

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 enactment by the 106th Congress of the FY2001 appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED). This Act provides 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 request to the Congress. Following a series of 21 continuing resolutions, the President signed **H.R. 4577** into law, as **P.L. 106-554**, on December 21, 2001. The L-HHS-ED “program level” funding was \$97.2 billion in FY2000; for FY2001, \$107.1 billion was requested, and \$109.3 billion is enacted. “Program level” means discretionary funds from the current Act for any year. Comparable “current year” amounts are \$85.5 billion, \$106.1 billion, and \$108.9 billion, respectively. “Current year” means discretionary funds for this year from any Act. The FY2000 funding for L-HHS-ED programs was enacted primarily through **P.L. 106-113**.

U.S. Department of Labor (DOL): DOL program level funding was \$11.3 billion in FY2000, and \$11.9 billion is enacted for FY2001; respective current year amounts are \$8.8 billion and \$11.9 billion. Increases of at least \$100 million are provided for the Workforce Investment Act, State Unemployment Insurance and Employment Service Operations, and Departmental Management.

U.S. Department of Health and Human Services (DHHS): DHHS program level funding was \$41.7 billion in FY2000, and \$46.5 billion is enacted; respective current year amounts are \$40.3 billion and \$48.8 billion. Increases of at least \$100 million are provided for Community Health Centers, Health Professions, Ryan White AIDS programs, Centers for Disease Control and Prevention, National Institutes of Health, Substance Abuse and Mental Health Administration, Head Start, and the Administration on Aging. Funding is reduced for the Low-Income Home Energy Assistance Program, and the Child Care and Development Block Grant.

U.S. Department of Education (ED): ED program level funding was \$35.6 billion in FY2000, and \$42.1 billion is enacted; respective current year amounts are \$29.4 billion and \$40.0 billion. Increases of at least \$100 million are provided for Education Technology, 21st Century Community Learning Centers, Title I Grants to Local Educational Agencies, Eisenhower Professional Development, Class Size Reduction, School Repair, Special Education, Pell Grants, and Aid for Institutional Development. Funding is reduced for Goals 2000: Educate America Act.

Related Agencies: Program level funding for related agencies was \$8.2 billion in FY2000, and \$8.8 billion is enacted; respective current year amounts are \$8.1 billion and \$8.7 billion. Increases of at least \$100 million are provided for the Supplemental Security Income program and for Administrative Expenses at the Social Security Administration.

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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
Funding Changes Proposed by the President	5
Presidential Veto Threat	6
House Legislative Action	7
Senate Legislative Action	7
Public Law Summary	9
302(a) and 302(b) Allocation Ceilings	13
Advance Appropriations	14
Major Funding Trends	14
For Additional Reading, Background	15
CRS Issue Briefs	15
Other CRS Products	15
Selected World Wide Web Sites	16
U.S. Department of Labor	17
Key Issues	17
President's Request	17
House Bill	18
Senate Bill	19
Public Law	19
For Additional Reading	19
CRS Issue Briefs	19
CRS Reports	19
Selected World Wide Web Sites	20
Detailed Appropriation Table	20
U.S. Department of Health and Human Services	23
Key Issues	23
President's Request	23
House Bill	24
Senate Bill	25
Public Law	26
Abortion: A Perennial L-HHS-ED Issue	27
For Additional Reading	27
CRS Issue Briefs	27
CRS Reports	28
Selected World Wide Web Sites	29
Detailed Appropriation Table	29
U.S. Department of Education	32
Key Issues	32
President's Request	32
House Bill	34

Senate Bill	34
Public Law	35
Forward Funding and Advance Appropriations	36
For Additional Reading	37
CRS Issue Briefs	37
CRS Reports	37
Selected World Wide Web Sites	38
Detailed Appropriation Table	38
Related Agencies	41
Key Issues	41
President's Request	41
House Bill	42
Senate Bill	42
Public Law	42
For Additional Reading	43
CRS Issue Briefs	43
CRS Reports	43
Selected World Wide Web Sites	44
Detailed Appropriation Table	45
Related Legislation	48
FY2001 Continuing Resolutions: P.L. 106-275, as Amended	48
FY2000 Supplemental Appropriations, P.L. 106-246 (H.R. 4425)	49
FY2001 Budget Resolution, H.Con.Res. 290/S.Con.Res. 101	50
Appropriations in the 106 th Congress, First Session	51
Appendix A: Terminology	53
Appendix B: Scope of the L-HHS-ED Bill	54

List of Tables

Table 1. Legislative Status of Labor, Health and Human Services, and Education Appropriations, FY2001	1
Table 2. Summary of L-HHS-ED Appropriations	4
Table 3. 302(b) Discretionary Allocations for L-HHS-ED Programs	13
Table 4. L-HHS-ED Discretionary Funding Trends From FY1996	15
Table 5. Department of Labor Discretionary Appropriations	17
Table 6. Detailed Department of Labor Appropriations	21
Table 7. U.S. Department of Health and Human Services Discretionary Appropriations	23
Table 8. Detailed Department of Health and Human Services Appropriations ..	30
Table 9. Department of Education Discretionary Appropriations	32
Table 10. Detailed Department of Education Appropriations	39
Table 11. Related Agencies Discretionary Appropriations	41
Table 12. Detailed Related Agencies Appropriations	46
Table B.1. Scope of the L-HHS-ED Bill	54

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

Most Recent Developments

The provisions of H.R. 5656, the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) Appropriations Act, 2001, were enacted into law by cross reference in §1(a)(1) of H.R. 4577, the Consolidated Appropriations Act, 2001, which was signed into law by the President December 21, 2000, as P.L. 106-554.

Prior to the enactment of P.L. 106-554, a series of 21 continuing resolutions provided interim FY2001 funding from October 1, 2000, to December 21, 2000. In earlier action, the House passed H.R. 4577, the FY2001 bill for L-HHS-ED appropriations on June 14, 2000, and the Senate passed an amendment to H.R. 4577 that included the provisions of S. 2553 on June 30, 2000. 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 President submitted the FY2001 budget request to the Congress on February 7, 2000.

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 8-6	5/10/00 uc	H.R. 4577 H.Rept. 106-645 29 - 22	6/14/00 217-214 ^a	S. 2553 S.Rept. 106-293 28 - 0	6/30/00 52 - 43 ^b	12/15/00 H.Rept. 106-1033 ^c	12/15/00 292 - 60 ^d	12/15/00 uc ^e	P.L. 106- 554 12/21/00 ^f

Note: uc = unanimous consent.

^a 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.

^b 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, p. 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.

^c The **H.R. 4577** conference report, **H.Rept. 106-1033**, was filed December 15, 2000. The conference report includes the text of **H.R. 5656**, as well as the report language and table for providing FY2001 L-HHS-ED appropriations. For text of the conference report, see *Congressional Record*, Daily Edition, December 15, 2000, p. H12100-12439 and H12531.

