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**Summary and Analysis of the
FY 2010 Consolidated Appropriations Bill:
Federal Programs of Interest to Social Work
Education and Research**

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INTRODUCTION AND OVERVIEW

In the midst of a partisan debate on health care reform legislation and the international climate change meeting in Copenhagen, Congress is poised to finally complete action on the “must pass” annual appropriations bills.

Today, Congress unveiled a \$446.8 billion Consolidated Appropriations bill which contains six of the seven remaining fiscal year (FY) 2010 spending bills. The Defense Appropriations bill is expected to follow separately later this month, as it is being held to serve as a vehicle for additional legislation that is a priority for the Democratic leaders in Congress and the President. All of the other appropriations bills were completed and signed earlier in the year.

Summary

Programs of interest to the research and education communities fare well in these bills, which build on the significant funding increases several of these agencies received earlier this year in the American Recovery and Reinvestment Act (ARRA) and the FY 2009 Omnibus Appropriations Act. Specifically:

- The National Institutes of Health (NIH) receives \$31 billion in FY 2010, which is \$692 million (a 2.3 percent increase) above the FY 2009 enacted level, excluding ARRA funding, and \$250 million above the President’s budget request. All NIH Institutes and Centers received similar funding increases (approximately 2.7 percent).
- The National Science Foundation (NSF) receives \$6.9 billion for FY 2010, which is 6.7 percent (\$436 million) above the FY 2009 level, excluding ARRA funding. Overall, research programs received significantly greater increases than education programs.
- Within Department of Education, the maximum Pell Grant, TRIO programs, and Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) will all see increases. Most other programs will be level funded. Additional funds are included in the Fund for the Improvement of Postsecondary Education (FIPSE) for various initiatives authorized by the Higher Education Opportunity Act.

Looking Ahead

While the FY 2009 and FY 2010 bills have, overall, contained positive results for research and education, the President’s budget request for FY 2011, which is in final review now and will be released at the start of February, will be constrained by concerns about increasing federal deficits. Research and education, as priorities of the President and Congress, may fare better than the average for discretionary programs in the next cycle, but they will likely have increases smaller than those seen in recent years. In addition, a major issue to be resolved by FY 2012 will be how research agencies respond to the “cliff” created by the final expenditures of ARRA funding in FY 2011.

The Consolidated Appropriations bill is expected to pass the House the week of December 7, and Senate action is expected to follow before the expiration of the current Continuing Resolution, which provides funding for federal agencies to operate through December 18.

The Defense Appropriations bill will likely pass before Christmas. Provisions attached to that bill could include an increase in the public debt limit; an extension of unemployment and related health benefits; an initial “Jobs” package with additional infrastructure funding; tax extenders, including a one-year extension of the Research and Experimentation tax credit; and a one-year extension of the Federal highway program and other legislative authorities expiring at the end of the year.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

The Consolidated Appropriations bill provides the National Institutes of Health (NIH) with \$31 billion in FY 2010, which is \$692 million (2.3 percent) above the FY 2009 enacted level, excluding ARRA funding, and \$250 million above the President’s budget request.

The NIH Institutes and Centers (ICs) all receive similar increases (approximately 2.7 percent), thereby rebuffing President Obama’s FY 2010 budget initiatives to increase funding for cancer research and autism research. By rejecting the President’s approach to specifically target cancer and autism, Congress illustrates its unwillingness to include funds geared towards specific diseases and reinforces the idea that science should be driven through the peer review process, not politics. (See Table 1 at the end of this document for funding levels for the individual NIH ICs.)

NIH Common Fund: The NIH Common Fund is funded at approximately \$544 million. This represents an increase of approximately \$3 million (.05 percent) over the FY 2009 level. Unfortunately, NIH Director Francis Collins recently remarked that there is unlikely to be any additional funding for roadmap projects until FY 2012, at the earliest, as a result of the budgetary out-year commitments already made to currently funded roadmap activities.

