

# **AUCD Special Report on FY 2010 Funding**

**December 23, 2009**

On Dec. 13 the Senate passed the Consolidated Appropriations Act by a vote of 57-35. The President signed it into law on Dec. 16. This omnibus bill includes the FY 2010 Labor-HHS-Education spending bill which totals \$730.6 billion — \$59.6 billion or 9 percent more than FY 2009. The bulk of this increased funding will support mandatory programs, including \$221 billion for Medicaid and \$207 billion for Medicare. The bill provides \$164 billion in discretionary funding, \$11 billion or 7 percent more than FY 2009, and \$2 billion or 1 percent more than the president's request. A table comparing the House and Senate bills with fiscal year 2009 funding for key disability programs is below.

## **Health and Human Services**

### *DD Act programs*

The University Centers for Excellence in Developmental Disabilities (UCEDD) receive \$38.9 million, a \$1 million (or 2.6% ) increase over FY 09. Other DD Act programs also receive small increases. DD Councils receive \$75 million, an increase of \$750,000 (1%). The bill provides the Protection and Advocacy Systems (P&A) \$41 million, an increase of \$1 million (2.5%). Voting Access is level-funded at \$17.4 million and the Projects of National Significance is level-funded at \$14 million. There is no report language specifying how much of the PNS will be allocated to the Family Support Program.

### *HRSA/MCH*

The omnibus bill provides \$48 million overall for activities authorized in the Combating Autism Act, which is \$6 million above the fiscal year 2009 funding level and the same as the president's budget request. The conference report states that "within the funding provided for the Autism and Other Related Developmental Disorders program, the conference agreement includes an increase of not less than \$2,200,000 to expand the Leadership Education in Neurodevelopmental and Related Disabilities (LEND) program as proposed by the House. The Senate did not specify a funding level for the LEND program. In addition, the conference agreement includes an increase of not less than \$2,200,000 for research on evidence-based practices for interventions for individuals with autism and other developmental disabilities instead of \$2,000,000 as proposed by the Senate. The House did not specify a funding level for this research activity."

The Title V Maternal & Child Health (MCH) Block Grant is level-funded at \$662 million.

### *Center for Disease Control and Prevention (CDC)*

The conference agreement includes \$6.4 billion in discretionary appropriations for Disease Control, Research, and Training at the Centers for Disease Control and Prevention (CDC). The bill includes \$42.6 million for the National Center for Birth Defects and Developmental Disabilities and \$13.6 million for Disability and Health within Human Development and Disability.

### *National Institutes of Health (NIH)*

The conference agreement includes \$31.0 billion for NIH, a \$691.8 million (2.3 %) increase over the FY 09 level, and \$250 million more than the president's request. Within the total, the Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD) receives \$1.3 billion, which is \$35 million over FY 09.

