



# COMMITTEE *on* APPROPRIATIONS

## CHAIRMAN PATRICK LEAHY

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### SUMMARY

#### SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

#### FISCAL YEAR 2023 APPROPRIATIONS BILL

*Chairman's Mark: July 28, 2022*

**Washington, D.C.** – The fiscal year 2023 Labor/HHS/Education appropriations bill includes \$216.1 billion in base non-defense discretionary funding. Including savings from changes in mandatory programs the bill represents an increase of \$21 billion, or 10 percent, over the comparable fiscal year 2022 level. In addition, the bill includes \$2.3 billion in allocation adjustments for preventing waste, fraud, abuse, and improper payments, a \$221 million increase over fiscal year 2022.

**U.S. Senator Patty Murray (D-WA.),** Chair of the Labor, Health and Human Services, Education, and Related Agencies Subcommittee said:

*“Everyone should be able to have full control over their bodies, lives, and futures—and no one should have to worry about putting food on the table, gas in the tank, or just making ends meet to support their families. I’m proud this bill makes dramatic increases in key programs that will help lower costs for families across the country amid rising inflation—including by increasing funding for child care, making higher education more affordable, and more. As women across the country feel the devastating fallout of the Supreme Court overturning Roe, this bill also makes critical investments in the Title X family planning program, increases funding to address the maternal mortality crisis, and includes a new, historic abortion fund to help women get abortion care by providing assistance to cover the costs of services, travel, childcare, lodging and more—all while removing the Hyde and Weldon amendments that for too long have prevented millions from getting legal abortion care.*

*“Budgets are a statement of your values and priorities—and my focus is clear: lowering costs for families, and defending women’s rights even in the face of unprecedented attacks.”*

**U.S. Senator Patrick Leahy (D-Vt.),** Chair of the Senate Appropriations Committee, said:

*“This bill responds to the horrific decision overturning Roe, which sent our society tumbling backward in time and stripped away a bedrock constitutional right that has granted women*

*autonomy over their bodies and health for nearly five decades, by establishing the Reproductive Health Care Access Fund to help women and pregnant people where abortion is restricted access the care they need in states where it remains legal, increasing funding for family planning, and doing away with the Hyde and Weldon Amendments, which have been the law of the land for far too long. It more than doubles funding for firearm injury and mortality prevention research, and it establishes a new evidence-based community violence intervention initiative to help prevent mass casualty and gang violence. It provides a nearly 40 percent increase in funding for the Substance Use and Mental Health Services Administration to continue to confront the opioid crisis, which has worsened significantly during the pandemic. For families, the bill reduces costs for heating and cooling their homes, for child care, and for a college education. It invests in the education and care of our children and young people. This is a strong bill that clearly invests in the American people and demonstrates our priorities.”*

**Key Points & Highlights-** The bill includes investments in areas that the American public identify as among the biggest challenges facing the country.

**Supporting Access to Abortion Services:** In response to the Supreme Court’s Dobbs decision, the bill includes \$350 million for a new Reproductive Healthcare Access Fund to help women in areas where abortion is restricted access care in states where it remains legal. This funding can be used to cover the costs of treatment, travel, childcare, lodging and other costs. The Fund can also be used to support providers in states where abortion remains legal to expand hiring and infrastructure to meet increased demand, as well as make any needed security upgrades to their facilities. The bill also eliminates the discriminatory Hyde and Weldon Amendments.

**Increasing Access to Reproductive Healthcare:** The bill includes increases in funding for reproductive healthcare programs, including: \$512 million, an increase of \$225 million, for the Title X-Family Planning program; \$130 million, an increase of \$29 million, for Teen Pregnancy Prevention, to expand evidence-based prevention approaches to prevent teen pregnancy and sexually transmitted infections among adolescents and young adults; and \$50 million in new funding to integrate contraceptive care into primary care grants for training and quality improvement efforts at Community Health Centers. It also includes \$5 million to expand training for primary care physicians in the provision of all forms of highly effective, reversible contraceptive methods.

The bill also addresses the increasing rate of maternal mortality, which disproportionately impacts women of color, by proposing \$496 million for the Maternal Mortality Initiative, an increase of \$304 million above the fiscal year 2022 level. This includes: \$164 million for CDC’s Safe Motherhood and Infant Health programs, an increase of \$81 million; \$55 million for Health Resources and Services Administration’s (HRSA) State Maternal Health Innovation Grants, an increase of \$26 million; \$30 million in new funding for HRSA’s new Addressing Social Determinants of Maternal Health program to help community-based organizations reduce rates of adverse maternal outcomes (including expanded access to mental health and addiction treatment services) and address social determinants of maternal health; and \$25 million in new funding for HRSA to increase training and support for Certified Nurse Midwives with a focus on practitioners working in rural and underserved communities.

