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106TH CONGRESS OPENS FOR BUSINESS: IMPEACHMENT DOMINATES EARLY AGENDA

On January 6th the 106th Congress commenced. The following day the Senate opened the impeachment trial of President Bill Clinton. The House, which ended the 105th Congress by impeaching the President in a bitter partisan debate and votes, chose a new Speaker who promised cooperation and a Democratic leader who talked of "burying the hatchet." Bill Clinton is the first United States President impeached since Andrew Johnson in 1868. Yet, he retains the support of the American people with poll numbers indicating around 70 percent approve of his stewardship of the presidency. Welcome to 1999 in Washington.

Despite the historic events surrounding the impeachment trial, routines continue. The President's Fiscal Year 2000 budget is currently scheduled for release on February 1 and another year of debating federal spending priorities will begin. Those debates will take place in the context of additional projected budget surpluses and a determination to "save Social Security." It will take place with so-called "spending caps" still in place that will continue to squeeze discretionary spending. Although Congress demonstrated last year that where there is a will to break the caps, there is a way. As always, leaks have indicated some of the President's funding priorities: increased defense spending, more dollars for after school programs. A new major initiative in information technology is also expected, which should provide the National Science Foundation some new money.

The National Institutes of Health (NIH), having received a \$2 billion present from the Congress last year, will receive a very small increase from the President's budget, it is rumored. Congress will likely ignore the administration's concern with NIH's ability to absorb all these new funds, and may continue the plan to double the NIH budget in five years. The NIH funding situation has also raised questions about the balance of the nation's science and technology portfolio. Some have argued that the concentration of riches in health research at the expense of significant increases for basic research in all the sciences as well as research on agriculture, education, crime, and other areas is not healthy for the country.

The new Speaker has vowed that the House will pass all 13 appropriations bills by the summer, or "it will not leave town" for the traditional August recess. The Senate is too busy right now with impeachment to worry about enacting appropriations bills on time. Whether the bills pass Congress and are signed by the President before Fiscal Year 2000 begins on October 1, 1999, may depend on how many controversial non-spending policy riders are in the legislation.

Unlike last year, the Congress hopes this year to pass a Budget Resolution to start the process off right. The non-binding resolution gives the respective House and Senate Budget Committees a chance to assert their priorities within the spending functions and provide guidelines for the appropriators. A budget resolution also allows the Congress to promote its ideas for fiscal policy. The Republican majorities in the House and Senate hope to work out their differences and enact a significant tax cut this year.

The New Leadership

A former high school teacher and wrestling coach has been lifted from semi-obscurity and named the new Speaker of the House; third in line of succession to the Presidency. Representative Dennis Hastert (R-IL) replaces the retired Newt Gingrich and the soon-to-be-retired Bob Livingston (who only made it to "Speaker-designate") as the leader of the House. Hastert had been serving as Chief Deputy Whip, key assistant to Majority Whip Representative Tom DeLay (R-TX). The Whips are responsible for keeping party members in line and for counting noses for upcoming floor votes. Although some see Hastert as a front man for DeLay, whose nickname is "The Hammer," and who has been one of the most partisan of Republicans; others see a different fellow. One of the first people to greet Hastert after his swearing-in as Speaker was his former colleague from Illinois, former Minority Leader Bob Michel. Michel was viewed by Gingrich and his followers as too mild mannered and accommodating to Democrats. While Hastert surely will promote the House Republican agenda of large tax cuts, limited government, rebuilding defense, and local control of education, he made it clear in his inaugural address that he was willing to meet the Democrats half-way, if not more. With only a 223-212 GOP margin, this may become necessary more often than not.

Committee and subcommittee rosters, including leadership positions, remain incomplete. House Democrats have not made their assignments for ranking members of the appropriations subcommittees. The House Science Committee has not organized, so a new leader for the Basic Research Subcommittee has not been selected. The full House has passed a package of rules, that gives the Government Reform Committee (formerly the Government Reform and Oversight Committee) another waiver to continue its Subcommittee on the Census. There had been some discussion of giving jurisdiction of the Census to the House Administration Committee (formerly Oversight).

In instances where decisions have been made, Representative Michael Castle (R-DE) was chosen to lead the Early Childhood, Youth and Families Subcommittee. It will have jurisdiction over the Office of Educational Research and Improvement (OERI). The Ways and Means Committee has chosen Representative Clay Shaw (R-FL) as the new head of the Social Security Subcommittee, making him a key player in any attempt to revise that system. Representative Nancy Johnson (R-CT) takes over Shaw's slot as head of the Human Resources Subcommittee. She has indicated a strong interest in reviewing the impact of welfare reform and examining the federal role in child care as part of her agenda for the panel.

If and when Congress gets past the impeachment process, other issues awaiting action include: the much-postponed juvenile crime legislation, the continuation of the fight over sampling in the Census, especially if the expected Supreme Court ruling is not definitive, a renewal of the debate over data base protection legislation, and the reauthorization of the Elementary and Secondary Education Act. In addition, there might be great debates about the future of Social Security and Medicare, and the new National Security issue of protection against terrorism, including the administration's embrace of a missile defense system.

JANUARY 25, 1999, NUMBER 2

HOUSE FUNDING SUBCOMMITTEES ROSTERS COMPLETE

The House Appropriations Subcommittee rosters have been finally filled. These subcommittees will soon begin work considering President Clinton's numbers for Fiscal Year (FY) 2000; the administration's budget request is expected to be released on February 1. With regard to the subcommittee assignments, the big story is the ascension of James T. Walsh (NY) to the chair of the VA, HUD, and Independent Agencies Subcommittee. In addition, Alan B. Mollohan (D-WV) has ended months of speculation and has moved from the Commerce, Justice, State, and The Judiciary (CJS) Subcommittee to become Ranking Minority Member of the VA, HUD, and Independent Agencies Subcommittee. The CJS Subcommittee has jurisdiction over the Census Bureau's

budget. Mollohan, though, will retain a slot on the CJS Subcommittee, and, thus, will continue to be a leading proponent of the Census Bureau's plan to use statistical sampling in 2000.

CJS Subcommittee Sees New Faces

The CJS Subcommittee has a new face for the 106th Congress — at least on the Democratic side. The Subcommittee will still be chaired by Harold Rogers (KY), a strong opponent of the Census Bureau's proposed use of statistical sampling in the 2000 Census. The Democrats, however, with Mollohan's move, have a new ranking minority member. Jose Serrano (NY) is now the Subcommittee's leading Democratic member. The Subcommittee ratio has also changed, to 7 to 4 in the 106th Congress from 6 to 3 in the 105th Congress.

