

MAJORITY MEMBERS:

TIM WALBERG, MICHIGAN, *Chairman*

JOE WILSON, SOUTH CAROLINA
VIRGINIA FOXX, NORTH CAROLINA
GLENN THOMPSON, PENNSYLVANIA
GLENN GROTHMAN, WISCONSIN
ELISE M. STEFANIK, NEW YORK
RICK W. ALLEN, GEORGIA
JAMES COMER, KENTUCKY
BURGESS OWENS, UTAH
LISA C. MCCLAIN, MICHIGAN
MARY E. MILLER, ILLINOIS
JULIA LETLOW, LOUISIANA
KEVIN KILEY, CALIFORNIA
MICHAEL RULLI, OHIO
JAMES C. MOYLAN, GUAM
ROBERT F. ONDER, JR., MISSOURI
RYAN MACKENZIE, PENNSYLVANIA
MICHAEL BAUMGARTNER, WASHINGTON
MARK HARRIS, NORTH CAROLINA
MARK B. MESSMER, INDIANA
RANDY FINE, FLORIDA



COMMITTEE ON EDUCATION AND WORKFORCE

U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

MINORITY MEMBERS:

ROBERT C. "BOBBY" SCOTT, VIRGINIA,
Ranking Member

JOE COURTNEY, CONNECTICUT
FREDERICA S. WILSON, FLORIDA
SUZANNE BONAMICI, OREGON
MARK TAKANO, CALIFORNIA
ALMA S. ADAMS, NORTH CAROLINA
MARK DESAULNIER, CALIFORNIA
DONALD NORCROSS, NEW JERSEY
LUCY MCBATH, GEORGIA
JAHANA HAYES, CONNECTICUT
ILHAN OMAR, MINNESOTA
HALEY STEVENS, MICHIGAN
GREG CASAR, TEXAS
SUMMER L. LEE, PENNSYLVANIA
JOHN MANNION, NEW YORK
ADELITA GRIJALVA, ARIZONA

July 20, 2026

The Honorable Linda McMahon
Secretary
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20002

Dear Secretary McMahon,

We write to urge you to reconsider your decision to move key functions of the Department of Education's (Department's) Office for Civil Rights (OCR) and the Office of Special Education and Rehabilitative Services (OSERS) to the Department of Justice (DOJ) and the Department of Health and Human Services (HHS), respectively.¹ The Office for Civil Rights at the Department receives approximately 20,000 complaints yearly and is vital to enforcing civil rights law within schools and educational facilities.² Similarly, OSERS administers early intervention and special education programs authorized under the *Individuals with Disabilities Education Act* (IDEA). As such, OSERS serves over 6.7 million students aged 5-21 in fiscal year (FY) 2024, in addition to over 800,000 recipients of training services through state vocational rehabilitation (VR) programs.³ All this critical work is put at risk by the decision to move key functions of these offices to other agencies.

¹ Fact Sheet, U.S. Dep't of Educ., Fact Sheet: Department of Education (ED) and Department of Health and Human Services (HHS) Special Education and Rehabilitative Services Partnership, U.S. Department of Education, (last visited June 25 2026, 1:15 PM), <https://www.ed.gov/media/document/fact-sheet-department-of-education-and-department-of-health-and-human-services-special-education-and-rehabilitative-services-partnership-114238.pdf>; Fact Sheet, U.S. Dep't of Educ., Fact Sheet: Department of Education (ED) and Department of Justice (DOJ) Training and Advisory Services Partnership, U.S. Department of Education, (last visited June 25 2026, 1:24 PM), <https://www.ed.gov/media/document/fact-sheet-department-of-education-and-department-of-justice-training-advisory-services-partnership-114234.pdf>.

² U.S. Dep't of Educ., Off. for C.R., Fiscal Year 2023 Annual Report to the President and Secretary of Education 9 (2024), <https://www.ed.gov/sites/ed/files/about/reports/annual/ocr-report-to-president-and-secretary-of-education-2023.pdf>; U.S. Dep't of Educ., Off. for C.R. Fiscal Year 2024 Report to the President and Secretary of Education 5, (2024), <https://www.ed.gov/media/document/ocr-report-president-and-secretary-of-education-2024-109012.pdf>.

³ U.S. Dep't of Educ., 46th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2024 xxiii(June 2025)), <https://sites.ed.gov/idea/files/46th-ARC-for-IDEA.pdf>.