Extramural Conflicts of Interest: The bill requires the Secretary of the Department of Health and Human Services (HHS) to amend regulations by May 1, 2010 regarding financial conflicts of interest among NIH extramural investigators and institutions. Congress expressed concern that occurrences of conflict of interest among extramural grantees are investigated only when a complaint is received by the HHS Office of Research Integrity. Congress also encourages NIH to develop a system for periodic review of conflict of interest documentation at extramural institutions to give some assurance that the new conflict of interest regulations are effective.

National Children’s Study (NCS): Despite Congressional concerns that the NCS is projected to exceed its original budget by a significant margin, Congress remains firmly committed to the study and is providing approximately \$194 million to continue it.

Salary Cap: Every year since 1990 Congress has legislatively mandated a provision limiting the direct salary that an individual may receive under an NIH grant. The bill maintains the NIH extramural investigator salary cap at Executive Level I of the Federal Executive Pay scale. The

Executive Level I annual salary rate was \$196,700 on January 1, 2009 and is expected to increase again on January 1, 2010.

Global HIV/AIDS Transfer: The bill includes continuation of the \$300 million annual transfer to the Global HIV/AIDS, Malaria and Tuberculosis Fund. This money is typically appropriated to the National Institute of Allergy and Infectious Diseases (NIAID) and then transferred out to the Global Fund.

Health Resources and Services Administration

The Consolidated Appropriations bill provides the Health Resources and Services Administration (HRSA) with \$7.5 billion, which is \$239 million (3.3 percent) above the FY 2009 enacted level of \$7.25 billion and \$332 million more than the President's budget request. Pursuant to the Congress' priority to fund community health centers, the bill provides \$2.2 billion for community health centers, the same amount as the FY 2009 funding level and the President's request. The funding for community health centers is intended to provide primary health care to 17 million patients at 7,500 service delivery sites in urban and rural underserved areas across the country. The bill also invests \$498 million in Health Professions Workforce Shortages, which is \$105 million above the FY 2009 level but \$30 million below the President's budget request, to support the training of students across health professions and nursing fields. This includes \$254 million (a 14.4 percent increase) for Title VII health professions programs, for which social work is eligible, and \$244 million for Title VIII nursing programs (a 42.6 percent increase). Additionally, the bill will provide \$141.9 million for the National Health Service Corps, nearly \$7 million more than the FY 2009 enacted level but \$27 million less than the President's budget request.

Substance Abuse and Mental Health Services Administration

The Consolidated Appropriations bill provides the Substance Abuse and Mental Health Services Administration (SAMHSA) with \$3.4 billion, which is \$96.7 million (2.9 percent) more than the FY 2009 enacted level of \$3.3 billion and \$37.7 million above the President's budget request. The bill will support \$1 billion for mental health services programs, which is \$36 million above the FY 2009 enacted level and \$19 million above the President's budget request, specifically to increase services for children and the homeless and to double the effort to integrate primary and behavioral health care for people with severe mental illness. The bill will also support an increased workforce of mental health professionals through the Minority Fellowship Program (MFP). The MFP, for which the Council on Social Work Education (CSWE) is a grantee, will receive \$4.9 million in FY 2010, an increase of \$196,000 or 4.1 percent over the FY 2009 level. The report accompanying the bill does not include language that was included in the House proposal seeking to broaden the eligibility of the program to include professional counselors. In absence of this language, the eligibility of the program is expected to be maintained for the following organizations: CSWE, American Psychology Association, American Psychiatric Association, American Association for Marriage and Family Therapy, and the American Sociological Association.

Agency for Healthcare Research and Quality

The Consolidated Appropriations bill provides the Agency for Healthcare Research and Quality (AHRQ) with \$397 million, which is \$25 million (6.7 percent) above the FY 2009 enacted level

of \$372 million and the President's budget request. Selected priorities for the agency as outlined by Congress continue efforts driven by ARRA, including comparative effectiveness research and improving health information technology. Additional key priorities for the agency are patient safety initiatives and prevention of healthcare-associated infections.

Administration on Aging

The Consolidated Appropriations bill provides the Administration on Aging (AOA) with \$1.5 billion, which is about \$22.5 million (1.5 percent) above the FY 2009 enacted level and the President's budget request. Selected priorities for the agency as outlined by the bill are the Community Innovations for Aging in Place Program, the National Alzheimer's Call Center, and a program to study model methods for providing statewide legal assistance.