^d For House passage, see *Congressional Record*, Daily Edition, December 15, 2000, p. H12100-12439 and H12442-12502. Passage was by Roll Call #603 (292-60), December 15, 2000, p. H12502.

^e For Senate passage, see *Congressional Record*, Daily Edition, December 15, 2000, p. S11855-11885. Passage was by unanimous consent.

^f A series of 21 continuing resolutions, beginning with **P.L. 106-275 (H.J.Res. 109)**, extended funding for existing L-HHS-ED programs for the period from October 1 to December 21, 2000 (see *Related Legislation*, p. 48).

DATA NOTE: Unless otherwise noted in this report, FY2000 and FY2001 appropriations data are based on the L-HHS-ED table in the **H.R. 4577** conference report, **H.Rept. 106-1033**, which was filed December 15, 2000. Data for FY2000 from this table include funds from 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. FY2001 House and Senate data from the conference table correspond to appropriations that would have been provided by (1) H.R. 4577, as passed by the House on June 14, 2000, and (2) H.R. 4577, as amended with the provisions of S. 2553 and passed by the Senate on June 30, 2000. 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, all data are subject to additional budgetary scorekeeping. 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 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 48). 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 53). For a discussion of the L-HHS-ED bill jurisdiction, please see *Appendix B: Scope of the L-HHS-ED Bill* (page 54).

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.¹ 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 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. 13). 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.

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

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

Type of funding	FY2000 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Discretionary appropriations					
Program level (from the current bill for any year)	\$97.2	\$107.1	\$102.7	\$104.4	\$109.3
Current year (for the current year from any bill)	85.5	106.1	99.5	100.5	108.9
Advances for future years (from the current bill)	19.0	19.8	19.8	19.0	18.8
Advances from prior years (from previous bills)	8.8	18.9	19.0	19.0	19.0
Scorekeeping adjustments	1.5	0.1	2.4	3.9	0.6
Current year discretionary and mandatory funding					
Discretionary	85.5	106.1	99.5	100.5	108.9
Mandatory	230.8	242.3	242.3	241.2	242.3
Total current year	316.3	348.4	341.8	341.7	351.2
Grand total of funding for L-HHS-ED bill, any year					
Grand total any year	330.3	356.1	351.7	352.3	358.3

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033. Data are given only for programs included in the L-HHS-ED appropriation bill.

Note: FY2000 and FY2001 mandatory amounts are estimates that are subject to adjustments after the close of the fiscal year.

^a 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.

Other FY2000 Discretionary Estimates. The two estimates for FY2000 discretionary appropriations that are shown in **Table 2** — \$97.2 billion for program level and \$85.5 billion for current year — are based on the H.R. 4577 conference table. 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) estimated the FY2000 L-HHS-ED discretionary total to be \$96.6 billion.² 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) also 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

²Budget of the United States Government Fiscal Year 2001, Table S-8.

“CBO’s Current Status of Discretionary Appropriations.”³ As of December 26, 2000, CBO estimates these FY2000 amounts as \$86.5 billion for both the House and the Senate; however, these amounts include supplemental appropriations and rescissions, and may reflect legislation that has been reported or passed only by the House or the Senate, and does not necessarily 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 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 was provided in FY2000.
- ! For U.S. Department of Health and Human Services (DHHS) programs, the largest discretionary funding change (in absolute terms) is a requested 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 \$216 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. The Public Health and Social Services Fund (PHSSF) would be reduced by \$180 million. 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 was provided in FY2000.

³This document shows both budget authority and outlays, and was downloaded from the CBO website on January 2, 2001, at: [<http://www.cbo.gov/>].

- ! 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 21st Century Community Learning Centers program; 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 and \$136 million less for Impact Aid. No funds are requested for either the \$335 million Eisenhower Professional Development program or the \$366 million Innovative Education 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 was 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 was provided in FY2000.

- ! The School-to-Work Opportunities Act program, which was funded at \$110 million in FY2000 and jointly administered by DOL and ED, would be terminated, as specified in the sunset provisions of the statute.

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.⁴

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

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).

House Funding Highlights. As passed by the House, FY2001 funding was changed by at least \$100 million for the following programs or agencies; details and specific 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, 21st 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.

House Floor Amendments. 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);
- ! 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).

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).

Senate Funding Highlights. As passed by the Senate bill, FY2001 funding was changed by at least \$100 million for the following programs and agencies; 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 Fund (PHSSF). 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 21st 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.

Senate Floor Amendments. 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.

Public Law Summary

H.R. 5656, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001, was enacted by cross reference through §1(a)(1) of H.R. 4577. The H.R. 4577 conference report, H.Rept. 106-1033 — which includes the provisions of H.R. 5656 — was approved by the House by a vote of 292 to 60 (Roll Call #603), and by the Senate by unanimous consent, on December 15, 2000. The President signed H.R. 4577 into law on December 21, 2000, as P.L. 106-554, the Consolidated Appropriations Act, 2001. Highlights of the enacted bill include the following provisions; additional details are provided in the separate agency summaries.

Public Law Funding Highlights. Many L-HHS-ED programs receive FY2001 funding above the level of the FY2000 appropriations; in some instance the funding is more than requested by the President. Funding for a few programs is decreased. As shown previously in **Table 2**, current year discretionary funding in the FY2001 L-HHS-ED bill is \$108.9 billion, \$23.4 billion (27.4%) more than the FY2000 amount. At the program level, the FY2001 discretionary amount is \$109.3 billion, \$12.1 billion (12.4%) more than in FY2000. A total of \$18.8 billion of advance appropriations are provided in the FY2001 Act compared to \$19.0 billion in the FY2000 Act.

- ! **For DOL**, funding for WIA programs is increased (compared to FY2000 funding level), including WIA Youth Training and various WIA federally administered activities. Increases are also provided for SUI/ESO programs and DOL Departmental Management.

- ! **For DHHS**, increases are provided for Community Health Centers, Health Professions, Ryan White AIDS programs, CDC, NIH, SAMHSA, HCFA Program Management, Head Start, and the Administration on Aging. Funding for CCDBG and the PHSSF is reduced, and the advance appropriation for LIHEAP is eliminated.
- ! **For ED**, funding is increased for Education Technology, 21st Century Community Learning Centers, Title I Grants to LEAs, Eisenhower Professional Development, Class Size Reduction, IDEA State Grants, Pell Grants, Aid for Institutional Development, and the Fund for the Improvement of Education. Initial funding is provided for School Repair and Renovation. Funding is reduced for Goals 2000: Educate America Act programs.
- ! **For Related Agencies**, increases are provided for SSI discretionary activities and the SSA Limitation on Administrative Expenses.

Modifications of Existing Programs and Activities. The FY2001 L-HHS-ED Appropriations Act amends various program authorities or otherwise modifies provisions concerning the use of funds provided under this Act.

