Issue Brief

Congressional Budget Action for Fiscal Year 2012 and its Impact on Education Funding

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September 13, 2011

The fiscal year 2012 budget process has been anything but typical or predictable. While fiscal year 2012 starts in just a few weeks on October 1, 2011, the annual appropriations process is far from complete, and funding for federal education programs has not yet been finalized. Nevertheless, congressional action in the months that have led up to the start of fiscal year 2012 will have important effects on education funding levels set in the appropriations process as well as for other programs, such as student loans and education tax benefits.

This brief by the New America Foundation's Federal Education Budget Project explains how the congressional budget process affects education funding, with special emphasis on the unique circumstances of the fiscal year 2012 budget process.

Background: The Congressional Budget Resolution

Typically, Congress puts forward a budget resolution each year that defines a spending and revenue plan for the entire federal budget for the next five to 10 years. The budget resolution and the ensuing budget process can have either significant or subtle and indirect effects on education funding.

The Congressional Budget and Impoundment Control Act of 1974, which established the modern congressional budget process, requires Congress to adopt a budget resolution each year. However, Congress can ignore this requirement without penalty, as is the case this year. The annual budget resolution is an agreement between the two legislative chambers, establishing discretionary (appropriations) and mandatory (non-appropriations) spending and revenue levels for the five or 10 upcoming fiscal years, as well as setting various rules and procedures governing the budget process in the U.S. House of Representatives and Senate. The budget resolution, however, is not legislation and does not become law, nor is it presented to the president for his signature or veto. Instead it serves as a set of self-imposed rules and guidelines that Congress uses to shape spending and revenue legislation considered later in the year – or subsequent years if Congress does not adopt a new budget resolution. The House and Senate Budget Committees draft the budget resolution and the full House and Senate subsequently votes on it. Most importantly, the Senate cannot filibuster the resolution. It needs only a simple majority vote to pass.

When Congress drafts a budget resolution, it uses 20 categories called "budget functions" to make spending recommendations for all federal programs and agencies for the next five or 10 fiscal years. Each function encompasses a general purpose, such as national defense or transportation. "Function 500" determines funding for the Department of Education and all education and training programs administered by other agencies. The budget resolution and its accompanying documents only allocate overall funding to each of the 20 functions; they do not detail funding levels for individual programs. In other words, the funding level for function 500 includes spending for programs like the Pell Grant program, Individuals with Disabilities Education Act grants, and student loan subsidies, but not a specific dollar amount for any one program.[1] The function 500 funding total serves only as a notional aggregate limit on spending for all education programs and is never referenced in the legislative process after the budget resolution has been adopted.

After the House of Representatives and the Senate agree on a budget resolution, the agreed-upon spending levels contained in the budget functions are detailed in documents sent to each congressional committee with jurisdiction over the related programs. The spending levels are assigned to each committee in a 302(a) allocation, named after the relevant section of the Congressional Budget Impoundment Control Act of 1974. The House and Senate Appropriations Committees receive a 302(a) allocation for all discretionary spending programs. Authorizing committees like the House Education and the Workforce Committee each receive a 302(a) allocation for mandatory spending programs under their jurisdiction. The allocations set the spending limits that will govern legislation drafted throughout the year by each congressional committee for the years covered by the budget resolution.

Congress usually adopts a budget resolution in the spring of each year, after the president submits his budget proposal to the Congress in February, but before Congress begins work on appropriations bills for the upcoming fiscal year, which starts October 1. As has been the case for fiscal years 2011 and 2012, Congress has not passed a joint budget resolution and has instead taken other procedural steps to govern spending and revenue legislation considered throughout the year.

