

AUCD Summary Analysis Final FY 2017 Omnibus Agreement

On May 5, President Donald Trump signed a \$1.07 trillion fiscal year 2017 omnibus spending bill that funds federal government programs through the end of September. The House and Senate overwhelmingly passed the bill earlier in the week. The [bill](#) includes funding for the departments of Labor, Health and Human Services, and Education and Related Agencies (L-HHS-ED) that funds the AUCD network and other programs important to individuals with disabilities and families. Please also see House L-HHS-ED Chairman Frelinghuysen's [summary](#) of the bill.

Overall, AUCD is pleased that the final bill provides level-funding for most disability-related programs, with some even receiving modest increases, especially given the recently proposed recommendations by the Administration to make significant cuts. The L-HHS-ED bill includes \$161 billion in base discretionary spending, which is \$934 million below the FY2016 level. Below is a table showing final spending for selected programs in the final FY2017 bill compared to the funding level in FY2016, along with selected language from the bill which shows congressional intent related to spending priorities.

Final FY 2017 Omnibus Agreement (in millions) for Programs within the Departments of Labor, HHS, and Education				
	FY 2016 Final	FY 2017 Budget Request	FY 2017 Final	FY17 vs. FY 16
Department of HHS				
University Centers for Excellence in DD	38.6	38.6	38.6	0.0
Developmental Disabilities Councils	73.0	73.0	73.0	0.0
Protection & Advocacy Systems	38.7	38.7	38.7	0.0
Projects of National Significance	10.0	10.0	10.0	0.0
Assistive Technology Act	34.0	32.0	34.0	0.0
Lifespan Respite Care Act	3.4	5.0	3.4	0.0
NIDILRR Research	104.0	104.0	104.0	0.0
Autism and other DD	47.0	47.0	47.0	0.0
LEND	29.5	29.5	29.5	0.0
Maternal and Child Care Block Grant	638.2	638.2	641.7	+3.5
National Institutes of Health (NIH)	32,084.0	31,084.0	34,084.0	+2,000.0
National Institute for Child Health and Human Development	1,339.8	1316.6	1,380.3	+40,493.0
Centers for Disease Control and Prevention	7,233.4	7,039.2	7,255.2	+21.8
NCBDDD	135.6	67.6	137.6	+2.0
Department of Education				
IDEA Part B State Grants	11,912.8	11,912.8	12,002.8	+90.0

Preschool Grants	368.2	403.2	368.2	0.0
Grants for Infants and Toddlers	458.5	503.5	458.5	0.0
Part D National Activities				
State Personnel Development	41.6	41.6	38.6	-3.0
Technical Assistance	54.4	64.4	56.9	+2.5
Personnel Preparation	83.7	83.7	83.7	0.0
Parent Information Centers	30.0	30.0	28.0	-2.0
Technology, Media, Materials	30.0	30.0	28.0	-2.0
Vocational Rehabilitation State Grants	3,391.7	3,398.5	3,980.5	+6,784.0
Postsecondary Program for Students with Intellectual Disabilities	11.8	11.8	11.8	0.0
Institute of Education Sciences				
Research in Special Education	54.0	54.0	54.0	0.0
Special education Studies and Evaluation	10.8	13.0	10.8	0.0
Department of Labor				
Office of Disability Employment	38.2	38.5	38.2	-0.34

Health and Human Services (HHS)

Overall, the U.S. Department of Health and Human Services (HHS) is funded at \$77.7 billion, a \$2.7 billion increase compared to FY2016, including a \$2 billion increase for the National Institutes of Health (NIH), and \$801 million for Centers for Disease Control and Prevention (CDC), Substance Abuse and Mental Health Services Administration (SAMHSA), and Health Resources and Services Administration (HRSA) to fight opioid abuse, as well as slight increases for the Child Care and Development Block Grant (CCDBG) (\$95 million) and Head Start(\$85 million).

Administration for Community Living (ACL)

The bill funds ACL at \$1.9 billion, which is \$1.2 million above the fiscal year 2016 enacted level.

