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# CRS Report for Congress

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## Appropriations for FY2000: 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 FY2000: Labor, Health and Human Services, and Education

## Summary

This report describes the enactment of the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) Appropriations Act, 2000. This Act provides nearly all discretionary funds for three federal departments and related agencies. The report summarizes L-HHS-ED discretionary funding issues; it does not directly track authorization or entitlement issues.

On February 1, 1999, the President submitted the Administration's FY2000 budget to the Congress. Following a series of seven continuing resolutions and the veto of **H.R. 3064**, the President signed **H.R. 3194** into law, **P.L. 106-113**, on November 29, 1999. Discretionary appropriations may be described as "program level" for funding from the current Act for any year, and "budget authority" (BA) for funding for the current year from any Act. The L-HHS-ED program level was \$90.0 billion in FY1999; \$93.6 billion was requested by the President; and \$96.9 billion was enacted. Comparable BA amounts are \$83.3 billion, \$91.6 billion, and \$86.1 billion, respectively. FY1999 funding was enacted primarily through **P.L. 105-277**.

***U.S. Department of Labor (DOL):*** Discretionary DOL program level funding was \$10.9 billion in FY1999, and \$11.2 billion as enacted. The comparable BA amounts were \$10.9 billion and \$8.8 billion, respectively. Funding for the Workforce Investment Act (WIA) was increased by \$248 million for FY2000, including \$195 million more for WIA's Dislocated Worker Assistance.

***U.S. Department of Health and Human Services (DHHS):*** Discretionary DHHS program level was \$36.4 billion in FY1999, and \$41.3 billion as enacted; respective BA amounts were \$36.2 billion and \$39.9 billion. FY2000 funding for the National Institutes of Health (NIH) was increased by \$2.2 billion; increases of \$100 million or more were provided for Ryan White AIDS programs, Centers for Disease Control and Prevention (CDC), Substance Abuse and Mental Health Services Administration (SAMHSA), Head Start, and the Public Health and Social Service Emergency Fund. Funding for the Health Care Financing Administration (HCFA) Program Management was reduced by \$134 million.

***U.S. Department of Education (ED):*** Discretionary ED program level was \$33.3 billion in FY1999, and \$35.7 billion as enacted; respective BA amounts were \$28.8 billion and \$29.5 billion. FY2000 increases of \$100 million or more were provided for 21<sup>st</sup> Century Community Learning Centers, Title I Grants to Local Educational Agencies, Class Size Reduction, Special Education State Grants, and Fund for the Improvement of Education (FIE).

***Related Agencies:*** Discretionary program level funding for related agencies was \$7.8 billion in FY1999 and \$8.2 billion as enacted; respective BA amounts are \$7.8 billion and \$8.1 billion. Funding for the Social Security Administration (SSA) Limitation on Administrative Expenses was increased by \$115 million in FY2000.

## Key Policy Staff

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Education block grants	Paul M. Irwin	DSP	7-7573
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Education technology	James B. Stedman	DSP	7-7356
Education technology	Patricia Osorio-O'Dea	DSP	7-2393
Impact Aid	Richard N. Apling	DSP	7-7352
National education goals, Goals 2000	James B. Stedman	DSP	7-7356
Pell Grants	Margot A. Schenet	DSP	7-7378
Rehabilitation Act	Carol O'Shaughnessy	DSP	7-7329
Safe and Drug-Free Schools and Communities	Edith Fairman Cooper	DSP	7-7019
School-to-Work Opportunities Act	Richard N. Apling	DSP	7-7352
Special education, IDEA	Richard N. Apling	DSP	7-7352
Special education, IDEA	Nancy Lee Jones	ALD	7-6976
Student aid, student loans	Margot A. Schenet	DSP	7-7378
Teacher recruitment, preparation, and training	James B. Stedman	DSP	7-7356
TRIO, GEAR UP	James B. Stedman	DSP	7-7356
21 <sup>st</sup> Century Community Learning Centers	Gail McCallion	DSP	7-7758
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Library services	Wayne C. Riddle	DSP	7-7382
National Labor Relations Board	Gail McCallion	DSP	7-7758
National Labor Relations Board	Kimberly D. Jones	ALD	7-7461
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Supplemental Security Income	Rachel Kelly	DSP	7-4271

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

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# Appropriations for FY2000: Labor, Health and Human Services, and Education

## Most Recent Developments

*The provisions of H.R. 3424, the Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) Appropriations Act, 2000, were enacted into law by cross reference in §1000(a)(4) of H.R. 3194, informally known as the Consolidated Appropriations Act, 2000, which was signed into law by the President November 29, 1999, as P.L. 106-113. The Act includes a general reduction in FY2000 discretionary budget authority of 0.38%, to be applied to each department or agency; no program, project, or activity may be reduced by more than 15% of what would otherwise be provided through any Act for FY2000.*

*Prior to the enactment of P.L. 106-113, a series of seven continuing resolutions provided interim FY2000 funding from October 1, 1999, through November 29, 1999. On November 3, 1999, the President vetoed H.R. 3064, which would have provided FY2000 appropriations for both L-HHS-ED programs and the District of Columbia. In earlier action, the House Appropriations Committee reported H.R. 3037, the FY2000 bill for L-HHS-ED appropriations on October 7; also on that day, the Senate passed its version of the bill, S. 1650. The President submitted the Administration's FY2000 budget request to the Congress on February 1, 1999.*

## Status

**Table 1** tracks the key legislative steps that are necessary to enact appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) for FY2000.



**Table 1. Legislative Status of Labor, Health and Human Services, and Education Appropriations, FY2000**

Subcommittee Markup		House Report	House Passage	Senate Report	Senate Passage	Conference Report	Conference Report Approval		Public Law
House	Senate						House	Senate	
<b>Original House Bill, H.R. 3037</b>									
9/23/99	—	10/7/99 H.Rept. 106-370	— <sup>a</sup>	—	—	—	—	—	—
<b>Original Senate bill, S. 1650</b>									
—	— <sup>b</sup>	—	—	9/29/99 S.Rept. 106-166	10/7/99, 73 y - 25 n <sup>a,c</sup>	—	—	—	—
<b>L-HHS-ED bill included in District of Columbia bill, H.R. 3064</b>									
—	—	—	—	—	—	10/27/99 H.Rept. 106-419 <sup>d</sup>	10/28/99 218 y - 211 <sup>e</sup>	11/02/99 49 y - 48 <sup>f</sup>	Vetoed 11/03/99 <sup>g</sup>
<b>L-HHS-ED bill included in Consolidated Appropriations bill, H.R. 3424/H.R. 3194</b>									
—	—	—	—	—	—	11/18/99 H.Rept. 106-479 <sup>d</sup>	11/18/99 296 y - 135 <sup>e</sup>	11/19/99 74 y - 24 <sup>f</sup>	P.L. 106- 113 11/29/99 <sup>g</sup>

<sup>a</sup> The FY2000 continuing resolution, **P.L. 106-62**, §101(a)(8), declares that, for purposes of the continuing resolution, the House or Senate reported version of the L-HHS-ED bill shall be deemed to have passed the House or Senate respectively as of October 1, 1999, unless a reported version has been passed by that date.

<sup>b</sup> The Senate Appropriations Subcommittee for Labor, Health and Human Services, and Education met to discuss a draft proposal on FY2000 L-HHS-ED appropriations on September 27, 1999.

<sup>c</sup> **S. 1650**: For Senate passage, see *Congressional Record*, Daily Edition, September 28, 1999, p. S11584; September 29, p. S11585-11637; September 30, p. S11663-11666, S11681-11719, S11721-11724; October 1, p. S11757-11761, S11774-11780; October 6, p. S12052-12062, S12069-12093; October 7, p. S12147-12176, S12178-12185, S12188-12215. Roll Call #321(73-25), October 7, 1999, p. S12215.

<sup>c</sup> **H.R. 3064**: For text of conference report **H.Rept. 106-419**, see *Congressional Record*, Daily Edition, October 27, 1999, p. H10933-11065.

<sup>d</sup> For House passage, see *Congressional Record*, Daily Edition, October 28, 1999, p. H11094-11121. Roll Call #549 (218-211), October 28, 1999, p. H11120-11121.

<sup>e</sup> For Senate passage, see *Congressional Record*, Daily Edition, October 29, 1999, p. S13503-12507, S13520-13525; November 1, p. S13617; November 2, p. S13622-13623. Roll Call #343 (49-48), November 2, p. S13622-13623.

<sup>f</sup> For text of veto message, see House Document 106-154; *Congressional Record*, Daily Edition, November 3, 1999, p. H11441-11443.

<sup>g</sup> **H.R. 3194/H.R. 3424**: For the text of conference report for H.R. 3194, **H.Rept. 106-479**, see *Congressional Record*, Daily Edition, November 17, 1999, Part II, p. H12230-12609. There is no separate conference report for H.R. 3424. Instead, bill and report language for H.R. 3424 — including a table showing the amounts agreed to for each program, project, and activity — are included within H.Rept. 106-479, at p. H12384-12491.

<sup>h</sup> For House passage, see *Congressional Record*, Daily Edition, November 18, 1999, p. H12756-12820. Roll Call #610 (296-135), November 18, 1999, p. H12820.

Table notes are continued on next page.

Notes to Table 1 (continued):

<sup>i</sup> For Senate passage, see *Congressional Record*, Daily Edition, November 19, 1999, p. S14986-15059. Roll Call #374 (74-24), November 19, 1999, p. S15056-15059.

<sup>j</sup> A continuing resolution, **P.L. 106-62**, as amended, provided temporary FY2000 funding for L-HHS-ED programs and activities for the interim period October 1 through November 29, 1999 (see *Related Legislation*, p. 43).

**P.L. 106-479**, informally known as the Consolidated Appropriations Act, 2000 (H.R. 3194, signed November 29, 1999), provides appropriations for the District of Columbia; in addition, it enacts four other appropriation bills by cross reference, including H.R. 3424 for L-HHS-ED, as well as five non-appropriation bills. No legislative action was taken on H.R. 3424 following its introduction and inclusion in the H.R. 3194 conference report, H.Rept. 106-479, on November 17, 1999. In particular, there was no separate conference report for H.R. 3424; the L-HHS-ED bill language, report language, and table with the amounts for each program, project, and activity, are included as a part of H.Rept. 106-479. The provisions of H.R. 3424, as introduced, are enacted into law through §1000(a)(4) of P.L. 106-113 (H.R. 3194), and the L-HHS-ED provisions must be published in the official “slip law” form and in the United States Statutes at Large for P.L. 106-113, along with the other bills enacted by cross reference.<sup>1</sup>

**DATA NOTE:** Unless otherwise noted in this report, FY2000 appropriations data are based on **H.R. 3424**, as included in the **H.R. 3194** conference report, **H.Rept. 106-479**. The FY2000 amounts reflect **H.R. 3037**, as reported (House), **S. 1650**, as passed (Senate), and **H.R. 3424**, as enacted (H.R. 3194 conference). These data have not been adjusted for the general agency reduction of 0.38% in FY2000 discretionary funds that is required by §301 of H.R. 3425, as enacted by cross reference in §1000(a)(5) of P.L. 106-113. However, the FY1999 data have been adjusted for changes made by **P.L. 106-31**, the 1999 Emergency Supplemental Appropriations Act (see *Related Legislative Activity*, page 43). In most cases data represent net funding amounts for specific programs and activities, taking into account current and forward funding, advance appropriations, rescissions, and supplementals; however, they are subject to additional budgetary scorekeeping and other adjustments. 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.

## Perspective and Summary

This report describes the President’s proposal for FY2000 appropriations for L-HHS-ED programs that was submitted to the Congress February 1, 1999. The report compares the President’s request to the FY1999 L-HHS-ED amounts. It tracks legislative action and congressional issues related to the FY2000 L-HHS-ED appropriations bill, with particular attention paid to discretionary programs. The report summarizes activities related to the annual budget process, such as the

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<sup>1</sup> For details, see CRS Report RS20403, *FY2000 Consolidated Appropriations Act: Reference Guide*, by Robert Keith.

congressional budget resolution, continuing resolutions, and supplemental appropriations (beginning on page 43). However, the report does not follow specific funding issues related to mandatory L-HHS-ED programs, nor 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 46). For a discussion of the L-HHS-ED bill jurisdiction, please see *Appendix B: Scope of the L-HHS-ED Bill* (page 47).