The 2012 Budget Resolution: House and Senate Action

Following the submission of the president's fiscal year 2012 budget proposal to Congress in February 2011, it seemed unlikely that leaders in the Republican-controlled House and in the Democratically-controlled Senate would agree on a joint budget resolution before the start of the 2012 appropriations process in the summer. Indeed, time has all but run out, fiscal year 2012 begins in just a few weeks and the House and Senate have not yet adopted a joint budget resolution. Congress did not adopt a budget resolution last year (fiscal year 2011) either; the last fiscal year for which Congress adopted a joint budget resolution was 2010.[2]

The House did, however, pass its version of a fiscal year 2012 budget resolution in April 2011. The House may choose to enforce that budget, particularly with respect to the limits it places on appropriations for fiscal year 2012, despite the lack of a joint resolution with the Senate.[3]

The Senate has not adopted a fiscal year 2012 budget resolution and leaders for the Democratic majority do not plan to adopt one. In May 2011, the Senate voted on a number of proposed budget resolutions, but neither Senate Democratic nor Republican leadership expected any proposal to pass. Instead, the effort was meant primarily to demonstrate a lack of support for both President Obama's proposed fiscal year 2012 budget and the House-passed 2012 budget resolution.[4]

Democratic leaders in the Senate opted not to take any further action to debate or pass a fiscal year 2012 budget resolution after President Obama asked leaders in the House and Senate in April to convene a group of lawmakers led by Vice President Biden to craft policies that would reduce the deficit.[5] That group failed to reach an agreement on a package of policies. Then, in August 2011 Congress passed the Budget Control Act of 2011 to raise the limit on federal debt. The Senate adopted the Budget Control Act as its version of a fiscal year 2012 budget resolution pursuant to a provision in that law.[6] The Budget Control Act sets statutory limits on appropriations spending for the next 10 fiscal years, establishes a joint House-Senate committee to draft legislation to reduce the federal deficit by $1.5 trillion over 10 years, and includes a number of mechanisms and deadlines to enforce those provisions. (A more detailed explanation of the Budget Control Act and how it will affect education funding is provided in a later section of this issue brief.)

Fiscal Year 2012 Appropriations Limits

The key function of the budget resolution (or whatever procedure Congress uses in place of a budget resolution) is to establish a limit on appropriations for the upcoming fiscal year that is enforceable by parliamentary procedures.

The fiscal year 2012 budget resolution the House adopted in April set an appropriations funding limit of $1.019 trillion.[7] However, an August 2011 press release from the House Appropriations Committee Chairman Hal Rogers (R-KY) states that the Chairman is committed to "maintaining the recently passed debt-ceiling agreement, which holds discretionary spending to $1.043 trillion for fiscal year 2012."[8] That limit is $24 billion higher than the one in the House-passed budget resolution. Thus it is unclear which appropriations limit the House will follow.

The Senate, which did not adopt a fiscal year 2012 budget resolution and is using the Budget Control Act of 2011 to define spending and revenue levels, set an appropriations limit of $1.043 trillion for fiscal year 2012.[9]

On a comparable basis (which excludes emergency spending and funding for overseas military operations), enacted fiscal year 2010 appropriations totaled $1.087 trillion.[10] For fiscal year 2011, the enacted total was $1.050 trillion.[11] If Congress enacts total appropriations spending within the fiscal year 2012 caps that are required by either the Budget Control Act or the House-passed budget, it will be the second year in a row that lawmakers have reduced total appropriations funding.

Comparing FY 2012 Appropriations Limits*

$ in trillions

Proposal	Amount
FY 2010 Enacted	1.087
FY 2011 Enacted	1.050
FY 2012 President's Budget Proposal	1.108
FY 2012 House-Passed Budget Resolution	1.019
FY 2012 Limit in Budget Control Act	1.043

** Excludes contingent upward adjustments provided for in the proposal/law, such as those for emergencies, and military operations in Iraq and Afghanistan.*

The 2012 Appropriations Process

The House and Senate Appropriations Committees fund all domestic discretionary federal programs in areas ranging from education to transportation to defense through their 302(a) allocations. Because the 302(a) allocation to the House and Senate Appropriations Committees establishes the size of the pie from which all discretionary spending for the upcoming year will be carved, a smaller pie can mean lower suballocations to each of the 12 appropriations subcommittees. This can put pressure on the Appropriations Committees and the Labor, Health and Human Services (HHS), and Education Appropriations subcommittees to limit funding for specific education programs or even force spending reductions and program terminations.

In May 2011, the full Appropriations Committee in the House divided up its $1.019 trillion limit on appropriations funding for fiscal year 2012 among the 12 appropriations subcommittees. These suballocations are called 302(b) suballocations after the relevant section of the

Congressional Budget Act, and they establish a limit on each individual appropriations bill as it is considered by the House and Senate. Each appropriations bill must stay within its 302(b) suballocation so that the sum of all the bills is within the overall 302(a) allocation.

