



INSIDE THE
BELTWAY:
COMMUNITY
COLLEGES AND
CONGRESS

APRIL 13, 2023

TOPICS

- Political Landscape
- Workforce Pell Legislation
- Federal Funding
- Farm Bill
- Tax Legislation
- ED Regulations

CONGRESSIONAL/POLITICAL DYNAMICS IN 2023

- Legislative enactments may be limited because of divided Congress; Not necessarily a bad thing
- House Committee Chair Dr. Virginia Foxx (R-NC) generally critical of higher education but supports community college workforce education role
- So far, House Education Committee far more active than Senate, but Ranking Member Bill Cassidy (R-LA) has been vocal in opposing Biden plans
- Higher education has become part of culture wars, but federal engagement in most respects is limited
- College attainment increasingly associated with Democratic voting
- Big budget battles up ahead may soon suck up oxygen—House majority's budget policies not yet specified
- Upcoming Supreme Court decisions could further intensify divisions

WORKFORCE PELL LEGISLATION

- Top priority for AACC
 - Association working closely with Hill staff to move negotiations forward
- 3 Workforce Pell bills introduced in House
- All 3 bills would make qualifying programs of 150 – 600 clock hours (more than at least 8 weeks) Pell eligible

WORKFORCE PELL LEGISLATION

- JOBS Act (H.R. 793, S. 161)
 - Original Workforce Pell bill spearheaded by Sen. Tim Kaine (D-VA)
 - New Senate Republican cosponsor Mike Braun (R-IN)
 - All new bipartisan House sponsors
 - AACC has endorsed for several years
 - Quality control measures largely focused on approvals and “inputs”
 - For-profits not eligible

WORKFORCE PELL LEGISLATION

➤ PELL Act (H.R. 496)

- Introduced by Rep. Elise Stefanik (R-NY), working in conjunction with Education and Workforce Committee Chair Virginia Foxx (R-NC)
- 26 Republican cosponsors
- Quality metrics more focused on “outputs” (completion/job placement/earnings)
- For-profits eligible
- Sponsors open to input

WORKFORCE PELL LEGISLATION

- Jobs to Compete Act (H.R. 1655)
 - Introduced by Education and Workforce Committee Ranking Member Bobby Scott (D-VA)
 - 3 Democratic cosponsors
 - Largely based on modified JOBS amendment from last Congress
 - Borrows key elements from PELL Act – possible opening for serious negotiations
 - For-profit eligibility
 - Placement, completion, and earnings metrics
 - Exclusively online programs not eligible

FY 2024 FEDERAL FUNDING

- Republican takeover of House poses more challenging funding dynamic than recent years
 - Speaker McCarthy made promises to hard-right constituency
 - Appropriations bills considered individually under open rules
 - Funding topline set to FY 2022 level
 - Stated desire to leverage debt ceiling deadline into funding cuts
 - House bills will likely contain few increases and possible cuts for domestic discretionary programs of interest to community colleges
 - Bills must be bipartisan to pass Senate

FY 2024 FEDERAL FUNDING

- Highlights of Biden Administration budget
 - \$820 Pell max increase (\$500 through discretionary appropriations)
 - \$500 million for targeted free community college programs
 - \$100 million for SCCTG
 - \$210 million for Title III-A
- Key AACC Priorities
 - \$750 discretionary Pell max increase
 - \$100 million for SCCTG
 - \$210 million for Title III-A
 - Increases for numerous other programs, including Perkins CTE, Adult Basic Ed, WIOA, CCAMPIS

FARM BILL

- Farm Bill up for reauthorization this year
 - Usually considered a “must-pass” bill because of bipartisan support for farmer supports, etc.
 - Some political push to delay passage until next year
- Two community college priorities:
 - Ease eligibility requirements for college students to access SNAP
 - Emphasize student awareness
 - \$150 million grant program for community college agricultural and natural resource programs

TAX-FREE PELL GRANTS/AOTC CHANGES

- Two Goals:
 - Make portion of Pell Grants that do not go to tuition and fees non-taxable
 - Eliminate “Pell offset” so that Pell Grant recipients are fully eligible for AOTC
- Tax Free Pell Grant Act not yet introduced in 118th Congress

DEPT. OF EDUCATION REGULATIONS

- ED regulatory agenda has been extremely busy
 - Numerous, important rules in various stages of the regulatory process; pace is intense
 - Final rule on Pell for Prison Education Programs allows implementation to proceed
 - Income-Driven Repayment NPRM on table
 - NPRMs expected on previous negotiated rulemaking topics – gainful employment, ability-to-benefit, program certification, and more
- Title IX
 - Final rule expected sometime in the next few (?) months
 - Over 240,000 comments received
 - Significantly modifies many aspects of Trump administration regulation
 - NPRM on transgender student participation in athletics recently released
 - Limitations on participation only permitted if they serve an important educational objective

ED REGULATIONS

- “Low-Financial Value Program” Request For Information
 - ED sought comments on proposal to identify and label “low-financial value” programs
 - AACC/ACCT comments express strong concerns with the concept – support providing information to prospective students
- Third-Party Servicers “Dear Colleague” Letter
 - Proposed ED guidance would greatly expand what is considered a “third-party servicer” and impose commensurate obligations on those entities
 - Higher education community comments urge ED to scrap the plan entirely and go back to the drawing board
 - ED posted blog update 4/11; extends deadlines, rolls back and clarifies parts of guidance
- Upcoming Negotiated Rulemaking
 - Possible topics include accreditation, state authorization, return of Title IV, and more
 - Public hearings April 11 – 12, AACC presented April 12

SAVE THE DATE!

ADVOCATES IN ACTION

RETURNS

SEPT. 18-19!



**ADVOCATES
IN ACTION**

AMERICAN ASSOCIATION OF COMMUNITY COLLEGES

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