

STATE OF NEW MEXICO
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June 16, 2014

MEMORANDUM

TO: Legislative Education Study Committee

FR: Heidi L. Macdonald

RE: STAFF BRIEF: FEDERAL FUND SEQUESTRATION UPDATE

INTRODUCTION

During the 2013 interim, Legislative Education Study Committee (LESC) staff provided an overview of the *Budget Control Act (BCA)* and an update on sequestration (i.e., the process by which budgetary resources are cancelled or reduced for federal fiscal year (FY) 2013 to federal FY 2021)¹ on two separate occasions:

During the June 2013 interim meeting, staff reported for federal fiscal year 2013:

- data from the Federal Funds Information for States (FFIS) reflected an estimated \$20.7 million *net* reduction for New Mexico in total federal education budget items in programs for individuals, higher, and general education not generally associated with the elementary, secondary, or vocational education programs;
- US Department of Education (USDE) estimates indicated that the sequestration could reduce federal Impact Aid revenues by \$4.9 million, or 5.2 percent; and
- sequestration was set to take effect on January 2, 2013; however, the President signed the *American Taxpayer Relief Act of 2012 (ATRA)* into law which postponed sequestration until March 1, 2013.

¹ The federal fiscal year begins on October 1 of each year and ends on September 30 of the following year.

During the December 2013 interim meeting, the staff brief included updated information indicating that in December 2013 the President signed the *Bipartisan Budget Act* which extended sequestration through 2023 but established a new set of discretionary spending limits for federal FY 2014 (\$1.012 trillion) and for federal FY 2015 (\$1.014 trillion).

This staff brief includes a comparison of the federal FY 2014 budgetary amounts to the federal FY 2015 amounts to the President's proposed federal FY 2015 budget, including budget amounts for New Mexico.

For the committee's review, the staff brief also includes three attachments:

- **Attachment 1, *Funding for Major Discretionary and Mandatory Programs*;**
- **Attachment 2, *Funds for State Formula-Allocated and Selected Student Aid Programs*;** and
- **Attachment 3, *Funds for State Formula-Allocated and Selected Student Aid Programs*.**

FEDERAL FY 2014 BUDGETARY AMOUNTS COMPARED TO THE PRESIDENT'S PROPOSED FEDERAL FY 2015 BUDGET

According to the FFIS:

- President Obama completed the budget process for federal FY 2014 by signing the omnibus appropriations package on January 17, 2014; and
- the President's FY 2015 proposed budget was released in March of 2014 outlining "major discretionary" budget amounts for the USDE and "major mandatory" budget amounts for new and continuing initiatives in FY 2015, including \$1.3 billion in mandatory funds (\$75 billion over 10 years) for a new "Preschool for All" program (see **Attachment 1**).

According to **Attachment 1**, a comparison of discretionary funds in the federal FY 2014 to federal FY 15 amounts included the President's proposed budget reflect decreased budget levels to the USDE for the following programs:

- \$158.0 million reduction (or cancellation) for "Striving Readers";
- \$26.0 million reduction (or cancellation) for "Ready-to-Learn Television";
- \$350 million reduction for "Improving Teacher Quality";
- \$67.0 million reduction for "Impact Aid";
- \$184 million to fund a new initiative, "Effective Teaching – Literacy";
- \$31.0 million increase for "Teacher Incentive Fund";
- \$100 million increase for "Special Education State Grants"; and
- \$550 million increase for "Race to the Top."

For New Mexico

- **Attachment 2**, outlines USDE actual and estimated funding amounts to New Mexico for federal FY 2013 through federal FY 2015 based on agency programs that allocate funds using statutory formulas. The amounts listed include subtotals for *Elementary and Secondary Education Act* programs, all elementary and secondary education programs. The amounts do not include all funding received from the USDE as New Mexico may receive funds from the USDE that are awarded on a competitive basis; and
- **Attachment 3**, outlines actual and estimated USDE funding to New Mexico for federal FY 2013 to federal FY 2015 for education-related programs, including postsecondary education programs.

