

THE NATIONAL ASSOCIATION OF
GRADUATE-PROFESSIONAL STUDENTS

Legislative Letters

June 24, 2019

[Subscribe](#)

Updates in Higher Education



Image Credit: Kaylynn Glover, "The Capitol"

Still no progress on coming to a spending cap deal, but the House isn't waiting: They just passed their first minibus, which includes funding for education. The Senate, on the other hand, is waiting until a cap is set, and time is ticking. The Senate is also behind on their self-set deadline for a draft of HEA as negotiations continue, and other legislators are using the time to propose their own education-related legislation in the hopes to get enough support for their inclusion in the final version. These bills include fighting sexual harassment, eliminating student loans, and - significantly - allowing graduate students access to left-over Pell dollars. Meanwhile, in the executive branch, President Trump named an acting citizenship and immigration director so controversial that, if nominated for a permanent position, wouldn't have enough support in the Senate. Don't forget to check our *Relevant Reads*, which includes sections on career advice and diversity in the academy, and you definitely don't want to miss our *Reports* - we've got new data on graduate student loans and the impact it would have if we lost access to funding. Check out the details - inside!

Divyansh Kaushik, NAGPS Northeast Regional Director of Legislative Affairs, ne-legislative@nagps.org

THE EXECUTIVE BRANCH

DEPARTMENT OF EDUCATION

Accreditation Rules

[The accreditation rules that were agreed upon by the negotiated rulemaking panel](#) earlier this year (on which our own Joe Verardo served) has been [published in the Federal Register](#) and are now open for public comment for the next 30 days. The Department of Education (ED) estimates that the proposed rules, which ease some of the restrictions for institutions of higher education to receive federal recognition, will cost approximately \$3.8 billion over the next ten years through increased Pell Grants and student loans for students attending these newly-accredited institutions. [Some critics are concerned that the scaled-back regulations go too far.](#)

Loan Servicing Companies

As part of the Trump administration's plan to overhaul the federal student loan program, the ED is examining vendors to handle student loans and just announced that it will do so by examining their five-year history of complying with consumer protection laws, a shorter time-frame than had been expected (seven years). The Student Borrower Protection Center and American Oversight, two consumer and student watchdog groups, have issued warnings that [this favors a single company, Navient](#), as their settlement for violating consumer protection laws took place five years and one month ago.

THE WHITE HOUSE AND OTHER AGENCIES

USCIS Acting Director

The former Attorney General for Virginia has been appointed the acting director of U.S. Citizenship and Immigration Services. Ken Cuccinelli's selection is highly controversial, as he has a record of inflammatory and inaccurate statements on immigration policy and a history of attacking policy makers. His behavior has caused [alienation and recrimination from many GOP lawmakers](#), including Senator Majority Leader Mitch McConnell. . [The National Immigration Forum issued a statement opposing his appointment.](#) Senate Republicans warned that, if Cuccinelli is nominated to be the permanent replacement, he will face strong opposition and [lack the votes to be confirmed.](#)

Science Agencies

President Trump issued an executive order that directs federal agencies to [eliminate at least one-third of their external advisory committees](#) (excluded mandatory committees), committees created under the Federal Advisory Committee Act (FACA).

The Environmental Protection Agency (EPA) faces internal conflict, mirroring the conflict between the agency and scientists nationwide. The EPA's Science Advisory Board (SAB), comprised of more than 40 top scientists nationwide, [oppose the EPA's plan to dismiss scientific research](#) unless the studies make

their underlying data public, which the SAB say will omit significant studies that cannot release the raw data because it belongs to a business or contains personally identifying information. The policy was made without consulting the SAB.

IMMIGRATION AND INTERNATIONAL STUDENT CONCERNS

The Department of Homeland Security (DHS) has [released it's planned regulatory agenda](#), and it includes revising several definitions that affect H-1B eligibility, proposing USCIS fee increases and implementing a visa security fee, and establishing a maximum period of stay for those on F-1 visas.

International students are reporting [significant delays in the processing of their optional practical training work authorizations](#), receiving estimated waiting times of around five months (students cannot apply for OPT more than 90 days before they are scheduled to start work).

THE LEGISLATIVE BRANCH

LEGISLATION

Spending Caps

[Attempts to come to a debt limit agreement](#) between the Senate, House, and White House have continued to fail. In a joint statement after a recent attempt, Speaker of the House Nancy Pelosi (D-MD) and Senate Minority Leader Charles Schumer (D-NY) laid blame on President Trump, saying "If the House and Senate could work their will without interference from the President, we could come to a good agreement much more quickly." The White House, on the other hand, blames Pelosi and Schumer for "playing press games" and refusing to negotiate.

