

# **Analysis of the FY 2024 House Appropriations Bills for Federal Science Agencies** | November 21, 2023

In late October, details of the U.S. House of Representatives' fiscal year (FY) 2024 appropriations bills were made public. Before leaving town for the Thanksgiving break, the House—under the leadership of newly-elected House Speaker Mike Johnson (R-LA)—took initial steps toward passing the bills. However, despite two days of debate, the Labor, Health and Human Services, Education (LHHS) appropriations bill—the measure that funds the National Institutes of Health, Department of Education, and several other agencies of interest to the science community—did not receive a final vote and consideration was punted until after the holiday. The other bill of interest—the Commerce, Justice, Science (CJS) appropriations bill, which funds the National Science Foundation, Department of Justice, and Census Bureau, among other agencies—did not manage to make it to the floor as House leadership had hoped prior to the break.

Up against another potential government shutdown on November 17, lawmakers managed to pass a second continuing resolution (CR) before leaving town. The stop-gap measure, orchestrated by Speaker Johnson, includes "tiered deadlines" for the unpassed spending bills. The deadline for the first tranche of bills (the Military Construction-VA, Agriculture, Energy-Water and Transportation-HUD bills) has been extended to January 19, 2024. The remaining bills (including LHHS and CJS) now have a deadline of February 2.

The following pages provide details of the House's FY 2024 LHHS and CJS appropriations bills *as introduced*. Since neither bill has yet to be voted on by the full House, the numbers included below are subject to change through amendment.

## Snapshot of the House Proposals for Federal Science Agencies, FY 2024

(in millions)	FY 2023 Enacted	FY 2024 Budget Request	FY 2024 Senate*	FY 2024 House†	House vs. FY 2023
National Science Foundation	9876.0	11354.7	9500.0	9630.1	-2.4%
National Institutes of Health	48959.0	50770.1	49224.0	45122.5	-7.8%
Agency for Healthcare Research and Quality	373.5	447.5	370.5	0.0	-100.0%
Bureau of the Census	1485.0	1606.0	1501.0	1354.0	-8.8%
Bureau of Economic Analysis	130.0	154.0	130.0	116.0	-10.8%
Bureau of Justice Statistics	42.0	78.0	42.5	35.0	-16.7.%
Bureau of Labor Statistics	698.0	758.4	698.0	658.0	-5.7%
Centers for Disease Control	9217.6	11580.9	919.3	7591.6	-17.6%
International Education and Foreign Language Studies	85.7	85.7	85.6	35.0	-59.1%

Institute of Education Sciences	807.6	870.9	793.1	707.4	-12.4 %
National Institute of Justice	35.0	63.0	35.5	25.0	- 28.6%

<sup>\*</sup>The Senate bills were reported out of the Appropriations Committee; they have not been voted on by the full Senate.

†The House bills bypassed the Appropriations Committee and were brought directly to the House floor; they have not yet passed the full House.

While averting a government shutdown over the holiday season is a positive development, pundits agree that the FY 2024 appropriations process will be in roughly the same spot come January, with hardline Republicans in the House seeking cuts beyond those already on the table (see table) and Senate Democrats looking to abide by the bipartisan <u>budget deal</u> struck earlier this year. Lawmakers do not appear any closer to an agreement on top-line spending levels, despite the fact that fiscal year 2024 officially began on October 1. Complicating things further, the President is scheduled to release his budget request for fiscal year 2025 as early as February, which typically would kick off the FY 2025 appropriations process in Congress; however, that could be delayed as a result of the Congress's inaction on FY 2024.

Stay tuned to COSSA's coverage for the latest developments.

# I. Labor, Health and Human Services, Education Appropriations Bill

The Labor, Health and Human Services, Education, and Related Agencies (LHHS) Appropriations Bill contains annual funding for the National Institutes of Health (NIH), Department of Education (ED), Centers for Disease Control and Prevention (CDC), Agency for Healthcare Research and Quality (AHRQ), and Bureau of Labor Statistics (BLS), among other federal departments and agencies.

