



FEW Washington Legislative Update August 16 - August 31, 2022

In Congress:

On Tuesday, August 16, 2022, President Biden signed the [Inflation Reduction Act](#) into law, which seeks to fight climate change, raise taxes on corporations, and expand health care coverage. The bill features a series of provisions to help consumers, including tax credits for clean energy household products and electric vehicles and savings on prescription drugs and health insurance premiums.

On Wednesday, August 24, 2022, President Biden announced a [three-part plan](#) to provide student loan relief. This includes up to \$20,000 in debt cancellation to Pell Grant recipients and \$10,000 in debt cancellation to non-Pell Grant recipients. Other measures include extending the pause on federal student loan repayment, cutting monthly payments in half for undergraduate loans, and holding schools accountable when they hike up tuition prices.

On Wednesday, August 31, 2022, President Biden addressed the Speaker of the House of Representatives and President of the Senate on [the alternative plan for pay adjustment](#) for civilian and federal employees in 2023. Biden determined that for 2023, the across-the-board base pay increase will be 4.1 percent, and locality pay increases will average 0.5 percent, resulting in an overall average increase of 4.6 percent for civilian Federal employees.

Diversity, Equity, and Inclusion:

Statement by President Joe Biden on Strengthening Protections for Dreamers

The Biden administration is implementing initiatives to strengthen the Deferred Action for Childhood Arrivals program, known as DACA. President Biden stated that his administration would be fulfilling its commitment to preserve and strengthen the program by [finalizing a rule](#) that will reinforce protections. This includes work authorizations, deferring removals, and pathways to citizenship for Dreamers.

[The main highlights](#) of the rule are to maintain the existing threshold criteria for DACA and retains the current process for DACA requestors to seek work authorization. Also, the rule affirms the longstanding policy that DACA is not a form of lawful status but that DACA recipients, like other deferred action recipients, are considered “lawfully present” for certain purposes.

President Biden stated, “Dreamers are part of the fabric of this nation. They serve on the frontlines of the pandemic response. They are students, entrepreneurs, and small business owners... [protecting the DACA program] is not only the right thing to do, it is also the smart thing to do for our economy and our communities”.

Sourced From: [\(The White House\)](#)

White House Seeks Input on Federal Evidence Agenda For LGBTQI+ Equity

The White House wants to learn more about disparities affecting the LGBTQI+ community while aiming to address longstanding gaps in federal data collection around sexual orientation and gender identity through voluntary, self-disclosed information.

The White House Office of Science and Technology Policy released a request for information (RFI) this month as a National Science and Technology Council subcommittee on equitable data works to develop a federal evidence agenda on LGBTQI+ equity. The goal of the agenda is to “improve the federal government’s ability to make data-informed policy decisions that advance equity for the LGBTQI+ community,” according to the RFI.

President Joe Biden signed an executive order titled "Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals" earlier this summer, which directed the interagency working group on equitable data to establish the sexual orientation, gender identity, and variations in sex characteristics (SOGI) data subcommittee. The order also expanded efforts to increase the collection of self-

disclosed gender identity and sexual orientation data across agencies in alignment with confidentiality laws and civil rights.

As it creates the new governmentwide directives, OSTP said it wants to understand better whether there are blind spots preventing current federal statistics and data collection methods from understanding specific disparities faced by LGBTQI+ people and what community-based or non-federal alternatives may be available to help inform the development of the equity agenda.

Studies have consistently shown that LGBTQI+ individuals face challenges accessing healthcare and housing disproportionately. As a result, the policy pushes agencies to collect information on those individuals and populations that are crucial for budgetary allocations and decision-making purposes.

The House Oversight Committee also recently approved the LGBTQI+ Data Inclusion Act, requiring agencies to implement voluntary data collection methods on sexual orientation, gender identity, and sex characteristics variations in their public surveys. The bill, which includes privacy exceptions and confidentiality waivers, would also address outdated terminology in federal policy surrounding the LGBTQI+ community. Responses are due October 3, 2022.

Sourced From: ([Government Executive](#))

FEW Washington Legislative Update – August 16-31, 2022

Tier I

New Report Warns of a Growing 'Data Divide'

A recent report from the Center for Data Innovation warns about an emerging "data divide" and calls on policymakers to adopt new ways of thinking about how to equally distribute gains in the data economy. The report includes a broad set of recommendations to help close the divide, from developing targeted outreach programs for underrepresented communities to amending the Federal Data Strategy (FDS) to acknowledge and better address the data divide.