Serrano's movement to the Subcommittee's top Democrat slot is an interesting development. In the 1990 Census, Serrano's 16th District in New York was subject to a large undercount in the 1990 Census. In fact, a study by an independent research group last year concluded that Serrano's district was the most undercounted district in the country. Serrano, a member of the Congressional Hispanic Caucus and an associate member of the Congressional Black Caucus, will undoubtedly be a strong supporter of the Census Bureau's and Clinton Administration's planned use of statistical sampling in the 2000 Census. Last year, Serrano said, "Undercounting is the same as ignoring and ignoring is never healthy. We need to put politics aside. It's not about how many Congressional Republican districts there are. It's about having every resident in this nation counted properly."

Serrano will be joined on the Subcommittee by Lucille Roybal-Allard (CA), another vocal and active supporter of the use of statistical sampling in 2000. Roybal-Allard, like Serrano, is a member of the Congressional Hispanic Caucus, which has been extremely active in promoting the Census Bureau's use of statistical sampling in 2000.

FEBRUARY 8, 1999, NUMBER 3

FY 2000 BUDGET RELEASED: DEBATE OVER SURPLUS BEGINS

On February 1 the Clinton administration released its Fiscal Year (FY) 2000 budget proposal. The President said the new budget "charts a progressive but prudent path to our future; a balanced budget that makes vital investments." Despite a predicted \$117 billion (Office of Management and Budget) or \$131 billion (Congressional Budget Office) surplus for FY 2000, the administration was constrained by still-in-place caps on discretionary spending, the President's promise to reserve 62 percent of the surplus to "save Social Security first," and other priorities, such as education and defense improvements, that the President laid out in his State of the Union address on January 19. The Republicans have made an across-the-board tax cut a priority and accuse the President of trying to renege on his promise that "the era of big government is over."

The budgets of the science agencies show promise. The administration's major initiative in the research and development area is a \$366 million increased investment in Information Technology (IT) announced by Vice President Al Gore at the American Association for the Advancement of Science meeting on January 24. Spread over six agencies, the new program builds on the earlier High Performance Computing and Communication initiative. The IT proposal includes long-term information technology research, building advanced computing machines, and research on the economic, and social implications of the Information Revolution. This last item accounts for \$15 million of the \$366 million increase and includes efforts to help train additional IT workers.

The budget proposes a \$217 million or 5.8 percent increase overall for the **National Science Foundation**, bringing it to a total of \$3.954 billion. Its research and related activities account increases by \$195 million or 6.9 percent to a total of \$3.004 billion. It receives \$146 million of the IT funds, of which \$10 million is for implications' research. Another \$50 million of the increase would go towards an initiative on

Biocomplexity that includes “Environment and the Human Dimension,” (urban communities research is a part of this), and Global Environmental Change (the impact of human activities on natural processes is under this rubric). The Social, Behavioral, and Economic Sciences Directorate’s (SBE) budget would increase by almost \$6 million or 4.2 percent to a total of \$143 million.

Following the large 15 percent increase for the **National Institutes of Health** (NIH) in its FY 1999 appropriation, the administration has asked for only a \$320 million or 2 percent increase to put the proposed NIH FY 2000 budget at \$15.9 billion. With many in Congress still supporting a “doubling in five years” notion, the administration may have conceded that they could lowball NIH, knowing its supporters in Congress would rescue it. Senate Budget Committee Chairman Pete Domenici (R-NM) and a small group of other members are questioning NIH’s ability to absorb continued large increases and are calling for accountability measures for NIH. The FY 2000 request for NIH’s Office of Behavioral and Social Science Research is \$13.2 million, up \$347,000.

The President’s budget requests \$3.1 billion for the **Centers for Disease Control and Prevention**, a \$201 million or 7 percent boost over FY 1999. The **Agency for Health Care Policy and Research** received a program level of \$201 million, up \$35 million or 21 percent.

At the **Department of Education**, the OERI research institutes are up \$45 million to \$108.8 million. The budget requests a \$9.5 million increase for the National Center for Education Statistics (NCES) to \$77.5 million. The administration, unlike previous years, has requested new funding for the Javits Fellowship Program to support graduate students in the arts, humanities, and social sciences. International education is up slightly from \$67.5 million to \$69 million.

The administration requests \$200 million, a huge \$81 million or 68 percent increase for the **Agriculture Department’s** National Research Initiative Competitive Grants Program. It also seeks restoration of the Fund for Rural America and funding for the newly authorized, but not appropriated, Initiative for Future Agriculture and Food Systems.

The **Office of Justice Programs**, which includes the **National Institute of Justice** and the **Bureau of Justice Statistics**, receives an overall increase to \$5 billion from \$2.9 billion.

The **Bureau of the Census**, housed within the Department of Commerce, receives a large boost in the President’s budget — largely to gear up for the 2000 Census.

For more information on these agencies and many others, the next issue of COSSA Washington *UPDATE* will be the annual analysis of the President’s budget. It should appear around March 5.

HIGH COURT RULES ON CENSUS; CONGRESS IN-FIGHTING HEATS UP

On January 25, the Supreme Court ruled 5-4 against the Census Bureau’s planned use of statistical sampling in the 2000 census for apportionment purposes. Justice Sandra Day O’Connor, writing for the majority, stated that the use of sampling to determine population for this purpose violates the Census Act of 1976. The court did not address whether the use of sampling violates the Constitution. In fact, in the majority decision O’Connor wrote that the Census Act “*require[s]* the use of sampling for [purposes other than apportionment] if ‘feasible’” (emphasis in original text). The narrow decision has opened a new round of political squabbling and has led to the introduction of several new bills dealing with the upcoming census.

Since the decision, legislators from both sides of the aisle have offered differing interpretations of the ruling and whether it allows, and indeed calls for, a two-number census — one for apportionment that does not use sampling and an adjusted number using sampling for redistricting and distributing federal aid. Democrats believe the decision allows sampling for the distribution of nearly \$200 billion in federal funds, as well as for drawing the lines for federal, state, and local districts (also known as redistricting). Republicans, on the other hand, believe that the ruling not only prohibits the use of sampling for congressional reapportionment (determining each state's share of seats in Congress), but also for the purposes of redistricting.

