

FEDERAL LEGISLATIVE ACTIVITY: OCTOBER 2019

CENSUS FUNDING

- Funding for next year's census is among the key issues still to be decided as Congress struggles to finalize spending bills for FY2020, which began Oct. 1.
- NEA Government Relations is part of an interdepartmental team pushing for proper funding of the 2020 Census. The Census Bureau must hire enough staff to conduct outreach everywhere, especially with communities of color, immigrants, and low-income people where undercounting tends to be a problem.

CHILDREN'S NUTRITION

- Rep. Suzanne Bonamici (D-OR) held a hearing on Oct. 16, "Examining the USDA's Proposed Cuts to Free School Meals." The proposed cuts could endanger automatic eligibility for school meals originally estimated to affect more than 500,000 students; new estimates indicate that nearly 1 million students could be affected, double the original estimate.
- Reps. Marcia Fudge (D-OH), Jahana Hayes (D-CT), Raúl Grijalva (D-AZ), Susie Lee (D-NV), David Trone (D-MD), Kim Schrier (D-WA), Bobby Scott (D-VA), Pramila Jayapal (D-WA), and Alma Adams (D-NC) spoke out against the SNAP cuts proposed by the administration at the hearing.
- "The USDA is attempting to accomplish through rulemaking what Congress rejected in 2018, when Members approved a Farm Bill that did cut SNAP benefits because of the harm those cuts would have done to families," NEA said in a [letter to the House Education and Labor Committee](#).
- In response to newly disclosed data showing twice as many children could be affected as previously thought—as many as 1 million—NEA submitted [updated comments on the proposed rule](#) that said, "[T]he impact of revising SNAP categorical eligibility would be even more catastrophic than we at first believed. The new data indicate that USDA put forth this proposal without first having a full understanding of its impact, and this imprudence will harm many families and children."

EDUCATION SUPPORT PROFESSIONALS

- NEA submitted detailed comments and suggestions to the U.S. Department of Education on the [RISE award and submission form](#) for education support professionals (ESPs).
- Approximately 500,000 NEA members are ESPs.

HEALTH CARE

- The Middle Class Health Benefits Tax Repeal Act (S. 684/H.R. 748), which would permanently repeal the excise tax on "high cost" health plans scheduled to take effect in 2022, passed the House 419-6 months ago. Even though it has [62 cosponsors in the Senate](#)—more than enough for passage—Majority Leader Mitch McConnell (R-KY)

refuses to take it up. The bill is one of many NEA priorities passed by the House only to be ignored by the Senate.

- Educators would be among those hit hardest by the tax, according to an analysis published in [Health Affairs](#). Already, employers are pushing to scale back health benefits. Over the last decade, the [Kaiser Family Foundation](#) reports, family premiums have gone up 55 percent and deductibles 212 percent—far more than the 26 percent increase in workers’ earnings over the same period.
- NEA urged senators to VOTE YES on the [Congressional Review Act \(CRA\) resolution](#) to roll back the 1332 waiver rule that threatens health coverage for the 130 million Americans with pre-existing conditions—arthritis, cancer, heart disease, asthma, diabetes, kidney disease, pregnancy, and more. The resolution failed 52-46.
- The House Energy and Commerce and Ways and Means Committees passed the Lower Drug Costs Now Act of 2019 (H.R. 3), which would end the ban on Medicare negotiating directly with drug companies and help lower drug prices for all Americans. The measure could come to the floor next month.
- The Pregnant Workers Fairness Act (H.R. 2694) would prevent employers from forcing pregnant women out of the workplace and help ensure that employers provide reasonable accommodations to pregnant women who want to keep working.

HIGHER EDUCATION

- On Oct. 31, the House Education and Labor Committee passed the [College Affordability Act \(H.R. 4674\)](#) introduced Oct. 15 by Chairman Bobby Scott (D-VA).
- “[H.R. 4674] is a critical first step to renewing the promise made in 1965 with the passage of the Higher Education Act and will help reopen the door to so many Americans whose dream of earning a college education had been closed due to skyrocketing tuition.” NEA President [Lily Eskelsen García](#) said.
- In contrast to the bill introduced by Sen. Lamar Alexander (R-TN), H.R. 4674 is a comprehensive reauthorization.
- H.R. 4674 would help ensure teachers have the right skills and tools to prepare students for the future; work to diversify the education profession; substantially improve the Public Service Loan Forgiveness (PSLF) program; prioritize the needs and conditions of students and borrowers, as opposed to lenders; and provide permanent, mandatory funding for HBCUs and minority-serving institutions.
- NEA successfully advocated for expanding eligibility for Public Service Loan Forgiveness (PSLF) to include adjunct and contingent faculty—a huge victory. Reps. Susan Davis (D-CA), Alma Adams (D-NC), Susie Lee (D-NV), and Pramila Jayapal (D-WA) spoke in support of NEA’s position during the markup of H.R. 4674.

