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June 1, 2026

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

Dear Secretary McMahon:

Thank you again for testifying at the May 14, 2026, Committee on Education and Workforce hearing titled "Examining the Policies and Priorities of the Department of Education." Enclosed are additional questions submitted by Committee members following the hearing. Please provide a written response no later than June 22, 2026, for inclusion in the hearing record. Responses should be sent to Maren Emmerson (maren.emmerson@mail.house.gov) of the Committee staff; she can also be contacted at (202) 225-1596.

We appreciate your contribution to the work of the Committee.

Sincerely,

A handwritten signature in cursive script that reads "Tim Walberg".

Tim Walberg
Chairman
Committee on Education and Workforce

Chairman Tim Walberg (R-MI-5)

1. Interaction with Other Accountability Requirements and WFTC

Reforms: Secretary McMahon, the Working Families Tax Cuts enacted historical accountability reforms, including metrics based on earnings, and caps on student loans. Your Department has also worked to ensure fair sector-neutral accountability across all institutions. The 90/10 rule is an input-focused measurement. It simply measures an institution's revenue source. It does not measure or focus on student outcomes, program quality, debt levels, repayment, earnings, or return on investment. The 90/10 rule was designed as an accountability tool and only affects for-profit institutions. In the Department's view, does the revenue-source testing of the 90/10 rule remain necessary to protect students and taxpayers?

Representative Burgess Owens (R-UT-4)

Section 82005 of the Working Families Tax Cuts provided \$1 billion in funding for the administrative costs of servicing federal student loans, including direct loan servicing. These funds were enacted to address the severe damage done to the federal student loan system by the Biden administration's mismanagement. Over the course of four years, the Biden administration repeatedly extended the COVID-19 payment pause long past any reasonable public health justification, conditioning millions of borrowers to expect that repayment was optional while simultaneously starving servicers of the resources needed to maintain basic operations. The result was a student loan servicing infrastructure in crisis, understaffed, underfunded, and wholly unprepared to transition borrowers back into repayment and return funds to the American taxpayer. Congress provided this \$1 billion so that the Department, under Secretary McMahon's leadership, can rebuild what the prior administration allowed to deteriorate and ensure that borrowers have access to timely, accurate information about their repayment options as the Department implements the Repayment Assistance Plan (RAP) beginning on July 1, 2026.

The Biden administration's track record on return to repayment was nothing short of a failure. In addition to the streamlined changes made to the loan program, including with the RAP, Congress provided this \$1 billion precisely to clean up the mess left by the prior administration and to ensure that servicers can proactively reach borrowers, explain the new repayment plan options established under the Working Families Tax Cuts, and help borrowers select a plan that works for their financial circumstances. It is critical that these funds not be slow-walked or mired in bureaucratic delay.

Secretary McMahon, please provide detailed responses to the following:

1. Of the \$1 billion in mandatory servicing funds provided under Section 82005, how much has the Department obligated to date? Of this amount, how much of these funds has been obligated directly to the Unified Servicing and Data Solution servicers to assist loan servicing? Please provide a detailed timeline of when these funds were first made available to the Department, when obligation of the funds began, and the Department's planned timeline for fully obligating the remaining balance, including any direct disbursements to servicers.
2. What specific steps has the Department taken to direct these funds toward student loan servicers so that they can hire and train additional staff, reduce borrower call wait times, and conduct proactive outreach to borrowers who are not yet enrolled in a repayment plan or who may benefit from the new repayment options authorized under the Working Families Tax Cuts? If the Department has not yet directed funds to servicers for these purposes, please explain why and provide an expected timeline for doing so.
3. The Biden administration left behind a servicer infrastructure in which call wait times, abandonment rates, and processing delays were unacceptably high, and in which borrowers were actively discouraged from seeking live assistance. Recent data indicate that only 30 percent of federal student loan borrowers are currently in active repayment, a figure that is far below what Congress should expect of a properly functioning federal student loan program. As the Department now works to transition millions of borrowers

into repayment and rolls out the new RAP, this cannot be treated as a steady-state servicing environment. What specific steps is the Department taking to directly support servicers during this transition, whether through additional compensation to account for the repeated and significant changes to the servicing environment or through updated servicer performance expectations that reflect the current operational realities?