- ! Section 104 prohibits the implementation or enforcement of pending DOL **H2A regulations** concerning temporary certification applications and petitions for admission of nonimmigrant agricultural guest workers. In addition, §105 modifies the procedures for the **inspection of housing for H2A workers**, and §106 authorizes DOL to use H1B (temporary professional workers) fee revenues to process permanent labor certifications.
- ! Section 214 prohibits the Secretary of Health and Human Services from withholding state block grants for substance abuse if the state fails to comply with the “Synar Amendment” requirements concerning the **sale of tobacco products to minors**.
- ! Section 220 authorizes the Secretary of Health and Human Services to provide support for the CDC to carry out abroad certain **international activities related to HIV/AIDS** and other infectious and chronic diseases.
- ! Section 305 requires the Comptroller General to evaluate the **targeting of funds for children from low-income families** within the Title I Part A Grants to Local Educational Agencies (LEAs) program.
- ! Section 306 modifies the allocation formula and the authorized use of funds for the **Class Size Reduction program**.
- ! Section 313 authorizes the Secretary of Education to transfer \$10 million to the Secretary of the Interior for an award to the **National Constitution Center** for construction activities.
- ! Section 314 amends the Safe and Drug Free School program to authorize **character education** activities.
- ! Section 321 specifies the provisions of a new **School Repair and Renovation program**, including the reservation of funds for charter schools, IDEA special education activities, and technology activities related to school repair and renovation.
- ! Section 322 amends the **Charter School program** to authorize support for school facility acquisition, construction, and renovation.
- ! Section 323 amends the **Impact Aid program** with regard to procedures for the calculation of average tax rates for determining certain payments.

- ! Section 505 continues the prohibition on the use of any funds from the Act to be used for the **distribution sterile needles or syringes** for the injection of illegal drugs.
- ! Section 514 continues the prohibition on the issuance of regulations providing for **unique medical identifiers for individuals** until legislation is enacted that specifically approves a standard for such identifiers.
- ! Section 516 authorizes a program of surveillance, prevention, and education with regard to the **human papillomavirus**; in addition, it requires the study of existing condom labels to determine their accuracy concerning the prevention of sexually transmitted diseases.
- ! Section 520 requires a \$25 million reduction in **administrative and related expenses for departmental management** from what would otherwise be provided in this Act for the Departments of Labor, Health and Human Services, and Education.

Several proposals passed either the House or the Senate but were not included in the final Act.

- ! One of the final issues considered prior to enactment was whether to prohibit DOL from issuing regulations relating to **ergonomic protection in the workplace**. Such restrictions were approved by both the House and the Senate, but omitted from the final Act.
- ! The conference agreement excludes a Senate proposal to prohibit the distribution in school facilities of **postcoital emergency contraception** to minors.

Authorization of New Programs and Activities. The Consolidated Appropriations Act, 2001, P.L. 106-554 authorizes or amends several programs and activities.

- ! Title VI of the FY2001 L-HHS-ED Act (H.R. 5656, as enacted by §1(a)(1) of P.L. 106-554) authorizes the **Assets for Independence Act Amendments of 2000**, which revises how means-tested programs count deposits in individual development accounts established by or on behalf of persons eligible for Temporary Assistance for Needy Families (TANF) program.
- ! Title VII of the L-HHS-ED Act authorizes the **Physical Education for Progress Act** by enacting a new Part L, Title X, of the Elementary and Secondary Education Act of 1965 (ESEA) to provide grants to LEAs to initiate, improve, or expand physical education programs.
- ! Title VIII of the L-HHS-ED Act authorizes the **Early Learning Opportunities Act** to provide DHHS grants to states to support early childhood development and parent effectiveness programs and related activities so the young children enter school ready to learn.
- ! Title IX of the L-HHS-ED Act authorizes the **Rural Education Achievement Program** as Subpart 2, Part J, Title X of the ESEA to help meet the special educational needs of rural school districts through formula grants and additional flexibility in the use of other ESEA grants.
- ! The Miscellaneous Appropriations Act, 2000 (H.R. 5666, as enacted by §1(a)(4) of P.L. 106-554) includes the **Vietnam Education Foundation Act**

of 2000 (Title II), the **Literacy Involves Families Together Act** (Title XVI), and the **Children's Internet Protection Act** (Title XVII).

- ! The **Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000**, H.R. 5661, is enacted by §1(a)(6) of P.L. 106-554.

Earlier Conference Action. Several legislative activities took place prior to the final conference agreement on FY2001 L-HHS-ED Appropriations, as follows.

The FY2001 L-HHS-ED House-Senate Conference was held on July 25, 2000. A conference report was not filed; however, the House Appropriations Committee issued a news release on August 3, 2000, entitled, "Highlights of the Tentative Labor, Health and Human Services, Education Conference Report." The Committee's summary indicated that most major discretionary programs would have been 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 have equaled approximately the total requested by the President for FY2001.

On September 19, 2000, Representative Coburn moved to instruct the L-HHS-ED conferees to accept §517 of the Senate Amendment to the House bill, prohibiting the use of funds to distribute postcoital emergency contraception (the "morning-after" pill) to minors on the premises or in the facilities of any elementary or secondary school. The House agreed to the motion by a vote of 250 to 170 (roll call #481).

On September 20, 2000, Representative Obey moved to instruct the conferees to (a) insist on the highest funding level possible for education programs, and (b) disagree with Senate provisions that would not support the President's request for class-size reduction and school construction. The House agreed to (a) insist on the highest funding level for education by voice vote, and (b) disagree with the Senate provisions by a vote of 222 to 201 (roll call #484).

On October 28, 2000, Representative DeLauro moved to instruct the conferees to insist on the highest funding level possible for LIHEAP in FY2001 and FY2002. The House agreed to the motion by a vote of 305 to 18 (roll call #572). Also on October 28, Representative Lowey moved to instruct the conferees to insist on disagreeing with Senate provision that would not support the President's request for resources dedicated to class size reduction and local school construction. The House failed to agree to the motion by a vote of 150 to 159 (roll call #573).

On October 29, 2000, Representative Pallone moved to instruct the conferees to choose the level of funding for Medicare+Choice program management as it might relate to benefit support levels for requiring a minimum contract period of 3 years for participating health maintenance organizations (HMO's). The House failed to agree to the motion by a vote of 170 to 183 (roll call #576).

On November 1, 2000, Representative Holt moved to instruct the conferees to disagree with Senate provisions that would not support the President's request for dedicated resources for local school construction. The House failed to agree to the motion by a vote of 176 to 183 (roll call #590). Also on November 1, Representative

Wu moved to instruct the conferees to disagree with the Senate provisions that would not support the President's request for dedicated resources for class size reduction in the early grades. The House failed to agree to the motion by a vote of 168 to 170 (roll call #591).