Appropriations

[The House passed their first "minibus"](#) (H.R. 2740) containing four spending bills, including funding for the Department of Education and the Department of Health and Human Services. A breakdown of the \$982.8 billion package, which generally provides for significant increases in funding and support for education and research, can be found [here](#) with amendments to the bill [here](#). The Senate appropriations process continues to wait for a spending caps deal before they move forward, and the final bills will still need to be resolved between the two chambers.

Education Legislation

Education-related legislation continues to pile up, as their sponsors hope to gain enough support for their inclusion in the Higher Education Act reauthorization, as [the self-imposed deadline for a draft of HEA has lapsed](#) as negotiations continue. Significantly for graduate students, Rep. Fred Upton (R-MI) and Rep. Annie Kuster (D-NH) have co-sponsored legislation that would [extend Pell Grant awards to graduate students](#) who had been eligible for Pell during their undergraduate degrees, a measure that

had been included in last year's Aim Higher Act ([Expanding Access to Graduate Education Act of 2019, H.R. 3334](#)).

Several are proposing legislation that tackles the student debt crisis. Senator (and 2020 presidential hopeful) Elizabeth Warren (D-MA) plans to release legislation (along with colleagues in the House with a companion bill) that mirrors her presidential platform by [canceling up to \\$50,000 of student debt](#), affecting around 42 million Americans. Senator Marco Rubio (R-FL) is proposing legislation that would put all borrowers on an income-based repayment plan and would replace loan interest with a one-time non-compounding flat rate fee of 25% of the loan ([Leveraging Opportunities for Americans Now \[LOAN\] Act](#)). Senator Kamala Harris (D-CA), another presidential hopeful, has proposed legislation that tackles the student financial load by providing support for those changing careers, including the cost of training, education, and support services (child care, transportation, etc.) ([21st Century Skills are Key to Individuals' Life-Long Success \[SKILLS\] Act](#)).

Other legislation seeks to solve problems in the education system. In the House's just-passed appropriation bill, an amendment was included (proposed by Rep. Hakeem Jeffries [D-NY]) that ensures that the Department of Education [does not place restrictions on their Office for Civil Rights](#). Senator Josh Hawley (R-MO) has proposed legislation to protect against academic espionage by requiring background checks for students from China, Iran and Russia before participating in designated "sensitive research projects" ([Protect Our Universities Act](#)). The APLU and AAU have expressed concerns about this legislation and instead support a different bill proposed in May by Rep. Mikie Sherrill (D-NJ). Also supported by many higher education institutions and scientific organizations, this bill would create a group within the White House's Office of Science and Technology Policy that would be responsible for safeguarding research while also coordinating with those conducting the research ([Securing American Science and Technology Act \[SASTA\]](#)).

[The House Science Committee passed bi-partisan legislation](#) that calls for the National Science Foundation (NSF) to expand their research into understanding and preventing sexual and gender harassment in STEM fields. The bill, sponsored by Rep. Eddie Bernice Johnson (D-TX) follows a [2018 National Academies report](#) on the prevalence of sex and gender harassment and discrimination in STEM ([Combating Sexual Harassment in Science Act of 2019 \[H.R 36\]](#)).

Finally, Senators Kamala Harris (D-CA), Dick Durbin (D-IL), Richard Blumenthal (D-CT), and Amy Klobuchar (D-MN) introduced legislation that would exempt international students who earned advanced STEM degrees at U.S. institutions from the per-country green card caps, allowing them access to lawful permanent residence through obtaining employment in the US related to their field ([Keep STEM Talent Act of 2019](#)).

HEARINGS

The House has been busy with several education-related hearings, unsurprisingly centered on student loans and sexual harassment. Several state attorneys general with lawsuits against student loan servicers appeared in front of the House Financial Services subcommittee to discuss the [Education Department's lack of oversight of student loan companies](#). Also, the House Small Business Committee held a hearing on the effect of debt on the [ability of medical professionals to form small private](#)

[practices](#). The House Science Committee met with a Government Accountability Office official, along with several college leaders, to look into a report that was requested on [sexual harassment in STEM fields](#).

THE JUDICIAL BRANCH

LITIGATION

Defrauded Borrowers Having Tax Refunds Garnished

A new lawsuit has been filed on behalf of student loan borrowers who were defrauded by their institutions. These borrowers have had their [tax refunds garnished to cover the student loans](#) they took out to attend these schools, and the lawsuit claims that the Department of Education shouldn't be collecting on this debt.

IN RELATED NEWS...