"The data economy and data-driven innovation can transform society for the better, but only if data collection and use is inclusive," Gillian Diebold, a Center for Data Innovation policy analyst and the author of the report, said in a statement. "Policymakers should work to ensure that all individuals and communities have access to high-quality data."

Data divides hamper policy responses to real world problems, the report argues. State leaders are often unable to measure links between educational programs and outcomes due to a lack of longitudinal data about students. Patients without electronic health records receive less-accurate diagnoses and poorer treatment. Consumers without traditional credit histories struggle with low, misleading credit scores since credit agencies do not currently collect alternative credit data.

Without more accurate data collection methods and funding to close the digital and data divides, pervasive and systemic inequities will likely continue as federal agencies and the private sector increasingly relies on data.

While the report calls for further incorporation of crowdsourced and private-sector data into official datasets, research has pointed to challenges around crowdsourcing in rural areas and communities with technology constraints and inadequate access to the internet.

Ultimately, the report calls for a bipartisan federal commission to study the data divide and notes that "while there are a number of steps the federal government can take in the near term to address the data divide, the issue deserves more attention."

Sourced From: ([Government Executive](#))

FEW Washington Legislative Update – August 16-31, 2022 Tier II

Vaccination Status No Longer Pertinent to Some Federal Workplace Safety Protocols

Whether a federal employee is vaccinated against the Coronavirus is no longer a consideration in some workplace safety protocols, under new guidance from the Biden administration that reflects the CDC's recent general loosening of its recommended safety practices.

Those practices however in some cases still vary according to ratings of risk of transmission of the virus [by county](#); for example, where the level is high agencies still are to require the wearing of a high-quality mask when onsite or otherwise on the job, while mask wearing is generally to be optional where the level is low or medium. Also, agencies may continue to impose stricter requirements in "high-risk" settings, defined as

those with “high potential for rapid and widespread virus transmission” because they involve close quarters, or are isolated from healthcare resources.

Under the guidance from the Safer Federal Workforce Task Force effective August 22, agencies are to pause any requirements that employees document their vaccination status. They also are to pause asking contractor employees and visitors—a category that includes federal employees visiting from a different facility—about their vaccination status, regardless of COVID-19 community levels, where COVID-19 safety protocols do not vary based on vaccination status.

Agencies similarly are to “stop implementing any COVID-19 serial screening testing programs and any point-in-time screening testing requirements that differentiate among individuals based on their COVID-19 vaccination status . . . agencies should not implement serial or point-in-time screening testing when COVID-19 community levels are LOW or in other federal facilities, or for other settings, roles, and functions within federal facilities, beyond those identified by agencies for high-risk settings.”

In high-risk settings where the transmission level is medium or high, agencies are to continue screening testing programs—typically at least twice a week—for those who work onsite or interact in person with members of the public as part of their job duties in those high-risk settings, regardless of vaccination status. However, employees can now both self-administer and self-read tests so long as they certify when they took the test and that they received a negative result.

Agencies also are to “no longer require that individuals who are not up to date with COVID-19 vaccines and who have been exposed to someone with COVID-19 do not enter federal facilities or do not interact with members of the public in person as part of their official responsibilities for at least 5 full days.” Instead, they are to watch for symptoms, wear a high-quality mask for at least 10 days from the date of exposure when working onsite or elsewhere in their official duties, and take extra precautions when around people they know might be at higher risk.

Those with symptoms are not to “enter a federal facility or interact with members of the public as part of their official responsibilities, even if the individual does not know if they have been exposed to someone with COVID-19. Agencies also should advise individuals with COVID-19 symptoms to get tested immediately.”

Those who test positive but never develop symptoms are not to work onsite or interact with the public in their official duties for five days. Those who test positive and do develop symptoms are to do the same and resume normal duties “once they are fever-

free for 24 hours without the use of fever-reducing medication and their other symptoms are improving.” Afterward, they are to wear high-quality masks and avoid “places where they may need to be unmasked around others” and being around people at high risk.

Sourced From: ([FEDweek](#))

The Biden Administration Moves to Make Unions More Accessible to Federal Contractors

Labor organizations will soon be able to access federal property to inform federal contractors about the perks of organizing, collective bargaining and unions.

[A final rule](#) from the General Services Administration, which will take effect Friday, carries out one of the recommendations on ensuring union access for contractor employees from the White House Task Force on Worker Organizing and Empowerment’s report released in February 2022. President Biden established the task force via executive order in April 2021.