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 48), 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 are shown in **Table 3**. 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)

FY2000 final comparable	FY2001 request comparable	FY2001 House allocation	FY2001 Senate allocation	FY2001 conference comparable
\$85.5	\$106.1	\$99.5	\$97.8	\$108.9

Source: The House FY2001 amount is available from the House Appropriations Committee website: [<http://www.house.gov/appropriations/01302b1.htm>], dated July 19, 2000 (downloaded January 2, 2001). The Senate FY2001 amount is taken from S.Rept. 106-508, October 25, 2000. The comparable amounts for FY2000 final appropriation, the FY2001 request, and the FY2001 conference are based on the total current year discretionary amount for L-HHS-ED in the H.R. 4577 conference report, H.Rept. 106-1033.

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 enacted as part of the FY2001 appropriation will be counted in the FY2002 totals.

Advance Appropriations

The L-HHS-ED bill has used increasing amounts of 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 FY2001, the President's request is \$19.8 billion for advance appropriations for L-HHS-ED programs; however, the FY2001 conference agreement provides \$18.8 billion for L-HHS-ED appropriations for FY2002 and beyond.⁵ 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 first becomes available, thereby using up ahead of time part of what will be counted against the allocation ceiling in future years.

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 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.

⁵For the impact of advance appropriations on program administration, see the discussion in the U.S. Department of Education section (p. 36).

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 ^a	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).

^aDiscretionary funds include both defense and non-defense activities.

For Additional Reading, Background⁶

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.

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 Streeter.

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

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

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

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

CRS Report RS20756, *FY2001 Consolidated Appropriations Act: Reference Guide*, by Robert Keith.

CRS Report 98-844, *Shutdown of the Federal Government: Causes, Effects, and Process*, by Sharon S. Gressle.

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

CRS Report RS20758, *The 0.22 Percent Across-the-Board Cut in FY2001 Appropriations*, by Robert Keith.

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/budget/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 36).

Table 5. Department of Labor Discretionary Appropriations
(\$ in billions)^a

Type of funding	FY2000 final ^b	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Program level (from the current bill for any year)	\$11.3	\$12.4	\$10.7	\$11.5	\$11.9
Current year (for the current year from any bill)	8.8	12.4	10.7	11.5	11.9
Advances for future years (from the current bill)	2.5	2.5	2.5	2.5	2.5
Advances from prior years (from previous bills)	0.0	2.5	2.5	2.5	2.5

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

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

^b 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.

Mandatory DOL programs included in the L-HHS-ED bill were 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 was funded at \$5.4 billion in FY2000. 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 was 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 was 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 \$29 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 at 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.

Public Law. Under the conference agreement, the largest changes in funding from FY2000 to FY2001 for DOL programs are as follows.

- ! The FY2001 bill provides \$5.7 billion for WIA programs, \$293 million more than in FY2000, but \$437 million less than requested. The WIA total includes \$1.1 billion for Youth Training, \$102 million more than the FY2000 funding level; and \$348 million for a variety of federally administered activities, \$123 million more than in FY2000.
- ! SUI/ESO activities are funded at \$3.4 billion, \$152 million more than in FY2000, but \$24 million less than requested.
- ! Departmental Management is provided \$647 million, \$149 million more than the FY2000 amount, but \$57 million less than requested.

For Additional Reading

CRS Issue Briefs.

- CRS Issue Brief IB10048, *The Davis-Bacon Act: Action During the 106th 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 RS20542, *Major Child Support Proposals Pending in the 106th Congress*, by Carmen Solomon-Fears.

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 106th Congress*, by Celinda M. Franco.

CRS Report RS20134, *Welfare Reform: Welfare-to-Work Legislation in the 106th 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/budget01.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 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
<i>Employment and Training Administration (ETA)</i>					
Training and Employment Services, Workforce Investment Act (WIA) Adult Training Grants to States	950	950	857	950	950
WIA Youth Training	1,001	1,022	1,001	1,001	1,103
WIA Dislocated Worker Assistance	1,589	1,771	1,382	1,589	1,590
WIA Job Corps	1,358	1,393	1,400	1,364	1,400
WIA Youth Opportunity Grants (YOG)	250	375	175	250	275
WIA Other Federally Administered Programs	225	592	196	296	348
WIA subtotal	5,373	6,103	5,011	5,450	5,666
School-to-Work Opportunities	55	0	0	0	0
Training and Employment Services (TES), Other	8	4	5	4	5
Community Service Employment for Older Americans	440	440	440	440	440
Federal Unemployment Benefits and Allowances, Trade Adjustment and NAFTA Activities (mandatory)	415	407	407	407	407
State Unemployment Insurance and Employment Service Operations (SUI/ESO) Unemployment Compensation	2,266	2,359	2,266	2,284	2,349
SUI/ESO Employment Service	817	856	811	836	846
SUI/ESO One-Stop Career Centers	110	154	0	110	150
SUI/ESO Work Incentives Grants	20	20	20	20	20
SUI/ESO subtotal	3,213	3,389	3,097	3,250	3,365
Advances to Unemployment Trust Fund and Other Funds (mandatory)	356	435	435	435	435
ETA Program Administration	146	159	146	156	159
ETA subtotal	10,006	10,937	9,541	10,142	10,477

Office or major program	FY2000 final^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Pension and Welfare Benefits Administration	99	108	99	103	108
Pension Benefit Guaranty Corporation (PBGC) Administration	11	12	11	12	12
PBGC service level (non-add)	165	177	165	173	176
<i>Employment Standards Administration (ESA)</i>					
ESA Salaries and Expenses	339	363	339	353	363
ESA Special Benefits (mandatory)	79	56	56	56	56
ESA Black Lung Disability Trust Fund (mandatory)	1,014	1,028	1,028	1,028	1,028
ESA subtotal	1,432	1,447	1,423	1,437	1,447
Occupational Safety and Health Administration (OSHA)	382	426	382	426	426
Mine Safety and Health Administration (MSHA)	228	242	233	245	247
Bureau of Labor Statistics	434	454	440	447	452
Departmental Management, International Labor Affairs	70	167	70	115	148
Departmental Management, Veterans Employment and Training	201	210	201	207	212
Departmental Management, Other	227	327	227	277	287
Departmental Management subtotal	498	704	498	599	647
TOTALS, DEPARTMENT OF LABOR					
Total Appropriations ^b	13,091	14,329	12,627	13,409	13,816
Current Year: FY2001	10,628	11,866	10,164	10,946	11,353
FY2002	2,463	2,463	2,463	2,463	2,463

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

^a 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.

^b 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 36).

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

Type of funding	FY2000 final ^b	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Program level (from the current bill for any year)	\$41.7	\$45.8	\$46.4	\$43.0	\$46.5
Current year (for the current year from any bill)	40.3	45.0	45.6	45.3	48.8
Advances for future years (from the current bill)	3.7	4.5	4.5	1.4	1.4
Advances from prior years (from previous bills)	2.3	3.7	3.7	3.7	3.7

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

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

^b 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.

