

THE NATIONAL ASSOCIATION OF  
GRADUATE-PROFESSIONAL STUDENTS

# Legislative Letters

January 28, 2019

## Updates in Higher Education



Image Credit: Kaylynne Glover, "The Capitol"

The government is open! At least, for now.... Congress and the White House have three weeks to work out a deal. Can they do it? And what's the long-term impact of the shutdown we just had, anyway? But don't get too sidetracked: the Title IX comment period closes on Wednesday! Plus, there's news for potential H1-B visa recipients, students with menstrual cycles, and more. Also, congressional committee assignments are out (mostly), so it's time to start researching your new members to prepare for our upcoming *Advocacy Summit and Legislative Action Day!* We hope to see you soon!

To view previous editions and to subscribe to our newsletter, check out our [Legislative Letters blog!](#) If you have questions, suggestions, or are interested in contributing to the newsletter, or would like to be a part of the Legislative Concerns Committee, please contact the Director of Legislative Affairs, Kaylynne Glover, at [legislative@nagps.org](mailto:legislative@nagps.org). To provide feedback on the newsletter, you can also follow the link at the end of the Letter to fill out a quick survey. To find out more about the ratified NAGPS [Legislative](#) and [Advocacy](#) Platforms, be sure to follow these links.

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# LEGISLATIVE *and* ADVOCACY UPDATES

It's time for the event you've all been waiting for! The *2019 Spring Advocacy Summit and Legislative Action Days (LAD)* is coming up on **March 9th through 12th**, with a reception beginning on the evening of the 8th with meetings with Congress members on the 11th and 12th, as you can schedule them. We apologize for delays in forthcoming details; we've had more than the usual number of logistical road bumps. But the wait is over, so we encourage you to [register for the event](#), [book your rooms](#), and start planning your pitch!

**To help you plan, we have a [live document](#) that we will continually update with the schedule, primers, leave behinds, and handouts.** We strongly encourage you to bookmark this document and reference it often; treat it like a website with minute-by-minute updates. We'll send regular announcements with major changes, but this way, you won't have to search for emails when you need to check something. You'll know just where to find it.

Right now, expect sessions on the basics of Congress, the graduate student mental health crisis, the Higher Education Act, Title IX, and more. We are also working on drafting a Graduate Student Life Brief that we will use in our advocacy efforts, and we hope to have this to you by the LAD.

## Meanwhile... Title IX

[Don't forget to submit your comment about Title IX!](#) **The open comment period closes in 3 days - Wednesday** - so please, let your voices be heard. Let the Department of Education know exactly how you feel about their [proposed changes](#). [We've drafted our statement](#), and we hope to see yours along with it.

We also urge you to contact your elected representatives to let them know how these proposed changes will impact you. They can help put pressure on the Department to do the right thing. To help you contact them, [we've drafted guidance](#).

For questions or media inquiries regarding Title IX, please reach out to NAGPS Director of Social Justice Concerns James DiLoreto-Hill at [sjc@nagps.org](mailto:sjc@nagps.org).

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# THE SHUTDOWN

The longest running shutdown in U.S. history finally ended on Friday, January 25th, with President Donald Trump conceding to a temporary spending bill that will last three weeks while negotiations over his border wall continues. The last few weeks saw [Speaker Pelosi refuse to let President Trump give his State of the Union address in the House of Representatives](#), [President Trump cancel Speaker Pelosi's travel](#), [10 separate votes in the House of Representatives](#), [competing bills in the Senate to overrule the President's veto](#), and [Senator Mitch McConnell telling Pence that a shutdown should never have happened](#).

Some agencies managed without calling in unpaid workers for a while, but eventually, [many had to work without pay](#). [Efforts were made across the country to help unpaid workers](#), including suspension of late-payment fees, offerings of low or no-interest loans, and free and reduced-price services and food. [The Department of Education issued guidance on deferring and forbearing student loans](#), and [workers were filing for unemployment](#). [Others were picking up odd-jobs to help support their pay](#), including substitute teaching and driving for Uber, and [some were using the services of pawn shops](#).

[The effects of the shutdown is likely to last a while](#). [Small business loans halted](#), [consumer confidence dropped](#), and the [economy lost approximately \\$6 billion](#). [It also neutralized all of the stimulus benefits from the tax cuts and spending deal](#). The FBI Agents Association said that the shutdown was a [serious National Security threat](#), and several airline associations said that [concern was growing for the safety of travelers](#). [Universities were scrambling to cover research dollars while agencies were shut down](#), and the possibility of having to lay off researchers loomed. Additionally, it may have caused a [serious drop in interest for working in public service sector](#), making it more difficult to hire and retain high-qualified personnel. Politically, President Trump suffered the most from the shutdown, with polls showing a drop in his approval ratings and a rise in disapproval ratings ([the Associated Press-NORC poll](#), [the Hill-Harris X poll](#), [the CBS News poll](#), [the Morning Consult/Politico Poll](#)).