## **FY 2010 Labor, HHS, ED Appropriations Bills Compared (in millions)**

|  | <b>FY 2009</b> | <b>FY 2010<br/>House</b> | <b>FY 2010<br/>Senate</b> | <b>Conference<br/>Agreement</b> | <b>Final over<br/>FY 09</b> |
|--|----------------|--------------------------|---------------------------|---------------------------------|-----------------------------|
| <b>DEP. OF HEALTH AND HUMAN SERVICES</b>               |                |                          |                           |                                 |                             |
| <b>Administration for Children and Families</b>        |                |                          |                           |                                 |                             |
| University Centers for Excellence in DD                | 37.9           | 38.9                     | 39.4                      | 38.9                            | +1.0                        |
| DD Councils  | 74.3           | 74.3                     | 75.8                      | 75.1                            | +0.750                      |
| Protection & Advocacy Systems                          | 40.0           | 41.0                     | 41.0                      | 41.0                            | +1.0                        |
| Projects of National Significance                      | 14.1           | 14.6                     | 14.1                      | 14.1                            | 0.0                         |
| <b>Child Abuse Prevention and Treatment</b>            | 109.8          | 108.6                    | 109.3                     | 97.1                            | -12.7                       |
| <b>Health Resources and Services Administration</b>    |                |                          |                           |                                 |                             |
| <b>Maternal &amp; Child Health Block Grant</b>         | 662.1          | 665.0                    | 662.1                     | 662.1                           | 0.0                         |
| <b>Combating Autism Act – Autism and Other DD</b>      | 42.0           | 48.0                     | 48.0                      | 48.0                            | +6.0                        |
| <b>Centers for Disease Control and Prevention</b>      |                |                          |                           |                                 |                             |
| <b>Center on Birth Defects &amp; DD</b>                | 138.0          | 140.8                    | 144.8                     | 143.4                           | +5.0                        |
| <b>National Institutes of Health</b>                   |                |                          |                           |                                 |                             |
| Natl. Institute of Child Health and Hum. Dev.          | 1,295.8        | 1,341.1                  | 1,316.8                   | 1,329.5                         | +34.8                       |
| <b>Administration on Aging</b>                         |                |                          |                           |                                 |                             |
| <b>Lifespan Respite Care Act</b>                       | 2.5            | 2.5                      | 2.5                       | 2.5                             | 0.0                         |
| <b>Nat'l Family Caregiver Support Program</b>          | 154.2          | 154.2                    | 154.2                     | 154.2                           | 0.0                         |
| <b>Department of Education</b>                         |                |                          |                           |                                 |                             |
| <b>Individuals with Disabilities Education Act</b>     |                |                          |                           |                                 |                             |
| <b>Part B State and Local Grants</b>                   | 10,947.5       | 11,505.2                 | 11,505.2                  | 11,505.2                        | +1.5                        |
| <b>Preschool Grants</b>                                | 374.1          | 374.1                    | 374.1                     | 374.1                           | 0.0                         |
| <b>Part C Early Intervention</b>                       | 439.4          | 439.4                    | 439.4                     | 439.4                           | 0.0                         |
| <b>Part D National Programs</b>                        |                |                          |                           |                                 |                             |
| State Personnel Development                            | 48.0           | 48.0                     | 48.0                      | 48.0                            | 0.0                         |
| Technical Assistance and Dissemination                 | 48.5           | 48.5                     | 50.2                      | 49.5                            | +1.0                        |
| Personnel Preparation                                  | 90.7           | 90.7                     | 90.7                      | 90.7                            | 0.0                         |
| Parent Information Centers                             | 27.0           | 27.0                     | 28.0                      | 28.0                            | +1.0                        |
| Technology and Media                                   | 38.6           | 38.6                     | 44.1                      | 43.9                            | +5.3                        |
| <b>Research in Special Education (IES)</b>             | 70.6           | 70.6                     | 73.6                      | 71.1                            | +0.5                        |
| <b>Special Education studies and evaluations (IES)</b> | 9.5            | 11.5                     | 11.5                      | 11.5                            | +2.0                        |
| <b>Dept. of Labor</b>                                  |                |                          |                           |                                 |                             |
| <b>Office of Disability Employment Policy</b>          | 26.6           | 37.0                     | 39.0                      | 39.0                            |                             |
| <b>Rehabilitation Services and Disability Research</b> |                |                          |                           |                                 |                             |
| Voc. Rehabilitation State Grant                        | 2,974.6        | 3,084.6                  | 3,084.6                   | 3,084.6                         | +110.1                      |
| Supported Employment State Grant                       | 29.2           | 29.2                     | 29.2                      | 29.2                            | 0.0                         |
| NIDRR  | 107.7          | 110.7                    | 110.7                     | 109.2                           | +1.5                        |
| State Assistive Technology Programs                    | 30.9           | 30.9                     | 30.9                      | 30.9                            | 0.0                         |
| <b>Higher Education Act</b>                            |                |                          |                           |                                 |                             |
| Demonstration Projects-Disability (Higher Ed.)         | 6.8            | 10.7                     | 6.8                       | 6.8                             | 0.0                         |
| Postsecondary Program for Students with ID             | N/A            | 0.0                      | 14.0                      | 11.0                            | +11.0                       |
| <b>AmeriCorp</b>                                       | 271.2          | 331.5                    | 372.5                     | 372.5                           | +101.0                      |
| Disability Placement Funds                             | N/A            | 5.0                      | 5.0                       | 5.0                             | +5.0                        |

### *Child Abuse Prevention and Treatment*

Most of the Child Abuse Prevention and Treatment Act (CAPTA) funding is level funded at the FY 09, except for a large \$13.5 million cut for home visitation grants supported since 2008 through the CAPTA discretionary grants program. Separate appropriations bills for FY10 approved in the House and Senate last July included continued funding for the CAPTA home visitation grants. The House-Senate

conference committee’s statement accompanying the omnibus bill explains: “The conferees anticipate that mandatory funding will be provided for this activity in fiscal year 2010 as proposed by the Administration.” In other words, the appropriators expect that the home visitation provisions first proposed by President Obama in his budget message last February, and pending final resolution and enactment in the health care reform legislation still being shaped by Congress, will pick up the funds eliminated in the CAPTA program.

|   | FY 2009   | FY 2010 Final |
|---|-----------|---------------|
| <i>CAPTA State Grants</i>               | \$ 26.535 | \$ 26.535     |
| <i>CAPTA Discretionary Grants</i>       | \$ 41.757 | \$ 29.020     |
| <i>CAPTA Community-Based Prevention</i> | \$ 41.689 | \$ 41.689     |

Most other child welfare programs are frozen at the FY 2009 levels. In addition to level funding in the omnibus funding bill for the CAPTA basic state grants and community-based prevention grants, funding stays at the 2009 levels for the Title XX Social Services Block Grant, Title IV-B(1) child welfare services, child welfare training, Title IV-B(2) Promoting Safe and Stable Families grants, the Child Care and Development Block Grants, independent living grants for older youth leaving foster care, Community Services Block Grants, and the Adoption Opportunities and Abandoned Infants programs.

