

AUCD Legislative News Special Report

FY 2012 L-HHS-ED Funding Finalized

**Prepared by AUCD Legislative Affairs Staff
December 27, 2011**

On Saturday, December 17, the Senate passed by a vote of 67-32 the fiscal year 2012 nine-bill omnibus appropriations package to carry federal funding through next September for most federal agencies, including the Departments of Labor, Health and Human Services, Education, and Related Agencies (L-HHS-ED). The day before, December 16, the House had passed the measure 296-121, with 147 Republicans and 149 Democrats voting in favor of the bill. House and Senate appropriators had been working in closed-door sessions to arrive at an agreement on the appropriations measure.

AUCD is pleased to report that most of our core network programs maintained their current appropriations levels in spite of the extremely difficult budget environment. Overall, the conference agreement provides a total of \$1.043 trillion for discretionary programs – which is \$7 billion less than FY 2011. This number reflects the overall discretionary figure Congress and the President agreed to when they passed the Budget Control Act in August. The bill provides \$156.3 billion in discretionary funding for Labor, Health and Human Services, and Education programs. This total is \$1.1 billion below last year’s level and \$24.5 billion below the President’s request. According to a House press release, the bill “eliminates 23 programs totaling more than \$240 million that are ineffective, narrowly targeted to a small constituency, or have fulfilled their federal purpose.”

Below is a table comparing the FY 2012 final appropriations to current funding levels (FY 2011).

FY 2012 Labor, HHS, ED Appropriations Bills Compared (in millions)

	FY 2011 Final	President’s FY2012 Request	FY 2012 Conference Report	FY 2012 final compared to 2011
DEPT. OF HEALTH & HUMAN SERVICES				
Administration for Children and Families				
University Centers for Excellence in DD	38.9	38.9	38.9	0.0
DD Councils	75.0	75.0	75.0	0.0
Protection & Advocacy Systems	41.0	41.0	41.0	0.0
Projects of National Significance	14.1	8.3	8.3	-5.8
Child Abuse Prevention and Treatment	93.9	97.2	93.9	0.0
Health Resources and Services Administration				
Maternal & Child Health Block Grant	656.3	654.5	646.3	-10.0
Combating Autism Act – Autism and Other DD	47.7	55.0	47.7	0.0
Centers for Disease Control and Prevention	6,281.5	6,393.2	6,124.4	-157.1
Center on Birth Defects & DD	138.0	143.8	138.0	0.0
National Institutes of Health	30,399.0	31,456.0	30,698.1	+300.0
Natl. Institute of Child Health and Hum. Dev.	1,317.8	1,352.2	1,323.0	+6.0
Administration on Aging				
Lifespan Respite Care Act	2.5	10.0	2.5	0.0
Nat’l Family Caregiver Support Program	153.9	192.2	153.9	0.0

DEPT. OF EDUCATION				
Individuals with Disabilities Education Act				
Part B State and Local Grants	12,294.1	12,568.7	12,399.1	+105.0
Preschool Grants	373.4	374.1	373.4	0.0
Part C Early Intervention	438.5	489.4	443.5	+5.0
Part D National Programs				
State Personnel Development	46.8	48.0	44.0	-2.8
Technical Assistance and Dissemination	56.8	57.6	54.8	-2.0
Personnel Preparation	88.4	90.6	88.4	0.0
Parent Information Centers	27.9	28.0	28.9	+1.0
Technology and Media	28.6	33.3	29.6	+1.0
Research in Special Education (IES)	50.9	58.1	50.0	-0.9
Special Education studies and evaluations (IES)	11.4	11.4	11.4	0.0
Higher Education Act				
Demonstration Projects-Disability (Higher Ed.)	6.8	0.0	0.0	-6.8
Postsecondary Program for Students with ID	10.9	0.0*	10.9	0.0
Fund for Improvement (FIPSE)	19.6	150.0	3.5	-16.1
Rehabilitation Services and Disability Research				
Voc. Rehabilitation State Grant	3,084.7	3,140.9	3,121.7	+37.0
Supported Employment State Grant	29.1	0.0	29.1	0.0
Workforce Innovation Fund	0.0	30.0	0.0	0.0
NIDRR	109.0	110.5	109.0	0.0
State Assistive Technology Programs	30.8	30.9	32.8	+2.0
AmeriCorp Grants				
Disability Placement Funds	5.0	5.0	0.0	-5.0
DEPT. OF LABOR				
Office of Disability Employment Policy	39.0	39.0	39.0	0.0

*The President's Budget proposed to consolidate several programs, including the Postsecondary Program for Students with ID, into the Fund for Improvement of Postsecondary Education.

