



VSBA
Virginia School Boards Association
Leadership · Advocacy · Support

Federal Advocacy Update



Good Saturday Morning. At the conclusion of this message is the December 19, 2020 Federal Advocacy & Public Policy Update. Last evening, Congress approved a two-day extension in funding for the federal government to give lawmakers more time to resolve the remaining sticking points on a \$900 billion Coronavirus relief package that lawmakers are seeking to pass prior to their Holiday Recess. A complete breakdown of the relief package can be found in the update.

Thank you for all you do on behalf of public education in the Commonwealth. Have a safe and happy weekend.

Best,

J.T.

Federal Advocacy & Public Policy Update

December 19, 2020

Congressional Update

Lawmakers Inch Closer to Finalizing End-of-Year Spending Bill

Although it has taken the better part of the year, Congress is now on the precipice of passing legislation to fund the federal government for the next year and to provide additional emergency aid to confront the ongoing pandemic. Earlier in the week, Republican and Democratic leaders tentatively announced agreement on a \$1.4 trillion omnibus spending package—legislation that ties together the 12 core appropriations bills that compose and fund the entire federal government and related programs. Lawmakers hope to use this must pass legislation as a vehicle to attach approximately \$900 billion in additional pandemic relief. Details of the emerging package have yet to be made public. However, the latest draft of this pandemic relief proposal would provide the K-12 community with an additional \$54 billion in emergency funding, structured similarly to what was provided by the [CARES Act](#) earlier this year. In addition, the pandemic relief component that is still being negotiated would likely provide approximately \$3 billion for an Emergency Educational Connectivity Fund to bolster the E-Rate program to help with the homework gap as well as additional funding for school-based meal programs if agreement can be reached on the details. While NSBA is calling for at least \$12 billion in homework gap funding, the \$3 billion proposed in this measure would provide an immediate help for many students and NSBA is fighting to keep the funding in the legislation. NSBA is also calling for an extension of time to be added to any legislation for states and local governments to utilize funds from the CARES Act Coronavirus Relief Fund (CRF) that is administered by the U.S. Department of the Treasury. This measure would allow school districts that are subrecipients of CRF funds the additional time needed to complete services, thereby changing the date by which funding must be utilized from December 30, 2020 to December 30, 2021. Further, NSBA is also calling for an extension of the COVID-19 employee leave provisions that were made available through the Families First Coronavirus Response Act (FFCRA) for emergency sick leave and emergency family and medical leave.

In addition to these issues there are still some other short-term hurdles that the omnibus and pandemic relief package must overcome. Current federal funding—extended last week by Congress through December 18—is set to expire if this or an additional short-term extension of funding is not passed by Congress by midnight this evening. While lawmakers seem to have agreement on the \$1.4 trillion in regular funding, areas of disagreement remain related to the pandemic relief package. Given that Democratic and Republican leaders hope to combine both

legislative proposals into a single package, these areas of disagreement, unrelated to the education provisions contained in earlier drafts of the proposal, have been the primary cause for this delay. With time running out before the December 18 deadline, the possibility of a lapse in federal funding—and with it a temporary shutdown of the federal government—remain a possibility as lawmakers race to complete work on this massive spending package.

As these efforts continue, NSBA's advocacy team will work to ensure lawmakers pass this needed legislation before the end of the year and provide the education community with additional emergency aid and certainty heading into 2021. As of Friday evening, it is expected a two day long Continuing Resolution (CR) will be required to keep the federal government open over the weekend as negotiations on these issues continue.

House Democrats Approve New Committee Members

In preparation for the next Congress, the House Democratic Steering Committee approved the following new Committee members this week:

House Appropriations Committee:

Congressman Adriano Espaillat of New York

Congressman Josh Harder of California

Congresswoman Susie Lee of Nevada

Congressman David Trone of Maryland

Congresswoman Lauren Underwood of Illinois

Congresswoman Jennifer Wexton of Virginia

House Energy & Commerce Committee

Congresswoman Angie Craig of Minnesota

Congresswoman Lizzie Fletcher of Texas

Congresswoman Kathleen Rice of New York

Congresswoman Kim Schrier of Washington

Congresswoman Lori Trahan of Massachusetts

House Financial Services Committee

Congressman-elect Ritchie Torres of New York

House Ways & Means Committee

Congresswoman Stacey Plaskett of the Virgin Islands

Administration Update

FCC Extends Gift Rule Waiver

On Monday, December 14, the Federal Communications Commission (FCC) [formally extended](#) its waiver of gift rule requirements embedded in the E-rate program through June 30, 2021. Earlier this year the FCC [waived](#) these rules as part of its response to the ongoing pandemic. Currently, the FCC prohibits eligible schools, libraries, and other entities from accepting gifts or services worth more than \$20 from participating Internet Service Providers (ISPs). However, given the immense need to increase broadband access to facilitate the transition to remote learning, the FCC extended this flexibility through the middle of next year. This temporary waiver is intended to allow ISPs to partner with schools, along with other eligible entities, to donate increased broadband capacity and related devices such as Wi-Fi hotspots to help more students and families stay connected during the pandemic.

USED Announces Innovation and Research Grants

On Tuesday, December 15, the U.S. Department of Education (USED) [announced](#) \$185 million in new competitive grant funding awards for 28 school districts, higher education institutions, and other nonprofit organizations. The initiative, known as the [Education Innovation and Research \(EIR\) program](#), is part of the Every Student Succeeds Act and aims to fund evidence-based education efforts serving high-needs students and rigorously evaluate them. These newly announced round of grants are broadly aimed at promoting teacher professional development, social-emotional learning (SEL), and Science, Technology, Engineering, and Math (STEM) education.

New Legislation

[H.R.8994](#) To amend the Department of Education Organization Act to permit appeals of certain determinations made by the Office of Civil Rights of the Department of Education made with respect to complaints filed between March 5, 2018, and November 18, 2018. Sponsor: [Rep. Underwood, Lauren \[D-IL-14\]](#)

[H.R.8944](#) To amend the Family and Medical Leave Act of 1993 and the Emergency Paid Sick Leave Act to include leave for employees who are unable to work due to minor children in optional virtual or hybrid learning, and for other purposes. Sponsor: [Rep. Meng, Grace \[D-NY-6\]](#)

[H.R.8937](#) To amend requirements for awarding the National Medal of Science, the National Medal of Arts, and the National Technology and Innovation Medal, and for other purposes. Sponsor: [Rep. Eshoo, Anna G. \[D-CA-18\]](#)

[H.R.8932](#) To provide that for purposes of determining compliance with Title IX of the Education Amendments of 1972 in athletics, sex shall be determined on the basis of biological sex as determined at birth by a physician. Sponsor: [Rep. Gabbard, Tulsi \[D-HI-2\]](#)

[S.1387](#) Consider Teachers Act Sponsor: [Sen. Braun, Mike \[R-IN\]](#)

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