Mandatory DHHS programs included in the L-HHS-ED bill were 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 was 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 \$216 million is requested for the Centers for Disease Control and Prevention (CDC); \$3.0 billion was 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 was funded at \$933 million in FY2000; the increase would be used to respond to the needs of the expanding older population.
- ! Under the Temporary Assistance for Needy Families (TANF) program, the FY2001 supplemental grant funds to states 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 was funded at \$110 million in FY2000. 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. 48). 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, \$127 million more than requested and \$343 million more than the FY2000 amount.
- ! The AHRQ would be provided \$124 million, \$14 million above the FY2000 level; this activity would not be directly 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 million less than the House amount and \$111 million less than in FY2000.
- ! The CDC would be funded at \$3.3 billion, \$134 million less than the House amount, but \$209 million more 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 Fund (PHSSF) would receive \$215 million, \$40 million less than the House amount and \$160 million less than was provided in FY2000. The PHSSF 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.

Public Law. Under the conference agreement, the largest changes in funding from FY2000 to FY2001 for DHHS programs are as follows.

- ! The FY2001 bill provides \$1.2 billion for Community Health Centers, \$150 million more than in FY2000, and \$100 million more than requested.
- ! \$588 million is provided for Health Professions, \$246 million more than the FY2000 amount, and \$290 million more than requested. The FY2001 amount includes \$235 million for the Children's Hospitals Graduate Medical Education program.
- ! Ryan White AIDS programs are funded at \$1.8 billion, \$213 million more than in FY2000, and \$88 million more than requested.
- ! Various discretionary Health Resources and Services Administration programs are funded at \$901 million, including \$226 million for Health Care and Facilities and \$140 million for Health Care Access for the Uninsured; the total amount is \$251 million more than in FY2000, and \$300 million more than requested.
- ! CDC programs are funded at \$3.9 billion, \$825 million more than the FY2000 amount, and \$609 million more than requested.
- ! The NIH is provided \$20.3 billion, \$2.6 billion more than in FY2000, and \$1.5 billion more than requested.
- ! SAMHSA activities are funded at \$3.0 billion, \$307 million more than in FY2000 and \$135 million more than requested.
- ! HCFA Program Management is funded at \$2.2 billion, \$198 million more than in FY2000 and \$108 million more than requested.
- ! LIHEAP advance appropriation is eliminated; the current level is \$1.1 billion, and the request was for level funding. The LIHEAP Emergency Allocation is funded at \$300 million, the same as requested but a \$600 million decrease from the FY2000 amount. An additional \$300 million is provided for current year operations; similar funding was not requested, nor was it provided in FY2000. The conferees state that they intend to provide at least \$1.4 billion in regular appropriations, and \$300 million in emergency appropriations, in FY2002 (p. 154, H.Rept. 106-1033).
- ! The CCDBG is provided \$817 million, \$366 million less than the FY2000 amount, and \$2.0 billion less than requested. The conferees state that they

intend to provide at least \$2.0 billion for the program in FY2002 (p. 155, H.Rept. 106-1033)

- ! Head Start is funded at \$6.2 billion, \$933 million more than in FY2000, but \$67 million less than requested.
- ! The Administration on Aging is funded at \$1.1 billion, \$170 million more than in FY2000, and \$19 million more than requested.
- ! The Public Health and Social Services Fund (PHSSF) is funded at \$241 million, \$134 million less than in FY2000, but \$46 million more than requested.

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 103rd 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. Both the FY2000 and FY2001 L-HHS-ED Appropriations Acts retained the FY1999 language without amendment (these provisions are found in §508 and §509 in the FY2001 L-HHS-ED Appropriations Act).⁷

For Additional Reading

CRS Electronic Briefing Book.

Tobacco Briefing Book

[<http://www.congress.gov/brbk/html/ehtob1.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 106th Congress*, by Andorra Bruno, Coordinator.

CRS Issue Brief IB98017, *Patient Protection and Managed Care: Legislation in the 106th 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.

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

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 RL30731, *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 and Janet Kinzer.
- CRS Report RL30021, *Child Care Issues in the 106th 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 106th Congress*, by Carmen Solomon-Fears.
- CRS Report RS20194, *Developmental Disabilities Act: 106th 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 RL30707, *Medicare Provisions in H.R. 5661: Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000*, by Hinda Ripps Chaikind, *et al.*
- CRS Report 95-96, *National Institutes of Health: An Overview*, by Pamela W. Smith.
- 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): Funding Changes in the 106th Congress*, 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 Alison Siskin.

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 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
<i>Public Health Service (PHS)</i>					
Health Resources and Services Administration (HRSA), Community Health Centers	1,019	1,069	1,100	1,169	1,169
HRSA National Health Service Corps	117	117	121	117	129
HRSA Health Professions	342	298	411	231	588
HRSA Maternal and Child Health Block Grant	709	709	709	709	714
HRSA Ryan White AIDS Programs	1,595	1,720	1,725	1,650	1,808
HRSA Family Planning (Title X)	239	274	239	254	254
HRSA Vaccine Injury Compensation (mandatory)	62	114	114	114	114
HRSA, other	650	601	516	554	901
HRSA subtotal	4,733	4,902	4,935	4,798	5,677
Centers for Disease Control and Prevention (CDC)	3,043	3,259	3,386	3,252	3,868
National Institutes of Health (NIH) ^b	17,749	18,813	18,813	20,513	20,313
Substance Abuse and Mental Health Services Administration (SAMHSA) Mental Health Block Grant	356	416	416	366	420
SAMHSA Substance Abuse Block Grant	1,600	1,631	1,631	1,631	1,665
SAMHSA, Other	695	776	681	734	873
SAMHSA subtotal	2,651	2,283	2,728	2,731	2,958
Agency for Healthcare Research and Quality (AHRQ)	110	0	124	0	105
AHRQ service level (non-add)	199	250	224	270	270
PHS subtotal	28,286	29,797	29,988	31,294	32,921
<i>Health Care Financing Administration (HCFA)</i>					
Medicaid Grants to States (mandatory)	117,972	129,794	129,794	129,794	129,794
Payments to Medicare Trust Funds (mandatory)	69,289	70,382	70,382	70,382	70,382
HCFA Program Management	1,996	2,086	1,866	2,019	2,194
HCFA subtotal	189,257	202,262	202,042	202,195	202,370
<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	3,889