Centers for Disease Control and Prevention

The Consolidated Appropriations bill provides the Centers for Disease Control and Prevention (CDC) with \$6.4 billion, which is \$107 million (1.7 percent) more than the FY 2009 enacted level of \$6.3 billion and \$77.6 million more than the President's budget request. Selected priorities for the agency as outlined by Congress in the bill include the assessment of health and health services data to be used to measure the success of health systems reform, increased HIV testing and provision of treatment services, increased support for global immunizations, and increased support for cancer prevention and control.

Administration for Children and Families

The Consolidated Appropriations bill provides \$31.4 billion to the Administration for Children and Families (ACF), which is \$5.7 billion (22.3 percent) above the FY 2009 enacted level of \$25.7 billion and nearly \$1.9 billion above the President's request. \$38.9 million will be provided for the University Centers for Excellence in Developmental Disabilities, which is \$1 million above the FY 2009 funding level and the budget request. Additionally, \$7.2 billion is provided for the Head Start Program, which is nearly \$122 million more than the FY 2009 enacted level and the same as the President's budget request.

Center for Medicare and Medicaid Services

The Consolidated Appropriations bill will provide the Center for Medicare and Medicaid Services (CMS) with \$428 billion in federal funds, which is \$40.6 billion (10.5 percent) more than the FY 2009 enacted level of \$387 billion and \$55 million more than the President's budget request. Selected priorities for the agency as outlined by the bill include targeting healthcare fraud and abuse and research, reducing the occurrence healthcare-associated infections, and streamlining the delivery of telehealth services.

Indian Health Service

While the Indian Health Service (IHS) is located within HHS, its appropriations are provided in the Interior and Environment Appropriations bill, which was completed in October. That bill provides IHS with \$4.1 billion, \$471.3 million (13 percent) above the FY 2009 enacted level and \$17.8 million above the President's request to support both Federal and tribally-operated health care programs and facilities.

HHS-Wide Efforts in Health Information Technology

The Consolidated Appropriations bill provides a total of \$61.3 million for health information technology (IT) in the HHS Office of the National Coordinator for Health Information Technology, \$111,000 above the FY 2009 level and the same as the President's request, essentially providing flat funding for FY 2010.

NATIONAL SCIENCE FOUNDATION

The Consolidated Appropriations bill provides the National Science Foundation (NSF) with \$6.93 billion for FY 2010, which is 6.7 percent (\$436 million) above the FY 2009 level, excluding ARRA funding, and \$118 million below the President's budget request level. Overall, research programs received significantly greater increases than education programs.

The 6.7 percent increase continues and is consistent with the ongoing initiative to double NSF funding between FY 2006 and FY 2016. In the bill, Congress expresses support for this initiative and concern that NSF budget documents have indicated that in FY 2011 the President will only propose a 3 percent increase for the agency, while Congress believes that request should include a 7 percent increase for NSF.

Research and Related Activities: The Consolidated Appropriations bill includes \$5.62 billion for Research and Related Activities, the account that funds the NSF disciplinary research programs. This is an increase of 8.4 percent, or \$435 million, over FY 2009, but \$115 million below the requested level. Congress does not provide specific allocations for the individual research directorates, but does provide direction on key NSF-wide initiatives. Congressional instruction to NSF includes:

- Endorsement of the proposed \$197 million increase that would expand climate change research at NSF. (NSF is expected to release a broad solicitation in this area as soon as the FY 2010 bill is signed.)
- Increased funding for the Graduate Research Fellowship program, \$14 million over the request, which will allow NSF to make 2,000 new fellowship awards (rather than the planned 1,654) in FY 2010.
- Direction to provide the requested funding levels for the Experimental Program to Stimulate Competitive Research (EPSCoR, \$147 million), the National Radio Astronomy Observatory (\$67 million), and a variety of cross-NSF initiatives, including Cyber-Enabled Discovery and Innovation (\$103 million) and Science and Engineering Beyond Moore's Law (\$47 million).
- Support for NSF's plans to dedicate at least \$2 million in each research division to explore methodologies that support transformative research.

