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## Pressure, Time, Ivanka: How a Bipartisan Jobs Bill Got Unstuck

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Emily Wilkins (<https://about.bgov.com/blog/author/emily-wilkins/>)

Congress has passed an update to a career education law

Measure was stuck on a debate about federal oversight

Nearly everyone involved expected it to be easy.

The Carl D. Perkins Career and Technical Education Act, a \$1.2 billion state grant program that funds job skills education programs, was a noncontroversial, bipartisan measure up for reauthorization.

Moreover, it enjoyed broad support. In January 2016, 350 organizations, including the Chamber of Commerce, NAACP and the American Federation of Teachers, wrote a letter to Congress calling the law's reauthorization "critical for the continued economic prosperity of the United States and ensures the country remain a leader in global competitiveness."

"From our perspective, this should have always been an easy bill to pass," said a Democrat aide on the Senate committee charged with overseeing the reauthorization. "We did not think this was going to be a challenging or a political fight at all."

Yet updating the law became a multi-year battle not over the program itself, but over concerns about federal agency overreach, according to two dozen lawmakers, Congressional and White House staffers, lobbyists and members of the business community that spoke with Bloomberg Government on how the bill came to pass. It also included, at a key point, a dinner hosted by Ivanka Trump, a senior White House adviser and President Donald Trump's daughter.



Photographer: Andrew Harrer/Bloomberg

White House senior adviser Ivanka Trump

Vic Klatt, a lobbyist who worked on past Perkins bills as both a Capitol Hill staffer and Education Department official, said the authorization that passed earlier this week was unlike any he'd seen before.

"It's safe to say this bill got attention far beyond the normal attention a bill this size and scope gets," he said.

#### SECRETARIAL AUTHORITY

Businesses and education groups began lobbying members of Congress to reauthorize the law soon after it expired in 2012, but lawmakers focused instead on updating other laws dealing with workforce issues in 2014 and the No Child Left Behind primary education law in 2015.

That left 2016 poised to finally be Perkins' year.

The House introduced a bipartisan bill in June 2016. In July, it was unanimously approved by members of a House panel. Two months later, the House passed the update 405-5.

Over in the Senate, things unfolded differently. Senate Health, Education, Labor and Pensions Chairman Lamar Alexander (<https://www.bgov.com/core/legislators/#!/BB11774>) (R-Tenn.), along with ranking member Patty Murray (<https://www.bgov.com/core/legislators/#!/BB5247932>) (D-Wash.) and Sens. Mike Enzi

(<https://www.bgov.com/core/legislators/#!/BB5247251>) (R-Wyo.) and Bob Casey (<https://www.bgov.com/core/legislators/#!/BB5247145>) (D-Pa.) had released a set of bipartisan principles for the bill in October 2015.

But negotiations hit a snag. The bipartisan K-12 education law had new restrictions on the Education secretary's role, and Alexander wanted to see those same limits in Perkins. Business and education groups were confused – secretarial oversight had never been an issue for them. Democrats saw adding in the K-12 bill's limitations as nonstarter. Even other Republicans were surprised.

The issue was bigger than Perkins. According to former and current committee aides, Alexander felt the Education Department under both Barack Obama and George W. Bush was interfering with decisions that should be left to states and localities.

The concerns were not only about past reauthorizing bills, but future ones. What happened with Perkins would set the stage for debating secretarial authority in the higher education law.

"It was an important philosophical objective to be consistent with what we've been doing elsewhere," said a senior Republican aide on the committee. "The role of the secretary is advisory, is advocacy, is helpful – not the nation's superintendent."

Alexander scheduled a markup of Perkins career and technical education (CTE) legislation for mid-September 2016 . But a draft of the potential bill was slammed by Democrats for containing secretarial provisions and the markup was canceled.

#### CONTINUOUS PRESSURE

Over the course of the next year, as Washington adjusted to a new administration, business and education groups continued to push for a Perkins update. In the House, Education and the Workforce Committee Chairwoman Virginia Foxx (R-N.C.) made the bill (H.R. 2353 ([https://www.bgov.com/us\\_legislation/6416659550076928069](https://www.bgov.com/us_legislation/6416659550076928069))) a priority and by June 2017, the House had once again passed a bipartisan bill on voice vote.

The Senate remained at a stalemate, but the business community continued calls, letters and visits on the bill.

"We've always had business support for CTE," said Kimberly Green, executive director at Advance CTE, which represents state career education officials. "But they've never coalesced around being strong advocates and making this a priority for them in the way they did this time."

Inside the Capitol, pressure among lawmakers was building. An October 2017 letter signed by 59 lawmakers urged Murray and Alexander to compromise.

Yet, the two sides split further apart. In addition to the earlier limits, Alexander also proposed allowing states to use Perkins funding as a voucher program that would give funding to students, not schools. It was a nonstarter for Democrats, and negotiations remained stalled.

#### EXECUTIVE PRESSURE

Businesses also made their case to 1600 Pennsylvania Ave., where they were were already working on other labor initiatives. Ivanka Trump had toured career education programs for students and mid-career workers in 2017. Perkins not only fit in well with her priorities, but the White House identified it as a bill close to the finish line.

"Everyone agreed that it's good legislation, everyone agreed it was time for it to be reauthorized," she told Bloomberg Government in a phone interview. "But it did not have a champion."

Ivanka Trump began to call and have one-on-one meetings with lawmakers. She didn't get into the policy aspects of Perkins. Rather, she became another source putting pressure on lawmakers.

Around the end of March and into April, the four senators – Alexander, Murray, Enzi and Casey – began to meet again to find a way forward on Perkins. But secretarial authority remained an issue.

In April, Ivanka Trump hosted a dinner at her home. The goal, according to attendees, was to find a compromise on secretarial authority .

The guests included Alexander and Enzi, as well as a trio of female senators: Amy Klobuchar (<https://www.bgov.com/core/legislators/#!/BB27037>) (D-Minn.), Heidi Heitkamp (<https://www.bgov.com/core/legislators/#!/BB139044>) (D-N.D.), and Shelley Moore Capito (<https://www.bgov.com/core/legislators/#!/BB8452>) (R-W. Va.), who Trump had worked with on other legislation . Also included were IMB CEO Ginni Rometty, Northrop Grumman (<https://www.bgov.com/core/companies/app/#!/101090>) CEO Wes Bush, and Business Roundtable President Josh Bolton.

"That really signaled a shift in the direction we were going, of the critical importance of getting this done and getting this done quickly," said Green .

Soon after, senators began to use the House bill text to build their own bipartisan bill. Under pressure from the business community, the White House and other lawmakers, Alexander loosened up his stance.

In the final bill, states no longer have to negotiate with the Education secretary over their plans and performance targets, although the secretary maintains the ability to withhold funding if states do not meet their own goals. The compromise also led to additional accountability measures for states and localities.

"It was time to get a result," Alexander told Bloomberg Government when asked about the final bill. "I thought our compromise was reasonable."

#### QUICK TRACTION

After the Senate bipartisan bill was released, the once-stalled legislation quickly gained traction. After sailing through committee untouched, the bill was passed by the Senate by unanimous consent July 23. Less than 72 hours later, it passed the House on a voice vote, just in time for lawmakers to tout it as a victory as they returned home for August recess.

A day after the House bill passed, Ivanka Trump was with her father at an event in Iowa. She touted the Perkins bill, saying it would be "signed into law by the president after over a decade of languishing."

"Unless I don't sign it," President Trump joked. "Maybe I'll veto it."

Several officials around him immediately began a chorus of "No's."

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