Department of Health and Human Services

Administration on Children and Families

DD Act programs

The Administration for Children and Families (ACF) within HHS receives \$29.2 billion, \$855 million below last year's level. The University Centers for Excellence (UCEDD) are level-funded at FY 2011 levels (\$38.8 million). The UCEDD program had been cut by \$3 million in a draft developed by Rep. Denny Rehburg (R-MT), chair of the House Appropriations Subcommittee, but the cut was not included in the final bill. State Developmental Disabilities Councils and Protection & Advocacy systems also receive level funding in the Committee bill.

Both the House and Senate provide \$8.3 million for the Projects of National Significance (PNS), the same as the President's FY 2012 budget request. This amounts to a \$5.8 million cut from the \$14.1 million provided in FY 2011. There is no mention of how much of this total would be directed to family support programs.

Child Abuse Prevention and Treatment

State Grants and Community-based prevention programs of the Child Abuse Prevention and Treatment Act (CAPTA) were all level-funded. Here is the break-out of the CAPTA funds:

(in millions)	FY 2011	FY 2012 Request	FY 2012
CAPTA State Grants	\$ 26.482	\$ 26.535	\$ 26.482
CAPTA Discretionary Grants	\$ 25.793	\$ 29.020	\$ 25.793
CAPTA Community-Based Prevention	\$ 41.606	\$ 41.689	\$ 41.606

HRSA/MCH/LEND

The conference agreement funds HRSA at a program level of \$6.5 billion, which is \$41 million below last year's level and \$848 million below the budget request. The bill provides \$47.7 million for the Autism and other Developmental Disabilities initiative authorized under the Combating Autism Act, \$2 million less than the President's budget request but the same as last year. The committee report specifically calls for level-funding for the Leadership Education in Neurodevelopmental and Related Disabilities (LEND) programs. The bill cuts the Maternal and Child Health Block Grant by \$10 million, far less than the \$50 million cut originally proposed by the Senate Committee.

Center for Disease Control and Prevention (CDC)

The bill includes a program level of \$6.1 billion for the CDC – an increase of \$38 million above last year's level and \$269 million below the President's budget request. The final bill provides level funding for the National Center on Birth Defects and Developmental Disabilities (NCBDDD) at \$138 million. The bill also includes language specifically rejecting the consolidation proposed in the fiscal year 2012 President's budget request for disability initiatives, similar to the report language contained in the Senate Committee bill that was advocated by AUCD and other disability organizations. The conference report also directs that any new consolidation put forward by the Administration be accompanied by an impact assessment.

National Institutes of Health (NIH)

Overall, the bill provides NIH with \$30.7 billion in funding, which is \$299 million above last year's level and \$758 million below the President's request. Funding for the National Institute for Child Health and Human Development (NICHD), which funds the Eunice Kennedy Shriver Intellectual and Developmental Disabilities Research Centers, is increased by \$6 million.

The conferees included \$10 million (the Senate bill had provided \$20 million) to support the creation of a National Center for Advancing Translational Sciences (NCATS) as part of a broader restructuring at NIH that also includes the termination of the National Center for Research Resources. The mission of NCATS, according to an earlier Senate press release, "is to transform the way NIH pursues the translation of basic science into treatments and cures. Too often, basic biomedical research will suggest a promising path for a treatment or cure, but funding falls short to pursue the idea to its fullest potential." A new program within NCATS--the Cures Acceleration Network (CAN)--will help speed the translation and application of discoveries that have shown signs of success at the laboratory level but have not advanced far enough to attract significant investments from the private sector. CAN will make grants to biotech companies, universities, and patient advocacy groups, and will also help facilitate FDA review for the high-need cures that are funded by this initiative.

Respite/Caregiving

The Lifespan Respite Care Act is level-funded at \$2.5 million; the President's request for the program was \$10 million. The National Family Caregivers Program within the Older American's Act is also level-funded in the final bill, which is unfortunate given that the President had requested a \$40 million increase for this program.

Department of Education

Special Education

Special Education programs (IDEA Part B state grants) are funded \$11.6 billion in the final bill – an increase of \$105 million above last year’s level. There is also an increase of \$5 million for Part C early intervention programs. Some IDEA Part D programs are cut, such as the State Personnel Development and Technical Assistance programs. Others, such as the Personnel Preparation and Parent Information Centers, are slightly increased.