### 302(b) Allocation Ceilings

The annual congressional budget resolution for FY2000, **H.Con.Res. 68** (see *Related Legislative Activity*, page 43), sets the aggregate discretionary spending limit for the annual appropriations total, known as the 302(a) allocation. From this allocation 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 appropriation bills progress toward final enactment. Current 302(b) allocations for the FY2000 L-HHS-ED appropriations bill from the House and Senate Appropriations Committees are shown in **Table 2**. The comparable 302(b) amounts for FY1999 enacted and the FY2000 budget are the current year discretionary amounts, \$83.3 billion and \$91.6 billion, respectively. As shown in the table, the current House limit for FY2000 is \$75.8 billion (a decrease of 9.0%), and the Senate amount is \$84.2 billion (a 1.1% increase). Discussion in the media concerning these proposed amounts suggests that legislative difficulties over the depth of some of the proposed allocation reductions, as well attempts to find methods to increase the ceilings, may make the L-HHS-ED bill one of the last enacted for FY2000.

**Table 2. 302(b) Allocations for L-HHS-ED Programs**  
(budget authority in billions of dollars)

<b>FY1999 final comparable</b>	<b>FY2000 request comparable</b>	<b>FY2000 House allocation</b>	<b>FY2000 Senate allocation</b>	<b>FY2000 conference comparable</b>
\$83.3	\$91.6	\$75.8	\$84.2	\$86.1

**Source:** For the FY2000 House allocation, the on-line document of October 12, 1999, at [<http://www.house.gov/appropriations/00302b1.htm>]; for the FY2000 Senate allocation, the on-line document of September 28, 1999, at [<http://www.senate.gov/~appropriations/9-28allocations.htm>]. The comparable amounts for the FY1999 final appropriation, the FY2000 budget request, and the FY2000 conference amount are based on the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** Under current scorekeeping provisions, advance appropriations that were enacted as part of the FY1999 appropriation are counted in the FY2000 totals, and any advance appropriations that might be enacted as part of the FY2000 appropriation would be counted in the FY2001 totals.

As used above, the FY1999 comparable amount of \$83.3 billion is based on the H.R. 3194 conference report. Because of scorekeeping and other differences in definitions, several other numbers might be used as the FY1999 basis. The Congressional Budget Office (CBO) shows the total FY1999 discretionary budget authority (regular and emergency) for L-HHS-ED as an estimated \$83.9 billion in its

“CBO’s Current Status of Discretionary Appropriations” (downloaded on November 4, 1999, from [http://www.cbo.gov/]). For the equivalent FY1999 L-HHS-ED 302(b) allocations, CBO estimates the amounts as \$83.8 billion for the House and \$82.7 billion for the Senate. The FY1999 L-HHS-ED appropriations provided an increase (compared to FY1998 appropriations) of \$4.9 billion in advance appropriations. Typically, advance appropriations are not scored in the current fiscal year, but sometimes this additional amount has been added to the regular FY1999 appropriations for L-HHS-ED programs, thereby increasing the FY1999 base by \$4.9 billion.

**Table 3** summarizes the L-HHS-ED appropriations for FY2000, including mandatory and discretionary funds provided through the L-HHS-ED bill. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects only the appropriations in the current bill, regardless of the year that they will be spent; it includes advances in the current bill for future years (also shown separately in the table). **Budget authority** represents (a) appropriations in the current bill for the current year, plus (b) appropriations for the current year that were enacted in prior years and (c) various scorekeeping adjustments (both shown separately in the table). Budget authority is similar to the amount counted for the 302(b) allocations ceilings, as shown in **Table 2**. **Table 3** also shows current year funding for mandatory programs that are regularly included in the L-HHS-ED bill, as well as the total for the current year; however, the appropriations committees generally have effective control only over the discretionary funds.

**Table 3. Summary of L-HHS-ED Appropriations**  
(\$ in billions)

Type of funding <sup>a</sup>	FY1999 final <sup>b</sup>	FY2000 request	FY2000 House <sup>c</sup>	FY2000 Senate	FY2000 conference
<b>Discretionary Appropriations</b>					
Program level (from the current bill for any year)	\$90.0	\$93.6	\$89.5	\$98.0	\$96.9
Budget authority (for current year from any bill)	83.3	91.6	77.0	84.5	86.1
Advances for future years (from the current bill)	8.8	10.8	20.3	21.0	19.0
Advances from prior years (from previous bills)	4.0	8.8	8.8	8.8	8.8
Scorekeeping adjustments	-1.9	0.0	-1.0	-1.3	-0.6
<b>Current Year Funding</b>					
Discretionary	83.3	91.6	77.0	84.5	86.1
Mandatory	209.3	227.1	226.6	228.3	229.1
Total current year	292.6	318.7	303.6	312.8	315.2

Type of funding <sup>a</sup>	FY1999 final <sup>b</sup>	FY2000 request	FY2000 House <sup>c</sup>	FY2000 Senate	FY2000 conference
<b>Grand Total of Funding for Bill, Any Year</b>					
Grand total any year	301.2	323.0	318.3	328.6	328.2

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference). FY1999 and FY2000 mandatory amounts are estimates that are subject to adjustments after the close of the fiscal year.

<sup>a</sup> Appropriations are defined in *Appendix A: Terminology*. Data are given only for programs included in the L-HHS-ED appropriation bill.

<sup>b</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

<sup>c</sup> In addition, the FY2000 House bill would have provided \$508 million (not included in the table) for agriculture disaster assistance for losses associated with Hurricane Floyd and other hurricanes and associated flooding that occurred in the eastern U.S. during August and September 1999.

## Key Issues

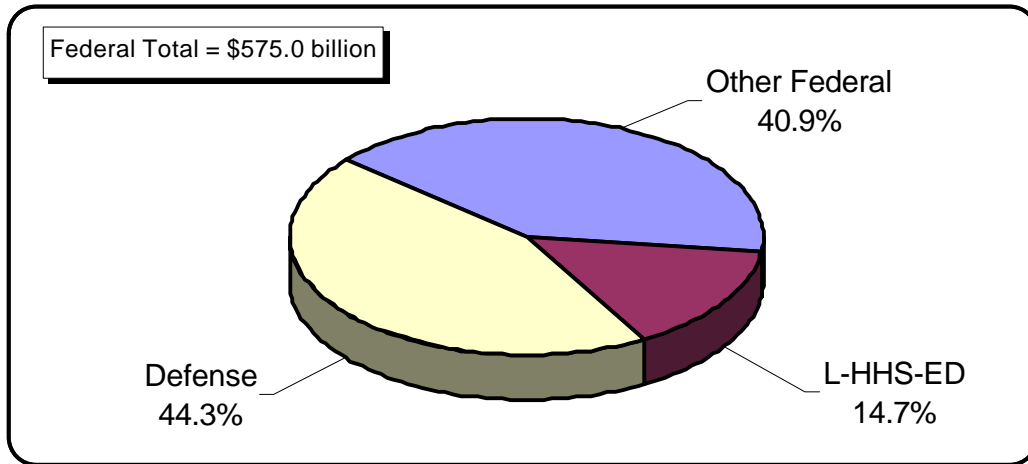
The L-HHS-ED bill typically is one of the more controversial of the 13 regular appropriation bills, not only because of the size of its funding total and the scope of its programs, but also because of the continuing importance of various related non-funding issues, such as restrictions on the use of federal funds for abortion.

**Aggregate Funding Levels.** The L-HHS-ED 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 all domestic programs; the Defense bill is the largest source of discretionary funds for all federal programs. For FY1999, the L-HHS-ED bill accounted for \$84.7 billion (14.7%) and the Defense bill accounted for \$255.0 billion (44.3%) of the estimated \$575.0 billion total for all federal discretionary budget authority.<sup>2</sup> **Figure 1** shows the L-HHS-ED share of all federal discretionary appropriations in FY1999.

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<sup>2</sup> In this comparison of the L-HHS-ED total with federal discretionary budget authority, the FY1999 amounts are based on the *Budget of the United States Government Fiscal Year 2000*, Table S-9.

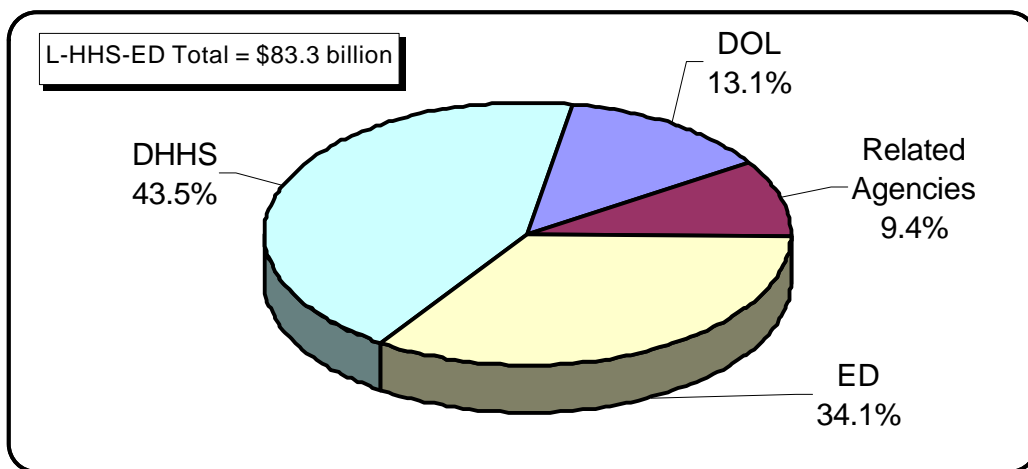
**Figure 1. Federal and L-HHS-ED Discretionary Appropriations, FY1999**



Source: *Budget of the United States Government Fiscal Year 2000*, Table S-9.

Once the aggregate size of the L-HHS-ED discretionary appropriations is determined under the 302(b) allocation, the distribution of these discretionary funds among departments and programs within the bill becomes the next issue. **Figure 2** shows the discretionary share for each department within the L-HHS-ED total for FY1999. *Appendix B* (page 47) describes the combined discretionary and mandatory funding for each department within the L-HHS-ED bill.

**Figure 2. L-HHS-ED Discretionary Appropriations by Department, FY1999**



Source: Percentage shares are based on the conference report H.Rept. 105-825, which provides details for the FY1999 L-HHS-ED appropriations under P.L. 105-277.

**Summary of Funding Changes Proposed by the President.** With regard to the President’s FY2000 budget, the issues in the early stages of the appropriations process generally relate to proposed funding changes. The following summary notes changes proposed for discretionary budget authority of at least \$100 million,

compared to the FY1999 appropriations. Viewing this list by itself should be done with caution, since the relative impact of a \$100 million increase to a \$500 million program (a 20% increase) will most likely be significantly greater than a \$100 million increase to a \$5 billion program (a 2% increase). The discussion of individual departments provides detailed tables for comparing the FY2000 request with the FY1999 funding for many of the major programs in the L-HHS-ED bill.

- For U.S. Department of Labor (DOL) programs, an additional \$288 million is requested for job training programs newly authorized by the Workforce Investment Act of 1998 (WIA), and an increase of \$242 million is proposed for State Unemployment Insurance and Employment Service Operations (SUI/ESO).
- For U.S. Department of Health and Human Services (DHHS) programs, the largest discretionary increase (in absolute terms) is an additional \$608 million proposed for the Head Start program. Other proposed increases include an additional \$100 million for the Ryan White AIDS programs; an increase of \$320 million for the National Institutes of Health (NIH); a \$239 million increase for the Substance Abuse and Mental Health Services Administration (SAMHSA); and \$166 million more for the Administration on Aging. An appropriation of \$386 million is requested for the Public Health and Social Service Emergency Fund (PHSSEF); \$223 million is provided on an emergency basis for FY1999.
- For U.S. Department of Education (ED) programs, the largest proposed discretionary increase (in absolute terms) is \$400 million in additional funds proposed for 21<sup>st</sup> Century Community Learning Centers. Other major increases include \$103 million more for Educational Technology programs; an additional \$264 million for Title I Grants to Local Educational Agencies (LEAs) for the Education of the Disadvantaged; \$200 million more for the Class Size Reduction program; \$190 million more for Adult Education and Family Literacy programs; an additional \$120 million for Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP). A decrease of \$241 million is requested in new funding for the Pell Grant program; however, surplus funds from prior years would be used to increase program spending from \$7.7 billion in FY1999 to \$7.9 billion in FY2000. No funds are requested for the \$375 million Innovative Program Strategies (education block grant) program. A decrease of \$128 million is proposed for the Impact Aid programs.
- For the related agencies, the budget includes proposed increases of \$163 million for the Social Security Administration (SSA) Limitation on Administrative Expenses, and \$117 million for discretionary activities related to the Supplemental Security Income (SSI) program.

