

An hourglass-shaped graphic with a globe inside. The top bulb is dark blue, and the bottom bulb is light blue. The globe is centered in the narrow neck of the hourglass. The text is centered within the hourglass.

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Report RL34577

*Labor, Health and Human Services, and Education: FY2009
Appropriations*

Pamela W. Smith, Coordinator, Domestic Social Policy Division

July 11, 2008

Abstract. This report is a guide to one of the 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, Education, and Related Agencies. It summarizes the status of the bill, its scope, major issues, funding levels, and related congressional activity.

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CRS Report for Congress

Labor, Health and Human Services, and Education: FY2009 Appropriations

July 11, 2008

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<http://wikileaks.org/wiki/CRS-RL34577>



Prepared for Members and
Committees of Congress

The annual consideration of appropriations bills (regular, continuing, and supplemental) by Congress is part of a complex set of budget processes that also encompasses the consideration of budget resolutions, revenue and debt-limit legislation, other spending measures, and reconciliation bills. In addition, the operation of programs and the spending of appropriated funds are subject to constraints established in authorizing statutes. Congressional action on the budget for a fiscal year usually begins following the submission of the President's budget at the beginning of each annual session of Congress. Congressional practices governing the consideration of appropriations and other budgetary measures are rooted in the Constitution, the standing rules of the House and Senate, and statutes, such as the Congressional Budget and Impoundment Control Act of 1974.

This report is a guide to one of the 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, Education, and Related Agencies. It summarizes the status of the bill, its scope, major issues, funding levels, and related congressional activity, and is updated as events warrant. The report lists the key CRS staff relevant to the issues covered and related CRS products.

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Labor, Health and Human Services, and Education: FY2009 Appropriations

Summary

This report tracks FY2009 appropriations for the Departments of Labor, Health and Human Services, Education, and Related Agencies (L-HHS-ED). This legislation provides discretionary funds for three major federal departments and 14 related agencies. The report, which will be updated, summarizes L-HHS-ED discretionary funding issues but not authorization or entitlement issues.

On February 4, 2008, the President submitted the FY2009 budget request to Congress, including \$146.5 billion in discretionary L-HHS-ED funds. The comparable FY2008 amount was \$148.4 billion, enacted through the Consolidated Appropriations Act, 2008 (P.L. 110-161), signed into law on December 26, 2007.

Department of Labor (DOL). DOL discretionary appropriations were \$11.7 billion for FY2008. The President requested \$10.5 billion for FY2009. The Administration's request would reduce funding for Workforce Investment Act (WIA) programs by \$553 million, eliminate \$703 million in funding for Employment Service grants to states, and increase funding for state Unemployment Compensation operations by \$172 million.

Department of Health and Human Services (HHS). HHS discretionary appropriations were \$65.5 billion in FY2008; \$63.8 billion was requested for FY2009. Funding would be increased by \$667 million for the Public Health and Social Services Emergency Fund, by \$198 million and \$156 million for two Medicare/Medicaid management activities, and by \$149 million for Head Start. Decreases of \$112 million for Rural Health Programs, \$126 million for Mental Health, and \$570 million for the Low-Income Home Energy Assistance Program were requested. Programs proposed for elimination include non-nursing Health Professions programs, Children's Hospitals Graduate Medical Education, Health Care-Related Facilities and Activities, and the Community Services Block Grant.

Department of Education (ED). ED discretionary appropriations were \$59.2 billion in FY2008; \$60.1 billion was requested for FY2009. Funding would be increased for Elementary and Secondary Education Act (ESEA) programs by \$125 million in the aggregate, and six new education programs, including \$300 million for Pell Grants for Kids, were proposed. Increases of \$406 million for Title I, Part A, Grants to Local Educational Agencies; \$607 million for Reading First State Grants; and \$337 million for Special Education Part B Grants to States were requested. Funding would be eliminated for the \$267 million Educational Technology State Grants program, \$1.3 billion Perkins Career and Technical Education program, and \$757 million Federal Supplemental Opportunity Grants program.

Related Agencies. Discretionary appropriations for L-HHS-ED related agencies were \$12.0 billion for FY2008; \$12.1 billion was requested for FY2009. The Administration would eliminate two-year advance funding for the Corporation for Public Broadcasting (CPB) and increase funding for Social Security Administration (SSA) administrative expenses by \$582 million (to \$10.3 billion).

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Labor, Health and Human Services, and Education: FY2009 Appropriations

Most Recent Developments

Senate Bill S. 3230 Reported. On July 8, 2008, the Senate Committee on Appropriations reported S. 3230 (S.Rept. 110-410), its proposal for FY2009 appropriations for the Departments of Labor, Health and Human Services, Education, and Related Agencies (L-HHS-ED). The bill would provide \$155.7 billion in discretionary funds for L-HHS-ED. Provisions of the bill as reported will be covered in the next update to this report.

House Full Committee Markup. The House Committee on Appropriations convened a markup session on its draft bill on June 26, 2008, but adjourned before final action.

House Subcommittee Markup. On June 19, 2008, the House L-HHS-ED Appropriations Subcommittee marked up its draft bill and approved it for consideration by the full committee.

President's Budget Submitted. On February 4, 2008, the President submitted the FY2009 budget to Congress; the request was for \$146.5 billion in discretionary funds for L-HHS-ED programs. Subsequent amendments to the request are not yet reflected in this report.

Table 1 summarizes the legislative status of FY2009 L-HHS-ED appropriations.

Table 1. Legislative Status of L-HHS-ED Appropriations, FY2009

Subcommittee Markup		House Committee	House Passage	Senate Committee	Senate Passage	Conf. Report	Conference Report Approval		Public Law
House	Senate						House Passage	Senate Passage	
6/19/08 ^a	6/24/08 ^b			7/8/08 ^c S. 3230, S.Rept. 110-410					

- The House Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Appropriations began FY2009 hearings on Feb. 13, 2008. The Subcommittee marked up its version of the FY2009 L-HHS-ED appropriations on June 19, 2008, approving it by a voice vote.
- The Senate Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Appropriations began FY2009 hearings on May 7, 2008. The Subcommittee marked up its version of the FY2009 L-HHS-ED bill on June 24, 2008, and approved it by voice vote.
- S. 3230: The Senate Committee on Appropriations approved the draft L-HHS-ED bill, amended, on June 26, 2008, by a vote of 26 to 3, and ordered the bill reported. Subsequently, S. 3230 (S.Rept. 110-410) was introduced and reported on July 8, 2008.

Note on Most Recent Data. In this report, unless stated otherwise, data on FY2008 appropriations and FY2009 appropriations proposals are based on the April 14, 2008, table of the House Committee on Appropriations. In most cases, data represent net funding for specific programs and activities, and take into account current and forward funding and advance appropriations; however, all data are subject to additional budgetary scorekeeping. Except where noted, data refer only to those programs within the purview of L-HHS-ED appropriations, and not to all programs within the jurisdiction of the relevant departments and agencies. Funding from other appropriations bills, and entitlements funded outside of the annual appropriations process, are excluded.

The FY2008 data reflect the funding provided under the terms of the Consolidated Appropriations Act, 2008 (P.L. 110-161, H.R. 2764), which was signed into law on December 26, 2007. A series of four continuing resolutions (CRs), beginning with P.L. 110-92, had provided temporary L-HHS-ED funding from October 1, 2007, through December 26, 2007. Division G of the act provided funding for L-HHS-ED programs. Subsequently, Congress passed the Supplemental Appropriations Act, 2008, P.L. 110-252, signed into law on June 30, 2008. The law had a few provisions that affected FY2008 funding levels for some L-HHS-ED agencies. FY2008 figures in this report do not take account of those changes.

For additional information, please see CRS Report RL30343, *Continuing Resolutions: FY2008 Action and Brief Overview of Recent Practices*, by Sandy Streeter, and CRS Report RL34451, *Second FY2008 Supplemental Appropriations for Military Operations, International Affairs, and Other Purposes*, by Stephen Daggett et al.

Overview and Key Issues

This report describes the President's proposal for FY2009 appropriations for L-HHS-ED programs, as submitted to Congress on February 4, 2008; subsequent updates will also describe the congressional response to that proposal. It compares the President's FY2009 request to the FY2008 L-HHS-ED amounts. The report is designed to track legislative action and congressional issues related to the L-HHS-ED appropriations bill, with particular attention paid to discretionary programs. However, the report does not follow specific funding issues related to mandatory L-HHS-ED programs — such as Medicare or Social Security — nor does it follow any authorizing legislation that may be needed prior to funding some of the President's budget initiatives. For a glossary of budget terms and relevant websites, see **Appendix A**, "Terminology and Web Resources."

The L-HHS-ED bill typically is one of the more controversial of the regular appropriations 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 and stem cell research. This bill provides discretionary and mandatory funds to three federal departments and 14 related agencies, including the Social Security Administration (SSA). Discretionary funding represents only one-quarter of the total in the bill.

Among the various appropriations bills, L-HHS-ED is the largest single source of discretionary funds for domestic (non-defense) federal programs (the Department of Defense bill is the largest source of discretionary funds among all federal programs). This section presents several overview tables on funding in the bill, particularly discretionary funding; summarizes major funding changes proposed for L-HHS-ED; and discusses related issues such as 302(b) allocations and advance appropriations. Later sections provide details on individual L-HHS-ED departments and agencies.