Office or major program	FY2000 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Low Income Home Energy Assistance Program (LIHEAP)	1,100	1,100	1,100	0	0
LIHEAP Additional Current Year	0	0	0	0	300
LIHEAP Emergency Allocation ^c	900	300	300	300	300
Refugee and Entrant Assistance	426	433	433	426	433
Child Care and Development Block Grant (CCDBG)	1,183	2,817	2,400	817	817
Social Services Block Grant (Title XX) (mandatory)	1,775	1,700	1,700	600	1,725
Children and Family Services Programs (CFSP), Head Start	5,267	6,267	5,667	6,267	6,200
CFSP Child Welfare Services	292	292	292	292	292
CFSP Developmental Disabilities	122	122	122	127	134
CFSP Community Services Block Grant	528	510	528	550	600
CFSP Violent Crime Reduction	118	134	118	134	134
CFSP, other	501	481	504	526	596
Rescission of mandatory appropriations	-21	0	-21	-21	-21
Promoting Safe and Stable Families (mandatory)	295	305	305	305	305
Foster Care and Adoption Assistance State Payments (mandatory)	5,915	6,604	6,599	6,604	6,599
ACF subtotal	21,626	24,954	23,936	20,816	22,303
Administration on Aging	933	1,084	926	955	1,103
Office of the Secretary, Public Health/Social Services Fund	375	195	255	215	241
Retirement Pay and Medical Benefits, Commissioned Officers (mandatory)	215	220	220	220	220
Office of the Secretary, Other	339	264	332	337	370
TOTALS, DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Total Appropriations ^d	241,031	258,865	257,696	256,030	259,579
Current Year: FY2001	204,552	215,421	214,223	215,686	219,205
FY2002	36,480	43,443	43,473	40,343	40,373

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

^a 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.

^b 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.

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

^d 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 36).

Table 9. Department of Education Discretionary Appropriations
(\$ in billions) ^a

Type of funding	FY2000 final ^b	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Program level (from the current bill for any year)	\$35.6	\$40.1	\$37.1	\$40.3	\$42.1
Current year (for the current year from any bill)	29.4	40.1	37.1	38.0	40.0
Advances for future years (from the current bill)	12.4	12.4	12.4	14.7	14.6
Advances from prior years (from previous bills)	6.2	12.4	12.4	12.4	12.4

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

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

^b 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.

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 was \$766 million.
- ! An increase of \$547 million is proposed for 21st Century Community Learning Centers for grants that support school-based programs providing multiple services to meet the needs of the community; the FY2000 amount was \$453 million.
- ! \$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; \$45 million was provided in FY2000.
- ! 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 was funded at \$1.3 billion in FY2000 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 available for these programs in FY2000. 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 was 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 was 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.

- ! 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.

- ! 21st 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 million 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 was funded at \$1.3 billion in FY2000.
- ! 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 FY2000 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, funded at \$170 million in FY2000.

- ! Eisenhower Professional Development program would be funded at \$435 million, \$100 million more than the FY2000 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 FY2000 maximum award was \$3,300; both the House bill and the President’s budget would set the maximum at \$3,500.

Public Law. Under the conference agreement, the largest changes in funding from FY2000 to FY2001 for ED programs are as follows.

- ! The FY2001 bill provides \$38 million for programs authorized by Goals 2000: Educate America Act, \$453 million less than in FY2000, and \$45 million less than requested.
- ! Education Technology is funded at \$872 million, \$106 million more than in FY2000, but \$31 million less than requested.
- ! \$846 million is provided for 21st Century Community Learning Centers, \$393 million more than in FY2000, but \$154 million less than requested.
- ! Title I Grants to LEAs for the Education of the Disadvantaged program is funded at \$8.6 billion, \$661 million more than in FY2000, and \$244 million more than requested.
- ! Other programs for the Education of the Disadvantaged are funded at \$931 million, \$171 million more than in FY2000, and \$139 million more than requested.
- ! Eisenhower Professional Development is provided \$485 million, \$150 million more than in FY2000; no funds were requested.
- ! The Class Size Reduction program is funded at \$1.6 billion, \$323 million more than in FY2000, but \$127 million less than requested.
- ! \$1.2 billion is provided for the initial funding of the School Repair and Renovation program, \$100 million less than requested.
- ! Other School Improvement activities are funded at \$425 million, \$129 million more than in FY2000, but \$244 million less than requested.
- ! The IDEA Special Education State Grants program is provided \$7.1 billion, \$1.4 billion more than in FY2000, and \$1.1 billion more than requested.
- ! Pell Grants are funded at \$8.8 billion, \$1.1 billion more than in FY2000, and \$400 million more than requested. The Pell Grant maximum award is

increased to \$3,750, which is \$450 more than in FY2000, and \$250 more than requested.

- ! Aid for Institutional Development is funded at \$393 million, \$100 million more than in FY2000, and \$4 million more than requested.
- ! Fund for the Improvement of Education (FIE) is provided \$349 million, \$150 million more than in FY2000, and \$212 million more than requested.

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, FY2001 appropriations for some programs will become available for obligation to the states on July 1, 2001, and will remain available for a 15-month period until September 30, 2002. 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 FY2001 appropriation will support the 2001-2002 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 FY2001 appropriations, funds would normally become available October 1, 2000, under regular funding provisions, but would not become available until July 1, 2001, under the forward funding provisions discussed above. However, if the July 1, 2001 forward funding date were to be postponed for obligation by 3 months, until October 1, 2001, the appropriation would be classified as an “advance appropriation” since the funds would become available only in the next fiscal year (FY2002). 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 was \$7.9 billion for Title I Grants to LEAs, with forward funding of \$1.7 billion (available July 1, 2000), plus an advance appropriation of \$6.2 billion (available October 1, 2000).

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.⁸

For Additional Reading

CRS Electronic Briefing Book.

K-12 Education Briefing Book

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

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 106th Congress*, by Wayne C. Riddle and Paul M. Irwin.

CRS Issue Brief IB10066, *Elementary and Secondary: Reconsideration of the Federal Role by the 107th Congress*, by Wayne Riddle and James Stedman.

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 Status*, by James B. Stedman.

CRS Report RS20674, *Education Research, Program Evaluation, Statistics, and Dissemination: Legislation by the 106th Congress*, by Wendy K.K. Lam.

CRS Report RS20156, *Elementary and Secondary School Teachers: Action by the 106th 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 106th Congress*, by James B. Stedman.

CRS Report RL30075, *Impact Aid: Overview and Reauthorization Issues*, by Richard N. Apling.