**House Legislative Action.** The House Appropriations Committee marked up its FY2000 L-HHS-ED bill on September 30, 1999, and reported H.R. 3037 on October 7, 1999 (H.Rept. 106-370). Highlights of the bill as reported include the following provisions; additional details are provided in the separate agency summaries below.

- For DOL programs, WIA funds would be reduced overall (compared to FY1999 funding levels), and the WIA Youth Opportunity Grants would be terminated. The School-to-Work Opportunities program would be terminated. Funding for SUI/ESO programs would be reduced.
- For DHHS programs, funding would be increased for the NIH, Health Professions, the Maternal and Child Care Block Grant, Head Start, and the PHSSEF. Funding for the Centers for Disease Control and Prevention (CDC), SAMHSA, and Health Care Financing Administration (HCFA) Program Management would be reduced. The Child Care and Development Block Grant (CCDBG) would be terminated.
- For ED, funding for the 21<sup>st</sup> Century Community Learning Centers, Class Size Reduction/Teacher Empowerment Initiative, and Special Education State Grants would be increased. Funding for Education Technology would be reduced. Funding would be terminated for Goals 2000: Educate America Act, School-to-Work Opportunities Act, Professional Development, and GEAR UP.
- For the related agencies, the House bill would maintain funding for most discretionary activities at approximately the same level as in FY1999.

**Senate Legislative Action.** The Senate Appropriations Committee marked up its FY2000 L-HHS-ED bill on September 28, 1999, and reported S. 1650 on September 29, 1999 (S.Rept. 106-166). On October 7, 1999, the Senate amended and passed S. 1650, by a vote of 73 to 25 (roll call #321). Highlights of the bill as passed include the following provisions; additional details are provided in the separate agency summaries below.

- For DOL, WIA would receive increased funding (compared to FY1999 funding levels), including an increase for the Dislocated Workers Assistance program.
- For DHSS, funding would be increased for the NIH, Community Health Centers, Ryan White AIDS programs, SAMHSA, CCDBG, Head Start, and the PHSSEF. Funding would be reduced for HCFA Program Management.
- For ED, funding would be increased for 21<sup>st</sup> Century Community Learning Centers, Title I Grants to Local Educational Agencies, Special Education State Grants, and Adult Education. Funding would be reduced for the Fund for the Improvement of Education (FIE).
- For the related agencies, funding would be increased for SSI Discretionary Activities and the SSA Limitation on Administrative Expenses.

**Vetoed Bill.** The H.R. 3064 conference report, H.Rept. 106-419 — including FY2000 appropriations for both the District of Columbia and L-HHS-ED — was approved by the House October 28, 1999, by a vote of 218 to 211 (Roll Call #549), and by the Senate November 2, 1999, by a vote of 49 to 48 (Roll Call #343). The President vetoed H.R. 3064 on November 3, 1999 (H.Doc. 106-154). Declaring the bill “deeply flawed” and “clearly unacceptable,” the President singled out the across-the-board reduction of 0.97% for all FY2000 discretionary funds, as well as “crippling cuts” in the increases requested for key education, labor, and health priorities. Highlights of the vetoed bill include the following provisions.



- For DOL, WIA programs would be increased (compared to FY1999 funding levels), including the WIA Dislocated Workers Program.
- For DHHS, increases would be provided for NIH, Ryan White AIDS programs, Head Start, and the PHSSEF. Funding would be reduced for HCFA Program Management.
- For ED, funding would be increased for 21<sup>st</sup> Century Community Learning Centers and Special Education State Grants.
- For the related agencies, funding for most programs would be approximately the same as the FY1999 amounts.

**Public Law Summary.** H.R. 3424, was enacted by cross reference through §1000(a)(4) of H.R. 3194. The H.R. 3194 conference report, H.Rept. 106-479 – which includes the provisions of H.R. 3424 – was approved by the House November 18, 1999, by a vote of 296-135 (Roll Call #610), and by the Senate November 18, 1999, by a vote of 74 to 24 (Roll Call #374). The President signed H.R. 3194 into law on November 29, 1999, as P.L. 106-113. The new law requires a 0.38% reduction in FY2000 discretionary funds for each agency. Highlights of the enacted bill include the following provisions; additional details are provided in the separate agency summaries.

**Funding Highlights.** Several major L-HHS-ED programs receive funding increases compared to FY1999 amounts; in some instances the funding is more than requested by the President. Funding for a few programs is decreased. Total discretionary funding in the FY2000 L-HHS-ED bill is \$96.9 billion, \$6.9 billion more than the FY1999 amount and \$3.3 billion more than requested by the President (FY2000 discretionary appropriations are subject to a reduction of 0.38%).

- **For DOL**, WIA programs would be increased (compared to FY1999 funding levels), including the WIA Dislocated Workers Program.
- **For DHHS**, increases would be provided for NIH, Ryan White AIDS programs, the CDC, SAMHSA, Head Start, and the PHSSEF. Funding would be reduced for HCFA Program Management.
- **For ED**, funding would be increased for 21<sup>st</sup> Century Community Learning Centers, Title I Grants to Local Educational Agencies, Class Size Reduction/Teacher Assistance Initiative, Special Education State Grants, and the FIE.
- For the **related agencies**, funding would be increased for the SSA Limitation on Administrative Expenses.
- **H.R. 3064**, which was vetoed November 3, 1999, would have provided \$95.5 billion of discretionary appropriations for L-HHS-ED programs, \$1.4 billion below the amount of \$96.9 billion provided by P.L. 106-113 (neither amount reflects the FY2000 general reductions of 0.38% and 0.97%, respectively).
- **Advance appropriations** in the bill provide \$19.0 billion in discretionary budget authority for fiscal years beyond FY2000; the comparable amount for FY1999 was \$8.8 billion.

**Modifications to Existing Programs and General Provisions.** The FY2000 L-HHS-ED Appropriations Act modifies several programs or otherwise specifies additional provisions concerning the use of funds provided under this Act.

- One of the last agreements to be reached prior to the enactment of the FY2000 L-HHS-ED Act relates to the **Class Size Reduction/Teacher Assistance** program, first authorized under §307 of the FY1999 Act, P.L. 105-277. The FY2000 L-HHS-ED Act specifies the same allocation formula as was used in FY1999, but provides that local educational agencies (LEAs) may use 25% (15% in FY1999) of their funds for professional development and testing of new teachers, and allows additional flexibility for LEAs receiving smaller grants or those participating in Ed-Flex programs. However, new standards are imposed to ensure the hiring of fully qualified teachers. (§310 of P.L. 106-113)
- The date on which the DHHS final regulation on **Organ Procurement and Transplantation Network** can take effect is extended until 42 days after enactment of this Act. (§210)
- The obligation of \$5.0 billion of DHHS appropriations is delayed and restricted to the period beginning September 29, 2000, and ending October 15, 2000; programs affected include NIH, Health Resources and Services Administration (HRSA), CDC, Children and Families Services Programs (CFSP), Social Services Block Grant (SSBG), and SAMHSA. (§216)
- DHHS must conduct a study on certain geographic adjustment factors used for payments for physicians' services under the Medicare program, and to report the results within 3 months of enactment. (§217)
- States receive increased flexibility in the enforcement of laws concerning the **minimum age of sale for tobacco products**. (§218)
- Title III, "Systemic State and Local Education Systemic Improvement," and Title IV, "Parental Assistance," of P.L. 103-227, **Goals 2000: Educate America Act** are repealed as of September 30, 2000. (§310)
- **Title I Grants to Local Educational Agencies** are modified to extend FY1999 minimum allocation provisions and to encourage public school choices for pupils attending public schools in need of improvement. (Education for the Disadvantaged account)
- Funding provisions are modified for a **study of school violence** by ED. (§312)
- Provisions for the **voter registration of college students** under the Higher Education Act (§487(a)(23)(C)) are clarified regarding how they apply to specific types of elections. (§314)
- The prohibition on using funds to make a final determination regarding **unique health identifiers for individuals** prior to enactment of specific legislation allowing such determination is continued. (§514)
- The **restrictions on using funds for abortions** that were made in P.L. 105-277 are continued. (§508 and 509)
- The funding prohibitions on use of funds for **sterile needle exchange programs** or **human embryo research** that were made in P.L. 105-277 are continued. (§505 and 510, respectively)

*Authorization of New Programs and Activities.* The FY2000 L-HHS-ED Appropriations Act authorizes or amends several programs and activities.

- Title VI of the FY2000 Act clarifies authority under the Public Health Service Act to authorize statewide programs for the early detection, diagnosis, and intervention for newborns and infants with hearing loss.

- Title VII authorizes the DHHS to make grants to the Denali Commission to plan, construct, and equip multi-county demonstration projects for health, nutrition, and child care services.
- Title VIII includes Welfare-to-Work amendments to extend the eligibility of certain populations, and a provision to decrease the financial penalties for states out of compliance with centralized collection and disbursement requirements for the Child Support Enforcement program.

## 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 FY1995 through FY1999. The L-HHS-ED funds have increased by 24.9% for this 5-year period. The 5-year increase is reduced to an estimated 17.3% 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 12.7% in FY1995 to 14.7% in FY1999. When compared to all federal budget authority, both discretionary and nondiscretionary (mandatory), the L-HHS-ED portion increased during this period from 4.4% in FY1995 to 4.8% in FY1999.

**Table 4. L-HHS-ED Discretionary Funding Trends From FY1995**  
(budget authority in billions of dollars)

Type of funds	FY1995	FY1996	FY1997	FY1998	FY1999
L-HHS-ED discretionary	\$67.8	\$67.2	\$74.7	\$81.1	\$84.7
L-HHS-ED discretionary in estimated FY1999 dollars	\$72.2	\$70.2	\$76.6	\$82.2	\$84.7
L-HHS-ED % of all federal discretionary funds <sup>a</sup>	12.7%	13.4%	13.9%	15.2%	14.7%
L-HHS-ED % of total federal budget authority	4.4%	4.3%	4.5%	4.8%	4.8%
Total federal discretionary	\$533.8	\$502.5	\$536.3	\$534.2	\$575.0
Total federal budget authority	\$1,539.7	\$1,580.8	\$1,642.9	\$1,692.3	\$1,770.1
GDP deflator	1.0762	1.0976	1.1183	1.1317	1.1464

**Source:** *Budget of the United States Government Historical Tables Fiscal Year 2000*, tables 5.2 and 10.1 (for total federal budget authority and GDP deflator); and *Budget of the United States Government*, various years (for discretionary budget authority).

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

## **For Additional Reading, Background**

### **CRS Issue Briefs.**

CRS Issue Brief IB10017, *Budget for Fiscal Year 2000*, by Philip D. Winters.

### **Other CRS Products.**

CRS Info Pack 12B, *Budget Process*.

CRS Report 98-203, *Appropriations for FY1999: Labor, Health and Human Services, and Education*, by Paul M. Irwin.

CRS Report RL30056, *Appropriations Supplemental for FY1999: Emergency Funding in P.L. 105-277 for Agriculture, Embassy Security, Y2K Problems, Defense, and Other Issues*, by Larry Nowels, Coordinator.

CRS Report RL30199, *Budget FY2000: A Chronology with Internet Access*, by Susan E. Watkins.

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.

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 RL30083, *Supplemental Appropriations for FY1999: Central America Disaster Aid, Middle East Peace, and Other Initiatives*, by Larry Nowels, Coordinator.

### **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 will be 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/appropriations/pr00lhcm.html>]

### **Senate Committee on Appropriations**

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

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

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

### **Congressional Research Service (CRS) FY2000 Appropriations 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.access.gpo.gov/su\\_docs/budget/](http://www.access.gpo.gov/su_docs/budget/)]

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

[<http://www.gpo.gov/usbudget/fy2000/amndsup.html>]

## U.S. Department of Labor

Discretionary appropriations for the U.S. Department of Labor (DOL) are shown in **Table 5**, including the FY2000 budget proposal, the amounts in the House, Senate, and conference bills, and the FY1999 enacted amount. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects only the appropriations in the current bill, regardless of the year that they will be spent; it includes advances in the current bill for future years (also shown separately in the table). **Budget authority** represents (a) appropriations in the current bill for the current year, plus (b) appropriations for the current year that were enacted in prior years (shown separately in the table, as well). Budget authority is similar to the amount 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 32).