4. Many millions of borrowers were left stranded in the now-ended SAVE forbearance as a direct result of the Biden administration's reckless pursuit of a repayment plan that could not survive legal scrutiny. Congress intended the funding to ensure that every one of these borrowers, and all borrowers in repayment, has access to clear, timely information about the repayment plans available to them under the Working Families Tax Cuts. What is the Department's plan for using these funds to support servicer outreach campaigns to bring millions of borrowers into repayment, including borrowers making payments for the first time, and borrowers who are currently delinquent, in forbearance, or at risk of default and may not be aware of the new repayment options that could help them avoid default and get back on track?

Representative Mark Messmer (R-IN-8)

1. Congress authorized the Experimental Sites Initiative in the *Higher Education Act*, which the Department has used to test the effectiveness of statutory and regulatory flexibility for participating institutions disbursing Title IV student aid. Recent experiments have included direct assessments, competency-based education, and prior learning assessments. Given the rise of artificial intelligence and the promise it holds for higher education, has your Department considered similar experiments related to the use of AI in teaching and learning?

Representative Julia Letlow (R-LA-05)

1. Secretary McMahon, you are to be commended for your efforts to return education to the states. One area where states and the federal government can continue to work together productively is in the use of education research to support teachers, students, and families. Data and research can help educators identify effective teaching practices, measure student achievement more accurately, and equip families with the information they need to support student success.
 - a. Can you share how you see the work of federal education research and development, particularly at the Institute of Education Sciences, supporting states?

2. I've been told that there are some remaining unspent Fiscal Year 2025 funds for the Institute of Education Sciences (IES). Please provide an update on the Department's plans to obligate and expend these funds. In the response, please address:
 - a. the steps the Department is taking to support the timely deployment of these funds;
 - b. any operational or procurement considerations affecting the pace of obligations; and
 - c. the anticipated timeline for fully obligating these FY25 funds for IES.

Representative Mark Harric (R-NC-8)

1. Secretary McMahon, if a school prices program costs at or below federal aid, their students would not be paying out of pocket funds to the institution for their programs of study. In my view, such low-cost programs have potential to provide great quality career pathways with much less financial risk to the student. Unfortunately, under the 90/10 rule these same schools might be penalized for lowering their cost of programs, due to federal aid covering a higher percentage of the program cost than a more expensive program. Does the Department agree that 90/10 could hinder a college's ability to lower costs for their students?

Ranking Member Robert C. “Bobby” Scott (D-VA-3)

1. P.L. 119-21 Repayment Concerns: Does the Department have a communications plan in place to inform borrowers of the repayment changes beginning on July 1, 2026? Please provide specific information on who at the Department is developing the plan, which stakeholders have been consulted (including other federal agencies), and what materials have been or will be disbursed to borrowers.
 - a. When will the Department update its Loan Simulator to include new repayment plans, including the Repayment Assistance Plan and the new Tiered Standard Plan?
 - b. The Department has indicated that borrowers moving out of SAVE can enroll in the new Tiered Standard Plan. However, borrowers with loans disbursed before July 1, 2026, are not eligible for this plan. On what authority is the Department proposing to enroll existing borrowers, with no loans disbursed after July 1, 2026, into the new Tiered Standard Plan?

2. P.L. 119-21 Servicing Funds: P.L. 119-21 provided \$1 billion in “additional mandatory funds” for federal student loan servicing related to the implementation of the law’s changes to the loan repayment system. The FY27 President’s Budget indicates the Department has already obligated \$215 million, and court filings indicate the Department has used funds to adjudicate borrower defense applications, yet the Department has provided no public information on how these funds will be used to implement complex servicing and technological updates triggered by P.L. 119-21 student aid changes.
 - a. To whom is the Department disbursing these funds, for what purpose, and by when?
 - b. What oversight is the Department conducting over the use of these funds?
 - c. Will any of this funding be utilized by the Treasury Department? If so, provide details on how Treasury will use any funds.