The House Appropriations Committee allocated $139.2 billion to the Labor-HHS-Education Appropriations subcommittee for fiscal year 2012.[12] The subcommittee's allocation is $18.2 billion less than the comparable funding of $157.4 billion that Congress enacted for fiscal year 2011.[13]

In early September 2011, following the passage of the Budget Control Act, the Senate Appropriations Committee divided up the $1.043 trillion limit on appropriations funding for fiscal year 2012 among the 12 appropriations subcommittees. The Appropriations Committee allocated $157.1 billion to the Labor-HHS-Education Appropriations subcommittee, a $300 million reduction from the funding level enacted in fiscal year 2011.[14]

Appropriations Committees' 302(a) Allocation and Labor-HHS-Education 302(b) Suballocations

$ in billions

Fiscal Year	302(a)*	House 302(b)	Senate 302(b)
2007	873.0	144.8	144.8
2008	953.1	146.1	146.1
2009	1011.7	152.6	152.3
2010	1082.5	163.4	163.6
2011**	1049.8	157.4	157.4
2012***	1043.0	139.2	157.1

**Excludes contingent upward adjustments such as those for emergencies, and military operations in Iraq and Afghanistan.*

***No budget resolution was adopted; figure is enacted funding.*

****Figure reflects the limit in the Budge Control Act; The House-passed budget resolution allocates $1019 billion.*

Source: New America Foundation; Congressional Budget Office

It is important to note that Congress does not discuss the specific amount of the suballocation to the Labor-HHS-Education Appropriations subcommittee when it debates a budget resolution – nor does Congress discuss the suballocation when it adopts an alternative to a budget resolution, as it has for fiscal year 2012 (i.e. the Budget Control Act of 2011). The Appropriations Committees set the suballocations with a majority vote *after* the 302(a) allocation is finalized. In other words, Congress only debates the larger 302(a) allocation for the Appropriations Committees as part of the budget resolution or whatever is adopted in its place.

Further, the budget resolution does not define how the Appropriations Committees divide the 302(a) allocations among the 12 appropriations subcommittees (i.e. the Labor-HHS-Education subcommittee or the Commerce, Justice, Science, & Related Agencies subcommittee). The budget resolution only enforces the total appropriations funding limit. The Appropriations Committees and their subcommittees have the sole authority to set program funding levels once the budget resolution establishes the total funding limit. The Budget Control Act does, however, divide the total limit on appropriations funding in fiscal years 2012 and 2013 between two broad categories – security and non-security – which governs how the Appropriations Committees may allocate funding to their subcommittees.

After the Labor-HHS-Education Appropriations subcommittees receive their suballocations, the subcommittees can begin drafting their bills. Given that the Labor-HHS-Education appropriation bill is one of the largest and most contentious funding bills that Congress considers each year, Congress usually drafts and votes on the bill late in the annual appropriations process. Often, neither chamber will pass the bill. Instead, Congress provides funding in an omnibus appropriations bill that covers many agencies, or as part of a "continuing resolution." A continuing resolution provides funding at or near prior year levels in lieu of a regular, stand-alone appropriations bill. To date, the Labor-HHS-Education Appropriations subcommittees in both the House and Senate have failed to draft a fiscal year 2012 bill. Because fiscal year 2012 starts in just a few weeks, on October 1, 2011, it is likely that Congress will again include education funding in either an omnibus appropriations bill or a continuing resolution. Congress isn't likely to determine the final funding levels until after fiscal year 2012 has already begun.

Budget Control Act of 2011 (Debt Ceiling Increase Agreement)

In August 2011, Congress passed and the president signed into law the Budget Control Act (BCA) of 2011 to raise the limit on the federal debt.[15] The BCA also includes a number of provisions that limit and reduce future federal spending, which may indirectly affect education programs. These include an annual appropriations limit for the next 10 fiscal years, the establishment of a joint House-Senate committee to draft a bill that will reduce the federal deficit by $1.5 trillion over the next 10 years, and a series of triggers and other mechanisms to enforce limits on spending. Specifically, the law includes two types of sequestration: one that enforces the appropriations limits, and one that is triggered to enforce the 10-year deficit reduction target. These provisions are discussed in more detail below.