The bill text and <u>accompanying report</u> are available on the House Appropriations Committee <u>website</u>.

#### National Institutes of Health

The House bill includes a total of \$45.12 billion in program funding for the National Institutes of Health (NIH) in FY 2024 (including ARPA-H), a decrease of \$3.85 billion or 7.8 percent below the FY 2023 enacted level and \$5.6 billion or 11 percent below the President's request. Under the proposal, most NIH institutes and centers (IC) would be held flat, with a few ICs identified for cuts (see table below).

During House debate on the LHHS bill, several amendments were offered to divert additional funds away from NIH. As a result, if the House bill were to become law (which is not likely), the actual cut to NIH would be larger than that in the underlying bill.

Below are details of notable provisions and language within the House bill and accompanying explanatory statement.

## Advanced Research Projects Agency for Health

The House bill includes \$500 million for the **Advanced Research Projects Agency for Health (ARPA-H)**, which was established last year (see <u>previous coverage</u>). The House mark would represent a significant

cut to the budding agency, which was appropriated \$1.5 billion in FY 2023. For FY 2024, the Biden Administration sought \$2.5 billion while the Senate bill included flat funding at \$1.5 billion.

In the report accompanying the bill, the House Appropriations Committee urges ARPA-H to prioritize geroscience research, next-general COVID vaccines, nanovaccine research, and rare cancers.

## Office of the NIH Director

#### **DEI and SOGI Offices**

Consistent with the Republican majority's efforts to defund activities related to diversity, equity, and inclusion across the federal government, the House report does not include funding in FY 2024 for the Office of Equity, Diversity and Inclusion and the Office of the Chief Officer for Scientific Workforce Diversity within the Office of the NIH Director.

In addition, the House does not include the requested funding to establish a **Sexual and Gender Minority Research Office**.

## Firearm Injury and Mortality Prevention Research

The House bill does not include funding for research related to firearm injury and mortality. Funding for this activity was originally provided by Congress in the FY 2020 appropriations bill and again in each subsequent year. Under Republican control, the House would eliminate funding for the program, which has been administered by the Office of Behavioral and Social Sciences Research (OBSSR). The Senate bill includes \$12.5 million for the activity, consistent with the FY 2023 enacted level.

#### **Encouraging Innovation and Experimentation**

The House report contains language calling on NIH to study potential new models for funding:

"The Committee recognizes that there are many ideas for how NIH could improve its operations and funding models—such as lotteries as to funding mid-range proposals, funding the person rather than the project, and more—yet there is not enough evidence to determine which flexibilities may produce the best results. The Committee urges NIH to study how best to create or empower a team that would engage in NIH-wide experimentation with new ideas such as peer review, funding models, with the goal to improve NIH's operations and drive forward biomedical progress. The NIH should provide an update on this effort within 90 days of enactment of this Act and make such information available on the agency's website."

#### **Term Limits**

Largely in response to Republican criticism of former NIAID Director Anthony Fauci's handling of the COVID-19 pandemic, the House report would direct NIH to begin the process the implementing term limits for NIH IC directors. Fauci served as the director of the National Institute of Allergy and Infectious Diseases (NIAID) from 1984 to 2022:

"The Committee supports the recommendations outlined in the 2003 Institute of Medicine report Enhancing the Vitality of the National Institutes of Health: Organizational Change to Meet New Challenges. Specifically, the Committee supports Recommendation 10, to set term limits for Institute or Center Director appointments to two 5-year terms. The Committee believes regular replacement of IC Directors following a maximum of two terms would be an overall benefit to medical research by ensuring the periodic introduction of fresh perspectives. The Committee

provides \$500,000 for this effort and directs NIH to begin the planning process for implementing this policy, and to report to the Committees within 180 days of enactment of this Act on these efforts."

## Other Notable Report Language

#### Cross-Sex Hormone Research

Within the Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD), the House report would prohibit funding for "any research involving studying the effects of or administering cross-sex hormones in children for research related to gender dysphoria."