3. P.L. 119-21 Lifetime Loan Limit Changes: P.L. 119-21 set a new ceiling on total federal student loans of \$257,500. During negotiated rulemaking, the Department indicated that this limit would exclude Grad PLUS loans (which will be sunset as of July 1, 2026). However, on April 20, the Department informed the financial aid community that this limit would in fact include Grad PLUS.
 - a. Why did the Department make this sudden policy change?
 - b. How is the Department communicating with institutions about this change and the implications it has for students whose financial aid has already been packaged for 2026-2027?

4. Loan Repayment: What direct guidance has the Department given to its loan servicers as they prepare to inform borrowers of their SAVE transition deadline?
 - a. What oversight is the Department conducting over how these communications are developed?
 - b. How is the Department determining which borrowers are given which deadlines to transition out of SAVE? How is the Department assigning these borrower groups to its contracted loan servicers?

5. **Servicer Oversight:** A March 2026 GAO report found that the FSA stopped assessing student loan servicers on accuracy and call quality in February 2025, shortly before a 50% reduction in its staff, resulting in a decline in quality assurance.
 - a. Does the Department intend to restart any evaluation of accuracy or call quality, as recommended by GAO?
 - b. How will FY 2027 resources be used to address the ongoing challenges borrowers continue to have when navigating their loans and repayment plans with both their servicer and FSA?

6. **Treasury Interagency Agreement:** When announcing this interagency agreement, the Department mentioned that servicing defaulted loans is the first of several phases to transfer services of the Office of Federal Student Aid (FSA) to the Treasury Department. Please provide details, a projected timeline, and evidence for justifying the transition of all future phases of this interagency agreement. Please also provide all details on the Department's communication plan to update borrowers, institutions, loan servicers, and lawmakers about the timeline and implications of each phase.

7. **Borrower Defense:** How many Borrower Defense applications have been filed from November 17, 2022, through the present day?
 - a. Of those, how many are currently awaiting a decision by the Department?
 - b. How many of those applications have been granted since January 20, 2025?
 - c. How many of those applications have been denied since January 20, 2025?

8. **IPEDS:** What specific steps is the Department taking to ensure a smooth and uninterrupted transition of Integrated Postsecondary Data System (IPEDS) operations to the new contractor? In your response, please address:
 - a. The Department's plans for overseeing the transfer of technical systems, documentation, and institutional support functions;
 - b. The timeline for this transition;
 - c. what safeguards are in place to prevent disruptions to data submission, validation, and public release schedules;
 - d. How the Department plans to communicate with institutions and stakeholders during the transition; and
 - e. What performance benchmarks or oversight mechanisms the Department will use to ensure the new contractor maintains the reliability, accuracy, timeliness, and accessibility of IPEDS data collections.

9. **IES Funding:** Congress created the Institute of Education Sciences (IES) to be an independent, non-partisan arm of the Department of Education to help produce rigorous education research and support states and school districts, educators, education system leaders, and policymakers in implementing evidence-based practices. In FY 2025, Congress appropriated almost \$800 million for IES. These funds are available through this September. But according to reports, almost \$300 million remains unobligated by the Department and may be lost.

- a. Please provide a detailed plan outlining how the Department intends to obligate and expend the unspent Fiscal Year 2025 funds appropriated to IES by the September 30, 2026 deadline.
- b. If the Department does not intend to obligate and expend the funds or does not in fact obligate and expend the funds by the September 30, 2026 deadline, please explain in detail why the Department did not obligate and expend the congressionally appropriated IES funds, including any operational, staffing, or procurement challenges that contributed to the delays in spending down the funds, and what steps the Department will take to ensure that FY26 and FY27 appropriations for IES are executed in a timely and effective manner consistent with congressional intent.

