

Washington Update October 1, 2021

Dear Colleagues,

There has been a lot of “hurry up and wait” in Washington this week. Some urgent deadlines have come and gone, while others linger. Who said making legislation is like making sausage – it’s best not to watch? This was one of those weeks.

1. Congress Struggles to Move Forward

Since returning from the August recess Members of Congress have been scrambling to get [four major pieces of legislation passed](#) and ultimately to keep the government running. As you will recall, the big four are: a continuing resolution to avoid a government shutdown, legislation to raise the debt ceiling to avoid the government from heading into default on its obligations, the bi-partisan infrastructure bill and the reconciliation bill. Last week we reported that the four trains appeared to be moving down the track and were poised to avoid a collision after all---this week, we’re on standby.

Continuing Resolution

Only hours before the midnight deadline on September 30th, President Biden [signed](#) into law the continuing resolution to fund the government through December 3rd. The stopgap measure passed the Senate with a bi-partisan vote of 65 to 35, clearing the 60-vote threshold needed for approval and making it through the House with a vote of 254-175. This comes after Republicans [blocked](#) an earlier version of the bill which included a provision to suspend the debt limit through the midterm elections in December 2022. In addition to keeping federal agencies funded at current levels through December 3, the bill includes \$6.3 billion in funding for Afghan refugee resettlement and \$28.6 billion for disaster relief following a spate of recent hurricanes and wildfires.

Debt Ceiling

As noted above, earlier this week Republicans blocked an attempt to suspend the debt limit until after the midterm elections in 2022. By pairing the debt limit raise with the spending package to keep the government running, Democrats had hoped to pressure Republicans into dropping their opposition to raising the debt ceiling. But, Senate Minority Leader Mitch McConnell has repeatedly said it is the responsibility of the party in power — Democrats — to address the debt limit, and the GOP would not help them do so regardless of the dire warnings about the economic consequences of a default. Some [suggest](#) a default would cause a "cascading catastrophe of unbelievable proportions and damage America for 100 years." The US is expected to reach its [debt limit](#) on October 18th. It remains to be seen how Congress will address the debt ceiling, but rest assured we will have much more to report on this in the coming weeks.

Bipartisan Infrastructure and Reconciliation

For a brief recap: House Speaker Nancy Pelosi (D-CA) had initially promised Democrats that she would hold a vote on the Senate-passed bipartisan infrastructure bill by September 27th. She also pledged to approve the partisan reconciliation bill -- a \$3.5 trillion plan for social programs (including education) -- in conjunction with the bi-partisan infrastructure bill. But moderates balked at that plan and threatened to vote against the budget resolution needed to kick-start the reconciliation process if she didn't de-link the two bills. As part of a deal for moderates to vote for the budget last month, Pelosi agreed to bring the infrastructure bill to the floor on September 27th. All of this appeared unlikely until last Thursday when the Speaker reported that Budget Committee would meet to package together the reconciliation recommendations from 13 other House committees on Saturday in order to get the combined measure to the Rules Committee. This set the stage for the Speaker to bring the reconciliation package and bi-partisan infrastructure bill to the floor for a vote early in the week. As the days went on the timeline was pushed for a vote on the linked bills on Thursday. The Speaker has noted multiple times that she will not bring a bill to the floor unless she has the votes to pass it. Members of Congress often refer to Speaker Pelosi as a "master vote counter" who "works the Pelosi magic" to get the votes she needs.

Negotiations went on into the late hours of the night on Thursday with Congressional leadership, senior White House officials, and Senators Manchin (D-WV) and Sinema (D-AZ) meeting together in the basement of the Senate to try and iron out a deal. The meeting was reportedly focused on establishing a framework to pay for the \$3.5 trillion reconciliation package. This all comes as reports surfaced earlier in the day that Senator Manchin (D-WV) told Leader Schumer (D-NY) in July that his topline number for the reconciliation package stood at \$1.5 trillion. On the other end of the Democratic party spectrum, the Congressional Progressive Caucus—composed of nearly 95 members--- maintained their position that they would not vote on the bipartisan infrastructure package without a vote on the \$3.5 trillion package. In an interview with CNN, Senator Manchin (D-WV) said if the progressives wanted to get their deal done they need to "elect more liberals".