“These revisions [to the Federal Management Regulation] will enable access to property under the direct custody and control of GSA, or property for which federal agencies are acting under a delegation of authority from GSA, for union organizers with the intent to educate employees of private sector contractors working in these federal government facilities about the benefits of organizing, collective bargaining and union membership,” said the text of the final rule.

“The current [regulation] already provides an exception for union organizing activities for federal employees.” That is one of the six exemptions of the Federal Management Regulation on the general restriction “concerning soliciting, vending and debt collection in or on federal property.”

This final rule will not apply to contractor employees in spaces for the legislative and judicial branches of government. Labor organizations will have to follow the normal protocol for obtaining a security clearance if that is needed for entry. GSA is soliciting public comments on the rule over the next 60 days.

This final rule also furthers the goals of Biden’s executive order on increasing diversity, equity, inclusion and accessibility in the federal workforce issued in June 2021, according to GSA. “Unions can provide greater protection for employees in marginalized groups as they advocate for employees and allow for collective bargaining on behalf of

marginalized employees who may not otherwise be comfortable with or able to do so on their own,” said the final rule.

“As we head into Labor Day Weekend, the Biden-Harris administration is renewing its commitment to worker organizing and empowerment, because it’s critical to building an economy that works for everybody,” GSA Administrator Robin Carnahan said in a statement provided to Government Executive. “Today’s rule removes barriers to worker organizing and collective bargaining for federal contractors, allowing union membership to become more accessible.”

Vice President Kamala Harris is chair of the White House Taskforce on Worker Organizing and Empowerment, and Labor Secretary Marty Walsh is the vice chair. The task force also has representation from 22 federal agencies and offices. Their report has almost 70 recommendations to remove long-term barriers and obstacles to organizing.

One of the goals of the President’s management agenda, first launched last November, is to “make every federal job a good job, where all employees are engaged, supported, heard, and empowered, with opportunities to learn, grow, join a union and have an effective voice in their workplaces through their union, and thrive throughout their careers.”

Sourced From: [\(Government Executive\)](#)

FEW Washington Legislative Update – August 1-15, 2022 Tier III

Women — Particularly Women of Color — Stand to Benefit Most from Biden’s Student Loan Relief Plan

President Joe Biden announced a highly anticipated plan Wednesday to offer student loan relief to more than 40 million people, a move supporters hope will have life-changing ramifications for borrowers, particularly women, who hold two-thirds of student loan debt, and women of color, whose loan debt is highest.

Biden is forgiving \$20,000 in student debt for Pell Grant recipients and \$10,000 in federal student loan debt for borrowers earning \$125,000 or less annually. He is also making reforms to lessen the debt burden on borrowers in the public service loan forgiveness program and income-driven repayment plans, allowing those with undergraduate student loans to cap repayments at 5 percent of their monthly earnings.

Through the end of the year, and for the final time, the president is extending the payment pause on student loans that took effect after the COVID-19 pandemic began in 2020.

Biden's initiative is expected to provide relief to up to 43 million borrowers, including roughly 20 million for whom remaining balances will be eliminated. It stands out as the most ambitious proposal to date by a president to tackle a situation widely described as a crisis, as student loan debt tops \$1.7 trillion.

The average borrower has a student loan debt of more than \$30,000, but the number is much higher for women of color. On average, Black women owe \$41,466, Native American women owe \$36,184 and Pacific Islander women owe \$38,747 a year after college graduation compared to White women, who owe \$33,851, according to the American Association of University Women. Asian-American women and Latinas fare better shortly after college, carrying just under \$30,000 in debt, but that changes if they enter graduate school.

Pursuing a postgraduate degree leaves women of all races with at least \$55,000 in student debt. Black women have the most debt, \$75,085, after graduate school. In addition, graduate school does not improve the gender wage gap; women earn 81 percent of what men make overall.

According to the White House press office, recipients of Pell Grants, a financial award based on need, are from families with incomes of less than \$60,000 annually. Pell Grant recipients make up more than 60 percent of the borrower population, and about 27 million borrowers eligible for \$20,000 in relief. In addition, black students are twice as likely to be Pell Grant recipients as their White counterparts.

Supporters of debt forgiveness have said that slashing student loans will reinvigorate the economy by freeing borrowers to spend their money on big purchases such as homes or cars. They also say it will help end generational poverty among marginalized students who attended college hoping to enter middle class and are now heavily in debt with years of student loans, only to be saddled with years of student debt. Maya Wiley, President and CEO of The Leadership Conference on Civil and Human Rights, said that student debt blocks Americans from achieving the American dream of prosperity.

Sourced From: [\(Government Executive\)](#)

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