

FEDERAL LEGISLATIVE ACTIVITY: JULY 2020

COVID-19

On July 27, after a two-week vacation, Senate Majority Leader Mitch McConnell (R-KY) finally unveiled the GOP's response to the HEROES Act passed by the House on May 15. Officially called the HEALS Act—a cruel irony—it does too little, too late about what students, parents, and educators care about most: reopening schools safely, providing meaningful distance learning, and bridging the gaps in state and local budgets that have already cost nearly a million educators their jobs.

McConnell's proposal is a transparent attempt to further GOP political and ideological goals, not alleviate the human suffering caused by COVID-19. To pressure schools and campuses to reopen without regard to safety, the bill provides [protection from liability](#) and reserves two-thirds of K-12 emergency funding for schools that physically reopen and provide in-person instruction. To help [privatize education](#)—Education Secretary Betsy DeVos' goal from the start—the bill siphons funding from public schools with vouchers funneled through non-profits (like foundations) and set-asides for private schools. The bill does NOT provide relief for student loan borrowers or help close the gaps in state and local budgets caused by COVID-19—an omission that could lead to the loss of nearly 2 million education jobs over the next three years.

Meanwhile, an interim final rule issued by DeVos is diverting COVID-19 relief funding from high-poverty public schools to private schools. The CARES Act explicitly requires districts to provide private schools with services in the “same manner” as Title I, which uses the number of low-income students in each school to allocate funds. Under the new rule, districts may instead base allocations on the *total* private school population—a change that could rob under-resourced public schools of hundreds of millions of dollars. NEA, the [Leadership Conference on Civil and Human Rights](#), the NAACP, and others are challenging the regulations.

“It seems to me that we are doing the OPPOSITE of what we should be doing to reopen schools for in-person learning,” Andrea Beeman, NEA's 2020 Education Support Professional of the Year, said during a panel discussion sponsored by the Leadership Conference on Civil and Human Rights. “Instead of striving to contain the pandemic BEFORE we return to in-person learning, by focusing on waiving liability for keeping schools safe, we are saying to students, educators, and families: Beware. Enter at your own risk.”

[NEA has urged Congress](#) repeatedly to provide at least \$175 billion to stabilize education funding, at least \$4 billion to equip students with hot spots and devices to help narrow the digital divide and close the homework gap, PPE and other worker

protections, changes in the Supplemental Nutrition Assistance Program (SNAP) to ensure children do not go hungry, relief for student loan borrowers, and more.

Over the last month, we continued to build support for our positions through advocacy with partners and allies:

- A July 2 [letter](#) led by the Leadership Conference on Civil and Human Rights urged senators to support the election provisions of the HEROES Act. “This critical legislation provides \$3.6 billion and voting rights guardrails that are necessary to help state and local governments adequately prepare for the November 2020 elections... In too many states during the primary season, long lines, poll closures, poll worker shortages and insufficient training, broken machines, and surges in absentee ballot requests that went unfulfilled left many voters—particularly voters of color—unable to safely exercise their fundamental right to vote.”
- A July 7 [joint statement](#) by NEA, the National PTA, and others said we need to reopen schools in “the safest way possible, not the most politically expedient way.” The group called for a comprehensive plan that includes proven approaches to containing the coronavirus like PPE and social distancing.
- A July 14 [letter](#) to House Oversight and Reform Committee leaders, signed by the Civil Rights Corps, Leadership Conference on Civil and Human Rights, and 77 organizations including NEA, expressed “opposition to Operation Relentless Pursuit (ORP), a program that encourages the criminalization and over-policing of Black and Brown communities while doing nothing to increase public safety... We also request that Congress adopt report language in Fiscal Year 2021 appropriations legislation prohibiting the use of any Department of Justice (DOJ) funds for Operation Relentless Pursuit in the future.”
- A July 20 [letter](#) to senators, led by the Leadership Conference on Civil and Human Rights and signed by nearly 100 organizations including NEA, urged “strong, comprehensive action this month to address the health and economic consequences of the once-again growing COVID-19 crisis... Now is not the time for incremental half-measures or trade-offs. The Senate has a moral obligation to ensure that all Americans have the resources they need to withstand this crisis, and to provide additional resources to the people and communities that have borne the brunt of the pandemic’s impact.”
- A July 20 [letter](#) to the U.S. Department of Agriculture, signed by more than 60 organizations including NEA, asked the department to use its waiver authority to make policy changes for the upcoming school year to ensure that children do not go hungry. “School districts are still establishing what ‘school’ will look like next year, but many students will not be ‘at school’ five days a week, with access to

school breakfast and lunch each day. Instead, schools across the country are making plans to implement staggered schedules, remote learning, or some combination of the two. This means that communities will need the flexibility to provide meals to children at school, to send meals home with children when they are not at school, and to provide meals at community sites closer to children's homes."