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

Type of funding	FY1999 final <sup>b</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
Program level (from the current bill for any year)	\$10.9	\$11.6	\$10.1	\$11.4	\$11.2
Budget authority (for current year from any bill)	10.9	11.6	7.5	8.7	8.8
Advances for future years (from the current bill)	0.0	0.0	2.6	2.7	2.5
Advances from prior years (from previous bills)	0.0 <sup>c</sup>	0.0	0.0	0.0	0.0

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The amounts shown are for discretionary programs funded by the L-HHS-ED appropriation bill; mandatory programs funded through the L-HHS-ED bill and other laws are not included.

<sup>b</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

<sup>c</sup> The amount is less than \$0.05 million.

Mandatory DOL programs included in the L-HHS-ED bill were funded at \$1.9 billion in FY1999, and consist of the Black Lung Disability Trust Fund (\$1.0 billion), Advances to the Unemployment Insurance and Other Trust Funds (\$0.4 billion), Federal Unemployment Benefits and Allowances programs (\$0.3 billion), and Employment Standards Administration Special Benefits programs (\$0.2 billion).

## Key Issues

**President's Request.** The President's FY2000 discretionary 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 more than \$100 million requested for DOL programs under the President's FY2000 budget include the following:

- An additional \$288 million is requested for programs authorized by the Workforce Investment Act of 1998 (WIA), including increases for Dislocated Worker Assistance (\$195 million) and Job Corps (\$38 million), as well as other federally administered programs under WIA.
- An increase of \$242 million is proposed for State Unemployment Insurance and Employment Service Operations (SUI/ESO), including State Operations for Unemployment Compensation (\$83 million), other Unemployment Compensation activities (\$81 million), and Work Incentive Grants (\$50 million).

Smaller DOL increases are proposed for Employment Standards Administration (ESA) salaries and expenses (\$61 million), Occupational Safety and Health Administration (OSHA) (\$34 million), and Departmental Management (\$66 million).

A reduction of \$70 million is proposed for the DOL portion of the School-to-Work Opportunities Act program, as part of an authorized phase-out by FY2001 of federal financial support.

For the Welfare-to-Work Grants program, \$137 million was rescinded by the FY1999 L-HHS-ED appropriations from unallocated state formula grants; no additional reductions are requested in the budget.

**House Bill.** At the Committee level, the House bill does not accept all of the funding changes proposed in the President's FY2000 budget.

- The House bill would provide \$4.6 billion for programs authorized by WIA, \$847 million less than the request and \$584 million less than the FY1999 amount. WIA Youth Training would be provided \$100 million less than requested, and WIA Dislocated Worker Assistance would be provided \$336 million less than requested. WIA Youth Opportunity Grants would be terminated; the request was for level funding at \$250 million.
- The House bill would terminate funding for School-to-Work Opportunities; the request is for \$55 million, and \$125 million was provided in FY1999.
- Various SUI/ESO activities would be funded at \$3.1 billion, \$364 million less than the request, and \$122 million below the FY1999 level.

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

- The Senate bill would provide \$5.4 billion for WIA programs, \$839 million more than the House, including \$100 million more for Youth Training, \$336 million more for Dislocated Worker Assistance, and \$250 million more for Youth Opportunity Grants; the Senate amount is \$8 million less than the request, and \$255 million more than the FY1999 amount of \$5.1 billion.
- The Senate bill would provide \$55 million for School-to-Work Opportunities, the same as the request; the House bill would terminate funding. This program was provided \$125 million in FY1999.
- The bill would provide \$3.4 billion for various SUI/ESO activities; the amount is \$217 million more than the House provision, but \$147 million less than the request; these programs were funded at \$3.3 billion in FY1999.

**Conference Report.** The conference bill provides funding amounts for DOL programs similar to those in the President's FY2000 budget request, with the following exception.

- The bill would provide \$3.3 billion for various SUI/ESO activities, \$252 million less than the request; \$3.3 billion was provided in FY1999.

## **For Additional Reading**

### **CRS Issue Briefs.**

CRS Issue Brief IB10048, *The Davis-Bacon Act: Action During the 106<sup>th</sup> Congress*, by William G. Whittaker.

CRS Issue Brief IB10042, *OSHA Reform: "Partnership" with Employers*, by Edward B. Rappaport.

CRS Issue Brief 98023, *Trade Adjustment Assistance: Proposals for Renewal and Reform*, by James R. Storey.

### **CRS Reports.**

CRS Report 97-536, *Job Training Under the Workforce Investment Act: An Overview*, by Ann Lordeman.

CRS Report 95-917, *Older Americans Act: Programs and Funding*, by Carol O'Shaughnessy and Celinda Franco.

CRS Report 97-541, *School-to-Work Opportunities Act*, by Richard N. Apling.

CRS Report 94-417, *Unemployment Compensation: A Fact Sheet*, by Celinda Franco.

CRS Report RS20134, *Welfare Reform: Reauthorization of the Welfare-to-Work Grant Program*, by Christine Devere.

CRS Report 98-62, *Welfare Reform: The Welfare-to-Work Grant Program*, by Christine Devere and Gene Falk.



**Selected World Wide Web Sites.**

**U.S. Department of Labor**

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

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

[[http://www.dol.gov/dol/\\_sec/public/budget/990323ah.htm](http://www.dol.gov/dol/_sec/public/budget/990323ah.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	FY1999 final <sup>a</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
<i>Employment and Training Administration (ETA)</i>					
Training and Employment Services (TES), Workforce Investment Act (WIA) Adult Training Grants to States	955	955	860	950	950
—WIA Youth Training	1,001	1,001	901	1,001	1,001
—WIA Dislocated Worker Assistance	1,401	1,596	1,260	1,596	1,596
—WIA Job Corps	1,309	1,347	1,359	1,347	1,359
—WIA Youth Opportunity Grants (YOG)	250	250	0	250	250
—WIA Other Federally Administered Programs	229	259	181	256	237
—WIA (JTPA) subtotal <sup>b</sup>	5,145	5,408	4,561	5,400	5,393
—School-to-Work Opportunities	125	55	0	55	55
—TES, Other	11	12	11	18	18
Welfare-to-Work Rescission	-137	0	0	0	0
Community Service Employment for Older Americans	440	440	440	440	440
Federal Unemployment Benefits and Allowances, Trade Adjustment and NAFTA Activities (mandatory)	361	314	314	415	415
State Unemployment Insurance and Employment Service Operations (SUI/ESO) Unemployment Compensation State Operations	2,123	2,206	2,135	2,155	2,150
—SUI/ESO Unemployment Compensation, Other	172	253	85	161	135
—SUI/ESO Employment Service	822	848	822	869	829
—SUI/ESO One-Stop Career Centers	147	149	100	147	120
—SUI/ESO Work Incentives Grants	0	50	0	27	20
—SUI/ESO subtotal	3,264	3,506	3,142	3,359	3,254
Advances to Unemployment Trust Fund and Other Funds (mandatory)	357	356	356	356	356
ETA Program Administration	145	141	138	149	146
ETA, subtotal	9,711	10,232	8,962	10,192	10,077

Office or major program	FY1999 final <sup>a</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
Pension and Welfare Benefits Administration	91	102	90	100	99
Pension Benefit Guaranty Corporation (PBGC) Administration	11	11	11	11	11
PBGC Services (non-add)	149	154	154	154	154
<i>Employment Standards Administration (ESA)</i>					
ESA Salaries and Expenses	315	376	314	343	339
ESA Special Benefits (mandatory)	179	79	79	79	79
ESA Black Lung Disability Trust Fund (mandatory)	1,021	1,014	1,013	1,014	1,014
ESA subtotal	1,515	1,469	1,406	1,436	1,432
Occupational Safety and Health Administration (OSHA)	354	388	337	388	382
Mine Safety and Health Administration (MSHA)	216	228	211	231	228
Bureau of Labor Statistics	399	421	395	409	413
Departmental Management	432	498	421	485	478
<b>TOTALS, DEPARTMENT OF LABOR</b>					
Total Appropriations <sup>c</sup>	12,727	13,352	11,834	13,252	13,120
Current Year: FY2000	12,727	13,352	9,227	10,532	10,657
FY2001	0	0	2,607	2,720	2,463

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept.106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

<sup>b</sup> In most cases, the FY1999 amounts were appropriated under the Job Training Partnership Act (JTPA); the FY2000 amounts are limited to WIA programs.

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

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

Discretionary appropriations for the U.S. Department of Health and Human Services (DHHS) are shown in **Table 7**, including the FY2000 budget proposal, the amounts in the House, Senate, and conference bills, and the FY1999 enacted amount. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects only the appropriations in the current bill, regardless of the year that they will be spent; it includes advances in the current bill for future years (also shown separately in the table). **Budget authority** represents (a) appropriations in the current bill for the current year, plus (b) appropriations for the current year that were enacted in prior years (shown separately in the table, as well). Budget authority is similar to the amount 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 32).

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

Type of funding	FY1999 final <sup>b</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
Program level (from the current bill for any year)	\$36.4	\$39.2	\$37.3	\$41.9	\$41.3
Budget authority (for current year from any bill)	36.2	39.1	37.0	37.7	39.9
Advances for future years (from the current bill)	2.3	2.4	2.6	6.5	3.7
Advances from prior years (from previous bills)	2.1	2.3	2.3	2.3	2.3

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The amounts shown are for discretionary programs funded by the L-HHS-ED appropriation bill; mandatory programs funded through the L-HHS-ED bill and other laws are not included.

<sup>b</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

Mandatory DHHS programs included in the L-HHS-ED bill were funded at \$175.9 billion in FY1999, and consist primarily of Grants to States for Medicaid (\$103.5 billion), Payments to Medicare Trust Funds (\$62.8 billion), Social Services Block Grant (\$1.9 billion), and Foster Care and Adoption (\$5.1 billion).

## Key Issues

**President's Request.** The President's FY1999 discretionary 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 health research programs, the President's Child Care initiative,<sup>3</sup> children's health insurance, fraud and abuse prevention, user fees, drug and alcohol treatment programs, human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) prevention and treatment programs, the President's Race initiative as it relates to health disparities among minority groups, and the tobacco settlement and related treatment and prevention activities.

Discretionary increases of more than \$100 million requested for DHHS programs under the President's FY2000 budget include the following:

- The largest discretionary increase is an additional \$608 million proposed for the Head Start program, an early childhood development program for children and their families to assist low-income children start school ready to learn.
- An additional \$100 million is proposed for the Ryan White AIDS programs.
- An increase of \$320 million is requested for the National Institutes of Health (NIH).
- A \$239 million increase is requested for the Substance Abuse and Mental Health Services Administration (SAMHSA), including \$131 million more for the Substance Abuse Block Grant.
- \$166 million more is proposed for the Administration on Aging.

A decrease is proposed for Program Management under the Health Care Financing Administration (HCFA) at DHHS of \$127 million. Smaller reductions in DHHS funding are requested for several discretionary programs, including Health Professions (\$50 million); other programs administered by Health Resources and Services Administration (HRSA) (including \$65 million for the Health Care and Other Facilities program); Agency for Health Care Policy Research (\$75 million); and various smaller programs of the Children and Family Services Programs (CFSP) (\$74 million). For the Public Health and Social Service Emergency Fund (PHSSEF), \$386 million is requested on a non-emergency basis; \$223 million was provided in FY1999 from emergency funding for a variety of activities including anti-bioterrorism, AIDS prevention and treatment in minority communities, and Year 2000 computer conversion efforts.

**House Bill.** At the Committee level, the House bill does not accept all of the funding changes proposed in the President's FY2000 budget.

- The House bill would provide \$16.9 billion for NIH, an amount \$1.0 billion more than the President's request, and \$1.2 billion more than the FY1999 amount of \$15.7 billion.

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<sup>3</sup> The proposed Child Care initiative primarily consists of increases in entitlement spending and tax expenditures outside of the L-HHS-ED appropriations bill; for details see CRS Report RL30021, *Child Care Issues in the 106<sup>th</sup> Congress*, by Karen Spar and Melinda Gish.