The BCA establishes limits on total annual appropriations for fiscal years 2012 through 2021. The limits are shown in the table at the right. The limit for fiscal year 2012 is $1.043 trillion, $7 billion lower than the enacted appropriation for fiscal year 2011. Each year thereafter, the BCA sets a limit that increases appropriations, but these increases grow at less than the expected rate of inflation as calculated by the Congressional Budget Office (CBO). In short, the BCA imposes a real "cut" in funding in 2012 from the 2011 funding level, and then allows for smaller-than-inflationary increases in subsequent years. It should be noted that appropriations deemed an emergency, or those for overseas military operations in Iraq and Afghanistan, are not counted against the BCA limits on total appropriations.

Sequestration is a process by which an appropriation (or other type of spending) is cancelled according to a specified formula. The BCA enforces the appropriations limits through a type of sequestration that is triggered if, by the end of session of Congress (usually the end of a calendar year), Congress and the president have enacted an appropriations bill(s) that exceed the spending limit for that year. This sequestration would also be triggered mid-year if a supplemental appropriations bill exceeds the overall spending limit in the law. In such a case, the president is required to issue a sequestration order that reduces appropriations across-the-board by an amount that brings spending back within the limit set by the BCA. However, a number of programs are exempt from sequestration. The only education program exempt from sequestration is the Pell Grant program, the financial aid program for low-income undergraduate students.[16] Exemptions effectively require that agencies reduce non-exempt programs more than otherwise would be required to meet the sequestration order.

Comparing Appropriations Limits in the Budget Control Act (BCA) FY2011-FY2016

$ in trillions

	2011*	2012	2013	2014	2015	2016
BCA	1.050	1.043	1.047	1.066	1.086	1.107
CBO Baseline	1.050	1.087	1.108	1.133	1.158	1.186
House Budget	1.050	1.019	1.032	1.048	1.062	1.076

** 2011 figure reflects enacted funding.*

Note: All figures exclude contingent upward adjustments and exemptions such as those for emergencies and military operations in Iraq and Afghanistan.

Note that if Congress and the president breach the limit on appropriations spending, sequestration would only cut funding for programs funded through the appropriations process. Programs that are not funded in the annual appropriations process, but are funded as on-going entitlement programs (mandatory programs), would not be affected by a sequestration brought about by a breach of the appropriations limit in the BCA.

Almost all federal education programs are funded through the annual appropriations process. Federal student loans, such as Stafford Loans, are the primary education programs funded as mandatory programs. Child nutrition programs administered by the U.S. Department of Agriculture, such as the National School Lunch Program and the School Breakfast Program, are also funded as ongoing entitlement programs, and thus would be unaffected by this type of sequestration trigger, should Congress breach the BCA appropriations limit in any year.

A final important point about this type of sequestration is that Congress and the president can always "turn off" the sequester by including such language in any bill that is signed into law.

The BCA also establishes a joint House-Senate Committee (officially called the Joint Select Committee on Deficit Reduction and unofficially called the "supercommittee") that is charged with drafting legislation to reduce the federal deficit by $1.5 trillion from fiscal year 2012 through 2021. The committee must draft and pass a bill by November 23, 2011, by a majority vote of the committee's members. The bill must then pass Congress and be signed into law by January 15, 2012. Importantly, under rules enacted in the BCA, the bill cannot be filibustered in the Senate – it requires only a simple majority vote to pass – and cannot be amended.

Importantly, the committee can only recommend changes to tax policies or spending policies that affect mandatory programs – it cannot, for practical reasons, make changes to future appropriations to achieve its savings target. Because this Congress has not enacted any appropriation for years beyond the current fiscal year, there is technically no spending to reduce. Therefore, any recommendations from the committee are unlikely to affect most education programs because these programs are funded through the appropriations process. However, the committee could recommend further limits to appropriations funding in addition to those already enacted in the BCA and count the reduction in future spending as deficit reduction. Such a policy could have an indirect effect on funding for education programs by further limiting total appropriations spending in future years. Even so, Congress could still opt to maintain or even increase education funding and make spending reductions elsewhere instead.