- A July 22 [letter](#) to House and Senate leadership, signed by 50 education and related national associations including NEA, urged Congress to act quickly and include the Emergency Educational Connections Act of 2020 (S. 3690) in the next COVID package to help narrow the digital divide and close the homework gap. "Our nation cannot afford to ignore the fact that between 15 and 16 million students—many of whom hail from rural areas or from low-income families—do not have access to technology they need to learn from home during this coronavirus pandemic," they wrote.
- A July 28 [letter](#) to the leaders of the Senate and its Health, Education, Labor, and Pensions (HELP) Committee, signed by 56 organizations including NEA, stressed the need to "provide real relief for student borrowers and work to strengthen borrower protections, not roll them back" as the GOP is proposing to do.
- A July 28 [letter](#) to senators and representatives, signed by 86 organizations including NEA, called for the enactment of "new pandemic relief legislation that can effectively reduce the harsh scope of the health and economic crisis engulfing our nation... The Senate's failure to act so far is placing millions of Americans at risk of sickness, hunger, and homelessness."

NEA also submitted comments for the record for several hearings, including the:

- House Committee on Education and Labor, Higher Education and Workforce Investment Subcommittee's July 7 hearing, [A Major Test: Examining the Impact of COVID-19 on the Future of Higher Education](#)
- House Ways and Means Committee, Social Security Subcommittee's July 17 hearing, [The Impact of Covid-19 on Social Security and Its Beneficiaries](#)
- Senate Committee on Rules and Administration's July 22 hearing, [2020 General Election Preparations](#)
- House Education and Labor Committee; Early Childhood, Elementary, and Secondary Education Subcommittee's July 23 hearing, [Underfunded and Unprepared: Examining How to Overcome Obstacles to Safely Reopen Public Schools](#)

- Senate Committee on Indian Affairs' July 29 hearing, [Preparing to Head Back to Class: Addressing How to Safely Reopen Bureau of Indian Affairs Schools](#)
- House Committee on Oversight and Reform's July 29 hearing, [Counting Every Person: Safeguarding the 2020 Census Against the Trump Administration's Unconstitutional Attacks](#)

CHILD CARE

On July 29, the House passed the [NEA-supported](#) Child Care is Essential Act (H.R. 7027) by a vote of 249-163 and the Child Care for Economic Recovery Act (H.R. 7327) by a vote of 250-161. These bills offer crucial support for child care providers and the families that rely on them.

IMMIGRATION

On July 22, by a vote of 233-183, the House passed the [NEA-supported](#) NO BAN Act (H.R. 2214). The bill would immediately repeal all versions of the administration's Muslim, refugee, and asylum bans and specifically prohibit discrimination based on religion in the Immigration and Nationality Act.

MORE LEGISLATIVE NEWS*

- House Education and Labor Committee Chair Bobby Scott (D-VA) introduced the **Pandemic Child Hunger Prevention Act (H.R. 7887)**, which would expand access to free school meals for all children during the COVID-19 pandemic and keep the school meal program from collapsing.
- Reps. Eric Swalwell (D-CA) and David Joyce (R-OH) introduced the bipartisan **Protecting Access to Loan Forgiveness for Public Servants Act (H.R. 7761)** to ensure that educators whose jobs are disrupted by the COVID-19 pandemic still qualify for the Public Service Loan Forgiveness program.
- Rep. John Larson (D-CT) introduced the **Social Security COVID-19 Correction and Equity Act (H.R. 7499)** to prevent unintended and unanticipated cuts in Social Security benefits due to the coronavirus pandemic.
- Rep. Sean Casten (D-IL) introduced the **ESP Family Leave Act (H.R. 7739)** to ensure that education support professionals can access leave under the Family and Medical Leave Act.
- Senate HELP Committee ranking member Patty Murray (D-WA) introduced the **Coronavirus Child Care and Education Relief Act (S. 4112)**, which would provide

\$175 billion for K-12 schools, \$132 billion for higher education, \$4 billion for the E-Rate program to help narrow the digital divide and close the homework gap, \$12 billion for special education under the Individuals with Disabilities Education Act (IDEA), and prevent Betsy DeVos from using taxpayer dollars for voucher schemes.

- Sen. Chris Murphy (D-CT) and Rep. Ayanna Pressley (D-MA) introduced the **Counseling Not Criminalization in Schools Act (S. 4360/H.R. 7848)**, which would create a \$2.5 billion grant program for school districts seeking to replace law enforcement officers with psychologists, social workers, and other staff with mental health expertise.
- Sen. Dick Durbin (D-IL) and Rep. Cheri Bustos (D-IL) introduced the **Retaining Educators Takes Added Investment Now (RETAIN) Act (S.4314/H.R.7769)**, which would create a fully refundable tax credit to encourage K-12 and early childhood educators to remain in the profession.
- Sen. Gary Peters (D-MI) introduced the **1619 Act (S. 4193)** to increase awareness and understanding of African American history across our schools through expanded access to programming from the National Museum of African American History and Culture.

**This list is a snapshot, not comprehensive*