Congress authorized the creation of OCR and OSERS in the *Department of Education Organization Act* and entrusted the offices and their functions to the Department.⁴ In the last 47 years, Congress has chosen not to amend the Act and alter the location of the Department. The law is clear: Congress created OCR and OSERS and Congress alone can eliminate them. The use of Interagency Agreements (IAAs) to accomplish your “final mission” – to eliminate the Department in all but name – is counter to the will of Congress and rests on questionable legal ground.⁵ Even Congressional Republicans have expressed reservations and attempted to keep money appropriated to the Department within the Department, rather than being outsourced through IAAs, stating “[e]ach Department and agency funded in this Act shall follow the directives set forth in this Act and the accompanying explanatory statement **and shall not reallocate resources or reorganize activities except as provided herein**”.⁶

It is disturbing that the Administration seems particularly focused on altering the critical work of OCR. OCR was one of the offices that lost the most employees in number and percentage as a result of your reduction-in-force.⁷ GAO documented how the Department paid OCR employees as much as \$38 million to not work last year,⁸ and the Senate HELP Committee reported that in 2025, OCR had lowest rate of resolved cases in over a decade.⁹ You testified in May before the Education and Workforce Committee that the OCR’s reduced funding in the President’s FY27 budget this year was merely a “floor” and you wanted to increase hiring at OCR.¹⁰ Your decision to enter into an IAA for OCR is undermined by the testimony you offered to the Committee. Your efforts to alter the day-to-day operations of this office are of great concern, and we insist you use your authority instead to strengthen the office’s ability to do its job.

⁴ Department of Education Organization Act, Pub. L. No. 96-88, §§ 203, 207, 93 Stat. 669 (1979).

⁵ Sean Stiff & Jared Cole, Cong. Rsch. Serv., LSB11392, Department of Education Interagency Agreements, (2026), https://www.congress.gov/crs_external_products/LSB/PDF/LSB11392/LSB11392.1.pdf.

⁶ 172 Cong. Rec. H1590 (Book II, Jan. 22, 2026) (Explanatory Statement Submitted by Mr. Cole, Chair of the House of Representatives Committee on Appropriations, Regarding H.R. 7148, Consolidated Appropriations Act, 2026; and H.R. 7147, Department Of Homeland Security Appropriations Act, 2026) <https://www.congress.gov/119/crc/2026/01/22/172/15/CREC-2026-01-22-bk2.pdf> (emphasis added).

⁷ See U.S. Dep’t of Educ., Off. of the Inspector Gen., *FLASH REPORT Review of U.S. Department of Education Changes in Staffing and Operations* 5, June 2026, https://www.oversight.gov/sites/default/files/documents/reports/2026-06/FY26%20F25DC0245%20%286.22.26%29v100_508_SECURED.pdf (showing OCR lost a total number of employees second only to the Office of Federal Student Aid, and ranked 6th out of the 16 ED offices affected by the reduction in force by percentage of employees lost).

⁸ U.S. Gov’t Accountability Off., GAO-26-108320, Department of Education: Full Costs and Savings Estimate Needed for Reduction-in-Force and Restructuring of the Office for Civil Rights 2 (2026), <https://www.gao.gov/assets/gao-26-108320.pdf>.

⁹ S. Comm. on Health, Educ., Lab., & Pensions, Minority Staff, *Justice Denied: How Trump’s Office for Civil Rights Reached a 12- Year Low in Protecting Students from Discrimination*, (Apr. 28, 2026), https://www.sanders.senate.gov/wp-content/uploads/04.24.26-Justice-Denied-How-Trumps-Office-for-Civil-Rights-Reached-a-12-Year-Low-in-Protecting-Students-from-Discrimination_FINAL.pdf.

¹⁰ *Examining the Policies and Practices of the U.S. Department of Education Before the H. Comm. on Educ. & Workforce*, 119th Cong. (2026) (questioning by Rep. Takano), <https://youtu.be/r4kw9L4mbrw?t=2880>.

The use of IAAs threatens to place the functions of OCR and OSERS in federal agencies that are ill equipped to manage such functions. Regarding OSERS, HHS will now be responsible for administering the Special Olympics and coordinating helping disabled people find and succeed in competitive integrated employment. It is hard to imagine responsibilities further removed from HHS' health care focus.¹¹ With regard to OCR, while the Civil Rights Division at DOJ does have an Educational Opportunities Section, that office has traditionally been focused on litigating a small subset of education civil rights cases where a resolution agreement could not be reached with the recipient of federal funds. The difference in DOJ and OCR's mandates was well expressed by the Executive Director and CEO of the National School Boards Association, who commented the IAA "replaces collaborative compliance and vital technical assistance with a purely prosecutorial framework, potentially harming the very students it is meant to protect."¹²

The announcement of the IAAs for OSERS and OCR, provide few detail on how the work of these offices will be administered, and whether staff will be transitioned, or even retained. We worry that the loss of institutional expertise could cause irreparable damage to these offices that millions of students and their families rely on. The Administration has claimed this move is to reduce bureaucratic barriers,¹³ however services will now require staff from multiple agencies to coordinate, risking inflating costs and worsening services. In particular, OSERS' vocational rehabilitation related work placement efforts will now require the Department of Education, HHS, and the Department of Labor to collaborate, only adding layers of bureaucracy and inefficiency.

