Congressional, Policy Updates and Funding Opportunities

Congressional Update: Debt Ceiling Overview

The debt limit refers to the amount of money the federal government can borrow through Treasury securities, such as bills or bonds, to pay current obligations. Treasury Secretary Janet Yellen has made public through statements and letters to members of Congress, that the nation will not have the resources to pay its debt obligations after June 1, which is also known as the “x-date.” This means that because the government spends more than it takes in through tax revenue, the Treasury Department will no longer be able to fully issue treasury securities to pay bond holders, creditors, or make required payments to individuals and other entities. Congress must pass legislation to suspend or raise the debt ceiling. Since 1960 Congress has increased the debt ceiling 78 times, most recently in 2021. While it was once a relatively routine procedure, it has become a political tool to try to get funding or policy concessions.

As of today, members of the Biden Administration and congressional leaders continue to meet, however no deal has been reached. Speaker of the House Kevin McCarthy (R-CA) continues to argue that any increase in the debt limit must be tied to future discretionary spending cuts. The negotiators have made significant
progress over the past few days and, currently, the framework of a deal may include suspending the debt ceiling and capping discretionary spending at fiscal year (FY) 2023 levels for two years, among other provisions. House and Senate leadership has indicated that Members should plan to be in Washington next week, should a deal be reached, instead of their home districts to vote on a debt ceiling bill. Under House rules, bills are available to be reviewed by Members for 72 hours prior to a vote, which McCarthy has said he would abide by. The Speaker and President Biden have also agreed that the country cannot default, which shortens the timetable for Congress to act.

This situation is different from a government shutdown. Under law, federal agencies may not obligate or spend any funds without an appropriation by Congress. If the annual appropriations bills are not signed into law by a set deadline, all non-essential government functions must stop until the bills are enacted or the deadline is extended (commonly referred to as a continuing resolution). Federal agencies are currently operating on FY 2023 appropriations, so the government will not shut down in the traditional sense. Yet, should the debt ceiling be breached, the nation would default on its obligations, which would have an impact on capital markets, borrowers, lenders, and foreign governments that rely on the stability of U.S. treasuries. In addition, social security payments, Medicare reimbursements to providers, and grant payments from federal research agencies, among others, would likely be delayed. A default would be an unprecedented situation with far-reaching impacts, many of which are currently unknown, including ramifications on the operational status of the federal government. While there have been 21 government shutdowns in the nation’s history, the U.S. has never defaulted on its debts. Federal agencies have specific contingency plans for government shutdowns, including prioritization of government functions and unpaid furloughs for “non-essential” government workers. Federal agencies have no contingency plans for a debt default.

Policy Update: ED Announces Gainful Employment Rules for Non-Degree Programs and New Transparency Requirements

The U.S. Department of Education (ED), in an effort to increase accountability and transparency within the postsecondary sector, recently announced a nearly 1,000 page notice of proposed rulemaking (NPRM) to restart the Gainful Employment (GE) regulations, as well as expand and update rules covering financial responsibility, Title IV administrative capability, certification procedures, and the Ability to Benefit requirements covering students without high school diplomas. The Department anticipates these proposed rules will be part of an even larger higher education accountability effort to include a forthcoming public “watch list of the least financially valuable postsecondary education programs.” While the GE regulations will primarily impact proprietary institutions, disclosure and certification requirements will be increased for all institutions of higher education.

In accordance with the Higher Education Act (HEA) statute, educational programs provided by for-profit institutions and non-degree training programs offered by public and non-profit institutions are required to prepare students for gainful employment in a recognized occupation as a condition of HEA Title IV student financial aid eligibility. The GE rules, which have been on hiatus since the Trump Administration, would establish new eligibility thresholds and certification requirements. Foremost, the proposed GE rule outlines two metrics career training programs must meet:

1) A new debt-to-earnings (DTE) ratio metric, which would require median loan debt payments to be equal to or less than 8% of annual earnings, or equal to or less than 20% of discretionary earnings and;
2) A new earnings metric, “earnings premium measure,” to track whether a typical program graduate earns at least as much as a typical high school graduate in their state’s labor force between ages 25 and 34.

Training programs that fail to meet one or both metrics in two of three consecutive years would have Title IV aid eligibility revoked. Additionally, the NPRM outlines new requirements for institutions to report on GE program enrollment, GE metric appeals process, and require that prospective and current students’ acknowledgement having reviewed a forthcoming ED disclosure website on programmatic debt and earning outcomes. This proposed ED disclosure website would also include information on program costs, loan burden, earnings, and licensure requirements.

