



www.few.org



1629 K Street NW, Suite 300
Washington, DC 20006
Phone: 202/898-0994
Fax: 202/898-1535

FEW Washington Legislative Update April 16-30, 2024

In Congress:

On Thursday, April 18, a cohort of bipartisan senators [introduced new artificial intelligence-focused legislation](#) which aims to consolidate U.S. leadership in emerging technologies through enhanced private sector collaboration. The Future of AI Innovation Act, cosponsored by Sens. Todd Young, R-Ind, Maria Cantwell, D-Wash., Marsha Blackburn, R-Tenn., and John Hickenlooper, D-Colo., responds to the larger global race to lead in new AI and emerging technologies, like quantum computing systems and applied biosciences.

On Friday, April 24, [The Judicial Ethics Enforcement Act](#) — cosponsored by Rep. Melanie Stansbury, D-N.M. and backed by 10 other House Democrats — was introduced to take direct aim at recent scrutiny of Supreme Court justices' ethics for ties to political donors and other controversies by calling for the creation of an office of the inspector general to monitor and audit the court.

On Monday, April 29, lawmakers [struck a deal](#) to reauthorize the Federal Aviation Administration. Key negotiators unveiled a \$105 billion measure that will lead to the hiring of thousands of new air traffic controllers. The breakthrough comes after months of negotiations and several short-term extensions of the agency's authority. Employee groups, stakeholders and the agency itself had pressed for a resolution, in large part so they could receive the funding and approval to address the significant staffing shortfalls in the agency.

Diversity, Equity, and Inclusion:

Can Biden's New Jobs Program to Fight Climate Change Attract Women and People of Color?

At a national park in Virginia on Monday, President Joe Biden announced that people can start applying to the American Climate Corps, a program that is expected to connect workers with over 20,000 green jobs.

“You’ll get paid to fight climate change, learn how to install those solar panels, fight wildfires, rebuild wetlands, weatherize homes, and so much more that’s going to protect the environment and build a clean energy economy,” Biden said at the Earth Day event.

The American Climate Corps (ACC) is modeled after the Civilian Conservation Corps (CCC), which was created by President Franklin D. Roosevelt in 1933 to employ men in environmental projects on the country’s public lands — projects like trail building, planting trees and soil erosion control. Nearly 3 million people were put to work in an effort to address both Depression-era unemployment and to shore up national infrastructure. But it wasn’t very diverse. Although Black and Native American men were allowed to enroll, the work was segregated. And women could not apply. For a brief time, a sister program created by Eleanor Roosevelt — mockingly called the “She-She-She camps” by its detractors — trained 8,500 women in skills like typing and filing.

Biden announced the launch of a long-awaited job board where applicants can look for opportunities. Some positions were created through the American Climate Corps partner agencies like the Forest Service, which announced the Forest Corps — 80 jobs in reforestation and wildfire mitigation — or the USDA’s Working Lands Climate Corps, with 100 positions. At the same time, the Department of Interior and the Department of Energy announced a new project that will place corps members in priority energy communities — places that have historically been the site of coal mining and power plants — for work in community-led projects like environmental remediation. All of these positions have a term limit, although they vary; some listed on the website are seven-months for example, others are over a year long.

Other jobs listed on the site are compiled from existing conservation corps programs; either state-run programs like the California Conservation Corps or those run by nonprofits like Conservation Legacy. These provide opportunities for young people in local communities to do everything from prescribed burning on public lands to solar panel installations on schools.

The Biden administration is adamant that this iteration of the program will attract a more diverse conservation and climate workforce, promising that the program will “look like

America” and expand pathways into the workforce for people from marginalized backgrounds.

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

FEW Washington Legislative Update – April 16-30, 2024

Tier I

Congressional Dems Urge OPM to Fully Cover IVF in Feds’ Insurance Program

A group of more than 175 congressional Democrats on Monday, April 22, urged the Office of Personnel Management (OPM) to require insurance carriers that participate in the Federal Employees Health Benefits Program (FEHBP) to fully cover in vitro fertilization (IVF), as the procedure increasingly gets caught up in Republican-led efforts to curtail or ban abortion.