## Impact of Technology and Digital Media Use Among Infants, Children, and Teens

Also within NICHD, the House report includes repeat language calling for additional research on the impact of certain media and technologies on children and adolescents:

"The Committee remains concerned about the impacts of technology use and media consumption on infant, children, and adolescent development. The Committee supports research into the cognitive, physical, and mental health impacts of young people's use of technologies as well as long-term developmental effects on children's social, communication, and creative skills. The Committee also encourages NIH to study potential correlations between increased use of digital media and technologies and suicidal thoughts and ideation among children. The Committee encourages NIH to consider different forms of digital media and technologies including mobile devices, smart phones, tablets, computers, and virtual reality tools, as well as social media content, video games, and television programming."

			FY 2024			
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request
National Institutes of Health	48959.0	50770.1	49224.0	45122.5	-7.8%	-11.1%
National Cancer Institute	7320.2	7820.2	7380.2	7104.2	-3.0%	-9.2%
National Heart, Lung, and Blood Institute	3982.3	3985.2	3982.3	3982.3	0.0%	-0.1%
National Institute of Dental and Craniofacial Research	520.1	520.1	520.2	520.1	0.0%	0.0%
National Institute of Diabetes and Digestive and Kidney Diseases	2300.7	2303.1	2310.7	2300.7	0.0%	-0.1%
National Institute of Neurological Disorders and Stroke	2813.9	2825.4	2849.9	2674.9	-4.9%	-5.3%
National Institute of Allergy and Infectious Diseases	6562.3	6561.7	6562.3	5062.3	-22.9%	-22.9%
National Institute of General Medical Sciences	3239.7	3239.7	3239.7	3154.7	-2.6%	-2.6%
Eunice Kennedy Shriver National Institute of Child	1749.1	1747.8	1759.1	1749.1	0.0%	0.1%

Health and Human Development						
National Eye Institute	896.5	896.1	896.5	896.5	0.0%	0.0%
National Institute of Environmental Health Sciences	914.0	938.8	914.0	914.0	0.0%	-2.6%
National Institute on Aging	4407.6	4412.1	4509.6	4407.6	0.0%	-0.1%
National Institute of Arthritis and Musculoskeletal and Skin Diseases	685.5	687.6	685.5	685.5	0.0%	-0.3%
National Institute on Deafness and Other Communication Disorders	534.3	534.3	534.3	534.3	0.0%	0.0%
National Institute of Mental Health	2337.8	2541.7	2437.8	2198.8	-5.9%	-13.5%
National Institute on Drug Abuse	1662.7	1663.4	1672.7	1662.7	0.0%	0.0%
National Institute on Alcohol Abuse and Alcoholism	595.3	596.6	595.3	595.3	0.0%	-0.2%
National Institute of Nursing Research	197.7	197.7	197.7	197.7	0.0%	0.0%
National Human Genome Research Institute	663.2	660.5	663.2	663.2	0.0%	0.4%
National Institute of Biomedical Imaging and Bioengineering	440.6	440.6	440.6	440.6	0.0%	0.0%
National Institute on Minority Health and Health Disparities	524.4	525.1	524.4	524.4	0.0%	-0.1%
National Center for Complementary and Integrative Health	170.4	170.3	170.4	170.4	0.0%	0.1%
National Center for Advancing Translational Sciences	923.3	923.3	923.3	923.3	0.0%	0.0%
John E. Fogarty International Center for Advanced Study in the Health Sciences	95.2	95.1	95.2	95.2	0.0%	0.0%
National Library of Medicine	497.5	495.3	497.5	497.5	0.0%	0.5%
Office of the Director	2655.5	2903.4	2650.5	2082.1	-21.6%	-28.3%
Advanced Research Projects Agency for Health (ARPA-H)	1500.0	2500.0	1500.0	500.0	-66.7%	-80.0%

# Centers for Disease Control and Prevention

The House bill includes \$7.6 billion for the Centers for Disease Control and Prevention (CDC), a 17.5 percent decrease below the Senate's mark and the FY 2023 enacted level and a 34 percent decrease from the Administration's request.

The bill includes \$187.4 million for the National Center for Health Statistics (NCHS), the same amount appropriated in FY 2023 and included in the Senate's bill but \$2.1 million below the President's request.