**Expanding Access to Mental and Behavioral Health Care:** The pandemic intensified the need for behavioral health services, and exacerbated the nation’s mental health and substance use crises. In 2021, drug overdose deaths continued to climb, reaching a staggering level of 107,622—more than any year on record. Additionally, social isolation and loneliness caused substantial increases in depression and anxiety and a dramatic increase in serious mental health conditions, particularly among children.

To address these crises, the bill provides \$9.1 billion for the Substance Use And Mental Health Services Administration (SAMHSA), an increase of \$2.6 billion or nearly 40 percent above fiscal year 2022. This includes \$1.42 billion for the Mental Health Block Grant (MHBG), an increase of \$564 million over fiscal year 2022, including a set-aside for prevention and early intervention and an increase in the crisis care set-aside to 10 percent; \$824 million, an increase of \$625 million, for suicide prevention programs, including \$697 million for 988 and the National Suicide Prevention Lifeline; \$385 million for Certified Community Behavioral Health Centers (CCBHCs), an increase of \$70 million; \$222 million, an increase of \$102 million for Project AWARE, which supports school-based mental health and trauma services to students; \$2.4 billion for the Substance Use Prevention and Treatment Block Grant, an increase of \$500 million over fiscal year 2022, including a set-aside for recovery services; and \$2.025 billion, an increase of \$500 million, for State Opioid Response (SOR) Grants. The bill also eliminates the Needle Exchange Amendment, which prohibited federal funding from being used to support syringe service programs.

**Rebuilding the Public Health System:** The past two and a half years have demonstrated that public health is a critical component of our national security and an area in which the United States needs to invest significantly. Building our public health infrastructure and stabilizing funding are key ways to address the current pandemic, better prepare for future outbreaks, and prevent and control chronic disease. For the second straight year, the bill provides a historic increase for the Centers for Disease Control and Prevention (CDC), for a total investment of \$10.5 billion, an increase of \$2 billion or 23.5 percent. This funding is intended to transform and rebalance the agency between disease and condition-specific activities and cross-cutting fundamental priorities.

The bill provides \$600 million, a \$400 million increase, tripling funding, for public health infrastructure and capacity to strengthen core public health capacity and enable health departments to assess and respond to specific health needs within their communities. It provides \$860 million, a nearly \$210 million or 32 percent increase, to enhance the Section 317 Immunization Program to increase routine vaccination rates, detect and respond to outbreaks of vaccine-preventable diseases, and address vaccine hesitancy. It includes \$353 million, a \$100 million increase, to enhance global public health protection by expanding frontline disease detective training and emergency response capabilities in partner countries and regions. It includes \$200 million, an increase of \$100 million, to modernize public health data systems and \$100 million, a \$92 million increase, to expand the Social Determinants of Health program to all states and territories and bolster health equity in all communities.

The bill provides \$100 million, an increase of \$90 million or 900 percent, to expand CDC's climate and health program to all states and local health departments to identify the health effects of climate change, and implement health adaptation plans.

It provides \$50 million in base funding to support the newly established Center for Forecasting and Outbreak Analytics, to build upon the one-time COVID-19 supplemental support provided in the American Rescue Plan Act and improve our ability to forecast and model emerging health threats and mitigate their effects. The bill provides \$97 million, an increase of \$36 million or 59 percent, for the public health workforce to bolster fellowship and training programs and rebuild a workforce that has been severely depleted over the last decade. Finally, the bill provides \$740 million, an increase of \$25 million, to enhance support to state and local health departments in developing and maintaining public health systems to rapidly respond to an emergency through the public health emergency preparedness cooperative agreement.

**Addressing Inequality in K-12 Education:** As the nation embarks on the fourth school year during the COVID-19 pandemic, students, families, educators and communities continue to do their best to recover from its effects. These efforts are more difficult in schools that have fewer resources because they serve more students from low-income families. Those schools also are more likely to have less experienced teachers and fewer opportunities for their students to participate in advanced coursework. Multiple studies have shown the large impact the pandemic has had on our children and youth. Beyond the previously mentioned mental health issues, learning for students in majority-Black schools was estimated last year to be five months behind where it would be in a typical year in both mathematics and reading. This compares to two months of learning loss for students in majority-White schools. Estimates of the achievement gap between students in low-poverty and high-poverty elementary schools show an increase of 15 to 20 percent.