Representative Alma Adams (D-NC-12)

1. Secretary McMahon, how much funding did you spend on executing early retirement and deferred resignation programs? Please include administrative leave, offboarding, collection of government furnished equipment (GFE), administrative leave, severance and vacation payouts.
2. Secretary McMahon, one of the only reasons why we have publicly available information on the current PSLF buyback application backlog is because the Department agreed to do so per an ongoing lawsuit led by the American Federation of Teachers. This data has offered policymakers and the public critical transparency into your agency's administration of this program. I would like to see this reporting continue. Will you continue publicly reporting on ED's progress processing the PSLF buyback application backlog on the Federal Student Aid Data Center website?
3. Secretary McMahon, workforce Pell represents a major opportunity to connect students more quickly to high demand careers in healthcare, skilled trades, technology, and other critical industries. Given the anticipated expansion in Pell eligibility, how is the Department ensuring there will be sufficient long term funding to support this initiative without reducing support for existing Pell Grant recipients?
4. Secretary McMahon, the President's FY27 budget request eliminates all programs within the Fund for the Improvement of Postsecondary Education (FIPSE) which includes the Postsecondary Student Success Grant (PSSG), the Research Development Infrastructure Grant (RDI), and the Federal Basic Needs for Postsecondary Students grants. Does ED plan to continue to support existing grantees as they wrap up their grant cycle? How will ED support states in its efforts to transition student success, basic need programs to the states?
5. Secretary McMahon, North Carolina higher education institutions are very concerned about the timing for a new GEAR UP competition. Are you able to say when that will happen, and if you are looking to make any changes to the program? I remain very concerned about the repurposing of TRIO grants, which Congress authorized to help low-income and disadvantaged young people access a four-year degree. The most recent TRIO funding opportunities shift the focus of the program to workforce and apprenticeships, while I don't dispute the importance of those programs, the new focus is not in line with congressional intent for TRIO, and I worry the Department will do something similar with GEAR UP.

Representative Suzanne Bonamici (D-OR-1)

1. As Secretary of Education, how do you justify a FY27 budget request that results in nearly \$15 billion in cuts to federal education programs, many of which Congress has repeatedly reauthorized and funded on a bipartisan basis?
2. Although IDEA Part B and Part C funding is increased, the budget makes significant cuts to the Office for Civil Rights. How will the Department enforce disability, racial equity, and language access protections with fewer staff and resources?
3. How many complaints has the Office of Civil Rights received since January 21st, 2025?
 - a. In how many of these complaints has OCR opened investigations?
 - b. What is the current number of pending cases in OCR?
 - c. How many cases has OCR resolved related to racial harassment or discrimination of students or staff since January 21st, 2025? Please do not count complaints that OCR dismissed.
4. Why are charter schools preserved or increased while many traditional public school programs are eliminated, and what evidence supports this prioritization?
5. What recommendations did the Department submit to the Office of Management and Budget regarding education funding levels, and which—if any—were rejected?
6. It was [recently reported](#) that the Federal Student Aid Office plans to post approximately 334 positions over the next year, many of which appear to be the same roles that were eliminated through recent reductions in force (RIFs). How do you explain rehiring for positions that were terminated under the RIFs and what costs will this impose on taxpayers?
7. Constituents report being denied access to IDR, PSLF, and Borrower Defense to Repayment. You are the defendant in two lawsuits related to these programs - *AFT v McMahon* and *Sweet v McMahon*. Will you faithfully and timely execute any court orders, including the faithful administration of these programs?
8. The proposal reduces **Federal Work-Study by 90 percent**. What alternatives are being offered to students who rely on work-study income to remain enrolled?
9. The budget proposal claims to maintain the maximum **Pell Grant** at \$7,395, yet does so with discretionary funding, meaning cuts from other education programs. If Pell funding proves inadequate, what contingency plan exists to prevent benefit reductions for millions of students?
10. The FY 27 budget proposes consolidating 6 IDEA programs into one. IDEA is a bedrock law that ensures equal educational opportunities for all children with disabilities. This law requires robust federal support to help states meet IDEA's requirements and support individualized educational access and pathways to employment for students with

disabilities and this support is afforded by dedicated resources within programs funded under other parts of IDEA, including Part D - National Activities .

