

FEDERAL LEGISLATIVE ACTIVITY: FEBRUARY-MARCH 2021

AMERICAN RESCUE PLAN

President Biden signed the American Rescue Plan Act (H.R. 1319) into law on March 11, the day after the final vote in Congress. In a March 9 [letter](#) to the House, NEA highlighted support for these provisions of the final bill:

EDUCATION

- Nearly \$170 billion in dedicated public education funding to:
 - Advance the process of returning safely to in-person instruction—for example, by modifying public K-12 school buildings, purchasing sanitation supplies, training staff to minimize the spread of COVID-19, furnishing personal protective equipment (PPE), taking steps to improve indoor air quality, and intensifying support and instruction for students traumatized by the pandemic and the loss of opportunities to learn; and
 - At the higher education level, providing institutional and student support to address the health, safety, and financial challenges created by COVID-19 and closing the loophole in the 90/10 rule to prevent for-profit colleges from preying on veterans.
- \$7.172 billion in emergency funding for the Federal Communications Commission’s E-Rate program to address the “homework gap” and lost opportunities to learn by equipping students and educators with internet access and devices for remote teaching and learning
- \$350 billion in state and local aid to help avoid further layoffs of educators and other essential public servants
- \$39 billion for early education programs, including the Child Care and Development Block Grant and the child care stabilization fund for providers

HEALTH CARE

- Increased funding for the Centers for Disease Control and Prevention (CDC) to test, track, and vaccinate people
- Increased Affordable Care Act premium subsidies so people don’t have to pay more than 8.5 percent of their income for coverage
- Increased support for Medicaid, community health centers, and tribal health programs
- Increased support for Substance Abuse and Mental Health Services Administration (SAMHSA) programs and training for mental and behavioral health professionals, paraprofessionals, and public safety officers
- Helping people who lose their jobs keep their health insurance by paying 100 percent of COBRA premiums through September

WORKERS & FAMILIES

- \$1,400 payments to eligible individuals earning under \$75,000 a year

- Supplemental unemployment benefits of \$300 week through Sept. 6, though we believe these benefits should be extended to October
- Cutting child poverty nearly in half by making the Child Tax Credit fully refundable; temporarily increasing the maximum from \$2,000 to \$3,000 per child, with an additional \$600 for each child under age 6; and including families with mixed immigration status
- Strengthening the Pandemic Electronic Benefit Transfer (P-EBT) program and extending the 15 percent increase in Supplemental Nutrition Assistance Program (SNAP) benefits through September to ensure children do not go hungry
- Extending tax credits that encourage employers to keep employees and provide paid sick leave

RETIREMENT SECURITY

- Including the Butch Lewis Emergency Pension Plan Relief Act to stabilize the pensions of more than 1 million beneficiaries of struggling multiemployer plans
- Establishing an emergency leave fund for federal employees

As the bill was being negotiated, NEA sent a Feb. 3 [letter](#) on priorities to the Senate; a Feb. 9 [letter](#) to the House Education and Labor Committee on education funding, the Pandemic Electronic Benefit Transfer (P-EBT) program, raising the minimum wage, and subsidizing COBRA health benefits; a Feb. 10 [letter](#) to the House Ways and Means Committee on unemployment benefits, paid leave, pensions, and other priorities; a Feb. 10 [letter](#) to the House Energy and Commerce Committee on addressing the aspect of the digital divide known as the “homework gap” via the Federal Communication Commission’s E-Rate program; and a March 5 [letter](#) on priorities to the Senate.

CHILD NUTRITION

NEA was among more than 30 organizations that signed a March 24 [letter](#) to the Senate Agriculture Committee stressing the need to strengthen science-based nutrition standards and provide healthy school meals for all in the wake of the COVID-19 pandemic. “Congress must ensure that children’s nutritional needs are met so that all children have the nutrition they need to grow up healthy,” the letter said.

In a [letter](#) to the Senate Agriculture, Nutrition, and Forestry Committee, NEA submitted comments for a March 25 hearing on Child Nutrition Reauthorization. “Our nation should provide healthy school meals to all students at no cost to them. This would improve their health as well as their classroom performance; eliminate the stigma of student meal debt; and relieve schools of complicated and burdensome paperwork,” the letter said.