Within the account for the **Center for Chronic Disease Prevention and Health Promotion**, the House report includes \$68.5 million for Racial and Ethnic Approaches to Community Health (REACH). The House bill also contains \$108 million for the Safe Motherhood and Infant Health account.

Within the **Environmental Health** account, the bill would eliminate funding for the Climate and Health program. This program helps States and territories examine potential health effects associated with climate change.

Within the **Injury Prevention and Control** portfolio, the House bill would eliminate funding for research on firearm injury and mortality prevention (see the NIH section for additional details).

				FY 2024		
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request
Centers for Disease Control	9217.6	11580.9	919.3	7591.6	-17.6%	-34.4%
HIV, Viral Hepatitis, STI, and TB Prevention	1391.1	1544.6	1395.1	1171.1	-15.8%	-24.2%
Chronic Disease Prevention, Health Promotion	1430.4	1813.5	1435.4	1127.6	-21.2%	-37.8%
National Center for Health Statistics	187.4	189.5	187.4	187.4	0.0%	-1.1%
Environmental Health	246.9	420.9	246.9	181.9	-26.3%	-56.8%
Injury Prevention and Control	761.4	1351.7	761.0	730.8	-4.0%	-45.9%
Occupational Safety and Health	362.8	362.8	362.8	247.7	-31.7%	-31.7%
Global Health	692.8	764.8	692.8	370.7	-46.5%	-51.5%

# Agency for Healthcare Research and Quality

The House bill proposes to eliminate the Agency for Healthcare Research and Quality (AHRQ) in FY 2024, stating, "Similar work is done by several agencies funded in this bill, including the National Institutes of Health, the Centers for Disease Control and Prevention, and the Office of the Assistant Secretary for Health." This is not the first time AHRQ has been on the chopping block as, in 2016, the House also proposed eliminating AHRQ and the Trump Administration sought repeatedly to merge AHRQ with NIH.

The Senate bill does not propose eliminating AHRQ, although it does include a small funding decrease to the agency.

		FY 2024				
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request
Agency for Healthcare Research and Quality	373.5	447.5	370.5	0.0	-100.0%	-100.0%

Research on Health	228.6	296.9	225.6	0.0	-100.0%	-100.0%
Costs, Quality, and						
Outcomes						
Medical Expenditure	71.8	71.8	71.7	0.0	-100.0%	-100.0%
Panel Surveys						
Research Management	75.4	78.8	73.1	0.0	-100.0%	-100.0%
and Support						

## **Institute of Education Sciences**

Within the Department of Education, the House bill would provide \$707.4 million for the Institute of Education Sciences (IES), the flagship research, evaluation, and statistical agency of the department. This amount represents a 12.4 percent decrease in funding for IES compared to its FY 2023 enacted level, and 10.8 percent below Senate bill. Several accounts within IES would be zeroed out under the proposal, including the Regional Educational Laboratories and the Statewide Data Systems account.

The House bill would provide \$245 million for **Research**, **Development**, and **Dissemination**, maintaining the same level as FY 2023. This funding supports research, development, and national dissemination activities aimed at expanding fundamental knowledge of education and promoting the use of research and development findings to enhance educational initiatives.

The House bill includes \$121.5 million for the activities of the **National Center for Education Statistics** (NCES), which is the same as the FY 2023 enacted level.

During floor consideration of the LHHS bill, an amendment was introduced that would have zeroed out funding for IES; however, it was voted down with bipartisan support.

		FY 2024				
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request
Institute of Education Sciences	807.6	870.9	793.1	707.4	-12.4 %	-18.8%
Research, Development, and Dissemination	245.0	291.9	245.0	245.0	0.0%	-16.1%
Statistics	121.5	127	121.5	121.5	0.0%	-4.3%
Regional Educational Laboratories	58.7	60.7	53.7	0.0	-100.0%	-11.6%
Research in Special Education	64.3	64.3	64.3	64.3	0.1%	0.0%
Special Education Studies and Evaluations	13.3	13.3	13.3	13.3	-0.1%	0.1%
Assessment (NAEP)	192.8	193.3	193.3	193.3	0.3%	0.0%
Statewide Data Systems	38.5	38.5	28.5	0.0	-100.0%	-100.0

# International Education and Foreign Language Studies

The bill proposes decreases for the International Education and Foreign Language Studies programs.

