls.gov/whatsnew/leg/leg\\_bdrq01.htm](http://www.imls.gov/whatsnew/leg/leg_bdrq01.htm)]

[<http://www.imls.gov/whatsnew/leg/tst01lh.htm>]

**Medicare Payment Advisory Commission**

[<http://www.medpac.gov/>]

**National Commission on Libraries and Information Science**

[<http://www.nclis.gov/>]

**National Council on Disability**

[<http://www.ncd.gov/>]

[[http://www.ncd.gov/newsroom/testimony/wolters\\_3-30-00.html](http://www.ncd.gov/newsroom/testimony/wolters_3-30-00.html)]

**National Education Goals Panel**

[<http://www.negp.gov/>]

**National Labor Relations Board**

[<http://www.nlr.gov>]

[[http://www.nlr.gov/press/truesdale\\_stmt2001.html](http://www.nlr.gov/press/truesdale_stmt2001.html)]

[[http://www.nlr.gov/press/page\\_stmt2001.html](http://www.nlr.gov/press/page_stmt2001.html)]

**Railroad Retirement Board**

[<http://www.rrb.gov>]

[<http://www.rrb.gov/FY2001chair.html>]

**Social Security Administration**

[<http://www.ssa.gov>]

[<http://www.ssa.gov/budget/>]

**United States Institute of Peace**

[<http://www.usip.org>]

**Detailed Appropriation Table**

**Table 12** shows the appropriation details for offices and major programs of the L-HHS-ED related agencies.

**Table 12. Detailed Related Agencies Appropriations**  
(\$ in millions)

| Office or major program   | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|---|-----------------------------|----------------|--------------|---------------|--------------|
| Armed Services Retirement Home  | 68                          | 70             | 70           | 70            | —            |
| <i>Corporation for National and Community Service (CNS)<sup>b</sup></i> |                             |                |              |               |              |
| CNS Volunteers in Service to America (VISTA)                            | 81                          | 86             | 81           | 83            | —            |
| CNS National Senior Volunteer Corps                                     | 183                         | 193            | 182          | 187           | —            |
| CNS Program Administration  | 31                          | 34             | 32           | 32            | —            |
| CNS subtotal  | 295                         | 313            | 295          | 302           | —            |
| Corporation for Public Broadcasting (CPB), 2-Year Advance               | 350                         | 365            | 365          | 365           | —            |
| CPB Digitalization Initiative, with multi-year advances <sup>c</sup>    | 10                          | 85             | 0            | 20            | —            |
| CPB Supplementals and Rescissions                                       | -1                          | 0              | 0            | 0             | —            |
| Federal Mediation and Conciliation Service                              | 37                          | 39             | 38           | 38            | —            |
| Federal Mine Safety and Health Review Committee                         | 6                           | 6              | 6            | 6             | —            |
| Institute of Museum and Library Services (IMLS) <sup>d</sup>            | 166                         | 173            | 170          | 168           | —            |
| Medicare Payment Advisory Commission                                    | 7                           | 8              | 8            | 8             | —            |
| National Commission on Libraries and Information Science                | 1                           | 1              | 1            | 1             | —            |
| National Council on Disability  | 2                           | 3              | 2            | 3             | —            |
| National Education Goals Panel  | 2                           | 2              | 0            | 2             | —            |
| National Labor Relations Board  | 206                         | 216            | 206          | 216           | —            |
| National Mediation Board  | 10                          | 10             | 10           | 10            | —            |
| Occupational Safety and Health Review Commission                        | 8                           | 9              | 9            | 9             | —            |
| Railroad Retirement Board Dual Benefits                                 | 259                         | 248            | 250          | 248           | —            |

| Office or major program                                   | FY2000 enacted <sup>a</sup> | FY2001 request | FY2001 House | FY2001 Senate | FY2001 final |
|---|-----------------------------|----------------|--------------|---------------|--------------|
| <i>Social Security Administration (SSA)</i>               |                             |                |              |               |              |
| SSA Special Benefits for Disabled Coal Minors (mandatory) | 508                         | 480            | 480          | 480           | —            |
| SSA Supplemental Security Income (SSI) (mandatory)        | 29,618                      | 31,164         | 31,164       | 31,164        | —            |
| SSA SSI, other  | 2,422                       | 2,660          | 2,433        | 2,660         | —            |
| SSA Federal Funds, other (mandatory)                      | 21                          | 20             | 20           | 20            | —            |
| SSA Limitation on Administrative Expenses                 | 4,185                       | 4,474          | 4,545        | 4,351         | —            |
| SSA Office of Inspector General                           | 66                          | 73             | 66           | 69            | —            |
| SSA subtotal  | 36,820                      | 38,871         | 38,708       | 38,744        | —            |
| United States Institute for Peace                         | 13                          | 14             | 15           | 13            | —            |
| <b>TOTALS, RELATED AGENCIES</b>                           |                             |                |              |               |              |
| Total Appropriations <sup>e</sup>                         | 38,259                      | 40,435         | 40,152       | 40,224        | —            |
| Current Year: FY2001                                      | 27,895                      | 29,421         | 29,203       | 29,276        | —            |
| FY2002  | 10,014                      | 10,619         | 10,584       | 10,584        | —            |
| FY2003  | 350                         | 395            | 365          | 365           | —            |

