

FY2020 LHHS Appropriations: Status

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Congress has begun consideration of the FY2020 appropriations bill for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (LHHS). The LHHS bill historically is the largest ([\\$1.06 trillion in FY2019](#)) of the [12 annual appropriations bills](#), when accounting for both [mandatory and discretionary funding](#).

Most recently, a continuing resolution (CR) providing temporary FY2020 LHHS funding through November 21, 2019, was enacted (Division A of P.L. 116-59) on September 27, 2019. In general, the CR funds discretionary programs at the same rate and under the same conditions as in FY2019 (§101) and funds [annually appropriated entitlements](#) at their current law levels (§111).

Scope of the Bill

The LHHS bill provides the annually appropriated [budget authority](#) for the programs, activities, and administration of the [Department of Labor](#), the [Department of Health and Human Services](#) (except for the Food and Drug Administration, the Indian Health Service, and the Agency for Toxic Substances and Disease Registry, which are funded in other appropriations bills), the [Department of Education](#), and more than a dozen related agencies, including the [Social Security Administration](#) and the [Corporation for National and Community Service](#).

In general, mandatory funding represents just over 80% of the total budget authority in the LHHS bill, supporting annually appropriated entitlement programs, such as [Medicaid](#) and [Supplemental Security Income \(SSI\)](#). Discretionary funds account for less than 20% of total funds in the bill, but tend to receive the most attention throughout the LHHS appropriations process. This is because the appropriations process controls the amounts provided for these programs, whereas the appropriations process generally

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has little control over the amounts provided for appropriated entitlements. That is, for programs with appropriated mandatory funding, the authorizing statute controls the program parameters (e.g., eligibility rules, benefit levels) that entitle certain recipients to payments.

While discretionary appropriations represent a relatively small share of the entire LHHS bill, the bill itself is typically the largest single source of nondefense discretionary funding for the federal government. (The [Department of Defense bill](#) is the largest single source of discretionary funding overall.)

House Action

The House has completed its initial consideration of annual FY2020 LHHS appropriations.

On June 19, the House passed (226-203) the FY2020 LHHS bill as Division A of H.R. 2740, an omnibus appropriations bill including three additional non-LHHS appropriations acts in other divisions. The House adopted 64 of the 73 LHHS floor amendments that were offered. This omnibus was the first FY2020 appropriations measure to be passed by the House on initial floor consideration.

LHHS was also the first FY2020 annual bill to have been [marked up](#) by the House Appropriations Committee (on May 8). At that markup, the committee considered 17 amendments to the bill, [adopting 6](#), and ordered the bill reported by a vote of 30-23. The full committee markup followed subcommittee approval of the bill, by voice vote, on April 30. The bill was reported to the House (H.R. 2740, H.Rept. 116-62) on May 15.

Senate Action

The Senate has not completed committee or initial floor consideration of annual FY2020 LHHS appropriations.

The Senate Appropriations Committee [had initially scheduled](#) subcommittee and full committee markups for the LHHS bill on September 10 and 12, respectively. Those markups were [subsequently postponed](#), and the majority instead released a [draft bill](#) and [draft committee report](#) on September 18.

Also on September 18, the Senate voted not to invoke cloture (51-44) on the motion to proceed to the House-passed FY2020 LHHS omnibus (H.R. 2740). [In floor remarks prior to the cloture vote](#), Chairman Shelby clarified that, were the Senate to proceed to the measure, his intention was to use that measure as a vehicle to consider appropriations for LHHS (as part of a package of several FY2020 bills).

FY2020 LHHS Discretionary Funding

Table 1 displays proposed FY2020 discretionary appropriations for LHHS, along with the comparable FY2019 funding level. The table displays [current-year budget authority](#) subject to discretionary spending limits (*regular appropriations*) as well as a funding total that includes the upward adjustments to the spending limits that are allowed under the Budget Control Act (*adjusted appropriations*). (In the case of the LHHS bill, these adjustments may occur for *program integrity* and *emergency requirements* funding.)

The FY2020 discretionary spending limits were recently revised by the Bipartisan Budget Act of 2019 (BBA 2019, P.L. 116-37), which was enacted after the House completed initial consideration of its LHHS measure, but before the Senate Appropriations Committee majority released its draft measure. The BBA 2019 set the overall FY2020 nondefense spending limit at \$621.5 billion, an increase of \$24.5 billion (+4%) relative to FY2019. The House-passed LHHS bill would increase FY2020 LHHS regular appropriations by about \$11.8 billion (+7%), whereas the Senate majority draft would keep that appropriation level virtually the same as FY2019 (+0%).

Table I. FY2019 Enacted and FY2020 Proposed LHHS Discretionary Appropriations

Budget authority in millions of dollars

	FY2019 Enacted	FY2020 House Initial Passage	FY2020 Senate Appropriations Committee Majority Draft
Regular Appropriations	\$178,076	\$189,876	\$178,299
Adjustments:			
Program Integrity	\$1,897	\$1,842	\$1,842
Emergency Requirements	\$611	—	
Adjusted Appropriations	\$180,584	\$191,718	\$180,141

Source: The FY2019 comparable and FY2020 House floor amounts are as scored by the [Congressional Budget Office](#). The FY2020 Senate majority amount is taken from p. 7 of the [draft committee report](#) released on September 18, 2019.

Notes: Regular appropriations reflect current-year discretionary budget authority subject to spending limits. Adjusted appropriations include discretionary funds for which special rules apply with regard to the spending limits, including certain funds for program integrity activities and (where applicable) provided as emergency requirements. Totals exclude funds provided under authorities in the 21st Century Cures Act (P.L. 114-255) that are effectively exempt from the spending limits.

Additional Resources

For more information on the status of FY2020 appropriations as a whole, see the [CRS Appropriations Status Table](#). [CRS reports](#) addressing key funding questions for the programs and agencies funded by the LHHS appropriations bill are available on the CRS website. For assistance with the LHHS bill, please reach out to the [relevant CRS expert](#).

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