Education and Human Resources: The Consolidated Appropriations bill provides \$872.8 million for the Education and Human Resources directorate, an increase of 3.3 percent, or \$27.5 million, over its FY 2009 level. This is \$15 million over the requested level, with the additional funds to be distributed as follows:

- An additional \$10 million above the request for the Discovery Research K-12 program, bringing the total to \$119 million.
- An additional \$2.5 million above the request for the Research and Evaluation on Education in Science and Engineering program, bringing the total to \$45.5 million.
- An additional \$2.5 million above the request for the Course, Curriculum, and Laboratory Improvement program.

No funding is provided for FY 2010 to the Professional Science Masters program, established with \$15 million from ARRA in FY 2009.

DEPARTMENT OF EDUCATION

Overall, the FY 2010 Consolidated Appropriations bill does not provide increases to Department of Education programs of interest to institutions of higher education, while making strategic investments in areas and programs that advance the Obama Administration's education priorities, such as the new Promise Neighborhoods program and the Teacher Incentive Fund (TIF).

Student Aid: The bill fully funds the maximum Pell Grant at \$5,500. This is \$200 over the maximum grant funded in FY 2009 and the same as the President's request. This includes level funding of \$4,860 in discretionary funds and \$640 in mandatory funding.

Supplemental Education Opportunity Grants (SEOG) will be funded at \$757.5 million, an amount equal to the FY 2009 level and the President's request. Federal Work Study and the Leveraging Educational Assistance Partnership (LEAP) program will also be level funded at FY 2009 levels and the President's budget request of \$980.5 million and \$63.8 million, respectively.

Federal Perkins Loan Cancellations will be zeroed out in the Consolidated Appropriations bill. In FY 2009 the program received \$67.2 million, but the President's FY 2010 budget did not request funds for this program as the Administration has sought to establish a new Perkins program through H.R.3221, the Student Aid and Fiscal Responsibility Act (SAFRA). That legislation has yet to be introduced in the Senate, but is expected to move in early 2010.

International Programs: Title VI programs will receive \$125.8 million, an increase of \$7 million (5.5 percent) over FY 2009 and the President's request. Within this amount, Title VI domestic programs, which include the National Resource Centers and the Centers for International Business Education (CIBE), will receive \$108.4 million, an increase of \$6 million (5.5 percent) over FY 2009 and the President's request. The \$6 million will be used to increase the amount awarded to the National Resource Centers and increase the number of Foreign Language and Areas Studies (FLAS) fellowships. Title VI International programs, which include the Fulbright program, will receive \$15.6 million, an increase of \$880,000 (5.6 percent) over FY 2009 and the President's request.

Safe and Drug Free Schools: The FY 2010 Consolidated Appropriations bill increases the Safe and Drug Free Schools National Program, which provides competitive funding to institutions, to

\$191.3 million, an increase of \$51 million (27 percent) over FY 2009 and \$59.7 million below the President's budget request. In agreement with the President's request, the Consolidated Appropriations bill zeroes out the Safe and Drug Free Schools State Grants, which allocated funding to the states for these programs.

TRIO and GEAR UP: The Consolidated Appropriations bill funds TRIO programs at \$853.1 million, an increase of \$5 million (0.6 percent) over FY 2009 and the President's budget request. For TRIO, bill language directs the funding increase to be used for the competition of the Student Support Services program in FY 2010. This additional funding will allow new institutions to participate in the Student Support Services program.

The Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) will be funded at \$323.2 million, an increase of \$10 million (3 percent) over FY 2009 and the President's request.

Graduate Programs: Under the Consolidated Appropriations bill, the Javits Fellowship program, which provides graduate fellowships in the humanities, will be funded at \$9.7 million, the same as the FY 2009 enacted level and the President's budget request. Graduate Assistance in Areas of National Need (GAANN) will also be funded at the FY 2009 level and the President's request of \$31 million.

Institute of Education Sciences: The Institute of Education Sciences (IES) will receive \$659 million in FY 2010. This is \$41.8 million (6 percent) above FY 2009 funding, and \$30.3 million below the President's request. Funding is included to compete a new IES research and development center for adult learning and literacy.