**Source:** Amounts are compiled from an unofficial staff table of the House Appropriations Committee, July 20, 2000.

<sup>a</sup> The FY2000 amounts are based on P.L. 106-113 (reflecting the 0.38% general discretionary fund reduction) and on the FY2000 Supplemental Appropriations, P.L. 106-246; these amounts may be modified by further legislation during FY2000.

<sup>b</sup> Funds are provided only for CNS Domestic Volunteer Service Act programs — the Corporation also receives funds from the Veterans Affairs and Housing and Urban Development (VA/HUD) Appropriations for AmeriCorps Grants and other programs under the National Community Service Act (\$437 million in FY2000).

<sup>c</sup> The FY2000 CPB Digitalization funds are contingent on the enactment of a specific authorization by September 30, 2000. The FY2001 request includes \$20 million for FY2001, \$35 million for FY2002, and \$30 million for FY2003.

<sup>d</sup> Funds are provided only for IMLS Library Services programs — the Institute also receives funds from the Interior Appropriations for Museum Services programs (\$24 million in FY2000).

<sup>e</sup> Appropriation totals include discretionary and mandatory funds, and may be subject to additional scorekeeping and other adjustments.



## Related Legislation

Several legislative items related to L-HHS-ED appropriations have been considered by the 106<sup>th</sup> Congress; during the 2<sup>nd</sup> Session, an FY2000 supplemental appropriations and the FY2001 budget resolution have been the focus of attention.

### **FY2000 Supplemental Appropriations, P.L. 106-246 (H.R. 4425)**

FY2000 supplemental appropriations and rescissions are enacted by Division B, the Emergency Supplemental Act, 2000, of P.L. 106-246 (H.R. 4425, H.Rept. 106-710).<sup>11</sup> Division A of P.L. 106-246 is the Military Construction Appropriations Act, 2001, and Division C provides supplemental funds for the Cerro Grande fire earlier this year near Los Alamos, New Mexico. The L-HHS-ED provisions of P.L. 106-246 include additional appropriations of: \$600 million for the LIHEAP Emergency Allocation; \$35 million for Foster Care and Adoption Assistance; \$31 million for the National Pharmaceutical Stockpile under PHSSEF; \$12 million for international HIV/AIDS programs at the CDC; \$35 million for the SSA Limitation on Administrative Expenses; and increases for several smaller programs or activities. In addition, the bill includes \$20 million in FY2001 funds for competitive grants at HRSA to provide abstinence education to adolescents. Offsetting rescissions for L-HHS-ED programs include \$43 million in PHSSEF appropriations and \$20 million in DHHS Departmental Management funds for FY2001. Under §5105, SSI benefit payments for October 2000 would be delivered on September 29, 2000 (FY2000) instead of on October 2, 2000 (FY2001), as required under current law as amended by §5527 of the Balanced Budget Act of 1997, P.L. 105-33.<sup>12</sup> Under §5104, §216 of the FY2000 L-HHS-ED Appropriations is deleted; §216 delayed \$5.0 billion in obligations until the end of FY2000 for several DHHS activities, including NIH, HRSA, CDC, Children and Family Services Programs, SSBG, and SAMHSA.