Representative Carolyn Maloney (D-NY), ranking member on the Census Subcommittee, noted that the court left in place the requirement to produce accurate, adjusted numbers for distributing federal funds and redistricting. She also noted that the Court found that federal statutes require the use of a traditional head count only for Congressional apportionment. Dan Miller (R-FL), chair of the Census Subcommittee, lauded the Court's decision and said: "The argument over the use of the administration's illegal sampling plan in the 2000 Census is now over . . . The Census Bureau must now concentrate on an 'actual enumeration.'" Miller further denounced the use of sampling and a two number census. He said: "We have enough cynicism and doubts in this country, and we need to have trust in our government. We do not need to create the confusion of two sets of numbers . . . [W]e can only have one set of numbers. It is what is required by law and that is what the Supreme Court has ruled." Senator Judd Gregg (R-NH), chair of the Senate appropriations subcommittee that allocates funds to the Census Bureau, echoed Miller's sentiments and recently stated that his funding panel would not provide funds for a census that includes sampling.

In response to the Court ruling, Miller announced a new initiative, America Counts Today (ACT), "to increase local community involvement and count everyone in the next census." ACT includes several proposals: reinstating the Post Census Local Review (PCLR) used in the 1990 census to check the count's accuracy and correct undercounts or overcounts, hiring at least 100,000 additional census enumerators, adding \$300 million to the \$100 million already allocated for paid advertising, and asking Americorps participants to assist the Census Bureau to conduct the count. In its FY 2000 budget request the Clinton administration requested a total of \$2.8 billion for the decennial census, a \$1.8 billion increase over the current year's appropriation.

To further his ACT initiative, Miller introduced on February 2 "The Local Census Quality Control Act" (H.R. 472). The act would give local government officials the opportunity to review "household counts, jurisdictional boundaries, and such other data as the Secretary [of Commerce] considers appropriate for the purpose of identifying discrepancies of other potential problems before the tabulation of total population by States . . . is completed." If problems are discovered, local officials have the right to contest the numbers. In turn, Maloney recently introduced H.R. 548 to allow sampling to be used for all purposes if the Secretary of Commerce deems it feasible. In effect, Maloney's bill would amend Section 195 of the Census Act of 1976 — the Act which the Court ruled barred the use of sampling for the purposes of apportionment.

Maloney, and other Democrats, are skeptical of the usefulness and efficacy of reinstating the PCLR and believe that statistical sampling is the only viable method to ensure a fair and accurate count. Gil Casellas, presidentially appointed member of the Census Monitoring Board, charged with overseeing preparations for the 2000 Census, noted that the postcensus local review "hasn't worked in the past and won't work for the 2000 Census." Casellas said that the in 1990 PCLR "was not cost effective and it did not add a significant number to the count."

Monitoring Board Issues Two Reports

In accordance with its congressional mandate, the Census Monitoring Board issued its first report on February 1. But, instead of issuing one report, the four presidentially-appointed members and four congressionally-appointed members of the Census Monitoring Board issued separate reports. Not surprisingly,

the two sides came to wholly divergent views on how the census should be conducted to address the persistent undercount.

The presidentially-appointed members noted that the “1990 census was a disaster.” They concluded that “in a nation of 271 million or so people, 16 percent of whom change their residence each year, it simply is impossible to produce an accurate or complete count using traditional methods of census enumeration” (emphasis in original). The four presidential-members stated that they support proposals to hire more enumerators and increase funding for paid advertisements, but believe that “a traditional census will inevitably result in a huge undercount of the most vulnerable members of our society no matter how much money Congress appropriates for the task.” Additionally, the presidential members said that the issue to produce two census numbers was not within its purview, but noted that an adjusted number is necessary to avoid “a massive undercount of minorities and children.” Finally, they urged Congress and the Clinton administration to resolve the row over the use of sampling in the upcoming census, since the Omnibus Appropriations bill signed last October cuts off funding on June 15, 1999 for the Census Bureau and the Departments of Commerce, Justice, State and the Judiciary unless a decision is made on how to conduct the census.

The congressional members noted in its report that it strongly disagreed with the use of statistical sampling to adjust the census. They stated that they support the use of the PCLR to improve the final count. The congressional appointees also showed support for the reinstatement of a 1990 program to use administrative records to locate individuals on parole or probation.

MARCH 22, 1999, NUMBER 5

GOVERNMENT REFORM COMMITTEE APPROVES SEVEN CENSUS BILLS; PARTISAN FEUDING CONTINUES

The latest round in partisan battling over the 2000 Census occurred at a March 17 House Government Reform Committee. Chairman Dan Burton (R-IN) convened the hearing to “mark-up” several pieces of legislation designed to improve the accuracy of the upcoming head count. The hearing was marked by partisan wrangling over procedure. Democrats, including Government Reform Committee Ranking Member Henry Waxman (D-CA) and Census Subcommittee Ranking Member Carolyn Maloney (D-NY), argued that Burton convened the mark-up without first holding hearings on the bills and without the advice of the professionals at the Census Bureau — only two of the seven bills were considered in hearings.

The bills are part of Census Subcommittee Chairman Dan Miller’s (R-FL) America Counts Today (ACT) initiative. The ACT initiative, according to Miller and the Republican leadership, is a series of proposals designed to increase the accuracy of the 2000 Census and reduce the historic differential undercount. Democrats argued that the proposals would do little to address and, indeed, reduce the differential undercount. The bills, according to Democrats, could actually achieve the opposite: a reduction in the accuracy and an increase in the differential undercount of the upcoming Census. The professionals at the Census Bureau, including Director Kenneth Prewitt, have also expressed concerns with the bills. Bureau officials have noted that while some of the bills may be promising, most do not address the problem of the differential undercount. Nevertheless, the Republicans carried the day and the Committee approved all the bills.

The seven bills considered by the Committee were: **H.R. 472, “Local Census Quality Check Act,”** would reinstitute Post Census Local Review (PCLR) in the 2000 Census. The procedure allows local government officials to review and dispute preliminary housing unit counts and jurisdictional boundaries before they are finalized. **H.R. 683, “Decennial Census Improvement Act of 1999,”** would waive consideration of income earned as a temporary Census Bureau employee in determining eligibility for federal benefits. **H.R. 928, “2000 Census Mail Outreach Improvement Act,”** would require a second mailing of the 2000 Census questionnaire. **H.R. 929, “2000 Census Language Barrier Removal Act,”** would require the Census Bureau to print the

census questionnaire in 33 languages (other than English) and Braille. The Bureau has planned to print the form in six languages — English, Spanish, Vietnamese, Chinese, Korean, and Tagalog — which account for 99 percent of the nation's households. **H.R. 1009, "2000 Census Community Participation Enhancement Act,"** would require the Secretary of Commerce to develop a \$26 million matching grant program for outreach, promotion, partnership, and education activities. **H.R. 1010** (no title) would increase to \$300 million from \$100 million the Bureau's funding for census promotional, outreach, and marketing activities. The bill was approved with an amendment offered by Danny Davis (D-IL) that would target the advertising to communities that have historic undercounts. **H.R. 1058, "Census in the Schools Promotion Act,"** would require the Bureau to send information regarding census education to nearly every teacher in the country. The Census Bureau had planned on sending a letter to every school in the country.