The movement of OCR and OSERS also disrespects the very people who rely on those services. Specifically, these moves effectively segregate special education from the rest of the education system, moving it to an agency that has indicated it intends to treat disabilities as a health issues to be remedied, against the wishes of groups that advocate on behalf of disabled children and their families.¹⁴ Such action is particularly concerning given the inaccurate and harmful comments from the HHS Secretary regarding children diagnosed with autism.¹⁵ Comments such

¹¹ U.S. Dep't of Health & Hum. Svcs., *HHS Organization* (last visited July 1, 2026, 3:01 PM), <https://www.hhs.gov/about/organization/index.html> ("The U.S. Department of Health and Human Services (HHS) works to protect the health of all Americans and provide essential human services.....we work to improve health, advance science, and help people get the care and support they need.").

¹² See Naaz Modan, What will the Justice Department-OCR agreement mean for schools? K-12 Dive (June 18, 2026), <https://www.k12dive.com/news/what-will-the-justice-department-ocr-agreement-mean-for-schools/823224/>; see also Press Release, Nat'l Sch. Bds. Assoc., NSBA Statement on Plan to Move Special Education, OCR, Out of Education Department, (June 17, 2026), <https://www.nsba.org/who-we-are/news/nsba-statement-on-moving-special-education-ocr-from-education-department>.

¹³ Press Release, U.S. Dep't of Educ., U.S. Department of Education Announces Additional Partnerships to Strengthen Coordination for Individuals with Disabilities Programs, Bolster Civil Rights Enforcement, (June 16, 2026), <https://www.ed.gov/about/news/press-release/us-department-of-education-announces-additional-partnerships-strengthen-coordination-individuals-disabilities-programs-bolster-civil-rights>.

¹⁴ Press Release, Autistic Self Advoc. Network, *Moving Department of Education Offices Will Hurt Students with Disabilities*, (June 16, 2026), <https://autisticadvocacy.org/2026/06/moving-department-of-education-offices-will-hurt-students-with-disabilities/>.

¹⁵ Statement, Autistic Self Advoc. Network, *ASAN Condemns Administration's Rampant Misinformation about Autism, Acetaminophen, and Vaccines; Calls for Respectful, Fact-Based Approach*, (September 23, 2025), <https://autisticadvocacy.org/2025/09/asan-condemns-administrations-rampant-misinformation-about-autism->

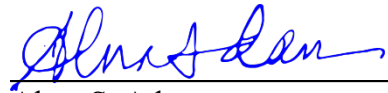
as these will leave those relying on special education services fearful about whether their rights will be upheld and their needs met. Regarding OCR, given the sensitive nature of many of the cases it handles, victims may be hesitant to seek support knowing the investigation will be run by the nation's primary law enforcement agency.¹⁶ Such delays may cause cases of discrimination to fester and worsen while sending the wrong message to vulnerable communities.

For all the reasons above, we call upon you to change your course regarding the continued use of IAAs. We also request that you keep Congress informed on any next steps and any actions regarding the work of OCR and OSERS.

Sincerely,



Robert C. "Bobby" Scott
Member of Congress
Ranking Member, Committee
on Education and Workforce



Alma S. Adams
Member of Congress
Ranking Member,
Subcommittee on Higher
Education and Workforce
Development



Suzanne Bonamici
Member of Congress



Joe Courtney
Member of Congress



Frederica S. Wilson
Member of Congress



Mark Takano
Member of Congress

[acetaminophen-and-vaccines-calls-for-respectful-fact-based-approach.](#)

¹⁶ See Nat'l Women's L. Ctr., *Forcing Students to Report Sexual Assault to the Police Makes Them Less Safe: What You Should Know About Mandatory Police Referral Bills*, April 24, 2017, <https://nwlc.org/resource/forcing-students-to-report-sexual-assault-to-the-police-makes-them-less-safe-what-you-should-know-about-mandatory-police-referral-bills/>.



