

Washington Update June 25, 2021

Dear Colleagues,

With the official arrival of summer this week comes an avalanche of items backing up on the Congressional agenda. Fireworks won't be the only thing on tap in Washington during July.

1. Congress Will Sprint to the Fall with a Packed July Agenda

As we head into the final week of June, Congress is poised for an intense July. Between the upcoming July 4 recess and the coveted month-long August recess, there are only a few legislative weeks in which to complete action on critical measures to keep the wheels of the federal government in motion. This week the House began marking up the first two (of 12 in total) appropriations bills. Many insiders report that the House is on track to pass most, if not all, of the appropriations bills in July. But the Senate is still lagging well behind with no set plans for markups or floor consideration. However, the markups and floor considerations of appropriations bills are just one piece of the larger, more complicated summer Congressional agenda.

On Thursday, President Biden and a bipartisan group of Senators proudly announced that they had reached a bipartisan compromise on an infrastructure package. With bipartisan collaboration such a rare commodity these days, participants in the compromise from both sides of the aisle were reported to be giddy with glee. However, there is a long road to travel. [The \\$1.2 trillion plan](#) would fund roads, electric vehicle charging stations, broadband and other physical infrastructure. However, the bipartisan proposal omits much of President Biden's original proposals in both the American Jobs Bill and the American Families Plan, including investments in universal pre-K, free community college, and tax credits for poor families. White House and Democratic leaders in Congress [now hope to pass two bills](#): one based on the bipartisan compromise and a second focused on the provisions left out of the bipartisan bill, but part of Biden's American Jobs Plan and American Families Plan.

Democrats aim to pass the second larger bill, which may total as much as \$6 trillion, using reconciliation- the powerful procedural tool that allows certain spending bills to clear the Senate with a filibuster proof simple majority of 51, rather than the traditional 60 votes. The goal is for Congress to advance the bipartisan plan and start the reconciliation process in July---passing both bills by the fall. President Biden has said he will not sign the bipartisan bill unless the reconciliation bill also makes it to his desk, putting the squeeze on Congress to ensure that Democratic members all hang together. Neither the House nor Senate can pass reconciliation if even minimal defections materialize. Republican Senator Lindsey Graham (R-SC) described the coupling of the two bills as "extortion," signaling trouble ahead.

As if this scenario was not complicated enough – Congress is quickly running out of time to raise the debt ceiling. The debt ceiling essentially sets the limit for how much the country can borrow to continue operate and ensures the US does not default on their

debts. A two-year deal to suspend the debt limit expires July 31st. In testimony before a Senate subcommittee on Wednesday, Secretary of Treasury Janet Yellen [pleaded with lawmakers](#) to raise the debt ceiling, noting that allowing the July 31st deadline to pass could precipitate a financial crisis as many Americans are only beginning to recover from the pandemic.

Several insiders have suggested that this packed and complex agenda will lead to lawmakers forgoing the traditional August recess in order to complete their work in a timely fashion and avoid a government shutdown. Giving up the coveted August recess would be a lot for lawmakers to swallow. Stay tuned.

2. Secretary Cardona Testifies Before House Education Committee

On Thursday, Secretary of Education Dr. Miguel Cardona was back in the hot seat, testifying before members of the House Committee on Education and Labor. In his [opening statement](#) Secretary Cardona highlighted the President's proposed discretionary request of \$103 billion for Department of Education programs, an increase of almost \$30 billion over the fiscal year 2021 enacted level, complemented by additional mandatory spending under the American Jobs Plan and the American Families Plan. Dr. Cardona noted that "... it's important to recognize that these bold proposals follow a decade of virtually no funding growth in real terms for Department programs, a significant under-investment in light of the rising needs of students and families..." The total federal investment in elementary and secondary education grew just 1 percent annually over the past 10 years—not even keeping up with inflation.

The Department's allocation and use of federal dollars was not the only focal point of the hearing---Members of the GOP used the opportunity to press Secretary Cardona on his support for [teaching of critical race theory](#) in our nation's schools. Cardona noted that this "is more about politics than it is about programming." Secretary Cardona highlighted the importance of students seeing themselves in what is being taught and having exposure to a diverse set of perspectives. However, the Secretary stopped short of saying that the federal government can or should be involved in curricular decisions noting that he "...trust(s) educators across the country to make decisions about what their communities need...It's really not the federal government's role to determine what gets taught."

The exchange between Secretary Cardona and GOP lawmakers over critical race theory was not the only one of its kind this week. On Tuesday, the Loudoun County, VA Public School Board [cut short the public comment section](#) of a school board meeting after a large crowd of attendees refused to obey several orders to quiet down leading to one arrest. Several of the speakers were there to protest critical race theory and a new school policy that would ensure transgender students are addressed by their preferred names and pronouns, as well as granting students access to facilities and activities that match their gender identity.

All of this comes as top aides to former President Trump are pursuing a long shot strategy to try to shoehorn [anti-critical race theory language](#) into must-pass legislation such as the

annual defense spending bill or in legislation to raise the debt ceiling. Such an effort could gum up the works and stall must-pass measures for some time.

3. Members of Congress Continue to Press the Administration on Student Loan Reform and Forgiveness

Sen. Elizabeth Warren (D-MA) is reportedly [blocking a swift confirmation](#) for President Biden's nominee for Undersecretary of Education, James Kvaal. Kvaal, if confirmed, would serve as third highest ranking official in the Department. Perhaps surprisingly, Senator Warren's hold on the Kvaal nomination is not over the \$50,000 student debt cancellation proposal that she and Majority Leader Schumer (D-NY) have been pressing the Biden Administration on for months. Rather, the Senator is seeking concessions on [longstanding issues](#) that she has raised about how the Education Department runs the student loan program.

The problems date back to 2007, when Congress created a program meant to wipe out federal student loan debt for borrowers who pay their loans for 10 years while working in public service. The first cohort of borrowers became eligible for forgiveness during the Trump administration, which had by then repeatedly proposed eliminating the Public Service Loan Forgiveness Program (PSLF). The Department of Education under Secretary DeVos rejected the vast majority of the hundreds of thousands of borrowers who applied for loan forgiveness under the program.

The Biden administration plans to revise the regulations governing PSLF. As the Administration is pressed by Members of Congress on both student loan reform and forgiveness, they are also [facing pressure from unions](#) to automatically cancel the debts of borrowers who have been working in public service for at least 10 years, regardless of whether they meet the program's other criteria.

In the meantime, the Biden administration is tweaking how the Federal Housing Administration calculates [eligibility for government mortgage assistance](#) for applicants with student loan debt. The changes, HUD Secretary Marcia Fudge said in a [statement](#), will "make it easier for borrowers with student loan debt to qualify for a federally insured mortgage" and help reduce racial gaps in homeownership.

4. New Resources for Educators

- [The Learning Policy Institute](#) is out with a new brief that draws on a 2019 study of high-poverty schools in North Carolina. The study found that high-poverty schools provide inadequate and unequal educational resources and opportunities to their students, due in part to past policy choices, thus denying them a sound basic education. The authors lay out key policy recommendations to address such barriers.

- [The National Education Policy Center](#) issued a new policy brief that examines the impact of racial disparities throughout the education system on both educational and economic outcomes.
- [Ed Reports](#) released a report that highlights the importance of school districts using stimulus funds from the American Rescue Plan Act to make investments in long standing change, not just short-term fixes.
- [NASSP CEO Ronn Nozoe](#) penned an op-ed this week that discusses why it's crucial that educators — not politicians — make decisions on how our schools teach students about race and racism in American history.

Wishing you a wonderful weekend with some relaxing r and r!

Best,

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