Discretionary and Mandatory Funding: Program Level and Current Year Appropriations

Table 2 summarizes the L-HHS-ED appropriations enacted for FY2008 and proposed for FY2009, including both discretionary and mandatory appropriations. The table shows various aggregate measures of L-HHS-ED appropriations, including the discretionary program level, current year level, and advance appropriations, as well as scorekeeping adjustments.

- **Program level discretionary 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. *Unless otherwise specified, appropriations levels in this report refer to program level amounts.*
- **Current year discretionary 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 — for example, FY2008 appropriations that were enacted in the FY2007 act. As the annual congressional appropriations process unfolds, current year discretionary appropriations, including scorekeeping adjustments (see below), are measured against the 302(b) allocation ceilings (discussed later in this report). Note that media reports and comments from the Administration about appropriations activities typically cite figures representing the current year discretionary totals rather than the program levels in the bill.
- **Advance appropriations** are funds that will not become available until after the fiscal year for which the appropriations are enacted (for example, funds for certain education programs like Title I Part A Grants to Local Educational Agencies for the Education of the Disadvantaged that were included in the FY2007 act that could not be spent before FY2008 at the earliest, discussed later in this report).
- **Scorekeeping adjustments** are made to account for special funding situations, as monitored by the Congressional Budget Office (CBO).

Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are frequently used: program level appropriations and current year appropriations. How are these measures related? For an “operational definition,” program level funding equals (a) current year, plus (b) advances for future years, minus (c) advances from prior years, and minus

(d) scorekeeping adjustments. Alternatively, current year funding is derived by taking the program level (total in the bill), subtracting the advances for future years, adding in the advances from prior years, and applying the scorekeeping adjustments. **Table 2** shows each of these amounts for discretionary funding, along with current year funding and program level funding for mandatory programs, and the grand total for L-HHS-ED.

Table 2. L-HHS-ED Appropriations Summary, FY2008-FY2009
(\$ in billions)

Type of Budget Authority	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Discretionary Appropriations					
Program level: current bill for any year	148.4	146.5			
Current year: current year from any bill (after scorekeeping)	144.9	145.4			
Advances for future years (in the current bill)	21.3	20.9			
Advances from prior years (from previous bills)	19.2	21.3			
Scorekeeping adjustments	-1.4	-1.5			
Current Year Discretionary and Mandatory Funding					
Discretionary (compare to 302(b) cap)	144.9	145.4			
Mandatory	452.8	473.3			
Total, current year	597.7	618.7			
Program Level Totals of Funding for L-HHS-ED Bill, Any Year					
Discretionary program level	148.4	146.5			
Mandatory program level	452.8	478.4			
Grand total, any year	601.1	624.8			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations. Appropriations are given only for programs included in the annual L-HHS-ED bill.

Note: Details may not add to totals due to rounding. Both FY2008 and FY2009 mandatory amounts are estimates that are subject to adjustments after the close of their respective fiscal years. All amounts in the table are subject to change through the enactment of further supplementals and rescissions.

Discretionary Funding Trends, FY2002-FY2008

The L-HHS-ED appropriations bills include both 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. Typically, these changes are accomplished through authorizing committees by means of reconciliation legislation, and not through appropriations committees in annual appropriations bills.

Table 3 shows the trend in discretionary budget authority enacted in the L-HHS-ED appropriations for FY2002 through FY2008. During the past seven years, L-HHS-ED discretionary funds have grown from \$127.2 billion in FY2002 to \$148.4 billion in FY2008, an increase of \$21.2 billion, or 16.7%. Adjusted for inflation during this same period, using the Gross Domestic Product (GDP) deflator, L-HHS-ED discretionary funds in estimated FY2008 dollars dropped from \$148.6 billion in FY2002 to \$148.4 billion in FY2008, a decrease of \$0.2 billion, or 0.1%.

Table 3. Discretionary Funding Trends, FY2002-FY2008
(budget authority in billions of dollars)

Type of Funds	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
L-HHS-ED discretionary	127.2	132.4	139.7	143.4	141.5	144.7	148.4
L-HHS-ED discretionary in estimated FY2008 dollars	148.6	151.6	155.9	155.1	148.1	147.5	148.4
GDP deflator (FY2000 = 1.0)	1.0432	1.0643	1.0920	1.1270	1.1643	1.1955	1.2186

Sources: The GDP deflator is based on the *Budget of the United States Government, Historical Tables, Fiscal Year 2009*, Table 10.1. L-HHS-ED totals for FY2002-FY2005 discretionary budget authority are based on annual conference reports for L-HHS-ED appropriations and, therefore, may not be completely comparable from year to year. FY2006 L-HHS-ED discretionary total is based on the April 17, 2007, table of the House Committee on Appropriations; FY2007 total is based on the December 17, 2007, committee table; FY2008 total is based on the April 14, 2008, committee table, and does not yet include FY2008 supplemental appropriations.

Discretionary Appropriations by Bill Title, FY2008-FY2009

The annual L-HHS-ED appropriations act typically includes five titles. The first three provide appropriations and program direction for the Department of Labor (Title I), the Department of Health and Human Services (Title II), and the Department of Education (Title III). Each of the three titles includes some sections of "General Provisions" for the department; they provide specific program directions, modifications, or restrictions that the appropriators wish to convey in bill language, not just in report language. Title IV covers funding for 14 related agencies, the largest of which is the Social Security Administration. Title V contains general provisions with broader application than those in the department titles. Occasionally,

one or more additional titles are added to the act, which may be legislative (authorizing) language rather than appropriations provisions. The FY2008 L-HHS-ED appropriations act (Division G of P.L. 110-161) included a Title VI that provided for establishment of a National Commission on Children and Disasters.

Table 4 summarizes by title the program level discretionary spending that was provided for FY2008 and proposed for FY2009 L-HHS-ED appropriations and compares the program level totals with the current year discretionary totals.

Table 4. L-HHS-ED Discretionary Funding by Bill Title, FY2008-FY2009
(\$ in millions)

	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Discretionary Appropriations, Program Level (total in bill for any year)					
Title I, Department of Labor	11,693	10,542			
Title II, Department of Health and Human Services	65,531	63,823			
Title III, Department of Education	59,181	60,053			
Title IV, Related Agencies	11,957	12,071			
Total discretionary, program level	148,363	146,489			
Total Discretionary, Current Year from Any Bill (after scorekeeping adjustments)					
Total, current year	144,914	145,354			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations. Appropriations are given only for programs included in the annual L-HHS-ED bill. Details may not add to totals due to rounding.

Major Discretionary Programs, FY2008-FY2009

Among the discretionary programs funded in the bill, which are the largest? **Table 5** shows the L-HHS-ED discretionary programs with the highest funding levels; in both FY2008 and proposals for FY2009, eight programs accounted for at least 62% of all L-HHS-ED discretionary appropriations. Each of the programs shown in **Table 5** received or is proposed for more than \$3.0 billion each year, and the aggregate funding for this group was \$93.3 billion in FY2008 and would be \$97.1 billion under the President's FY2009 request. As shown in the previous tables, L-HHS-ED discretionary funding totaled \$148.4 billion in FY2008 and \$146.5 billion in the FY2009 request.

Table 5. Major Discretionary Programs, FY2008-FY2009
(\$ in millions)

Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
National Institutes of Health (NIH)	29,230	29,230			
Pell Grants	14,215	16,941			
Title I Part A Education for the Disadvantaged, Grants to LEAs	13,899	14,305			
IDEA Special Education, Part B Grants to States	10,948	11,285			
SSA Total Administrative Expenses	9,745	10,327			
Head Start	6,878	7,027			
WIA, all programs	5,186	4,633			
CMS Program Management	3,152	3,307			
Major L-HHS-ED subtotal	93,252	97,054			
Other L-HHS-ED discretionary	55,111	49,435			
L-HHS-ED discretionary total	148,363	146,489			
Major programs as a % of total	62.9%	66.3%			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations.

Note: LEAs = Local Educational Agencies; IDEA = Individuals with Disabilities Education Act; WIA = Workforce Investment Act; CMS = Centers for Medicare and Medicaid Services.

FY2009 Appropriations: President's Request

On February 4, 2008, the President's FY2009 request was submitted to Congress. With regard to the President's budget, the primary issues raised during congressional consideration of any appropriations request generally relate to proposed funding changes, as well as to the overall level of support for programs. The following summary highlights changes of at least \$100 million proposed in FY2009 discretionary budget authority in comparison with the FY2008 amount. 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) is greater than a \$100 million change to a \$5 billion program (a 2% increase or decrease). Later in this report, the discussion of budgets for individual departments includes tables to compare the FY2009 request with the FY2008 funding for many of the major programs in the L-HHS-ED bill.

Budget Highlights. Overall, \$146.5 billion in discretionary appropriations were requested for L-HHS-ED for FY2009, \$1.9 billion (1.3%) less than the FY2008 amount of \$148.4 billion.