- a. Please share your rationale for why consolidation of funding for IDEA programs will improve the delivery of special education services and the provision of a free appropriate public education for students.
 - b. How will the Department ensure that consolidation does not erode or eliminate targeted supports such as personnel preparation, technical assistance networks, and parent training centers that families and educators depend on?
 - c. What specific analysis has the Department conducted to assess the impact of this proposal on states' ability to meet IDEA's legal requirements, and will you make that analysis public?
 - d. Which stakeholders, including families, individuals with disabilities, state leaders, and technical assistance providers, were consulted, and how did their input shape this proposal?
11. The Civil Rights Data Collection (CRDC) is a critical biennial data collection on key education and civil rights issues in our nation's public schools. This data empowers the Office of Civil Rights to administer and enforce civil rights laws while also informing the public. The 2023-2024 CRDC data submission by school districts and schools concluded in April 2025. OCR stated that it would publish the CRDC in December of 2025 but it still has not been posted.
- a. Can you share why this was delayed and when this important data can be expected?
 - b. What are your expectations for timely and accurate data collection and publication throughout the rest of this Administration
12. Within IES, National Center for Special Education Research (NCSER) supports high quality and rigorous research on special education and related services and the full range of issues facing children with disabilities, parents of children with disabilities, school personnel, and more. Its findings help inform interventions, teaching strategies, and other critical factors in educating children with disabilities Without timely investment in research, longstanding gaps in outcomes will continue to persist.
- a. How is the Department justifying that roughly \$77 million in designated special education research funding through NCSER remains largely unspent, with about 85 percent unobligated, and why have no public notices, guidance, or timelines been issued to initiate grant competitions?
 - b. What steps is the Department taking to ensure these appropriated funds are obligated in a timely manner, and does Congress need to provide additional direction or oversight to ensure they are allocated to support research on educating students with disabilities, as intended?
13. With the transfer of the Federal student loan portfolio to the Department of the Treasury, how does ED expect Treasury, whose expertise has historically centered on collections and enforcement tools like asset seizures and wage garnishment, to effectively manage the full range of student loan programs?
- a. And what assurances can you provide that borrowers will not see a shift toward more aggressive collection practices, including increased wage garnishment, as

part of this transition, considering that Treasury's main agency that does this work is the Internal Revenue Service?

14. Educators across the country report rising fear among students in communities affected by U.S. Immigration and Customs Enforcement activity, with many students skipping school to avoid potential encounters.
 - a. How do you reconcile these enforcement practices with the documented increase in chronic absenteeism, which was already elevated post-COVID, and the clear impact that missing school has on students' academic outcomes?
 - b. What steps, if any, are you taking to help states address the role that ICE enforcement is playing in disrupting safe, stable learning environments?
 - c. Will you commit to supporting the reinstatement of DHS' sensitive locations guidance that was in place during the first Trump administration?

Representative Fredrica Wilson (D-FL-24)

Thank you, Chairman Walberg, Ranking Member Scott, and Secretary McMahon, for appearing before the Committee today and for your testimony.

I have spent my entire professional career in education, much of it in the classroom, and I come before you as a steadfast champion for children. Based on that experience, I continue to have serious concerns about the rapid expansion of charter schools – concerns I have raised before this Committee.

In states like Florida, which now leads the nation in charter school growth, we are witnessing the emergence of a parallel system of publicly funded, privately run education. In communities such as Miami, for-profit charter schools have proliferated, often reflecting troubling patterns of racial segregation and undermining the foundation of our traditional public education system.

Equally concerning are reports that some charter schools exploit loopholes to selectively enroll students – effectively cherry-picking higher-performing children – while traditional public schools are left to educate every student who walks through their doors. Public schools serve all students: those who are gifted, those with disabilities, English language learners, and those facing significant social and academic challenges. They do so even as resources are stretched increasingly thin.

There is also evidence that some charter schools push out low-performing students. For example, a charter school in Orange County, Florida, reportedly sent letters to parents warning that students who performed poorly on state assessments could be removed. Practices like these call into question claims that charter schools are consistently outperforming traditional public schools, particularly in underserved communities.

At the same time, we are seeing significant public funds diverted away from public education. In Florida, state funding redirected to private school vouchers has doubled - from 12 percent in 2021 to 24 percent in 2025. In Orange County alone, nearly a quarter of state education aid is now allocated to vouchers, even as public school enrollment has declined by 3 percent. Districts in South Florida, such as Broward County, are now facing the prospect of school closures due to this shift in funding.