The committee's recommendations could, however, directly affect education tax benefits and federal student loans. Changes to these programs could be counted toward the committee's deficit reduction target of $1.5 trillion over 10 years. Specifically, the committee could recommend fee or interest rate increases on student loans, or changes to other repayment benefits, such as elimination of the in-school interest benefit on Subsidized Stafford Loans for undergraduate students. The committee could also recommend changes to income tax benefits for higher education, such as the Lifetime Learning Credit and the HOPE credit, which would raise revenue and count toward the BCA deficit reduction target. From fiscal years 2012 through 2016, the 18 tax benefits for education are expected to reduce federal revenue by (i.e. "cost") $157.9 billion.[17]

The BCA requires a second type of sequester if the joint committee fails to meet its mandate, if Congress and/or the president fail to pass the committee's recommendations, or should any enacted legislation fall short of achieving $1.2 trillion in deficit reduction over the next 10 years. (While the joint committee is charged with finding $1.5 trillion in deficit reduction the sequester trigger is keyed to only $1.2 trillion in deficit reduction.) This sequester is separate from the one that would be imposed if spending breaches the appropriations limits, but is somewhat similar in design. To avoid the sequester, the deficit-reducing legislation must be signed into law by January 15, 2012.

If the sequester is triggered, the spending reduction that it requires is equal to the amount by which any deficit reduction legislation (or lack thereof) fails to meet the BCA target of $1.2 trillion. The sequester would require that on January 2, 2013, federal agencies reduce spending from 2013 through 2021 according to a formula. The formula allocates the nine-year spending reduction equally across the defense and non-defense subcategories. The reduction is then further divided within the subcategories proportionally between mandatory programs and programs funded with appropriations. If the president does not sign any deficit reduction bill into law, the maximum size of the funding cut that could be triggered under the sequester is $109 billion per year, divided equally between defense and non-defense spending.

The spending cut required on the appropriations side of the budget will only affect the fiscal year 2013 appropriation. Funding for that year would be reduced because it will be the only year for which appropriations funding have been provided but not yet spent. Such a reduction would affect all federal education programs for fiscal year 2013, except the Pell Grant program, which is exempt.

To achieve the remainder of the share of funding reductions under appropriations spending required by the BCA formula (reductions for fiscal years 2014-2021), the law further reduces the limits already in place. This reduction would be allocated disproportionately to the defense subcategory because most of the funding within that category is provided through the appropriations process.

If triggered, the sequester would directly affect federal student loan programs as a non-exempt education program funded through mandatory spending. The sequester formula requires that the U.S. Department of Education increase origination fees charged to borrowers on all newly originated student loans to reduce the costs of the programs. The amount by which origination fees would increase depends on how much the sequester must reduce the cost of the program. Given that many mandatory programs across the federal budget are exempt from a sequester – Pell Grants, veterans benefits, Social Security, and Medicaid, to name a few – non-exempt programs such as student loans would likely bear a disproportionately large share of the spending reductions.

It is important to keep in mind that Congress and the president can "turn off" or override this type of sequester under the BCA. To do so, Congress must pass legislation that prevents federal agencies from carrying out the sequester and the president must sign it into law.

A Special Note: Advance Appropriations for Education

To get around the budget resolution's overall appropriations spending caps, or other such limits imposed by law, Congress regularly provides partial funding for four K-12 education programs through a little-understood budgeting technique called "advance appropriations."[18] The approach takes advantage of a timing quirk whereby the academic year (July 1 to June 31) spans two federal fiscal years (which run from October 1 to September 30). It allows Congress to partially fund education programs above the limit on appropriations funding without affecting the receipt of funds by schools. Advance appropriations essentially spend some of the following fiscal year's budget early.

A special provision that Congress has included in the budget resolution since 2002 limits the amount of advance appropriations Congress can provide each year and to which programs they can provide them.

