

# United States Senate

WASHINGTON, DC 20510

September 18, 2025

The Honorable Linda McMahon  
Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Secretary McMahon:

We write in strong opposition to the Department's plans to unilaterally eliminate and significantly cut several programs through a reprogramming of fiscal year 2025 funding. The Department is unilaterally overriding funding allocations that have long been included in bipartisan annual appropriations bills—funding decisions that collectively reflect bipartisan agreements and priorities of Congress and the states, communities and constituents we represent.

Instead of consulting Congress on its plans to unilaterally redirect appropriated funding, the Department notified the Committees of its plans with three weeks left in the fiscal year, after refusing for months to provide details on how it would spend fiscal year 2025 funding. As noted below, this new allocation of funding diverges significantly from the limited details the Department has previously provided about how it planned to spend fiscal year 2025 funding in its statutorily-required operating plan that remains incomplete, with billions of dollars of funding described as “unallocated.”

The Department has never used reprogramming authority in this manner, even during previous full-year Continuing Resolutions, to make wholesale changes to programmatic funding levels simply based on administration priorities. We are strongly opposed to this move and urge you to reconsider your decision to significantly cut or eliminate funding for the important programs described in this letter.

The Department's plans include eliminating funding for the Supporting Effective Educator Development program and significantly cutting funding for the Teacher and School Leader Incentive Fund program. These programs, authorized and long funded by Congress annually on a bipartisan basis, provide funding to directly support current or train new teachers and educators in schools across the country. The Department is significantly cutting funding for these programs to significantly increase funding for the American History and Civics Education program. Congress appropriated \$23 million for the American History and Civics Education program in fiscal year 2024 and the Department's own spend plan for fiscal year 2025 noted it would spend \$25 million on the program in fiscal year 2025. Through this reprogramming that the Department notified the Committees of three weeks before the end of the fiscal year, the Department is now planning to spend approximately \$160 million, a six-fold increase. While we understand the

value of civics education and remain strongly in support of funding it, cutting funding for programs to support teachers and educators without any justification or congressional consultation is unacceptable. Further, this significant expansion of funds will be used for a new activity that the Department created earlier this year without any opportunity for public input that would ordinarily accompany such action<sup>1</sup>. While we strongly support the celebration of the 250<sup>th</sup> anniversary of the signing of the Declaration of Independence, we recognize the ongoing, urgent need to support improved teaching and learning in our nation's classroom and preparation of effective educators that the redirected funds will no longer be able to support.

The Department's planned reshuffling of funds also includes eliminating \$350 million in discretionary funding for several strengthening Minority Serving Institutions (MSI) programs ostensibly based on the Department's view that these programs may be unconstitutional. These are longstanding programs that have been authorized and funded by Congress on an annual basis. The Department has not been ordered by any court to eliminate funding for these programs; the Department is choosing to do so. In fact, the Department announced it will continue getting out mandatory funding for many of the same MSI programs that it cut discretionary funding from, a contradiction that undermines its implication of being legally compelled to take such destructive actions. Eliminating funding for these programs and notifying the Committees that the Department believes they are unconstitutional three weeks before the funding expires sows chaos in the community colleges and under-resourced institutions of higher education that these programs are specifically designed to support, and it may well upend educational opportunities for countless low-income and working class students currently at these schools.

The Department is also eliminating funding for International Education programs and nearly eliminating funding for Teacher Quality Partnerships. It also eliminates funding for Ready to Learn and significantly cuts funding for Statewide Family Engagement Centers, Magnet Schools, Javits Gifted and Talented Education, and Arts in Education. Each of these programs were authorized by Congress on a bipartisan basis for a specific purpose identified in law. Annual appropriations for these bipartisan programs were intended to support states, school districts, institutions of higher education and nonprofit organizations in addressing the specific needs of students and improving education in their communities.

The Department's unilateral reprogramming of these funds is unprecedented. In addition to ignoring long-standing funding levels decided on a bipartisan basis by Congress, these funding decisions will be detrimental to students, teachers, and educators. The Department asserts it wants to support states and local communities and "return education to the states". This decision actually takes decision making away from states, local communities, and underresourced colleges, and it cuts funding that they were relying on in this fiscal year to improve educational outcomes. This is funding that students, educators, and schools have been waiting months to receive and with three weeks left in the fiscal year, are being told they will not in fact, be receiving. The fact that these funding decisions are being rushed through at the end of the fiscal

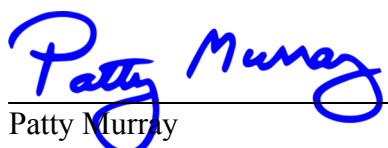
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<sup>1</sup> <https://www.federalregister.gov/documents/2025/06/23/2025-11479/applications-for-new-awards-american-history-and-civics-education-national-activities-seminars-for>

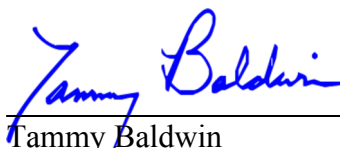
year without any transparency or ability for oversight will result in funds being obligated now for activities in future years instead of being used this year to improve education outcomes for students and address pressing education needs in communities today.

We strongly urge you to reconsider these plans, and instead of rushing through decisions on how to spend taxpayer dollars unilaterally at the end of the fiscal year, to work with Congress, as the Department has always done previously, on these important funding decisions. Given how late these decisions are being made in the fiscal year, we encourage you to work with Congress to extend the period of availability of these funds so they can be spent deliberately and as intended.

Sincerely,



Patty Murray  
Vice Chair  
Senate Committee on  
Appropriations



Tammy Baldwin  
Ranking Member  
Appropriations Subcommittee  
on Labor, Health and Human  
Services, Education, and  
Related Agencies



Rosa L. DeLauro  
Member of Congress  
Ranking Member, Committee  
on Appropriations