In addition to the GE proposed changes, the NPRM proposes new protection requirements to safeguard students from riskier institutions, ensure institutions are administratively capable, and monitor institutional finances in response to concerns over recent for-profit institutional closures. Of note, the NPRM includes requirement to ensure institutions “can appropriately administer the title IV, HEA programs,” including adequate counseling for students of financial aid options by “specifying required elements to be included in financial aid communications.” It also includes a requirement that institutions “provide adequate career services to help their students find jobs, particularly where the institution offers career-specific programs and makes commitments about job assistance” and prohibit deceptive or misleading recruiting practices. For those careers requiring licensure, the Department also proposes institutions provide for geographically accessible clinical experiences or externships as required for program credential or licensure. Other disclosures would include whether a program is programmatically accredited, the name of the accrediting agency, and a disclosure of states where an institution is aware a program does and does not meet licensure or certification requirements. Within the Financial Responsibility regulations, institutions would be required to disclose in a financial statement audit “the dollar amounts it has spent in the preceding fiscal year on recruiting activities, advertising, and other pre-enrollment expenditures.” The NPRM includes an expansion of certifications and oversight mechanisms including additions to the Program Participation Agreement such as a new prohibition on use of transcript withholding due to balances related to Return of Title IV or institutional errors.

Public comments to the NPRM must be received by June 20, 2023. The Department anticipates reviewing responses and releasing the final rules prior to the November 1 deadline required to become effective on July 1 of the 2024-2025 school year. While institutions can respond individually, the national higher education associations are also soliciting institutional feedback on the NPRM to inform associations’ responses.

Sources and Additional Information:
Policy Update: Presidential Advisory Committees Assess Recommendations to Maintain U.S. Leadership in Artificial Intelligence and Quantum Information Science, and White House Seeks Input on Future Priorities in Artificial Intelligence

Two Presidential Advisory Committees recently met to assess U.S. leadership in artificial intelligence (AI) and quantum information science (QIS) and discuss recommendations for future federal investments in research and workforce development as well as issues related to the safe, secure, and responsible use of these emerging technologies. Shortly after these advisory meetings, the White House Office of Science and Technology Policy (OSTP) released a new National AI R&D Strategic Plan, an update to the second plan issued in 2019, and the U.S. Department of Education released its Artificial Intelligence and the Future of Teaching and Learning report that highlights opportunities and risks related to AI in education. For researchers and other interested stakeholders, OSTP also released a Request for Information (RFI) to receive recommendations on future AI national priorities and investments as the Biden Administration develops the first National AI Strategy. Responses are due by July 7.

A full summary and analysis of the advisory committee meetings and recent OSTP actions can be found here.

Funding Opportunity: Library of Congress Launches the Lewis-Houghton Civics and Democracy Initiative

The Library of Congress (LOC) issued a funding opportunity for the Lewis-Houghton Civics and Democracy Initiative, a new program established via the Legislative Branch Appropriations Act, 2023. Under the initiative, the LOC is seeking inviting predominantly education-focused institutions to submit applications in effort to spur and expand online teaching systems for humanities subjects. Award winners will develop “digitally enabled learning initiatives for secondary education based on creative arts-driven instructions, especially focused on music, in history, civics and democracy.” Accepted projects are expected to support the Department of Education and the LOC’s goal of bolstering creative arts interest in American high school students by creating digitalized, humanities-based curriculum and programs.

The Library of Congress desires projects that prioritize quality, accessibility, and feasibility. Project proposals must include rights-free materials from the Library of Congress’s collection. Examples of project proposals included in the FOA include:

- “Augmenting an already-existing civics curriculum with music or creative arts-related Library of Congress primary source.”
- “Augmenting an already-existing music curriculum with Library of Congress primary sources.”
- “Creating music or creative arts-focused inquiry and discovery kits for use by young visitors to the Library.”
- “Developing a podcast series that explores democracy through the lens of the history and context of music available in the Library’s collections.”
- “Gathering secondary teachers to write lesson plans that explore the role of music in history and civic movements.”
- “Programming an engaging civics-related app or online interactive that supports student analysis of music or creative arts-related primary sources.”
Eligibility: Applicants must be an US-based “education-focused organization” that has extensive teaching experience and knowledge, with interest in the humanities.

Award Information: The Library of Congress will award six cooperative agreements -- each award has a maximum amount of $100,000. The Library is not restricted to the maximum award amount and may choose to provide additional funds to awardees if their project provides adequate results under the current award amount—other potential criteria for receiving additional funding includes satisfactory use of Library materials/content; project proposal quality and feasibility and the number of applicants. The Library may choose to provide additional funds at their discretion—additional awards will not be competitive. The Library also has the ability to provide funding to more than six applicants, at their discretion.

Deadlines: Applications are due June 30, 2023 by 2:00 PM EDT. Questions regarding the funding opportunity must be received by June 19, 2023 at 2:00 PM EDT and will be answered via a Questions and Answers document posted on grants.gov.