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

- 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 Patricia Osorio-O’Dea.
- 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 RL30663, *The Reading Excellence Act: Implementation Status and Issues*, by Gail McCallion.
- 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 106th 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, *21st 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 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
<i>Office of Elementary and Secondary Education (OESE)</i>					
Goals 2000: Educate America Act	491	83	0	40	38
School-to-Work Opportunities	55	0	0	0	0
Educational Technology	766	903	905	795	872
21 st Century Community Learning Centers	453	1,000	600	600	846
Small, Safe, Successful High Schools Initiative	45	120	0	0	125
Title I Education for the Disadvantaged, Grants to LEAs	7,941	8,358	7,941	8,336	8,602
Education for the Disadvantaged, Other	760	792	876	651	931
Impact Aid	906	770	985	1,075	993
School Improvement (SI), Eisenhower Professional Development	335	0	0	435	485
SI Innovative Education Program Strategies	366	0	366	3,100	385
SI Teaching to High Standards Initiative	0	690	0	0	0
SI Class Size Reduction, Teacher Empowerment ^b	1,300	1,750	1,750	0	1,623
SI Safe and Drug-Free Schools	600	650	599	642	644
SI Magnet Schools	110	110	110	110	110
SI School Repair and Renovation	0	1,300	0	0	1,200
SI, other	296	669	340	386	425
Reading Excellence Act	260	286	260	286	286
Indian Education	77	116	108	116	116
OESE subtotal	14,761	17,597	14,840	16,572	17,681
Bilingual and Immigrant Education	406	460	406	443	460
<i>Office of Special Education and Rehabilitative Services</i>					
IDEA Special Education, State Grants	5,755	6,053	6,255	7,053	7,113
IDEA Special Education, National Activities	282	316	295	300	327
Vocational Rehabilitation State Grants (mandatory)	2,339	2,400	2,400	2,400	2,400
Rehabilitation Services, other	368	399	377	400	406
Special Institutions for Persons With Disabilities	144	150	154	155	155
<i>Office of Vocational and Adult Education</i>					
Vocational Education	1,193	1,184	1,228	1,214	1,243
Adult Education	470	556	491	491	561

CRS-40

Office or major program	FY2000 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Incarcerated Youth Offenders	19	12	0	22	22
<i>Office of Student Financial Assistance Programs</i>					
Pell Grants	7,640	8,356	8,308	8,692	8,756
Pell Grants, maximum awards (in dollars, non-add)	3,300	3,500	3,500	3,650	3,750
Supplemental Educational Opportunity Grants	631	691	691	691	691
Federal Work-Study	934	1,011	1,011	1,011	1,011
Federal Perkins Loans, Capital Contributions	100	100	100	100	100
Federal Perkins Loans, Loan Cancellations	30	60	40	75	60
Leveraging Educational Assistance Partnership (LEAP)	40	40	0	70	55
Loan Forgiveness for Child Care	0	0	0	10	1
Federal Family Education Loans, Administration	48	48	48	48	48
<i>Office of Postsecondary Education</i>					
Aid for Institutional Development	293	389	389	358	393
Federal TRIO Programs	645	725	760	737	730
GEAR UP	200	325	200	225	295
Other Higher Education	393	357	339	374	494
Howard University	219	224	226	224	232
College Housing and Academic Facilities Loans, Administration	1	1	1	1	1
<i>Office of Educational Research and Improvement</i>					
Research and Statistics	277	325	277	287	306
Fund for the Improvement of Education	199	137	145	142	349
Other Research and Improvement	70	56	72	78	78
Departmental Management	488	526	488	505	526
TOTALS, DEPARTMENT OF EDUCATION					
Total Appropriations ^c	37,945	42,495	39,542	42,675	44,491
Current Year: FY2001	25,497	30,047	27,094	27,926	29,910
FY2002	12,448	12,448	12,448	14,748	14,581

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

^a 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.

^b The FY2001 House appropriation is contingent on enactment of the Teacher Empowerment Act.

^c 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 36).

Table 11. Related Agencies Discretionary Appropriations
(\$ in billions) ^a

Type of funding	FY2000 final ^b	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Program level (from the current bill for any year)	\$8.2	\$8.8	\$8.6	\$8.6	\$8.8
Current year (for the current year from any bill)	8.1	8.7	8.5	8.5	8.7
Advances for future years (from the current bill)	0.4	0.4	0.4	0.4	0.4
Advances from prior years (from previous bills)	0.3	0.3	0.3	0.3	0.3

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

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

^b 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.

Mandatory programs for related agencies included in the L-HHS-ED bill were 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 was funded at \$4.2 billion in FY2000.

- ! An increase of \$238 million is requested for discretionary activities related to the SSI program, primarily administrative activities; the FY2000 funding level was \$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.⁹

Public Law. Under the conference agreement, the largest changes in funding from FY2000 to FY2001 for related agency programs are as follows.

- ! The FY2001 bill provides \$2.7 billion for discretionary activities related to the SSI program, \$228 million more than the FY2000 amount, but \$10 million less than requested.

⁹A 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. 48. 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).

- ! The SSA Limitation on Administrative expenses is funded at \$4.5 billion, \$289 million more than for FY2000, and the same as the amount requested.
- ! \$207 million is provided for the Institute of Museum and Library Services (IMLS) programs authorized by the Library Services and Technology Act, \$41 million more than in FY2000, and \$34 million more than requested.

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 and Geoffrey Kollmann.

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.¹⁰

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]

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/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]

National Education Goals Panel

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

National Labor Relations Board

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

[http://www.nlrb.gov/press/truesdale_stmt2001.html]

[http://www.nlrb.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/>]

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

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 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
Armed Services Retirement Home	68	70	70	70	70
<i>Corporation for National and Community Service (CNS) ^b</i>					
CNS Volunteers in Service to America (VISTA)	81	86	81	83	83
CNS National Senior Volunteer Corps	183	193	182	187	189
CNS Program Administration	31	34	32	32	32
CNS subtotal	295	313	295	302	304
Corporation for Public Broadcasting (CPB), 2-Year Advance	350	365	365	365	365
CPB Digitalization Initiative, with multi-year advances ^c	10	85	0	20	20
CPB Supplementals and Rescissions	-1	0	0	-1	0
Federal Mediation and Conciliation Service	37	39	38	38	38
Federal Mine Safety and Health Review Committee	6	6	6	6	6
Institute of Museum and Library Services (IMLS), Library Services and Technology Act ^d	166	173	170	168	207
Medicare Payment Advisory Commission	7	8	8	8	8
National Commission on Libraries and Information Science	1	1	1	1	1
National Council on Disability	2	3	2	3	3
National Education Goals Panel	2	2	0	2	2
National Labor Relations Board	206	216	206	216	216
National Mediation Board	10	10	10	10	10
Occupational Safety and Health Review Commission	8	9	9	9	9
Railroad Retirement Board Dual Benefits	259	248	250	248	251

Office or major program	FY2000 final ^a	FY2001 request	FY2001 House	FY2001 Senate	FY2001 conference
<i>Social Security Administration (SSA)</i>					
SSA Special Benefits for Disabled Coal Minors (mandatory)	508	480	480	480	480
SSA Supplemental Security Income (SSI) (mandatory)	29,618	31,164	31,164	31,164	31,164
SSA SSI, other	2,422	2,660	2,433	2,660	2,650
SSA Federal Funds, other (mandatory)	21	20	20	20	20
SSA Limitation on Administrative Expenses	4,185	4,474	4,545	4,351	4,474
SSA Office of Inspector General	66	73	66	69	69
SSA subtotal	36,820	38,871	38,708	38,744	38,857
United States Institute for Peace	13	14	15	13	15
TOTALS, RELATED AGENCIES					
Total Appropriations ^e	38,259	40,435	40,152	40,224	40,383
Current Year: FY2001	27,895	29,421	29,203	29,276	29,433
FY2002	10,014	10,619	10,584	10,584	10,584
FY2003	350	395	365	365	365

Source: Amounts are compiled from the H.R. 4577 conference report, H.Rept. 106-1033.

