



COMMUNITY COLLEGES:  
**Improving *the Lives*  
of Entire Families**

Marriott Marquis **OCT**  
26-29 New York City, NY

**#ACCT2022**

**ACCT** **2022**  
**LEADERSHIP**  
**CONGRESS**

# Federal Policy Update Session

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# Upcoming Priorities



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# Appropriations

## Bill Action

- The Labor-Health and Human Services-Education appropriations subcommittee passed their appropriations bill on a party line vote on June 30th. The full House of Representatives has only voted on 6 of the 12 appropriations bills. The Labor-HHS-ED bill is one of the six outstanding bills.
- The Senate Appropriations Committee released FY23 spending priorities on July 28th, 2022. While these bills did not go through the committee process or receive a vote, it set up the Senate priorities to use in negotiations with the House through the fall negotiations process.



# Appropriations

## **Continuing Resolution**

- Congress passed a Continuing Resolution (CR) in the last few days of September to extend FY22 funding levels through Dec 16, 2022.
- This provides the federal government with funding into the “lame duck” session after the November elections.

## **On the Horizon**

- Congress now must finish the FY 2023 appropriations process after election day with each party hoping to gain leverage based on the results. Since several high-ranking appropriators are retiring at the end of this Congress, it may serve to give urgency to finishing up the Appropriations process before the start of the 118th Congress in January of 2023.

<b>Priorities</b>	<b>FY 22</b>	<b>President's Request</b>	<b>House FY 23</b>	<b>Senate FY 23</b>
Pell Grant	\$6,895	\$8,670	\$7,395	\$7,395
Strengthening Community Colleges Training Grants	\$50 million	\$100 million	\$100 million	\$50 million
Federal Work Study	\$1.210 billion	\$1.109 billion	\$1.244 billion	\$1.235 billion
Basic Needs Grants under the Fund for the Improvement of Postsecondary Education (FIPSE)	\$8 million	\$8 million	\$15 million	\$15 million
Career and Technical Education (CTE) State Grants	\$1.38 billion	\$1.380 billion	\$1.425 billion	\$1.507 billion
Workforce Innovation and Opportunity Act (WIOA) state grants	\$2.9 billion	\$3.019 billion	\$3.135 billion	\$2.959 billion
Registered Apprenticeships	\$235 million	\$303 million	\$303 million	\$300 million
Childcare Access Means Parents in Schools Grant (CCAMPIS)	\$65 million	\$95 million	\$95 million	\$95 million
Adult Basic Education	\$674 million	\$700 million	\$723 million	\$725 million
Postsecondary Student Success Grants/ Retention & Completion Grants	\$5 million	\$110 million	\$200 million	\$75 million

<b>Priorities</b>	<b>FY 22</b>	<b>President's Request</b>	<b>House FY 23</b>	<b>Senate FY 23</b>
Federal TRIO programs	\$1.137 billion	\$1.298 billion	\$1.298 billion	\$1.275 billion
Strengthening Institutions Program (SIP)	\$110 million	\$209 million	\$175 million	\$179 million
Strengthening Tribally Controlled Colleges & Universities	\$44 million	\$53 million	\$53 million	\$53 million
Strengthening Alaska Native and Native Hawaiian-serving institutions	\$21 million	\$25 million	\$25 million	\$25 million
Strengthening HBCUs	\$363 million	\$403 million	\$403 million	\$403 million
Strengthening Predominantly Black Institutions	\$18 million	\$23 million	\$23 million	\$23 million
Strengthening Asian American- & Native American Pacific Islander-serving institutions	\$11 million	\$20 million	\$20 million	\$20 million
Strengthening Native American-serving nontribal institutions	\$8 million	\$12 million	\$12 million	\$12 million
Aid for Hispanic Serving Institutions	\$203 million	\$266 million	\$276 million	\$266 million

# Major Legislation Update



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# CHIPS and Science Act

- Provides opportunities for community colleges to engage with the National Institute of Standards and Technology, the Department of Energy's Office of Science, and the National Science Foundation in their efforts to do outreach for STEM-related careers, including targeting community colleges for broadened outreach to underserved populations.
- Provides competitive grants and partnership opportunities for community colleges to help build up the workforce pipeline in microelectronics and other STEM-related fields.
- Provides funding for scholarships in key technology focus areas.
- Detailed information can be found in this [fact sheet](#).