- The Maternal and Child Health Block Grant would be funded at \$105 million more than the request, which was for level funding at \$695 million.
- The Centers for Disease Control and Prevention (CDC) would receive \$183 million less than the request, and \$99 less than the FY1999 amount of \$2.8 billion.
- SAMHSA would be funded at \$2.4 billion, \$313 million less than the request and \$73 million less than the FY1999 amount of \$2.5 billion; the Substance Abuse Block Grant would be level funded at \$1.6 billion.
- HCFA Program Management would be provided \$264 million less than the request and \$391 million less than the FY1999 level of \$2.1 billion.
- No funding would be provided for the Child Care and Development Block Grant (CCDBG), which was funded at \$1.2 billion in FY1999; the President requested level funding.
- Head Start would be funded at \$4.8 billion, \$101 million more than the FY1999 level but \$507 million less than requested.
- The Administration on Aging would be level funded at \$882 million, \$166 million below the requested amount.

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

- The bill would provide \$17.6 billion for NIH, \$0.7 billion more than the House, and \$2.0 billion more than the FY1999 amount.
- The Senate would provide \$695 million for the Maternal and Child Health Block Grant, \$105 million less than the House, but the same as the request and the FY1999 amount.
- The CDC would be funded at \$140 million more than the House bill, and \$41 million more than the FY1999 amount of \$2.8 billion.
- SAMHSA would be provided \$386 million more than the House proposal, and \$313 million more than the FY1999 amount of \$2.5 billion; the Substance Abuse Block Grant would be increased by \$131 million, the same as the request.
- HCFA Program Management would be funded at \$239 million more than the House amount, but \$152 million less than the FY1999 amount of \$2.1 billion.
- The CCDBG would be funded at \$2.0 billion, \$0.8 billion above the request and the FY1999 amount; the House would terminate funding.
- Head Start would be funded at \$5.3 billion, the same as the request but \$507 below the House amount; the FY1999 amount was \$4.7 billion.

**Conference Report.** The conference bill provides funding amounts for DHHS programs similar to those in the President's FY2000 budget request, with the following exceptions.

- The NIH would be funded at \$17.9 billion, \$2.0 billion more than the request; the FY1999 amount was \$15.7 billion.
- HRSA programs would be funded at \$4.7 billion, \$433 million more than the request; the FY1999 amount was \$4.3 billion. Compared to the request, \$79 million more would be provided for Community Health Centers, \$92 million more for Health Professions, and \$84 million more for Ryan White AIDS programs.

- The CDC would be funded at \$3.0 billion, \$107 million more than the request; the FY1999 amount was \$2.8 billion.
- The Administration on Aging would be funded at \$934 million, \$114 million less than requested; the FY1999 amount was \$882 million.
- The PHSSEF would be provided \$584 million, \$198 million more than the request; the FY1999 amount was \$223 million. The FY2000 amount includes \$75 million of initial funding for the Ricky Ray Hemophilia Relief Fund Act, and \$150 million for DHHS Year 2000 computer conversion program.

**Abortion: A Perennial L-HHS-ED Issue.** Since FY1977, the annual L-HHS-ED appropriations acts have contained restrictions that limit the circumstances under which federal funds can be used to pay for abortions to cases where the life of the mother is endangered. Popularly referred to as the Hyde Amendment, these provisions generally apply to all L-HHS-ED funds; Medicaid is the largest program affected. The 103<sup>rd</sup> Congress modified the provisions to permit federal funding of abortions in cases of rape or incest. The FY1998 L-HHS-ED Appropriations Act, P.L. 105-78, extended the Hyde provisions to prohibit the use of federal funds to buy managed care packages that include abortion coverage, except in the cases of rape, incest, or life endangerment. For FY1999, the FY1998 Hyde Amendment provisions were continued, along with a clarification to ensure that the Hyde Amendment applies to all trust fund programs (namely, Medicare) funded by the FY1999 L-HHS-ED Appropriations Act, P.L. 105-277, as well as an assurance that Medicare + Choice plans are not required to provide abortion services. The FY2000 L-HHS-ED Appropriations Act retains the FY1999 language without amendment.<sup>4</sup>

**Tobacco Revenues.** The President's FY2000 budget incorporates a 55 cents-a-pack increase in the federal cigarette excise tax, which would raise an estimated \$8 billion in additional revenue in FY2000, dropping to \$6.4 billion in FY2004. Those funds are not earmarked for specific DHHS programs, but would be used to offset federal tobacco-related health care costs. The FY1999 Emergency Supplemental Appropriations Act, **P.L. 106-31**, signed into law May 21, 1999, prohibits federal recoupage of any state funds received from tobacco settlements and permits states to spend any such funds collected without restriction.<sup>5</sup>

## For Additional Reading

### CRS Issue Briefs.

CRS Issue Brief 95095, *Abortion: Legislative Response*, by Karen J. Lewis and Thomas P. Carr.

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<sup>4</sup> For additional information, see CRS Issue Brief IB95095, *Abortion: Legislative Response*, by Karen J. Lewis and Thomas P. Carr.

<sup>5</sup> For additional information, see CRS Report RL30058, *Tobacco Master Settlement Agreement (1998): Overview and Issues for the 106<sup>th</sup> Congress*, by C. Stephen Redhead. For comprehensive information, see the CRS Electronic Briefing Book on the Tobacco Settlement at [<http://www.congress.gov/brbk/html/eibtobtop.html>].

- CRS Issue Brief 98010, *Head Start: Background and Funding*, by Melinda Gish and Karen Spar.
- CRS Issue Brief IB10044, *Immigration Legislation and Issues in the 106<sup>th</sup> Congress*, by Joyce Vialet, Coordinator.
- CRS Issue Brief IB10018, *Research and Development Funding: Fiscal Year 2000*, by Michael E. Davey, Coordinator.
- CRS Issue Brief 93034, *Welfare Reform*, by Vee Burke.

**CRS Reports.**

- CRS Report 95-1101, *Abortion Procedures*, by Irene E. Stith-Coleman.
- CRS Report 96-293, *AIDS Funding for Federal Government Programs: FY1981-FY2000*, by Judith A. Johnson.
- CRS Report 98-476, *AIDS: Ryan White CARE Act*, by Judith A. Johnson and Sharon Kearney.
- CRS Report 96-617, *Alien Eligibility for Public Assistance*, by Joyce C. Vialet and Larry M. Eig.
- CRS Report 96-253, *Cancer Research: Selected Federal Spending and Morbidity and Mortality Statistics*, by Judith A. Johnson.
- CRS Report 98-740, *The Centers for Disease Control and Prevention: An Overview*, by Paulette L. Como and Irene Stith-Coleman.
- CRS Report RL30021, *Child Care Issues in the 106<sup>th</sup> Congress*, by Karen Spar and Melinda Gish.
- 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 97-917, *Disease Funding and NIH Priority Setting*, by Judith A. Johnson.
- CRS Report 94-396, *The Earned Income Tax Credit: A Fact Sheet*, by Melinda T. Gish.
- CRS Report 97-757, *Health Centers*, by Sharon Kearney.
- CRS Report RS20266, *Human Embryonic Stem Cell Research*, by Irene Stith-Coleman.
- CRS Report 94-211, *The Low-Income Home Energy Assistance Program: A Fact Sheet*, by Melinda Gish.
- CRS Report 97-350, *Maternal and Child Health Block Grant*, by Sharon Kearney.
- CRS Report RL30109, *Medicare and Medicaid Organ Transplants*, by Sibyl Tilson.
- CRS Report 95-96, *The 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 Celinda Franco.
- CRS Report 98-668, *Refugee Admissions and Resettlement Policy: Facts and Issues*, by Joyce C. Vialet.
- CRS Report 94-953, *Social Services Block Grants (Title XX of the Social Security Act)*, by Melinda Gish.
- CRS Report 97-926, *State Children's Hospital Insurance Program: Guidance on Frequently Asked Questions*, by Jean Hearne and Jennifer A. Neisner.
- CRS Report 98-692, *State Children's Hospital Insurance Program: Implementation Progress*, by Evelyne R. Parizek, et al.



- CRS Report 97-844, *The Substance Abuse and Mental Health Services Administration (SAMHSA)*, by Cecilia Oregón Echeverría
- CRS Report RL30058, *Tobacco Master Settlement Agreement (1998): Overview and Issues for the 106<sup>th</sup> Congress*, by C. Stephen Redhead.
- CRS Report 97-1048, *The Title X Family Planning Program*, by Sharon Kearney.
- CRS Report 98-939, *Violent Crime Reduction Trust Fund: An Overview*, by David Teasley.
- CRS Report 98-115, *Welfare Reform: Federal-State Financing Under the Temporary Assistance for Needy Families Program*, by Gene Falk.
- CRS Report RL30082, *Welfare Reform: Unspent TANF Funds*, by Gene Falk.

### **CRS Electronic Briefing Book**

#### **Tobacco Briefing Book**

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

#### **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/progorg/asmb/budget/fy2000.html>]

[<http://www.hhs.gov/news/speeches/990201.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	FY1999 final <sup>a</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
<i>Public Health Service (PHS)</i>					
Health Resources and Services Administration (HRSA), Community Health Centers	925	945	985	1,024	1,024
HRSA, National Health Service Corps	115	115	116	115	117
HRSA, Health Professions	302	252	302	227	344
HRSA, Maternal and Child Health Block Grant	695	695	800	695	710
HRSA, Ryan White AIDS Programs	1,411	1,511	1,519	1,611	1,595
HRSA, Family Planning (Title X)	215	240	215	222	239
HRSA, Vaccine Injury Compensation (mandatory)	160	60	60	60	60
HRSA, Other	461	391	275	479	563
HRSA, subtotal	4,284	4,209	4,272	4,433	4,652
Centers for Disease Control and Prevention (CDC)	2,771	2,855	2,672	2,812	2,962
National Institutes of Health (NIH)	15,653	15,893	16,895	17,602	17,873
Substance Abuse and Mental Health Services Administration (SAMHSA) Mental Health Block Grant	289	359	300	359	356
SAMHSA Substance Abuse Block Grant	1,584	1,715	1,585	1,715	1,600
SAMHSA, Other	614	653	529	726	699
Agency for Health Care Policy and Research	102	27	104	20	111
PHS, subtotal	25,297	25,711	26,357	27,688	28,253
<i>Health Care Financing Administration (HCFA)</i>					
Medicaid Grants to States (mandatory)	103,455	116,676	116,676	116,676	116,676
Payments to Medicare Trust Funds (mandatory)	62,823	69,289	69,289	69,289	69,289
Program Management	2,143	2,016	1,752	1,991	1,995
HCFA, subtotal	168,421	187,981	187,717	187,956	187,960
<i>Administration for Children and Families (ACF)</i>					
—Family Support Payments to States (Welfare, Child Support) (mandatory)	3,213	689	689	3,191	3,191
—Low Income Home Energy Assistance Program (LIHEAP)	1,100	1,100	1,100	1,100	1,100

Office or major program	FY1999 final <sup>a</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
—LIHEAP Emergency Allocation	300	300	300	300	300
—Refugee and Entrant Assistance	515	431	424	431	427
—Child Care and Development Block Grant (CCDBG)	1,183	1,183	0	2,000	1,183
—Social Services Block Grant (Title XX) (mandatory)	1,909	2,380	1,909	2,380	1,775
—Children and Family Services Programs (CFSP), Head Start	4,659	5,267	4,760	5,267	5,267
—CFSP, Community Services Block Grant	500	500	510	500	530
—CFSP, Child Welfare Services	292	292	292	292	292
—CFSP, Developmental Disabilities	119	119	115	126	122
—CFSP, Other	484	410	458	500	523
—Violent Crime Reduction	105	119	105	105	101
—Rescission of permanent appropriations	-21	0	-21	0	-21
—Promoting Safe and Sable Families (mandatory)	275	295	295	295	295
—Foster Care and Adoption Assistance State Payments (mandatory)	5,119	5,850	5,845	5,850	5,845
ACF, subtotal	19,752	18,935	16,781	22,337	20,930
Administration on Aging	882	1,048	882	942	934
Office of the Secretary, Public Health/Social Service Fund	223	386	392	475	584
Retirement Pay and Medical Benefits, Commissioned Officers (mandatory)	202	215	215	215	215
Office of the Secretary, Other	331	285	291	261	303
<b>TOTALS, DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>					
Total Appropriations <sup>b</sup>	215,108	234,560	232,637	239,845	239,180
Current Year: FY2000	181,947	199,400	197,310	200,260	202,701
FY2001	33,161	35,160	35,327	39,295	36,480

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept.106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

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

## U.S. Department of Education

Discretionary appropriations for the U.S. Department of Education (ED) are shown in **Table 9**, including the FY2000 budget proposal, the amounts in the House, Senate, and conference bills, and the FY1999 enacted amount. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects only the appropriations in the current bill, regardless of the year that they will be spent; it includes advances in the current bill for future years (also shown separately in the table). **Budget authority** represents (a) appropriations in the current bill for the current year, plus (b) appropriations for the current year that were enacted in prior years (shown separately in the table, as well). Budget authority is similar to the amount 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 32).

