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# **The Federal Update for February 9, 2024**

From: Michael Brustein, Julia Martin, Steven Spillan, Kelly Christiansen

Re: Federal Update

Date: February 9, 2024

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## Legislation and Guidance

### Congress Pushes Forward on FY 2024 Appropriations

After agreeing to topline spending amounts for defense and non-defense categories last month, Congressional appropriators are pushing forward with drafting fiscal year (FY) 2024 legislation to determine program-level funding as deadlines for the current continuing resolution approach in early March. The agreement on top-line spending amounts will maintain overall funding for non-defense programs, including programs administered by the U.S. Department of Education (ED), close to FY 2023 levels.

House and Senate appropriators are reportedly working together on drafting legislation so that one bill emerges for each appropriations account, as opposed to different versions in the House and Senate that have to be reconciled. While the allocations for each of the 12 appropriations bills have not been made public, there are reports that funding for the U.S. Departments of Labor, Health and Human Services, and Education appropriations account will be less than the FY 2023 amount. However, a funding cut for the overall Labor-HHS-ED bill does not necessarily mean all education programs will see a funding cut – it depends on how lawmakers allocate the overall amount to individual programs within the three agencies – but major increases are unlikely this year.

Lawmakers are aiming to complete the draft legislation this week, as the Senate is not in session next week, and both chambers are out of session the week of President’s Day, but it’s unclear whether that work will be completed or not. With the planned recesses, lawmakers will have minimal time this month to vote on the appropriations bills before the first continuing resolution deadline on March 1. Funding for ED and other agencies will expire the following week on March 8. While lawmakers have made progress on determining funding levels for FY 2024, potential policy riders attached to any funding bills could cause challenges with passage. As lawmakers work to wrap up the FY 2024 funding cycle, the President is planning to submit his FY 2025 budget request to Congress on March 11, kicking off the next appropriations cycle.

Author: KSC

## News

### House Committee Chair Calls for Cardona Resignation

House Committee on Education and the Workforce Chair Virginia Foxx (R-NC) released a statement this week calling on Secretary of Education Miguel Cardona to resign over statements he made to a group of reporters.

Per Foxx’s letter, Cardona made remarks to a group of Jewish reporters Tuesday but did not specify that the phrase “from the river to the sea” should be considered antisemitic by college officials. Cardona told reporters that calls for genocide are “not tolerable” and that it is the responsibility of a university leader to get involved when students feel unsafe on campus. But when pressed on the chant, he said “it’s difficult for me to make a statement here.”

"Three months after October 7 and the disgusting antisemitic demonstrations that followed, there is no excusing Secretary Cardona’s cowardly evasion of the antisemitic character of the phrase ‘from the river, to the sea,’” Foxx said. “His Department has so willfully exceeded its statutory authority in its spending spree that it has failed its two most recent audits… This nation deserves much better than bungling and deliberate misuse of taxpayer dollars. And Jewish students deserve to know that their Education Secretary understands the hate they face and has the necessary courage and clarity to confront it. It is time for the Secretary to resign."

Secretary Cardona and the U.S. Department of Education have not responded to the statement.

Author: JCM

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