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Welcome to 2015 - Is Washington (Now) Ready for Action?

Between the federal budget, debt ceiling, and reauthorizing major pieces of education policy, Congress will have its hands full in the 114th Congress. Here's a quick overview of what's on tap, and when it might get done.

Federal Budget and Debt Ceiling

With the exception of the Department of Homeland Security (cue battle over immigration policy), the federal government is funded through September 30, 2015, the end of the federal fiscal year. But the process of preparing a FFY 2016 budget in regular order will start soon enough. And just to keep things interesting, we will likely be bumping up against the federal debt ceiling in March, although tax season receipts and Treasury's "extraordinary measures" will likely delay any real deadlines until summer.

Reauthorization

After many hearings held both by the House Education & the Workforce Committee and the Senate Health, Education, Labor & Pensions Committee, which have jurisdiction over reauthorizing the Higher Education Act (HEA), we saw legislation being drafted and voted upon, but nothing has been enacted yet. Responsibility for HEA Reauthorization now falls to the 114th Congress. In the meantime, the HEA would be extended for one year under the General Education Provisions Act, which ensures that critical programs do not lapse because Congress failed to update them.

The new Congress will have major changes in the leadership on the authorizing committees. In the Senate, with the Republican majority, Senator Alexander (R-TN), a former governor, college president, and Secretary of Education, will chair the committee; with Senator Harkin retired, Senator Patty Murray (D-WA), a former school teacher, becomes the Ranking Member. Their backgrounds certainly have them well prepared for a very full legislative agenda.

Oh the House side, Rep. John Kline (R-MN) continues as the Committee chair. On the Democratic side, with George Miller retired, Rep. Bobby Scott (D-VA) is the new Ranking Member.

Recent statements from Alexander's and Kline's staffers suggest that reauthorizing the Elementary and Secondary Education Act (ESEA) is a higher priority, so HEA Reauthorization may not begin moving until later in 2015. When

it does, areas of potential or apparent bipartisan consensus include FAFSA simplification and perhaps moving to “prior-prior” year for aid award calculations, restoring year-round Pell, and improving and expanding federal direct loan counseling for students and parents. But the Congressional Budget Office scored prior-prior as having a significant cost, so it’s not clear if or when that might move.

What to Expect in 2015 from the 114th Congress

While control (so to speak) of the Senate swings from Democrats to Republicans in 2015, the House has a larger Republican majority, and both chambers have more conservative members, there is some possibility that more will get done and centrists, rather than Tea Partiers or liberals, will have more sway. You may remember that when President Clinton had a Republican House and Senate, things still got done, the government ran a surplus, and the economy was strong.

On the Senate side, Republican leadership wants to demonstrate it can get things done, but for most issues that requires 60 votes (to invoke cloture, ending debate), so they will need to attract votes from a half dozen or so Democrats to pass bills. Also, while most of the seats Democrats lost in the 2014 election were in states that President Obama lost in the 2012 (and 2008) elections, in 2016 it will be Republicans that are on the defensive. Of 34 Senate seats on the ballot, 24 are held by Republicans, and seven of those are in states won by President Obama in 2008 and 2012. At a minimum, it seems likely that those seven Senators will need to show they can work across party lines and/or appeal to Democratic and independent voters.

On the House side, prior to becoming Speaker of the House, John Boehner (R-OH) reached across the aisle to achieve bipartisan consensus and compromise on a variety of issues. Some would say he excelled at working bills through conference committee, smoothing out differences between bills passed by the House and Senate. Early in his current tenure as Speaker, budget and debt ceiling deals were often passed with bipartisan support, but with liberal Democrats and Tea Party Republicans opposing the bills. After all the attack ads in the 2010 elections saying Rep. X voted with Nancy Pelosi 98% of the time, I was looking forward to see Tea Party congressmen getting primaried by “establishment” Republicans highlighting that the Tea Party caucus voted with Nancy Pelosi on major budget bills. Gradually, Speaker Boehner began leading the House under the Hastert rule, named after the former Republican Speaker of the House, who declared that he would only bring bills to the floor of the House for a vote if a majority of the majority would support it.

Going forward, it will be interesting to see how Speaker Boehner leads. Ultimately, he and likely Senate Majority Leader Mitch McConnell (R-KY) have a choice: they can pass bills that make the right wing happy, but will get vetoed, or they can pass bills with enough bipartisan language to get six or more Democratic votes in the Senate and a Presidential signature. Because many

House members are in “safe” (Congressional election not competitive) districts, the biggest concern for many Republicans is being primaried by someone for not being conservative enough. So there is the potential for an interesting friction between Senate Republicans who want to look centrist/bipartisan, and House Republicans who want to look very conservative and unwilling to compromise on their principles. It will ultimately be up to Republican leadership to determine whether they want to pass “message bills” (appealing to their base, but with no chance of being enacted into law), or show they can pass and enact meaningful legislation to create a better educated workforce and a strong 21st century economy. Stay tuned!