- For the Department of Labor (DOL), the Administration's FY2009 request included a decrease of \$553 million for WIA programs, from \$5.2 billion for FY2008 to \$4.6 billion for FY2009. The proposed reduction included \$241 million less for Dislocated Worker Assistance programs (funded at \$1.5 billion in FY2008) and \$150 million less for Adult Training grants to states (down from \$862 million for FY2008). The Administration would decrease funding for the Community Service Employment for Older Americans program by \$172 million (from \$522 million for FY2008). The President's request would eliminate \$703 million in funding for Employment Service grants to states, leaving \$20 million in funding for other Employment Service activities. The President's request would increase funding for state Unemployment Compensation operations by \$172 million (to \$2.6 billion for FY2009). Overall, the President requested \$10.5 billion in discretionary appropriations for DOL for FY2009, a 9.8% reduction from FY2008 funding of \$11.7 billion.
- For the Department of Health and Human Services (HHS), the FY2009 request proposed an increase of \$667 million for the Public Health and Social Services Emergency Fund (PHSSEF), covering homeland security activities and Pandemic Influenza Preparedness. Health programs proposed for elimination included Health Professions programs other than those for nursing (funded at \$194 million in FY2008), Children's Hospitals Graduate Medical Education (CHGME, \$302 million in FY2008), and Health Care-Related Facilities and Activities (\$304 million in FY2008). Decreases were proposed of \$112 million for Rural Health Programs and \$126 million for Mental Health. A \$198 million initiative for Fraud and Abuse Control at the Centers for Medicare and Medicaid Services (CMS) was proposed, along with a \$156 million increase for CMS Program Management. A decrease of \$570 million for the Low-Income Home Energy Assistance Program (LIHEAP) was proposed, while a \$149 million increase for Head Start was requested. The \$654 million Community Services Block Grant (CSBG) received no funding in the request. Overall, \$63.8 billion in FY2009 discretionary appropriations were requested for HHS, 2.6% less than the FY2008 amount of \$65.5 billion.
- For the Department of Education (ED), the President's FY2009 request would increase funding for the Elementary and Secondary Education Act of 1965 (ESEA) programs in the aggregate by \$125 million. Funding for Title I, Part A, Grants to Local Educational Agencies (LEAs) for the Education of the Disadvantaged would increase by \$406 million, while funding for Reading First State Grants would increase by \$607 million. Teacher Quality State Grants would decrease by \$100 million. The request included a proposal for one new K-12 education initiative of at least \$100 million — the Pell Grants for Kids program, which would be funded at \$300 million. The request proposes the elimination of the \$272

million Educational Technology State Grants program and the \$1.3 billion Perkins Career and Technical Education program. Funding for the 21st Century Community Learning Centers program would be reduced by \$281 million, the Fund for the Improvement of Education would be decreased by \$201 million, and Safe and Drug-Free Schools State Grants would be reduced by \$195 million. The Teacher Incentive Fund would increase by \$103 million. An increase of \$337 million was requested for the Special Education Part B Grants to States program authorized by the Individuals with Disabilities Education Act (IDEA). The request also proposes the elimination of the \$757 million Supplemental Educational Opportunity Grants. Pell Grants would increase by \$2.7 billion. Aid for Institutional Development would decrease by \$139 million. Funding for the Institute for Education Sciences would increase by \$112 million. Overall, \$60.1 billion in FY2009 discretionary appropriations were requested for ED, 1.5% more than the FY2008 amount of \$59.2 billion.

- For the related agencies, the Administration's request for FY2009 would increase funding for SSA administrative expenses by \$582 million, from \$9.7 billion for FY2008 to \$10.3 billion for FY2009. The Administration's request would eliminate the two-year advance funding for the Corporation for Public Broadcasting (CPB) and rescind \$220 million in advance funding for FY2010 (appropriated in FY2008) and \$200 million in advance funding for FY2009 (appropriated in FY2007). Overall, the Administration requested \$12.1 billion in discretionary appropriations for L-HHS-ED related agencies for FY2009, a 0.9% increase from FY2008 funding of \$12.0 billion.

302(a) and 302(b) Allocation Ceilings

The maximum budget authority for annual L-HHS-ED appropriations is determined through a two-stage congressional budget process. In the first stage, Congress establishes the *302(a) allocations* — the maximum spending totals for congressional committees for a given fiscal year. This task is sometimes accomplished through the concurrent resolution on the budget, where spending totals are specified through the statement of managers in the conference report. In years when the House and Senate do not reach a budget agreement, these totals may be set through leadership arrangements in each chamber. The 302(a) allocations determine spending totals for each of the various committees, as well as the total discretionary budget authority available for enactment in annual appropriations through the House and Senate Committees on Appropriations.

Congress reached agreement on the FY2009 budget resolution in early June, 2008, when the Senate (June 4) and the House (June 5) agreed to the conference report (H.Rept. 110-659) accompanying S.Con.Res. 70. The resolution established a 302(a) discretionary budget allocation of \$1,011.7 billion. For the purpose of comparison, the 302(a) discretionary allocation originally agreed to for FY2008 was

\$953.1 billion. (The current FY2008 302(a) allocation, revised to include emergencies, is \$1,050.5 billion.)

In the second stage of the annual congressional budget process, the House and Senate Committees on Appropriations separately establish the *302(b) allocations* — the maximum discretionary budget authority available to each subcommittee for each annual appropriations bill. The total of these allocations must not exceed the 302(a) discretionary total. This process creates the basis for enforcing discretionary budget discipline, since any appropriations bill reported with a total above the ceiling is subject to a point of order. The 302(b) allocations can and often do get adjusted during the year as the various appropriations bills progress toward final enactment. **Table 6** shows the 302(b) discretionary allocations for the FY2009 L-HHS-ED appropriations determined by the House and Senate Committees on Appropriations. Comparable amounts for the FY2008 appropriations and the President's FY2009 budget request are also shown. Both the 302(a) and 302(b) allocations regularly become contested issues in their own right.

Table 6. FY2009 302(b) Discretionary Allocations for L-HHS-ED
(budget authority in billions of dollars)

FY2008 Comparable	FY2009 Request Comparable	FY2009 House Allocation	FY2009 Senate Allocation	FY2009 Enacted
144.8	145.4	152.6	152.7	

Sources: The FY2009 House allocation is based on H.Rept. 110-746, July 8, 2008; the FY2009 Senate allocation is based on S.Rept. 110-402, June 25, 2008. The comparable amounts for FY2008 budget authority and the FY2009 budget request are based on the April 14, 2008, table from House Appropriations Committee.

Advance Appropriations

Advance appropriations occur when funds enacted in one fiscal year are not available for obligation until a subsequent fiscal year. For example, P.L. 109-149, which enacted FY2006 L-HHS-ED appropriations, provided \$400 million for the Corporation for Public Broadcasting (CPB) for use in FY2008. Advance appropriations may be used to meet several objectives. These might include the provision of long-term budget information to recipients, such as state and local educational systems, to enable better planning of future program activities and personnel levels. The more contentious aspect of advance appropriations, however, involves how they are counted in budget ceilings.

Advance appropriations avoid the 302(a) and 302(b) allocation ceilings for the current year, but must be counted in the year in which they first become available for obligation. This procedure uses up ahead of time part of what will be counted against the allocation ceiling in future years. In FY2002, the President's budget proposed the elimination of advance appropriations for federal discretionary programs, including those for L-HHS-ED programs. Congress rejected that proposal, and the proposal

has not been repeated. For an example of the impact of advance appropriations on program administration, see the discussion titled “Forward Funding and Advance Appropriations” in the section on the Department of Education, later in this report.

The FY1999 and FY2000 annual L-HHS-ED appropriations bills provided significant increases in advance appropriations for discretionary programs, moving from \$4.0 billion in FY1998 to \$19.0 billion in FY2000. From FY2001 through FY2007, advance appropriations generally were provided at \$19.3 billion, with the exceptions of \$18.8 billion in FY2001 and \$21.5 billion in FY2003. For FY2008, following his pattern of the previous six years, the President requested \$18.9 billion in discretionary advance appropriations for L-HHS-ED. Congress decided instead to add \$2.0 billion to the previous total, bringing the amount to \$21.3 billion. At that level, advance appropriations accounted for 14.3% of the L-HHS-ED program level discretionary total of \$148.4 billion in FY2008. In terms of current year funding, advances from previous years, at \$19.2 billion, represented 13.3% of the current year discretionary total of \$144.9 billion for FY2008. For FY2009, the President requested \$20.9 billion in advance appropriations for L-HHS-ED.

From FY1998 to the present, advance appropriations included in L-HHS-ED bills have been as follows:

- FY1998, \$4.0 billion;
- FY1999, \$8.9 billion;
- FY2000, \$19.0 billion;
- FY2001, \$18.8 billion;
- FY2002, \$19.3 billion;
- FY2003, \$21.5 billion;
- FY2004, \$19.3 billion;
- FY2005, \$19.3 billion;
- FY2006, \$19.3 billion;
- FY2007, \$19.3 billion;
- FY2008, \$21.3 billion.
- FY2009, President’s budget request, \$20.9 billion;

Department of Labor

FY2008 discretionary appropriations for the Department of Labor (DOL) were \$11.7 billion. For FY2009, the Administration requested \$10.5 billion, or \$1.2 billion (9.8%) less than the FY2008 amount, as shown in **Table 7**.

