



## **FEW Washington Legislative Update November 1 - November 15, 2022**

**Congress began session on November 14**

### **In Congress:**

The 117th Congress will be remembered as one of the most consequential in American history. Congress delivered the following legislative initiatives for the American people, economic relief, infrastructure investment, job creation, gun safety legislation, industrial policy, climate action, veterans' health care, lower drug costs and so much more.

On Friday, November 4, the Biden Administration announced \$1.5 billion under President Biden's [Inflation Reduction Act](#) to build and upgrade America's national laboratories and advance American leadership in science, research, and innovation. In addition, the White House announced a new report that identifies five initial priorities that will help enable the United States to meet the President's goal of cutting greenhouse gases (GHGs) by 50-52% in 2030 and getting to net-zero emissions by no later than 2050.

On Friday, November 11, the Administration announced it would stop accepting [student loan forgiveness applications](#) after a federal judge ruled against the program on Thursday. The government website that previously led to the student loan applications goes on to say the administration will fight in court for the program and the department will hold the applications of the millions of borrowers who already applied for the relief.

Lastly, as Congress rushes to finish the budget process, the Congressional Research Services has provided an in-depth look at "The Enactment of Appropriations Measures During Lame Duck Sessions."

According to the report thirteen of the past 14 Congresses, covering the 103<sup>rd</sup> Congress through the 116<sup>th</sup> Congress, have concluded with a post-election, or “lame duck,” session. The enactment of appropriations measures has been an important consideration during most of these sessions.

This report provides information on the enactment of regular and continuing appropriations measures in connection with lame duck sessions occurring between 1994 and 2020. [Read the report here.](#)

### **Diversity, Equity, and Inclusion:**

#### **The Biden-Harris Administration Advances Equity and Opportunity for Black Americans and Communities Across the Country**

The Biden-Harris Administration is working to protect and advance civil rights, voter protections, racial equity, and economic opportunity for Black communities. That has meant: record drops in unemployment for Black workers; historically low credit card delinquency rates – which hit Black and Latino borrowers hardest; historically low foreclosures and evictions; and historically low Black child poverty rates. The Administration has delivered real and lasting change and continues to work each day to deliver equitable outcomes and opportunities for African Americans.

Economic Opportunity for Black Families and Communities. By signing into law the historic American Rescue Plan (ARP), Bipartisan Infrastructure Law, Inflation Reduction Act, and implementing robust regulatory reform, President Biden has led the most equitable economic recovery on record, creating nearly 10 million jobs since coming to office, and helping create new economic opportunities for African Americans, including Black-owned businesses, and made long overdue investments in Black communities.

Appointing and Confirming a Historic Number of Black Women to the Bench. President Biden is committed to ensuring that the judiciary is filled with highly qualified individuals who bring both personal and professional diversity to the bench. Since January 2021, President Biden has nominated a total of 144 individuals for federal judgeships, 46 of whom are African American, and 15 individuals for local judgeships in Washington, D.C., 6 of whom are African American. In April 2022, Ketanji Brown Jackson was confirmed by the United States Senate as Associate Justice of the Supreme Court, the first Black woman to ever serve on the Court. Of the 86 individuals who have been confirmed to positions on federal courts, 24 are African American.

Launching a Whole-Of-Government Initiative to Advance Equity and Justice for Underserved Communities, Including Black Communities. On his first day in office,

President Biden signed the historic Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. The President's Order emphasized the enormous human costs of systemic racism, persistent poverty, and other disparities, and directed the Federal Government to advance an ambitious whole-of-government equity agenda that matches the scale of the challenges we face as a country and the opportunities we have to build a more perfect union. Over 90 federal agencies across the federal government, including all Cabinet-level agencies as well as over 50 independent agencies, conducted equity assessments of 3-5 of their agency's high-impact services for the American people, to uncover where systemic barriers to access may exist. Using those findings, agencies developed Equity Action Plans for addressing—and achieving—equity in their mission delivery for all Americans. Equity Action Plans were required to include accountability mechanisms and to identify success metrics and key milestones toward progress.

Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Government. In June 2021, President Biden signed an Executive Order on Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, which is helping develop a federal workforce that looks like America where qualified people from every background and walk of life have an equal opportunity to serve our Nation.

Making the promise of equal justice a reality for all. President Biden believes that our criminal justice system must respect the dignity and rights of all persons and adhere to our fundamental obligation to ensure fair and impartial justice for all. This is imperative—not only to live up to our principles as a Nation, but also to build secure, safe, and healthy communities. President Biden believes that it is time that we acknowledge the legacy of systemic racism in our criminal justice system and work together to eliminate the racial disparities that endure to this day. Doing so serves all Americans.