The bills now will be considered by the full House with a final vote expected on some of the bills during the week of March 22.

APRIL 5, 1999, NUMBER 6

PREWITT APPEARS BEFORE HOUSE APPROPRIATORS FOR FIRST TIME

Census Bureau Director Kenneth Prewitt had a memorable first appearance before the House Appropriations Subcommittee that provides funds for his agency. The Commerce, Justice, State, Appropriations Subcommittee heard testimony from Prewitt on March 23 regarding the Fiscal Year 2000 budget request for the Census Bureau. Throughout the hearing, Republican members of the Subcommittee offered strong criticism of the Clinton Administration's planned use of scientific statistical sampling in the 2000 Census, while they also complained that the Bureau has not provided them with an overall cost figure for the upcoming decennial census. In turn, Democratic members warned Prewitt that the upcoming census was a political battle, not an appropriations battle.

The Census Bureau recently provided the Congress with an operational plan for the upcoming 2000 Census. The plan, however, did not contain a final dollar amount for the overall cost of the decennial census. Prewitt promised Rogers that the Bureau would provide an exact figure as soon as they were sure it was a final figure. The administration has requested \$2.8 billion for the 2000 Census, but this number is not a final number. The final cost of the 2000 Census is expected to increase anywhere from \$1 to \$2 billion above this level. The Census Bureau was forced to revise its operational plan after the Supreme Court ruled that a provision of the Census Act prohibits the use of scientific statistical sampling for the purpose of Congressional apportionment.

Chairman Harold Rogers (R-KY) made it quite clear at the outset that he is upset and "completely flabbergasted" over the Census Bureau's "unwillingness" to provide the Subcommittee with a complete operational plan, including a final figure for the cost of the upcoming census. He said he could not understand why the Census Bureau has not provided the Subcommittee with a final dollar amount. He said that he has been "pleading for the last three years" and providing millions of dollars to get a figure, and still the Census Bureau "has not delivered."

Rogers noted that the Bureau's inability to provide an actual operating cost "has put this Subcommittee in a bind." At one point, Rogers asked Prewitt if he knew how the Appropriations Committee and the government worked. He admonished Prewitt that the Bureau's inability to provide funding figures threatens a partial-government shutdown. Rogers asked Prewitt if it bothered him that the Bureau could cause the Supreme Court justices to go without pay and United States' embassies to go without security. This was a reference to an agreement contained within the Fiscal Year 1999 Omnibus Appropriations bill (See *UPDATE*, October 26, 1998) that cuts off funding to the Departments of Commerce, Justice, and the State by June 15, 1999 if the House and

the Clinton Administration do not come to an agreement on the operational plan for the 2000 Census. There has been recent talk, though, that Congress may push back the deadline.

One Democratic member of the Subcommittee, Julian Dixon (CA), told Prewitt that the census issue has become a political one, not one based on which method will provide the best count. He further explained that it is the Republicans' job to attack the Census Bureau. "It's a war," said Dixon, "don't give them any ammunition." Dixon noted that the longer it takes for the Census Bureau to provide the Subcommittee with a final cost figure, the more the Republicans will attack you and exploit the issue.

As has become his familiar role, Representative Dan Miller (R-FL), a member of the CJS Appropriations Subcommittee and chairman of the Census Subcommittee, attacked the administration's planned use of scientific statistical sampling in the next head count. Miller expressed his disappointment that "politics is driving" this issue, which is "very sad and unfortunate."

At the conclusion of the more than three hour hearing, Rogers told Prewitt this "Subcommittee does not trust this administration," and will remain suspicious of political manipulation in the 2000 Census until the Bureau provides the Subcommittee with a final cost figure for the census.

APRIL 19, 1999, NUMBER 7

HOUSE APPROVES CONTENTIOUS CENSUS BILL; NOW TO SENATE

The U.S. House of Representatives passed a bill that would alter the Census Bureau's operational plan for the upcoming decennial census. On April 14 the House passed 223-206, largely along party lines, H.R. 472, the Post Census Local Review (PCLR) Act. The bill is part of Census Subcommittee Chairman Dan Miller's (R-FL) America Counts Today (ACT) Initiative.

The bill, vociferously opposed by the administration and Census Bureau officials, would require a 45-day period in which local and tribal government officials would be allowed to review preliminary housing unit counts and jurisdictional boundary information before they are finalized. State officials would be allowed to dispute this preliminary information and require the Bureau to investigate any challenge. The Bureau would have until November 1, 2000 to complete its investigation and notify local and tribal officials.

Bureau officials support the use of a pre-census review, called the Local Update of Census Address (LUCA) program. They believe LUCA is the best program to get local officials involved in the census. LUCA would allow local and tribal officials to review address lists before the Bureau undertakes the headcount on April 1, 2000. Officials of the Bureau believe LUCA is much more effective and cost-efficient than PCLR. According to Census Bureau officials, the 1990 PCLR was a failure and it would not address the most significant problem facing the Bureau — the undercount of minority and hard-to-count groups.

Census Subcommittee Ranking Member Carolyn Maloney (D-NY) offered an amendment to H.R. 472 which would have essentially gutted the provisions of the bill. The amendment would have given Census Bureau officials the authority to determine how best to interact with local officials. The amendment, however, was defeated 202 to 226. The bill now goes to the Senate. If it passes the Senate, which some Democrats believe is dubious, it will head to the President who, upon the advice of Census Bureau officials, has promised to use his veto power to kill the bill.

Census Monitoring Board Releases Second Report

The bipartisan board established to monitor the Census Bureau's implementation of the Census 2000 recently released its second report to Congress. The Census Monitoring Board's joint report "explores some of the critical operational issues the Census Bureau faces as it prepares and conducts the 2000 decennial census." The report was endorsed unanimously by the Board's four presidential members (Board Co-Chair Tony Coehlo, Gilbert Casellas, Everett Ehrlich, and Lorraine Green) and the four congressional members (Board Co-Chair J. Kenneth Blackwell, David Murray, A. Mark Neumann, and Joe D. Whitley). The full report is now available on the webpages of the presidential members (www.cmbp.gov) and the congressional members (www.cmbc.gov).