Table 7. Department of Labor Discretionary Appropriations
(\$ in billions)

Funding	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Appropriations	11.7	10.5			

Source: Amounts are based on the April 14, 2008, table of the House Committee on Appropriations. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations.

Mandatory DOL programs included in the L-HHS-ED act were funded at \$3.0 billion in FY2008. Mandatory programs consist of the Black Lung Disability Trust Fund (\$1,068 million), Federal Unemployment Benefits and Allowances (\$889 million), Advances to the Unemployment Insurance and Other Trust Funds (\$437 million), Special Benefits for Disabled Coal Miners (\$270 million), Employment Standards Administration (ESA) Special Benefits (\$203 million), and administrative expenses for the Energy Employees Occupational Illness Compensation Fund (\$49 million).

Key Issues

President's Request. The President's FY2009 budget request for DOL would change funding for a number of activities. Proposed discretionary changes of at least \$100 million compared to FY2008 appropriations are as follows:

- The Administration's budget request would reduce funding for Workforce Investment Act (WIA) programs by \$553 million, from \$5.2 billion for FY2008 to \$4.6 billion for FY2009.
- Appropriations for WIA Dislocated Worker Assistance programs, funded at \$1.5 billion in FY2008, would be reduced by \$241 million in FY2008.¹
- WIA Adult Training grants to states, funded at \$862 million in FY2008, would be reduced by \$150 million.
- Funding for Community Service Employment for Older Americans would fall \$172 million, from \$522 million to \$350 million.

¹ Appropriations for FY2008 set aside \$123 million from the Dislocated Worker Assistance National Reserve program for the Community College initiative. The President requested \$125 million in direct appropriations for Community College grants.

- The President's request would eliminate \$703 million in funding for Employment Service grants to states, leaving \$20 million in funding for other Employment Service activities. These grants fund a nationwide system of employment services for job-seekers and employers. Under the President's request, these services would be provided by One-Stop Career Centers.
- The President's request would increase funding for state Unemployment Compensation operations by \$172 million, from \$2,464 million for FY2008 to \$2,636 million for FY2009.

The President's request would provide \$2.8 billion for new individual Career Advancement Accounts (CAA). To pay for these accounts, the request would eliminate or reduce funding for WIA Adult, Youth, and Dislocated Worker programs; the Work Opportunity Tax Credit (WOTC); and workforce information. The maximum amount of an account would be \$3,000 per year.

CRS Products

CRS Report RL33687, *The Workforce Investment Act (WIA): Program-by-Program Overview and Funding of Title I Training Programs*, by Blake Alan Naughton.

CRS Report RL33362, *Unemployment Insurance: Available Unemployment Benefits and Legislative Activity*, by Julie M. Whittaker.

CRS Report RL34383, *Trade Adjustment Assistance (TAA) for Workers: Current Issues and Legislation*, by John J. Topoleski.

CRS Report RS22718, *Trade Adjustment Assistance for Workers (TAA) and Alternative Trade Adjustment Assistance for Older Workers (ATAA)*, by John J. Topoleski.

CRS Report RL33754, *Minimum Wage in the 110th Congress*, by William G. Whittaker.

Websites

Department of Labor

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

[<http://www.dol.gov/dol/aboutdol/main.htm#budget>]

Detailed Appropriations Table

Table 8 shows the appropriations details for offices and major programs of DOL.

Table 8. Detailed Department of Labor Appropriations
(\$ in millions)

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
<i>Total Workforce Investment Act, Title I (WIA) (non-add)</i>	5,186	4,633			
<i>Employment and Training Administration (ETA)</i>					
<i>Training and Employment Services (TES)</i>					
WIA Adult Training Grants to States	862	712			
WIA Youth Training	924	841			
WIA Dislocated Worker Assistance (DWA)	1,465	1,224			
<i>DWA State Grants (non-add)</i>	<i>1,184</i>	<i>943</i>			
<i>DWA National Reserve Community College initiative set aside (non-add)^a</i>	<i>123</i>	<i>0</i>			
<i>DWA National Reserve, other (non-add)^a</i>	<i>158</i>	<i>281</i>			
WIA Migrant and Seasonal Farmworkers	80	0			
WIA Community College Grants (Community-Based Job Training) ^a	0	125			
Other WIA and TES Activities	246	285			
TES subtotal	3,576	3,061			
Community Service Employment for Older Americans	522	350			
Federal Unemployment Benefits and Allowances (mandatory) ^b	889	959			
<i>State Unemployment Insurance and Employment Service Operations (SUI/ESO)</i>					
Unemployment Compensation	2,464	2,636			
Employment Service	723	20			
<i>Employment Service State Grants (non-add)</i>	<i>703</i>	<i>0</i>			
Foreign Labor Certification	54	78			
One-Stop Career Centers	52	49			
Work Incentives Grants	14	0			
SUI/ESO subtotal	3,307	2,783			
Advances to Unemployment Trust Fund and other funds (mandatory)	437	422			
ETA Program Administration	131	144			
ETA subtotal	8,862	7,719			
Employee Benefits Security Administration	139	148			
<i>Pension Benefit Guaranty Corporation (non-add)</i>	<i>427</i>	<i>445</i>			

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
<i>Employment Standards Administration (ESA)</i>					
ESA Salaries and Expenses	421	469			
<i>Office of Labor-Management Standards (OLMS) (non-add)</i>	45	58			
ESA Special Benefits (mandatory)	203	163			
ESA Special Benefits for Disabled Coal Miners (mandatory)	270	244			
ESA Energy Employees Occupational Illness Compensation Fund (Part B administrative expenses) ^c (mandatory)	49	50			
ESA Black Lung Disability Trust Fund (mandatory)	1,068	1,072			
ESA subtotal	2,012	1,997			
Occupational Safety and Health Administration (OSHA)	486	502			
Mine Safety and Health Administration (MSHA)	334	332			
Bureau of Labor Statistics	545	593			
Office of Disability Employment Policy	27	12			
<i>Departmental Management</i>					
International Labor Affairs	81	15			
WIA Job Corps	1,611	1,565			
Veterans Employment and Training	228	238			
Departmental Management, other	285	331			
Departmental Management subtotal	2,205	2,149			
Working Capital Fund	0	0			
TOTALS, DEPARTMENT OF LABOR					
Total Appropriations^d	14,609	13,452			
Current Year Funding	12,084	10,933			
One-Year Advance Funding	2,525	2,519			

Source: Amounts are based on the April 14, 2008, table of the House Committee on Appropriations. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations.

- The WIA community college initiative (i.e., Community-Based Job Training program) was funded at \$123 million in FY2008 from Dislocated Worker Assistance National Reserve funds. The President's budget request for FY2009 would provide direct appropriations of \$125 million. To reflect this difference, in **Table 8** the program is shown on two lines.
- Federal Unemployment Benefits and Allowances consist of funding for benefits and training for workers under the Trade Adjustment Assistance (TAA) program.
- Before FY2009, appropriations for administrative and statutory activities under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) were in DOL, with some of the funding transferred to the Centers for Disease Control and Prevention (CDC) by interagency agreement. The FY2009 request proposed direct appropriations (mandatory) to CDC for the activities.
- Appropriations totals include discretionary and mandatory spending and may be subject to additional scorekeeping and other adjustments.

Department of Health and Human Services

FY2008 discretionary appropriations for the Department of Health and Human Services (HHS) were \$65.5 billion. For FY2009, the budget request was \$ 63.8 billion, \$1.7 billion (2.6%) less than the FY2008 amount, as shown in **Table 9**.

**Table 9. Department of Health and Human Services
Discretionary Appropriations**
(\$ in billions)

Funding	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Appropriations	65.5	63.8			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. Amounts represent discretionary spending funded by L-HHS-ED appropriations; funds for mandatory programs are excluded, as are funds for the Food and Drug Administration (FDA) and the Indian Health Service (IHS). FDA and IHS are both agencies of HHS, but they are funded through other appropriations bills.

Mandatory HHS programs included in the L-HHS-ED act were funded at \$ 408.2 billion in FY2008, and consist primarily of Medicaid Grants to States (\$206.1 billion), Payments to Medicare Trust Funds (\$188.4 billion, including both Part B Supplementary Medical Insurance and Part D Prescription Drugs), Foster Care and Adoption Assistance State Payments (\$6.8 billion), Family Support Payments to States (\$4.2 billion), and the Social Services Block Grant (\$1.7 billion).

Key Issues

President's Request. The President's FY2009 budget request for HHS proposed increased support for the Public Health and Social Services Emergency Fund (PHSSEF), for Head Start, and for program management and a fraud control initiative for the administration of Medicare and Medicaid. At the same time, it proposed level funding for medical research, and overall funding reductions for health resources and services, disease control and prevention, substance abuse and prevention, programs for children and families, and services for the aging. Not all programs in each category were decreased; selected programs in most of the categories were requested for increases. Requests for major changes are indicated below.

