

**Congress of the United States**  
**Washington, D.C. 20515**

October 13, 2020

The Honorable Betsy DeVos  
Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202

Dear Secretary DeVos:

I write to request your assistance in working with the Puerto Rico Department of Education (PRDE) to ensure timely access to education funds appropriated in fiscal year 2019, including funds for Title I and the Individuals with Disabilities Education Act (IDEA) programs.

I understand that the U.S. Department of Education (the Department) established fiscal year 2020 Departmental Specific Conditions on June 28, 2019 that would require PRDE to apply “first in-first out” accounting procedures until PRDE finalizes a contract with a third-party fiduciary agent (TFPA). Accordingly, until a contract is in place, PRDE must fully expend all appropriated funds from fiscal year 2018 before expending funds appropriated in fiscal year 2019. However, I am concerned that PRDE’s efforts to reach an agreement on a TFPA contract with the Puerto Rico Fiscal Agency and Financial Advisory Authority and the Financial Oversight and Management Board for Puerto Rico have been delayed. These complex negotiations have resulted in not finalizing a contract with a TFPA and, due to the 2020 Departmental Specific Conditions, prevented PRDE from drawing down critically needed fiscal year 2019 education funds for Puerto Rico’s low-income children and students with disabilities.

As of September 9, 2020, PRDE has not drawn down any of the \$406 million for Title I and \$129 million for IDEA Grants to States appropriated for Puerto Rico in fiscal year 2019. On average, other State Educational Agencies have drawn down 65 percent of their fiscal year 2019 funds for both programs. Title I is vital in supporting PRDE’s work to provide educational services to schools serving low-income students, so that they can make progress towards meeting challenging academic standards. IDEA supports PRDE’s work to ensure all students with disabilities receive their full rights for a “free and appropriate education,” including all rights and services outlined in individualized education programs.

I strongly believe the current situation is untenable. PRDE needs to have timely access to Title I, IDEA, and all fiscal year 2019 Federal education funds so that they can fully provide all necessary services for their students. While I recognize the need for proper oversight of disbursement of Federal funds, bureaucracy and system complexity should not have a negative impact on students in Puerto Rico. I would like to work with you and your staff to find a solution

that gives the Department adequate oversight while giving PRDE access to the funds that they need until a final agreement is reached on a TFPA contract.

I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Rosa L. DeLauro". The signature is written in a cursive style with a large initial "R".

Rosa L. DeLauro

Chair

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies

Committee on Appropriations

U. S. House of Representatives