

Opening Statement of Ranking Member Robert C. "Bobby" Scott (VA-03)

Full Committee Hearing

"Examining the Policies and Priorities of the Department of Education"

2175 Rayburn House Office Building

Thursday, May 14, 2026 | 10:15 a.m.

Thank you, Mr. Chairman.

And thank you, Secretary McMahon, for your testimony today to discuss the Department's priorities and the effect this budget will have on students, teachers, and families.

When you last testified before this Committee in June 2025, I remarked that the Department's the mission statement was to "strengthen the federal commitment to assuring access to equal educational opportunity for every individual." Today, as you appear before the Committee, I note that the Department's mission has changed to "fostering educational excellence and ensuring equal access for students of all ages." You'll see that there is a slight difference in those two statements and that difference is the omission of the word federal.

Madame Secretary, when the Department was created, it was because of the desire that the federal government weigh in to enforce and defend students' civil rights, to provide evidence-based resources to low-income and rural school districts, and to administer federal student aid. We know from history that without a federal role in education, we are at greater risk of racial segregated public schools, at risk states can refuse to educate students with disabilities, and at risk low-income and rural communities will suffer drastic educational inequities because we generally fund public education with the real estate tax.

Now, it is not a surprise that the word "federal" has been eliminated from the Department's mission statement. After all, the President made it very clear that you were selected for this position and charged with dismantling the Department. President Trump has repeatedly and incorrectly stated that he wants to "return education to the states." The fact is that education is largely already determined by states and local governments and always has been. States and local education agencies, not the federal government, dictate curriculum, determine class sizes, and are responsible for qualification for teachers and requirements for high school graduations, among many other decisions.

The federal role has always been to guarantee equitable access to education, as directed by the *Brown v. Board of Education* decision, which said that "education is a right which must be made available to all on equal terms."

So, let me be clear: the Trump Administration has not "returned education to the states." Rather, it has empowered you to effectively dismantle one of our country's strongest civil rights institutions.

As Secretary of Education, you have gone outside the bounds of the law and bypassed Congress to dismantle the Department. President Trump admitted as much on April 2nd at a White House Easter lunch. And you can see

his comments over my shoulder. He said in reference to closing the Department, “And you know what? You need Congressional approval. I said, ‘Don’t worry about it, just do it.’ And she did it.”

And so under your leadership, the Department has lost half of its workforce through either forced retirements or firings; entered into ten illegal interagency agreements, transferring over 100 programs from the department of education to other federal agencies; Department staff have signaled your intention to transfer oversight and support for students with disabilities to another agency; and last month, you announced plans to turn the Lyndon B. Johnson Education Building over to the Department of Energy.

These actions have been taken without Congressional approval. And worse, my colleagues on the other side of the aisle have decided to abdicate their Constitutional authority to conduct real oversight into these actions.

So, I must note that these are not small bureaucratic decisions. These are seismic changes that have already had disastrous consequences for students and their families. To say nothing of the chaos, inefficiencies, and the millions of taxpayer dollars that have been wasted.

For example, in February 2026, the Government Accountability Office (GAO) reported that the Department paid Office for Civil Rights (OCR) investigators up to \$38 million not to work. And according to a report in the Senate HELP Committee released last month, in 2025, the Office for Civil Rights reached zero resolution agreements involving sexual harassment, sexual violence, seclusion or restraint violations of students with learning or behavioral issues, racial harassment, or discriminatory school discipline. To add a finer point, OCR reached zero resolutions in 2025 despite having more than 2,700 pending cases.

Additionally, we have heard from numerous stakeholders about the problems they have experienced following your transfer of adult education programs to the Department of Labor. The Department of Labor lacks the expertise to administer these programs. Adult education programs in the Department of Education offer students lifelong skills, such as literacy, and support them in completing their GED. At labor, the focus of the adult education program has shifted to ‘finding the next job,’ which just does not meet the needs of students in these programs, especially in a world where the demand for upskilling requires both soft and hard skills.

Lastly, in March 2026, the GAO reported that the Office of Federal Student Aid (FSA), which is responsible for the \$1.7 trillion federal student loan portfolio, had stopped key oversight of student loan servicers. As a result, 43 million borrowers have been left without sufficient support. And without proper oversight, these borrowers may receive inaccurate information or be placed in the wrong repayment plans. At the same time, you announced the plan to transfer some of FSA's functions to the Treasury Department, which again lacks the expertise to adequately assist borrowers who may be eligible for the discharge of their loans through the Public Service Loan Forgiveness program or other discharge programs, or even lower payment plans. This is especially troubling because in the coming weeks, 7 million borrowers will be moved into new, less affordable repayment plans. Borrowers are now closer than ever to defaulting on their loans and urgently need accurate information.

The Department has indicated that it intends to hire hundreds of staff at the Office for Civil Rights and FSA in an attempt to course-correct. This was a predictable outcome of firing nearly half of the Department’s staff and would have been avoided had you followed the law. Unfortunately, students who need information on their loans don’t have time for this chaos. And families whose children have been denied access to quality education don’t have the luxury of, as you say, “hindsight.”

Taken together, these actions point to a chilling conclusion. The Administration is not simply proposing moving a few people to a different building in Washington, D.C. No, these actions represent the Administration’s abdication of the federal government’s responsibility to ensure that all students, regardless of their race, religion, disability, income, or zip code, have access to a quality public education.

So, we need to know whether staffing cuts, interagency agreements, and enforcement changes comply with the Department's legal obligations. We need to understand your plan for enforcing civil rights in education. We must also gain insight into how student borrowers will be protected under reduced oversight. We would also like to see how much this new voucher program is going to cost and what oversight will be on that program.

With that, I look forward to your testimony, and I yield back the balance of my time.