Good Friday Afternoon! Please find this week's Federal Advocacy and Public Policy Update at the conclusion of this message. If you have any questions, please do not hesitate to contact me.

Have a great weekend and thank you for all you do on behalf of public education.

Best,

J.T.

Federal Advocacy and Public Policy Update
July 16, 2021

Congressional Update

House Appropriations Committee Advances FY22 Education Spending Bill

On Monday, July 12, the House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS-ED) unveiled appropriations legislation to fund the U.S. Department of Education (USED) and other related agencies for the upcoming 2022 federal fiscal year (FY22). That same day, the panel marked up and approved the proposal by voice vote without adopting any amendments. On Thursday, July 15, the full House Appropriations Committee considered the legislation and approved the measure along party lines by a margin of 33-25. During the markup, no education-related amendments were adopted prior to passage. If enacted, the legislation would provide an historic 41 percent increase in funding for USED and the programs it oversees. This would include nearly doubling the size of Title I state grants as part of the Elementary and Secondary Education Act (ESEA) and significantly increasing funding for the Individuals with Disabilities Act (IDEA) among many other programs that would potentially see a boost in investment from this bill. An archived webcast of the markup, including the committee's report, can be found here.

With the Appropriations Committee's work now complete in the House, the measure moves on to the full House to be further considered and voted on. It is widely expected that this bill will be voted on sometime during the week of July 26 as part of a "minibus" legislative package stitching together other discretionary spending bills already advanced by the House Appropriations Committee. However, comparable appropriations activity has not yet started in the Senate. With a limited number of legislative days left on Congress' calendar, the likelihood of a temporary stop-gap funding bill, known as a continuing resolution, continues to increase should the House and Senate fail to come to an agreement regarding FY22 spending prior to October 1,

2021.

Congressional Democrats Announce Infrastructure Deal

The Biden Administration and Congress have been negotiating over a potential bipartisan infrastructure deal focused narrowly on “traditional” physical infrastructure. While these talks have continued without a clear resolution, Congressional Democrats have been busy working on a separate proposal that would include many more of the party’s priorities such as funding for schools and childcare. Earlier this week, Democratic Leadership in the Senate announced that they had reached agreement on a topline figure of $3.5 trillion for this proposal. Setting this budget number unlocks additional legislative powers in the Senate, known as reconciliation, that would empower Senate Democrats to pass certain legislation with simple majorities and allowing them to avoid a likely Republican filibuster. Additional details regarding what will be included in this package have not yet been released and Senate leadership has indicated that a procedural vote is scheduled for next week—the next step in this effort.

Administration Update

USED Approves Five More State ARP Plans

Earlier this year, USED distributed two-thirds of the over $122 billion Congressional Democrats appropriated for the K-12 community in response to the COVID-19 pandemic. The remainder of these funds was held back until states and territories submitted and received federal approval detailing how these new resources would be spent to safely reopen for in-person instruction and meet the wider needs of students. On Thursday, July 15, USED announced that it had approved a new group of five state plans to meet the requirements of the American Rescue Plan (ARP). These states included Ohio, Oklahoma, Oregon, Tennessee, and West Virginia taking the total number of approved state plans for this funding to 12. More information regarding these plans, including those that are still pending review, can be found here.

Senate HELP Committee Considers Biden USED Nominees

On Tuesday, July 13, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing to consider the nominations of several recent appointments made by President Biden for key posts at USED. These nominees included Catherine Lhamon to be Assistant Secretary for Civil Rights, Elizabeth Brown to be General Counsel, and Roberto Rodriguez to be Assistant Secretary for Planning, Evaluation, and Policy Development at the Department. A video recording of the hearing, including testimony from the nominees, can be found here. Next week the HELP committee is expected to formally vote on these and other nominations.

Discretionary Grants

USED published notice on a discretionary grant program for the Office of Elementary and Secondary Education:

“American Rescue Plan – American Indian Resilience in Education (ARP-AIRE)” – The American Rescue Plan – American Indian Resilience in Education program provides funds to support services for Indian children and youth. These projects must include an activity that is authorized under section 6121(c) of the Elementary and Secondary Education Act of 1965. The estimated available funds for three years total $19,800,000 – the average size of awards is $400,000 for each 12-month budget period. Applications are due by September 13, 2021, and further information is available here.

USED published notice on a discretionary grant program for the Offices of Elementary and Secondary Education and Special Education and Rehabilitative Services:

“National Comprehensive Center on Improving Literacy for Students with Disabilities” – The National Comprehensive Center on Improving Literacy for Students with Disabilities grant program will focus on developing “evidence-based literacy assessment tools and professional development activities” and identifying “evidence-based instruction, strategies, and accommodations for students at risk of not attaining full literacy skills due to a disability.” The estimated available funds for this program total $1,475,000 in year one and $1,500,000 in years two through five. Applications are due by September 1, 2021, and further information is available here.

USED published notice on a discretionary grant program for the Office of Elementary and Secondary Education:

“Innovative Approaches to Literacy Program” – Grant funds for the Innovative Approaches to Literacy Program are used to support programs that are created to improve literacy skills for students in high-need LEAs and schools, with a particular focus on low-income communities and students of all ages, from birth through grade 12. Funds for this program must also be used for school library programs, which includes funds for professional development for school librarians and ensuring up-to-date materials are in high-need schools. The estimated available funds for this program total $25,000,000. Applications are due by August 11, 2021, and further information is available here.

New Legislation

H.R.4409 To amend the Elementary and Secondary Education Act of 1965 to improve diversity in accelerated student learning programs. Sponsor: Rep. Cohen, Steve [D-TN-9]

H.R.4403 To provide subsidized summer and year-round employment for youth who face systemic barriers to employment and viable career options and to assist local community partnerships in improving high school graduation and youth employment rates, and for other purposes. Sponsor: Rep. Scott, Robert C. "Bobby" [D-VA-3]

H.R.4402 To address and take action to prevent bullying and harassment of students. Sponsor: Rep. Sanchez, Linda T. [D-CA-38]

H.R.4389 To increase cybersecurity education and job growth, and for other purposes. Sponsor: Rep. Lieu, Ted [D-CA-33]

H.R.4379 To amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes. Sponsor: Rep. DeSaulnier, Mark [D-CA-11]