Discretionary spending changes of at least \$100 million were requested in the President's FY2009 budget for several HHS programs, as follows.

- Health Professions programs other than those for nursing, funded at \$194 million in FY2008, would be eliminated.
- Children's Hospitals Graduate Medical Education (CHGME), funded at \$302 million in FY2008, would be eliminated.
- Rural Health Programs, funded at \$136 million in FY2008, would be reduced by \$112 million to \$25 million.

- Health Care-Related Facilities and Activities, funded at \$304 million in FY2008, would be eliminated.
- At the Substance Abuse and Mental Health Services Administration (SAMHSA), Mental Health programs, funded at \$889 million in FY2008, would be reduced by \$126 million to \$763 million.
- At the Centers for Medicare and Medicaid Services (CMS), a Fraud and Abuse Control Initiative would be funded at \$198 million, while CMS Program Management would be increased by \$156 million, from \$3.15 billion in FY2008 to \$3.31 billion.
- The Low-Income Home Energy Assistance Program (LIHEAP), funded at \$2.57 billion in FY2008, would be decreased by \$570 million to \$2.0 billion.
- The Social Services Block Grant, funded at \$1.7 billion in FY2008, would be reduced by \$500 million to \$1.2 billion, but only if a legislative change proposed by the Administration were adopted by Congress. (Under current law, the request remained at \$1.7 billion.)
- Head Start, funded at \$6.88 billion in FY2008, would be increased by \$149 million to \$7.03 billion.
- The Community Services Block Grant (CSBG), funded at \$654 million in FY2008, would be eliminated.
- The PHSSEF, funded at \$729 million in FY2008, would be increased by \$667 million to \$1.40 billion. Funding covers homeland security activities and pandemic influenza preparedness, both of which would be increased.

Abortion: Funding Restrictions. Annual L-HHS-ED appropriations regularly contain restrictions that limit — for one year at a time — the circumstances under which federal funds can be used to pay for abortions. Restrictions on appropriated funds, popularly referred to as the “Hyde Amendments,” generally apply to all L-HHS-ED funds. Medicaid is the largest program affected. Given the perennial volatility of this issue, these provisions may be revisited at any time during the annual consideration of L-HHS-ED appropriations. From FY1977 to FY1993, abortions could be funded only when the life of the mother was endangered. The 103rd Congress modified the provisions to permit federal funding of abortions in cases of rape or incest. The FY1998 L-HHS-ED appropriations, 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. The FY1999 L-HHS-ED appropriations, P.L. 105-277, continued the FY1998 Hyde Amendments with two added provisions: (1) a clarification to ensure that the restrictions apply to all trust fund programs (namely, Medicare), and (2) an assurance that Medicare + Choice plans (now Medicare Advantage) cannot require the provision of abortion services. No changes were made from FY2000 through FY2004.

The FY2005 L-HHS-ED appropriations, P.L. 108-447 (H.Rept. 108-792, p. 1271), added a restriction, popularly referred to as the “Weldon Amendment,” that prevents federal programs or state or local governments that receive L-HHS-ED funds from discriminating against health care entities that do not provide or pay for abortions or abortion services. The FY2006, FY2007, and FY2008 L-HHS-ED appropriations retained the Weldon amendment language and the Hyde restrictions.

The current provisions can be found in §507 and §508 of P.L. 110-161, Division G. For additional information, please see CRS Report RL33467, *Abortion: Legislative Response*, by Jon O. Shimabukuro and Karen J. Lewis.

Embryonic Stem Cell Research: Funding Restrictions. On August 9, 2001, President Bush announced a decision to use federal funds for research on human embryonic stem cells for the first time, but limited the funding to “existing stem cell lines.” Embryonic stem cells have the ability to develop into virtually any cell in the body, and have the potential to treat medical conditions such as diabetes and Parkinson’s disease. In response to the President’s announcement, the NIH developed a registry of 78 embryonic stem cell lines eligible for use in federally funded research. However, many of these lines were found to be unavailable or unsuitable for research; only 21 of the 78 eligible stem cell lines are currently available for general research purposes. Some scientists are concerned about the quality, longevity, and availability of eligible stem cell lines. The NIH Director and many others believe that the advancement of research requires new stem cell lines. The use of stem cells, however, raises ethical issues for some because the embryos are destroyed in order to obtain the cells.

An FY1996 appropriations continuing resolution, P.L. 104-99 (§128), prohibited NIH funds from being used for the creation of human embryos for research purposes or for research in which human embryos are destroyed. Since FY1997, annual appropriations acts have extended the prohibition to all L-HHS-ED funds, with the NIH as the agency primarily affected. The restriction, originally introduced by Representative Jay Dickey, has not changed significantly since it was first enacted. The current provision can be found in §509 of P.L. 110-161, Division G. The original FY2008 Senate L-HHS-ED bill, S. 1710 as reported, included a new §520 that would have allowed, if certain ethical requirements were met, amounts appropriated under the act to be used to conduct human embryonic stem cell research as long as the cells were derived before June 15, 2007, thus changing the August 2001 policy of the Bush Administration. The provision was dropped, however, before floor consideration. For additional information, please see CRS Report RL33540, *Stem Cell Research: Federal Research Funding and Oversight*, by Judith A. Johnson and Erin D. Williams.

CRS Products

Health

CRS Report RL33467, *Abortion: Legislative Response*, by Jon O. Shimabukuro and Karen J. Lewis.

CRS Report RL30731, *AIDS Funding for Federal Government Programs: FY1981-FY2009*, by Judith A. Johnson.

CRS Report RS21044, *Background and Legal Issues Related to Human Embryonic Stem Cell Research*, by Edward Chan-Young Liu.

CRS Report RL34448, *Federal Research and Development Funding: FY2009*, by John F. Sargent et al.

CRS Report RS22438, *Health Professions Programs in Title VII and Title VIII of the Public Health Service (PHS) Act: Appropriations History (FY2002-FY2009)*, by Bernice Reyes- Akinbileje and Mary Vennetta Wright.

CRS Report RL33695, *The National Institutes of Health (NIH): Organization, Funding, and Congressional Issues*, by Pamela W. Smith.

CRS Report RL34098, *Public Health Service (PHS) Agencies: Background and Funding*, by Pamela W. Smith et al.

CRS Report RL33279, *The Ryan White HIV/AIDS Program*, by Judith A. Johnson.

CRS Report RL33540, *Stem Cell Research: Federal Research Funding and Oversight*, by Judith A. Johnson and Erin D. Williams.

CRS Report RL33997, *Substance Abuse and Mental Health Services Administration (SAMHSA): Reauthorization Issues*, by Ramya Sundararaman.

Human Services

CRS Report RL30785, *The Child Care and Development Block Grant: Background and Funding*, by Melinda Gish.

CRS Report RL34121, *Child Welfare: Recent and Proposed Federal Funding*, by Emilie Stoltzfus.

CRS Report RL32872, *Community Services Block Grants (CSBG): Funding and Reauthorization*, by Karen Spar.

CRS Report RL33805, *Early Childhood Care and Education Programs in the 110th Congress: Background and Funding*, by Melinda Gish and Gail McCallion.

CRS Report RL30952, *Head Start: Background and Issues*, by Melinda Gish.

CRS Report RL31865, *The Low-Income Home Energy Assistance Program (LIHEAP): Program and Funding*, by Libby Perl.

CRS Report RL33880, *Older Americans Act: FY2008 Funding and FY2009 Budget Request*, by Angela Napili.

CRS Report 94-953, *Social Services Block Grant (Title XX of the Social Security Act)*, by Melinda Gish.

Websites

Department of Health and Human Services

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

[<http://www.hhs.gov/budget/docbudget.htm>]

Detailed Appropriations Table

Table 10 shows the appropriations details for offices and major programs of HHS.

Table 10. Detailed Department of Health and Human Services Appropriations
(\$ in millions)

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
<i>Public Health Service (PHS)</i>					
<i>Health Resources and Services Administration (HRSA)</i>					
Community Health Centers	2,065	2,092			
National Health Service Corps	123	121			
Health Professions, Nursing	156	110			
Health Professions, other	194	0			
Children's Hospitals Grad. Med. Educ.	302	0			
Maternal and Child Health Block Grant	666	666			
Autism and Other Develop'l Disorders	36	36			
Ryan White AIDS Programs	2,142	2,143			
Rural Health Programs ^a	136	25			
Family Planning (Title X)	300	300			
Health Care-Related Facilities & Activities	304	0			
Vaccine Injury Compensation Trust Fund (mandatory)	119	257			
HRSA, other	439	379			
HRSA subtotal	6,983	6,129			
<i>Centers for Disease Control and Prevention (CDC)</i>					
Infectious Diseases	1,892	1,857			
Health Promotion	961	932			
Energy Employees Occupational Illness Compensation Program (mandatory) ^b	55	55			
Terrorism Preparedness and Response	1,479	1,419			
Preventive Health/Health Services BG	97	0			
CDC Buildings and Facilities	55	0			
CDC, other	1,565	1,409			
CDC subtotal ^c	6,105	5,673			
National Institutes of Health (NIH) ^c	29,230	29,230			
<i>Substance Abuse and Mental Health Services Administration (SAMHSA)</i>					
Mental Health	889	763			
(Mental Health Block Grant, <i>non-add</i>)	400	400			
Substance Abuse Treatment	2,075	2,025			
Substance Abuse Prevention	194	158			
(Substance Abuse Blk Grant, <i>non-add</i>)	1,680	1,699			
SAMHSA, other	75	79			
SAMHSA subtotal	3,234	3,025			
Agency for Healthcare Research and Quality (AHRQ)	0	0			
AHRQ program level (<i>non-add</i>)	335	326			
PHS subtotal	45,552	44,057			

