



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

November 13, 2023  
(House Rules)

**STATEMENT OF ADMINISTRATION POLICY**  
**H.R. 5894 — Departments of Labor, Health and Human Services, and Education,**  
**and Related Agencies Appropriations Act, 2024**  
(Rep. Granger, R-TX)

The Administration strongly opposes House passage of H.R. 5894, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year (FY) ending September 30, 2024, and for other purposes.

In May, the Administration negotiated in good faith with House Republican Leadership on bipartisan legislation to avoid a first-ever default and protect the Nation's hard-earned and historic economic recovery. This negotiation resulted in the Fiscal Responsibility Act (FRA) of 2023, which passed with overwhelming bipartisan support and set spending levels for FYs 2024 and 2025. The agreement held spending for non-defense programs roughly flat with FY 2023 levels, a compromise that protected vital programs Americans rely on from draconian cuts House Republicans proposed. The agreement also protected historic legislative accomplishments from the past two years, including the Inflation Reduction Act (IRA), Honoring our PACT Act of 2022, CHIPS and Science Act, and the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law).

House Republicans had an opportunity to engage in a productive, bipartisan appropriations process, but instead are wasting time with partisan bills that cut domestic spending to levels well below the FRA agreement and endanger critical services for the American people. These levels would result in deep cuts to clean energy programs and other programs that work to combat climate change, essential nutrition services, law enforcement, consumer safety, education, and healthcare.

These bills include billions in additional rescissions from the IRA and other vital legislation that would result in unacceptable harm to clean energy and energy efficiency initiatives that lower energy costs and other critical investments in rural America.

The draft bills also include numerous new, partisan policy provisions with devastating consequences including harming access to reproductive healthcare, threatening the health and safety of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI+) Americans, endangering marriage equality, hindering critical climate change initiatives, and preventing the Administration from promoting diversity, equity, and inclusion.

The Administration stands ready to engage with both chambers of the Congress in a bipartisan appropriations process to enact responsible spending bills that fully fund Federal agencies in a timely manner.

If the President were presented with H.R. 5894, he would veto it.

The Administration would like to take this opportunity to share additional views regarding the House Appropriations Subcommittee's (Subcommittee) version of the bill.

### Bill Overview

*H.R. 5894 Topline.* Put simply, this bill fails American children and families. Its cruel cuts purposefully dismantle decades of progress in early childhood investments, education, maternal health and equity, public health, and more. It puts radical right-wing politics over the needs of the American people by eliminating consequential programs Americans rely on every day and instead seeks to forcibly inflict deeply unpopular policies with poison pill riders. And of the programs that do survive, many – even those with broad bipartisan support – are cut so dramatically that they would struggle to deliver for Americans. This bill is counter to everything America stands for; its 28 percent cut of \$64 billion will rob our children of the quality education they deserve and eliminate present and future opportunities for Americans in all stages of life. It jeopardizes maternal, pediatric, and public health while purposefully undermining the safety, well-being, and prosperity of our Nation.

### Department of Education (ED)

*ED Major Rescissions.* The Administration strongly opposes the bill's rescissions of funding from programs designed to improve education for students across the Nation. The \$8.7 billion rescission in the Title I program, combined with the \$6 billion reduction to the program, would reduce Title I by 80 percent, stripping funding from schools in communities with concentrated poverty that have already made plans for this funding, for example, helping students recover academically from the learning disruptions of the pandemic and paying teachers and school staff a livable and competitive wage. The bill's rescission of \$1.7 billion, or 77 percent, from the Supporting Effective Instruction State Grants (Title II) formula program would undermine States' and districts' ability to reduce class sizes and provide high-quality professional development to support effective teaching and learning in the classroom. The bill also eliminates funding for critical programs that support high-quality teaching and learning. These programs are critically important to support student well-being and academic recovery. The Administration strongly opposes the bill's elimination of the Teacher Quality Partnerships, Hawkins Centers of Excellence, and Historically Black Colleges and Universities, Tribally Controlled Colleges and Universities, and Minority-Serving Institutions Research and Development Infrastructure grant programs.