Advance appropriations can have a significant impact on education funding if the prior year's limit is increased. For fiscal year 2008, Congress increased the advance appropriations limit for the first time since 2002, allowing for much of the total increase in funding for key K-12 education programs that year.[19] The fiscal year 2009 budget resolution again provided an increase in the advance appropriations limit, raising it by $3.7 billion to $28.9 billion for fiscal year 2009 appropriations, shifting an even greater share of education funding into advance appropriations.[20] The fiscal year 2010 budget resolution limited advance appropriations to $28.9 billion for each of fiscal years 2010 and 2011 appropriations bills.[21] In each of those years, Congress allocated $21.9 billion to education programs through advance appropriations.[22]

The House-passed fiscal year 2012 budget resolution extends the same limit on advance appropriations as was in place for the 2011 funding bills. However, the Senate placed no limit on advance appropriations for fiscal year 2012 appropriations bills because it did not pass a budget resolution and no limit is included in the BCA. This allows the Senate to increase fiscal year 2012 funding for education programs through advance appropriations (technically a 2013 appropriation) that would not count against the fiscal year 2012 appropriations limit imposed by the BCA. Some lawmakers may try to use such an approach to increase education funding, particularly for K-12 programs that have received such funding in the past. In fact, the Senate could provide advance appropriations for almost any education program given that there is no restriction in place as to which programs may be funded in this manner. Nevertheless, any final bill must pass both the House and Senate, and the House has imposed a limit on advance appropriations. This is another point of potential disagreement between the House and Senate that could affect education funding for fiscal year 2012.

Budget Reconciliation

Congress may choose to include special "reconciliation" instructions in the budget resolution. The original purpose of the reconciliation process as enacted in the Congressional Budget and Impoundment Control Act of 1974 was to allow Congress to expeditiously enact legislation that would make minor adjustments to both spending and revenue levels at the end of a fiscal year.[23] Historically, however, congressional majorities have used the reconciliation process to pass large-scale spending and revenue policies, mainly because reconciliation allows Congress to expedite legislation under a special set of procedural rules. Like the budget resolution itself, the reconciliation bill requires only a simple majority vote to pass, and debate is limited. Reconciliation is therefore an extremely powerful procedural vehicle in the budget process because it enables a congressional majority to circumvent a filibuster (which requires a three-fifths majority to block) in the Senate. The reconciliation process has been used seven times since 1990 to enact major changes in education policy, most recently in 2010 under the Health Care and Education Reconciliation Act.[24]

Because Congress did not adopt a joint budget resolution for fiscal year 2012, there is no opportunity this year for the majority to use the reconciliation process to pass legislation. However, as was noted earlier, the BCA creates a fast-track schedule for the Senate to consider the recommendations of the Joint Select Committee on Deficit Reduction, which is a process somewhat similar to reconciliation. Specifically, the BCA limits debate on the bill and allows it to pass with a simple majority vote, thereby preventing a filibuster.

Conclusion

Each component of the congressional budget process can affect federal education funding in a different way. This year's process has been particularly complicated and unpredictable. Only one chamber passed a budget resolution, and late in the year Congress passed the Budget Control Act of 2011. The Budget Control Act will affect the fiscal year 2012 appropriations process, and its mandate for $1.2 trillion in deficit reduction could affect federal student loan programs and tax benefits for education.

Notes

[1] The House and Senate Budget Committees maintain spreadsheets that contain itemized spending and revenue assumptions for all federal programs and policies that make up a function total. This information, however, is not disclosed. Budget resolution report language provides only a breakdown between mandatory and discretionary spending within each function.

[2] U.S. Congress. Concurrent Resolution on the Budget for Fiscal Year 2010, S. Con. Res. 13. April 2, 2009. http://www.gpo.gov/fdsys/pkg/CRPT-111hrpt89/pdf/CRPT-111hrpt89.pdf

[3] U.S. Congress. Concurrent Resolution on the Budget for Fiscal Year 2012, H. Con. Res. 34. April 15, 2011.
http://www.gpo.gov/fdsys/pkg/BILLS-112hconres34eh/pdf/BILLS-112hconres34eh.pdf

[4] Friedman, Dan. "Democratic-led Senate Votes Down Ryan Budget," *National Journal*, May 25, 2011. http://www.nationaljournal.com/congress/democratic-led-senate-votes-down-ryan-budget-20110525

[5] The White House. "Fact Sheet: The President's Framework for Shared Prosperity and Shared Fiscal Responsibility." April 13, 2011.
http://www.whitehouse.gov/the-press-office/2011/04/13/fact-sheet-presidents-framework-shared-prosperity-and-shared-fiscal-resp

[6] *Budget Control Act of 2011*, P.L. 112-25, Sec. 106.