CAREER & TECHNICAL EDUCATION

On Feb. 5, by a vote of [247-173](#), the House passed the [National Apprenticeship Act \(H.R. 447\)](#), which recognizes that programs offering on-the-job training and mentoring pave the way to successful careers. It would help bring them into the 21st century by creating an Office of Apprenticeship in the U.S. Department of Labor, codifying provisions of registered programs

enacted over the years, and amending current law to include pre-apprenticeship and youth apprenticeship programs.

GUN SAFETY

On March 11, the first day of National Gun Violence Survivors Week, the House voted [230-199](#) to remove conspiracy theorist and QAnon supporter Marjorie Taylor Greene (R-GA) from the House Education and Labor Committee. NEA and the AFT had urged her removal in a joint Feb. 2 [letter](#) that said:

Our members teach students that facts matter. In an era when disinformation runs rampant on social media and fringe news sites, it is more important than ever to uphold the standards we set for students and our expectations of them, including the ability to engage in respectful debate. Perpetuating conspiracy theories and advocating violence has no place in the civil discourse we promote in classrooms, and it should have no place in Congress.

In a separate Feb. 4 [letter](#), NEA noted that:

Greene harassed Parkland school shooting survivor David Hogg on a public street in Washington, where he had gone to meet with members of Congress. Greene was so proud of herself that she posted video, apparently pleased with being an adult (with children of her own) who traumatized an already victimized teenager. It is one thing to disagree with the advocacy that Hogg chose to engage in, but quite another to castigate and threaten him for it.

On March 12, by a vote of [227-203](#), the House passed the **Bipartisan Background Checks Act (S. 529/H.R. 8)**, which would require a background check for every gun sold and most transfers. That same day, by a vote of [219-210](#), the House passed the **Enhanced Background Checks Act (H.R. 1446)**, which would extend the initial background check review period from three to 10 days. In a March 9 [letter](#) urging support for these common-sense measures, NEA noted that firearms are the leading cause of death for African American children, and the second leading cause of death for all American children.

HIGHER EDUCATION

NEA signed a Feb. 2 [letter](#) to Congress and a March 3 [letter](#) to Education Secretary Miguel Cardona led by the Protect Students and Taxpayers coalition on priorities on **Higher Education Act reauthorization**. The first letter cited the 90/10 rule, borrower defense to repayment regulations, gainful employment requirements, and the ban on incentive compensation; the second letter stressed the need to “increase transparency with regard to how schools are performing, and with regard to actions the Department takes when schools are harming students and taxpayers.”

IDEA SPECIAL EDUCATION

NEA signed a Feb. 9 [letter](#) led by the National Alliance of Special Education (NASISP) and a March 8 [letter](#) led by the National Coalition of Personnel Shortages in Special Education and Related Services (NCPSSERS) calling for passage of the **Keep Our PACT Act (S. 72/H.R. 764)** to mandate full funding of Title I of the Every Student Succeeds Act (ESSA) and the Individuals with Disabilities Education Act (IDEA). Both letters also urged Congress to pass the **Save Education Jobs Act (H.R. 542)** to ensure schools have the capacity to meet the academic, physical and mental health, and social and emotional learning needs of all students.

IMMIGRATION REFORM

On March 18, The House passed the **American Dream and Promise Act (H.R. 6)** by a vote of [228-197](#) and the **Farm Workforce Modernization Act (H.R. 1603)** by a vote of [247-174](#)—important steps toward creating a [fair immigration process](#) that upholds America’s values and commitment to liberty and justice for all.

The American Dream and Promise Act provides a 13-year path to citizenship for up to 4 million undocumented immigrants, including Dreamers brought to the United States before age 18, recipients of Deferred Action for Childhood Arrivals (DACA), and people granted Temporary Protected Status (TPS) or Deferred Enforced Departure (DED) for humanitarian reasons. The Farm Workforce Modernization Act provides a path to a green card for an additional 2.4 million undocumented farm workers, along with their spouses and minor children.