Investigations have also found that charter schools frequently enroll disproportionately low numbers of English language learners and students with special needs. These disparities raise serious questions about equity and access. Meanwhile, charter management organizations often benefit from lucrative publicly funded contracts, preferential treatment, and facility support – resources that are effectively siphoned away from traditional public schools.

Despite these concerns, the Administration’s fiscal year 2027 budget request includes \$500 million for Charter Schools Program grants, maintaining prior funding levels to support charter expansion. Additionally, in 2025, the Department of Education reprogrammed \$60 million from other vital programs into charter school grants, including Ready to Learn Programming, Magnet Schools Assistance, and initiatives supporting gifted education, family engagement, and the arts.

Charter schools were created with the promise of innovation and improved outcomes. Yet too often, they have failed to uphold that promise. Instead, poorly monitored charter schools deliver uneven academic results, divert critical resources from public schools, and operate without sufficient accountability.

I entered the teaching profession with a clear mission: to ensure that Black and Brown children – and all children – have access to opportunity, knowledge, civic engagement, and the full promise of the American dream. That is the mission our public schools continue to carry forward every day.

I urge the Department and this Committee to reconsider continued support for charter school expansion and instead invest in strengthening our public schools, which remain the cornerstone of equitable education in this country.

With that, I have the following questions:

- a. Why is the funding request for charter schools preserved while many traditional public school programs are eliminated, and what evidence supports this prioritization?
- b. The President’s budget cuts more than \$6 billion from K–12 programs while promoting a new “scholarship tax credit” that one analysis said could cost nearly \$51 billion a year. Wouldn’t it be better to invest the funding into public schools where about 90% of students attend school?

Representative Lucy McBath (D-GA-6)

1. As you know, the Secretary of Education has direct authority over the cancellation of research contracts at the Department. On February 10th, 2025, the Institute for Education Sciences cancelled research contracts that directly impact students with disabilities including:

91990019C0078: This contract is to design and evaluate the effectiveness of transition supports for youth with disabilities served under the Individuals with Disabilities Education Act (IDEA). This contract was also known as the Charting My Path For Future Success Program.

91990018C0046: This contract is for An Impact Evaluation of Training in Multi-Tiered Systems of Support for Reading in Early Elementary School (MTSS-R)

ED-IES-15-C-0046: Post High School Outcomes for Youth with Disabilities. This contract will collect administrative records and describe the secondary school, postsecondary education, and employment and earning outcomes of a sample of high school youth with disabilities.

In response to a question for the record from the Secretary’s 2025 appearance before the Education and Workforce Committee, the Department indicated that, “The Department is currently in discussions with firms associated with two of the projects listed above (*An Impact Evaluation of Training in Multi-Tiered Systems of Support for Reading in Early Elementary School* and *Post-High School Outcomes for Youth with Disabilities*) to evaluate potential for reinstatement.”

- a. Can you please provide an update and timeline on the reinstatement of those two programs?
 - b. Are there any plans to reinstate contract 91990019C0078, also known as the Charting My Path for future Success Program?
 - i. If yes, can you please provide a timeline for reinstatement?
 - ii. If not, why not?
2. Public schools that receive federal funding have to comply with federal civil rights laws, including ADA, the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act. Even though public schools are on notice that they need to comply with these federal civil rights laws, the Office of Civil Rights still received 22,687 civil rights complaints, including 8,400 related to disability, in 2024. The language in OBBA does not expressly require scholarship-granting organizations or the private schools and programs they fund to comply with these federal civil rights protections, so it is unclear what recourse a student will have if they are denied a Free and Appropriate Public Education (FAPE) because of their disability when their parents have chosen to use a voucher to send them to a private school.
 - a. What guarantee, if any, does a parent of a child with a disability have that their child will receive an appropriate education if they use a voucher?
 - b. What government entity or official do families turn to at the federal level if a child does not receive a Free and Appropriate Public Education or experiences harassment or other discriminatory behavior at a private school paid for by a voucher?
 - c. What will the federal response be if a private school utilizing vouchers is found to have violated a student’s right to a Free and Appropriate Public Education or if a student

experiences harassment or other discriminatory behavior at a private school paid for by a voucher?