# Short-Term Pell

- Representatives Levin (MI) and Gonzalez (OH) introduced an amendment to the America COMPETES Act on the floor in February of this year which received bipartisan support and resulted in short-term Pell language included in the America COMPETES Act.
- COMPETES went through a Conference process with the Senate passed USICA this summer.
- Conferees ran out of time for negotiations and ended up settling on a narrow version that focused only on microelectronics manufacturing and science: the CHIPS & Science Act.
- Rep. Spanberger sent a [letter](#) to House leadership this month asking for the JOBS Act to get a vote on the floor this Congress
- Current leads on the JOBS Act looking for viable legislative vehicles to move the negotiated language from the USICA-COMPETES Conference this Congress.



# Inflation Reduction Act

After many months of negotiations to complete a FY2022 budget reconciliation package, Senators Schumer and Manchin struck a deal including Medicare drug price negotiation, tax reform, and investments in clean energy.

The climate investments section has **3 grants** community colleges are eligible for:

- The Neighborhood Access and Equity Grant - \$3 billion
  - Support neighborhood equity, safety, and affordable transportation access to reconnect communities. Aim to mitigate negative impacts of transportation facilities/ construction projects on disadvantaged or underserved communities, while supporting equitable transportation planning and community engagement activities
- The Environmental and Climate Justice Block Grants - \$3 billion
  - Invest in community led projects in disadvantaged communities and community capacity building centers to address disproportionate environmental and public health harms related to pollution and climate change.
- Alternative Fuel and Low-Emission Aviation Tech Program - \$3 billion
  - Support the purchase and installation of zero-emission equipment and technology at ports

A full summary is available at <https://www.acct.org/page/fact-sheets-and-summaries>

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# Regulatory Update



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# DACA

- **Biden Administration did a formal rulemaking process**
  - Released in August
  - First-ever for DACA program
- **5<sup>th</sup> Circuit Court of Appeals Ruling (Oct 5<sup>th</sup>)**
  - Deferred Action for Childhood Arrivals (DACA) program was not lawful
  - Preserved the district court's stay – allows current recipients to keep and continue renewing DACA
- **What's Next?**
  - Lower court will reconsider the case
  - New regulations will be considered during this review



# Title IX

- March 2021: President Biden Directs Education Secretary Miguel Cardona to rescind Trump-era 2020 Title IX rule
- June 2022: Dept of Education releases draft of new Title IX rule
- Aug 2022: ACCT joins ACE in a letter responding to the draft.
  - Most where changes were requests for clarification of the institution's role
  - Letter is available [here](#).
- Oct 2022: No final rule has yet been issued.
  - Rules for AY 2023-24 must be issued by Nov 1
  - Over 250,000 comments received
  - Likely rule will come next year for implementation in AY 24-25.



# Second Chance Pell

- Throughout fall 2021 and winter 2022, the Department of Education convened rulemaking around several areas of interest one of which is Second Chance Pell.
- The committees for both Second Chance Pell reached consensus meaning that no participants dissented on the vote and the negotiated rule would be published for comment as agreed upon.
- The Second Chance Pell proposed regulation was released in the summer and was held open for public comment.
- The final rule is expected by November 1, allowing the program to start July 1, 2023.



# Ability to Benefit

- Regulation that determines students' access to Title IV funds if they do not have a high school diploma or its equivalent. Students must enroll in an eligible career pathway program (ECPP) and go through a State-defined process.
- One of several regulations that was part of the Negotiated Rulemaking process that began late last year.
- ATB was one of the few items that received consensus approval from the negotiators.
- Consensus language included changing the 1% enrollment cap to the greater of 25 students or 1% of enrolled students & dropping the success rate metric from 95% to 85%.
- ED must use the language that reached consensus in their NPRM, which is expected in Spring 2023.



# Gainful Employment

- Trump Administration revoked Obama GE rule
- Biden Administration held negotiated rule making in winter of 2022
  - This rule included both a student debt measure and an earnings requirement
  - Committee did not reach consensus, giving ED authority to write the rule
- Final rule is expected in spring 2023
  - This would mean the rule would take effect July 1, 2024.