MAY 3, 1999, NUMBER 8

NSF DIRECTOR ADDRESSES PRESS CLUB; SUPPORTS SAMPLING IN CENSUS

Rita Colwell, Director of the National Science Foundation, participated in a Washington, DC ritual when she addressed the National Press Club luncheon on April 29. Colwell's speech, *Beyond Barcodes: Wisdom in the Age of Information*, discussed how "our embrace of information technology" is "rapidly changing our lives."

Stressing the need for support of "long term basic research," Colwell defended the federal role asserting that "private companies support research with only a three-to-five year time line." She noted that key advances in computer and information technology "were spurred by federally sponsored research." Citing ARPANET and NSFNET (forerunners of today's Internet), the creation of the first web browser at the University of Illinois, and other NSF investments, Colwell said these developments "helped to lay the foundation for what is fast becoming a trillion-dollar share of the U.S. economy." She referred to the President's Information Technology Advisory Committee (PITAC) report that said federal funding for long-term research on information technology was dangerously inadequate.

Noting that information technology has already brought about fundamental social change, Colwell made numerous references to the role of the social sciences in the information revolution. She argued that: "we need to know how this technology can affect what it is to be a person, a community, a society." She referenced an article in the *Los Angeles Times* that called Rachelle Hollander, one of NSF's social scientists and head of the Societal Dimensions of Engineering Science and Technology Program in the Social, Behavioral, and Economic Sciences Directorate, a "Hero of the Information Age."

Colwell mentioned studies by sociologists of computer use and the disparities between the information haves and have-nots. Colwell further referred to studies of computers and education, and how sociologists and others have stressed the context of their use. She said that "we know that research has measured real benefits from information technology. But we don't yet know how these techniques and methods square up against other kinds of instruction."

She stressed interdisciplinary collaborations as the "future excitement" for science, "nourished by progress in the core scientific areas." She noted that collaborations between software designers and experts in social ethics can design features to deliberately encourage broad public access to technology. She cited research in complexity theory and its application to the social sciences, so that studies on fish that congregate in schools and birds that flock together might actually yield insights for human crowd control.

The question and answer period seemed to reflect the dearth of scientists who address the press club (the next two speakers in the series are Miss America and George Carlin). Colwell was asked about all sorts of science, including the space station, and sampling in the upcoming Census. On the latter, she replied that sampling was indeed scientific, citing how part of the core training of researchers involves experimental design and statistical

sampling. She also suggested that using sampling in the 2000 Census would “save money” and be “more accurate.”

MAY 31, 1999, NUMBER 10

CENSUS FUNDED FOR REST OF FY 1999; MONITORING BOARD CHANGES

On May 21 President Clinton signed the 1999 Emergency Supplemental Appropriations Act (H.R. 1141) which provides “emergency” funds to support various operations of the federal government, including the air war in Yugoslavia. The bill also includes additional funds for the Census Bureau and lifts a restriction, from the FY 1999 Omnibus budget agreement, that would have cut off funding for the Bureau and other federal agencies on June 15, 1999.

H.R. 1141 provides an additional \$44.9 million to fund the Census Bureau’s activities for the remainder of FY 1999, which ends on September 30, 1999. The extra money will allow the Bureau to continue preparing for the upcoming decennial census, including \$15 million for advertising and promotion to increase participation, \$10.9 million for opening and staffing more than 500 local offices, and \$9.1 million to support increased door-to-door follow-up operations.

The bill also requires the Census Bureau to submit to Congress by June 1 a revised budget request for FY 2000. Originally, the Bureau and the Clinton Administration asked for \$2.8 billion. The amount, however, was proposed before the Supreme Court ruled that the Bureau can not use scientific statistical sampling for the purposes of apportionment. The revised estimate will likely be much greater than the previous request, since the Bureau testified before Congress that without their original proposed use of sampling costs will increase.

The emergency spending bill did not resolve the issue of using scientific statistical sampling to augment the final count. The two sides will likely continue to grapple with this issue through this year’s appropriations process and likely in to next year.

Coehlo Out; Blackwell on His Way Out?

Tony Coehlo, Census Monitoring Board Co-Chair for the Presidential Members, resigned his post to lead Vice President Al Gore’s campaign for the 2000 presidential election. The Census Monitoring Board was created in 1997 as a part of the FY 1998 Commerce, Justice, State appropriations bill to oversee the Census Bureau’s preparations for the 2000 Census. Part of the impetus for the Board’s creation was to resolve the burgeoning dispute over the Census Bureau’s proposed use of scientific statistical sampling in the decennial census. The President has named current board member Gilbert Casellas as the new Co-Chair for the Presidential Members. Representative Carolyn Maloney, Ranking Member of the House Census Subcommittee, has called on Kenneth Blackwell, Co-Chair of the Census Monitoring Board, to resign. Blackwell has been asked by presidential aspirant Steve Forbes to run his 2000 campaign effort.

JUNE 14, 1999, NUMBER 11

CENSUS FUNDING BILL APPROVED; COMMITTEE IGNORES PRESIDENT’S REQUEST FOR INCREASE

The CJS appropriations bill, which funds the Census Bureau and its operations, does not contain the additional \$1.7 billion that President Clinton requested for the 2000 Census. The administration recently requested the additional funds because of the Supreme Court’s decision that barred the use of scientific statistical

sampling for the purpose of congressional apportionment. The additional funds will be used for a number of operations, including hiring additional enumerators and increasing advertising and promotion efforts.

A notably disturbed Senator Richard Durbin (D-IL) criticized the CJS bill for its “glaring omissions.” He specifically criticized the bill for not providing adequate funds to conduct the upcoming census. He said the lack of funds virtually guarantees that “we will have another undercount.” Durbin stated that he hoped one of the sides in the census dispute — the administration or the Republican leadership — would “blink” and lift the spending caps to provide enough funds to conduct a successful census.

Despite its glaring omissions, the Senate CJS bill, however, does not contain a provision prohibiting the use of scientific statistical sampling in the upcoming 2000 Census.

Other Census News in Brief

The presidential members of the Census Monitoring Board (CMB) recently issued an interim report to the Congress. The report will be posted along with other reports on the presidential members’ webpage at: <http://www.cmbp.gov>. In their report, the three presidential members note a widespread, bipartisan support for the use of scientific statistical sampling to address the expected undercount in the upcoming census. Currently, only three of the four slots on the presidential side of the CMB are filled since former Co-Chair Tony Coehlo resigned to work full-time on Vice President Al Gore’s presidential campaign.