Hispanic Serving Institutions: Hispanic Serving Institutions will receive \$117.4 million under the Consolidated Appropriations bill, \$24.2 million (20 percent) above FY 2009 funding and \$19.5 million above the President's budget request.

Discretionary and New Programs: The new Promise Neighborhoods program will receive \$10 million to award development grants in FY 2010. Language is included asking the Department to provide a briefing to the Appropriations Committee before the request for proposals is released. It is expected that the FY 2011 budget request will include funding to implement programs which receive a development grant in FY 2010.

The Consolidated Appropriations bill also includes \$10 million for a new college textbook rental pilot initiative and \$6 million for competitive grants to institutions of higher education for Centers of Excellence in Veteran Student Success, which will support veteran students. The bill also includes \$28.8 million for FIPSE grants with invitational priority areas in several programs authorized in the 2008 Higher Education Opportunity Act. These include grants to establish Centers of Excellence for Teacher Preparation; grants for university sustainability initiatives; grants for initiatives geared towards rural serving colleges and universities; and funding for initiatives to assist highly qualified minorities and women acquire doctoral degrees in underrepresented fields.

The FY 2010 Consolidated Appropriations bill also includes language regarding the Teacher Incentive Fund (TIF), which states that TIF grantees must demonstrate that teacher performance-based compensation systems are developed with input from teachers and school leaders, and requires that grant applications include plans to sustain financially the activities proposed under the grant application once the grant funding has expired. \$400 million is provided for TIF, which is \$303 million above the FY 2009 level and \$117.3 million below the President's request.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

In the Consolidated Appropriations bill, the U.S. Department of Housing and Urban Development (HUD) receives funding for several new initiatives introduced by the Obama Administration for FY 2010. The Choice Neighborhoods Initiative will be funded at \$200 million, \$50 million below the level requested by the Administration. The new initiative would build off of the HOPE VI housing program to integrate early childhood intervention and school reform with neighborhood revitalization (the Obama Administration often refers to the Choice Neighborhoods Initiative and the Promise Neighborhoods Initiative [at the Department of Education] as complementary programs). Within the \$200 million, \$65 million will be for a demonstration project, "to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods. Important in this effort is the inclusion of appropriate services and access to transportation, jobs and public schools. For this demonstration, grants may be used for both public housing and HUD-assisted properties. In addition, grantees may include local governments, public housing authorities, non-profit organizations and for-profit organizations that apply in partnership with a public entity."

The bill also includes \$150 million for the new HUD Sustainable Communities Initiative (to be jointly administered with Department of Transportation), which, according to the HUD budget request, will be primarily directed toward regional development planning (\$100 million) and changes to zoning, land-use rules, and building codes (\$40 million). The remaining \$10 million will go toward research to "gauge the effectiveness of federal investments as well as inform private investment and consumer decisions."

Finally, the University Community Fund (formerly the Office of University Partnerships) will receive a \$2 million increase to \$25 million in FY 2010. All of the funding for the new "Fund" will be directed to minority serving institutions, as was the case with the Office of University Partnerships.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

The Consolidated Appropriations bill will provide the Corporation for National and Community Service (CNCS) with \$857 million in FY 2010, a \$176.5 million increase (26 percent) over FY 2009 excluding ARRA funding, to administer its programs such as AmeriCorps. Within this total funding, \$50 million will be provided for the Social Innovation Fund with the goal of

developing new ideas or scaling-up successful programs that address major societal challenges. The Fund, authorized in the Kennedy Serve America Act, would award grants between \$1 million and \$10 million to institutions that would select and oversee subgrants for the expansion and dissemination of promising or successful social innovation ideas and concepts. The fund would require non-federal matching funding, with in-kind contributions being ineligible.