Funding for Major Discretionary and Mandatory Programs

(dollars in millions)

Major Discretionary	FY 2012	FY 2013 1/	FY 2014	FY 2015 President	FY 2015 President v. FY 2014	
					Dollar	Percent
Department of Agriculture	\$6,861	\$6,776	\$6,986	\$7,099	\$113	1.6%
Commodity Assistance Program (CAP)	242	254	270	276	6	2.2%
Women, Infants & Children (WIC)	6,618	6,522	6,716	6,823	107	1.6%
Department of Commerce	220	172	210	210	1	0.2%
Economic Development Assistance (EDA)	220	172	210	210	1	0.2%
Department of Education	37,273	35,341	36,514	36,779	265	0.7%
Title I: Education for the Disadvantaged 3/ 12/	14,516	13,760	14,385	14,385	0	0.0%
Title I: School Improvement Grants 12/	534	506	506	506	0	0.0%
Striving Readers 14/	160	151	158	0	-158	-100.0%
Ready-to-Learn Television 14/	27	26	26	0	-26	-100.0%
Effective Teaching - Literacy 14/	0	0	0	184	184	NA
Mathematics and Science Partnerships 12/	150	142	150	150	0	0.0%
English Language Acquisition	732	694	723	723	0	0.0%
Improving Teacher Quality 3/ 12/	2,467	2,338	2,350	2,000	-350	-14.9%
Teacher Incentive Fund 12/	299	284	289	320	31	10.8%
Impact Aid	1,291	1,224	1,289	1,222	-67	-5.2%
21st Century Community Learning Centers	1,152	1,092	1,149	1,149	0	0.0%
State Assessments 12/	389	369	378	378	0	0.0%
Special Education State Grants (Part B-611) 3/ 13/	11,578	10,975	11,473	11,573	100	0.9%
Career and Technical Education State Grants 3/	1,123	1,064	1,118	1,118	0	0.0%
Adult Basic and Literacy Education State Grants	595	575	564	564	0	0.0%
Federal Supplemental Ed. Opportunity Grants	735	696	733	733	0	0.0%
Work Study	977	926	975	975	0	0.0%
Race to the Top (RTT) 10/	549	520	250	800	550	220.0%
Department of Health and Human Services 4/	25,164	24,125	26,347	25,023	-1,324	-5.0%
Substance Abuse Block Grant	1,800	1,710	1,820	1,820	0	0.0%
Mental Health Block Grant	460	437	484	484	0	0.1%
Maternal & Child Health Block Grant	639	605	634	634	0	0.0%
Community Health Centers	1,567	1,479	1,495	1,000	-495	-33.1%
Preventive Health Block Grant 4/	80	75	160	0	-160	-100.0%
Family Planning	294	278	286	286	0	0.0%
Ryan White AIDS Grants	2,392	2,249	2,319	2,323	4	0.2%
Hospital Preparedness	375	358	255	255	0	0.2%
CDC-State & Local Capacity (Bioterrorism)	642	608	640	617	-23	-3.6%
Head Start 16/	7,969	7,573	8,598	8,868	270	3.1%
Child Welfare Services	281	263	269	269	0	0.0%
Community Services Block Grant	677	635	674	350	-324	-48.1%
Child Care & Development Block Grant	2,278	2,206	2,360	2,417	57	2.4%
Low-Income Home Energy Assistance 8/	3,472	3,255	3,425	2,750	-675	-19.7%
Refugee Assistance	768	999	1,486	1,486	0	0.0%
Administration on Aging 17/	1,471	1,395	1,443	1,463	20	1.4%
Department of Housing and Urban Development	40,812	39,417	42,343	43,404	1,061	2.5%
Community Development Block Grant - Entitlement (CDBG)	2,066	2,157	2,123	1,962	-161	-7.6%
CDBG - Nonentitlement	882	921	907	838	-69	-7.6%
Homeless Assistance Grants	1,901	1,933	2,105	2,406	301	14.3%
HOME Program	1,000	948	1,000	950	-50	-5.0%
Public Housing Operating Fund	3,962	4,054	4,400	4,600	200	4.5%
Public Housing Capital Fund	1,875	1,777	1,875	1,925	50	2.7%
Tenant-Based Rental Assistance (Section 8) 3/	18,914	17,950	19,177	20,045	868	4.5%
Project-Based Rental Assistance (Section 8)	9,340	8,851	9,917	9,746	-171	-1.7%
Housing for the Elderly	375	355	384	440	57	14.7%
Housing for Persons with AIDS	332	315	330	332	2	0.6%
Housing for Persons with Disabilities	165	156	126	160	34	27.0%
Department of Energy and EPA	2,493	2,349	2,580	2,066	-514	-19.9%
DOE Weatherization Assistance Program 12/	68	64	174	228	54	30.8%
DOE State Energy Program	50	47	50	63	13	26.2%
EPA Clean Water State Revolving Fund	1,457	1,376	1,449	1,018	-431	-29.7%
EPA Drinking Water State Revolving Fund	918	861	907	757	-150	-16.5%
Department of Justice	1,291	1,264	1,243	1,153	-90	-7.2%
Violence Against Women	413	388	417	423	6	1.3%
COPS/21st Century Policing	199	210	214	274	60	28.0%
State Criminal Alien Assistance Program (SCAAP)	240	237	180	0	-180	-100.0%
Byrne Justice Assistance Grants (JAG)	370	365	376	376	0	0.0%
Juvenile Accountability Block Grant (JABG) 11/	30	23	0	30	30	NA
Juvenile Justice-Part B Formula Grant 11/	40	41	56	50	-6	-9.9%