### *Family Support*

The Lifespan Respite Care Act authorized in 2006 is level-funded at \$2.5 million in the omnibus bill, the same level provided by both House and Senate bills. This level of funding is a complete disappointment given that the program is authorized at \$53 million in FY 2009 and \$71 million in FY 2010. The National Family Caregiver Support Program under the Older Americans Act is also level funded at \$154 million. The Family Support program authorized under the DD Act is not provided any funding in the bill. However, the Family Support program has been funded through Projects of National Significance at about \$7 million annually. (See also DD Act above).

## **Education**

### *Special Education*

The omnibus bill provides \$11.5 billion for Part B State Grants under IDEA for special education. The report accompanying the bill states that this funding builds on \$11.3 billion in the Recovery Act to support a record 25 percent Federal contribution toward special education in each of fiscal years 2009 and 2010. Part B Preschool Grants (ages 3-5) would get \$374 million, which is the same as the fiscal year 2009 funding level and the president’s budget request. The Recovery Act provided an additional \$400 million for Preschool Grants to States in fiscal years 2009 and 2010. The House recommends \$439 million for Grants for Infants and Families (Part C), which is the same as the fiscal year 2009 funding level and the budget request. The report reminds us that the Recovery Act provided an additional \$500 million for Grants for Infants and Families in fiscal years 2009 and 2010.

Personnel preparation programs under IDEA are all level funded in the bill. However, several other Part D national programs receive small increases. The Technical Assistance and Dissemination and Parent Training Centers are boosted by \$1 million each; and the bill provides a significant \$5.5 million increase for the Part D technology and media program. This program makes competitive awards to support the development, demonstration, and use of technology, as well as educational media activities of value to children with disabilities.

### *Research under Institute for Education Sciences (IES)*

The conference agreement includes \$71 million (+\$0.5 million) for research in special education and \$11.5 million (+\$2 million) for studies and evaluation within the Institutes of Education Sciences (IES).

### *Higher Education Act*

AUCD is pleased to report that the conferees provide \$11 million for Model Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities, as authorized in the Higher Education Act. The conference report further directs that “For the Model Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities, the conferees intend that the Department support a range of awards in size and scope, up to \$1,000,000 for each year of the award year, to promote the implementation of high-quality model programs and to provide a better understanding of an array of effective practices. The conferees direct that the Department provide a briefing to the Committees on Appropriations of the House of Representatives and the Senate not less than 30 days prior to the release of a request for proposals.” The final omnibus bill provides level funding, or \$6.8 million for the Demonstration Projects to Ensure Quality Higher Education for Students with Disabilities.

### *Vocational Rehabilitation*

The conference agreement provides \$3.1 billion for Vocational Rehabilitation State Grants, which is \$110 million above the fiscal year 2009 funding level. This amount represents the cost-of-living adjustment authorized under the law. The Recovery Act provided an additional \$540 million under the Rehab Act for Independent Living Centers to assist people with disabilities to find work in the community. The Supported Employment State Grants are, once again, level funded at \$29 million in both bills.

For the National Institute on Disability and Rehabilitation Research, the bill provides \$109 million, which is \$1.5 million above the fiscal year 2009 funding level.

Assistive Technology programs are funded at \$31 million which is the same as the fiscal year 2009 funding level. Of the funds provided, \$25.6 million is for the State grant program, \$4.3 million is for the protection and advocacy program, and \$1 million is for national activities.

### *National Service*

The final bill includes \$1.1 billion for the Corporation for National and Community Service (CNCS), an amount that exceeds FY09 service appropriations by \$260 million. The Appropriations Committee statement notes that “this funding – the largest appropriation in the CNCS history – will strengthen existing programs and begin to invest in the new initiatives authorized in the Edward M. Kennedy Serve America Act.” The AmeriCorps State and National program receives \$372.5 million, an increase of \$41 million. Funds for the AmeriCorps State and National program support grants to public and non-profit organizations that recruit, train, and place AmeriCorps members in service programs to meet critical community needs in education, public safety, health, and the environment.

The bill also provides \$5 million for a newly authorized national service Disability Grants program. Last year, \$4 million was provided for a similar program under the Innovation, Assistance, and Other Activities line item. These grants will be made available to the entire community of national service grantees to support increased service and volunteer opportunities for Americans with disabilities.