

September 9, 2025

The Honorable James Comer
Chairman
Committee on Oversight
2157 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

The Honorable Robert Garcia
Ranking Member
Committee on Oversight
2106 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Re: Opposition to H.R. 5181

Dear Chairman Comer and Ranking Member Garcia:

On behalf of Americans United for Separation of Church and State and its national network of more than 380,000 supporters, we write to voice our opposition to H.R. 5181, the SOAR Act Improvements Act. This bill would strip federal funds from public schools in the District of Columbia and use the funds to expand the unsuccessful private school voucher program. Americans United opposes reauthorizing the D.C. voucher program because it uses federal taxpayer dollars to fund religious education, endangers civil rights, and has proven ineffective to improving students' academic achievement.

Americans United brings together people of all religions and none to safeguard the fundamental American principle of the separation of church and state. We protect the right of everyone to practice the religion of their choice or no religion at all, so long as it does not harm others. Since our founding in 1947, we have fought to ensure that public funds go to public schools.

H.R. 5181 Would Take Away Funding from D.C. Public Schools

Public funds belong in public schools. Yet H.R. 5181 undermines this principle. Not only would the bill send taxpayer funds to private and religious schools, it also would expand the voucher program by taking money from public schools.

Since 2003, Congress has provided equal funding under the SOAR Act for the District's public schools, public charter schools, and the voucher program. H.R. 5181, however, fails to uphold this "three-pronged approach"—it would slash funding under the Act for public schools, which educate about 50,000 students, and funnel it to private schools that serve fewer than 2,000 voucher students.

The Voucher Program Does Not Improve Educational Opportunities for Students

U.S. Department of Education studies of the voucher program, which were mandated by Congress, demonstrate that it does not improve the academic



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achievement of students in the program.¹ The most recent studies of the program demonstrate that students using vouchers are performing worse academically than their peers not in the program.² These studies have also found that the voucher program has no effect on parental involvement or student or parental satisfaction.³

Previous studies showed that many of the students in the voucher program are less likely to have access to key services such as special education supports and services, ESL programs, learning supports, and counselors than students who are not part of the program.⁴ Moreover, a study from the Urban Institute found that receiving a voucher does not increase D.C. students' college enrollment rates.⁵

The Voucher Program Lacks Sufficient Oversight and Accountability

The voucher program has also repeatedly failed to meet accountability standards. GAO reports documented that the voucher program repeatedly failed to meet basic and even statutorily required accountability measures.⁶ For example, the program administrator failed to ensure the program operated with basic accountability measures and quality controls⁷ and failed to maintain adequate records on its own financial accounting.⁸

Vouchers Have Gone to Poor Quality Schools

A special investigation conducted by the *Washington Post* found that many of the private schools in the voucher program are not quality schools.⁹ It described one school that consisted entirely of voucher students as existing in just two classrooms in “a soot-stained storefront” where students used a gymnasium two miles down the road.¹⁰ Another voucher school was operated out of a private converted home with facilities so unkempt that students had to use restrooms in an unaffiliated daycare center downstairs.¹¹ And yet another school, where 93% of the students had vouchers, used a “learning model known as “Suggestopedia,” an obscure Bulgarian philosophy of learning that stresses learning through music, stretching and meditation.”¹²

The Voucher Program Denies Students and Teachers Civil Rights and Constitutional Protections

Despite receiving public funds, the private schools participating in the voucher program are not required to abide by all central elements of federal civil rights laws—including those in Title VI, Title IX, the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act and school accountability standards of the Elementary and Secondary Education Act (ESEA)—that all public schools must meet. Indeed, students who attend private schools

¹ U.S. Dep't of Educ., [Evaluation of the DC Opportunity Scholarship Program: Impacts Two Years After Students Applied](#) (May 2018); U.S. Dep't of Educ., [Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year](#) (June 2017); U.S. Dep't of Educ., [Evaluation of the DC Scholarship Program: Final Report](#) (June 2010); U.S. Dep't of Ed., [Evaluation of the DC Scholarship Program: Impact After 3 Years](#) (Apr. 2009); U.S. Dep't of Ed., [Evaluation of the DC Scholarship Program: Impact After 2 Years](#) (June 2008); U.S. Dep't of Ed., [Evaluation of the DC Scholarship Program: Impact After 1 Year](#) (June 2007).