Additional Information:
- All questions regarding this solicitation can be directed to tps-grant@loc.gov
- The full solicitation posting can be found here: https://www.grants.gov/web/grants/view-opportunity.html?oppId=348276

Funding Opportunity: NSF Releases Solicitation Expanding TRIPODS Through Partnerships (XTRIPODS)
The National Science Foundation (NSF) has released a solicitation for a new program aimed at broadening participation in “data science research, education, and workforce development.” The Expanding Transdisciplinary Research in Principals of Data Science through Partnerships (XTRIPODS) will support partnerships between current TRIPODS Phase II Institutes and institutions of higher education (IHEs) that do not typically receive NSF funding nor have very high research activity. With the goal of creating a broad and diverse interdisciplinary research community, NSF seeks to reinforce its core values and vision through this program, particularly for diversity, equity, inclusion, and collaboration. Only institutions that are not classified at Carnegie Research 1 level (R1/very high research activity) are eligible to apply.

Non-R1 institutions have historically played smaller roles in the overall research community and are viewed as untapped wells of talent that could be the key to maintaining U.S. leadership in science and innovation. By engaging with non-R1 universities that are not typically involved in data science research, NSF hopes to broaden participation in the field and equip historically marginalized communities with the skills to enter STEM careers. NSF views broadening participation in data science as paramount to the field’s advancement as it
promotes responsible data science; fosters inclusivity in participation and design; and ensures data science outcomes are not only innovative, but also have a positive impact on the whole of society.

As previously stated, this opportunity will leverage the Phase II Institutes from the existing TRIPODS program which sought to create theoretical foundations for data science through interdisciplinary research activities. Interested proposers must develop a collaborative project with one of the four existing institutes:

- Foundations of Data Science Institute (FODSI)
- Institute for Data, Econometrics, Algorithms, and Learning (IDEAL)
- Institute for Emerging CORE Methods in Data Science (EnCORE)
- Institute for Foundations of Data Science (IFDS)

Principal investigators (PIs) from the submitting non-R1 institution must receive a letter of collaboration from an existing institute, which should be included in the proposal. Researchers from the submitting institutions are expected to form true partnerships with existing TRIPODS personnel and proposals should be developed jointly. Proposals must demonstrate how the potential project will:

1. “Expand participation in data science research to faculty, students, and institutions that are not currently engaged.
2. Extend the impact of the existing TRIPODS Institute via well-planned collaborative research and/or education activities consistent with the stated goals of the TRIPODS Institute and those of the TRIPODS program.”

This solicitation involves NSF’s Division of Computing and Communication Foundations (CCF) in the Directorate for Computer and Information Science and Engineering (CISE), the Division of Mathematical Sciences (DMS) in the Directorate for Mathematical and Physical Sciences (MPS), and the Division of Electrical, Communications and Cyber Systems (ECCS) in the Directorate for Engineering (ENG).

Eligibility Information: Proposals may only be submitted by IHE’s that are not currently classified as a Doctoral University that engages in “Very High Research Activity” or classified as R1 institutions under the Carnegie Classification. This includes R2 doctoral universities and doctoral/professional universities. NSF highly encourages proposals from PIs at non-R1 Minority Serving Institutions (MSIs), women’s colleges, institutions that primarily serve those with disabilities, and predominately undergraduate institutions. As previously mentioned, proposers must have received a Letter of Collaboration from a PI or co-PI of a standing TRIPODS Phase II Institute to be eligible. TRIPODS Phase II awardee institutions may receive supplemental awards under this solicitation, as a collaborator with a submitting institution. PIs, co-PIs, and senior project personnel must have a tenure track position or a primary, full-time position in research or teaching. There is no limit to the number of proposals per organization; however, proposers may only serve as PI or co-PI on one proposal.

Due Dates: Proposals may be submitted during the following submission windows as specified in the solicitation:

- August 2 through August 16, 2023
- February 15 through March 1, 2024

Award Information: NSF anticipates awarding standard grants of up to $200,000 for each XTRIPODS award over two years. Co-PIs and PIs that are part of existing TRIPOD Phase II Institutes may request a supplemental
award of up to $50,000 to facilitate collaboration with a submitting institution. NSF anticipates making 10 to 16 awards as well as 10 to 16 subsequent supplemental awards. A description of the collaborative work to be completed by the TRIPODS PI or co-PI must be included in the proposal’s project summary and description.

Sources and Additional Information:
- The full solicitation is available at Expanding TRIPODS through Partnerships (XTRIPODS) (nsf23591) | NSF - National Science Foundation.
- More on the Carnegie Classification is available at https://carnegieclassifications.acenet.edu/.

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