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

Type of funding	FY1999 final <sup>b</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
Program level (from the current bill for any year)	\$33.3	\$34.7	\$33.3	\$35.3	\$35.7
Budget authority (for current year from any bill)	28.8	32.8	24.7	30.1	29.5
Advances for future years (from the current bill)	6.2	8.1	14.8	11.4	12.4
Advances from prior years (from previous bills)	1.7	6.2	6.2	6.2	6.2

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The amounts shown are for discretionary programs funded by the L-HHS-ED appropriation bill; mandatory programs funded through the L-HHS-ED bill and other laws are not included.

<sup>b</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

<sup>c</sup> The amount is less than \$0.05 million.

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 FY1999.

### Key Issues

**President's Request.** Support for education has been one of the President's top priorities, and the FY2000 discretionary budget request for ED continues to reflect that emphasis. The comprehensive reform of elementary and secondary education is

a major theme that includes accelerated change and increased accountability at the school and classroom level, mastering educational basics, improved teaching for all students, a safe and drug-free environment in the schools, assistance for increasing college access and completion, and an Hispanic Initiative to meet the special challenges of language and cultural barriers to education.

Discretionary increases of at least \$100 million requested for ED programs under the President's FY2000 budget include the following.

- The largest ED discretionary increase (in terms of absolute dollars) is \$400 million in additional funds proposed for 21<sup>st</sup> Century Community Learning Centers; \$200 million was provided in FY1999 for grants that support school-based programs providing multiple services to meet the needs of the community.
- \$103 million more is proposed for Educational Technology programs, including additional funds for the Technology Literacy Challenge Fund, Community-Based Technology Centers, and Middle-School Teacher Training.
- An additional \$264 million is requested for Title I Grants to Local Educational Agencies (LEAs) for the Education of the Disadvantaged.
- \$200 million more is requested for the Class Size Reduction program, which was first initiated under the FY1999 appropriations.
- \$190 million more is requested for Adult Education and Family Literacy programs, with the additional funds to be used for the State Grants program and an English as a Second Language (ESL) and Civics Education Initiative.
- \$120 million more is proposed for Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP).

Smaller increases are proposed for several other ED programs, including other Education for the Disadvantaged programs (\$53 million); Individuals with Disabilities Education Act (IDEA) State Grants (\$51 million) and National Activities (\$64 million); Federal Work-Study (\$64 million); and Research and Statistics (\$68 million).

Decreases requested in the President's budget include \$128 million less for Impact Aid programs. No funds are requested for the \$375 million Innovative Program Strategies (education block grant) program. In addition, a reduction of \$70 million is proposed for the ED portion of the School-to-Work Opportunities Act program, as part of an authorized phase-out by FY2001 of federal financial support.

A decrease of \$241 million is requested in new FY2000 funding for the Pell Grant program, which was funded at \$7.7 billion in FY1999. However, the ED Budget Service indicates that surplus funds available from prior years would be used to boost spending for Pell Grants to \$7.9 billion in FY2000. The FY2000 budget includes a \$125 increase in the maximum award to \$3,250.

**House Bill.** At the Committee level, the House bill does not accept all of the funding changes proposed in the President's FY2000 budget.

- Impact Aid would receive \$907 million, \$171 million more than the President's request and \$43 million more than in FY1999.

- Special Education State Grants would be funded at \$5.6 billion, \$449 million above the request and \$500 million above the FY1999 amount.
- Pell Grants would be provided \$7.6 billion, \$157 million more than the request, but \$84 million below the FY1999 amount. The maximum award would be increased to \$3,275.
- Innovative Program Strategies would be funded at \$385 million, \$10 million above the FY1999 amount; the request was for program termination.
- \$1.8 billion would be provided for a Teacher Empowerment Initiative, subject to enactment of authorizing legislation, to replace the Class Size Reduction program that was funded at \$1.2 billion in FY1999.
- Title I Grants for LEAs would be level funded at \$7.7 billion; the President requested an increase of \$264 million.
- Several major programs would be terminated under the House bill, including Goals 2000: Educate America Act (\$491 million in FY1999), School-to-Work (\$125 million), Professional Development (\$335 million), and GEAR UP (\$120 million).
- Educational Technology programs would be funded at \$500 million, a decrease of \$198 million compared to the FY1999 level of \$698 million, and \$301 million below the request.
- 21<sup>st</sup> Century Community Learning Centers would be funded at \$300 million, an increase of \$100 million compared to the FY1999 amount, but \$300 million below the request.
- Adult Education would be funded at \$378 million, a decrease of \$7 million compared to the FY1999 amount, and \$197 below the request.

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

- The four programs — Goals 2000: Educate America Act, School-to-Work, Professional Development, and GEAR UP — that would be terminated under the House bill would be funded at approximately the level requested by the President, with the exception that GEAR UP would be funded at \$180 million, \$60 million less than the request but \$60 million more than the FY1999 amount.
- Educational Technology would be funded at \$707 million, \$207 million more than the House amount; the FY1999 amount was \$698 million.
- 21<sup>st</sup> Century Community Learning Centers would be funded at \$400 million, \$100 million more than the House provision; the FY1999 amount was \$200 million.
- Title I Grants for LEAs would be funded at \$8.1 billion, \$320 million more than the House; the FY1999 amount was \$7.7 billion.
- Special Education State Grants would be provided \$5.8 billion, \$200 million more than the House level; the FY1999 amount was \$5.1 billion.
- Adult Education would be funded at \$488 million, \$110 million more than the House; the FY1999 amount was \$385 million.
- Pell Grants would be funded at \$7.8 billion, \$158 million over the House amount; the FY1999 amount was \$7.7 billion. The maximum award would be increased to \$3,325.
- The Senate bill would fund a Teacher Assistance Initiative at \$1.2 billion, \$0.6 billion less than the Teacher Empowerment Initiative in the House. The

initiative would replace the Class Size Reduction program, funded at \$1.2 billion in FY1999.

**Conference Report.** The conference bill provides funding amounts for ED programs similar to those in the President's FY2000 budget request, with the following exceptions.

- The bill would provide \$1.3 billion for a Class Size/Teacher Assistance Initiative to support hiring new teachers or otherwise meet local educational needs; the initiative would replace the Class Size Reduction program, for which \$1.4 billion was requested, \$200 million more than the FY1999 amount.
- The bill would provide \$454 million for the 21st Century Community Learning Centers, \$146 million less than the request; the FY1999 amount was \$200 million.
- Impact Aid programs would be funded at \$911 million, \$175 million more than the request; the FY1999 amount was \$864 million.
- Innovative Program Strategies would be funded at \$380 million, a \$5 million increase over the FY1999 amount; the request was to terminate funding.
- Special Education State Grants would be funded at \$5.8 billion, \$649 million more than the request; the FY1999 amount was \$5.1 billion.
- Adult Education would be funded at \$470 million, \$105 million less than requested; the FY1999 amount was \$385 million.
- Pell Grants would receive \$7.7 billion, \$237 million more than requested; the FY1999 amount was \$7.7 billion as well. The maximum award would be increased to \$3,300, \$175 above the FY1999 amount.
- The Fund for the Improvement of Education (FIE) would receive \$250 million, \$110 million more than requested; the FY1999 amount was \$139 million. The FY2000 amount includes \$50 million for comprehensive school reform grants (increased from \$25 million in FY1999) and \$45 million for a Small Schools Initiative.

**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, many of the elementary and secondary education formula grant programs receive funding through appropriations that become available for obligation to the states on July 1 of the same year as the appropriations, and remain available through the end of the following fiscal year. That is, FY2000 appropriations for some programs will become available for obligation to the states on July 1, 2000, and will remain available for a 15-month period until September 30, 2001. This budgetary procedure is popularly known as "forward" or "multi-year" funding, and is accomplished through funding provisions in the L-HHS-ED appropriations bill.

Forward funding in the case of elementary and secondary education programs was designed to allow additional time for school officials to develop budgets in advance of the beginning of the school year. For Pell Grants, however, aggregate program costs for individual students applying for assistance cannot be known with certainty ahead of time. Appropriations from one fiscal year primarily support Pell Grants during the following academic year, that is, the FY2000 appropriation supports the 2000-2001 academic year. Unlike forward funded programs, however,

the funds remain available for obligation for 2 full fiscal years. Thus, if cost estimates turn out to be too low, funds may be borrowed from the following year's appropriations, or conversely, if the estimates are too high, the surplus may be obligated during the following year.

An advance appropriation occurs when the appropriations are provided for a fiscal year beyond the fiscal year for which the appropriations act was enacted. In the case of FY2000 appropriations, funds would normally become available October 1, 1999, under regular funding provisions, but would not become available until July 1, 2000, under the forward funding provisions discussed above. However, if the July 1, 2000 forward funding date were to be postponed for obligation by 3 months, until October 1, 2000, the appropriation would be classified as an "advance appropriation" since the funds would become available only in the next fiscal year (FY2001). For Title I Basic Grants to LEAs, the FY1998 appropriation of \$6.2 billion was split — \$4.8 billion of forward funding, and \$1.4 billion as an advance appropriation. For FY1999, \$6.5 billion was split so that \$1.5 billion was for forward funding and \$5.0 billion was an advance appropriation. The FY2000 appropriation under P.L. 106-113 is \$6.7 billion for Title I Basic Grants to LEAs, with forward funding of \$1.7 billion, plus an advance appropriation of \$5.0 billion in forward funding, for an overall increase of \$0.2 billion.

What is the impact of these changes in funding provisions? At the program or service level, relatively little is changed by the 3-month delay in the availability of funds, since most expenditures for a standard school year occur after October 1. At the appropriations level, however, a significant technical difference occurs because forward funding is counted as part of the current fiscal year, and is therefore fully included in the current 302(b) allocation for discretionary appropriations. Under federal budget scorekeeping rules, an advance appropriation is not counted in the 302(b) allocation until the following year. In essence, a 3-month change from forward funding to an advance appropriation for part or all of the annual appropriations for a given program allows a one-time shift from the current year to the next year in the scoring of discretionary appropriations.<sup>6</sup>

## **For Additional Reading**

### **CRS Issue Briefs.**

CRS Issue Brief IB10029, *Education for the Disadvantaged: ESEA Title I Reauthorization Issues*, by Wayne Riddle.

CRS Issue Brief 98013, *Elementary and Secondary Education Block Grant Proposals in the 106<sup>th</sup> Congress*, by Wayne C. Riddle and Paul M. Irwin.

CRS Issue Brief 98047, *Elementary and Secondary: Reconsideration of the Federal Role by the 106<sup>th</sup> Congress*, by Wayne Riddle, et al.

CRS Issue Brief 98035, *School Choice: Current Legislation*, by Wayne Riddle and James Stedman.

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<sup>6</sup> For additional information on budget enforcement procedures, see CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith and Allen Schick.



**CRS 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 RS20156, *Elementary and Secondary School Teachers: Action by the 106<sup>th</sup> Congress*, by James B. Stedman.
- CRS Report RL30128, *Elementary and Secondary School Teachers: Selected Federal Programs and Issues*, by James B. Stedman.
- CRS Report 98-676, *Federal Elementary and Secondary Programs: Ed-Flex and Other Forms of Flexibility*, by Wayne Riddle.
- CRS Report 95-502, *Goals 2000: Educate America Act Implementation Status and Issues*, by James B. Stedman and Wayne C. Riddle.
- CRS Report RL30075, *Impact Aid: Overview and Reauthorization Issues*, by Richard N. Apling.
- CRS Report RL30103, *Individuals with Disabilities Education Act: Department of Education Final Regulations*, by Nancy Lee Jones and Richard N. Apling.
- CRS Report 97-433, *Individuals with Disabilities Education Act: Full Funding of State Formula*, by Richard N. Apling.
- CRS Report 96-178, *Information Technology and Elementary and Secondary Education: Current Status and Federal Support*, by James B. Stedman.
- CRS Report 94-224, *Rehabilitation Act: Major Programs, 105<sup>th</sup> Congress Legislation, and Funding*, by Carol V. O'Shaughnessy and Alice D. Butler.
- CRS Report 97-760, *The Safe and Drug-Free Schools and Communities Program*, by Cecilia Oregón Echeverría.
- 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.