Only the conference version of H.R. 4425 included L-HHS-ED provisions and not the earlier versions as initially passed by the House or the Senate. However, similar L-HHS-ED supplemental appropriations would have been provided through **H.R. 3908** (H.Rept. 106-521) as passed by the House, amended, March 30, 2000 (roll call #95, 263-146), and through **S. 2536**, the Department of Agriculture Appropriations, 2001 (S.Rept. 106-288), as reported by the Senate Appropriations Committee May 9, 2000. The conference report for **H.R. 4425** (H.Rept. 106-710) was passed by the House June 29, 2000, by a vote of 306 to 110 (roll call #362), and by the Senate June 30, 2000, by

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<sup>11</sup> For details, see CRS Report RL30457, *Supplemental Appropriations for FY2000: Plan Columbia, Kosovo, Foreign Debt Relief, Home Energy Assistance, and Other Initiatives*, by Larry Nowels, *et al.*

<sup>12</sup> This same provision is included as §514 in the House version of H.R. 4577. A similar provision was included in the Senate reported version of S. 2553 (§515). However, this provision was deleted from the Senate-passed version H.R. 4577 under a point of order raised by Senator Gramm during Senate floor consideration (see *Congressional Record*, daily edition, June 28, 2000, p. S5979-84, S6030; and June 30, 2000, p. S6204).

voice vote. H.R. 4425 was signed into law by the President on July 13, 2000, as **P.L. 106-246**.

### **FY2001 Budget Resolution, H.Con.Res. 290**

H.Con.Res. 290/S.Con.Res. 101, the FY2001 Concurrent Resolution on the Budget The FY2001 resolution sets annual levels for the federal budget through FY2005.<sup>13</sup> The resolution establishes the aggregate discretionary spending limit for the 13 regular appropriations bills, known as the 301(a) allocation, and specifies the budget reconciliation process for the modification of mandatory spending limits, if necessary. The resolution sets spending targets for functional categories of the budget, and contains “sense of the Congress” provisions. Report language indicates the funding assumptions made for selected programs that might be used to reach the spending targets. However, the final spending figures for departments and agencies — as well as programs, projects, and activities — are to be enacted through individual appropriations bills. H.Con.Res. 290 (H.Rept. 106-530) was passed by the House March 24, 2000 (roll call #75, 211-207). The text of S.Con.Res. 101 (S.Rept. 106-251) was incorporated into H.Con.Res. 290 and passed by the Senate April 7, 2000 (roll call #79, 51-45). The conference report (H.Rept. 106-577) was agreed to by the House (roll call #125, 220-208) and by the Senate (roll call #85, 50-48) on April 13, 2000.

### **Appropriations in the 106<sup>th</sup> Congress, First Session**

Most L-HHS-ED appropriations for FY2000 were provided by **P.L. 106-113**, informally known as the **Consolidated Appropriations Act, 2000**,<sup>14</sup> which was signed into law by the President on November 29, 1999 (H.R. 3194, conference report H.Rept. 106-479). Section 1000(a)(4) of P.L. 106-113 enacted by cross reference **H.R. 3424**, the FY2000 L-HHS-ED Appropriations.<sup>15</sup> In addition, §1000(a)(5) of P.L. 106-113 enacted by cross reference **H.R. 3425**, §301 of which required a general reduction of FY2000 discretionary budget authority of 0.38%, to be applied to each federal department and agency. Under this provision, no program, project, or activity could be reduced by more than 15% of what would have otherwise been provided through any Act for FY2000. Other legislation in the first session related to L-HHS-ED appropriations included the following:

- ! **P.L. 106-31**, the 1999 Emergency Supplemental Appropriations Act, provided supplemental appropriations and offsetting rescissions for a

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<sup>13</sup> For details, see CRS Issue Brief IB10052, *The Budget for Fiscal Year 2001*, by Philip D. Winters.

<sup>14</sup> For a guide to the entire Act, see CRS Report RS20403, *FY2000 Consolidated Appropriations Act: Reference Guide*, by Robert Keith.

<sup>15</sup> For details on the L-HHS-ED part of the Act, see CRS Report RL30203, *Appropriations for FY2000: Labor, Health and Human Services, and Education*, by Paul M. Irwin.

number of L-HHS-ED programs.<sup>16</sup> H.R. 1141 (H.Rept. 106-64) passed the House March 24, 1999. S. 544 (S.Rept. 106-8) was amended and passed by the Senate on March 23; subsequently, its text was incorporated into H.R. 1141 as an amendment and was passed by the Senate on March 25, 1999. The conference report (H.Rept. 106-143) was passed by the House on May 18 and by the Senate May 20. As amended, H.R. 1141 was signed into law by the President May 21, 1999.