[7] U.S. Congress. Concurrent Resolution on the Budget for Fiscal Year 2012, H. Con. Res. 34. April 15, 2011. Note: Figure excludes contingent upward adjustments listed in the budget such as those for emergencies and military operations in Iraq and Afghanistan.
http://www.gpo.gov/fdsys/pkg/BILLS-112hconres34eh/pdf/BILLS-112hconres34eh.pdf

[8] U.S. House Appropriations Committee. Press Release "FY 12 Appropriations Work To Be Completed as Soon as Possible, Maintain Debt Ceiling Agreement." August 19, 2011.
http://appropriations.house.gov/News/DocumentSingle.aspx?DocumentID=256775

[9] *Budget Control Act of 2011*, P.L. 112-25. Note: Figure excludes contingent upward adjustments listed in the budget such as those for emergencies and military operations in Iraq and Afghanistan.

[10]. Congressional Budget Office. "Continuing Resolutions for 2011 in the 112th Session of Congress." April 12, 2011. Note: Figure excludes contingent upward adjustments listed in the budget such as those for emergencies and military operations in Iraq and Afghanistan.
http://www.cbo.gov/ftpdocs/121xx/doc12109/ContinuingResolutions.pdf

[11] U.S. Congress. *Department of Defense and Full-Year Continuing Appropriations Act*, 2011 P.L. 112-10. Congressional Budget Office, "Continuing Resolutions for 2011 in the 112th Session of Congress." April 12, 2011. Note: Figure excludes contingent upward adjustments listed in the budget such as those for emergencies and military operations in Iraq and Afghanistan.
http://www.cbo.gov/ftpdocs/121xx/doc12109/ContinuingResolutions.pdf

[12] U.S. House Appropriations Committee, "Table: Regular FY2012 302(b) Suballocations." May 10, 2011.
http://appropriations.house.gov/UploadedFiles/051111FY2012SubcommitteeAllocations302bs.pdf

[13] Ibid.

[14] U.S. Senate Committee on Appropriations. "302(b) Subcommittee Allocations for FY2012." Sept. 7, 2011.
http://appropriations.senate.gov/news.cfm?method=news.view&id=8cccdd10-cc67-4d10-be51-ea5c1e496717

[15] *Budget Control Act of 2011*, P.L. 112-25.

[16] The Budget Control Act does not exempt the Pell Grant program from sequestration. Rather the program was made exempt to sequestration language in federal statue in 2010 under the *Statutory Pay-As-You-Go Act of 2010*, P.L. 111-139.

[17] The White House. "President's Fiscal Year 2012 Budget Request, Analytical Perspectives." Page 243.

http://www.whitehouse.gov/sites/default/files/omb/budget/fy2012/assets/receipts.pdf
[18] Education programs receiving advances include No Child Left Behind Title I grants, Special Education state grants, Improving Teacher Quality grants, and Perkins Vocational Education grants.
[19] In fiscal year 2008, $17 billion in advance appropriations were provided for education programs. In each of the prior six years, $15 billion was provided.
[20] U.S. Congress. Concurrent Resolution on the Budget for Fiscal Year 2009, S. Con. Res. 70. June 5, 2008. Conference Report.
http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_senate_committee_prints&docid=f:41024.pdf
[21] U.S. Congress. Concurrent Resolution on the Budget for Fiscal Year 2010, S. Con. Res. 13. April 2, 2009.
http://www.gpo.gov/fdsys/pkg/CRPT-111hrpt89/pdf/CRPT-111hrpt89.pdf
[22] U.S. Department of Education. Budget Table, "Fiscal Year 2011 Congressional Action," Update. May 16th, 2011. http://ed.gov/about/overview/budget/budget11/11action.pdf
[23] U.S. Senate, Committee on the Budget. "The Congressional Budget Process: An Explanation," Committee Print 105-67, (December 1998).
[24] *Health Care and Education Reconciliation Act of 2010*, P.L. 111-152, 111th Cong., 2nd sess.
http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h4872enr.txt.pdf

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