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FEW Washington Update September 16-30, 2019

**Recognizing Hispanic Heritage Month
(September 15 - October 15)
and Healthy Aging Month!**

In Congress:

The House and Senate are at work – and the agendas are more crowded than ever.

The current legislation to fund the government expires on September 30. Congress must strike a bipartisan deal but are currently exploring a short-term measure to buy themselves more time for negotiations. The House plans to vote this week on legislation that would provide several more weeks before a new deadline, but this timing needs to be finalized with the Senate. The House has passed 10 of the 12 annual spending bills, whereas the Senate has not voted on any.

Also, on the House floor this week, lawmakers will take up a bill out of the Judiciary Committee that seeks to reform the Federal Arbitration Act. The Forced Arbitration Injustice Repeal (FAIR) Act would: (1) prohibit pre-dispute arbitration agreements that force arbitration of future disputes; and (2) prohibit agreements and practices that interfere with the right of individuals, workers, and small businesses to participate in a joint, class, or collective action related to an employment, consumer, antitrust, or civil rights dispute. While arbitration reform has been eyed by lawmakers on both sides of the aisle, the FAIR Act is not expected to be taken up by the Senate, as they argue that the bill would put significant burden on the Judicial system and could end up harming plaintiffs in future cases.

FEW Washington Update – September 16-30, 2019 FEW in Action

FEW in Action During the Summer Congressional Recess

Call to Action

FEW members were asked to reach out to their members of Congress on the (2) issues that the Legislative Team targeted as a priority, as the bills move through the legislative process - **The Paycheck Fairness Act (Equal Pay)** and the **Federal Employee Paid Leave Act (FEPLA)**.

We are pleased to share that FEW took action on a number of the Tier Issues during the Congressional recess months of July, August and September, using ENGAGE to contact their members of Congress on the following issues:

- [FEW Supports the Federal Employee Paid Leave Act \(FEPLA\)](#)
- [Family Medical Leave](#)
- [Federally Employed Women Support for Equal Pay](#)
- [Support The Violence Against Women Act of 2019 H.R. 1585 \(Passed the House of Representatives, April 4, 2019\)](#)
- [Reauthorize the Department of Justice programs that combat violence against women](#)
- [Federally Employed Women Support Our Federal Workforce: Increase Pay to Attract Skilled Workers and Maintain Retirement Benefits](#)
- [Support Our Women Veterans](#)

Here's the Breakdown of Advocate Activity During the August Recess

FEW has 13 Total Active Engagements
260 Total Letters Written by Advocates
4 new Subscribers

Advocates who took action were from the following areas: FL, KY, CA, OH, AZ, GA, OR, VA, PA, TX, MD, IN, WA, WV

You can still write to your representatives using [ENGAGE](#).

Feel free to contact the congressionalrelationsvp@few.org, or tsaunders@washingtonpremiergroup.net, if you have any questions.

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Tier I

Equal Employment Opportunity:

The U.S. Equal Employment Opportunity Commission (EEOC) – the agency enforcing federal laws prohibiting employment discrimination – has told employers that they must submit EEO-1 Compensation Data for 2017 and 2018 to the EEOC by September 30, 2019, through an online portal at <https://eeocomp2.norc.org>.

The EEO-1 Report is a compliance survey mandated by federal statute and regulations that requires company employment data to be categorized by race/ethnicity, gender, and job category so it can be used to support civil rights enforcement and to analyze employment patterns of women and minorities. The EEOC enforces Title VII of the Civil Rights Act of 1964, which makes it illegal to discriminate against a person on the basis of race, color, religion, sex, or national origin. Employers can violate Title VII by disproportionately screening out a Title VII-protected group and not demonstrating a business necessity.

An update:

The EEOC said on September 11, it plans to shelve an Obama-era rule to collect pay data in what lawmakers and advocates said was a setback to efforts to achieve equal pay for women and people of color.

In the notice, the EEOC said the cost to employers of collecting the confidential data was much higher than originally estimated and had “unproven utility.” The EEOC wrote in its notice that, under the Paperwork Reduction Act, it is required to balance the usefulness of the data collection with the burden on employers. “At this point in time, the unproven utility to its enforcement program of the pay data ... is far outweighed by the burden imposed on employers,” the EEOC said.

Federal Pay and Budget – House:

The House of Representatives today, September 20, cleared a seven-week continuing resolution (CR), an important first step in Congress’ attempts to avoid another government shutdown at the fiscal year deadline. The measure passed the House with a 301-123 vote. The CR would fund agencies at 2019 levels through November 21, buying lawmakers more time to negotiate over several full-year appropriations bills.

Notably, the CR includes an additional \$48 million for the Office of Personnel Management (OPM), which faces a funding shortfall on Oct. 1 when the National Background Investigations Bureau and the governmentwide security clearance portfolio transfers to the Pentagon.

The administration has said the security clearance transfer will create a \$70 million gap for OPM, which relied on the revenue it received by processing background investigations and other security credentials to fund other entities within the agency.