The new deadline is February 15th, giving Congress and the White House only three weeks to broker a deal. [Democrats have offered funds to bolster border security](#), including increased technology and staff, but are not interested in supporting a wall. There's also talk that concessions might be made by [creating a commission to study border security and a border wall](#). But President Trump said on Friday night that they will “move forward” with plans for a border wall “with or without the Democrats,” meaning that we might not be out of the shutdown woods just yet.

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# THE EXECUTIVE BRANCH

## DEPARTMENT OF EDUCATION

### **Borrower Defense to Repayment**

The Department of Education is not finished with its attempt to rewrite the Obama-era Borrower Defense to Repayment program that protects students from predatory lending practices. Attempts to rewrite this rule have been going on for two years, and [officials have announced that a new overhaul is planned](#). Though we do not know what it will contain, it is expected that it will be less restrictive than the previous versions.

### **Title IX**

The deadline to comment on the proposed changes to Title IX has been extended due to a [temporary problem with the website](#), though not nearly as long as [Congressional Democrats had requested \(30 days\)](#) nor [as long as advocacy groups want \(so far, 136 have signed a letter urging for a longer delay\)](#). The new deadline is January 30th, only two days after the original one. Comments continue to flood in, and [several advocacy organizations are planning comment writing parties in the final days of the comment period](#). To comment, go to [regulations.gov](#), though be aware that comments are [being redacted for any third-party personal information](#).

### **Menstrual Product Access**

The United for Access campaign has written a letter to Department of Education asking that they create a plan to [provide free menstrual products to U.S. students](#), a service becoming more popular in several states as students from low-income families cannot afford products and have to miss school.

## IMMIGRATION AND INTERNATIONAL STUDENT CONCERNS

### **Possible H1-B Changes**

[A proposed rule to the H1-B lottery process is expected to open soon for public comment](#). The proposed change is designed to increase the number of recipients with advanced degrees from U.S. institutions.

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# THE LEGISLATIVE BRANCH

## LEGISLATION

### Misconduct Reporting

Rep. Marcia Fudge (D-OH) proposed a new bill ([H.R. 662 \[116\]](#)) that would require institutions of higher education to add hazing incidents to statistics that must be disclosed to the public.

### Veteran Access to STEM

Sens. Marco Rubio (R-FL) and Amy Klobuchar (D-MN) introduced a bill ([S. 153 \[116\]](#)) that would help veterans enter the STEM workforce. It would direct the NSF (National Science Foundation) and the OSTP (Office of Science and Technology Policy) to coordinate programs to train and transition veterans into these careers.

### Foreign Medical School Accountability

Rep. Michael Burgess (R-TX) introduced legislation ([H.R. 103 \[116\]](#)) to increase the accountability of foreign medical schools eligible for U.S. students and funding.

## THE NEW CONGRESS

Committee assignments are starting to wrap up. The House Education and Labor Committee has named 14 new Democrats and 10 new Republicans, and though you can't find everyone on the official website, you can find everyone here: [returning and new Republicans](#), [returning and new Democrats](#). The Ways and Means Committees have also released their subcommittees ([Democrats](#) and [Republicans](#)) and so have the committees responsible for [authorizing science spending](#).

# THE JUDICIAL BRANCH

## THE SUPREME COURT

### DACA

[The Supreme Court has chosen not to address President Trump's plan to end the DACA](#) (Deferred Action on Childhood Arrivals) program, meaning that the program will continue to exist for now, at least until Congress takes action legislatively.

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## LITIGATION

### Affirmative Action

The Students for Fair Admissions, the same group suing Harvard University for what it claims to be inappropriate use of race in college admissions, [is suing the University of North Carolina](#). They claim that the university's use of race violates the Civil Rights Act.