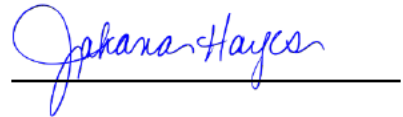
Mark DeSaulnier
Member of Congress



Donald Norcross
Member of Congress



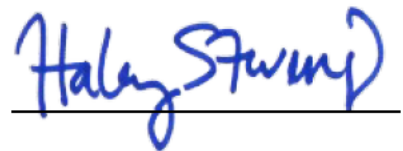
Lucy McBath
Member of Congress



Jahana Hayes
Member of Congress



Ilhan Omar
Member of Congress



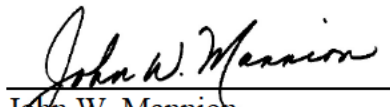
Haley M. Stevens
Member of Congress



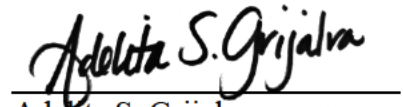
Greg Casar
Member of Congress



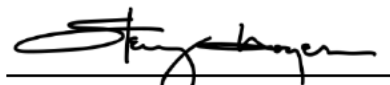
Summer L. Lee
Member of Congress



John W. Mannion
Member of Congress



Adenita S. Grijalva
Member of Congress



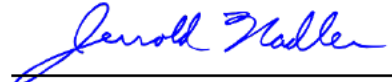
Steny H. Hoyer
Member of Congress



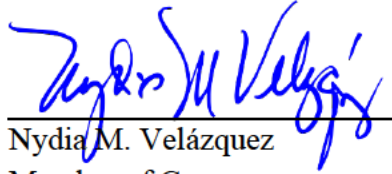
Eleanor Holmes Norton
Member of Congress



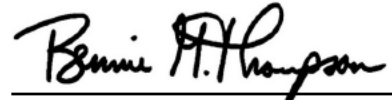
Maxine Waters
Member of Congress



Jerrold Nadler
Member of Congress



Nydia M. Velázquez
Member of Congress



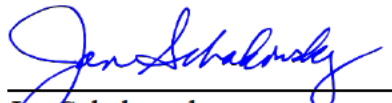
Bennie G. Thompson
Member of Congress



Danny K. Davis
Member of Congress



John B. Larson
Member of Congress



Jan Schakowsky
Member of Congress



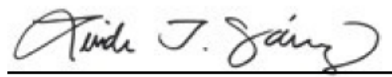
Mike Thompson
Member of Congress



Rick Larsen
Member of Congress



Betty McCollum
Member of Congress



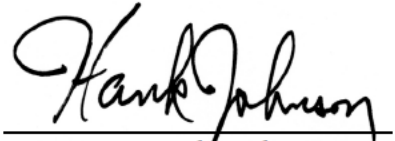
Linda T. Sánchez
Member of Congress



Gwen S. Moore
Member of Congress



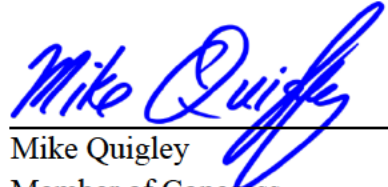
Steve Cohen
Member of Congress



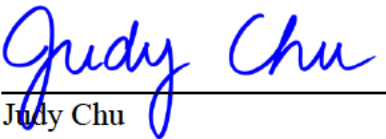
Henry C. "Hank" Johnson, Jr.
Member of Congress