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
<i>Centers for Medicare and Medicaid Services (CMS)</i>					
Medicaid Grants to States (mandatory)	206,088	221,035			
Medicare Trust Funds (mandatory)	188,445	195,308			
CMS Program Management	3,152	3,307			
Fraud and Abuse Control initiative	0	198			
CMS subtotal	397,684	419,848			
<i>Administration for Children and Families (ACF)</i>					
Family Support Payments (mandatory)	4,240	3,759			
Low Income Home Energy Assistance Program (LIHEAP)	2,570	2,000			
Refugee and Entrant Assistance	656	628			
Child Care and Development Block Grant (CCDBG)	2,062	2,062			
Social Services Block Grant (SSBG) (Title XX) (mandatory)	1,700	1,700 ^d			
Head Start	6,878	7,027			
Child Welfare Services	282	282			
Developmental Disabilities	180	180			
Community Services Block Grant	654	0			
Battered Women's Shelters	123	123			
Abstinence Education	109	137			
Children and Family Services, other	745	746			
Promoting Safe and Stable Families (PSSF) (mandatory)	345	345			
PSSF (discretionary)	63	63			
Foster Care and Adoption Assistance (mandatory)	6,843	6,896			
ACF subtotal	27,450	25,947			
Administration on Aging (AOA)	1,413	1,381			
<i>Office of the Secretary</i>					
General Departmental Management	354	380			
Medical Benefits, Commissioned Officers (mandatory)	397	435			
Public Health and Social Services Emergency Fund (PHSSEF)	729	1,396			
Office of the Secretary, other	183	170			
Office of the Secretary subtotal	1,664	2,380			
TOTALS, DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Total Appropriations^e	473,764	493,614			
Current Year Funding	402,306	417,725			
One-Year Advance Funding	71,457	75,889			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations. Details may not add to totals due to rounding.

- The Denali Commission, previously funded under Rural Health Programs, is now grouped into the "HRSA, other" line in this table.
- Before FY2009, EEOICPA administrative and statutory activities were funded through DOL, with some of the funding transferred to CDC by interagency agreement. The FY2009 request proposed direct appropriations (mandatory) to CDC for the activities; Part B administrative expenses are still in DOL.
- Two HHS programs also received FY2008 funds from Interior-Environment appropriations — \$74 million for CDC and \$78 million for NIH; neither amount is included in this table.

- d. The \$1.7 billion shown reflects the current law entitlement to states for the Social Services Block Grant. For FY2009, the Administration proposed a reduction of \$500 million in the entitlement, which would bring the requested total to \$1.2 billion.
- e. Appropriations totals include discretionary and mandatory funds, and may be subject to additional scorekeeping and other adjustments. Two HHS agencies were funded through other appropriations in FY2008: the Food and Drug Administration (FDA) in Agriculture appropriations (\$1.7 billion), and the Indian Health Service (IHS) in Interior-Environment appropriations (\$3.3 billion); neither agency is included in this table.

Department of Education

For FY2009, the President's budget request includes \$60.1 billion in discretionary funding for the Department of Education, \$871 million (1.5%) over the FY2008 amount of \$59.2 billion (**Table 11**).

**Table 11. Department of Education
Discretionary Appropriations**
(\$ in billions)

Funding	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Appropriations	59.2	60.1			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. Amounts represent discretionary spending funded by L-HHS-ED appropriations; funds for mandatory programs are excluded.

A single mandatory ED program is included in the L-HHS-ED bill; the Vocational Rehabilitation State Grants program was funded at \$2.9 billion in FY2008.

Key Issues

President's Request. Under the FY2009 budget request, funding for several programs would increase, and six new education programs were proposed.² While the President's request would increase discretionary funding for education by \$871 million over the FY2008 funding level, it would eliminate funding for 47 existing programs.

² These programs include Math Now (\$95 million), Pell Grants for Kids (\$300 million), Adjunct Teacher Corps (\$10 million), Advanced Placement and International Baccalaureate programs (\$70 million), Loans for Short-Term Training (\$3 million), and Advancing American through Foreign Language Partnerships (\$24 million). The Advanced Placement and International Baccalaureate programs authorized by the COMPETES Act would replace the Advancement Placement program (funded at \$44 million in FY2008) authorized by the Elementary and Secondary Education Act of 1965 (ESEA). The President's request would also make substantial modifications to the 21st Century Community Learning Centers program, including renaming it the 21st Century Learning Opportunities program.

The President's FY2009 budget request proposed changes of at least \$100 million for ED programs, as follows.

- Elementary and Secondary Education Act of 1965 (ESEA) programs, funded in aggregate at \$24.4 billion in FY2008, would increase by \$125 million in the President's FY2009 budget request.³
- Title I, Part A, Grants to Local Educational Agencies (LEAs) for Education for the Disadvantaged, funded at \$13.9 billion in FY2008, would increase by \$406 million.
- Reading First State Grants, funded at \$393 million in FY2008, would increase by \$607 million.
- One K-12 education initiative of at least \$100 million was proposed by the President: \$300 million for Pell Grants for Kids.
- Teacher Quality State Grants, funded at \$2.9 billion in FY2008, would decrease by \$100 million.
- Educational Technology State Grants, funded at \$267 million in FY2008, would be eliminated.
- 21st Century Community Learning Centers, funded at \$1.1 billion in FY2008, would decrease by \$281 million and be renamed the 21st Century Learning Opportunities program.
- The Fund for the Improvement of Education (FIE), funded at \$254 million in FY2008, would be reduced by \$201 million.
- The Teacher Incentive Fund, funded at \$97 million in FY2008, would increase by \$103 million.
- Safe and Drug-Free Schools State Grants, funded at \$295 million in FY2008, would decrease by \$195 million.
- The Individuals with Disabilities Education Act (IDEA) Part B Grants to States program, funded at \$10.9 billion in FY2008, would increase by \$337 million.
- The Perkins Career and Technical Education program, funded at \$1.3 billion in FY2008, would be eliminated.
- The Pell Grants program, funded at \$14.2 billion in FY2008, would increase by \$2.7 billion. The maximum appropriated award would be \$4,310; \$4,241 was the maximum award in FY2008.⁴
- Federal Supplemental Educational Opportunity Grants, funded at \$757 million in FY2008, would be eliminated.

³ These totals are based only on funding for ESEA. When the House and Senate calculate total funding for the No Child Left Behind Act (NCLBA), which reauthorized the ESEA in 2001, the total includes funding for the Education for Homeless Children and Youth, and for Comprehensive Centers. The former is authorized by the McKinney-Vento Homeless Assistance Act, and the latter is authorized by the Educational Technical Assistance Act. While both Acts were amended by the NCLBA, none of the funding for either of the two programs is authorized by ESEA. See **Table 12** for additional information.

⁴ The College Cost Reduction Act (P.L. 110-84) provided mandatory funding for the Pell Grant program beginning in FY2008. These mandatory funds coupled with the maximum discretionary amount included in the President's request would result in a maximum Pell Grant award of \$4,800 for FY2009. The total maximum Pell Grant award in FY2008 was \$4,731.

- Aid for Institutional Development, funded at \$501 million in FY2008, would be decreased by \$139 million.
- The Institute for Education Sciences, funded at \$546 million in FY2008, would increase by \$112 million.

ESEA Funding Shortfall? Since the enactment of the No Child Left Behind Act of 2001, P.L. 107-110, which amended the ESEA among other programs, there has been a continuing discussion regarding the appropriations “promised” and the resulting “shortfall” when the enacted appropriations are compared to authorization levels. Some would contend that the ESEA authorizations of appropriations, as amended by NCLBA, represent a funding commitment that was promised in return for legislative support for the new administrative requirements placed on state and local educational systems. They would contend that the authorized levels are needed for implementing the new requirements, and that the differences between “promised” and actual funding levels represent a shortfall of billions of dollars. Others would contend that the authorized funding levels represent no more than appropriations ceilings, and as such are no different from authorizations for most education programs. That is, when the authorization amount is specified, it represents only a maximum amount, with the actual funding level to be determined during the regular annual appropriations process. In the past, education programs with specified authorization levels generally have been funded at lower levels; few have been funded at levels equal to or higher than the specified authorization amount.

Five ESEA programs, as amended by NCLBA, had specific authorization levels for FY2002 through FY2007: Title I, Part A Grants to Local Educational Agencies (LEAs); 21st Century Community Learning Centers (21CCLC); the Education Block Grant; School Choice; and the Fund for the Improvement of Education. For FY2007, the aggregate authorization for these five programs was \$28.9 billion, and the appropriation was \$14.4 billion, or \$14.5 billion less than the amount authorized.