The agreement provides level-funding for all three DD Act programs: \$38.6 million for University Centers for Excellence in Developmental Disabilities (UCEDD); \$73 million for Developmental Disabilities Councils; and \$38.7 million for the Protection and Advocacy Systems. The Projects of National Significance receive \$10 million. However, \$1 million is dedicated to an ongoing transportation project older adults and people with disabilities, and \$575,000 is set aside for technical assistance to the DD Councils.

The Lifespan Respite Care Act, which provides grants to states to start up or develop existing respite programs for all ages and disabilities receives \$3.4 million, the same as FY 2016 but \$2.6 million less than the President's request.

Assistive Technology programs also receive the same amount as the previous fiscal year at \$34 million. Two million of this amount is dedicated for competitive grants.

The National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR) program is level-funded at \$103.970 million.

The agreement provides \$101 million for the Independent Living program, of which \$22.8 million is for the Independent Living State Grants program and \$78.3 million is for the Centers for Independent Living program.

HRSA Autism and Other Developmental Disorders/LEND

The bill includes \$6.4 billion for the Health Resources and Service Administration (HRSA), \$77 million above the fiscal year 2016 enacted level. Within the total, the agreement provides \$47 million for the Autism and Other Developmental Disorders program and directs that HRSA provide not less than \$29.5 million for the Leadership Education in Neurodevelopmental and Related Disabilities (LEND) program to continue to initiate or expand interdisciplinary leadership training to meet the needs of children with Autism Spectrum Disorders and related developmental disabilities.

National Institutes of Health (NIH)

The agreement provides \$34.1 billion in funding for the National Institutes of Health (NIH), a \$2 billion increase over FY 2016. This amount includes \$352 million from the 21st Century Cures Act, an increase of \$2 million, or 6.2 percent, above fiscal year 2016. In addition, \$152 million was provided to the National Institute of Allergy and Infectious Diseases in the Zika Response and Preparedness Appropriations Act to research the Zika virus infection and for the preclinical and clinical development of vaccine and other countermeasures for the Zika virus and other vector-borne diseases.

The National Institutes of Health and Human Services (NICHD), which funds the AUCD network of 15 Eunice Kennedy Shriver Intellectual and Developmental Disabilities Centers (IDDRC), is funded at 1,380.3 million, a \$40 million increase over FY2016.

The agreement increases funding for the Precision Medicine Initiative by \$120 million; increases funding for the Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative by \$110 million. Funding from the 21st Century Cures Act was previously appropriated for fiscal year 2017. Of the total amount, \$300 million is transferred to the National Cancer Institute for cancer research and \$52 million will be allocated from the NIH Innovation Fund for the Precision Medicine Initiative cohort (\$40 million), the BRAIN Initiative (\$10 million), and regenerative medicine research (\$2 million). The agreement increases funding for the Clinical and Translational Science Awards to \$516.1 million; increases funding for the Institutional Development Award to \$333.3 million; and continues to support the National Children's Study Follow-on program at \$165 million. The Common Fund is supported as a set-aside within the Office of the Director at \$695.4 million, which includes \$12.6 million to support pediatric research as authorized by the Gabriella Miller Kids First Research Act.

Centers for Disease Control and Prevention (CDC)

The agreement includes a total of program level of \$7.3 billion for the Centers for Disease Control and Prevention (CDC), \$22 million above the fiscal year 2016 enacted level. This includes \$6.3 billion in

appropriated funds, as well as \$891 million in transfers from the Prevention and Public Health Fund. The bill includes \$112 million – \$42 million above the fiscal year 2016 enacted level – to expand efforts to combat prescription drug abuse, including the opioid crisis. Of that amount, the agreement includes \$137.5 million for Birth Defects and Developmental Disabilities. The Disability and Health program is provided \$24 million. See page 17 of the [bill](#) for more breakdown of CDC and the Center funding.

