

Congress of the United States

Washington, DC 20515

July 10, 2025

The Honorable Linda E. McMahon
Secretary
U.S. Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202

The Honorable Russell Vought
Director
Office of Management and Budget
Executive Office of the President
725 17th Street NW
Washington, DC 20503

Dear Secretary McMahon and Director Vought:

As members of the New York congressional delegation, we write to respectfully raise urgent concerns regarding the Department of Education's decision to withhold nearly \$7 billion dollars in already enacted federal funding for Fiscal Year 2025 that states, local governments, and schools across the country rely on to provide critical resources and services to millions of students.

On June 30th, state educational agencies were informed that the following five grant programs authorized under the Every Student Succeeds Act¹ and one program sixth under the Workforce Investment and Opportunity Act would not receive their anticipated disbursements on July 1st:

1. Migrant Education Program (Title I, Part C) - State Grants: Funds support migratory children in reaching challenging academic standards and graduating from high school.
2. Supporting Effective Instruction State Grants (Title II, Part A): Funds support increasing student achievement by improving the quality and effectiveness of educators and underserved students' access to effective educators.
3. English Language Acquisition State Grants; Title III, Part A: Funds help students learn English and meet challenging state academic standards.
4. Student Support and Academic Enrichment Program (Title IV, Part A): Funds support improving student academic achievement, including by providing students with access to a well-rounded education, improving school conditions for student learning, and improving the use of technology.

¹ 20 U.S.C. §§ 6301 et seq.

5. Nita M. Lowey 21st Century Community Learning Centers (Title IV, Part B): Funds provide academic enrichment opportunities such as literacy and other educational services during non-school hours (e.g., through after-school or summer programs) for students and families—particularly those in underserved and low-performing schools.
6. Adult Basic and Literacy Education State Grants (including Integrated English Literacy and Civics Education State Grants): Funds support adult education and literacy services programs locally, including workplace literacy services; family literacy services; English literacy programs and integrated English literacy-civics education programs.

The funds currently being held up by review were not only approved by Congress in the FY24 appropriations law, but they were also extended under the FY25 full-year continuing resolution that President Trump signed into law. While summer programming can continue because New York public schools are funded through August, this reckless delay of over \$400 million dollars², which accounts for 10% of federal K-12 funding in New York is alarming local educators and program directors throughout the state. It is also disrupting school and district planning, jeopardizing programming for millions of students, and could result in layoffs and program cancellations.

Based upon a recent survey from Boys & Girls Clubs of America, 926 Boys & Girls Clubs could be forced to shut their doors, and more than 220,000 kids - including over 2,700 youth and teens in New York - will lose access to healthy meals, meaningful mentorship, and safe spaces during the most vulnerable hours of the day. It would also mean the loss of over 5,900 jobs at Boys & Girls Clubs around the country, specifically more than 182 youth development professionals in New York, that are currently operating current summer learning camps and fall learning programs.

In response to informal outreach from congressional offices, states, and stakeholders, the Department of Education has directed all questions to the Office of Management and Budget (OMB) as the source of the delay. However, this attempt to redirect inquiries does not abdicate the Department of its statutory obligation to distribute authorized and appropriated funds in a timely manner. As highlighted in a recent article from the non-partisan Learning Policy Institute³, the Administration's withholding of these funds appears to violate both the Impoundment Control Act and the plain language of the FY25 appropriations law.

Accordingly, we respectfully request the Department of Education and Office of Management and Budget to respond to the following questions:

² Noelle E. C. Evans, U.S. Department of Education Holding Back Funding for New York Schools, WXXI News (July 3, 2025), <https://www.wxxi.com/news/local-news/2025-07-03/u-s-department-of-education-holding-back-funding-for-new-york-schools>.

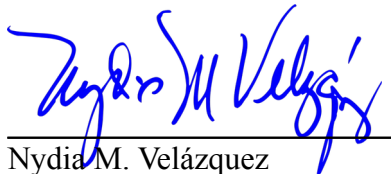
³ Michael A. DiNapoli Jr. & Michael Griffith, States Face Uncertainty as an Estimated \$6.2 Billion in K-12 Funding Remains Unreleased: Here's the Fiscal Impact by State, Learning Policy Inst. Blog (June 30, 2025), <https://learningpolicyinstitute.org/blog/states-face-uncertainty-k-12-funding-remains-unreleased>.

1. As of July 1st, current withholding of funds appears to violate the Impoundment Control Act. What legal justification is the Department and OMB relying on to delay disbursement of these formula grant funds, despite clear statutory direction?
2. Are the Department and OMB aware of the service interruptions for students and educators in New York as funds are being reviewed?
3. What communication has been shared with state educational agencies to help them and their partners navigate this period of uncertainty, especially regarding staffing and programming for September?
4. When does the Administration anticipate it will have completed its review and will release the enacted funding to states to use for the school year starting next month? Or does the Administration plan to submit a request to Congress to rescind this enacted funding?

The Department of Education's mission is to promote student achievement and ensure equal access to education. Delaying congressionally approved funding deeply undermines that goal and threatens to widen existing opportunity gaps particularly for English learners, low-income families, and communities of color.

We urge you to disburse all \$6.9 billion dollars currently being reviewed and provide immediate clarity to states, districts, and community partners who are now facing chaos in their planning and programming. Our students deserve better.

Sincerely,



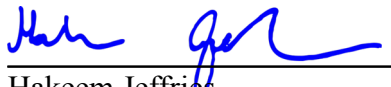
Nydia M. Velázquez
Member of Congress



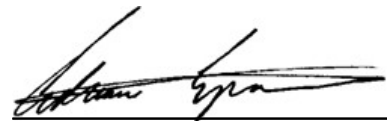
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United States Senator



Charles E. Schumer
United States Senator



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Adriano Espaillat
Member of Congress



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Member of Congress



Paul D. Tonko
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Yvette D. Clarke
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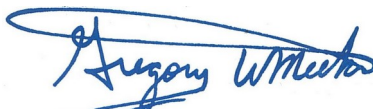
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