All current ESEA program authorizations expired after FY2007. They have been automatically extended, however, for one additional year under section 422 of the General Education Provisions Act (GEPA) (20 U.S.C. 1226a, providing for contingent extension of programs). Therefore, current ESEA programs are authorized through September 30, 2008. GEPA also specifies that the amount authorized to be appropriated for a program during the extension shall be the amount that was authorized to be appropriated for the program during the terminal fiscal year of the program. Thus, in the case of the five ESEA programs with specific authorization levels for FY2007, those authorizations remain the same for FY2008. Therefore, for FY2008, the aggregate authorization for the five programs was \$28.9 billion, and the programs were funded at \$15.7 billion, or \$13.1 billion less than the amount authorized.

The GEPA extension applied for one year only. For FY2009, all funding for ESEA programs is taken to be based on authorizations provided implicitly by appropriations, with funds used under the policies in effect at the end of the explicit authorization period. That is, if one assumes that appropriations will continue to be provided for ESEA programs despite an expired authorization, it may also be reasonable to assume that the use of these funds will continue to be governed by the same policies as they were when the ESEA was still explicitly authorized. Under

these circumstances, the authorization levels for the five ESEA programs with specific authorization levels for FY2007 would continue to have the same authorization levels in FY2009. Thus, the aggregate authorization for these five programs would continue to be \$28.9 billion. The President's FY2009 request for these five programs was \$15.4 billion, or \$13.5 billion less than the authorization.

IDEA Funding Shortfall? From 1975 to 2004, the IDEA Special Education Part B Grants to States program authorized state payments up to a maximum amount of 40% of the national average per-pupil expenditure (APPE) times the number of children with disabilities ages 3-21 that each state serves. Appropriations have never reached the 40% level. In 2004, Congress addressed the funding issue in P.L. 108-446, which specified authorization ceilings for Part B Grants to States for FY2005 through FY2011. For FY2008, the authorized amount was \$19.2 billion, and \$10.9 billion was appropriated, or \$8.3 billion less than the amount authorized. For FY2009, the authorized amount was \$21.5 billion, and the request was for \$11.3 billion, or \$10.2 billion less than the authorized amount. As with ESEA and NCLBA, some view these differences as funding shortfalls, while others see the maximum federal share and the specified authorizations as nothing more than appropriations ceilings. For additional information, please see CRS Report RL32085, *Individuals with Disabilities Education Act (IDEA): Current Funding Trends*, by Ann Lordeman.

Forward Funding and Advance Appropriations. Most appropriations are available for obligation during the federal fiscal year of the appropriations bill. For example, most FY2009 appropriations will be available for obligation from October 1, 2008, through September 30, 2009. Several L-HHS-ED programs, including some of the larger ED programs, have authorization or appropriations provisions that allow funding flexibility for program years that differ from the federal fiscal year. For example, many of the elementary and secondary education formula grant programs receive appropriations that become available for obligation to the states on July 1 of the same year as the appropriations, and remain available for 15 months through the end of the following fiscal year. That is, FY2009 appropriations for some programs will become available for obligation to the states on July 1, 2009, and will remain available until September 30, 2010. 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 for undergraduates, 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 FY2009 appropriations will be used primarily to support grants for the 2009-2010 academic year. Unlike funding for elementary and secondary education programs, however, the funds for Pell Grants remain available for obligation for two full fiscal years.

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

FY2009 appropriations, funds normally would have become available October 1, 2008, under regular funding provisions, but will not become available for some programs until July 1, 2009, under the forward funding provisions discussed above. However, if the July 1, 2009 forward funding date for obligation were to be postponed by three months — until October 1, 2009 — the appropriation would be reclassified as an advance appropriation since the funds would become available *only in a subsequent fiscal year*, FY2010. For example, the FY2009 budget request for Title I, Part A Grants to LEAs was \$14.3 billion. This amount includes not only forward funding of \$6.4 billion (to become available July 1, 2009), but also an advance appropriation of \$7.9 billion (to become available October 1, 2009). Like forward funding provisions, these advance appropriations are specified through provisions in the annual appropriations bill.

What is the impact of these changes in funding provisions? At the appropriations level, there is no difference between forward funded and advance appropriations except for the period available for obligation. At the program or service level, relatively little is changed by the three-month delay in the availability of funds, since most expenditures for a standard school year occur after October 1. At the scorekeeping 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 three-month change from forward funding to an advance appropriation for a given program allows a one-time shift from the current year to the next year in the scoring of discretionary appropriations. For more information, please see CRS Report RS20441, *Advance Appropriations, Forward Funding, and Advance Funding*, by Sandy Streeter.

CRS Products

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

CRS Report RL33805, *Early Childhood Care and Education Programs in the 110th Congress: Background and Funding*, by Melinda Gish and Gail McCallion.

CRS Report RL33960, *The Elementary and Secondary Education Act, as Amended by the No Child Left Behind Act: A Primer*, by Wayne C. Riddle and Rebecca R. Skinner.

CRS Report RL31668, *Federal Pell Grant Program of the Higher Education Act: Background and Reauthorization*, by Charmaine Mercer.

CRS Report RL32085, *Individuals with Disabilities Education Act (IDEA): Current Funding Trends*, by Ann Lordeman.

CRS Report RL33371, *K-12 Education: Implementation Status of the No Child Left Behind Act of 2001 (P.L. 107-110)*, by Gail McCallion et al.

CRS Report RL33749, *The No Child Left Behind Act: An Overview of Reauthorization Issues for the 110th Congress*, by Wayne C. Riddle.

CRS Report RL34214, *A Primer on the Higher Education Act (HEA)*, by Blake Alan Naughton.

CRS Report RL34017, *Vocational Rehabilitation Grants to States and Territories: Overview and Analysis of the Allotment Formula*, by Scott Szymendera.

Websites

Department of Education

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

[<http://www.ed.gov/about/overview/budget/index.html?src=gu>]

Detailed Appropriations Table

Table 12 shows the appropriations details for offices and major programs of ED.

Table 12. Detailed Department of Education Appropriations
(\$ in millions)

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
No Child Left Behind Act (non-add)^a	24,540	24,665			
Education for the Disadvantaged					
Title I, Part A Education for the Disadvantaged, Grants to LEAs	13,899	14,305			
Even Start	66	0			
School Improvement Grants	491	491			
Reading First State Grants	393	1,000			
Math Now	0	95			
Pell Grants for Kids	0	300			
Migrant State Grants	380	400			
Education for the Disadvantaged, other	260	326			
Education for the Disadvantaged subtotal	15,490	16,917			
Impact Aid					
Impact Aid	1,241	1,241			
School Improvement Programs					
Teacher Quality State Grants	2,935	2,835			
Mathematics and Science Partnerships	179	179			
Educational Technology State Grants	267	0			
21 st Century Community Learning Centers ^b	1,081	800			
State Assessments	409	409			

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Rural Education	172	172			
School Improvement, other	246	172			
School Improvement subtotal	5,289	4,566			
Indian Education					
Indian Education	120	120			
<i>Innovation and Improvement</i>					
Charter School Grants	211	236			
Fund for the Improvement of Education general funds (FIE)	254	52			
Teacher Incentive Fund	97	200			
Innovation and Improvement, other	424	379			
Innovation and Improvement subtotal	986	868			
Safe Schools and Citizenship Education					
Safe and Drug-Free Schools State Grants	295	100			
Safe Schools and Citizenship, other	399	182			
Safe Schools and Citizenship subtotal	693	282			
English Language Acquisition					
English Language Acquisition State Grants	700	730			
Special Education					
IDEA, Part B, Grants to States	10,948	11,285			
Special Education, other	1,046	1,051			
Special Education subtotal	11,994	12,336			
Rehabilitation Services and Disability Research					
Vocational Rehabilitation State Grants (mandatory)	2,874	2,975			
Rehabilitation Services, other	403	344			
Rehabilitation Services subtotal	3,277	3,319			
Special Institutions for Persons with Disabilities					
Special Institutions for Persons With Disabilities	195	200			
Vocational and Adult Education					
Perkins Career and Technical Education	1,272	0			
Adult Education	567	575			
Vocational and Adult, other	102	0			
Vocational and Adult Education subtotal	1,942	575			
Student Financial Aid					
Pell Grants, maximum award (in dollars, non-add)	4,241	4,310			
Pell Grants	14,215	16,941			
Supplemental Educational Opportunity Grants	757	0			
Federal Work-Study	980	980			
Federal Perkins Loans	64	0			

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Leveraging Educational Assistance Partnership (LEAP)	64	0			
Student Financial Aid subtotal	16,081	17,921			
Student Aid Administration					
Student Aid Administration	696	714			
Higher Education					
Aid for Institutional Development	501	363			
Fund for the Improvement of Postsecondary Education (FIPSE)	120	37			
TRIO Programs	828	828			
GEAR UP	303	303			
Higher Education, other	269	202			
Higher Education subtotal	2,022	1,734			
Howard University					
Howard University	233	233			
Institute of Education Sciences					
Institute of Education Sciences	546	658			
Departmental Management					
Departmental Management	552	600			
Department of Education, other^c					
Department of Education, other	1	14			
TOTALS, Department of Education					
Total Appropriations^d	62,056	63,027			
Current Year Funding	45,038	46,010			
One-Year Advance Funding	17,017	17,017			

Source: Amounts are based on the April 14, 2008, table from House Appropriations Committee. FY2008 amounts reflect the funding provided under P.L. 110-161, Consolidated Appropriations Act, 2008. They do not yet include FY2008 supplemental appropriations. Details may not add to totals due to rounding.