*Student Aid Administration.* The Administration strongly opposes the bill's \$265 million reduction to Student Aid Administration. This reduction, which comes on top of flat funding in FY 2023, would deal a devastating blow to borrowers and the supports they need to successfully navigate repayment. Borrower communications and call center support would be severely curtailed and possibly eliminated, leaving students and parents without help when they have questions or issues related to their loans.

*Pell.* The Administration opposes the flat funding of the Pell Grant discretionary maximum award. This level would erode the true value of Pell Grants and make college less affordable for the over six million students who receive them.

*Title I.* The Administration strongly opposes the \$6 billion reduction to Title I that, when taken together with the rescission noted above, would reduce the program by 80 percent. This reduction would eviscerate funding for schools with students from low-income backgrounds, resulting in the loss of up to 226,000 teachers, aides, or other key staff that would jeopardize the education of 26 million students.

*English Language Acquisition.* The Administration strongly opposes the bill's elimination of the English Language Acquisition program. This program helps to improve the education of English learners, funds bilingual teachers, provides language programming for Native Americans and Native Alaskans, and supports professional development of existing school staff.

*Federal Work-Study (FWS) and Supplemental Educational Opportunity Grants (SEOG).* The Administration opposes the elimination of the FWS and SEOG programs, which would make college less affordable to the over 1.8 million students who receive SEOG and over 370,000 students who receive FWS.

*Office for Civil Rights.* The Administration opposes the \$35 million, or 25 percent, reduction to ED's Office for Civil Rights (OCR), which would undermine OCR's ability to enforce civil rights laws in the Nation's schools and ensure that all students have equal access to education.

*Prohibition on Title IX.* The Administration opposes the bill's prohibition on the Department issuing or implementing as final rules, the rules proposed on July 12, 2022 relating to Title IX of the Education Amendments of 1972, also known as "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance." The prohibition would prevent the Department from fully advancing Title IX's goal of ensuring that no person experiences sex discrimination in education, that all students receive appropriate support as needed to access equal educational opportunities, and that school procedures for investigating and resolving complaints of sex discrimination, including sex-based harassment and sexual violence, are fair to all involved.

#### Department of Health and Human Services (HHS)

*Elimination of the Title X Family Planning Program.* The Administration strongly opposes the elimination of the Title X Family Planning Program in the bill, which plays a critical role in ensuring access to a broad range of family planning and preventive health services to 2.6 million low-income and uninsured individuals. The Title X family planning program is a critical part of the public health safety net and has served as a point of entry into care for nearly 195 million people over its more than 50-year history. This policy would further erode access to essential healthcare, from cancer screening to primary care, and is yet another unprecedented attack on women's health, at a time when restrictions on reproductive healthcare have forced health clinics that provide contraception and other critical health services to close.

*Maternal Health and Health Equity.* The Administration opposes the reduction to maternal and child health funding that strengthens public health systems to meet the needs of America's mothers and children, including children with special healthcare needs. For example: the State Maternal Child Health Block Grant program reaches

approximately 98 percent of infants, 92 percent of pregnant women, and 60 percent of children; and the Healthy Start Program provides services to 72,000 women and children in communities with the highest rates of infant mortality. The bill threatens these and other activities.

*Centers for Disease Control and Prevention (CDC) Topline.* The Administration strongly opposes the significant reduction in funding for the CDC in the bill, which is fundamental to the health security of the Nation. As the Nation's health protection agency, the CDC plays a critical role in protecting the United States from health, safety, and security threats and the bill's funding reductions would threaten these efforts. For example, CDC prevents and responds to existing and emerging public health threats such as COVID-19, Ebola, monkeypox, and polio on several fronts, such as supporting jurisdictional and global public health infrastructure.

