

Congress of the United States

Washington, DC 20510

July 9, 2025

Secretary Linda McMahon
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202

Director Russell T. Vought
Office of Management and Budget
725 17th Street NW
Washington, D.C. 20503

Secretary McMahon and Director Vought,

We write to express our serious concerns and to request a meeting to discuss over \$74 million in appropriated formula funds that are being withheld from the state of Minnesota, our school districts, and the children in Minnesota's classrooms.

When Congress passed the *Full-Year Continuing Appropriations and Extensions Act, 2025* (P.L. 119-4) and President Trump signed it into law on March 15, 2025, appropriations to the Department of Education were made under the same terms and conditions as *the Further Consolidated Appropriations Act, 2024* (P.L. 118-47). That includes a requirement to distribute formula funds for the title programs authorized by Congress through the Elementary and Secondary Education Act.

The terms of P.L. 119-4 authorize those title funds to be available on July 1¹ but this year the state Departments of Education received an email on June 30 notifying them that "the Department is reviewing the FY 2025 funding for the [Title I-C, II-A, III-A, IV-A, IV-B] grant program(s)" and that "the Department will not be issuing Grant Award Notifications obligating funds for these programs on July 1 prior to completing that review."

The Department's claim that this illegal action upholds "the Department's statutory responsibilities" is clearly false. No authority was given to the Secretary of Education, the Director of the Office of Management and Budget, or the President himself to impound or rescind those funds. The courts have proven many times that the executive branch does not have a line-item veto authority, and Congress has not approved any rescission of these funds.

¹ Pub. L. 119-4, March 15, 2025, 139 Stat 9 ("[s]uch amounts as may be necessary, at the level specified in subsection (c) and **under the authority and conditions provided in applicable appropriations Acts for fiscal year 2024**. . . [t]he Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2024 (division D of Public Law 118-47).") See, e.g. Pub. L. 118-47, March 23, 2024, 138 Stat 460 at 684 ("for carrying out part A of title III of the ESEA, \$890,000,000, **which shall become available on July 1, 2024**, and shall remain available through September 30, 2025") (emphases added)

State and local education departments and school districts across this nation have planned their budgets for the coming year in anticipation of receiving these funds, based on those statutory requirements and funding levels that were signed into law by this President just a few short months ago. The education funds that the Trump Administration are unlawfully withholding include:

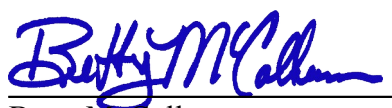
- Supporting Effective Instruction State Grants (Title II-A), which supports the recruitment, retention, and professional development of effective educators in public and nonpublic schools;
- English Language Acquisition (Title III-A) which supports English language proficiency, ensuring all learners meet state academic standards.
- Student Support and Academic Enrichment Grants (Title IV-A), which helps schools provide a well-rounded education and support safe and healthy students through programs like science, technology, engineering, arts, and math (STEAM) activities and school-based mental health services;
- 21st Century Community Learning Centers (Title IV-B), which supports before and after school programs like those offered by the Boys and Girls Clubs, that provide healthy meals, caring mentors, and safe spaces for young people;
- Migrant Education (Title I-C), which supports the educational needs of migratory children, including children of migrant and seasonal farmworkers and fishing families;
- and Adult Basic and Literacy Education State Grants, which improves reading, writing, math, and English language skills to support their career advancement and other goals.

Our communities, schools, educators, and students in Minnesota and in every corner of the nation will suffer without these federal education investments, and they must be released immediately to ensure that our local leaders can best plan for the rapidly approaching 2025-2026 school year. We request a meeting to clarify the Department's plans for these funds, including clarification on the timeline, expected release, and legal authority being claimed for the withholding of these funds.

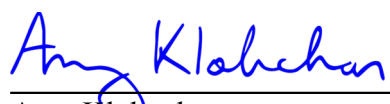
As schools in Minnesota and across our nation prepare for another academic year, and they need the federal partnerships and funding they have relied on to be delivered efficiently and reliably.

We appreciate ED's continued partnership and look forward to your timely response and scheduling of a meeting with the Members of Congress who are signatories to this letter by July 15, 2025.

Sincerely,



Betty McCollum
Member of Congress



Amy Klobuchar
United States Senator



Tina Smith
United States Senator



Angie Craig
Member of Congress



Ilhan Omar
Member of Congress



Kelly Morrison
Member of Congress