The Speaker left the negotiations Thursday after a statement was released just before the midnight hour indicating that no further votes were expected in the House that evening. But, the House would remain in recess and reconvene no later than 9:30AM on Friday---making Friday the same "legislative day" as Thursday. The final note on the Speaker's statement: "Members are further advised that the House is expected to complete consideration of the Senate Amendment to H.R. 3684-Infrastructure Investment and Jobs Act tomorrow."

Will the Speaker bring the bi-partisan infrastructure bill to the floor without the reconciliation package? Will the \$3.5 trillion price tag on the reconciliation bill be dropped to \$1.5 trillion to secure the vote of Sen. Manchin? If so, will the education funding in the bill survive? Education advocates are active with Congress making their case for the \$9 billion for the educator pipeline and more. We may know the

answers to some of these questions by the end of the day; but we are thinking next week is more likely.

2. House and Senate Hold Hearings on School Reopening During COVID

On Wednesday, the Committee on Education and Labor's Subcommittee on Early Childhood, Elementary, and Secondary Education held a [hearing](#) to examine how the American Rescue Plan Act is helping school districts safely return to in-person learning. Witnesses included Ms. Denise Forte, Interim Chief Executive Officer with The Education Trust; Dr. Jesus F. Jara, Superintendent of Clark County School District in Las Vegas, NV; Dr. Ashisha K. Jha, Dean and Professor of Health Services, Policy and Practice at Brown University; and Mr. David Zweig, a journalist.

Dr. Jara emphasized how critical the American Rescue Plan Act has been as his district focuses on safely reopening schools. But, Dr. Jara said the proposed \$3.5 trillion budget reconciliation bill now before Congress is needed to provide additional assistance as schools deal with continuing difficulties arising from the pandemic. Among them, he said, are the need to hire employees, including teachers, bus drivers, and other school staff needed in order to operate effectively. On the other side, Committee GOP witnesses used his time to argue against the use of masks in schools. Rep. Kathy Manning (D-NC) [fired back](#) at Mr. Zweig, noting he is not an expert in public health, infectious disease, or education.

On Thursday, the Senate HELP committee hosted a full committee [hearing](#) focused on supporting students, educators, and families during school reopening. Secretary of Health and Human Services Xavier Becerra and Secretary of Education Dr. Miguel Cardona both provided testimony and fielded questions from members of the Committee during the hearing. Secretary Cardona [noted](#) that the lack of teachers and other school-related service providers such as bus drivers is a pressing need, especially when it comes to those with disabilities. The secretary said that the government must "boldly" address the problem. He said that in addition to using federal dollars from programs such as the American Rescue Plan to provide competitive salaries, the government should also invest in "pipeline programs" that provide opportunities for paraeducators to become teachers.

"I'm really excited about the opportunity in the Build Back Better agenda to make sure that we're investing in our profession, paying livable wages, and making sure we create pipelines with incentives for paraeducators and other educators to go in, to get their teaching credential to serve as special education teachers, bilingual teachers, and other shortage areas," Cardona said. "It's all hands on deck. I think we have the right policy and we need to make sure we're making bold decisions that let that happen."

3. New Resources for Educators

- [US Department of Education](#) released its 42nd Annual Report to Congress on the implementation of the Individuals with Disabilities Education Act.
- [K12 Dive](#) conducted an analysis of data from 20 large school districts and found that 18 of the 20 school districts surveyed began the school year without enough teachers. The authors highlight Los Angeles public schools where there were 500 teacher vacancies at the start of the school year compared to 100 vacancies just one year ago.
- [The Pioneer Institute](#) is out with a new report focused on the increasing homeschool enrollment since the start of the Covid-19 pandemic.
- [Education Week](#) reports on parents' frustrations with the lack of opportunities to provide input on how school districts should spend their federal Covid relief dollars.

Wishing you a lovely fall weekend full of apples and pumpkins!

Best,

Jane and Kait

@janewestdc @brennan_kait