- The NCLBA total reported in this table for the FY2008 adjusted appropriations and FY2009 request does not match the NCLBA total reported by ED. ED only includes in its total programs that are authorized specifically by the NCLBA, while the House and Senate include funding for the Education for Homeless Children and Youth, and Comprehensive Centers. The former is authorized by the McKinney-Vento Homeless Assistance Act, and the latter is authorized by the Educational Technical Assistance Act. While both Acts were amended by the NCLBA, none of the funding for either of the two programs is authorized by NCLBA. According to ED, the NCLBA total for FY2008 enacted was \$24,419 million, and the total for the FY2009 request was \$24,544 million.
- The 21st Century Community Learning Centers program would be renamed the 21st Century Learning Opportunities program by the President's request.
- This includes two appropriations for FY2008: College Housing and Academic Facilities Loans and the Historically Black Colleges and Universities Capital Financing program. The FY2009 request includes these programs and the Loans for Short-Term Training program, a new program included in the FY2009 request.
- Appropriations totals include discretionary and mandatory funds, and are subject to additional scorekeeping and other adjustments.

Related Agencies

FY2008 discretionary appropriations for L-HHS-ED related agencies were \$12.0 billion, as shown in **Table 13**. For FY2009, the Administration requested \$12.1 billion, or \$0.1 billion (0.9%) more than the FY2008 amount.

Table 13. Related Agencies Discretionary Appropriations
(\$ in billions)

Funding	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Appropriations	12.0	12.1			

Source: Amounts are based on the April 14, 2008, table of the House Committee on Appropriations.

Mandatory programs for related agencies included in the L-HHS-ED bill are funded at \$39.0 billion for FY2008, virtually all of it for the Supplemental Security Income (SSI) program.

Key Issues

President's Request. The President's FY2009 budget for related agencies would make changes in discretionary spending of at least \$100 million for the following agencies:

- In recent years, the Corporation for Public Broadcasting (CPB) has been funded two years in advance. The President's FY2009 budget does not request two-year advance funding (for FY2011) for the CPB. The President's budget request would also reduce the \$420 million advance for FY2010 (appropriated in FY2008) by \$220 million and the \$400 million advance for FY2009 (appropriated in FY2007) by \$200 million.⁵
- The Administration's request for FY2009 would increase funding for SSA administrative expenses by \$582 million, from \$9.7 billion for FY2008 to \$10.3 billion for FY2009.

⁵ In L-HHS-ED appropriations for FY2006, Congress approved a two-year advance of \$400 million for CPB for FY2008. This amount was reduced by 1.747% (to \$393 million) in L-HHS-ED appropriations for FY2008 (P.L. 110-161).

CRS Products

CRS Report RL33931, *The Corporation for National and Community Service: Overview of Programs and FY2009 Funding*, by Ann Lordeman and Abigail B. Rudman.

CRS Report RS22168, *The Corporation for Public Broadcasting: Federal Funding Facts and Status*, by Glenn J. McLoughlin.

CRS Report RL31320, *Federal Aid to Libraries in the Museum and Library Services Act of 2003*, by Gail McCallion.

CRS Report RS22677, *Social Security Administration: Administrative Budget Issues*, by Kathleen Romig.

CRS Report RL33544, *Social Security Reform: Current Issues and Legislation*, by Dawn Nuschler.

Websites

Committee for Purchase From People Who Are Blind or Severely Disabled
[<http://www.jwod.gov/jwod/index.html>]

Corporation for National and Community Service
[<http://www.cns.gov>]

Corporation for Public Broadcasting
[<http://www.cpb.org>]

Federal Mediation and Conciliation Service
[<http://www.fmcs.gov>]

Federal Mine Safety and Health Review Committee
[<http://www.fmshrc.gov>]

Institute of Museum and Library Services
[<http://www.imls.gov>]

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>]

National Labor Relations Board
[<http://www.nlr.gov>]

National Mediation Board
[http://www.nmb.gov]

Occupational Health and Safety Review Commission
[http://www.oshrc.gov]

Railroad Retirement Board
[http://www.rrb.gov]

Social Security Administration
[http://www.ssa.gov]
[http://www.ssa.gov/budget]

Detailed Appropriations Table

Table 14 shows the appropriations details for offices and major programs of the L-HHS-ED related agencies.

Table 14. Detailed Related Agencies Appropriations
(\$ in millions)

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
Committee for Purchase from People Who Are Blind or Severely Disabled	5	5			
<i>Corporation for National and Community Service (CNCS)</i>					
CNCS Domestic Volunteer Service Programs (DVSP)					
Volunteers in Service to America (VISTA)	94	92			
National Senior Volunteer Corps	214	174			
DVSP subtotal	308	266			
CNCS National and Community Service Programs (NCSP)					
National Service Trust	123	132			
AmeriCorps Grants	257	274			
National Civilian Community Corps	24	10			
NCSP, other	72	70			
NCSP subtotal	475	486			
CNCS, other	74	78			
CNCS subtotal	856	830			
<i>Corporation for Public Broadcasting (CPB)</i>					
CPB, two-year advance for FY2011 (current request) with FY2010 comparable	420	0			
CPB advance for FY2010 with FY2009 comparable (non-add)	400	420			
CPB FY2010 rescission (non-add)	0	-220			
CPB advance for FY2009 with FY2008 comparable (non-add)	393	400			
CPB FY2009 rescission (non-add)	0	-200			

Office or Major Program	FY2008 Adjusted	FY2009 Request	FY2009 House	FY2009 Senate	FY2009 Enacted
CPB Digitalization Program	29	0			
CPB Interconnection	26	0			
CPB FY2008/FY2009 subtotal	55	0			
Federal Mediation and Conciliation Service	43	45			
Federal Mine Safety and Health Review Committee	8	9			
Institute of Museum and Library Services (IMLS)	264	271			
Medicare Payment Advisory Commission	11	11			
National Commission on Libraries and Information Science	0.4	0			
National Council on Disability	3	3			
National Labor Relations Board	252	263			
National Mediation Board	13	12			
Occupational Safety and Health Review Commission	11	11			
Railroad Retirement Board	181	185			
<i>Social Security Administration (SSA)^a</i>					
SSA Payments to Social Security Trust Funds (mandatory)	28	20			
Supplemental Security Income (SSI) (mandatory)	38,728	42,665			
SSI Administrative Expenses	3,019	3,149			
SSA SSI subtotal	41,746	45,814			
Social Security and Medicare Administrative Expenses	6,726	7,178			
<i>Total SSA Administrative Expenses (non-add)</i>	<i>9,745</i>	<i>10,327</i>			
SSA Office of Inspector General	92	98			
SSA subtotal	48,592	53,111			
TOTALS, RELATED AGENCIES					
Total Appropriations^b	50,713	54,756			
Current Year Funding	35,493	39,356			
One-Year Advance Funding	14,800	15,400			
Two-Year Advance Funding	420	0			

Source: Amounts are based on the April 14, 2008, table of the House Committee on Appropriations.

- a. The Social Security trust funds are considered off-budget, but the Supplemental Security Income (SSI) program, SSA administrative expenses, and certain related SSA activities are included in appropriations for L-HHS-ED and related agencies.
- b. Appropriations totals include discretionary and mandatory spending, and are subject to additional scorekeeping and other adjustments.

Appendix A. Terminology and Web Resources

The following items include some of the key budget terms used in this report; they are based on CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith and Allen Schick. The websites provide general information on the federal budget and appropriations.

Advance appropriation 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 to the federal government of direct loans and loan guarantees, estimated on a net present value basis.

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

Discretionary spending is budget authority provided in annual appropriations 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 appropriations acts.

Forward funding is budget authority that becomes available after the beginning of the fiscal year for which the appropriation is enacted and remains available into the next fiscal year; the entire amount is counted or scored in the fiscal year in which 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 that provides funds that are in addition to regular appropriations.

Websites

General information on budget and appropriations may be found at these websites. Specific L-HHS-ED agency sites are listed in relevant sections of this report.

House Committees

[<http://appropriations.house.gov/>]
[<http://republicans.appropriations.house.gov/>]
[<http://budget.house.gov/>]
[<http://budget.house.gov/republicans/>]

Senate Committees

[<http://appropriations.senate.gov/>]
[<http://budget.senate.gov/democratic/>]
[<http://budget.senate.gov/republican/>]

Congressional Budget Office (CBO)

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

Congressional Research Service (CRS)

[http://apps.crs.gov/cli/level_2.aspx?PRDS_CLI_ITEM_ID=73]

Government Accountability Office (GAO)

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

Government Printing Office (GPO)

[<http://www.gpoaccess.gov/usbudget/>]

Office of Management and Budget (OMB)

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