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

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### **Tier I**

#### **President Biden Celebrates New Commitments toward Equitable Workforce Development for Infrastructure Jobs**

On November 2, 2022, President Biden recognized the commitments made by more than 350 organizations in 50 states and territories as part of the Infrastructure Talent Pipeline Challenge. The Challenge, launched by the Biden-Harris Administration in

June, is a nationwide call to action for employers, unions, education and training providers, states, local governments, Tribes, territories, philanthropic organizations, and other stakeholders to make tangible commitments that support equitable workforce development focused on three critical sectors: broadband, construction, and electrification.

The Bipartisan Infrastructure Law—along with the CHIPS and Science Act, Inflation Reduction Act, and American Rescue Plan—are creating millions of good-paying union jobs, and the Challenge aimed to ensure that workers across the country are trained for these jobs. The private, public, and non-profit sector commitments complement the Administration’s investments in workforce development and help ensure a diverse set of workers have a fair shot at the good jobs created.

Commitments made through the Challenge will expand equitable pathways into good jobs, boost opportunities for union jobs, and meet critical employer skill needs.

Nearly 150 employers, unions, and community-based organizations will create or expand pre-apprenticeships, registered apprenticeships, and other high-quality training programs.

More than 60 organizations will increase recruitment among workers who are traditionally underrepresented in infrastructure sectors.

Nearly 30 organizations will provide supportive services, such as child care and transportation assistance, to help workers overcome barriers to participating in apprenticeships and other training opportunities.

More than 50 institutions of higher education—including over 30 community colleges and five community and technical college systems—will advance equitable workforce development for infrastructure jobs.

More than \$70 million in aligned philanthropic commitments that advances the goals of the Talent Pipeline Challenge will impact tens of thousands of underrepresented workers.

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

## **FEW Washington Legislative Update – November 1-15, 2022 Tier II**

### **A Federal Employee Group is Again Urging OPM to Ban All Use of Salary History in the Federal Hiring Process**

An association of employees at the Justice Department on Tuesday renewed calls to the Office of Personnel Management (OPM) to ban federal agencies' use of salary histories when setting pay for new federal workers during the hiring process, citing their role in perpetuating gender and ethnic pay disparities.

Earlier this year, the Biden administration announced that OPM had begun work crafting new regulations to "address" the use of job applicants' salary histories when setting the pay of new hires at federal agencies. Although there appeared to be consensus within the administration that the use of salary history to set a new employee's pay perpetuates historic gender and race-based pay disparities, officials stopped short of saying they would ban the practice altogether.

"One factor that contributes to the gender pay gap is the common practice requiring applicants to share their salary history," said Vice President Kamala Harris last March. "[For] many women, this practice can mean inequitable pay from a previous job will follow them to their current job, and so on and so on. So, our administration is committed to eliminating discriminatory pay practices that inhibit the economy, efficiency and effectiveness of the federal government, and that's why today, our Office of Personnel Management will begin work to address the use of salary history in the hiring and pay-setting process for federal employees."

Officials have suggested that agencies will no longer be allowed to solicit the salary history of job applicants under the new regulations, but have been less clear about whether applicants will be able to voluntarily provide agencies with their salary history. Employee organizations like the Department of Justice Gender Equality Network, a group of around 1,100 Justice Department employees, have argued such a provision would amount to a loophole that would allow pay disparities to persist.

In a letter to OPM Director Kiran Ahuja Tuesday, DOJ GEN President Stacey Young said an "air-tight" ban on the use of salary histories in the federal hiring process is needed to ensure the government fulfills its promise to be a "model employer."

"Despite a narrowing of the gender pay gap in recent years, as of September 2021, women employed by the executive branch still make 5.9% less than their male colleagues, and that disparity remains far more acute for Black, Latina and Native American women," Young wrote. "Robust, top-down efforts are needed to eliminate pay inequities entirely . . . But even if agencies stop soliciting salary history, pay inequities will continue to be carried from job to job if agencies are allowed to rely on salary history information that applicants choose to provide, or that agencies otherwise learn about."

The potential for abuse of a loophole where applicants can continue to volunteer their salary history is particularly acute at agencies like the Justice Department, the organization wrote, where the gender pay gap in certain occupations is much higher than the governmentwide average.

“Without a comprehensive salary history ban, male attorneys, who earn on average 22.6% more than female attorneys, could still leverage their past salary to negotiate higher starting salaries at DOJ than equally qualified female counterparts,” the letter states. “Similarly, when applying for federal sector positions in the STEM field, male applicants from Silicon Valley—where men have been found to earn as much as 61% more than similarly situated women—could volunteer their salaries and receive higher starting salaries than female applicants with the same or better credentials.”