Although the House draft did not propose funding for it, the final bill includes \$2 million within the Department of Education, \$10 million at the Social Security Administration and additional resources from the Rehabilitation Services Administration for a new Promoting School Readiness for Minors in SSI (PROMISE) program initiated by the President. This program is intended to improve services for transition-aged youth by encouraging State-level innovation and facilitating better coordination between existing programs serving youth with disabilities.

The President’s budget had also included a new \$5 million mentoring program for students with disabilities. The final bill did not support funding for this new program.

Higher Education Act

The bill provides level-funding (\$10.9 million) for the Postsecondary Programs for Students with Intellectual Disabilities, which is great news given that the House bill would have eliminated the “TPSID” grants. Neither the House nor the Senate bill provided funding, or even mentioned, the Demonstration Projects to Support Postsecondary Faculty, Staff, and Administrators in Educating Students with Disabilities that was funded at \$6.9 million in FY 2011. The President’s budget proposed to consolidate both of these programs into the Funds for Innovative Programs in Post-Secondary Education (FIPSE). The House bill would have eliminated the funding for FIPSE.

Vocational Rehabilitation

The final bill provides an increase of \$37 million for Vocational Rehabilitation State Grants, the same amount provided in the Senate bill and \$18 million more than the House bill. The Supported Employment State Grants are level-funded at \$29 million. The President’s budget would have consolidated employment and training programs, including the supported employment program.

For the National Institute on Disability and Rehabilitation Research (NIDRR), the bill provides \$109 million, which represents level-funding.

Assistive Technology programs are level-funded at approximately \$30 million in the final bill. The House had proposed a new mandatory Alternative Financing Program (AFP) set-aside for State Assistive Technology Act (AT) Programs that was not included in the final bill. Instead, the bill provides an additional \$2 million (outside of the AT Act), for competitive grants “to support alternative financing programs that provide for the purchase of assistive technology devices such as low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or insurance program.”

The bill includes \$50 million to continue the Workforce Innovation Fund started by President Obama. These funds are intended to improve the delivery of training programs to workers and “support innovative, systemic and evidence-based reforms and help determine which strategies are cost-effective and have the greatest impact.”

Department of Labor

The bill funds the Employment Training Administration (ETA) at \$10.7 billion – \$68 million below last year’s level and \$118.9 million below the President’s request. Workforce Investment Act Grants to States are funded at \$2.6 billion, which is \$179.8 million below last year’s level and \$353.8 million below the President’s request. The Office on Disability Employment Policy is provided \$39 million in the final bill, the same amount as FY 2011.

Related Agencies

National Service/CNCS

The final bill does not eliminate national services programs as the House Appropriations bill had proposed. However, the programs under the Corporation for National and Community Service (CNCS) did receive significant cuts. The most disappointing cut is the disability placement funds, which are completely zeroed out. These grant funds are for the placement of, reasonable accommodation of, and auxiliary services for members and potential members with disabilities serving in AmeriCorps programs, and were the primary funds used to support the National Service Inclusion Project (NSIP). The good news is that two percent of overall program funding (about \$13 million) is reserved for disability outreach and placement, and these funds can be used to continue the NSIP grant awards. Below is a table outlining CNCS program funding in the final funding bill.

CNCS Program	FY 2011	FY 2012 Request	FY 2012 final	FY12 compared to FY11
NCS Programs				
AmeriCorps grants	347.4	339.8	345.0	-2.4
Disability Placement	4.9	5.0	0.0	-4.9
Innovation, Assistance	60.4	80.5	53.4	-7.0
Evaluation	5.9	6.0	3.0	+3.0
Nat. Civilian Community Corps	0.0	39.5	0.0	0.0
Subtotal NCS programs	472.1	590.3	448.8	-23.3
Total Corp. for NCNS	1,075.5	1,257.8	1,050.8	-24.7

Conclusion

With the FY 2012 appropriations bills finally completed, the President and Congress can now turn their attention to FY 2013 funding. The President is expected to provide the Administration’s budget request in early February. AUCD expects the President’s FY 2013 budget to be austere, given the continued push to reduce the national debt and deficit. Earlier this year, the President sent a memo to Department heads asking them to identify final additional cuts that can be made. The agencies, including the Departments of Labor, HHS, and Education have already submitted their suggestions for the budget request. However, none of these figures will be made public until the President submits his budget to Congress. AUCD will continue to advocate for the highest possible funding for programs that promote disability research, education, and service.