*Office of Refugee Resettlement (ORR).* The Administration strongly opposes the woefully inadequate funding level for ORR in the bill, which represents a nearly 60-percent reduction to base funding compared to the FY 2023 enacted level. If enacted, ORR would be forced to immediately declare a deficiency under the Antideficiency Act in the Unaccompanied Children and refugee resettlement programs. This would leave unaccompanied children in Department of Homeland Security facilities for extended periods of time, harming children and violating the law. The bill would also deny refugees crucial assistance they need to integrate into their communities, build new lives, and become economically self-sufficient.

*Substance Abuse and Mental Health Administration (SAMHSA) Topline.* The Administration is concerned that the bill reduces funding for SAMHSA, which supports vital services to address mental illnesses and substance use disorders affecting millions of Americans. The level of funding provided in the bill would result in fewer people having access to lifesaving mental health and substance use treatment services.

*Reductions in Funding to Address the HIV/AIDS Epidemic.* The Administration is concerned that the bill dramatically reduces funding to prevent, diagnose, and treat HIV/AIDS infections. For example, by eliminating over \$500 million in funding for the Ending the HIV Epidemic initiative at the Health Resources and Services Administration (HRSA) and CDC, the bill would reduce critical clinical and testing services, increased access to PrEP for individuals at risk of infection, and essential HIV care in areas with high rates of new HIV infections. These cuts will reverse current progress toward ending the HIV epidemic. In addition, by eliminating funding for Part F of the Ryan White Program, the bill will reduce access to medicines for people living with HIV and cut support for the HIV healthcare workforce.

*Advanced Research Projects Agency for Health (ARPA-H).* The Administration opposes the bill's significant reduction in funding for ARPA-H, which threatens progress to accelerate breakthroughs for cancer, Alzheimer's, and other diseases. The Administration looks forward to working with the Congress to ensure that ARPA-H is funded at levels commensurate with its bold mission.

*Centers for Medicare and Medicaid Services (CMS) Program Management Topline.* The Administration strongly opposes the significant funding reduction for CMS program management in the bill, which would result in detrimental impacts to the more than 65

million Medicare beneficiaries and nearly 90 million Medicaid beneficiaries. A reduction of this magnitude would: more than double call wait times at the Medicare Call Center, and many calls would go unanswered; put nursing home residents at heightened safety risk and seriously degrade CMS's ability to respond to health and safety complaints; impede responsiveness to State partners; slow claims processing times and potentially cause cash flow problems for many healthcare providers; and undermine the ability of more than 30 States to conduct Medicaid eligibility verifications through the Federal Data Services hub.

*Elimination of Funding for Teen Pregnancy Prevention.* The Administration opposes the lack of funding in the bill for the Teen Pregnancy Prevention program, which is a national, evidence-based grant program that funds diverse organizations working to prevent teen pregnancy across the United States. Eliminating funding for this program would end funding for 71 grantees providing medically accurate and age-appropriate programming to adolescents in communities with the greatest need to reduce teen pregnancy.

*Elimination of Funding for the Agency for Healthcare Research and Quality (AHRQ).* The Administration strongly opposes the lack of funding in the bill for AHRQ, the lead Federal agency charged with improving the safety and quality of healthcare for all Americans. Eliminating funding for AHRQ would halt the development of knowledge, tools, and data needed to improve the healthcare system, increase patient safety in hospital and outpatient settings, and help consumers and healthcare professionals make evidence-based, informed decisions.

*Reductions in Funding to Critical Workforce Training Programs.* The Administration is concerned that the bill reduces funding for vital healthcare workforce training programs at HRSA that launch young people into medicine, nursing, and other health professions, at a time when growing the healthcare workforce, particularly in rural communities, could not be more urgent.

*Prohibiting Use of Nonrecurring Expenses Fund Funds for New Projects.* The Administration opposes section 236 of the bill, which would prevent HHS from making necessary improvements to information technology and physical infrastructure.