Blackwell to Stay on Board

Despite calls for his resignation from both Democrats and Republicans, Kenneth Blackwell recently announced that he would not step down as the CMB Co-Chair for the congressional appointees. The calls for his resignation came after Blackwell was named national chairman of the Steve Forbes’ campaign for the presidency. Both Dan Miller (R-FL), Chairman of the House Census Subcommittee, and Carolyn Maloney (D-NY), Ranking Member of the Census Subcommittee, have asked Blackwell to resign. The webpage of the congressional members of the CMB is: <http://www.cmbc.gov>.

JULY 12, 1999, NUMBER 13

NEW SURPLUS ESTIMATES STIR SPENDING- TAX CUT BATTLE

As Congress returns from the Independence Day recess, it faces the ever familiar budget battles that Congressional leaders vow to push forward to solve before the August recess, but that usually are not resolved until the new fiscal year looms in late September or even after it begins in early October. Once again, the legislative task may be eased by the latest estimates from the Office of Management and Budget and the Congressional Budget Office of a growing surplus. However, as election year politics have already begun, the Republicans have urged major tax cuts, while the administration has other ideas.

With estimates of the surplus hitting over a trillion dollars over the next ten years, the arguments over spending limitations that have bogged down this year’s appropriations process seem silly. Yet some of the surplus forecasts are based on maintaining spending discipline in order to provide reduced interest payments in the future. The administration seems poised to accept some tax reductions, mostly targeted, but not without some solutions to the shortfalls in Social Security and Medicare. The administration would also like to see some targeted spending increases, particularly in education. The House Republicans, through Ways and Means Committee Chairman Representative Bill Archer (R-TX) are set to propose across-the-board tax rate reductions. Archer’s counterpart in the Senate, Finance Committee Chairman William Roth (R-DE), appears to favor a more flexible approach to cutting taxes and Social Security and Medicare solutions. A compromise somewhere down-the-road appears in the offing, although there are some in Congress who might like a campaign instead of a solution.

Appropriations Committee To Move Bills

The GOP leadership has vowed to keep the appropriations process moving, even though some of the bills that emerge from the Committee deliberations will likely cause much consternation without some adjustments to provide increased funds for the panels to divide. So far, seven of the 13 bills have passed the Senate, but only three have received House approval. The VA, HUD, Independent Agencies bill, which funds the National Science Foundation (NSF), is expected to be considered in both the House and Senate committees in the next two weeks. If the committees do not receive increases in their allocations, the numbers for NSF may not look very good. The House and Senate committees will also try to produce a Labor, Health and Human Services, Education appropriations bill to fund NIH, the other health related agencies, and the education programs. Again, severe problems with the allocation may make it difficult to repeat the 15 percent increase for NIH advocated by the health research community. If the large increase does occur, education programs may suffer severely.

The Senate has moved the Commerce, Justice, State bill through its committee (See *UPDATE*, June 14, 1999) without too much controversy on the Census. It has been the House that has always provided the more difficult path for this bill, which also funds the National Institute of Justice and the Bureau of Justice Statistics. Markup in the House should also occur in the next few weeks.

The Agriculture and Rural Development funding bill is one of the few that has passed the House (See *UPDATE*, June 14, 1999). The bill emerged from the Senate committee on June 17, but it has yet to reach the Senate floor. The Senate panel, like the House, rejected the administration's major increase for the National Research Initiative Competitive Grants program (NRI). The Senate committee provided \$119.3 million, the same as last year for the NRI, and \$13.9 more than the House. The Senate committee report also included language encouraging greater support for economics research in the NRI. For the Hatch Act Formula Grants, the Senate committee matched the House number of \$180.6 million, same as last year, and another rejection of the administration's attempt to reduce funding for this program. Special grants received \$54.3 million from the Senate panel, less than the \$62.9 million in the House. In the past the final appropriation for Special Grants has usually exceeded both the House and Senate figures.

The Economic Research Service (ERS) received \$65.4 million from the Senate committee. This includes \$12.2 million for food assistance studies and evaluations, of which \$2 million is transferred to the Food and Nutrition service. The House provided \$70.3 million. The National Agricultural Statistics Service was appropriated \$99.4 million, a decrease from the \$104 million allocated in FY 1999, and slightly less than the House level of \$100.6 million. From the FY 2000 recommendation, the Senate panel provided \$16.5 million for the Census of Agriculture.

All other appropriation bills are expected to move forward in the process before the August recess. However, some may remain mired down in disputes that do not necessarily have to do with funding levels. The Treasury, Postal Service, General Government bill has been held hostage in the House until some resolution occurs on gun control legislation. The full appropriations panel will try to complete the markup on July 13. A vote is expected on the Walsh-Price amendment to delay implementation of the A-110 circular revisions regarding data release through the Freedom of Information Act.

JUSTICE REAFFIRMS: CENSUS RESPONSES TO REMAIN CONFIDENTIAL

In what Census Bureau Director Kenneth Prewitt described as a decision that "reaffirms the longstanding position of the Census Bureau to protect — without exception — the confidentiality of each person's answers to the census," the Department of Justice's Office of Legal Counsel (OLC) recently issued a memorandum which declared that a 1996 law does not require the Census Bureau to disclose information regarding citizenship or immigration status to the Immigration and Naturalization Service (INS).

In 1996, the Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IRAIRA) which included a provision that prohibited government agencies from withholding from the INS any information on

citizenship or immigration status. This provision could have affected the roughly one in six families that receives the census long-form questionnaire. That questionnaire asks whether the respondent is citizen of the United States.

Many advocacy organizations were concerned that the act would invalidate parts of the Census Act (Title 13, United States Code) which prohibits the disclosure of any individual census answers for any purpose. However, the OLC, in a written memorandum to officials of the Department of Commerce (the Census Bureau's parent agency), maintained that the Census Act does indeed ensure confidentiality.

In a letter to Commerce Secretary William Daley, INS Commissioner Doris Meissner noted that her agency "will not seek or accept any census information provided in violation of [the Census Act]. We at the INS understand that the assurance of confidentiality of census information has stood as a bedrock guarantee upon which all US citizens and residents can rely."

JULY 26, 1999, NUMBER 14

CENSUS SPENDING DECLARED EMERGENCY BY HOUSE COMMITTEE

During its markup on July 22, the House Commerce, Justice, State Appropriations Committee declared that the \$4.5 billion to be spent in FY 2000 on the decennial census would be "emergency spending."

