

Washington Update September 24, 2021

Dear Colleagues,

Are you having a hard time following the Washington cha-cha-cha related to avoiding a government shutdown, enacting the big Biden Build Back Better agenda and more? You are not alone! We hope to offer a bit of clarity below.

1. House Passes Stopgap Funding Bill and Reconciliation Gains Momentum

As you will recall, after returning last week from the August recess Members of Congress were off to the races to get [four major pieces of legislation passed](#) and ultimately to keep the government running. The big four are: the bi-partisan infrastructure bill, the reconciliation bill, a continuing resolution to avoid a government shutdown, and legislation to raise the debt ceiling to avoid the government from heading into default on its obligations. On Tuesday evening House Democrats took an [initial step](#) towards warding off a government shutdown, passing a short-term spending bill that would keep the government funded through early December and lift the limit on federal borrowing until after the midterm elections in 2022.

The bill is urgently needed as Congress has virtually given up on trying to pass the FY 22 funding bills before the September 30th deadline when all current government funding runs out. The US is expected to reach its debt limit in the coming weeks and without an increase in the debt ceiling, the government could default on its financial obligations. 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, a routine step that allows the government to meet its obligations. But even with crucial funding for their states on the line, no Republicans voted for the legislation. The bill now goes to the Senate, but Republicans there have already vowed they will neither vote for the legislation nor allow it to advance in the Chamber where 60 votes are needed to move the legislation forward. In a 50-50 divided Senate, Democrats need at least 10 Republicans to get on board.

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. The intention was that the bipartisan infrastructure package would only pass once the \$3.5 trillion reconciliation package passed both chambers. But moderates balked at that plan and threatened to vote against the bipartisan bill 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, which is now just days away. But, progressives in the House want the House to first vote on the \$3.5 trillion spending package before voting on the bipartisan infrastructure package. Rep. Pramila Jayapal (D-

WA.), who heads the Congressional Progressive Caucus, has said half of that group could [vote against](#) the infrastructure bill if their demands are not met.

Before Thursday evening, it all seemed highly unlikely that the Speaker could deliver on her promises to Democrats. But, following a series of meetings between moderate Democrats and the White House and Congressional Leadership and progressives—the trains appear to be getting back on track. House Budget Chairman John Yarmuth (D-KY) [announced](#) on Thursday that the Budget Committee would meet on Saturday to package together the reconciliation recommendations from 13 other House committees in order to get the combined measure to the Rules Committee. The Budget Committee’s role is primarily procedural, but the Rules Committee could initiate major changes to the proposal. The goal now is for leadership to bring the reconciliation package and bi-partisan infrastructure package to the floor for a vote early next week. This suggests that behind the scenes the Speaker is confident she can garner the support of Democrats for both reconciliation and bi-partisan infrastructure. The Speaker eluded to this on Thursday afternoon announcing that Congressional leadership and the White House had reached agreement on a ["framework"](#) that will pay for most, if not all, of the massive \$3.5 trillion human infrastructure bill—mitigating concerns from both progressive and moderates over the price tag. With four trains moving down the track, it seems we may avoid a collision after all.

2. Action on Student Debt from the White House and the House

This week, members of the House [voted](#) 219-204 to attach the [debt forgiveness amendment](#) to the National Defense Authorization Act. The language in the amendment mandates that private student lenders forgive the debts of borrowers who die or become “totally and permanently” disabled, and any cosigners on the loan would also be relieved of their financial obligations. This would mirror the protection available to borrowers of federal student loans.

In August, the US Department of Education [announced](#), that over 323,000 borrowers who have a total and permanent disability (TPD) will receive more than \$5.8 billion in automatic student loan discharges in response to a new regulation. This new regulation allowed the Department to provide automatic TPD discharges for borrowers who are identified through administrative data matching by removing the requirement for these borrowers to fill out an application before receiving relief.

Secretary of Education Dr. Miguel Cardona praised the action, stating:

"Today's action removes a major barrier that prevented far too many borrowers with disabilities from receiving the total and permanent disability discharges they are entitled to under the law...From day one, I've stressed that the Department of Education is a service agency. We serve students, educators, and families across the country to ensure that educational opportunity is available to all. We've heard loud and clear from borrowers with disabilities and advocates about the need for this

change and we are excited to follow through on it. This change reduces red tape with the aim of making processes as simple as possible for borrowers who need support."

With the initial TPD action, the Biden-Harris Administration has approved approximately \$8.7 billion in student loan discharges for roughly 455,000 borrowers.

Also this week, more than 200 organizations representing millions of public service workers and student loan borrowers sent a letter to Secretary of Education Dr. Miguel Cardona urging him to follow through on President Biden's campaign promise to fix the public student loan forgiveness program--a government program that promises to cover students' education costs in return for public service work. Thousands of teachers have applied for federal student loan forgiveness and been [rejected](#) because they have not been able to get the government to certify that their work counts as "public service".

3. As Schools Reopen COVID Mitigation Efforts Fuel More Threats Against School Leaders

As many school districts around the country return for in person instruction for the first time since the start of the pandemic, school board meetings across the country have become political battlegrounds. AASA, The School Superintendents Association, alongside the National School Boards Association, said on Wednesday that they are [concerned](#) 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 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."

This all comes as Joe Ladapo, nominee for Surgeon General in the state of Florida, filed an updated set of rules for Covid-19 protocol in schools that allows parents more say in how schools manage the spread of Covid-19. Under the new order, schools no longer have to quarantine exposed students; that decision is now up to parents. Ladapo also said parents have "sole discretion" on whether to send their children to school without masks.

In Washington, the US Department of Education awarded its first Project SAFE grant (\$147,719) to the School Board of Alachua County in Florida, following a state-imposed penalty for implementing Covid safety measures. Project SAFE supports LEAs whose

funding was cut by the state for implementing Covid safety measures. The funding is provided through Title IV (school safety national activities)—a \$103 million pot.

4. New Resources for Educators

- [National Alliance for Public Charter Schools](#) released a report on the impact the pandemic has had on public and charter school enrollment. Notably, U.S. charter school enrollment increased 7% between the 2019-20 school year and the 2020-21 year — a jump of 240,000 pupils.
- [Education Week](#) synthesized a series of studies focusing on special education teachers experiences during the pandemic. The author highlights three major challenges that have made being a special education teacher even more challenging during the pandemic.
- [The Associated Press](#) reports on the dire workforce shortage across the education continuum. Districts are now faced with insurmountable challenges just as many students return to in-person learning for the first time since the start of the pandemic.

Fall has suddenly arrived in Washington after a brutal summer. Hoping a lovely weekend for you!

Best,

Jane and Kait

@janewestdc @ Brennan_kait