*Reductions in Funding for Head Start.* The Administration strongly opposes the \$750 million reduction to the Head Start program, which provides comprehensive, high-quality services to children and pregnant mothers furthest from opportunity. This reduction would result in tens of thousands of children losing access to critical Head Start programs.

#### Department of Labor (DOL)

*Worker Protection.* The Administration opposes the untenable reductions to DOL's Worker Protection agencies, which the bill reduces by 18 percent below the FY 2023 enacted level. These reductions would necessitate furloughs in many cases, and would severely limit the Department's ability to protect the health, safety, wages, rights, and benefits of America's workers. Critically, the \$75 million, or 29 percent, reduction to the Wage and Hour Division would hinder its ability to combat exploitative child labor, at a time when vulnerable children most need these protections.

*Women's Bureau.* The Administration strongly opposes the bill's elimination of DOL's Women's Bureau, the only Federal agency mandated to represent the needs and interests of more than 77 million working women across the Nation. Women, especially mothers, have seen historic gains in labor force participation under this Administration. Draconian policies like eliminating the Women's Bureau would erode this progress and the Administration's leadership in advocating for equality and economic security for women and their families.

*Workforce Development.* The Administration strongly opposes the bill's draconian reductions to key workforce development programs. The bill eliminates the Workforce Innovation and Opportunity Act (WIOA) Adult program, the WIOA Youth program, Job Corps, and the Senior Community Service Employment Program, all of which provide critical job training and employment services to underserved adults and youth. Taken together, these reductions would result in a less skilled American workforce, depriving employers of the trained workers they need to compete in the global economy and workers of the opportunity to get ahead.

*Department of Labor Regulations.* The Administration strongly opposes sections 117, 118, and 119 of the bill, which would prevent DOL from using funds to administer, implement, or enforce rules providing critical protections of workers' wages and retirement plans.

#### National Labor Relations Board (NLRB)

*NLRB.* The Administration strongly opposes the deep reductions the bill makes to NLRB, a 33-percent reduction relative to the FY 2023 enacted level, which would hobble the agency, already hurt by years of underfunding, and weaken its ability to protect workers' rights to organize.

#### Social Security Administration (SSA)

*Administrative Funding.* The Administration is deeply concerned with the reductions to SSA's Limitation on Administrative Expenses in the bill. People applying for disability benefits would have to wait at least two months longer for a decision, more than double the pre-pandemic wait times. With fewer staff available, seniors and people with disabilities would also be forced to endure longer wait times when they call for assistance. In addition, Social Security field offices could need to reduce the hours and days they are open to the public.

#### Corporation for Public Broadcasting (CPB)

*Public Broadcasting.* The Administration is deeply concerned that the bill does not provide an advance appropriation for the CPB for FY 2026. The Administration urges the Congress to appropriate \$575 million to the CPB for FY 2026, which would support long-term planning and preserve editorial independence in the public media system. The Administration also urges the Congress to fully fund the maintenance and modernization of public broadcasting's interconnection system in FY 2024.

#### AmeriCorps

*National Service.* The Administration strongly opposes the significant funding reduction for AmeriCorps, a 50-percent reduction from the FY 2023 enacted level, which would eliminate entire national service programs and severely reduce opportunities for Americans to serve their communities and Nation to tackle some of the most pressing challenges America faces, like poverty, climate change, and education.

### Constitutional Concerns

Section 534 of the bill would raise serious constitutional concerns under the equal protection guarantee of the Fourteenth Amendment and the Spending Clause by allowing funding to be used for specific types of care, but denying funding for that same care to transgender individuals on the basis of their sex and transgender status. Another provision of the bill raises a First Amendment concern. In particular, this provision would appear to condition the receipt of Federal funds on the grantees' having certain policies regarding family planning without limiting the condition to activities carried out with the funds. The Administration looks forward to working with the Congress to address these and other concerns.

The Administration looks forward to working with the Congress as the FY 2024 appropriations process moves forward.

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