This designation allowed the Committee to fully fund Census 2000, including the \$1.7 billion the White House requested to implement the Supreme Court decision eliminating statistical sampling for reapportionment purposes. The Census Bureau still intends to use sampling for other purposes.

Given the caps limiting spending under the balanced budget agreement, using the emergency designation for the Census was the only way to maintain funding levels for the law enforcement agencies also in the bill, according to Subcommittee Chairman Harold Rogers (R-KY).

The Senate, which passed its version of the appropriations bill, also on July 22, allocated only \$3 billion for Census 2000. The differences will have to be settled in conference, assuming the emergency designation survives the House floor. The White House is still threatening a veto of the bill.

The emergency gimmick may be a way out of the dilemmas faced by the two major remaining appropriations bills that have not been marked up yet. The VA, HUD, Independent Agencies bill, which includes the National Science Foundation, and the Labor, HHS, Education bill, which includes the National Institutes of Health. After a number of postponements, both of these bills are tentatively scheduled for Subcommittee markup the week of July 26th.

AUGUST 9, 1999, NUMBER 15

SENATE COMMITTEE CONSIDERS CENSUS SUPPLEMENTAL SPENDING; HOUSE PASSES CJS FUNDING BILL

The Senate Commerce, Justice, State, Judiciary, and Related Agencies (CJS) Appropriations Subcommittee heard from Census Bureau Director Kenneth Prewitt at a July 29 hearing. Subcommittee Chair Judd Gregg (R-NH) held the hearing to discuss supplemental requests for the Fiscal Year (FY) 2000 CJS funding measure, including the \$1.7 billion in additional funds requested by the Census Bureau to conduct the upcoming census.

Prewitt noted at the outset that the Senate- approved version of the CJS funding measure severely limits the Bureau's ability to conduct a successful census. The Senate-passed version provides \$3 billion for the 2000 census and does not contain the \$1.7 billion additional funds that the Clinton Administration and the Census Bureau requested and deemed necessary to conduct the decennial census.

Prewitt told Chairman Gregg that the request for the \$1.7 billion supplement is almost entirely the result of the Supreme Court decision that barred the use of scientific statistical sampling for the purpose of congressional apportionment. Ninety-five percent of the \$1.7 billion is attributable to the Supreme Court decision, said Prewitt. In the face of that decision, the Census Bureau was forced to redesign its operations and hire hundreds of thousands temporary workers to conduct the census. The American public, said Prewitt, is also partly to blame for the increased costs to conduct the 2000 census. More specifically, Prewitt noted that a large portion of the public does not cooperate with the Census Bureau and fails to return census questionnaires. Participation rates for the last several censuses have fallen. The Census Bureau expects the participation rate for the upcoming census to be around 61 percent. Thus, Prewitt explained that the Bureau has undertaken an aggressive advertising campaign in hopes of increasing the participation rate (another reason for the increased price tag of the 2000 census).

Nevertheless, Prewitt noted the Bureau "is in very good shape with respect to things they need to have done at this point to conduct a successful census." He further noted the Bureau is still completing the Master Address File and working with local officials to address possible conflicts. The Bureau, however, has awarded 35 printing contracts and already printed 180 million census forms, opened 130 Local Census Offices, opened all 12 Regional Census Centers, and established approximately 22,000 partnerships to address public awareness of and participation in the next census.

He admonished Gregg, though, and said that the census is not something that you can stop and start. Prewitt noted that the "census train has left the station" and is proceeding well, but the Bureau needs adequate funds to keep the process moving. "We cannot park this train on October 1 [start of Fiscal Year 2000], even for a few days, without severe consequences to the schedule and accuracy of the census." Gregg asked Prewitt how much money the Bureau would need to have at the beginning of October to ensure that preparations continue unabated. Gregg may be positioning to provide the Census Bureau with a portion of the funds for the 2000 census operations in the upcoming FY 2000 spending bill and provide the rest through other legislation next year. This could be one method to free up funds for other programs funded through the CJS funding measure without exceeding the budget caps established through the 1997 Balanced Budget Act. Gregg indicated that he would not follow the House and designate Census Bureau funding as "emergency spending" to avoid the budget caps. He said an emergency is something unexpected and the decennial census is not one because the U.S. Constitution clearly mandates that it be conducted every 10 years.

House Approves CJS Funding Bill

The House of Representatives on August 5 approved the appropriations bill that funds the operations of the Census Bureau and the activities of the 2000 census. The bill provides the Census Bureau with \$4.5 billion, including the additional \$1.7 billion the Clinton Administration requested as a result of the Supreme Court decision barring the use of scientific statistical sampling for the purposes of reapportionment. The House provided the Census Bureau with full-funding by designating the \$4.5 billion as "emergency" spending. This means that the amount will not count against the budget caps established in the 1997 Balanced Budget Act. The Democrats and some Republicans, including Representative Tom Coburn (OK), opposed the "emergency" designation and railed against the Republican leadership when the bill was debated on the floor, to no avail.

The Senate and House bills must now be reconciled in a conference committee. What happens with the funding for the census is anybody's guess. However, there will certainly be a veto threat if the conferees do not provide the full \$4.5 billion the Bureau deems necessary to conduct the census.

SEPTEMBER 13, 1999, NUMBER 16**GROUPS STRESS IMPORTANCE OF COUNTING ALL CHILDREN IN CENSUS**

A group of census stakeholders held a press conference at the National Press Club August 26 to stress the importance of ensuring that all children are counted in the upcoming decennial census. Terriann Lowenthal of the Census 2000 Initiative moderated the session which included William O'Hare of the Annie E. Casey Foundation, Jacqueline Byers of the National Association of Counties, and Ronald Henderson of the National Education Association.

O'Hare, coordinator of the Annie E. Casey Foundation's Kids Count Project, based his comments on his recently released report, "The Overlooked Undercount: Children Missed in the Decennial Census." The report considers the 1990 Census and undercount of the nation's children. In the 1990 Census, the Census Bureau missed approximately 8.4 million people, while it double counted approximately 4 million people. The net undercount, therefore, of roughly 4.4 million people represented 1.6 percent of the nation's estimated population. Children under age 18, O'Hare noted, were undercounted at a rate of 3.2 percent — half of the total net undercount.

Missing Minority Children

Minority children, said O'Hare, make up a disproportionate amount of the undercounted children. He pointed out that in the 1990 Census, African American children were missed at a rate of 7 percent, Asian and Pacific Islander children were missed at a rate of 3.2 percent, American Indians were missed at a rate of 13.8 percent, Hispanic children were missed at a rate of 5 percent, while white children were missed at a rate of only 2 percent.

