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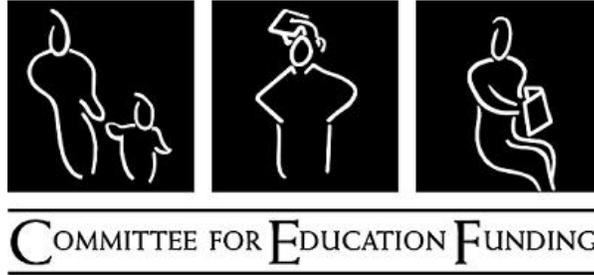
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Executive Director
Committee for Education Funding



October 14, 2011

Representative Denny Rehberg
Chairman
House Labor-HHS-Education Appropriations Subcommittee
2358-B Rayburn House Office Building
Washington, DC 20515

Dear Chairman Rehberg:

The Committee for Education Funding (CEF), a coalition of 90 education associations and institutions from preschool to postgraduate education, is writing to seek your assistance in restoring a \$329 million cut to key education programs in the 2011-12 school year.

The current Fiscal Year 2012 Continuing Resolution (P.L. 112-36), which expires on November 18, 2011, contains a 1.503 percent across-the board cut for all programs (unless otherwise exempted). Since most education programs are forward funded, and thus states and school districts won't receive their FY 12 allocation of funds until July 2012, this 1.5 percent cut appeared to have little impact on education programs at this time.

However, Section 115 of the CR states, "During the period covered by this Act, discretionary amounts appropriated for fiscal year 2012 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b)."

Because the previous year's FY 11 CR provided advanced appropriations for four education programs that became available on October 1, 2011, the Department of Education and the Office of Management and Budget have interpreted this language such that funds from the FY 11 advanced appropriations that were allocated to states in October were cut by 1.503%. This resulted in a sudden and immediate loss of \$329 million in 2011-12 school-year funds with little advance notice to states and schools.

The four programs affected and the cut to each are:

- Title I grants to LEAs = \$163 million
- Title II Teacher Quality State Grants = \$25 million
- IDEA Section 611 grants to states = \$129 million
- Career and Technical Education State grants = \$12 million

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These unanticipated, and we believe unintended cuts, come on top of education cuts that were included in the FY 11 CR. As you know all education programs, including these four, were cut by 0.2% below FY 10 levels. In addition, Title II was cut by a total of \$480 million (-16.3%) and Career and Technical Education was cut by \$140 million (-11%).

The Department of Education has stated that the 1.5% cut is a full-year cut in the advanced appropriated funds available for the 2011-12 school year and would not be restored even if the final FY 12 appropriations bill level funds any of these programs at their FY 11 level.

During Congressional consideration of the FY 12 CR, there was no indication nor any statements made that the 1.5% cut though 11/18/11 would result in a year-long cut in this school year for the above four programs.

The draft FY 12 Labor-HHS-Education Appropriations bill and the accompanying table released by the Committee do not indicate that these four programs were subjected to a year-long cut in the FY 12 CR. Especially since your bill would increase funding for both Title I and IDEA and maintain funding for Career and Technical Education State grants at the original FY 11 level, we hope you share our concern.

Funding for education programs (exclusive of changes to Pell grants) was already cut in the aggregate by \$1.25 billion (-2.7%) in FY 11. These new cuts, which were completely unanticipated by states and schools, will cause further undesirable reductions in services for students at a time when states, schools and students are literally reeling from unprecedented and harmful state and local budget cuts.

Thus, we urge you and the subcommittee to provide funds to restore this \$329 million cut in the final FY 12 Labor-HHS-Education appropriations bill or whatever legislation becomes the vehicle for determining the final FY 12 education appropriations levels. Schools had been anticipating the use of these funds as they had been included in an earlier allocation notification.

We also urge that in the unfortunate event that this cut is not restored, that it not result in a reduction in the level of advanced appropriations provided in the FY 12 bill. We urge you to ensure that future levels of advanced appropriations are provided at the original FY 11 amounts and not the reduced levels, to avoid permanently lowering the baseline level of funding.

Thank you for your consideration of this request. We look forward to working with you to ensure that funds for high-poverty schools, improving teacher quality, meeting the educational needs of students with disabilities, and providing students in high schools and postsecondary education with the skills they need through career and technical education are not further cut in this school year.

Sincerely,



Abigail Evans
President



Joel Packer
Executive Director

Cc: Members, House Labor-HHS-Education Appropriations Subcommittee