

July 11, 2024

## Act to Support New Title IX Rules

On July 11, the U.S. House of Representatives voted to pass an [AAUW-opposed](#) Congressional Review Act resolution (H.J. Res. 165), overturning new Title IX rules that provide strengthened protections against gender-based discrimination in school. The party-line vote (210-205) would also prevent future efforts by federal agencies to reinstate a substantially similar rule. In a statement of condemnation, AAUW CEO Gloria L. Blackwell commented, “Representatives who voted for this resolution are continuing to subject students to policies that stack the deck against survivors of sexual assault and harassment”. [Click here](#) to read our full statement. [Tell your Senators to support Title IX and vote NO on S.J. Res. 96!](#)

Opponents of the new Title IX rules have included language in the House version of the FY 25 education spending bill which would prohibit the U.S. Department of Education from using federally appropriated funds to enforce the new Title IX rules. Due to legal challenges, preliminary injunctions are preventing the rules from being implemented in 14 states. Additionally, the U.S. Department of Education is blocked from enforcing the new rules in “the schools attended by” the children of the members of Moms for Liberty – potentially impacting schools in all 50 states.

## Learn - Supreme Court Decisions

As the current term of the U.S. Supreme Court ended, several decisions were issued impacting gender equity laws.

- The U.S. Supreme Court dealt a major blow to the power of federal agencies in a 6-3 decision overruling a 40-year precedent referred to as the Chevron doctrine, which gave deference to agency experts when a law was ambiguous. The decision will have far-reaching effects across the federal government for decades. It is likely to have an immediate impact on current lawsuits regarding the new Title IX rules, student debt repayment, implementation of the Pregnant Women’s Fairness Act, and other federal employment laws.
- There were several cases that could have directly impacted the availability of abortion care this session. In Food and Drug Administration (FDA) v. Alliance for Hippocratic Medicine, the Court upheld access to a medication called mifepristone, often used in medication abortion in an 8-1 decision. In a pair of cases involving the federal Emergency Medical Treatment and Labor Act (EMTALA), the Court

dismissed the cases on procedural grounds and did not issue a ruling on the merits of the Case. The cases looked at whether a state's abortion ban superseded the federal EMTALA's mandate to offer "necessary stabilizing treatment," if that case necessitated an emergency abortion. The ruling only delays critical questions and allows uncertainty for patients and providers to persist as litigation continues in lower courts.

- In an 8-1 decision applauded by AAUW in *U.S. v. Rahimi*, the Court upheld the existing federal law barring individuals with domestic violence restraining orders, from possessing a gun. The decision affirmed that this is not a violation of the Second Amendment.

The Circuit Courts have had a set of cases creating a roller coaster ride for millions of individuals enrolled in the Saving on a Valuable Education (SAVE) Plan. The program provides income-driven repayment options for student loan borrowers. Last week, federal judges in Kansas and Missouri temporarily blocked different provisions of the SAVE Plan. On June 30, an appellate court issued an emergency motion allowing a provision lowering payments to be implemented. However, the block on the provision to allow additional loan forgiveness under the SAVE program remains in effect. While the legal process plays out in both cases, the U.S. Department of Education placed about three million borrowers on administrative forbearance during which they will not owe any payments, and interest will not accrue.

## AAUW Engagement

- July 9 marked Black Women's Equal Pay Day. Black women, including part-time and seasonal workers, are paid on average only 66 cents for every dollar paid to non-Hispanic white men. AAUW was a co-lead for the day along with several other organizations including the National Council of Negro Women, Black Women's Roundtable. Together, groups are urging Congress to pass the [Paycheck Fairness Act](#) and to support the [BE HEARD in the Workplace Act](#). Expected to be introduced in late July, BE HEARD will strengthen protections against workplace harassment.
- AAUW joined more than 225 groups [in a letter](#) to the U.S. Department of Education calling for the release of rules to support student loan borrowers experiencing hardship. The draft rule would forgive unpaid interest for 25 million individuals whose loans have surpassed the amount they originally borrowed and help two million individuals who would have been eligible for existing federal programs but did not enroll. On July 5, the Department indicated the proposed hardship rule is expected by September. A final rule on other aspects of student debt relief is expected by October.

- In June, AAUW endorsed the newly introduced Pell Grant Preservation and Expansion Act, which would double the maximum federal Pell Grant award. Increasing Pell Grants are a core part of AAUW's [policy recommendations on reducing student debt](#). AAUW has opposed efforts to expand Pell Grant eligibility to short-term education programs without maintaining the exclusion of predatory for-profit colleges. Congress has previously set a 15-week limit on Pell Grants due to a history of rampant fraud and abuse by very-short-term programs.
- July 2 marked the 60th anniversary of the Civil Rights Act of 1964, the landmark federal law that prohibits discrimination based on race, color, religion, sex, and national origin in employment and across public places, including schools. AAUW joined more than 140 partner organizations in [urging the Biden administration](#) to protect and strengthen programs that advance diversity, equity, inclusion, and accessibility (DEIA) in the economy, facilitating compliance with civil rights laws and creating equitable workplaces free from discrimination and harassment.
- On June 24 — the anniversary of Dobbs v. Jackson Women's Health, the decision overturning Roe v. Wade — AAUW Policy Intern, Saoirse, [spoke at the Right to Abortion Rally](#) organized by the Young Feminist Party. The speech detailed the difficulties navigating reproductive health resources in college and called for [Congress to affirm the Equal Rights Amendment](#).