# White House & Department of Education



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# One-Time Student Loan Debt Relief

- In August, President Biden revealed the Administration's three-part plan for student loan debt forgiveness:
  - Part 1 is the final extension of the student loan repayment pause which is now set to expire on December 31, 2022 with payments resuming in January 2023.
  - Part 2 includes \$20,000 in forgiveness for Pell Grant recipients and \$10,000 in forgiveness for students that did not receive Pell Grants. To qualify for forgiveness borrowers must individually earn less than \$125,000 or \$250,000 for married couples or head of households.
  - Part 3 proposes a rule change to create a new income-driven repayment plan that would require borrowers to pay no more than 5% of their discretionary income.
- Last week, the application for the one-time student loan debt relief officially launched on [studentaid.gov](https://studentaid.gov)
- Borrowers have until December 31, 2023 to apply. If they would like the relief to be applied prior to the repayment pause expiring they must apply by November 15, 2022.
- Legality of the forgiveness is currently being litigated in the courts, has limited the ability of ED to start discharging loans.



# Income Driven Repayment

The Biden-Harris Administration is proposing a rule to create a new income-driven repayment plan that will substantially reduce future monthly payments for lower- and middle-income borrowers. The rule would:

- Require borrowers to pay no more than 5% of their discretionary income monthly on undergraduate loans. This is down from the 10% available under the most recent income-driven repayment plan.
- Raise the amount of income that is considered non-discretionary income and therefore is protected from repayment, guaranteeing that no borrower earning under 225% of the federal poverty level—about the annual equivalent of a \$15 minimum wage for a single borrower—will have to make a monthly payment.
- Forgive loan balances after 10 years of payments, instead of 20 years, for borrowers with loan balances of \$12,000 or less.
- Cover the borrower's unpaid monthly interest, so that unlike other existing income-driven repayment plans, no borrower's loan balance will grow as long as they make their monthly payments—even when that monthly payment is \$0 because their income is low.



# Good Jobs Initiative

- The Department of Commerce's Economic Development Administration (EDA) created the \$500 million Good Jobs Challenge funded by President Biden's American Rescue Plan. These grants will build worker-centered, employer-led workforce training systems that prepare students for quality, in-demand jobs.
- This August the Department announced grant awards to 32 industry-led workforce training partnerships across the country. These awardees will develop and grow industry-led workforce training systems, placing over 50,000 American workers into quality jobs and supporting regional economies with the skilled, diverse workforce necessary to compete in the 21st Century
- Three of the recipients Miami-Dade College, Dallas College, and Illinois Central College are members of ACCT. They collectively received \$33.4 million.



# Apprenticeships

- Biden-Harris Administration announced the launch of the Apprenticeship Ambassador Initiative in September 2022.
- The initiative creates a national network of [more than 200](#) employers and industry organizations, labor organizations, educators, workforce intermediaries, and community-based organizations who are committed to strengthening and diversifying Registered Apprenticeship.
- Members of the initiative have committed to developing 460 new Registered Apprenticeship programs across their 40 industries, hiring over 10,000 new apprentices, and holding 5,000 outreach, promotional, and training events to help other business, labor, and education leaders launch similar programs.
- The Department of Labor is also taking additional steps to expand Registered Apprenticeship to serve at least 1 million apprentices annually within the next 5 years.

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# Preview for the 118<sup>th</sup> Congress