JUDICIAL NOMINATIONS

- The Senate Judiciary Committee scheduled a vote on [Steven Menashi's nomination](#) to the U.S. Court of Appeals for the Second Circuit, but it was delayed at the last minute—a sign our efforts to defeat him are working. These efforts include NEA's [letter to Congress](#), targeted outreach, and our members' emails and phone calls. One Republican Senator, Susan Collins of Maine, has already broken ranks and said publicly she will not support his nomination.
- Rep. Eleanor Holmes Norton (D-DC) and Congressional Black Caucus (CBC) Chairwoman Karen Bass (D-CA) led a [letter to Senate leadership](#) opposing Steven Menashi's nomination to the U.S. Court of Appeals for the Second Circuit. All CBC members representing districts covered by the Second Circuit also signed the letter: Jahana Hayes (D-CT), Gregory Meeks (D-NY), Hakeem Jeffries (D-NY), Yvette Clarke (D-NY), and Antonio Delgado (D-NY).

RETIREMENT SECURITY

- Nearly 2 million retired educators and other public employees would benefit from fixes to Social Security's Windfall Elimination Provision (WEP) made by the [Public Servants Protection and Fairness Act \(H.R. 4540\)](#), introduced by House Ways and Means Committee Chairman Richard Neal (D-MA).
- Among those subject to the WEP, current retirees would get an extra \$150 a month and future retirees an extra \$75 a month on average. Moreover, the bill includes a guarantee that no one would get less than the amount provided under current law.
- The WEP reduces the Social Security benefits of people who work in jobs covered by Social Security and jobs NOT covered by Social Security over the course of their careers—for example, educators compelled to take part-time or summer jobs to make ends meet.
- NEA continues to push for full repeal of the WEP and the Government Pension Offset (GPO) that reduces the Social Security spousal or survivor benefits of people not covered by Social Security themselves.

SCHOOLS IN RURAL AREAS

- Reps. Peter DeFazio (D-OR) and Cathy McMorris Rodgers (R-WA) led a [bipartisan sign-on letter](#) urging House leadership to include at least a two-year reauthorization of the Secure Rural Schools (SRS) and Community Self-Determination Act in any end-of-year legislation.

VOTING RIGHTS

- The [Voting Rights Advancement Act of 2019 \(H.R. 4\)](#), passed out of the House Judiciary Committee. The bill would once again require states and localities with histories of voter discrimination to seek approval from the U.S. Department of Justice before making any changes in their election laws.

- The measure is a direct response to the Supreme Court’s 2013 decision in *Shelby v. Holder*, which invalidated key provisions of the Voting Rights Act first passed in 1965 to address persistent and purposeful discrimination—through literacy tests, poll taxes, intimidation, threats, and violence—that curtailed political participation for millions of Americans.
- In the absence of critical federal oversight, many states implemented laws that restricted voting in the 2016 and 2018 elections.

WORKERS’ RIGHTS

- Reps. Brian Fitzpatrick (R-PA) and Chris Smith (R-NJ) made the Public Service Freedom to Negotiate Act (H.R. 3463) bipartisan by becoming cosponsors. The bill would set a minimum nationwide standard for collective bargaining rights provided by the states.

PEOPLE IN THE NEWS

- NEA President [Lily Eskelsen García](#) delivered the message shown in the picture at this year’s Congressional Progressive Caucus strategy summit, held Oct. 24-25 in Washington, DC. She also summed up the feelings of educators all across America in her tweet: “Deeply saddened to hear that Rep. Elijah Cummings has passed away. He was tenacious, remarkable, and kind. A champion for civil rights, for students, for public education, and for Baltimore. Rest in Peace. Rest in Power.” Chairman of the House Oversight and Reform Committee and a CBC member, Cummings served in Congress for 26 years. He graduated Phi Beta Kappa from Howard University after a childhood in special education classes. “When I became a lawyer, no one asked me if I had spent some time in special ed,” he said. “All they wanted was a good lawyer. The same little boys that bullied me, the same ones that beat me up, they became my clients.”
- NEA member Anthony Angelini, a teacher at New Oxford Middle School in Pennsylvania, stressed the importance of high-speed internet and the role of E-Rate in bringing it to rural areas at an Oct. 21 congressional field hearing in Gettysburg, “Harvesting the Digital Age: Connecting our Communities for a Better Future.” The event was hosted by Reps. Abby Finkenauer (D-IA) and John Joyce (R-PA), chairwoman and ranking member, respectively, of the House Small Business Subcommittee on Rural Development, Agriculture, Trade, and Entrepreneurship.
- NEA member Angela Wolf, a teacher at Briggs Chaney Middle School in Maryland, was a panelist at an Oct. 25 event on Capitol Hill, “A Briefing on How Immigration and Customs Enforcement Actions Harm Communities,” hosted by Rep. Bennie Thompson (D-MS), chairman of the House Homeland Security Committee.