This year marked the first year that the FEHBP meaningfully covered assisted reproductive technologies, including artificial insemination and related drugs, as well as drugs associated with up to three in vitro fertilization cycles per year. Out-of-pocket costs for a single cycle of IVF can cost between \$15,000 and \$30,000, of which 35 percent can be attributed to prescription drugs associated with the procedure.

In a letter to outgoing OPM Director Kiran Ahuja, the group of lawmakers, led by Rep. Gerry Connolly, D-Va., and Sen. Tammy Duckworth, D-Ill., urged the federal government’s HR agency to continue to expand access to in vitro fertilization in 2025.

“While significant work remains to be done to improve IVF access, which includes ensuring comprehensive plan designs are inclusive of LGBTQ and solo individuals who rely on medical intervention to build their families, your leadership in making sure FEHB plans cover IVF medications represents meaningful progress in expanding access to fertility treatments, which will ultimately prove life-changing for families across the country,” they wrote. “As OPM begins to prepare for plan year 2025, we strongly urge you to build on the impressive progress the Biden administration has made in empowering the federal government to effectively recruit and retain the next generation of civil servants by requiring all FEHB carriers to cover IVF medical treatments and medications.”

The push comes as IVF has increasingly come under fire by some in the anti-abortion movement. In February, the Alabama Supreme Court ruled that frozen embryos are

legally “children.” That decision effectively banned IVF in the state, due to the fact that when frozen embryos are thawed, there is a small chance that they may be damaged or destroyed. Following broad criticism of the court ruling, the state’s legislature passed a law in March protecting IVF doctors from any legal liability that could result from the decision.

“At a time when IVF is increasingly under attack by the extreme personhood movement, President Biden would send a strong message that his administration, in word and deed, are true champions of safeguarding the right of families to decide if, when and how to build a family,” the lawmakers wrote. “Requiring FEHB carriers to cover IVF medical treatments and medications for plan year 2025 would reflect the reality that IVF is one of the most effective treatments for families struggling with infertility, and growing in popularity, with its usage nearly doubling from 2012 to 2021.”

By requiring IVF coverage in the nation’s largest employer-sponsored health insurance program, Democrats argued that the federal government could meet Biden’s expectation that it be a “model employer,” potentially causing more companies in the private sector to follow suit.

“FEHB is a national trend setter for employer-sponsored coverage choices and making IVF coverage a default requirement would accelerate the adoption of pro-family policies beyond FEHB to ensure that more workers with employer-sponsored coverage are able to access IVF medical treatments,” the letter states. “Simply put, at a time when seemingly every politician is loudly declaring their support for IVF—even when many of those same politicians support the personhood movement that has endangered IVF’s future—President Biden has an opportunity to demonstrate strong leadership by taking decisive action to make the scientific miracle that is IVF accessible to many more Americans, beginning with our dedicated federal workforce.”

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

FEW Washington Legislative Update – April 16-30, 2024 Tier II

Bipartisan Bill Seeks to Expand Workers’ Access to Digital Skills Training Programs

On Wednesday, April 17, House and Senate lawmakers introduced bipartisan legislation that seeks to amend existing law to narrow the nation’s digital skills gap.

The bill, sponsored by Reps. Abigail Spanberger, D-Va., and David Valadao, R-Calif., and Sen. Tim Kaine, D-Va., proposes investing in digital skills training by providing grants and funding to local, state and organizational employment programs and services focused on upskilling workers or providing them with expanded job opportunities.

The proposal would modify the Workforce Innovation and Opportunity Act, or WIOA, “to establish a digital skills at work grant program” to promote information literacy for current and new workers.

The WIOA, according to the Department of Labor, is designed to “help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.”

The lawmakers noted in a press release, however, that digital skills training programs are not “an allowable use” under the current law, limiting job seekers’ ability to gain these skills when accessing WIOA career services.

“Ensuring people have the digital skills they need to navigate the modern job market is critical to the strength of our economy,” Valadao said in a statement. “When people enter the workforce with the foundational skills they need, it not only eases the burden on employers, but it sets people on a path to success for the rest of their careers.”