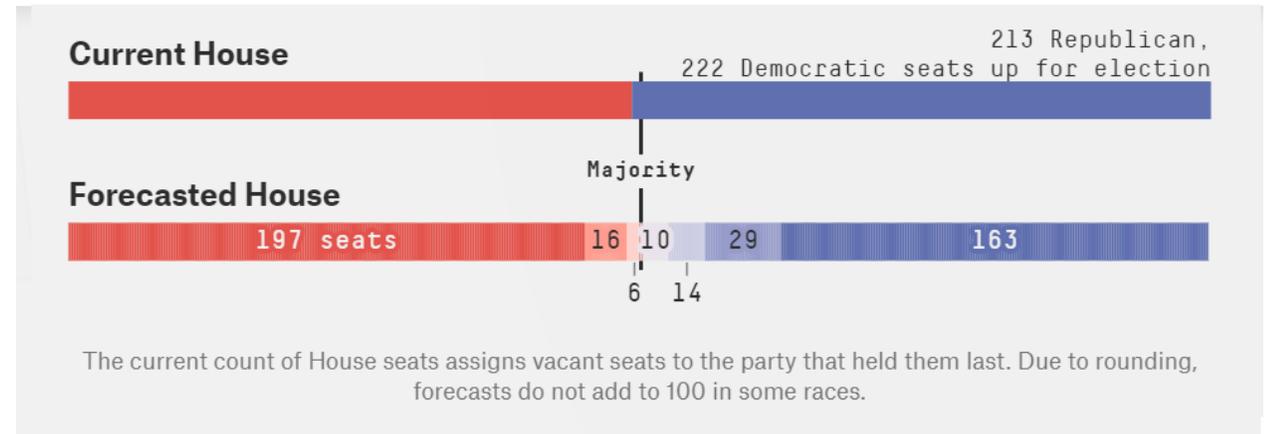
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# Elections and Chamber Majorities

- Midterm elections are historically an uphill battle for the party of the President
- Senate majority is a toss up and could land with either party
- House majority seems more likely to switch to Republicans

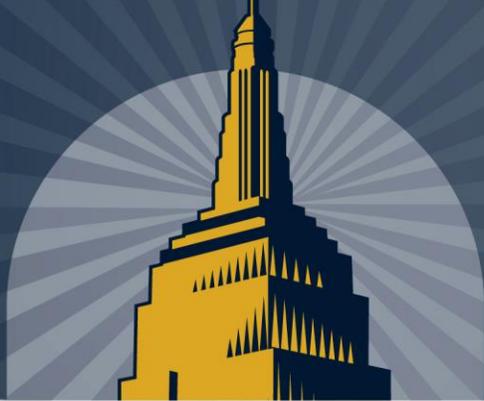
FiveThirtyEight **2022**



Prognostication Resources:

- FiveThirtyEight.com (Image from 10.24.22)
- Cook Political Report – cookpolitical.com

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# Committee Leadership

- **House Education and Labor Committee**

- Party leaders expected to stay: Rep. Bobby Scott (D-VA), Rep. Virginia Foxx (R-NC)

- **Senate Health, Education, Labor and Pensions Committee**

- Sen. Patty Murray (D-WA) expected to lead appropriations
- Sen. Bernie Sanders (I-VT) is next in line, or possibly Sen. Robert Casey (D-PA)
- Sen. Richard Burr (R-NC) is retiring
- Sen. Rand Paul (R-KY) is next in line, or possibly Sen. Bill Cassidy (R-LA)

- **House Appropriations Labor, HHS, and Ed Subcommittee**

- Party leaders expected to stay: Rep. DeLauro (D-CT), Rep. Cole (R-OK)

- **Senate Appropriations Labor, HHS, and Ed Subcommittee**

- Sen. Blunt (R-MO) retiring
- Sens. Durbin (D-IL) & Graham (R-SC) are next in line



# HEA Reauthorization

- Last reauthorized in 2008, should be every five years
- Not optimistic for a full reauthorization in the 118<sup>th</sup> Congress
- House Ed and Labor leaders have recently released bills as likely tests for legislation next year
  - Rep. Frederica Wilson (D-FL): LOAN Act
  - Rep. Virginia Foxx (R-NC): REAL Reform Act



# National Legislative Summit



- February 5<sup>th</sup> – 8<sup>th</sup>
- Marriott Marquis in Washington, DC
- Register at [nls.acct.org](https://nls.acct.org)
- Keynote speaker: Victoria DeFrancesco Soto

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# Outreach Efforts

We've created a [\*\*Congressional Contact Form\*\*](#) to help track outreach efforts of community college leaders across our membership. By filling out the form, you are better informing ACCT's advocacy efforts and our advocacy team can continue those conversations with congressional staff in DC.

# Questions?



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# For More Information

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