- ! **Seven continuing resolutions** provided temporary FY2000 funding for L-HHS-ED programs prior to the enactment of P.L. 106-113 on November 29, 1999 (P.L. 106-62, P.L. 106-75, P.L. 106-85, P.L. 106-88, P.L. 106-94, P.L. 106-105, and P.L. 106-106).<sup>17</sup>
- ! **H.R. 3064** (conference report H.Rept. 106-416) would have provided FY2000 appropriations for both the District of Columbia and L-HHS-ED, with L-HHS-ED discretionary appropriations funded at approximately \$1.4 billion below the amount eventually enacted in P.L. 106-113. H.R. 3064 was vetoed by the President (H.Doc. 106-154) November 3, 1999.
- ! **H.Con.Res. 68**, the FY2000 concurrent resolution on the budget, set annual levels for the federal budget through FY2009.<sup>18</sup> H.Con.Res. 68 (H.Rept. 106-73) was amended and passed by the House, March 25, 1999. S.Con.Res. 20 (S.Rept. 106-27) was amended and incorporated in H.Con.Res. 68 as an amendment, and passed the Senate March 25, 1999. A conference report (H.Rept. 106-91) was agreed to by the House April 14, and by the Senate April 15, 1999.

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<sup>16</sup> For details, see CRS Report RL30083, *Supplemental Appropriations for FY1999: Central America Disaster Aid, Middle East Peace, and Other Initiatives*, by Larry Nowels.

<sup>17</sup> For background on continuing resolutions, see CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Resent Practices*, by Sandy Streeter.

<sup>18</sup> For additional information, see CRS Issue Brief IB10017, *The Budget for Fiscal Year 2000*, by Philip D. Winters.

## Appendix A: Terminology

**Advance appropriation**<sup>19</sup> is budget authority that will become available in a fiscal year beyond the fiscal year for which the appropriations act is enacted; scorekeeping counts the entire amount in the fiscal year it first becomes available for obligation.

**Appropriation** is budget authority that permits federal agencies to incur obligations and to make payments out of the Treasury for specified purposes. Appropriations represent the amounts that agencies may obligate during the period of time specified in the law. Annual appropriations are provided in appropriations acts; most permanent appropriations are provided in substantive law. Major types of appropriations are regular, supplemental, and continuing.

**Budget authority** is legal authority to incur financial obligations that normally result in the outlay of federal government funds. Major types of budget authority are appropriations, borrowing authority, and contract authority. Budget authority also includes the subsidy cost of direct and guaranteed loans, but excludes the portion of loans that is not subsidized.

**Budget resolution** is a concurrent resolution passed by both Houses of Congress, but not requiring the signature of the President, setting forth the congressional budget for at least 5 fiscal years. It includes various budget totals and functional allocations.

**Discretionary spending** is budget authority provided in annual appropriation acts, other than appropriated entitlements.

**Entitlement authority** is the authority to make payments to persons, businesses, or governments that meet the eligibility criteria established by law; as such, it represents a legally binding obligation on the part of the federal government. Entitlement authority may be funded by either annual or permanent appropriation acts.

**Forward funding** is budget authority that becomes available after the beginning of one fiscal year and remains available into the next fiscal year; the entire amount is counted or scored in the fiscal year it first becomes available.

**Mandatory (direct) spending** includes: (a) budget authority provided in laws other than appropriations; (b) entitlement authority; and (c) the Food Stamp program.

**Rescission** is the cancellation of budget authority previously enacted.

**Scorekeeping** is a set of procedures for tracking and reporting on the status of congressional budgetary actions.

**Supplemental appropriation** is budget authority provided in an appropriations act in addition to regular appropriations already provided.

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<sup>19</sup> These definitions are based on CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith and Allen Schick.

## Appendix B: Scope of the L-HHS-ED Bill

The FY2000 budget authority for all federal programs is estimated to be \$1,801.1 billion, as shown in **Table B.1**. Of this amount, \$901.5 billion (50.1%) is the total for the departments and related agencies funded through the L-HHS-ED bill.

**Table B.1. Scope of the L-HHS-ED Bill**  
(Estimated FY2000 budget authority in billions of dollars) <sup>a</sup>

| Budget category                                 | Estimated amount | Percent of federal budget |
|---|------------------|---------------------------|
| Total Federal Budget Authority                  | \$1,801.1        | 100.0%                    |
| U.S. Department of Labor                        | 31.7             | 1.8%                      |
| U.S. Department of Health and Human Services    | 394.8            | 21.9%                     |
| U.S. Department of Education                    | 32.7             | 1.8%                      |
| Social Security Administration (On-budget)      | 44.5             | 2.5%                      |
| Social Security Administration (Off-budget)     | 396.3            | 22.0%                     |
| Other Related Agencies                          | 1.5              | 0.1%                      |
| L-HHS-ED Agency Total                           | 901.5            | 50.1%                     |
| L-HHS-ED Bill, Total Current Year Funds         | 315.2            | 17.5%                     |
| L-HHS-ED Bill, Current Year Mandatory Funds     | 229.1            | 12.7%                     |
| L-HHS-ED Bill, Current Year Discretionary Funds | 86.1             | 4.8%                      |
| Total Federal Discretionary Funds               | 591.5            | 32.8%                     |

**Source:** *Budget of the United States Government Historical Tables, Fiscal Year 2001*, Table 5.2; *Budget of the United States Government, Fiscal Year 2001*, Table S-9; and the conference report H.Rept. 106-479, which provides details for the FY2000 L-HHS-ED amounts under P.L. 106-113.

