

THE NATIONAL ASSOCIATION OF
GRADUATE-PROFESSIONAL STUDENTS

Legislative Letters

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Updates in Higher Education



Image Credit: Kaylynne Glover, "The Capitol"

Action in the Agencies! HHS is proposing a rule that would allow transgender persons to be denied medical care based on the beliefs of the provider, DHS is proposing a rule that would increase the amount of fees international students pay for their visas, and the Department of Education continues to face criticism, hearings, and litigation, with complaints including their handling of the PSLF program, their temporary Title IX rules, and more. Meanwhile, Congress is beginning to move on appropriations, with the first subcommittee marking up the Labor-HHS-Education bill happening this week. And while we *had* hoped to avoid the 2020 Presidential race for longer, several candidates have spoken up on student loans, and we feel it's important for you to know their positions.

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Contact: Kaylynne M. Glover, NAGPS Director of Legislative Affairs, legislative@nagps.org

THE EXECUTIVE BRANCH

DEPARTMENT OF EDUCATION

Public Service Loan Forgiveness

The Department of Education (DE) has rejected 96% of applicants applying for the Temporary Expanded Public Service Loan Forgiveness Program (TEPSLF), a program established by Congress to help the nearly 10,000 borrowers who were mistakenly denied forgiveness for having received bad information. 74% of those applications were rejected for failing to submit the initial PSLF application because they knew they would be denied. [The DE has said that this was done to efficiently determine whether borrowers qualify.](#) A group of [Democratic Senators have signed on to a letter](#) criticizes Betsy DeVos and her treatment of the PSLF and TEPSLF programs.

Borrower Defense to Repayment

The DE has responded to criticisms that they have failed to approve any borrower defense to repayment claims for the last six months by claiming that [they are waiting on a court ruling and only processing clear-cut cases.](#) The court ruling they are waiting on is an appeal that the Department filed with the 9th Circuit after a federal court blocked the policy.

Campus Safety and Title IX

Several states are pushing [legislation on campus safety that would directly conflict with DE's proposed regulations on Title IX,](#) potentially putting universities in a place where they have to choose between following state laws or federal laws.

THE WHITE HOUSE AND OTHER AGENCIES

Protections for Transgender Persons

The Department of Health and Human Services is preparing to release a rule that would make it [easier for medical personnel and insurance companies to deny services to transgender persons.](#) The rule seems to be a response to a 2016 law that passed, prohibiting gender-based discrimination by insurance companies and medical personnel. The law's implementation has been delayed due to litigation by religious groups and a ruling that upheld their concerns. The soon-to-be released proposed rule has been held within the Office of Management and Budget for the past year.

IMMIGRATION AND INTERNATIONAL STUDENT CONCERNS

The White House continues to move forward with policies that make it harder for international students to study in the U.S. [Chinese Students report significant delays in visa processing](#) after a rule was implemented last year that reduced their visa duration from 5 years to 1 year and added an additional screening process, leaving students unable to return to the US to finish their studies and research. Additionally, the White House has finished reviewing a [rule that would increase fees for F](#)

[and M student visas from \\$200 to \\$350 and J visas from \\$180 to \\$220.](#) The rule was first proposed last summer. The Trump administration's policies continue to show a decrease in the number of international students studying in the US, with the latest data (from March 2018 to March 2019) showing a decline of [2.7% of international students studying in the US.](#)

HIGHER EDUCATION AND PRESIDENTIAL CANDIDATES

As the field of 2020 Democratic candidates continue to fill, candidates are increasingly interested in proposing solutions to the student loan crisis. [Senator Elizabeth Warren \(D-MA\)](#) has proposed canceling the \$640 billion in student debt, eliminating up to \$50,000 for each person with less than \$100,000 in total household income, as well as eliminating tuition and fees at all public colleges, a plan that [Senator Bernie Sanders \(D-VT\)](#) proposed during his last run for President. [Mayor Pete Buttigieg \(D-South Bend, IN\)](#) supports Senator Warren's plan, though thinks it might not need apply to those who earn as much as she is proposing, and also calls for refinancing student loans and providing more Pell Grants. [Senator Amy Klobuchar \(D-MN\)](#) opposes plans to forgive all student loan debt, instead favoring increasing Pell Grants, expanding the PSLF program, and eliminating tuition at community colleges. [Senator Kamala Harris \(D-CA\)](#) wants to simplify FAFSA, refinance student loans and convert all repayment programs to an income-based plan, in to creating debt-free college.