## IN RELATED NEWS...

### OPPORTUNITIES AND WEBINARS

#### Webinar: Results from the Fall 2018 CGS International Graduate Admissions Survey

When: Tuesday, February 12, 2019, 2:00-3:00 PM EST

Host: Council of Graduate Schools (CGS)

Summary: Where does your institution stand with respect to national trends in international graduate student enrollment? Are other universities experiencing similar patterns, or is your university an outlier? This webinar provides an overview of the 2018 International Graduate Admissions survey results, and provide an opportunity for CGS members to share their questions and experiences. This webinar features a brief presentation by CGS researchers Hironao Okahana and Enyu Zhou followed by a question and answer session

[Register](#)

### RELEVANT READS

[How to Increase Graduate-School Diversity the Right Way](#)

[Stay Awake for These 5 Issues During Negotiated Rulemaking](#)

[Campus Sexual Assault Shouldn't Be A Partisan Issue](#)

[There's a Quiet #MeToo Movement Unfolding in the Government's Comments Section](#)

[College presidents discuss challenges in higher education at women's luncheon](#)

[How Higher Education Is Evolving Its Thinking Around Controversial Campus Speakers](#)

[What I Learned as I Was Leaving](#)

[Grad School Activism](#)

[College Campuses Should Not Be Safe Spaces](#)

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[What Schools Should Know About New Title IX Rules](#)

[When Did Enjoying Grad School Become Contrarian?](#)

[On Enjoying Grad School](#)

[Four Predictions For Higher Education In 2019](#)

[Learning How to Teach is Important – Even if You Don't Want to Be Faculty](#)

[College corner: Does it matter if classes are taught by TAs?](#)

## REPORTS AND PRESENTATIONS

[Investing in Futures - Economic and Fiscal Benefits of Postsecondary Education in Prison, Georgetown Center on Poverty and Inequality and the Vera Institute of Justice](#). Efforts to build robust postsecondary education programs in prison have accelerated in recent years, with support from a broad range of groups from correctional officers to college administrators. This report describes how lifting the current ban on awarding Pell Grants to incarcerated people would benefit workers, employers, and states. Specifically, it analyzes the potential employment and earnings impact of postsecondary education programs in prison; identifies the millions of job openings annually that require the skills a person in prison could acquire through postsecondary education; and estimates the money states would save through lower recidivism rates these postsecondary education programs would yield.

[“Black Genius, Asian Fail”: The Detriment of Stereotype Lift and Stereotype Threat in High-Achieving Asian and Black STEM Students, SAGE](#). Asians are typically situated at the top of the STEM educational and career hierarchy and enjoy a host of material benefits as a result. Thus, their STEM lives are often considered problem-free. This article describes the role of race-based stereotypes in shaping the experiences of high-achieving Black and Asian STEM college students. Their experiences exposed the insidious presence of anti-Black and pro-Asian sentiment, operationalized through the frameworks of stereotype threat and stereotype lift. Stereotype threat and stereotype lift situate the racialized experiences of Black and Asian students as opposites, thereby ignoring their shared marginalization and responses to being stereotyped. I argue that both racial groups endure emotional distress because each group responds to its marginalization with an unrelenting motivation to succeed that imposes significant costs. I aim to demonstrate that Black and Asian college students are burdened with being stereotyped and judged unfairly, enduring sometimes debilitating consequences even while they are praised for fulfilling or defying stereotypes. Discussion includes coalition building among racial groups of color in STEM, serving in part to co-construct racialized psycho-social coping skills, and a strategy for more equitable material outcomes for Black STEMers.

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[Can Student Loan Debt Explain Low Homeownership Rates for Young Adults? Federal Reserve.](#) In Mezza, Ringo, Sherlund, and Sommer (forthcoming and summarized in this article), we estimate that roughly 20 percent of the decline in homeownership among young adults can be attributed to their increased student loan debts since 2005. Our estimates suggest that increases in student loan debt are an important factor in explaining their lowered homeownership rates, but not the central cause of the decline.

[State Higher Ed Funding Shows Slight Growth, CGS reporting on Center for Study of Education Policy.](#) State support for higher education [increased](#) by 3.7 percent in fiscal year (FY) 2018-2019, up from an increase of 1.6 percent the previous year. This continues a five-year trend of funding increases at the state level. However, the data show that nearly 70 percent of the nationwide growth can be attributed to gains in just nine states—California, Colorado, Florida, Georgia, Illinois, New York, North Carolina, Virginia and Washington—which together increased funding for higher education by 5.4 percent, while the remaining 41 states experienced a growth of just 2.1 percent.

[Baseline Budget Projections, CBO.](#) As part of its mandate to provide nonpartisan analyses to the Congress, CBO produces baseline projections for the economy and the federal budget. Those projections are used in CBO’s cost estimates for proposed federal legislation and in CBO’s analytical reports. This presentation describes how CBO produces its baseline projections.

## **FEEDBACK FOR LEGISLATIVE LETTERS**

Our *Letter* is still new, and we would really appreciate your thoughts on it - after all, it’s for you! So please follow [this link](#) to fill out a quick survey so that we can best meet your needs.