The Committee recognizes greater investment is needed in this bill to address systemic inequities and back our promises to pay for the policies Congress has established in federal elementary and secondary education law. Overall, the bill provides nearly \$49 billion, an increase of approximately \$5.5 billion or 13 percent, for Federal K-12 education programs, including the Individuals with Disabilities Education Act (IDEA). This includes \$20.137 billion, an increase of \$2.6 billion for Title I-A grants to school districts, which provide financial assistance to nearly 90 percent of school districts. It also includes \$15.3 billion, an increase of \$1.975 billion for IDEA Part B State Grants, for services and supports for 7.4 million students with disabilities and to better meet promised federal support. The bill includes \$954 million, an increase of \$123 million, for the English Language Acquisition program. Finally, the bill includes a number of investments to support parent and family engagement in education, including \$45 million, an increase of \$15 million for Parent Information Centers under IDEA and \$25 million, an increase of \$10 million, for Statewide Family Engagement Centers.

**Expanding Early Learning:** The bill makes substantial investments in high-quality child care and early education programs by including \$19.6 billion, an increase of more than \$2 billion, or nearly 12 percent, over fiscal year 2022 levels. The COVID-19 pandemic exposed the fragility of our child care system. During the first year of the pandemic, approximately 16,000 child care providers permanently closed. Even today, the sector is still down 120,000 workers,

exacerbating the shortage of child care nationwide. The lack of access to care and concerns about contracting the virus forced more parents to keep their children home during the pandemic, a burden that fell disproportionately on women, and particularly on women of color. The ability of families to find child care is essential to working parents with young children and the economy.

The bill includes \$7.165 billion, an increase of \$1 billion or 16 percent, to support high-quality child care for working families through the Child Care Development Block Grant (CCDBG). This investment in CCDBG will allow the program to serve nearly two million children in fiscal year 2023. The bill also includes \$12.036 billion, an increase of \$1 billion or 9 percent, to help all Head Start programs provide high-quality early childhood education for children and families beginning before birth through age five. This investment includes a \$596 million cost-of-living adjustment for Head Start teachers and staff, and \$262 million in quality improvement funding to recruit and retain highly-qualified staff or otherwise improve programming for children. Additionally, the bill includes \$350 million, an increase of \$60 million or 20.7 percent, for Preschool Development Grants. The additional funding will allow states to build capacity to offer preschool and early childhood education programs to children from the time they are born to the age of 5 from low to moderate income families.

**Supporting Medical Research:** The bill provides \$48 billion for the National Institutes of Health (NIH), an increase of \$2 billion spread across every Institute and Center to advance science and speed the development of new therapies, diagnostics and preventive measures, including \$1 billion for the recently created Advanced Research Projects Agency for Health (ARPA-H). It increases support for the Helping to End Addiction Long-term or HEAL Initiative and other research related to opioids and pain by \$140 million. It provides an additional \$100 million to expand research to reduce health disparities, increases the BRAIN Initiative by \$80 million, and increases research on antimicrobial resistance \$25 million. The bill includes \$50 million to support research on the impact of changes in weather on human health, as well as an additional \$30 million to develop a universal flu vaccine and \$10 million to launch an office to coordinate research on autoimmune diseases across NIH. It also includes an increase of \$50 million for the Common Fund, which supports promising trans-NIH research to focus on time-limited, goal-driven investments that accelerate emerging science and support high-risk/high-reward research.

**Preparing for the Next Phase of COVID-19 Or Any Emerging Disease With Potential For Creating a Pandemic:** As the world enters the third summer of the COVID-19 pandemic, public health experts are warning of another wave of infections on the horizon. For months, scientists and healthcare experts have been raising the alarm that we do not have the resources necessary to stay ahead of the virus. Projections indicate that as many as 100 million Americans – nearly 1 in 3 – will be infected or re-infected with COVID-19 this fall and winter as our immunity to the disease wanes. Recognizing the urgent need to address these issues, the bill includes \$16 billion in emergency supplemental funding for the Public Health and Social Services Emergency Fund. This flexible funding will allow the department to procure additional vaccines, therapeutics, and diagnostics, and develop next-generation vaccines that can finally bring the COVID-19 pandemic to an end. It will ensure that the country will not suffer a catastrophic setback in the face of future virus surges or the emergence of a new, more deadly

variant. The funding can also be used for any emerging disease with potential for creating a pandemic.