**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/Budget00/>]
- [<http://www.ed.gov/offices/OUS/Budget00/BudgetSumm/>]
- [<http://www.ed.gov/Speeches/03-1999/00budtst.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)

<b>Office or major program</b>	<b>FY1999 final <sup>a</sup></b>	<b>FY2000 request</b>	<b>FY2000 House</b>	<b>FY2000 Senate</b>	<b>FY2000 conference</b>
Education Reform, Goals 2000: Educate America Act	491	491	0	494	491
—School-to-Work Opportunities	125	55	0	55	55
—Educational Technology	698	801	500	707	769
—21 <sup>st</sup> Century Community Learning Centers	200	600	300	400	454
<i>Office of Elementary and Secondary Education</i>					
—Title I Education for the Disadvantaged, Grants to LEAs	7,732	7,996	7,732	8,052	7,941
—Education for the Disadvantaged, Other	695	748	686	699	760
—Impact Aid	864	736	907	892	911
—School Improvement (SI), Professional Development	335	335	0	335	335
—SI, Innovative Program Strategies	375	0	385	375	380
—SI, Class Size Reduction, Teacher Empowerment or Assistance Initiative	1,200	1,400	1,800	1,200	1,300
—SI, Safe and Drug-Free Schools	566	591	566	636	606
—SI, Magnet Schools	104	114	104	112	110
Other School Improvement	231	283	260	304	296
Reading Excellence Act	260	286	200	285	260
Indian Education	66	77	66	77	77
Bilingual and Immigrant Education	380	415	380	394	400
<i>Office of Special Education and Rehabilitative Services</i>					
—Special Education, State Grants <sup>b</sup>	5,055	5,106	5,555	5,755	5,755
—Special Education, National Activities	279	343	278	281	282
—Vocational Rehabilitation State Grants (mandatory)	2,304	2,339	2,339	2,339	2,339
—Rehabilitation Services, Other	348	378	348	354	369
Special Institutions for Persons With Disabilities	138	142	143	144	144
<i>Office of Vocational and Adult Education</i>					
Vocational Education	1,154	1,163	1,204	1,170	1,193
Adult Education	358	575	378	488	470
Incarcerated Youth Offenders	17	12	0	19	19

Office or major program	FY1999 final <sup>a</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
<i>Student Financial Assistance</i>					
—Pell Grants <sup>c</sup>	7,704	7,463	7,620	7,778	7,700
—Supplemental Educational Opportunity Grants	619	631	629	631	631
—Federal Work-Study	870	934	880	934	934
—Federal Perkins Loans, Capital Contributions	100	100	100	100	100
—Federal Perkins Loans, Loan Cancellations	30	30	30	30	30
—Leveraging Educational Assistance Partnership (LEAP)	25	25	0	75	40
Federal Family Education Loans, Administration	46	48	46	48	48
Higher Education, Aid for Institutional Development	260	294	260	286	293
—Federal TRIO Programs	600	630	660	630	645
—GEAR UP	120	240	0	180	200
—Other Higher Education	313	415	232	311	396
Howard University	214	219	219	219	219
College Housing and Academic Facilities Loans, Administration	1	1	1	1	1
<i>Office of Educational Research and Improvement</i>					
—Research and Statistics	252	320	253	258	277
—Fund for the Improvement of Education	139	140	76	40	250
—Other Research and Improvement	66	80	62	71	70
Departmental Management	462	493	459	475	488
<b>TOTALS, DEPARTMENT OF EDUCATION</b>					
Total Appropriations <sup>d</sup>	35,615	37,051	35,660	37,633	38,042
—Current Year: FY2000	29,410	28,977	20,878	26,221	25,594
—FY2001	6,205	8,073	14,782	11,412	12,448

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 2037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

<sup>b</sup> The FY1999 appropriation for Special Education State Grants included an advance appropriation of \$210 million from previous legislation.

<sup>c</sup> The ED Budget Service indicates that surplus funds available from prior years would be used to boost spending for Pell Grants to \$7.9 billion in FY2000.

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

## Related Agencies

Discretionary appropriations for the L-HHS-ED Related Agencies are shown in **Table 11**, including the FY2000 budget proposal, the amounts in the House, Senate, and conference bills, and the FY1999 enacted amount. Because appropriations may consist of mixtures of budget authority enacted in various years, two summary measures are used. **Program level** reflects only the appropriations in the current bill, regardless of the year that they will be spent; it includes advances in the current bill for future years (also shown separately in the table). **Budget authority** represents (a) appropriations in the current bill for the current year, plus (b) appropriations for the current year that were enacted in prior years (shown separately in the table, as well). Budget authority is similar to the amount 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 32).

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

Type of funding	FY1999 final <sup>b</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
Program level (from the current bill for any year)	\$7.8	\$8.3	\$7.9	\$8.2	\$8.2
Budget authority (for current year from any bill)	7.8	8.2	7.9	8.1	8.1
Advances for future years (from the current bill)	0.3	0.4	0.3	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. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The amounts shown are for discretionary programs funded by the L-HHS-ED appropriation bill; mandatory programs funded through the L-HHS-ED bill and other laws are not included.

<sup>b</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

Mandatory programs for related agencies included in the L-HHS-ED bill were funded at \$30.0 billion in FY1999, of which \$29.2 billion was for the SSI program and \$0.5 billion was for Special Benefits for Disabled Coal Miners.

### Key Issues

**President's Request.** The President's FY2000 budget for related agencies includes increases in discretionary spending of more than \$100 million for the following.

- \$163 million additional is proposed for the SSA Limitation on Administrative Expenses.
- An increase of \$117 million is requested for discretionary activities related to the SSI program.

Smaller increases are proposed for Domestic Volunteer Service programs (\$23 million); the Corporation for Public Broadcasting (CPB), including the CPB Digitalization program (\$10 million and \$5 million, respectively); and the National Labor Relations Board (NLRB) (\$26 million).

Reductions are requested for several related agencies programs, including the Institute of Museum and Library Services (IMLS) (\$11 million).

**House Bill.** At the Committee level, the House bill does not accept all of the funding changes proposed in the President's FY2000 budget. The House proposal would provide \$136 million less than requested by the President for the SSA Limitation on Administrative Expenses. It would also fund SSI discretionary activities at \$89 million less than requested, Domestic Volunteer Service at \$25 million less than requested, and the NLRB at \$35 million less than requested.

**Senate Bill.** As passed, the Senate bill differs from the House proposal with regard to several programs. The SSA Limitation on Administrative Expenses would be funded at \$4.2 billion, \$115 million more than the House amount and \$142 million more than the FY1999 level. Discretionary SSI activities would receive \$78 million more than under the House provision and \$28 million more than the FY1999 amount. The NLRB would receive \$210 million, the same as the request and \$35 million more than the House provision; the FY1999 amount was \$184 million.

**Conference Report.** The conference bill provides funding for related agency programs similar to those in the President's FY2000 budget request, with the following exceptions.

- The bill would provide \$2.4 billion for discretionary SSI activities, \$61 million less than the request but \$56 million more than the FY1999 amount.
- The bill would provide \$4.2 billion for the SSA Limitation on Administrative Expenses, \$48 million less than the request but \$115 million more than the FY1999 amount.

## **For Additional Reading**

### **CRS Issue Briefs.**

CRS Issue Brief 95063, *Public Broadcasting: Issues in the 106<sup>th</sup> Congress*, by Bernevia McCalip.

**CRS Reports.**

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

CRS Report 97-646, *Federal Aid to Libraries: The Library Services and Technology Act*, by Wayne C. Riddle.

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.

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

**CRS Electronic Briefing Book.**

**Social Security Briefing Book**

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

**Selected World Wide Web Sites.<sup>7</sup>**

**Armed Forces Retirement Home**

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

**Corporation for National and Community Service**

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

[[http://www.cns.gov/news/1999\\_02\\_01.html](http://www.cns.gov/news/1999_02_01.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/031899.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/>]

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<sup>7</sup> Not all of the L-HHS-ED related agencies have web sites, and not all web sites include FY2000 budget information.

**National Education Goals Panel**

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

**National Labor Relations Board**

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

[[http://www.nlr.gov/press/fy2000\\_truesdale.html](http://www.nlr.gov/press/fy2000_truesdale.html)]

**Railroad Retirement Board**

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

[<http://www.rrb.gov/FY2000chair.html>]

**Social Security Administration**

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

[<http://www.ssa.gov/budget/2000bud.htm>]

**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)

<b>Office or major program</b>	<b>FY1999 final<sup>a</sup></b>	<b>FY2000 request</b>	<b>FY2000 House</b>	<b>FY2000 Senate</b>	<b>FY2000 conference</b>
Armed Services Retirement Home	71	68	68	— <sup>b</sup>	68
<i>Corporation for National and Community Service: Domestic Volunteer Service Act Programs<sup>c</sup></i>					
—Volunteers in Service to America (VISTA)	73	81	73	81	81
—National Senior Volunteer Corps	174	185	173	183	184
—Program Administration	30	34	29	29	31
Domestic Volunteer Service subtotal	277	300	275	293	296
Corporation for Public Broadcasting (CPB), 2-Year Advance	340	350	340	350	350
CPB Digitalization <sup>d</sup>	15	20	10	0	10
CPB Satellite Replacement Supplemental <sup>e</sup>	48	0	0	0	0
Federal Mediation and Conciliation Service	35	37	35	37	37
Federal Mine Safety and Health Review Committee	6	6	6	6	6
Institute of Museum and Library Services	166	155	150	155	167
Medicare Payment Advisory Commission	7	7	7	7	7
National Commission on Libraries and Information Science	1	1	1	1	1
National Council on Disability	2	2	2	2	2
National Education Goals Panel	2	2	2	2	2
National Labor Relations Board	184	210	175	210	207
National Mediation Board	8	9	8	9	9
Occupational Safety and Health Review Commission	8	9	8	9	9
Railroad Retirement Board Dual Benefits Payments (mandatory)	178	165	165	165	164
Railroad Retirement Board Limitation on Administration	96	92	95	95	96



Office or major program	FY1999 final <sup>a</sup>	FY2000 request	FY2000 House	FY2000 Senate	FY2000 conference
<i>Social Security Administration (SSA)</i>					
—SSA, Special Benefits for Disabled Coal Minors (mandatory)	528	508	508	508	508
—SSA, Supplemental Security Income (SSI) (mandatory)	29,231	29,250	29,250	29,251	29,251
—SSA, Supplemental Security Income (SSI), Other	2,366	2,483	2,394	2,472	2,422
—SSA, Federal Funds, Other (mandatory)	20	21	21	21	21
—SSA, Limitation on Administrative Expenses	4,060	4,223	4,087	4,202	4,175
—SSA, Office of Inspector General	56	66	55	66	66
SSA subtotal	36,261	36,551	36,316	36,520	36,443
United States Institute for Peace	12	13	12	13	13
<b>TOTALS, RELATED AGENCIES</b>					
Total Appropriations <sup>f</sup>	37,718	37,997	37,675	37,874	37,887
—Current Year: FY2000	27,669	27,633	27,321	27,430	27,523
—FY2001	9,708	10,014	10,014	10,014	10,014
—FY2002	340	350	340	350	350

**Source:** Amounts are compiled from the H.R. 3194 conference report, H.Rept. 106-479.

**Note:** The FY2000 conference amounts do not show a 0.38% general discretionary fund reduction. FY2000 amounts reflect H.R. 3037, as reported (House); S. 1650, as passed (Senate); and H.R. 3424 (H.R. 3194 conference).

<sup>a</sup> The FY1999 amounts are based on P.L. 105-277 and P.L. 106-31.

<sup>b</sup> Funds would have been provided through the FY2000 Department of Defense Appropriations Act.

<sup>c</sup> Funds are provided for Domestic Volunteer Service Act programs only; the Corporation for National and Community Service also receives funds from the Veterans Affairs and Housing and Urban Development appropriations bill for AmeriCorps Grants and other programs under the National Community Service Act.

<sup>d</sup> The FY1999 appropriation was contingent on the enactment of a specific authorization by September 30, 1999 (which did not occur); the FY2000 funds would require specific authorization by September 30, 2000.

