

United States Senate

WASHINGTON, DC 20510

December 19, 2025

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

The Honorable Pam Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, D.C. 20530

Dear Secretary McMahon and Attorney General Bondi:

We write to express grave concern over the transfer of the Office of English Language Acquisition to the U.S. Department of Labor as well as the rescission of the U.S. Department of Education's and U.S. Department of Justice's joint 2015 Dear Colleague Letter: English Learner Students and Limited English Proficient Parents ("2015 guidance"). We are outraged by the continued attacks the Trump Administration has undertaken on English learners, including the recent scattering of some of the Department of Education's core responsibilities across several agencies that lack the expertise, staff, and capacity to protect student rights or support student learning. Even as your Departments take away tools for educators to better serve English learners, the law is clear: all students acquiring English as a second language have the right to an education.

Today, there are more than five million English learner students across the country—one in ten of all K-12 public school students—of which the vast majority are U.S. citizens. These students attend school in city, suburban, and rural classrooms in every state. English learners, as with all public school students, have the legal and moral right to access a meaningful, rigorous, and high-quality education. Under the landmark 1974 Supreme Court case *Lau v. Nichols*, the court held that schools must take steps to address language barriers to ensure English learners are able to meaningfully access their education. Funding, resources, technical assistance, research, and guidance from the federal government enable our states and schools to ensure that English learners have access to pathways towards graduation, higher education, and the workforce—contributing positively to the economy and fabric of the United States.

Section 216 of the *Department of Education Organization Act* requires the establishment of the Office of English Language Acquisition (OELA), whose Director "shall report directly to the Secretary [of Education]" (20 U.S.C. 3420). OELA is charged not only with supporting implementation of title III of the *Elementary and Secondary Education Act*, but also with providing national leadership so that English learners and immigrant students attain English proficiency and academic success. At the beginning of the year, the Administration fired all but one employee in this office and withheld federal dollars intended for English learners, which Congress had already appropriated. Although the funds were eventually released to states, President Trump's budget calls for cutting this funding for the 2026-27 school year.

Furthermore, the Administration's November 18 announcement to transfer OELA's responsibilities to the Department of Labor is unlawful and would constrain English learner programs with

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excessive bureaucratic hurdles. This will not improve student outcomes. It will only make it harder for states, school districts, and educators to meet the diverse needs of English learners.

The negative impacts of these actions are also exacerbated by the Administration's rescission of the 2015 guidance, which provided critical and legally grounded direction for states, school districts, and schools on how to comply with federal laws and legal precedents that address the education of English learners. The decision to rescind this guidance has created uncertainty about educational agencies' legal obligations to English learners and their families, and it sends a dangerous and misleading signal that enforcing the civil rights of the more than five million English learners is optional.

Despite your agency's rescission of the 2015 guidance and efforts to dismantle OELA, federal laws and Supreme Court decisions remain in full force and bind all states, school districts, and schools to fulfill their responsibilities to English learners. Rescinding the guidance creates confusion among these states and school districts, as they no longer have clear, practical direction. The 2015 guidance provided useful, actionable information for how they *might* meet their obligations to English learners and their families. It did not create new legal obligations.

The decision to rescind the 2015 guidance contradicts the Administration's stated priorities. The Administration asserts that it seeks to empower parents and advance parental rights, yet it stripped resources that helped schools meaningfully communicate with Limited English Proficient parents about education services, report cards, and parent-teacher conferences. Further, the Administration aims to refocus education on learning in math, reading, science, and history, but it rescinded guidance that helped schools establish sound instructional programs and ensured their effectiveness in increasing English proficiency and academic achievement.

Every child deserves access to a quality education and an opportunity to succeed, regardless of what language they speak at home. By limiting support for English learners and their families, the Trump Administration has put students, states, and our nation at a disadvantage. We demand you immediately reinstate the 2015 guidance, reestablish a strong OELA within the Department of Education, and continue consistent research, funding, staffing, and other support for English learners. States, school districts, and schools must comply with all applicable statutes and Supreme Court case law, and it is imperative that they continue to have this critical, practical guidance in place to ensure that the five million English learners receive access to the same high-quality education as all students.

We respectfully request a written response to this letter within 30 days.

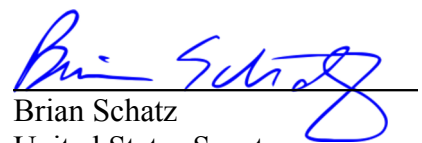
Sincerely,



Alex Padilla
United States Senator



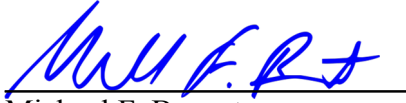
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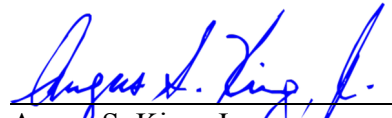
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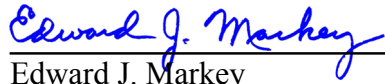
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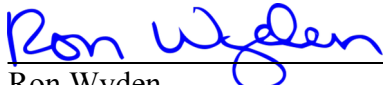
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