

## Washington Update October 8, 2021

Dear Colleagues,

It's been a tense week in Washington as a vote to save the nation from default hovered on the horizon. With a temporary solution in place, the rest of the year promises to be a continued set of cliff hangers.

### 1. **First Log Jam Broken in Congress -- More to Come**

Last week, President Biden signed into a law a Continuing Resolution to fund the government through December 3<sup>rd</sup>, thus avoiding a government shutdown. The stopgap measure was the first of four major pieces of legislation on Congress's agenda. At the start of this week the other three -- bi-partisan infrastructure, reconciliation, and legislation to raise the debt ceiling -- remained in limbo. But, on Thursday evening 11 Senate Republicans joined with all Democrats to pass a [short term solution](#) to the debt ceiling.

Senators Roy Blunt (R-MO) and Mike Rounds (R-SD) ultimately provided the 10<sup>th</sup> and 11<sup>th</sup> votes to pass the measure. Senate Majority Leader Chuck Schumer (D-NY) quickly called the vote before taking to the floor to castigate Republicans in a speech. "I thank my Democratic colleagues for showing unity in solving this Republican-manufactured crisis," Schumer said. "Despite immense opposition from Leader McConnell and members of his conference, our caucus held together and we have pulled our country back from the cliff's edge that Republicans tried to push us over."

Senate Minority Whip John Thune (R-SD), who advanced the debt ceiling hike, told Schumer that his speech was "inappropriate and tone deaf." "He made the objective he described more difficult to achieve by virtue of what he said," said Sen. Mitt Romney (R-UT), who voted to filibuster the bill and also confronted Schumer. "There's a time to be graceful and there's a time to be combative. That was a time for grace and common ground."

The debt extension raises the nations borrowing limit by \$480 billion and preserves the United States' credit through December 3<sup>rd</sup>, the same time that government funding is set to expire. With both parties drawing new lines in the sand, it remains unclear how that impasse will be resolved. Republicans say Democrats can and will need to use the budget reconciliation process to enact further debt increases. Democrats for their part say they will not and want a bipartisan process.

House Majority Leader Steny Hoyer (D-MD) said it was "egregious" that the debt-limit situation got to this point and pointed a finger at Senate Republicans' refusal to advance a longer-term solution. "The speaker and I have both spoken with Treasury Secretary Yellen, who said that if the House fails to act next week, the country will be unable to pay its bills. This cannot happen," said Hoyer.

The House returns from recess next week and will quickly pass the Senate debt limit extension, which President Biden will sign. Debate about the bi-partisan infrastructure bill and the reconciliation bill is ongoing and likely to continue for some time.

## **1. Three Nominees for Top Positions in the Department of Education Confirmed**

On Wednesday, the Senate confirmed three nominees for top positions in the Department of Education: Gwen Graham will become Assistant Secretary for Legislation and Congressional Affairs, Roberto J. Rodríguez will serve as the Assistant Secretary for Planning, Evaluation, and Policy Development and Elizabeth “Lisa” Merrill Brown will be the Department’s next General Counsel. In a [statement](#) Secretary of Education Dr. Miguel Cardona praised the confirmations:

*“With these confirmations the Biden Administration and the American people gain three more dedicated and distinguished public service professionals. Together, they will help to advance the Department’s legal and policy efforts and ensure effective collaboration with the federal, state, and local officials who represent our shared constituents. As General Counsel, Lisa Brown brings a passion for justice, a wise legal mind, and a thorough command of education issues to the Department’s work of ensuring equal access to a quality education for all students. Roberto Rodríguez, in the role of Assistant Secretary for Planning, Evaluation, and Policy Development, will turn skills honed over a notable career to ensuring that this agency’s actions are grounded in evidence, in the experience of educators, and in equitable approaches that meet the needs of students. And surely no one is better equipped for the role of Assistant Secretary for Legislation and Congressional Affairs than Gwen Graham, herself a former member of Congress and a civic and public education leader with a remarkable record of service and impact. All of them recognize the life-changing power of a great education, and I am delighted to welcome these outstanding individuals to the agency. I know they will work tirelessly in the best interests of the nation’s students, families, educators, and communities.”*

Three of President Biden’s nominees for top positions in the department are still awaiting confirmation: Amy Loyd, Sandra Bruce, and Catherine Lhamon—nominees for Assistant Secretary for Career, Technical, and Adult Education; Inspector General; and Assistant Secretary of the Office for Civil Rights respectively. The Senate HELP Committee considered Lhamon’s nomination in August, but deadlocked along party lines with an 11-11 vote. Lhamon previously led the Department’s Office for Civil Rights during the Obama Administration. For her nomination to advance, Majority Leader Schumer (D-NY) must discharge her nomination and hold four hours of debate before a confirmation vote may take place on the Senate floor. He has begun that process.