**Note:** For data comparability, this table uses data based on the February 2000 OMB budget documents and the November 2000 L-HHS-ED FY2000 conference report; the data therefore do not include funding adjustments made by the P.L. 106-246 FY2000 Supplemental Appropriations.

The estimated FY2000 appropriation for L-HHS-ED was \$315.2 billion in current year funds — \$86.1 billion in discretionary funds and \$229.1 billion in mandatory funds. The L-HHS-ED Appropriations Subcommittees generally have effective control only over the discretionary funds, which currently constitute approximately 4.8% of the aggregate budget authority for all federal departments and agencies, and 9.6% of the total budget

authority for L-HHS-ED departments and agencies.<sup>20</sup> What accounts for the remaining 90.4% of L-HHS-ED funds?

First, some DOL, DHHS, and ED programs receive **automatic funding** without congressional intervention in the annual appropriations process; these programs receive funds from permanent appropriations and trust funds instead. This process accounts for most of the difference between the L-HHS-ED bill total of \$315.2 billion and the agency total of \$901.5 billion in FY2000. The major programs in this group include Unemployment Compensation, Medicare, Railroad Retirement, Temporary Assistance for Needy Families (TANF, the welfare assistance program), Student Loan programs, State Children's Health Insurance Program, and Social Security benefits.<sup>21</sup>

Second, **mandatory programs** account for the difference between the L-HHS-ED total of \$315.2 billion and the subtotal of \$86.1 billion for discretionary funds in FY2000. Although annual appropriations are made for these programs — these are sometimes called “appropriated entitlement” programs — in general the amounts provided must be sufficient to cover program obligations and entitlements to beneficiaries. For these programs, as well as the programs funded through trust funds and permanent authorities, most changes in funding levels are made through amendments to authorizing legislation rather than through annual appropriation bills. Federal administrative costs for these programs typically are subject to annual discretionary appropriations, however. For L-HHS-ED agencies, these programs include Supplemental Security Income, Black Lung Disability payments, Foster Care and Adoption, the Social Services Block Grant, and Vocational Rehabilitation, as well as general (non-earmarked) fund support for Medicare and Medicaid.

Third, two DHHS programs are funded in **other appropriations** bills.

- ! The Food and Drug Administration is funded by the Agriculture appropriations bill (\$1.1 billion in FY2000).
- ! The Indian Health Service is funded by the Interior appropriations bill (\$2.4 billion in FY2000).

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<sup>20</sup> The annual congressional budget resolution sets aggregate spending targets for budget functions; House and Senate committees must initiate and report legislation that will achieve these targets. Typically, appropriation committees develop proposals to meet discretionary spending levels through appropriation bills. Likewise, authorizing committees develop proposals to meet mandatory spending levels; these proposals are often reported by separate authorizing committees and combined into a single, omnibus reconciliation bill.

<sup>21</sup> The Social Security Administration (SSA) was separated from DHHS and established as an independent federal agency on March 31, 1995. Within the L-HHS-ED bill, however, the SSA merely was transferred from DHHS to the category of “related agency.” The operation of the Social Security trust funds is considered off-budget. Of the \$901.5 billion total for L-HHS-ED departments and agencies in FY2000, the SSA accounted for \$440.8 billion, or 48.9% of the total. As shown in **Table B.1**, the SSA amount represents \$44.5 billion for designated on-budget activities and \$396.3 billion for off-budget activities.

**Note:** Two L-HHS-ED activities receive funds from two appropriations bills. For FY2000, the **Corporation for National and Community Service (CNS)** is funded at \$295 million from L-HHS-ED Appropriations for programs authorized under the Domestic Volunteer Service Act of 1973, and at \$437 million from the Veterans Affairs and Housing and Urban Development (VA/HUD) Appropriations for AmeriCorps and other programs authorized by the National Community Service Act. The **Institute of Museum and Library Services (IMLS)** is funded at \$166 million under L-HHS-ED Appropriations for Library Services, and at \$24 million under the Interior Appropriations for Museum Services