

Congress of the United States

Washington, DC 20515

May 2, 2025

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

Dear Secretary McMahon:

We write with deep concern regarding the Department of Education's (the Department) recent letter to State Chiefs of Education, which modified the time period for states to liquidate obligations under the Education Stabilization Fund. The loss of these dollars would be catastrophic for the state of Maryland and its students. We appreciate the fact that the Department did leave an opportunity open for collaboration with states, affording them the chance to appeal for an extension to the liquidation period on a project-specific basis. As such, the Maryland State Department of Education (MSDE) has applied for an extension. We strongly support MSDE's application and urge the Department to approve MSDE's requests for full reimbursement.

As you know, on January 22, 2025 – after President Trump was sworn into office – the Department approved MSDE's late liquidation plan for American Rescue Plan (ARP) funds through March 28, 2026. Similarly, on March 17, 2025, the Department approved a late liquidation plan for the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) from MSDE through March 31, 2025. Yet on March 28, 2025, the MSDE received notice from the Department that the liquidation period for all pandemic recovery resources authorized in the Elementary and Secondary School Emergency Relief (ESSER) fund was rescinded. This sudden reversal has caused a great deal of confusion and would hinder Maryland's efforts to address pandemic learning loss.

The impact of this reversal by the Department will indeed be devastating for Maryland schools. Pandemic relief funds were set to go towards capital projects including school heating, ventilation, and air-conditioning repair and replacement that have been delayed because of supply chain and construction issues, as well as new curricula and instructional materials that Maryland Local Education Agencies (LEAs) are still awaiting.

As such, Maryland has submitted a late liquidation request to the Department for \$98,706,860, which includes \$42 million spent by LEAs that have not been submitted to the State for reimbursement, as well as \$56.7 million remaining to liquidate. The remaining funding is

obligated toward projects to provide temporary housing and mental health support for students experiencing homelessness; community school mental health services; tutoring and technology for students; professional development for staff; Grow Your Own projects, including tuition reimbursement programs for staff to attain teacher certifications; the replacement of older and non-working windows and doors; restroom repairs; and security camera updates to keep students safe.

MSDE and the state's LEAs have utilized ESSER funds to recover reading scores, sustainably address the teacher shortages exacerbated by the pandemic, support student mental and emotional health, and fortify other key ingredients in learning. The state's reapplication in compliance with the Department's guidance issued on March 28, 2025, also includes key details of our educational systems' efforts to modernize classroom infrastructure to mitigate the threat of infectious diseases.

We proudly represent a state that places tremendous emphasis on high-quality education and MSDE's implementation of federal funds is fundamental to that mission. We urge the Department to approve MSDE's latest reapplication for late liquidation of this vital funding. Like students across the country, the COVID-19 pandemic set young Marylanders back substantially on key metrics of student achievement. As your office has noted, recent National Assessment of Educational Progress (NAEP) results have revealed that "gaps are growing between higher-performing and lower-performing students." Further, chronic absenteeism still is too high with the latest data indicating "a majority of students still attended schools with 20% or higher levels of chronic absence... in stark contrast to 2019, when slightly over a quarter of schools experienced such high levels of chronic absence." Years after the COVID-19 pandemic, our schools and communities still have much work to do to help students recover.

Again, we want to continue to be collaborative and work together to improve Maryland schools. As you noted in your testimony to the Senate Health, Education, Labor and Pensions Committee earlier this year, President Trump wants to "return education to the states where it belongs."¹ We believe that approving Maryland's application for late liquidation of relief funds would do just that. We appreciate your offer to conduct a thorough review of the ESSER funds rescinded from Maryland and look forward to reaching a resolution in the best interest of the more than 860,000 students in our state who are depending on these Congressionally appropriated funds.

We welcome a further conversation between the Department and the Maryland Congressional delegation on this process and would be happy to help support engagements between the Department and MSDE. We stand ready to partner with the Department in ensuring the disbursement of this key funding to Maryland.

¹ <https://www.help.senate.gov/imo/media/doc/95b397c1-cf3e-c723-8911-ec8ae11baeb5/2-10-25%20FINAL%20-%20LEM%20opening%20statement.pdf>

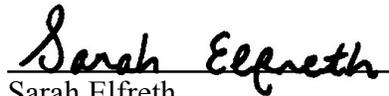
Sincerely,



Angela Alsobrooks
United States Senator



Chris Van Hollen
United States Senator



Sarah Elfreth
Member of Congress



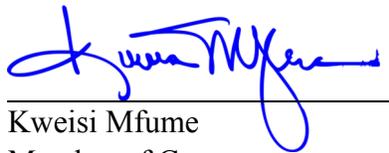
Jamie Raskin
Member of Congress



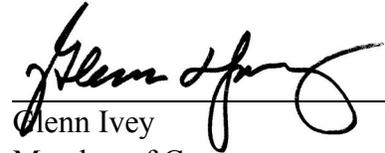
Steny H. Hoyer
Member of Congress



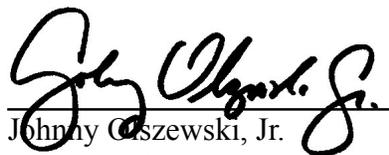
April McClain Delaney
Member of Congress



Kweisi Mfume
Member of Congress



Glenn Ivey
Member of Congress



Johnny Ciszewski, Jr.
Member of Congress