A report released by the nonprofit National Skills Coalition in February 2023 found that 92 percent of jobs require digital skills but noted that approximately one-third of workers lack the skills needed to take on these jobs.

The legislation has received support from a variety of business organizations, workforce development groups and nonprofits, with some of the bill’s backers noting the disproportionate impact that the lack of these skills has on minority populations.

“This groundbreaking legislation addresses an urgent need within our workforce, where the digital divide continues to be a barrier to employment, particularly for communities of color, low-income families, and rural populations,” Samuel Wiggins, chairman of the Northern Virginia Black Chamber of Commerce, said in a statement.

Sourced From: [\(NextGov\)](#)

FEW Washington Legislative Update – April 16-30, 2024

Tier III

EEOC Releases Workplace Guidance to Prevent Harassment

The U.S. Equal Employment Opportunity Commission (EEOC) published final guidance on harassment in the workplace, “Enforcement Guidance on Harassment in the Workplace.” By providing this resource on the legal standards and employer liability applicable to harassment claims under the federal employment discrimination laws enforced by the EEOC, the guidance will help people feel safe on the job and assist employers in creating respectful workplaces.

These laws protect covered employees from harassment based on race, color, religion, sex (including pregnancy, childbirth or related medical conditions; sexual orientation; and gender identity), national origin, disability, age (40 or older) or genetic information.

Since the Commission last issued guidance on workplace harassment, notable changes in the law have occurred, including the Supreme Court’s decision in *Bostock v. Clayton County*; the EEOC convened a bipartisan Select Task Force on Harassment in the Workplace and issued a detailed report setting forth its Co-Chairs’ findings and recommendations; and new issues have emerged, such as online harassment.

The new guidance updates, consolidates, and replaces the agency’s five guidance documents issued between 1987 and 1999, and serves as a single, unified agency resource on EEOC-enforced workplace harassment law. It reflects the Commission’s consideration of the robust public input that it received after the guidance was posted for public comment in fall 2023.

“Harassment, both in-person and online, remains a serious issue in America’s workplaces. The EEOC’s updated guidance on harassment is a comprehensive resource that brings together best practices for preventing and remedying harassment and clarifies recent developments in the law,” said EEOC Chair Charlotte A. Burrows. “The guidance incorporates public input from stakeholders across the country, is aligned with our Strategic Enforcement Plan, and will help ensure that individuals understand their workplace rights and responsibilities.”

Between fiscal years 2016 and 2023, more than a third of all discrimination charges received by the EEOC included an allegation of harassment based on race, sex,

disability, or another characteristic covered by the laws enforced by the agency. Also, since fiscal year 2018, harassment has been alleged in over half of federal sector equal employment opportunity complaints. In addition, among the 143 merits lawsuits that the Commission filed in fiscal year 2023, approximately 35 percent of those cases included an allegation of harassment.

The guidance, approved by a majority vote of the Commission, reflects the EEOC's commitment to protecting persons who are particularly vulnerable and persons from underserved communities from employment discrimination. It includes over 70 examples illustrating unlawful harassment, including situations involving older workers, immigrant workers, and survivors of gender-based violence. It also illustrates how employees may be subjected to unlawful harassment not only by coworkers or supervisors, but also by customers, contractors, and other third parties.

In addition, the guidance addresses the growth of virtual work environments and the increasing impact of digital technology and social media on how harassment occurs in the work environment.

"As we commemorate this year's 60th anniversary of the Civil Rights Act of 1964, the guidance will help raise awareness about the serious problem of harassment in employment and the law's protections for those who experience it," said Burrows.

Along with the final guidance, the EEOC issued several educational resources, including a "Summary of Key Provisions" document, document for employees, and a fact sheet for small businesses.

The final guidance also highlights additional EEOC resources on workplace harassment, including the EEOC's 2023 Promising Practices for Preventing Harassment in the Federal Sector technical assistance document, which provides practical tips for preventing and addressing harassment within the federal civilian workforce; the agency's 2017 Promising Practices for Preventing Harassment technical assistance document; and the 2016 Report of the Co-Chairs of the Select Task Force on Harassment in the Workplace, which included findings and recommendations about harassment prevention strategies.