^a 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.

^b 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).

^c The FY2000 CPB Digitalization funds were contingent on the enactment of a specific authorization by September 30, 2000 (which did not happen). The FY2001 request includes \$20 million for FY2001, \$35 million for FY2002, and \$30 million for FY2003.

^d Funds are provided only for IMLS programs authorized by the Library Services and Technology Act, — the Institute also receives funds from the Interior Appropriations for Museum Services programs (\$24 million in FY2000).

^e 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 106th Congress; during the 2nd Session, a series of FY2001 continuing resolutions, the FY2000 supplemental appropriations, and the FY2001 budget resolution have been the focus of attention.

FY2001 Continuing Resolutions: P.L. 106-275, as Amended

A series of continuing resolutions are providing FY2001 appropriations on a temporary basis for most ongoing L-HHS-ED projects and activities, including the costs of direct loans and loan guarantees. These resolutions are necessary because regular L-HHS-ED appropriations were not enacted by the start of FY2001 on October 1, 2000.¹¹ Funding under the continuing resolutions is provided at a rate of operations not exceeding the “current rate,” under FY2000 conditions and program authority.¹² New initiatives are prohibited. For programs with high spend out rates that normally would occur early in the fiscal year, special restrictions are made to prevent spending that would impinge on final funding decisions.

- ! **1st FY2001 Continuing Resolution, H.J.Res. 109**, provides temporary appropriations for L-HHS-ED programs for the period October 1 through October 6, 2000, unless the regular appropriations were to be enacted sooner. It passed the House by a vote of 415 to 2 on September 26, and passed the Senate by a vote of 96 to 0 on September 28; it was signed into law by the President September 29, 2000, as **P.L. 106-275**.
- ! **2nd FY2001 Continuing Resolution, P.L. 106-282** (H.J.Res. 110), extends the provisions of P.L. 106-275 through October 14, 2000.
- ! **3rd FY2001 Continuing Resolution, P.L. 106-306** (H.J.Res. 111), extends P.L. 106-275 through October 20, 2000.
- ! **4th FY2001 Continuing Resolution, P.L. 106-344** (H.J.Res. 114), extends P.L. 106-275 through October 25, 2000.
- ! **5th FY2001 Continuing Resolution, P.L. 106-358** (H.J.Res. 115), extends P.L. 106-275 through October 26, 2000.
- ! **6th FY2001 Continuing Resolution, P.L. 106-359** (H.J.Res. 116), extends P.L. 106-275 through October 27, 2000.
- ! **7th FY2001 Continuing Resolution, P.L. 106-381** (H.J.Res. 117), extends P.L. 106-275 through October 28, 2000.
- ! **8th FY2001 Continuing Resolution, P.L. 106-388** (H.J.Res. 118), extends P.L. 106-275 through October 29, 2000.

¹¹For background on continuing resolutions, see CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Resent Practices*, by Sandy Streeter.

¹²The term “current rate” as used in a continuing resolution refers to the amount of money available for an activity during the previous fiscal year. This amount usually means the appropriation for the previous year with adjustments for any supplemental appropriations, rescissions, unobligated balances, and sometimes for advance appropriations provisions as well. As a result, the current rate would not necessarily correspond to the FY2000 amounts stated in this report.

- ! **9th FY2001 Continuing Resolution, P.L. 106-389** (H.J.Res. 119), extends P.L. 106-275 through October 30, 2000.
- ! **10th FY2001 Continuing Resolution, P.L. 106-401** (H.J.Res. 120), extends P.L. 106-275 through October 31, 2000.
- ! **11th FY2001 Continuing Resolution, P.L. 106-403** (H.J.Res. 121), extends P.L. 106-275 through November 1, 2000.
- ! **12th FY2001 Continuing Resolution, P.L. 106-416** (H.J.Res. 122), extends P.L. 106-275 through November 2, 2000.
- ! **13th FY2001 Continuing Resolution, P.L. 106-426** (H.J.Res. 123), extends P.L. 106-275 through November 3, 2000.
- ! **14th FY2001 Continuing Resolution, P.L. 106-427** (H.J.Res. 124), extends P.L. 106-275 through November 4, 2000.
- ! **15th FY2001 Continuing Resolution, P.L. 106-428** (H.J.Res. 84), extends P.L. 106-275 through November 14, 2000.
- ! **16th FY2001 Continuing Resolution, P.L. 106-520** (H.J.Res. 125), extends P.L. 106-275 through December 5, 2000.
- ! **17th FY2001 Continuing Resolution, P.L. 106-537** (H.J.Res. 126), extends P.L. 106-275 through December 7, 2000.
- ! **18th FY2001 Continuing Resolution, P.L. 106-539** (H.J.Res. 127), extends P.L. 106-275 through December 8, 2000.
- ! **19th FY2001 Continuing Resolution, P.L. 106-540** (H.J.Res. 128), extends P.L. 106-275 through December 11, 2000.
- ! **20th FY2001 Continuing Resolution, P.L. 106-542** (H.J.Res. 129), extends P.L. 106-275 through December 15, 2000.
- ! **21st FY2001 Continuing Resolution, P.L. 106-543** (H.J.Res. 133), extends P.L. 106-275 through December 21, 2000.

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).¹³ 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 PHSSF; \$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 PHSSF 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)

¹³For 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.*

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. 105-33.¹⁴ 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 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/S.Con.Res. 101

The FY2001 concurrent resolution on the budget sets forth the annual levels for the federal budget through FY2005.¹⁵ 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.

¹⁴This 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).

¹⁵For details, see CRS Issue Brief IB10052, *The Budget for Fiscal Year 2001*, by Philip D. Winters.

Appropriations in the 106th 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**,¹⁶ 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.¹⁷ 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 number of L-HHS-ED programs.¹⁸ 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).¹⁹
- ! **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.

¹⁶For a guide to the entire Act, see CRS Report RS20403, *FY2000 Consolidated Appropriations Act: Reference Guide*, by Robert Keith.

¹⁷For 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.

¹⁸For details, see CRS Report RL30083, *Supplemental Appropriations for FY1999: Central America Disaster Aid, Middle East Peace, and Other Initiatives*, by Larry Nowels.

¹⁹For background on continuing resolutions, see CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Resent Practices*, by Sandy Streater.

- ! **H.Con.Res. 68**, the FY2000 concurrent resolution on the budget, set annual levels for the federal budget through FY2009.²⁰ 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.

²⁰For additional information, see CRS Issue Brief IB10017, *The Budget for Fiscal Year 2000*, by Philip D. Winters.

Appendix A: Terminology

Advance appropriation²¹ 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.

²¹These 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) ^a

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 constitute 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.²² What accounts for the remaining 90.4% of L-HHS-ED funds?

²²The 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.

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.²³

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).

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

²³The 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.