

Opening Statement of Ranking Member Robert C. "Bobby" Scott (VA-03)

Full Committee Markup

H.R. 4259, *Think Differently about Education Act of 2023*

H.R. 5349, *Crucial Communism Teaching Act*

H.R. 5110, *Protecting Hunting Heritage and Education Act*

H.J. Res 88, *Providing for congressional disapproval under chapter 8 of title, United States Code, of the rule submitted by the Department of Education relating to "Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program*

H.R. 4957, *Department of Labor Succession Act*

H.R. 5339, *RETIRE Act*

H.R. 5337, *Retirement Proxy Protection Act*

H.R. 5338, *No Discrimination in My Benefits Act*

H.R. 5340, *Providing Complete Information to Retirement Investors Act*

2175 Rayburn House Office Building

Thursday, September 14, 2023, | 10:15 a.m.

Thank you, Madam Chair.

Today, the Committee is marking up nine bills. Regrettably, some are benign or noncontroversial, but some are also divisive and partisan and will undermine the economic security of workers, students, and families. Moreover, these bills are a waste of the Committee's time. They are unlikely to advance in the Senate or be signed into law.

By contrast, by this point in the last Congress, Congressional Democrats had already passed the *American Rescue Plan Act*—which delivered the largest, one-time federal investment in K-12 education in U.S. history and solved the multiemployer pension fund, saving over a million pensions and tens of thousands of businesses who were legally obligated to pay into those failing plans until the businesses went broke. We'd also advanced the bipartisan infrastructure bill to help rebuild America's roads, bridges, public transits, and other infrastructure, while also creating millions of jobs. And we'd passed the *CHIPS and Science Act*, which strengthened America's supply chains and revitalized the manufacturing industry. But we haven't done anything approaching that kind of record in this Congress.

The first bill before us today, the *Think Differently About Education Act*, requires schools to notify parents of their rights under the *Individuals with Disabilities in Education Act*. Parents can invite experts with specialized knowledge regarding their child to attend a student's Individualized Education Program (IEP) meeting where key decisions are being made about their child's education.

This proposal appears to restate present law and ensures that parents are aware of and can exercise a right they already have under current law, so I am not opposed to it. However, I want to make clear that I am not advocating to further amendments to the *Individuals with Disabilities Education Act* (IDEA) at this time.

The next bill—H.R. 5349, the *Crucial Communism Teaching Act*—provides the “Victims of Communism Memorial Foundation” with the resources to create curriculum that informs high school students of the detrimental effects of communism, totalitarianism, and similar political ideologies.

I am not opposed to the concept of providing resources to institutions, such as the Smithsonian, to create curriculum. We’ve done it before with many other issues. However, this legislation could be improved by including a provision that also incorporates the negative effects of fascism. In addition to the dangers of communism, our high school students should learn the dangers of fascist regimes, such as those that have banned books, political scapegoating of immigrants, and blind allegiance to a strongman leader not bound by the rule of law.

If this commonsense provision is included, I would not discourage support for this proposal. However, I want to caution my colleagues that we must be mindful to not overstep our roles as Members of Congress by allowing the federal government to dictate curriculum, which is specifically prohibited in most education bills.

H.R. 5110, the *Protecting Hunting Heritage and Education Act*, would amend the Senate-drafted *Bipartisan Safer Communities Act* and clarifies that the law does not prevent students from using items considered to be dangerous weapons for the purpose of educational or extra-curricular activities, such as archery, hunting, other shooting sports, or culinary arts. This is a simple, commonsense fix, and I would support this proposal.

H.J. Res 88, *Providing for congressional disapproval under chapter 8 of title, United States Code, of the rule submitted by the Department of Education relating to “Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program*

Unfortunately, I had positive things to say about the other bills, but I don’t have much good to say about this one.

This bill would repeal the Biden administration’s new income-driven repayment plan, known as the SAVE plan, and undermine the economic security of millions of student borrowers. The SAVE plan will allow more than one million low-income borrowers to be excused from payments because they don’t make enough to be able to afford payments on their student loans, and it will stop loan balances from ballooning due to unpaid interest. This is the kind of investment that we need to support borrowers, their families, and our economy.

Since the plan was launched, more than 4 million student loan borrowers have already enrolled, including over 104,000 in the Commonwealth of Virginia. With the return to student loan repayment underway, student loan borrowers and their families are already anxious. If enacted, H.J. Res. 88 would prevent the Biden administration from implementing the plan, sending the student loan system into disarray and further forcing many borrowers into delinquency, default, or payments they can’t afford.

So, I would strongly oppose this resolution.

We are also considering five bills that interfere with workers’ retirement investments and waste this Committee’s time on baseless efforts to undermine the Labor Department.

First, H.R. 4957, *Department of Labor Succession Act*. Throughout Acting Secretary of Labor Julie Su's tenure, my Republican colleagues have tried—time and time again—to undermine the Labor Department's pro-worker agenda through baseless attacks. This bill is just the latest example of that.

The evidence is clear that President Biden's economic agenda is working—with more jobs already than any President has created in four years, unemployment under four percent for the longest period of time in about half a century. So, Acting Secretary Su has been integral to our sustained economic recovery. We cannot allow partisan politics to undermine the progress we have made. And so, I would to oppose this bill.

H.R. 5339, *RETIRE Act*, and 5337, *Retirement Proxy Protection Act*, 5340, *Providing Complete Information to Retirement Investors Act*—these bills inject partisan politics into workers' investment decisions for retirement.

The Biden-Harris administration has issued commonsense rules related to environmental, social, governance—or ESG—investing and proxy voting. These bills, which were hastily introduced last week and are being marked-up without a full legislative hearing, replace these rules with flawed and unpopular ones from the Trump era.

These bills are premised on the Republicans' mistaken view that they know best when it comes to ESG investing, while Committee Democrats continue to trust the professionals who are legally bound to make prudent decisions on behalf of retirement plan participants. And so, I would urge my colleagues to oppose all of those three bills.

H.R. 5338, *No Discrimination in My Benefits Act*, finally, my Republican colleagues are attempting to undermine efforts to increase diversity among asset managers. This is a worthwhile endeavor. As the Government Accountability Office noted a few years ago, only one percent of the \$70 trillion in global assets under management are managed by firms owned by women or people of color. There's also research to suggest that the non-diverse firms do not outperform diverse firms across all asset classes. This bill was also just introduced last week and never received a legislative hearing—it takes us backward. It puts needless statutory restrictions on retirement plan fiduciaries and seemingly intends to further entrench the unacceptable status-quo with respect to the lack of representation of women and people of color in the asset management industry. So, this bill should also be opposed.

Today, I hope that we can come together to make commonsense improvements to the proposals that we agree on. However, a vast majority of these bills would significantly hurt our nation's students, workers, and families, and should not be approved by this committee.

I yield back the balance of my time.