Table 1: Individual Funding Levels for the National Institutes of Health (NIH) Institutes and Centers (Amounts in Thousands) in the FY 2010 Consolidated Appropriations bill

Institutes/Centers	Actual FY 2009 Appropriation	FY 2010 President's Budget Request	FY 2010 Consolidated Appropriations Bill	Dollar Comparison to FY 2009 Actual	Percent Comparison to FY 2009 Actual
National Cancer Institute (NCI)	\$4,968,973	\$5,150,170	\$5,103,388	\$134,415	2.7%
National Heart, Lung, and Blood Institute (NHLBI)	\$3,015,689	\$3,050,356	\$3,096,916	\$81,227	2.7%
National Institute of Dental & Craniofacial Research (NIDCR)	\$402,652	\$408,037	\$413,236	\$10,584	2.6%
National Institute of Diabetes & Digestive & Kidney Diseases (NIDDK)*	\$1,761,338	\$1,781,494	\$1,808,100	\$46,762	2.7%
National Institute of Neurological Disorders and Stroke (NINDS)	\$1,593,344	\$1,612,745	\$1,636,371	\$43,027	2.7%
National Institute of Allergy & Infectious Diseases (NIAID)**	\$4,702,572	\$4,760,295	\$4,818,275	\$115,703	2.5%
National Institute of General Medical Sciences (NIGMS)	\$1,997,801	\$2,023,677	\$2,051,798	\$53,997	2.7%
National Institute of Child Health and Human Development (NICHD)	\$1,294,894	\$1,313,674	\$1,329,528	\$34,634	2.7%
National Eye Institute (NEI)	\$688,480	\$695,789	\$707,036	\$18,556	2.7%
National Institute of Environmental Health Sciences (NIEHS)***	\$740,894	\$763,469	\$768,993	\$28,099	3.8%
National Institute on Aging (NIA)	\$1,080,796	\$1,093,143	\$1,110,229	\$29,433	2.7%
National Institute on Arthritis & Musculoskeletal & Skin Diseases (NIAMS)	\$524,872	\$530,825	\$539,082	\$14,210	2.7%
National Institute on Deafness & Other Communication Disorders (NIDCD)	\$407,259	\$413,026	\$418,833	\$11,574	2.8%
National Institute of Nursing Research (NINR)	\$141,879	\$143,749	\$145,660	\$3,781	2.7%
National Institute on Alcohol Abuse and Alcoholism (NIAAA)	\$450,230	\$455,149	\$462,346	\$12,116	2.7%
National Institute on Drug Abuse (NIDA)	\$1,032,759	\$1,045,384	\$1,059,848	\$27,089	2.6%
National Institute of Mental Health (NIMH)	\$1,450,491	\$1,474,676	\$1,489,372	\$38,881	2.7%
National Human Genome Research Institute (NHGRI)	\$502,367	\$509,594	\$516,028	\$13,661	2.7%
National Institute of Biomedical Imaging and Bioengineering (NIBIB)	\$308,208	\$312,687	\$316,582	\$8,374	2.7%

Institutes/Centers	Actual FY 2009 Appropriation	FY 2010 President's Budget Request	FY 2010 Consolidated Appropriations Bill	Dollar Comparison to FY 2009 Actual	Percent Comparison to FY 2009 Actual
National Center for Research Resources (NCRR)	\$1,226,263	\$1,252,044	\$1,268,896	\$42,633	3.5%
National Center for Complementary and Alternative Medicine (NCCAM)	\$125,471	\$127,241	\$128,844	\$3,373	2.7%
National Center on Minority Health and Health Disparities (NCMHHD)	\$205,959	\$208,844	\$211,572	\$5,613	2.7%
John E. Fogarty International Center (FIC)	\$68,691	\$69,227	\$70,051	\$1,360	2.0%
National Library of Medicine (NLM)****	\$338,971	\$342,547	\$347,916	\$8,945	2.6%
Office of the Director (OD)	\$1,246,864	\$1,182,777	\$1,177,300	-\$69,564	-5.6%
Buildings and Facilities	\$125,581	\$125,581	\$100,000	-\$25,581	-20.4%
Total	\$30,403,298	\$30,846,200	\$31,096,200	\$692,902	2.3%

*NIDDK excludes mandatory juvenile diabetes research

**NIAID includes transfer to Global HIV/AIDS Fund

***NIEHS includes both Labor/HHS and Interior Appropriations

****NLM includes Evaluation Funds