cont.

Major Discretionary	FY 2012	FY 2013 1/	FY 2014	FY 2015	FY 2015 President v. FY 2014	
				President	Dollar	Percent
Department of Homeland Security	1,254	1,359	1,481	1,493	12	0.8%
National Preparedness Grant Program	NA	NA	0	1,043	1,043	NA
State Homeland Security Grant Program (SHSGP) 5/ 18/	294	355	411	0	-411	-100.0%
Urban Area Security Initiative (UASI) 18/	490	559	600	0	-600	-100.0%
Emergency Food and Shelter	120	114	120	100	-20	-16.7%
Emergency Management Performance Grants	350	332	350	350	0	0.0%
Department of Labor	6,579	6,176	6,181	6,168	-13	-0.2%
Dislocated Worker Assistance 3/ 6/ 16/	1,008	956	1,002	1,002	0	0.0%
Adult Training 3/ 6/ 16/	771	731	766	766	0	0.0%
Youth Training 6/ 16/	824	781	820	820	0	0.0%
Workforce Innovation Fund Programs	50	47	47	60	13	26.8%
Employment Service State Administration 6/	701	664	664	664	0	0.0%
Unemployment Insurance State Administration	3,225	2,996	2,882	2,855	-26	-0.9%
Department of Transportation	54,098	54,532	55,391	67,953	12,562	22.7%
Airport Obligation Limitation	3,350	3,343	3,350	2,900	-450	-13.4%
Highway Obligation Limitation	39,144	39,620	40,256	47,323	7,067	17.6%
Highway Funding Exempt from Ceiling 2/	739	700	686	739	53	7.8%
Highway Traffic Safety Obligation Limitation	550	553	562	577	16	2.8%
Formula and Bus Grants Obligation Limitation	8,361	8,461	8,595	13,914	5,319	61.9%
Capital Investment Grants (New Starts) 19/	1,955	1,855	1,943	2,500	557	28.7%
Subtotal: Discretionary	\$176,045	\$171,512	\$179,276	\$191,347	\$12,071	6.7%