## **2. The Department of Education Announces Major Overhaul to the Public Student Loan Forgiveness Program**

Teachers, service members, and other public servants who have been shut out of a controversial student loan forgiveness program will get [another chance](#) at student loan

debt cancellation. On Wednesday, the Department of Education [announced](#) an overhaul to the Public Student Loan Forgiveness (PSLF) program. The Department will now offer a time-limited waiver so that student borrowers can count payments from all federal loan programs or repayment plans toward forgiveness. This includes loan types and payment plans that were not previously eligible. The Department will also begin to pursue opportunities to automate PSLF eligibility, give borrowers a way to get errors corrected, and make it easier for members of the military to get credit toward forgiveness while they serve.

The Department estimates that the limited waiver alone will help over 550,000 borrowers who had previously consolidated their loans see their progress toward PSLF grow automatically, with the average borrower receiving 23 additional payments. This includes approximately 22,000 borrowers who will be immediately eligible to have their federal student loans discharged without further action on their part, totaling \$1.74 billion in forgiveness. Another 27,000 borrowers could potentially qualify for \$2.82 billion in forgiveness if they certify additional periods of employment. For reference, just over 16,000 borrowers have ever received forgiveness under PSLF prior to this action.

### **3. Department of Justice Investigating Threats Made Against Teachers and School Board Members**

On Monday, the Department of Justice (DOJ) announced that it is investigating threats made against teachers and school board members across the nation. The department said it was creating a task force to determine how federal enforcement tools could be used to prosecute criminal conduct toward teachers, and how to assist state and local authorities investigate such threats where such instances may not constitute federal crimes. The Department will create specialized training and guidance to help school board members and other potential victims understand how to report threatening conduct and how to preserve evidence of the threats to aid in investigations.

Attorney General Merrick Garland [cited](#) a “disturbing spike in harassment, intimidation, and threats of violence” against teachers and other school staff who “participate in the vital work of running our nation's public schools.” “Those who dedicate their time and energy to ensuring that our children receive a proper education in a safe environment deserve to be able to do their work without fear for their safety,” he continued.

Just last week, the National School Boards Association pressed President Biden for federal assistance to review whether violence and threats against public school officials could be considered a form of domestic terrorism and hate crimes. “America’s public schools and its education leaders are under an immediate threat,” the group wrote in a [letter](#) to President Biden.

This comes as the School Superintendents Association, alongside the National School Boards Association, expressed [concern](#) about the threats school leaders are facing as they attempt to follow public health guidelines, allowing students to safely return to the

classroom. In a joint statement issued in September the groups highlighted the concerns they have for their members, stating:

*“As the COVID-19 pandemic continues to impact everyone, we are concerned with the increasing reports of our members—school superintendents and school board members—who are working to ensure a safe reopening of schools while addressing threats and violence, and being undermined by those who do not agree with their school guidelines for COVID-19 best practices. School leaders across the country are facing threats because they are simply trying to follow the health and scientific safety guidance issued by federal, state and local health policy experts.”*

In a [tweet](#) Florida Governor Rob DeSantis (R-FL) responded to the news from the DOJ saying that his state would defend "free speech" and said Attorney General Garland was "weaponizing the DOJ."

#### **4. You're Invited to the 2021 National Principals Month Congressional Briefing: "On the Front Lines: Principals Leading Through the Pandemic"**

As part of National Principals Month, The National Association of Elementary School Principals (NAESP), the American Federation of School Administrators (AFSA), and the National Association of Secondary School Principals (NASSP) are hosting a Congressional briefing: "On the Front Lines: Principals Leading Through the Pandemic". Education Week's Denisa Superville will talk with principals on how they're confronting the ongoing challenges of the pandemic, including supporting safe school reopenings, facilitating academic recovery efforts, and addressing student mental health challenges. The conversation will also focus on how principals have quickly pivoted to meet these urgent needs, how their responsibilities and priorities have shifted throughout the pandemic, and what Congress can do to help schools and students recover from this tumultuous period.

The event will take place on October 14<sup>th</sup> at 3:00 PM EST and is open to the public, and you can register [here](#).

#### **5. New Resources for Educators**

- [Nature](#) this week highlighted four group leaders with disabilities who share their thoughts on how to make laboratories and fieldwork more accessible and inclusive in academia.
- [Chalkbeat](#) covers the disproportionate impact of the pandemic on boys of color as it relates to both academic achievement and mental health.
- [The News Tribune](#) looks at Tacoma Public Schools dire educator shortage and their solution: increase pay for substitute teachers and market subbing as a viable, sustainable career path.

Wishing you a glorious long holiday weekend!

Best,

Jane and Kait

@janewestdc @brennan\_kait