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

Have a safe and enjoyable weekend.

Best,

J.T.

Federal Advocacy & Public Policy Update
September 17, 2021

Congressional Update

Democratic Reconciliation Package Continues to Take Shape Amid Looming Fiscal Deadlines

Last week the Democratic lawmakers in the House formally began efforts to advance a $3.5 trillion domestic spending package via a special legislative process known as budget reconciliation. Congressional Democrats hope to enact this package, modeled off of President Biden's "Build Back Better" agenda, using the budget reconciliation process-a move that allows lawmakers to pass certain legislation via simple majorities in both chambers of Congress. On Friday, September 10, the House Education and Labor Committee approved its portion of this legislation, voting along party lines 28-22 to advance their slice of the bill out of committee.

The committee's proposal, which envisions $82 billion in K-12 school infrastructure funding among other NSBA legislative priorities, now goes back to the House Budget committee where this, along with other components of the legislation, will be combined into one legislative package for a full chamber vote. This broader package will also include $4 billion, approved by the House Energy and Commerce Committee, to continue the Emergency Connectivity Fund. The full house chamber is expected to vote on this measure in coming weeks.

Once the legislation clears the House, the package will be transmitted to the Senate where its future is a bit more uncertain. House and Senate Democratic leadership are widely expected to continue negotiations over the contents and contours of the reconciliation package behind closed doors for the time being. Given the dynamics of the Democratic caucus in the Senate, it is likely that the topline figure of $3.5 trillion will be reduced in order to garner support from the moderate wing of the Democratic Party.

As these efforts continue, the federal fiscal year deadline of October 1 is fast approaching. Lawmakers will need to act before that date to pass regular funding legislation and avert a government shutdown. At present, Congress is widely expected to pass temporary stopgap funding legislation, known as a continuing resolution (CR), which would extend current funding levels for federal programs for a to-be-determined period of time while lawmakers continue to negotiate on full-year funding. Further complicating matters, however, is the need to raise the nation's borrowing limit. Known as the "debt ceiling," this allows the federal government to continue to borrow money to pay for expenses already incurred. At present, Senate Republicans are withholding their support for this action, arguing that Democrats should simply include the measure in their forthcoming reconciliation package. Should Congress fail to act, the federal government would be forced to default on its existing debt obligations which would have a catastrophic impact on the economy.

With time running short, lawmakers must find a pathway forward on each of these issues as both chambers are poised to formally reconvene next week for votes.

Administration Update

USED Approves Four More State ARP Plans

The American Rescue Plan (ARP), passed exclusively by Congressional Democrats earlier this year, authorized $122 billion in additional pandemic aid funding to be disbursed to K-12 schools this past spring. Since that time, the U.S. Department of Education (USED) has distributed two-thirds of this funding to states via a formula detailed in the legislation. The Department held back the remaining third of these funds, however, until states and territories submitted plans detailing how they would make use of these resources to support students as they recover from the impacts of the ongoing COVID-19 pandemic. On Monday, September 13, USED approved four more of these plans, sending these additional funds to the states receiving approval this week which include Idaho, Nevada, North Carolina, and Maine. Only 12 more ARP plans have yet to have their ARP plans approved. The current status of all state ARP plans, including highlights of plans approved by USED so far, can be found here.

President Biden Unveils Hispanic and Latino Education Initiative

On Monday, September 13, President Biden signed an executive order establishing two panels to advise the Biden Administration and provide recommendations regarding how to better serve Hispanic and Latino student populations. According to the order, Latino students lag behind other groups in several important areas such as preschool enrollments and rates of high school graduation. The two panels-one focused on equity housed at the U.S. Department of Education along with a 22-member presidential commission-will examine these issues and provide recommendations and ongoing counsel and advice to President Biden and Secretary Cardona on how best to address them. Information regarding the membership of both panels is still forthcoming.

Secretary Cardona Kicks off Return-to-School Road Trip

On Tuesday, September 14, the U.S. Department of Education (USED) announced that Secretary of Education Miguel Cardona would be starting a back-to-school bus tour beginning next week. The tour is intended to showcase how students, educators, and communities are returning for safe in-person K-12 instruction for the 2021-22 school year. More information about the road trip, including scheduled stops throughout the country, can be found here.

New Legislation

- H.R.5255 - 117th Congress (2021-2022) To amend section 7014 of the Elementary and Secondary Education Act of 1965 to advance toward full Federal funding for impact aid, and for other purposes. **Sponsor:**Rep. Levin, Mike [D-CA-49]
- H.R.5252 - 117th Congress (2021-2022) To amend the Workforce Innovation and Opportunity Act to award competitive grants for the purpose of developing, offering, improving, and providing educational or career pathway programs for workers, to direct the Secretary of Education to establish a program that awards grants to State coalitions that build or expand career pathways programs in schools within the State, and to establish a program that awards grants to eligible agencies to carry out career pathways programs, and for other purposes. **Sponsor:**Rep. Harder, Josh [D-CA-10]
- H.R.5249 - 117th Congress (2021-2022) To amend the Richard B. Russell National School Lunch Act to establish a pilot program to provide selected States with an increased reimbursement for school lunches that are comprised of locally-grown foods, and for other purposes. **Sponsor:** Rep. Delgado, Antonio [D-NY-19]
- H.R.5223 - 117th Congress (2021-2022) School MEALS Act of 2021 **Sponsor:** Rep. Hayes, Jahana [D-CT-5]
- S.2737 - 117th Congress (2021-2022) A bill to amend the American History and Civics Education program under the Elementary and Secondary Education Act of 1965 to require inclusion of programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights. **Sponsor:**Sen. Inhofe, Jim [R-OK]
- S.2730 - 117th Congress (2021-2022) A bill to direct the Secretary of Education to establish a pilot grant program to develop, implement, and evaluate comprehensive mental health services programs in elementary schools and secondary schools, and for other purposes. **Sponsor:** Sen. Padilla, Alex [D-CA]