THE LEGISLATIVE BRANCH

LEGISLATION

Appropriations

Work continues on the appropriations bills. Senator Democrats are [pushing for language that makes it easier for second-time applicants to apply for the PSLF program](#), in response to Secretary DeVos blaming the exceptionally high denial rate on Congress. This proposal is separate from other legislation that seeks to overhaul the current program, granting forgiveness to all borrower types with partial forgiveness after five years. Funding for research is also being discussed, with [Sen. Lamar Alexander \(R-TN\) pushing for doubled funding for energy research.](#)

The House Appropriations Committee has scheduled its first subcommittee markup (Tuesday, 4/30 at 4 pm), and it will include education funding, meaning that [the bill should be released to the public today](#) (though we will need to wait for the Committee report to get the proposed numbers). The bill is expected to hit the full Committee on May 8th. [Let your Congress members know that graduate education is a critical investment that cannot be ignored or neglected.](#) #5cents4edfunding, #SaveStudentAid #RaiseTheCaps

Higher Education Act

During the recent Senate HELP Committee meeting, [Sen. Lamar Alexander \(R-TN\) emphasized his priority of including accountability within the Higher Education Act](#): “Our goal needs to be to help students know that their degrees are going to be worth their time and money and to help taxpayers know that the federal government isn’t financing programs that do not provide students with a valuable education,” he said.

HEARINGS

The House Small Business Committee, led by Rep. Nydia Velázquez (D-NY), will be holding a [hearing on federal support for Historically Black Colleges and Universities \(HBCUs\)](#). This comes in response to a [GAO report](#) that showed that there has not been collaboration between federal agencies and HBCUs, even though there has been executive orders calling for it.

THE JUDICIAL BRANCH

THE SUPREME COURT

The Supreme Court has decided to determine [whether LGBTQ employees are protected federal employment discrimination laws](#), making final determinations in [three cases that have been appealed](#). This ruling could affect whether students are protected under Title IX.

LITIGATION

The Department of Education continues to face legal trouble. The Department’s temporary Title IX rules are being [challenged by women’s advocacy groups](#) who claim that it violated the Administrative Procedures Act, a challenge upheld by a magistrate judge in California, allowing the case to move forward. The National Consumer Law Center is suing the Department to [compel the release of its contract with a student loan service provider](#). Finally, a federal judge in California has stated that she will [strike down the Department’s delay of the Obama-era regulations](#) that govern online colleges, but that she is giving them 30 days before she does so that they can prepare for their implementation.

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REPORTS AND PRESENTATIONS

[CGS Research in Brief: Closing Gaps in our Knowledge of PhD Career Pathways: How Well Did a STEM PhD Train Degree Recipients for Their Careers? CGS](#). The vast majority of STEM PhDs work in fields related to their doctoral education and are satisfied with their jobs. According to the National Science Foundation's (NSF) Survey of Doctoral Recipients, 92% of employed doctoral scientists and engineers in 2017 held jobs that are closely or somewhat related to their PhDs (NSF, 2019). Using data from the Council of Graduate Schools' (CGS) PhD Career Pathways project, this brief provides new insight into how STEM PhDs apply their doctoral training in the workforce.

[The 2019 Budget and Economic Outlook, CBO](#). In CBO's projections, the federal budget deficit is about \$900 billion in 2019 and exceeds \$1 trillion each year beginning in 2022. Over the coming decade, deficits (after adjustments to exclude shifts in the timing of certain payments) fluctuate between 4.1 percent and 4.7 percent of gross domestic product (GDP), well above the average over the past 50 years. CBO's projection of the deficit for 2019 is now \$75 billion less—and its projection of the cumulative deficit over the 2019–2028 period, \$1.2 trillion less—than it was in spring 2018. That reduction in projected deficits results primarily from legislative changes—most notably, a decrease in emergency spending.

FEEDBACK FOR LEGISLATIVE LETTERS

We'd love your feedback on our *Letter*, so please follow [this link](#) to fill out a quick survey so that we can best meet your needs.