Major Mandatory	FY 2012	FY 2013 1/	FY 2014	FY 2015	FY 2015 President v. FY 2014	
				President	Dollar	Percent
Child Nutrition 2/	18,151	19,891	19,287	20,537	1,250	6.5%
Supplemental Nutrition Assistance - State Administration	3,742	3,867	3,999	4,119	120	3.0%
Social Services Block Grant (SSBG) 2/	1,700	1,613	1,578	1,700	122	7.8%
Child Care Entitlements to States	2,917	2,917	2,917	3,667	750	25.7%
Temporary Assistance to Needy Families (TANF) 7/	17,198	17,199	17,197	17,199	2	0.0%
Child Support Enforcement Administrative Costs	4,146	4,244	4,185	3,939	-246	-5.9%
Foster Care	4,181	4,136	4,272	4,344	72	1.7%
Adoption Assistance	2,294	2,278	2,384	2,504	120	5.0%
Independent Living	185	182	183	183	0	0.0%
Promoting Safe and Stable Families (PSSF) 2/	423	401	380	420	40	10.5%
Child Health Insurance (CHIP)	15,027	17,451	19,147	21,071	1,924	10.0%
Medicaid Vendor Payments 9/	249,698	265,546	291,463	320,521	29,058	10.0%
Medicaid Administration	17,216	17,767	18,556	18,766	210	1.1%
Vaccines for Children	4,000	3,607	3,562	4,077	515	14.5%
Payments from States for Medicare prescription drugs	-8,248	-8,557	-8,255	-8,715	-460	5.6%
Vocational Rehab. State Grants 2/ 15/	3,122	3,066	3,064	3,335	271	8.8%
Preschool for All	0	0	0	1,300	1,300	NA
Subtotal: Mandatory/Entitlement	\$335,752	\$355,608	\$383,919	\$418,967	\$35,048	9.1%

Total: Selected Grants-In-Aid	\$511,797	\$527,120	\$563,195	\$610,314	\$47,119	8.4%
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Footnotes:

- 1/ Final FY 2013 funding levels are post-rescissions, post-sequestration and, in most instances, reflect figures from agency operating plans (which include department transfers).
- 2/ Under the BCA, mandatory programs subject to sequestration received an automatic across-the-board (ATB) cut, beginning October 1, 2013. This cut is -7.2% in FY 2014. The president proposes to repeal mandatory sequestration beginning in FY 2015, which OMB estimates will be -7.3%.
- 3/ These programs receive an advance appropriation.
- 4/ Amounts exclude funds appropriated in the Affordable Care Act (ACA), either directly or through the Prevention and Public Health Fund (PPHF). The exception is the Preventive Health Block Grant, which is funded entirely from PPHF transfers in FY 2014.
- 5/ SHSGP figure excludes funds designated for Operation Stonegarden.
- 6/ Data reflect program years rather than fiscal years.
- 7/ Amounts include contingency funds. TANF and related programs are authorized through September 30, 2014.
- 8/ The FY 2012, FY 2013, and FY 2014 appropriations do not provide funding for LIHEAP contingency funds. The president's FY 2015 budget includes \$2.550 billion for the block grant, \$200 million for contingency funds, and \$50 million for a new competitive grant program. The FY 2015 figures exclude the competitive grant program.
- 9/ Figures reflect a number of legislative proposals that would increase Medicaid by \$3.6 billion in FY 2015 as well as an extension of Medicaid QI and TMA (\$540 million in FY 2014 and \$1.7 billion in FY 2015).
- 10/ In FY 2014, all RTT funds are directed to competitive grants to states to develop and improve preschool programs. The president's FY 2015 budget includes \$500 million for this purpose (Preschool Development Grants) and \$300 million for the original RTT program.
- 11/ JABG funding was eliminated in FY 2014. However, the FY 2014 enacted budget includes a set-aside of up to \$10 million under the Juvenile Justice-Part B State Formula Grant for activities authorized under JABG.
- 12/ The president's FY 2015 budget proposes to change the name of this program.
- 13/ The president's FY 2015 budget includes a \$100 million set-aside for competitive Results-Driven Accountability Incentive Grants.
- 14/ The president's FY 2015 budget consolidates the Striving Readers and Ready-to-Learn Television programs into a new Effective Teaching and Learning-Literacy program.
- 15/ The president's FY 2015 budget consolidates the Supported Employment State Grants and Migrant and Seasonal Farmworkers programs into the Vocational Rehabilitation State Grants program.
- 16/ Additional funding for these programs is included in the president's proposed Opportunity, Growth, and Security Initiative, a separate legislative proposal and funding stream that accompanies the president's FY 2015 budget.
- 17/ Figures do not reflect the president's proposal to transfer the Senior Community Services Employment Program to HHS or the legislative proposal for \$20 million in mandatory funds for the Aging and Disability Resource Center (ADRC).
- 18/ The National Preparedness Grant Program consolidates the State Homeland Security Grant Program, Urban Area Security Initiative, and other programs.
- 19/ The FY 2015 budget transforms Capital Investment Grants into a mandatory program funded by the mass transit account of the new Transportation Trust Fund.