These programs would receive \$35 million in FY 2024, 59 percent less than the FY 2023 enacted level, the President's budget request, and Senate proposal.

The House bill would not provide funding for the Overseas Programs in FY 2024. Instead, the House would prioritize funding for Domestic Programs in support of national security and activities to advance U.S. economic interests and global competitiveness. The Senate bill maintains both overseas and domestic programs.

		FY 2024					
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request	
International Education and Foreign Language Studies	85.7	85.7	85.6	35	-59.1%	-59.2%	
Domestic Programs (Title VI)	75.4	75.4	73.3	35	-53.6%	-53.6%	
Overseas Programs (Fulbright-Hays)	10.3	10.3	10.3	0	-100.0%	-100.0%	

# II. Commerce, Justice, Science Appropriations Bill

The Commerce, Justice, Science, and Related Agencies (CJS) Appropriations Bill contains annual funding for the National Science Foundation, Department of Justice (DOJ), and Census Bureau, among other federal departments and agencies.

The bill text and accompanying report are available on the House Appropriations Committee website.

## **National Science Foundation**

The House CJS bill includes \$9.63 billion for NSF in FY 2024, which if appropriated would represent cut of \$246 million or 2.4 percent below the FY 2023 enacted level. However as previously reported, the increase provided to NSF in FY 2023 was accomplished through the addition of \$1.038 billion in one-time emergency supplemental funding. The President's FY 2024 request sought to incorporate the emergency spending into NSF's base, thereby proposing a total budget of \$11.3 billion for NSF in FY 2024. However, the House bill, like the Senate bill, does not include the supplemental funding in the NSF budget; as a result, the House bill states that its mark for NSF is \$791 million above the FY 2023 enacted, sans supplemental funding level of \$8.8 billion. In addition, the House number for NSF is slightly higher than the \$9.5 billion proposed in the Senate bill.

Within the overall NSF number, the House bill includes \$7.87 billion for NSF's Research and Related Agencies (R&RA) account, which funds the agency's science directorates, including the Social, Behavioral and Economic Sciences Directorate (SBE) and the Technology, Innovation, and Partnerships Directorate (TIP). The proposal is about 10 percent above the FY 2023 amount (when removing the emergency funding) but still 13 percent below the President's budget request. The House mark is also 3.4 percent above the Senate proposal for Research and Related Activities.

Of particular concern is the proposed cut to the **STEM Education Directorate (EDU)** (formerly the Education and Human Resources Directorate). The House bill includes a total of \$1.0 billion for EDU, a cut of \$240 million or nearly 20 percent from the FY 2023 enacted level. It is unclear from the House materials where those cuts would be made.

## Notable Report Language

While annual appropriations bills traditionally do not set funding levels for NSF's individual directorates (with the exception of the STEM Education Directorate), appropriators often provide guidance to the agency with respect to the activities of the directorates, as noted below:

#### Technology, Innovation and Partnerships Directorate

The report accompanying the House bill expresses support for the Technology, Innovation and Partnerships (TIP) Directorate, created in FY 2022, especially noting its role in "bolstering American global competitiveness, maintaining international scientific leadership, and leveraging public-private partnerships."

#### **National Center for Science and Engineering Statistics**

Citing concerns about the low "personnel-to-budget" ratio of the National Center for Science and Engineering Statistics (NCSES)—housed within the SBE Directorate—especially when compared to other federal statistical agencies, the House report supports the use of appropriated funds for additional personnel, including statisticians, economists, research scientists, and other staff.

The report also calls on NCSES to "analyze existing nationwide data and conduct survey research to better understand the national cyber workforce."