LGBTQ ISSUES

By a vote of [224-206](#), on Feb. 27 the House passed the [Equality Act \(H.R. 5\)](#). The bill would amend the Civil Rights Act of 1964, the Fair Housing Act, and other federal laws to include sexual orientation and gender identity, giving LGBTQ Americans explicit protection from discrimination in key areas of life: employment, housing, credit, education, public spaces and services, federally funded programs, and jury service. The current patchwork of laws—most states lack non-discrimination policies that include sexual orientation and gender identity—leaves many students and educators vulnerable to discrimination and sends the message LGBTQ Americans are second-class citizens.

On March 17, the Senate Judiciary Committee held a hearing, “The Equality Act: LGBTQ Rights Are Human Rights.” NEA urged passage of S. 393, the Senate companion to H.R. 5, in a [letter](#) and [testimony](#) submitted for the hearing that included personal stories from some of our members.

NOMINATIONS

On Feb. 23, the Senate confirmed [Tom Vilsack](#) as Secretary of Agriculture by a vote of [92-7](#).

On March 1, the Senate confirmed [Dr. Miguel Cardona](#) as Secretary of Education by a vote of [64-33](#). More than 100 organizations, including NEA, urged the Senate to confirm him in a [sign-on letter](#) sent that day.

On March 10, the Senate confirmed [Merrick Garland](#) as Attorney General by a vote of [70-30](#) and [Rep. Marcia Fudge \(D-OH\)](#) as Secretary of Housing and Urban Development by a vote of [66-34](#).

On March 15, the Senate confirmed [Rep. Deb Haaland \(D-NM\)](#) as Secretary of the Interior by a vote of [51-40](#). She is the first Native American to hold a Cabinet position in U.S. history.

On March 18, the Senate confirmed [Xavier Becerra](#) as Secretary of Health and Human Services by a vote of [50-49](#).

On March 22, the Senate confirmed [Marty Walsh](#) as Secretary of Labor by a vote of [68-29](#).

NEA-supported nominations pending as of April 1 include [Julie Su](#) for Deputy Secretary of Labor, [Vanita Gupta](#) for Associate Attorney General, [Cindy Marten](#) for Deputy Secretary of Education, and Kristen Clarke for Assistant Attorney General for Civil Rights.

NOVEMBER ELECTIONS

In a Feb. 12 [letter](#), NEA urged senators to vote to convict former President Trump of the charges for which the House impeached him a second time: inciting violence against the U.S. government. The letter said:

To be sure, the insurrection was nourished by years of vitriol, hate, and bigotry—as well as blatant lies before, during, and after the election. But it was Donald Trump whose incendiary rhetoric turned smoldering anger into outright sedition. He told his followers to fight. They did and it caused our nation to recoil in horror, threatened the rule of law on which our nation is founded, and cost five people their lives, a police officer among them.

If that does not merit impeachment, what does?

On Feb. 13, the Senate voted [57-43](#) for conviction—10 votes short of the two-thirds majority the Constitution requires. Seven Republicans joined all Democratic and independent senators in voting for conviction.

RACIAL JUSTICE & POLICE REFORM

In a near party-line vote of [220-212](#), on March 3 the House passed the [George Floyd Justice in Policing Act \(H.R. 1280\)](#) to help end police brutality, protect civil rights and liberties, and change the culture of law enforcement agencies. These measures are part of [Justice for Black Lives](#), the call to action issued by NEA's executive committee in the wake of George Floyd's murder and national protests against disproportionate police brutality in Black and brown communities. They include ending racial and religious profiling and no-knock warrants, mandatory de-escalation training for police, prohibiting chokeholds and other potentially fatal maneuvers like the one that killed George Floyd, and requiring police to use dashboard and body cameras.