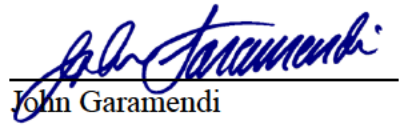
Paul D. Tonko
Member of Congress



Mike Quigley
Member of Congress



Judy Chu
Member of Congress



John Garamendi
Member of Congress



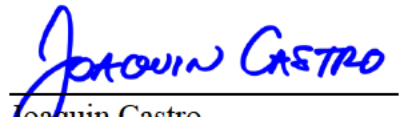
Bill Foster
Member of Congress



Terri A. Sewell
Member of Congress



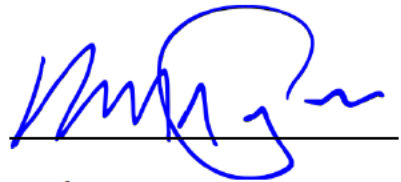
Dina Titus
Member of Congress



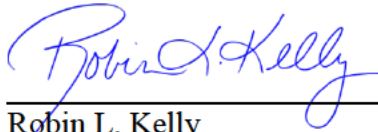
Joaquin Castro
Member of Congress



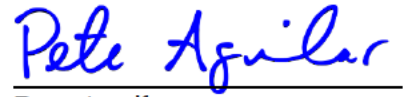
Lois Frankel
Member of Congress



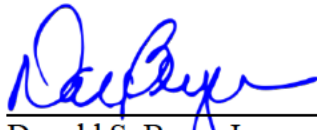
Mark Pocan
Member of Congress



Robin L. Kelly
Member of Congress



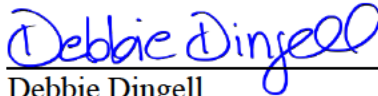
Pete Aguilar
Member of Congress



Donald S. Beyer Jr.
Member of Congress



Brendan F. Boyle
Member of Congress



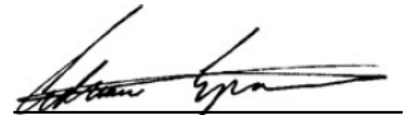
Debbie Dingell
Member of Congress



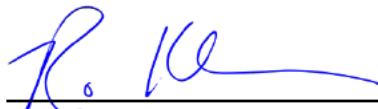
Bonnie Watson Coleman
Member of Congress



J. Luis Correa
Member of Congress



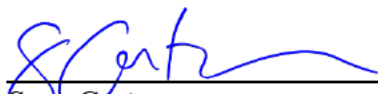
Adriano Espaillat
Member of Congress



Ro Khanna
Member of Congress



Mary Gay Scanlon
Member of Congress



Sean Casten
Member of Congress



Angie Craig
Member of Congress



Madeleine Dean

Member of Congress



Veronica Escobar

Member of Congress



Jesús G. "Chuy" García

Member of Congress



Chris Pappas

Member of Congress



Kim Schrier, M.D.

Member of Congress



Rashida Tlaib

Member of Congress



Lori Trahan

Member of Congress



Lauren Underwood

Member of Congress



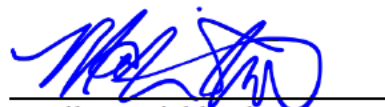
Jake Auchincloss

Member of Congress



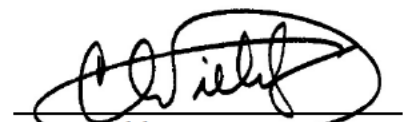
Sara Jacobs

Member of Congress



Marilyn Strickland

Member of Congress



Cleo Fields

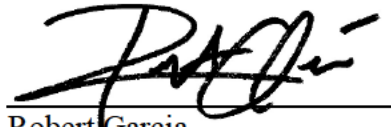
Member of Congress



Becca Balint
Member of Congress



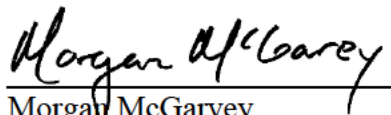
Jasmine Crockett
Member of Congress



Robert Garcia
Member of Congress



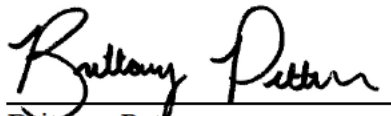
Dan Goldman
Member of Congress



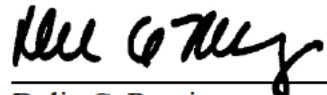
Morgan McGarvey
Member of Congress



Kevin Mullin
Member of Congress



Brittany Pettersen
Member of Congress



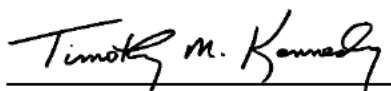
Delia C. Ramirez
Member of Congress



Robert J. Menendez
Member of Congress



Shri Thanedar
Member of Congress



Timothy M. Kennedy
Member of Congress

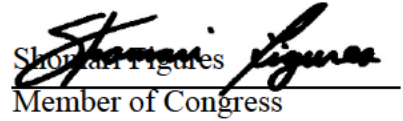


Yassamin Ansari
Member of Congress

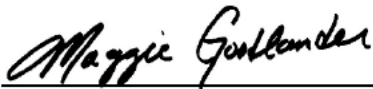


Maxine Dexter, M.D.

Member of Congress

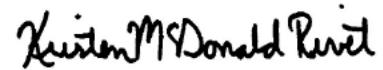


Sharon Figueres
Member of Congress



Maggie Goodlander

Member of Congress



Kristen McDonald Rivet

Member of Congress



Dave Min

Member of Congress



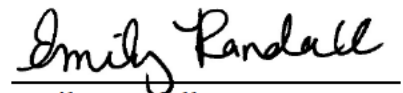
Kelly Morrison

Member of Congress



Nellie Pou

Member of Congress



Emily Randall

Member of Congress