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LEGISLATIVE UPDATE

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Shapiro Joins Lawsuit Challenging Administration's Decision to Withhold PA Education Funds

Gov. Josh Shapiro joined **a multistate lawsuit** with 25 other states and the District of Columbia challenging the Trump Administration's decision to unlawfully withhold $230 million in funding owed to Pennsylvania schools.

The Education Department and the Office of Management and Budget as well as their leaders, **Secretary Linda McMahon** and **Director Russell Vought** respectively, are listed as defendants in the lawsuit alongside Trump.

The funding covers vital programs for Pennsylvania students and teachers such as before and after school programming, teacher training and professional development, adult and family literacy programs and education for children from farming families across the Commonwealth.

The Impoundment Control Act of 1974 (ICA) says Congress must consider and review executive branch withholdings of budget authority, according to the U.S. Government Accountability Office. The law requires the president to report any withholdings promptly to Congress. The ICA emerged in response to **President Richard Nixon's** refusal to release funds for programs disfavored by his administration, raising concerns about unchecked executive authority.

Federal aid for schools is typically allocated each year on July 1, but aid was paused on June 30 in an ongoing programmatic review of education funding.

Shapiro has been at the forefront of moves to ensure that the federal government honors its obligations. In February, he filed a lawsuit challenging the Trump Administration's unconstitutional freeze of federal funding, while in April, the governor joined a multistate lawsuit to protect public health in Pennsylvania after the Trump Administration abruptly and arbitrarily canceled more than half a billion dollars in public health grants.

Just one week later, he sued the Trump Administration for their unlawful decision to revoke hundreds of millions of dollars it had promised to 116 Pennsylvania School Districts. A press release stated that **over $2 billion in federal funding owed to Pennsylvanians** has been restored.

"Every Pennsylvania child deserves the freedom to chart their own course and the opportunity to succeed," said Shapiro. "Once again, the Trump Administration is trying to take away dollars that were committed to Pennsylvania — this time from our schools. Today, I'm suing to force the Trump Administration to deliver the money our students and schools were promised and are owed — critical funds that school districts rely on to meet their budgets, train high-

quality teachers, provide afterschool programs for kids, and so much more. Because if anyone tries to hurt students here in Pennsylvania, they'll have to go through me."
Pennsylvania's $230 million in frozen federal funding includes:

- $70 million under Title II-A funds that provide financial assistance to recruit new teachers, improve the skills of teachers and the quality of instruction in core school subjects in elementary and secondary schools;
- $55 million under Title IV-A that provides the funding for the Pennsylvania Department of Education to implement, support, and oversee the Student Support and Academic Enrichment grant program;
- $54 million under Title IV-B funds that provide critical before and after school programming that helps set students up for success;
- $20 million under Title III-A funds that are used to deliver language instruction educational programs to students;
- $18.6 million of Adult Education and Family Literacy Act Grant (AEFLA) funds;
- $11 million under Title I-C which uses these funds to address the unique educational needs of children who move frequently due to family members' agricultural work; and
- **$2 million of Integrated English Literacy and Civic Education Grants (IELCE) funds to provide programs that provide English literacy and civics education services in combination with education and training activities.**
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In *Train v. City of New York* (1975), the Supreme Court ruled that even absent the ICA, the President cannot unilaterally impound funds, reaffirming Congress' exclusive control over federal expenditures.

The lawsuit is co-led by California, Colorado, Massachusetts, Rhode Island, Arizona, Connecticut, Delaware, Hawaii, Illinois, Kentucky, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Vermont, Washington, Wisconsin, and Washington, D.C.

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