

Greetings, grantees -

I am writing to confirm that the bipartisan budget agreement signed by President Biden on June 2, 2023 (the Fiscal Responsibility Act of 2023), which suspended the Federal debt ceiling, does not impact your formula-driven COVID-19 relief funds awarded under the Elementary and Secondary School Emergency Relief (ESSER) program, the Emergency Assistance to Non-Public Schools (EANS) program, the Governor's Emergency Education Relief (GEER) program, or the American Rescue Plan Elementary and Secondary School Emergency Relief – Homeless Children and Youth (ARP-HCY) program. This is the case for the above-referenced formula-driven funds awarded under all three of the COVID-19 relief bills: the American Rescue Plan (ARP) Act of 2021; the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act of 2021; and any remaining, properly obligated funds under the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020.

While the Fiscal Responsibility Act of 2023 rescinds certain unobligated COVID-19 relief aid, the Department has already fully obligated ESSER, EANS, GEER, and ARP-HCY funds to States. **Accordingly, these funds are not rescinded and States and subgrantees should continue to spend down these resources urgently and wisely in accordance with approved State and local plans and statutory timelines for spending.** The rescissions do implicate a small amount of other ARP funds that the Department has not yet obligated, including certain funding for the Institute of Education Sciences. We are working to implement these reductions in a way that maintains as much support as possible to our grantees.

For over three years, State and local leaders have worked tirelessly to invest Federal recovery funds to address the greatest crisis to ever confront our education system. We remain committed to doing all we can to advance the important work you are doing to administer these funds with impact and urgency to accelerate academic achievement, address mental health needs, and ensure that students can experience their maximum benefit.

Sincerely,

James F. Lane, Ed. D.  
Principal Deputy Assistant Secretary  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education

Copy to: Governors  
Council of Chief State School Officers  
National Governors Association