Department of Education

Overall, the bill funds the U.S. Department of Education (ED) at \$68.24 billion in discretionary funding, approximately \$60 million less than the FY2016 level. Several education-and workforce-related programs received increases. Title I Grants to Local Education Agencies (LEAs) and Individuals with Disabilities Education Act (IDEA) Part B State grants received increases of \$100 (not including the \$450 million from the former School Improvement Grant program, which was moved into Title I) and \$90 million, respectively, compared to the FY2016 levels. Several programs were cut – most notably, the Title II, Elementary and Secondary Education Act (ESEA) Supporting Effective Instruction program was cut by \$254 million.

The agreement provides a significant increase (\$90 million) in funding for the Individuals with Disabilities Education Act (IDEA). While the President’s budget would have provided increases for both the preschool grants and the grants for infants and toddlers, the final omnibus bill provides level funding for these programs. The Part D National Programs are mixed bag. The technical assistance and development programs are increased by \$3 million, but that is because it is combined with the Special Olympics education program. The Parent Information and Technology, Media, and Materials programs both receive a \$2 million decrease. The personnel preparation program is level funded.

Institute of Educational Sciences (IES)

The agreement provides the same funding as FY 2016 for the Institutes of Sciences Research and Special Education and Special Education Studies and Evaluations program. The previous Administration had requested an increase for the Evaluations program.

The bill supports the extension of high-quality Promise Neighborhoods grants to permit existing grantees to have grant periods consistent with the current ESEA statute (5 years plus 2 additional years).

Department of Labor

The U.S. Department of Labor (DOL), overall, is funded at \$12.09 billion, \$83 million below the FY2016 level. The Office of Disability Employment Policy (ODEP) is funded at \$38.2 million, a small \$341,000 decrease over FY 2016.

Other Budget Items

The bill provides \$12.5 billion for the administration of Social Security Administration (SSA) activities, a decrease of \$60 million from the fiscal year 2016 enacted level.

The bill provides \$3.7 billion for the Centers for Medicare and Medicaid Services (CMS) program management and operations, which is equal to the fiscal year 2016 enacted level and \$440 million below the Obama Administration's budget request.

The bill also contains \$295.9 million to help shore up Puerto Rico's Medicaid fund. Lawmakers passed legislation in 2016 to help with the island's \$72 billion debt crisis (PL 114-187), but the lack of funding for low-income citizens' health care was not addressed.

Conclusion

Now that the fiscal 2017 funding bills are finally enacted, the Budget and Appropriations Committees can now turn their attention toward fiscal year 2018. Unfortunately, advocates will be dealing with several challenges in the budget and appropriations cycle this year.

Per the *Congressional Quarterly*, the House Budget Committee is not expected to mark up its fiscal 2018 budget resolution until after Memorial Day. The Senate Budget Committee is waiting to begin work on its version of the resolution until after the White House releases its full budget request, sometime within the next couple of weeks.

Not only is the budget season already starting late but Budget Committees will also have to deal with budget levels that are capped at \$1.065 trillion for FY2018 (a cut of about \$5 billion) due to the 2011 Budget Control Act (BCA). If Congress does not negotiate another agreement to raise the cap on discretionary spending or overturn the BCA, many domestic programs will face deep cuts or overall sequestration cuts starting this year.

Congress will also have to begin the process reviewing President Trump's first budget request. In February, the President released a summary version of his request, dubbed the [Skinny Budget](#). The President's Budget calls for a \$54 billion increase in defense spending in FY2018 that is offset by \$54 billion in cuts to non-defense discretionary (NDD) spending. If Congress takes the President's budget request as a starting point, cuts to disability programs and many safety net programs would be cut by a devastating amount.

AUCD has signed onto an [NDD United letter](#), along with two thousand other stakeholders concerned about the non-defense discretionary budget, urging Congress to ensure adequate funding for programs funded through annual appropriations and to provide relief from the sequestration caps. AUCD continues to educate Members of the House and Senate Appropriations Committees about the work AUCD network programs and other federal efforts that support people with disabilities to fully participate in the community.

AUCD's [Disability Policy News In Brief](#) will continue to provide weekly updates on the budget and appropriations process as it moves forward.