Young argued that ultimately, policies that improve diversity and fairness are necessary for the government to compete for talent with the private sector.

“A comprehensive ban on both the solicitation and consideration of applicants’ salary history will not only benefit employees; it will benefit the federal government as well,” she wrote. “Taking meaningful steps to shrink salary gaps will improve agencies’ ability to recruit and retain top talent, advance compliance with the administration’s [diversity, equity, inclusion and accessibility] mandates, and reduce costly legal challenges to salary disparities under the Equal Pay Act and other civil rights laws.”

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

## **FEW Washington Legislative Update – November 1-15, 2022 Tier III**

### **U.S. Seeks Removal of Iran From U.N. Women’s Rights Agency**

The uprising in Iran, now in its seventh week, arrived at the United Nations on Wednesday with the Security Council holding an informal meeting to discuss the government’s human rights violations against protesters.

Western diplomats and rights activists are seeking to remove Iran from the U.N. agency focused on women’s rights and to form an investigative body under the auspices of the U.N.’s human rights council.

The United States and Albania jointly called for the informal meeting of the Council, and all 15 member countries attended but many were not at the ambassador level.

“Our words are powerful. They hold weight. And Iranians must hear from us. We must give them our moral support,” said Linda Thomas-Greenfield, the U.S. ambassador to the United Nations.

The United States announced it would begin an initiative to remove Iran from the U.N.’s Commission on the Status of Women, a 45-member body focused on gender equality and the empowerment of women.

Vice President Kamala Harris, in a tweet posted on Wednesday, said: “Given Iran’s brutal crackdown on women and girls protesting peacefully for their rights, Iran is unfit to serve on this commission. To the protestors: We see you and we hear you.”

Iran is in the midst of a women-led uprising demanding the end of clerical rule with the slogan “Women, Life, Freedom.” The nationwide protests were set off by the death of 22-year-old Mahsa Amini after she was detained by the morality police for violating the country’s mandatory hijab law.

Ms. Amini’s death, which her family says was caused by blows to her head by the police, brought into sharp focus the systematic abuse that Iranian women have endured under the current government. Women’s rights activists have worked for more than four decades, with little tangible improvement, to change discriminatory laws on issues ranging from the mandatory hijab to inheritance, divorce, travel and custody rights.

Shirin Ebadi, an Iranian human rights lawyer and Nobel Peace Prize laureate, spoke to the Council on Wednesday, urging the international community to “stand on the right side of history” by putting pressure on Iran, recalling their ambassadors from Tehran and holding the government there accountable.

“Many young people in Iran were killed for freedom and democracy; don’t let their Islamic Republic impose more grief on people’s lives,” said Ms. Ebadi via live video to the Council. “They will not settle for anything but a democratic and secular government.”

Iran’s U.N. ambassador, Amir Saeid Iravani, said in a statement to reporters that “the objective of today’s meeting is clearly to interfere in the domestic affairs of a sovereign state,” and accused the United States of spreading disinformation about his country’s handling of the protests.

Videos from Iran have shown security forces violently attacking unarmed protesters with gunfire, beating them with batons and throwing tear gas at them at funerals, on the streets and at universities and high schools. Rights groups say at least 250 people, including 32 children and teenagers, have been killed.

Javaid Rehman, the U.N.'s special rapporteur about human rights in Iran, told the Council that in the absence of any domestic channels for accountability, the international community must act.

"I would call for the prompt establishment of an independent investigative mechanism to investigate all human rights violations leading up to and since the death of Mahsa Amini," Mr. Rehman said.

China and Russia, permanent members of the Council and allies of Iran, said that the Council should not meddle in a sovereign country's internal affairs and that its oversight was limited to matters of international peace and security.

Gabon, a nonpermanent member, said it condemned the violence targeting women and supported independent investigations, but added that human rights should not be politicized. The United Arab Emirates said that gender disparity was an issue across the globe and that human rights were the business of sovereign states.

Ferit Hoxha, Albania's U.N. ambassador and the co-chair of Wednesday's meeting, spoke of his personal experience of being raised under a Communist dictatorship. He said he wanted to send Iranians in the streets a message to not be discouraged.

"Few would dare to think that one day we would have a better life, a second chance," Mr. Hoxha said of his youth in Albania. "The regime crumbled; guess who was on the front line? The youth, the students were there, and as a result, we all had a second life."

Sourced From: ([New York Times](#))

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