<sup>e</sup> The P.L. 106-31 supplemental provided \$48 million for CPB satellite replacement, \$31 million for use in FY1999 and \$18 million for use in FY2000.

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

## Related Legislative Activity

Several legislative items related to L-HHS-ED appropriations have been considered by the 1<sup>st</sup> Session of the 106<sup>th</sup> Congress, including supplemental appropriations for FY1999 and the congressional budget resolution for FY2000.

**P.L. 106-31, H.R. 1141/S. 544.** 1999 Emergency Supplemental Appropriations Act.<sup>8</sup> Among the L-HHS-ED provisions, a supplemental appropriation of \$100 million was provided for the DHHS Refugee and Entrant Assistance for the temporary relief of displaced Kosovar Albanians, \$1.0 million for DHHS Nursing Home Appeals, \$56.4 million for ED ESEA Title I Concentration Grants, and \$48.0 million for the CPB to enable National Public Radio to obtain replacement satellite services. Rescissions to appropriations already enacted for other programs were made to offset some of the supplemental appropriations, including a reduction of \$22.4 million from the DOL Unemployment Insurance program, \$2.8 million from the DHHS Federal Capital Loan Program for Nursing, and \$6.5 million from the ED Office of Educational Research and Improvement. Section 3031 amended the Social Security Act to prohibit treating any funds recovered from tobacco companies by the states as an overpayment for the purposes of Medicaid, and permits states to spend any settlement funds without restriction. Title V (“Technical Corrections”) of P.L. 106-31 made a series of amendments to the FY1999 appropriations language, including 13 amendments to L-HHS-ED appropriations provided by P.L. 105-277. 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. Conference report (H.Rept. 106-143) was passed by the House on May 18 (roll call #133, 269-158), and by the Senate May 20 (roll call #136, 64-36). As amended, H.R. 1141 was signed into law by the President May 21, 1999.

**P.L. 106-62, H.J.Res. 68.** The **First FY2000 Continuing Resolution** provides appropriations on a temporary basis for most ongoing L-HHS-ED projects and activities, including the costs of direct loans and loan guarantees, for the period October 1 through October 21, 1999, unless a regular FY2000 L-HHS-ED appropriations bill is enacted sooner.<sup>9</sup> Funding is provided at a rate of operations not exceeding the “current rate,” under FY1999 conditions and program authority.<sup>10</sup> New initiatives are prohibited. For programs with high spend out rates that normally would

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<sup>8</sup> For a summary of provisions, see CRS Report RL30083, *Supplemental Appropriations for FY1999: Central America Disaster Aid, Middle East Peace, and Other Initiatives*, by Larry Nowels.

<sup>9</sup> For background on continuing resolutions, see CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Resent Practices*, by Sandy Streeter.

<sup>10</sup> The 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 does not necessarily correspond to the FY1999 amounts stated in this report.

occur early in the fiscal year, special restrictions are made to prevent spending that would impinge on final funding decisions. The House and Senate reported versions of the FY2000 L-HHS-ED appropriations “shall be deemed to have passed the House and Senate respectively” as of October 1, 1999, for purposes of the continuing resolution. H.J.Res. 68 passed the House by a vote of 421 to 2, 1 present, on September 28, 1999; it passed the Senate by a vote of 98 to 1 on the same day. H.J.Res. 68 was signed into law by the President September 30, 1998.

***P.L. 106-75, H.J.Res. 71.*** The **Second FY2000 Continuing Resolution** extends the provisions of P.L. 106-62 to the period October 1 through October 29, 1999. H.J.Res. 71 passed the House by a vote of 421 to 5 (roll call #510) and the Senate by voice vote on October 19, 1999. H.J.Res. 71 was signed into law by the President October 21, 1999.

***P.L. 106-85, H.J.Res. 73.*** The **Third FY2000 Continuing Resolution** extends the provisions of P.L. 106-62 to the period October 1 through November 5, 1999. H.J.Res. 73 passed the House by a vote of 424 to 2 (roll call #546) and the Senate by unanimous consent on October 18, 1999. H.J.Res. 73 was signed into law by the President October 29, 1999.

***P.L. 106-88, H.J.Res. 75.*** The **Fourth FY2000 Continuing Resolution** extends the provisions of P.L. 106-62 to the period October 1 through November 10, 1999. H.J.Res. 75 passed the House by a vote of 417 to 6 (roll call #565) and the Senate by unanimous consent on November 4, 1999. H.J.Res. 75 was signed into law by the President November 5, 1999.

***P.L. 106-94, H.J.Res. 78.*** The **Fifth FY2000 Continuing Resolution** extends the provisions of P.L. 106-62 to the period October 1 through November 17, 1999. H.J.Res. 78 passed the House by voice vote on November 9 and the Senate by unanimous consent on November 10, 1999. H.J.Res. 78 was signed into law by the President November 10, 1999.

***P.L. 106-105, H.J.Res. 80.*** The **Sixth FY2000 Continuing Resolution** extends the provisions of P.L. 106-62 to the period October 1 through November 18, 1999. H.J.Res. 80 passed the House by a vote of 403 to 8 (roll call #596) and the Senate by unanimous consent on November 17, 1999. H.J.Res. 89 was signed into law by the President November 18, 1999.

***P.L. 106-106, H.J.Res. 83.*** The **Seventh (Final) FY2000 Continuing Resolution** extends the provisions of P.L. 106-62 to the period October 1 through the date of enactment of regular appropriations or December 2, 1999, whichever occurs first. H.J.Res. 83 passed the House by voice vote and the Senate by unanimous consent on November 18, 1999. H.J.Res. 83 was signed into law by the President November 19, 1999.

**H.Con.Res. 68/S.Con.Res. 20.** The FY2000 concurrent resolution on the budget sets annual levels for the federal budget through FY2009.<sup>11</sup> The resolution establishes the aggregate discretionary spending limit for the 13 regular appropriations bills, known as the 302(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 at the program level are left for appropriations bills. 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.

**Action on FY1999 Appropriations in the 105<sup>th</sup> Congress.** During the 105<sup>th</sup> Congress, most L-HHS-ED appropriations for FY1999 were provided by P.L. 105-277, the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, which was signed into law by the President on October 21, 1998 (H.R. 4274, conference report H.Rept. 105-825). P.L. 105-277 included supplemental funding for a few specific DOL and DHHS programs.<sup>12</sup> Other legislation in the 105<sup>th</sup> Congress that was related to the FY1999 L-HHS-ED appropriations included the following:

- The Congress did not reach final agreement on the FY1999 congressional budget resolutions; H.Con.Res. 284 (H.Rept. 105-555) and S.Con.Res. 86 (S.Rept. 105-170) passed their respective chambers, but a conference report was never issued.
- Six continuing resolutions provided temporary FY1999 funding for L-HHS-ED programs prior to enactment of P.L. 105-277 (P.L. 105-128 P.L. 105-249, P.L. 105-254, P.L. 105-257, P.L. 105-260, and P.L. 105-273).

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<sup>11</sup> For additional information, see CRS Issue Brief IB10017, *The Budget for Fiscal Year 2000*, by Philip D. Winters.

<sup>12</sup> For additional information, see CRS Report RL30056, *Appropriations Supplemental for FY1999: Emergency Funding in P.L. 105-277 for Agriculture, Embassy Security, Y2K Problems, Defense, and Other Issues*, by Larry Nowels, Coordinator.

## Appendix A: Terminology

**Advance appropriation**<sup>13</sup> is budget authority that will become available in a fiscal year beyond the fiscal year for which the appropriations act is enacted; the entire amount is counted under scorekeeping procedures in the fiscal year it first becomes available.

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

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

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

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

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

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

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

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

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

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

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<sup>13</sup> These definitions are based on CRS Report 98-720, *Manual on the Federal Budget Process*, by Robert Keith and Allen Schick.

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

The total budget authority for programs in all federal departments and agencies is estimated to be \$1,770.1 billion in FY1999, as shown in **Table B.1**. Of this amount, \$872.8 billion is the estimated total for the departments and related agencies represented in the L-HHS-ED bill, or 49.3% of all federal budget authority.

**Table B.1. Scope of the L-HHS-ED Bill**  
(Estimated FY1999 budget authority in billions of dollars)<sup>a</sup>

Budget category	Estimated amount	Percent of federal budget
Total Federal Budget Authority	\$1,770.1	100.0%
U.S. Department of Labor	36.6	2.1%
U.S. Department of Health and Human Services	379.3	21.4%
U.S. Department of Education	34.3	1.9%
Social Security Administration (On-budget)	41.1	2.3%
Social Security Administration (Off-budget)	380.1	21.5%
Other Related Agencies	1.4	0.1%
L-HHS-ED Agency Total	872.8	49.3%
L-HHS-ED Bill, Total Current Year Funds	291.9	16.5%
L-HHS-ED Bill, Current Year Mandatory Funds	208.6	11.8%
L-HHS-ED Bill, Current Year Discretionary Funds	83.3	4.7%
Total Federal Discretionary Funds	575.0	32.5%

**Source:** *Budget of the United States Government Historical Tables Fiscal Year 2000*, table 5.2, *Budget of the United States Government*, table S-9; and the conference report H.Rept. 105-825, which provides details for the FY1999 L-HHS-ED appropriations under P.L. 105-277.

**Note:** For data comparability, the FY1999 appropriations in this table are based on the February 1999 OMB budget documents and the October 1998 conference report; the data therefore do not include adjustments for funding enacted through the P.L. 106-31 FY1999 supplemental appropriations.

The estimated L-HHS-ED FY1999 appropriation was \$291.9 billion in current year funds — \$83.3 billion in discretionary funds and \$208.6 billion in mandatory funds. The L-HHS-ED appropriations Committees generally have effective control only over the discretionary funds, which currently constitute approximately 4.7% of the aggregate budget authority for all federal departments and agencies, and 9.5% of the total budget authority for L-HHS-ED departments and agencies.<sup>14</sup> What accounts

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<sup>14</sup> The annual congressional budget resolution sets aggregate spending targets for budget functions; House and Senate committees must initiate and report legislation that will achieve  
(continued...)

for the remaining L-HHS-ED funds — the remaining 90.5% that are either non-discretionary or are otherwise funded outside of the L-HHS-ED appropriation 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 the difference between the L-HHS-ED bill total of \$291.9 billion and the agency total of \$872.8 billion in FY1999. The major programs in this group include unemployment compensation, Medicare, railroad retirement, Temporary Assistance for Needy Families (TANF, the welfare reform program), student loans, State Children’s Health Insurance Program, and social security benefits.<sup>15</sup>

Second, **mandatory programs** account for the difference between the L-HHS-ED total of \$291.9 billion and the subtotal of \$83.3 billion for discretionary funds in FY1999. Although annual appropriations are made for these 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 appropriation bills. Federal administrative costs for these programs typically are subject to annual discretionary appropriations, however. These programs include Supplemental Security Income, Black Lung payments, and the Social Services Block Grant, as well as general (non-earmarked) fund support for Medicare and Medicaid.

Finally, a few DHHS programs are funded in **other appropriations** bills.

- The Food and Drug Administration is funded by Agriculture appropriations.
- The Indian Health Service is funded in the Interior bill.
- The Office of Consumer Affairs is funded in the Veterans Affairs and Housing and Urban Development (VA/HUD) appropriations bill.

In addition, the Corporation for National and Community Service (CNCS), one of the related agencies programs, receives funds from both (a) the L-HHS-ED bill for programs authorized under the Domestic Volunteer Service Act of 1973, and (b) the VA/HUD bill for AmeriCorps and other programs authorized by the National Community Service Act.

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<sup>14</sup> (...continued)

these targets. Typically, appropriation committees develop proposals to meet discretionary spending levels through appropriation bills. Likewise, authorizing committees develop proposals to meet mandatory spending levels; these proposals are often reported by separate authorizing committees and combined into a single, omnibus reconciliation bill.

<sup>15</sup> The Social Security Administration (SSA) was separated from DHHS and established as an independent federal agency on March 31, 1995. Within the L-HHS-ED bill, however, the SSA merely was transferred from DHHS to the status of “related agency.” The operation of the social security trust funds is considered off-budget. Of the \$872.8 billion total for L-HHS-ED departments and agencies in FY1999, the SSA accounted for \$421.2 billion, or 48.3% of the total. The SSA amount represents \$41.1 billion for designated on-budget activities and \$380.1 billion for off-budget activities.