² 2018 U.S. Dep't of Educ. Report at 19.

³ *Id.* at 26, 30; 2017 U.S. Dep't of Educ. Report at 18, 21.

⁴ 2010 U.S. Dep't of Educ. Report at 20; 2009 US Dep't of Educ. Report at xxii, 17; 2008 US Dep't of Educ. Report at xviii, 16.

⁵ Matthew Chingos, Urban Institute, [The Effect of the DC School Voucher Program on College Enrollment](#) (Feb. 2018).

⁶ U.S. Gov't Accountability Office, [District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Administration and Oversight](#), Publication No. GAO-13-805 (Sep. 2013) <http://www.gao.gov/assets/660/658416.pdf> (2013 GAO Report); US Gov't Accountability Office, [District of Columbia Opportunity Scholarship Program: Additional Policies and Procedures Would Improve Internal Controls and Program Operations](#), Pub. No. 08-9 at 26 (Nov. 2007) <http://www.gao.gov/new.items/d089.pdf> (2007 GAO Report).

⁷ 2013 GAO Report at 19-26.

⁸ *Id.* at 28.

⁹ Lyndsey Layton, [D.C. School Voucher Program Lacks Oversight, GAO Says](#), Wash. Post (Nov. 15, 2013).

¹⁰ *Id.* (revealing details about Academia de la Recta Porta).

¹¹ *Id.* (discussing Muhammad University of Islam, which enrolled one-third voucher students).

¹² *Id.* (discussing the Academy for Ideal Education).

with vouchers are stripped of their First Amendment, due process, and other constitutional and statutory rights provided to them in public schools.

A central principle of our constitutional order, however, is that “the Constitution does not permit the State to aid discrimination.”¹³ In addition to raising constitutional concerns, federally subsidized religious discrimination raises significant public policy concerns. When funding any school, whether public or private, the government should not surrender the longstanding principle of equal treatment for all.

The Voucher Program Predominantly Funds Religious Schools

Private school vouchers predominantly fund students to attend private, religious schools. Eight in ten participating students attended religious schools.¹⁴ Of the 37 private schools that currently participate in the voucher program, 34 schools have publicly accessible information about their programs. Of these schools, 26 out of 34 schools are religious schools.

Most religious primary and secondary schools are part of the ministry of the sponsoring church. Because these schools either cannot or do not wish to separate the religious components of the education they offer from their academic programs, it is impossible to prevent a publicly funded voucher from paying for these institutions’ religious activities and education.

This conflicts with one of the most dearly held principles of religious freedom: the government should not compel anyone to fund religion, especially one with which they disagree. Parents certainly may choose a religious education for their children, but they may not demand that the taxpayers foot the bill.

Nor should taxpayer dollars be used to fund schools that can refuse to admit students or hire employees based on their religion. Yet many religious schools impose a religious litmus test on teachers, students, and their families. Furthermore, because oversight must accompany public funds, vouchers threaten the autonomy of religious schools by opening them up to government audits, control, and interference.

* * *

The federal government should fund public schools rather than funnel even more taxpayer funds to private, religious schools that fail to provide better educational opportunities for students. Accordingly, we oppose H.R. 5181.

Sincerely,



Dena Sher
Associate Vice President, Public Policy



Alessandro Terenzoni
Vice President, Public Policy

cc: Members of the Committee

¹³ *Norwood v. Harrison*, 413 U.S. 455, 465-66 (1973).

¹⁴ U.S. Dep’t of Ed., [Evaluation of the D.C. Scholarship Program: An Early Look at Applicants and Participating Schools Under the SOAR Act](#), 10, 29 (Oct. 2014).