The EEOC issued the proposed harassment guidance on Oct. 2, 2023, and invited the public to comment. The comment period closed on Nov. 1, 2023. The EEOC received approximately 38,000 comments and carefully considered those comments in developing this final guidance.

Sourced From: [\(U.S. Equal Employment Opportunity Commission\)](#)

State Legislators are Taking the Maternal Mortality Crisis Into Their Own Hands

As efforts to address the country's maternal mortality crisis have stalled at the federal level, advocates and lawmakers are increasingly turning to statewide maternal mortality review committees to make progress — and try to save lives.

Guttmacher Institute, one of the nation's largest reproductive health research organizations, reports that almost all states have a maternal mortality review committee that's tasked with investigating pregnancy-related deaths and their causes and making prevention recommendations.

The Centers for Disease Control and Prevention recorded 1,205 maternal deaths in 2021, up from 861 in 2020 and 754 in 2019. The average maternal mortality rate that year was 32.9 per 100,000 live births. Black birthing people's maternal mortality rate was 69.9 per 100,000 live births, compared to White birthing people's rate of 26.6.

Guttmacher marks 2016 as a year of resurgence of interest in these review committees as attention on maternal mortality rose. Jennifer Driver, the senior director of reproductive rights at the advocacy group State Innovation Exchange, believes that the acknowledgement of maternal mortality as an issue — and one that disproportionately impacts Black women — has resulted in an uptick in legislation to study or address the matter. She also believes state legislators are better equipped to address maternal health than their federal counterparts because of the rate at which legislation moves at the state level.

“State legislators play a critical role in advancing and protecting reproductive rights. While often, folks look at Congress or the administration or the courts, what we know, especially in 2024, that all of those are really kind of stalled,” Driver said. “Because of the makeup of the Congress, and the way that politics has just been so polarized, very little legislation passes. And so there's only so much that Congress can do, whereas in contrast, state legislators are on the front lines of this work. So much legislation moves faster.”

Democratic U.S. Reps. Lauren Underwood of Illinois and Alma Adams of North Carolina sponsored the Black Maternal Health Momnibus Act of 2021, which included bills to improve maternal health through several avenues, including researching and collecting

data on maternal mortality and morbidity among minority groups. It did not pass, but there are efforts to pass state-level Momnibus bills.

While the American Journal of Obstetricians and Gynecologists (AJOG) recently reported that maternal mortality rates may be overstated, “Maternal mortality rates among non-Hispanic Black women ... remained disproportionately high compared with other race and ethnicity groups.” A recent study found “stable rates of maternal mortality in the United States between the 1999–2002 and 2018–2021 periods, decreases in maternal deaths due to direct obstetric causes, increases in maternal deaths due to indirect obstetrical causes, and large increases in the misclassification of nonmaternal and incidental deaths due to the use of the pregnancy checkbox.”

Despite the conflicting methods of tracking maternal mortality, state lawmakers — most of them women — are establishing new committees to study and assess maternal health outcomes and strengthening existing review panels.

In Georgia, Republican Rep. Lauren Daniel sponsored legislation to establish the Commission on Maternal and Infant Health to be made up of 14 members appointed by the governor, lieutenant governor and state Speaker of the House. The commission would spend two years assessing perinatal care in the state, making policy recommendations and determining how to measure effectiveness and quality of perinatal care. Perinatal care is parents’ and babies’ health before, through and after birth, according to the World Health Organization, which notes that, “Ensuring access to affordable and good quality of care throughout pregnancy and the perinatal period is essential to reducing the rates of complications and deaths related to pregnancy and childbirth.”

The bill was passed by the House and is being read by the Senate. The state’s maternal mortality review committee reported that there were 35.6 pregnancy-related deaths per 100,000 live births in the state between 2019 and 2021.

Sourced From: [\(Route Fifty\)](#)

The articles and information posted in this publication are obtained from other qualified published sources and are protected under copyright laws.