#### Artificial Intelligence

Similar to the Senate, the House report calls on NSF to support research to improve the transparency, interpretability, explainability, and provenance of AI. Specifically, the House report would provide NSF with up to \$20 million for R&D on "methods and techniques to explain why and how AI models arrive at decisions, recommendations, and other outputs."

		FY 2024				
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request
National Science Foundation	9876.0	11354.7	9500.0	9630.1	-2.4%	-15.2%
Research and Related Activities	7629.3	9017.3	7608.3	7866.6	3.1%	-12.8%
STEM Education	1246.0	1496.2	1228.0	1006.0	-19.3%	-32.8%
Major Research Equipment and Facilities Construction	187.2	304.7	187.2	254.0	35.7%	-16.6%
Agency Operations and Award Management	448.0	503.9	448.0	472.0	5.4%	-6.3%
National Science Board	5.1	5.3	5.1	4.6	-9.6%	-12.4%
Office of the Inspector General	23.4	26.8	23.4	26.8	14.6%	0%

# Bureau of Justice Statistics and National Institute of Justice

The Department of Justice (DOJ) funds the Bureau of Justice Statistics (BJS) and the National Institute of Justice (NIJ) within the Office of Justice Programs' (OJP) Research, Evaluation and Statistics program line. The House CJS bill includes a total of \$60 million for Research, Evaluation and Statistics for FY 2024, a decrease of 22.1 percent below the FY 2023 enacted <a href="Level">Level</a>, and 23.1 percent below the Senate bill. The House mark is a far cry from the amount requested by the President, which totaled \$141 million for research, evaluation, and statistics activities.

Within the total, the House bill would provide the Bureau of Justice Statistics with \$35 million in FY 2024, a decrease of \$7 million (16.7 percent) below the FY 2023 enacted amount. The President was seeking \$78 million for BJS in FY 2024. For the National Institute of Justice, the House bill includes \$25 million, a decrease of \$1 million (28.6 percent) below FY 2023. The President had requested \$63 million for NIJ. If appropriated, funding at these levels would be devastating to both agencies.

The Senate bill included \$42.5 million and \$35.5 million, respectively, for BJS and NIJ.

## Notable Report Language

#### Crimes against children research

To effectively tackle crimes against children, the House proposes establishing multidisciplinary teams comprising law enforcement officers, prosecutors, child protection investigators, mental health professionals, medical examiners, and victim advocates. These teams would evaluate the effectiveness of various models and develop best practices to enhance effectiveness, achieve positive outcomes, and promote victim well-being.

#### Novel psychoactive substances research

The House urges the Department of Justice to leverage research and testing to combat the surge of novel psychoactive substances, including new forms of synthetic opioids. This approach aims to mitigate the harmful effects of these substances on individuals and communities.

		FY 2024					
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request	
Bureau of Justice Statistics	42.0	78.0	42.5	35.0	-16.7.%	-55.1%	
National Institute of Justice	35.0	63.0	35.5	25.0	-28.6%	-60.3%	

# Census Bureau and Bureau of Economic Analysis

The House bill includes \$116 million for the Bureau of Economic Analysis (BEA), a decrease of \$14 million from the FY 2023 enacted level and the Senate's request, and \$38 million below the Administration's request.

The House's proposal would provide the Census Bureau with a total of \$1.35 billion for FY 2024, a decrease of 8.8 percent from the FY 2023 enacted level, 15.7 percent below the Administration's request, and 9.8 percent below the Senate's request.

The report expresses concerns over cyber vulnerabilities and would direct the Census to "prioritize cyber protections and high standards of data differential privacy."

		FY 2024				
(in millions)	FY 2023 Enacted	President's Request	Senate Bill	House Bill	House vs. FY 2023	House vs. Request
Bureau of Economic Analysis	130.0	154.0	130.0	116.0	-10.8%	-24.7%
Bureau of the Census	1485.0	1606.0	1501.0	1354.0	-8.8%	-15.7%
Current Surveys and Programs	330.0	375.7	346.0	300.0	-9.1%	-20.1%
Periodic Census and Programs	1155.0	1230.3	1155.0	1054.0	-8.7%	-14.3%