VOTING RIGHTS

The [For the People Act \(S. 1/H.R. 1\)](#), the most comprehensive democracy reform bill in decades, passed the House on March 3 by a vote of [220-210](#). The measure rests on three pillars: reaffirming and expanding voting rights, strengthening oversight to end big money in politics, and ensuring an ethical government. To achieve these goals, the bill would, among other things, institute automatic voter registration and voluntary public financing of campaigns, place new limits on partisan practices like gerrymandering and purging voter rolls, and require candidates for president and vice president to release their tax returns for the previous 10 years. It also makes a strong argument for the District of Columbia to become the 51st state.

In a [letter](#) to the House Oversight and Reform Committee, NEA submitted comments for a March 22 hearing on the **Washington, D.C. Admission Act (H.R. 51)**. As the letter said, “In no other democracy in the world are citizens denied equal representation because of where they live—a denial that is particularly unjust in a majority-Black city given our nation’s history of suppressing the Black vote. D.C. residents, like residents of the 50 states, deserve equal voting rights, the right to self-government, and a meaningful voice in Congress.”

Meanwhile, voter suppression efforts are surging to levels not seen since Jim Crow in state legislatures. According to the nonpartisan [Brennan Center for Justice](#), more than 250 bills pending in 43 states would restrict access to the ballot box by severely limiting where, when, and how people can vote.

WOMEN’S RIGHTS

On March 17, by a vote of [244-172](#), the House passed the [Violence Against Women Reauthorization Act \(H.R. 1620\)](#), which would maintain protections for victims, make vital investments in preventing sexual assaults, and more. The same day, by a vote of [222-204](#), the House passed [H.J. Res. 17](#), which would remove the deadline for ratification of the Equal Rights Amendment.

In a March 23 [letter](#), NEA urged members of the House Education and Labor Committee to support the **Paycheck Fairness Act (H.R. 7)** and the **Pregnant Workers Fairness Act (H.R. 1065)**. In a [letter](#) to the House Oversight and Reform Committee, NEA submitted comments for a March 24 hearing on the economic harm caused by long-standing gender inequalities, particularly for women of color.

The U.S. Bureau of Labor Statistics reports that in 2019, the median weekly earnings of fulltime, salaried female workers were 82 percent of those of full-time, salaried male workers. The pay gap is even bigger for women of color, with Black women earning 63 cents, American Indian/Alaskan native women 60 cents, and Hispanic women 55 cents for every dollar paid to white men.

OTHER LEGISLATIVE NEWS*

By a vote of [225-206](#), on March 9 the House passed the [Protecting the Right to Organize \(PRO\) Act \(S. 420/H.R. 842\)](#), introduced by Sen. Patty Murray (D-WA) and Rep. Bobby Scott (D-VA).

The bill would reduce barriers to union organizing in the private sector—for example, by redefining “employee” and “supervisor,” and expanding unfair labor practices to include prohibitions against replacing or discriminating against workers who participate in strikes.

Rep. Adriano Espaillat (D-NY) reintroduced the **REUNITE Act (H.R. 530)** to reunite families separated at or near U.S. ports of entry and the **Protecting Sensitive Locations Act (H.R. 529)** to prohibit immigration enforcement at schools, hospitals, clinics, places of worship, courthouses, and other sensitive locations.

The **SALT Deductibility Act (S. 85/H.R. 613)**, introduced by Senate Majority Leader Chuck Schumer (D-NY) and Rep. Thomas Suozzi (D-NY), would repeal the cap on the SALT deduction that threatens states’ and localities’ ability to fund schools and other essential public services.

The **Full-Service Community School Expansion Act (S. 385/H.R. 1241)**, introduced by Sen. Sherrod Brown (D-OH) and Rep. Mondaire Jones (D-NY), would dramatically increase federal support for a school model that reimagines how to help students learn—by first making sure their basic needs are met.

The [Farm to School Act of 2021 \(H.R. 1768\)](#), introduced by Del. Stacey Plaskett (D-VI), would help schools, farmers, and communities build back equitably from the COVID-19 pandemic.

The **Public Servants Protection and Fairness Act of 2021**, introduced by House Ways and Means Committee Chairman Richie Neal (D-MA), would fix the Windfall Elimination Provision (WEP) for future retirees and provide meaningful relief for current retirees subject to the WEP.

**This list is a snapshot, not comprehensive*