Why are children missed? O'Hare noted several reasons. Children, he said are increasingly living in situations where there is no biological mother or father. "For example, the high undercount rate among black children may be related to the fact that eight percent of all black children do not live with either parent." He also pointed to the large number of children living in foster care, which has increased from "280,000 children nationwide in 1986 to 483,000 in 1995." O'Hare further noted that some children are missed simply because their parents do not send in the census questionnaire.

Lowenthal stressed the importance of counting all children. She pointed out that billions of dollars in federal aid are misdirected away from communities that need the money due to the undercount of children.

OCTOBER 11, 1999, NUMBER 18, PART 2**APPROPRIATIONS KEEP MOVING; CONTINUING RESOLUTION IN PLACE**

As Fiscal Year 2000 began on October 1, Congress was still working through most of the 13 appropriations bills. Therefore, Congress passed a Continuing Resolution (CR) to keep the government operating. The CR goes until October 21 and keeps funding for all agencies at last year's levels, with the exception of the Census Bureau, which needs increased funds to get Census 2000 activities in place.

Whether Congress can finish all 13 bills by the time the CR expires is uncertain. Progress has been made on some bills, but the President is still threatening to veto a number that are still in the process (after already vetoing the D.C. appropriations bill). As of October 8, one, as noted, has been vetoed, four bills have been signed, five have emerged from conference committees, two are still in conference negotiations, and the Labor, HHS, Education bill, which may be the most contentious, has passed only the Senate. The Agriculture and Rural

Development bill has emerged from the conference, but disputes over dairy price supports and distribution of disaster relief for farmers, may keep the conference agreement from acceptance. No agreement has been reached on the Commerce, State, Justice bill.

The Republican leadership has vowed not to allow more than \$592 billion in discretionary spending for FY 2000; the \$578 billion allowed under the balanced budget agreement and the \$14 billion in the non-Social Security surplus. Thus, there is talk of across-the-board cuts in all appropriations accounts once the process is complete. Appropriations committee members hate this, since it limits their prerogatives to fund the government. The GOP leadership hoping to bash the President for spending the social security surplus sees these kind of cuts as perhaps the only solution.

OCTOBER 25, 1999, NUMBER 19

HOUSE AND SENATE APPROVE CJS FUNDING BILL; VETO BY PRESIDENT PROBABLE

The House and Senate approved the bill that funds the Departments of Commerce, Justice, State, and Related Agencies. The House approved the measure by an extremely close 217-215 vote, while the Senate approved the bill by voice vote. President Clinton, as well as many Democrat lawmakers, however, warned that the bill is subject to a veto because, among other things, it does not fully fund the president's request for the Community Oriented Policing Services (COPS) program and it places restrictions on how the Census Bureau can spend its funds. As expected, Democrats derided the Republicans for skimping on some of the president's priorities, as well as the accounting gimmicks used in the bill to comply with budget caps established through the 1997 Balanced Budget Act.

The Census as an "Emergency"

The conferees agreed to provide the Census Bureau \$4.759 billion. For the 2000 Decennial Census \$4.476 billion, nearly full-funding, and designated this as "emergency" spending. Despite the high level of funding, several Democrats criticized the emergency designation. Representative David Obey (D-WI), ranking member of the Appropriations Committee, took particular umbrage with the accounting gimmick. During floor debate, he said, "This bill avoids counting \$4 billion in spending under the budget ceiling by designating the census as being emergency spending. I guess we did not know that the clock was going to tick and that we were going to run into another 10-year census requirement."

Another contentious point that was roundly criticized by Democrats was a provision in the bill that restricts how the Census Bureau spends its money. The bill, which divides the \$4.476 billion into several broad categories of Census 2000 activities, requires the Census Bureau to receive Congressional approval to reprogram (or move) funds between different activities. Census Bureau Director Ken Prewitt, in an October 15 letter to Representative Dan Miller, chairman of the Census Subcommittee and member of the Appropriations Committee, noted that census spending decisions need to be made quickly based on changing conditions in the field. The reprogramming provision, he said, could "compromise" census operations.

DECEMBER 6, 1999, NUMBER 21

CONGRESS COMPLETES BUDGET: PRESIDENT AND GOP CLAIM VICTORY

The 106th Congress completed its first session on November 20 and headed home. Seven weeks after the start of Fiscal Year (FY) 2000, Congress and the President finally agreed on all the appropriations bills. The last five were bundled together in an omnibus bill that included funding for the Departments of Labor, Health and Human

Services (including the National Institutes of Health (NIH)), Education, Commerce, Justice, State, Interior, Agriculture, and the District of Columbia.

Both the President and Congress claimed victory for their priorities in the FY 2000 budget. The President achieved his goal to fund the hiring of more teachers and police officers, and to repay dues in arrears to the United Nations. The Republican-led Congress claimed it passed a budget that did not “raid” the Social Security Trust Fund surplus. (This is an item of much debate, depending on whose numbers you use.) They also accomplished their aim of providing more flexibility in how education funds can be spent in the States.

Some of the totals may be affected by the 0.38 percent across-the-board cut agreed to in the omnibus bill. The administration and each Department determine how to implement this cut and no agency can have its budget reduced by more than 15 percent.

A Few Budget Highlights . . .

The NIH led by its champion Appropriations’ Subcommittees chairs Senator Arlen Specter (R-PA) and Representative John Porter (R-IL) kept the momentum for doubling the agency’s budget within five years. The increase of \$2.3 billion, brings NIH funding to \$17.9 billion. According to the agreement, however, \$3 billion of those funds cannot be spent until September 29, 2000. The Centers for Disease Control and Prevention received a 14 percent increase — to \$3.2 billion, including the Public Health and Social Services Emergency funds. The Agency for Health Care Policy Research received a 19 percent increase, boosting its total to \$205 million. The Fund for the Improvement of Postsecondary Education (FIPSE) was once again the agency for directed spending on particular items of interest to appropriators and its budget increased to \$77 million. The Javits Fellowship program survived again, as part of the Graduate Assistance in Areas of National Need program. It received funding for two years allowing for new awards for graduate students in the social sciences, arts, and humanities.

A number of non-budgetary items remain stalled including juvenile justice legislation, which contains a version of the reorganization of the Office of Justice Programs. In addition, the reauthorization of the Elementary and Secondary Education Act and the Office of Educational Research and Improvement (OERI) remain on the agenda for the second session scheduled to begin on January 24, 2000.