Funds for State Formula-Allocated and Selected Student Aid Programs
U.S. Department of Education Funding
New Mexico

Program	2013 Actual	2014 Estimate	2015 Estimate	Amount Change FY 2014 to 2015	Percent Change FY 2014 to 2015
College- and Career-Ready Students (Title I, Grants to LEAs)	112,088,399	110,482,703	109,653,296	-829,407	-0.8%
School Turnaround Grants (School Improvement State Grants)	3,754,213	3,571,503	3,571,503	0	0.0%
State Agency Program--Migrant Student Education	904,951	907,132	907,132	0	0.0%
State Agency Program--Neglected and Delinquent Children and Youth Education	314,464	307,067	307,067	0	0.0%
Subtotal, Accelerating Achievement & Ensuring Equity	117,062,027	115,268,405	114,438,998	-829,407	-0.7%
Impact Aid Basic Support Payments	86,445,139	91,033,898	91,033,898	0	0.0%
Impact Aid Payments for Children with Disabilities	2,863,800	3,015,787	3,015,787	0	0.0%
Impact Aid Construction	0	1,600,537	0	-1,600,537	-100.0%
Subtotal, Impact Aid	89,308,939	95,650,222	94,049,685	-1,600,537	-1.7%
Effective Teachers and Leaders State Grants	0	0	13,967,796	13,967,796	—
Improving Teacher Quality State Grants	18,127,868	18,099,897	0	-18,099,897	-100.0%
Mathematics and Science Partnerships	1,181,254	1,211,047	0	-1,211,047	-100.0%
Effective Teaching and Learning: Science, Technology, Engineering, and Mathematics	0	0	1,095,417	1,095,417	—
21st Century Community Learning Centers	8,752,730	8,812,990	0	-8,812,990	-100.0%
Assessing Achievement (State Assessments)	4,368,270	4,428,276	4,428,276	0	0.0%
Rural and Low-income Schools Program	1,200,726	1,200,725	1,627,705	426,980	35.6%
Small, Rural School Achievement Program	591,481	592,937	746,143	153,206	25.8%
Indian Student Education--Grants to Local Educational Agencies	7,854,525	7,854,517	7,857,266	2,749	0.0%
English Learner Education (English Language Acquisition)	4,008,702	4,306,048	4,306,048	0	0.0%
Homeless Children and Youth Education	483,644	482,779	482,872	93	0.0%
<i>Subtotal, All of the Above Programs, which were or are proposed to be authorized by the Elementary and Secondary Education Act</i>	252,940,166	257,907,843	243,000,206	-14,907,637	-5.8%
Special Education--Grants to States	86,419,043	89,948,164	89,948,164	0	0.0%
Special Education--Preschool Grants	2,981,531	2,981,535	2,981,535	0	0.0%
Grants for Infants and Families	2,855,253	2,973,073	2,995,365	22,292	0.7%
Subtotal, Special Education	92,255,827	95,902,772	95,925,064	22,292	0.0%
Career and Technical Education State Grants	8,017,422	8,028,679	7,947,231	-81,448	-1.0%
Subtotal, Vocational and Adult Education	8,017,422	8,028,679	7,947,231	-81,448	0.1%
Subtotal, All Elementary/Secondary Level Programs	353,213,415	361,839,294	346,872,501	-14,966,793	-4.1%

Funds for State Formula-Allocated and Selected Student Aid Programs
U.S. Department of Education Funding
New Mexico