RELEVANT READS

Campus Climate and Mental Health

[Podcasting for Mental Health](#)

[Pour decisions? The better educated you are, the more you drink](#) (Editorial Note: This article does not link alcohol consumption with graduate education. However, [some research](#) and extensive anecdotal evidence does suggest that the pressures of graduate school are accompanied by increased alcohol consumption.)

[The Way of Leo: 5 Lessons on Academic Mentorship](#)

[Colleges crack down on professor-student relationships](#)

Diversity, Inclusion, and Social Justice

[“Conditionally Accepted”](#) (A resource for “scholars who are, at best, conditionally accepted in academe.”)

[The methods of managing inclusive education at higher education institutions](#)

[Fallout From Pregnancy Bias Claim](#)

[Success for Students With Autism](#)

[Texas Legislature Passes Comprehensive Sexual Assault Legislation](#)

[Another Campus-Based Physician Accused](#)

[We Must Support Chinese International Students](#)

[Grand Canyon Fires Administrator After Learning of Assault Allegations](#)

[Academic Minute: Menstrual Activism](#)

[Social Mobility, Race, and Higher Education](#)

Career Advice

[Want Teachers to Motivate Their Students? Teach Them How to Do It](#)
[Alt-What?](#)
[The Early-Stage Ph.D.'s Guide to Summer](#)
[Managing Anxiety in the Classroom](#)

Grad Student Rights

[The latest campus battle: Graduate students are fighting to unionize](#)
[College Student Voter Ineligibility](#)
[When Student Press Is Up for a Vote](#)
[Understanding Emergency Financial Aid for Graduate Students](#)
[Graduate students' strike ends after 3 days](#)
[Provost Daniel Diermeier University-Wide Email on Graduate Student Unionization](#)

Higher Education Policy

[Federal Experiment Won't Fix Work-Study Program](#)
[Top Higher Ed Debate in 2019? Big Solutions for Borrowers](#)
[Employers Mull Offering Student Loan Repayment](#)
[The Long Road to the Student Debt Crisis](#)
[New Evidence For The Broad Benefits Of Higher Education](#)
[Outcomes-Based Graduate School: the Humanities Edition](#)
[Bound et al. find decline in state funding for higher education affected degree attainment](#)
[For-profit education is the leading cause of America's student debt crisis](#)
[The Public's Support for \(and Doubts About\) Higher Ed](#)
[IBM CEO Ginni Rometty: The Future of Work Depends on Education Reform](#)

News From You

[U of A Working on Menstrual Equity Initiative](#) (Interview with NAGPS Director of Social Justice Concerns, JD DiLoretto-Hill)

REPORTS AND PRESENTATIONS

[Examining Graduate Lending: Access vs. Private Lending, AccessLex](#). This report, the second of our two-part series on graduate lending, uses federal data to show, as one example, that black borrowers and Historically Black Colleges and Universities would likely be severely harmed by a move to significantly limit or outright eliminate federal lending to graduate and professional students.

[CBO Releases Interactive Federal Budget Infographic, CBO](#). Today CBO released an interactive graphic showing the overall federal budget in fiscal year 2018 as part of its annual update of infographics on the federal budget. For people who are not very familiar with the federal budget, it can be a challenge to find out how much the government spends and takes in each year and what programs and revenue sources account for the largest portions of those budgetary flows. To help provide that information in an accessible format, each year CBO releases a set of four budget infographics, which offer a detailed look at the past fiscal year as well as broader trends over the past few decades.

[Losing Talent: An Economic and Foreign Policy Risk America Can't Ignore, NAFSA](#). International students create jobs, drive research, enrich our classrooms, strengthen national security, and become America's greatest foreign policy assets. Yet new international student enrollment is down dramatically across the United States. International students contributed \$39 billion to our economy last year. During the 2017 – 2018 academic year, international students created or supported more than 455,000 jobs. That's three jobs created for every seven international students who chose to study here. International education is the fifth-largest U.S. service sector export. The most recent U.S. Department of State Open Doors® report, published by the Institute of International Education, reported a 6.6% decline in new international student enrollments; this follows a 3.3% decline in new enrollments the prior year and marks the first time America has seen a two-year decline. Data show that international students and scholars feel less safe and less welcome in the United States than the previous year surveyed. University and industry leaders acknowledge that anti-immigrant rhetoric and policies contribute to a chilling effect on international study in the United States. Competitors like Canada, China, and Australia are recruiting and attracting more international students and scholars and benefiting at the expense of the United States. For example, in 2014, China surpassed the United Kingdom and the United States as a top destination for international students from Africa — and it continues to draw increasing numbers of students from the African continent.

Want to let us know how we can improve? [Give us feedback!](#)