In addition, the CR gives OPM the authority to transfer roughly \$29.7 million from “appropriate trust funds ... without regard to any other provision of law” to maintain agency operations.

OPM administers health and retirement benefits to more than 2.7 million active employees and nearly 2.6 million annuitants, survivors and their family members through the Earned Benefits Trust Funds, which have close to \$1 trillion in combined assets.

Former OPM officials, as well as former acting OPM Director and Office of Management and Budget Deputy Director for Management Margaret Weichert, have long questioned whether the agency could tap a greater portion of those trust funds to support the agency’s operations. This continuing resolution would allow OPM to do that up to a point.

The agency, however, still faces an uncertain future. Beyond OPM’s financial situation, the administration has cited poor IT systems and strategic and operational weaknesses as reasons for the proposed merger of the agency with the General Services Administration.

Weichert, who has been spearheading the OPM-GSA merger, said back in July OMB would ask Congress for an OPM budget anomaly in a 2020 continuing resolution. She said she saw promising signs of support from Congress on the merger.

Federal employee unions and other organizations are pushing for the 3.1 percent federal pay raise, which would match the planned increase for members of the military.

“Federal employees are certainly pleased to have so much strong bipartisan support for a pay increase in 2020, which is better than the pay freeze proposals they’ve faced recently,” Tony Reardon, president of the National Treasury Employees Union, said in a statement. “But locality pay is crucial to the government’s ability to recruit and retain skilled workers in high-cost areas around the country, which is why we continue to urge lawmakers to settle on the 3.1 percent proposal.”

The agriculture bill includes \$25 million to support the Agriculture Department’s planned relocation of the Economic Research Service and National Institute of Food and Agriculture to Kansas City.

Federal Pay Update - Senate:

Senate appropriators are silent on a federal pay raise next year, setting up a debate over exactly how much of a pay bump civilian employees should expect in 2020.

The Senate Appropriations Subcommittee on Financial Services and General Government, marked up and cleared its own version of a 2020 spending bill, did not make mention of a federal pay raise.

In their silence, Senate appropriators are essentially deferring to the proposal the President offered late last month, which recommended a 2.6 percent across-the-board federal pay raise but no additional locality pay adjustment. The President's August 31 announcement was a surprise, since he had initially recommended a federal pay freeze in his 2020 budget proposal.

The Senate subcommittee did, however, include a proposal to give the Office of Personnel Management an additional \$43 million in 2020 over the previous year's levels — the same recommendation that cleared the House back in June.

The General Services Administration would be authorized to spend \$546 million more out of its Federal Buildings Fund. The bulk of that funding, \$446 million, would go toward federal construction, according to the subcommittee. The rest would pay for rent payments of privately-owned lease space and operations and maintenance of federal buildings across the country.

In addition, the Senate subcommittee plans to zero out the Technology Modernization Fund (TMF), another departure from the House-passed proposal of \$35 million in 2020. A full committee vote on the 2020 bill is scheduled for this week.

The Senate Appropriations Committee also passed two other appropriations measures, one on agriculture, rural development and food and drug administration and the other on transportation and housing and urban development.

The Senate, which is expected to take up the continuing resolution next week, must pass some sort of short-term funding solution by September 30.

FEW Washington Update – September 16-30, 2019 Tier II

Violence Against Women Act (VAWA):

The Violence Against Women Act (VAWA) was first signed into law 25 years ago add the actual date. On insert the date, its Reauthorization Act passed the House and is held up in the Senate.

Before President Bill Clinton signed the VAWA into law as part of the Violent Crime Control and Law Enforcement Act on September 13, 1994, domestic abusers could cross state lines to avoid prosecution for beating their spouses, as law enforcement was not required to listen to orders of protection filed in other states. Police officers were also generally discouraged from intervening in domestic violence cases.

The Act of 2019 contains many important improvements that will benefit victims of violence around the country including: housing protections for survivors of sexual assault; a new position at the U.S. Department of Housing and Urban development to address domestic violence; enhancements to the criminal justice response to sexual assault, domestic violence, dating violence and stalking; and programs that help survivors gain and maintain economic independence.

FEW Washington Update – September 16-30, 2019 Tier III

Human Trafficking:

The Pennsylvania Office of Rural Health (PORH) will hold the first Pennsylvania Rural Human Trafficking Summit on October 29, at the Penn Stater Hotel and Conference Center in State College, Pennsylvania. The summit will focus on national and state efforts to address human trafficking, the law enforcement response to trafficking, and community and health care facility-based strategies and education to address trafficking.

The summit is sponsored by PORH; the Region III Office of the Health Resources and Services Administration; the U.S. Department of Health and Human Services; the Eastcentral and Northeast Pennsylvania Area Health Education Center; the Pennsylvania Coalition Against Rape, and the Governor's Office of Homeland Security. Registration and additional conference information can be found on the Rural Human Trafficking Summit website at cvent.com/d/z6qs99.

FEW receives information from the following sources and contacts: Politico, Roll Call, House Committee on Ways and Means, Federal News Network, Government Executive, and National Women's Law Center