Program	2013 Actual	2014 Estimate	2015 Estimate	Amount Change FY 2014 to 2015	Percent Change FY 2014 to 2015
Federal Pell Grants	227,900,000	232,200,000	238,300,000	6,100,000	2.6%
Federal Supplemental Educational Opportunity Grants	3,801,621	3,801,621	3,801,621	0	0.0%
Federal Work-Study	6,883,689	6,915,730	6,915,730	0	0.0%
College Access Challenge Grant	1,423,500	1,392,000	0	-1,392,000	-100.0%
Subtotal, All Postsecondary Education Programs	240,008,810	244,309,351	249,017,351	4,708,000	1.9%
Vocational Rehabilitation State Grants	24,258,607	23,965,102	26,027,215	2,062,113	8.6%
Client Assistance State Grants	117,709	121,770	121,770	0	0.0%
Protection and Advocacy of Individual Rights	166,132	171,598	171,598	0	0.0%
Supported Employment State Grants	300,000	300,000	0	-300,000	-100.0%
Independent Living State Grants	295,459	305,350	305,350	0	0.0%
Centers for Independent Living	812,592	839,761	839,761	0	0.0%
Services for Older Blind Individuals	225,000	225,000	225,000	0	0.0%
Assistive Technology State Grant Program	415,427	434,449	434,326	-123	0.0%
Protection and Advocacy for Assistive Technology	50,000	50,000	50,000	0	0.0%
Adult Basic and Literacy Education State Grants	3,811,142	3,817,129	3,814,517	-2,612	-0.1%
English Literacy and Civics Education State Grants	237,856	237,855	237,855	0	0.0%
Subtotal, All Other	30,689,924	30,468,014	32,227,392	1,759,378	5.8%
Total	623,912,149	636,616,659	628,117,244	-8,499,415	-1.3%
New Student Loan Volume:					
Federal Direct Student Loans	419,158,666	411,878,655	419,136,291	7,257,637	1.8%
Total, New Student Loan Volume	419,158,666	411,878,655	419,136,291	7,257,637	1.8%
Grand Total	1,043,070,815	1,048,495,314	1,047,253,535	-1,241,779	-0.1%

NOTES:

State allocations for fiscal years 2014 and 2015 are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes from these preliminary estimates.

For 21st Century State allocations for fiscal year 2014 are preliminary estimates based on currently available data. Allocations based on new data may result in significant changes for these preliminary estimates. No allocations are shown for 2015 because the Administration's budget and Elementary and Secondary Act (ESEA) reauthorization proposal would change the program from a formula to a competitive grant program. If the ESEA is not reauthorized prior to enactment of fiscal year 2015 appropriations, allocations would continue to be based on the formula current law.

Special Education Grants to States 2013 and 2014 allocations assume enactment of the Administration's proposed appropriations language that authorizes the Department to calculate a State's allocation without regard to a reduction in funding in a prior year resulting from a failure to meet the maintenance of State financial support requirements in section 612 of the IDEA.

For Career and Technical Education State Grants, estimates for 2013 were calculated by ratably reducing States' 1998 allocations as required under the hold-harmless provision in the current statute. The Administration's reauthorization proposal will include revisions to the current allocation formula.

Amounts distributed from the fiscal years above are based on the Pell Grant program's estimated cost as of April 2014. All estimates include new appropriations plus the use of all or a portion of an accumulated surplus of unobligated balances.

The totals for Adult Basic and Literacy Education programs exclude amounts for the English Literacy and Civics Education State Grants program, which is displayed in a separate table.

For Vocational Rehabilitation State Grants, the FY 2014 amounts reflect the sequester reduction of 7.2 percent required for mandatory programs that went into effect October 1, 2013, pursuant to the Budget Control Act of 2011 (P.L. 112-25).

FY 2015 estimates reflect the Administration's proposal to distribute the increase requested for the VR program in a manner that would lessen the impact of its proposal to eliminate separate funding authorities for the smaller VR-related programs whose activities can be carried out under the larger VR program.

FY 2015 State estimates are illustrative and subject to change.

For Supported Employment State Grants, FY 2015 estimates reflect the Administration's proposal to eliminate separate funding authorities for the smaller VR-related programs under the Rehabilitation Act.