**Expanding Efforts to Reduce Violence:** More Americans died of gun-related injuries in 2020 than in any other year on record, and gun violence has now surpassed motor vehicle crashes as the leading cause of death among children and adolescents. Identifying the gaps in knowledge surrounding the causes of gun violence and developing effective prevention strategies are fundamental to moving the needle on America's epidemic of gun violence. The bill more than doubles the total funding for firearm injury and mortality prevention research to \$60 million to support research to identify the most effective ways to prevent firearm related injuries and deaths, and to broaden firearm injury data collection. Building on these efforts, this bill also includes \$100 million for a new evidence-based community violence intervention initiative at CDC, which aims to prevent intentional violence, such as mass casualty violence or gang violence.

**Ensuring Workers' Health, Safety, and Rights Are Protected:** The bill includes significant increases for agencies responsible for protecting workers' rights but have seen steep declines in their capabilities over the past five years. This includes \$680 million, an increase of \$68 million or 11 percent, to restore the Occupational Safety and Health Administration's capacity to ensure employers provide safe and healthful workplaces. It includes \$288 million, an increase of \$37 million or 14.8 percent, to rebuild the Wage and Hour Division's ability to protect workers' rights to earned pay and overtime, among other rights it enforces, particularly for workers most vulnerable to economic exploitation. The bill would also allow the National Labor Relations Board to backfill longstanding vacancies with an increase of \$45 million or 16.4 percent, a total of \$319 million. Finally, the bill includes \$218 million, an increase of \$32 million or 17.4 percent, for the Employee Benefits Security Administration to perform targeted audits of health plans to ensure parity between mental and physical healthcare coverage.

**Supporting Access to Higher Education and Job Training:** The bill increases the discretionary portion of the maximum Pell Grant award by \$500 per student. When including mandatory funding provided under current law, this bill would increase the total maximum Pell grant award to \$7,395 for the 2023-24 school year. This would be the largest increase in the Pell grant since fiscal year 2009. The Pell grant helps approximately 7 million students pursue a postsecondary education every year. The bill also includes a new general provision making DACA students (and students with temporary protected status or grant of deferred enforced departure) eligible for Pell grants and federal student loans.

The bill includes \$1.1 billion, an increase of \$219 million or 24.7 percent, for Aid for Institutional Development programs which includes funding to Strengthen Historically Black Colleges and Universities, Tribal Colleges and Universities (TCCUs), and Minority Serving Institutions (MSIs). The bill also includes \$359 million for Howard University, which includes \$110 million for the construction of a new Howard University Hospital. The bill also includes \$65 million for a new Research and Development Infrastructure Investment program for HBCUs, TCCUs, and MSIs. This will increase their capacity to conduct innovative research, including making investments in physical infrastructure and human capital development.

The bill provides a range of investments to help students get into and through college, including: \$1.275 billion for Federal TRIO programs, an increase \$138 million or 12.1 percent; \$75 million for Postsecondary Student Success Grants, an increase of \$70 million, for grants to scale up evidence-based practices and reforms to improve postsecondary retention and completion rates; and \$95 million, an increase of \$30 million or 46.2 percent, for the Child Care Access Means Parents in School to provide high-quality convenient child care options to student parents.

The bill provides \$2.6 billion for Student Aid Administration, an increase of \$580 million or 28.7 percent to modernize and simplify student loan servicing. Together these investments will improve service to students and borrowers, from applying for financial aid to repaying their loan.

For employment and training activities, the bill includes \$2.959 billion for Workforce Innovation and Opportunity Act State Grants, an increase of \$80 million over fiscal year 2022; \$303 million for Registered Apprenticeships, an increase of \$65 million; and \$1.774 billion for Job Corps, an increase of \$25 million.

**Supporting Families through Energy Assistance:** To help low-income households afford the increasing costs of heating and cooling their homes, the bill includes \$4 billion for the Low Income Home Energy Assistance Program (LIHEAP), an increase of \$200 million over fiscal year 2022. Annually, LIHEAP helps over 5 million households with energy-related costs, including weatherization. The bill continues language limiting year-to-year decreases in a State's LIHEAP allocation, ensuring that no State shall receive less than 97 percent of the prior year's grant amount.

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