

119TH CONGRESS
2D SESSION

H. RES. 1391

Impeaching Linda M. McMahon, Secretary of Education, for high crimes
and misdemeanors.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2026

Ms. BONAMICI (for herself, Mr. DESAULNIER, Mrs. GRIJALVA, Mr. TAKANO, Mrs. HAYES, Ms. ESCOBAR, Mr. HUFFMAN, Ms. WILLIAMS of Georgia, Ms. SIMON, Ms. TLAIB, Ms. SALINAS, Mr. QUIGLEY, Mr. GARAMENDI, Ms. MATSUI, Ms. DEXTER, Mr. THANEDAR, and Ms. TOKUDA) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Impeaching Linda M. McMahon, Secretary of Education,
for high crimes and misdemeanors.

1 *Resolved*, That Linda M. McMahon, Secretary of
2 Education, is impeached for high crimes and mis-
3 demeanors, and that the following articles of impeachment
4 be exhibited to the United States Senate:

5 Articles of impeachment exhibited by the House of
6 Representatives of the United States of America in the
7 name of itself and of the people of the United States of
8 America, against Linda M. McMahon, Secretary of Edu-

1 cation, in maintenance and support of its impeachment
2 against her for high crimes and misdemeanors.

3 ARTICLE I: WILLFUL AND SYSTEMIC REFUSAL TO COMPLY
4 WITH THE LAW

5 The Constitution provides that the House of Rep-
6 resentatives “shall have the sole Power of Impeachment”
7 and that civil Officers of the United States, including the
8 Secretary of Education, “shall be removed from Office on
9 Impeachment for, and Conviction of, Treason, Bribery, or
10 other high Crimes and Misdemeanors”. In her conduct
11 while Secretary of Education, Linda M. McMahon, in vio-
12 lation of her oath to support and defend the Constitution
13 of the United States against all enemies, foreign and do-
14 mestic, to bear true faith and allegiance to the same, and
15 to well and faithfully discharge the duties of her office,
16 has willfully and systemically refused to comply with the
17 laws of the United States, in that:

18 During her tenure as Secretary of Education, Linda
19 M. McMahon has violated Federal law by illegally trans-
20 ferring the operations of 6 offices under the Department
21 of Education to other Federal agencies. These actions fun-
22 damentally obstruct the ability of the Department of Edu-
23 cation to conduct statutory oversight and disburse Federal
24 funds appropriated by Congress through its authority
25 under article I of the Constitution of the United States.

1 Section 204 of the Department of Education Organi-
2 zation Act (20 U.S.C. 3414) states that “There shall be
3 in the Department, an Office of Elementary and Sec-
4 ondary Education, to be administered by the Assistant
5 Secretary for Elementary and Secondary Education ap-
6 pointed under section 202(b). The Assistant Secretary
7 shall administer such functions affecting elementary and
8 secondary education, both public and private, as the Sec-
9 retary shall delegate. There shall be within the Office of
10 Elementary and Secondary Education and directly under
11 the supervision of the Assistant Secretary for Elementary
12 and Secondary Education, an Office of Migrant Edu-
13 cation, which shall be responsible for the administration
14 of programs established by part C of title I of the Elemen-
15 tary and Secondary Education Act of 1965 and by subpart
16 5 of part A of title IV of the Higher Education Act of
17 1965.”.

18 On September 30, 2025, Linda M. McMahon ap-
19 proved an interagency agreement moving the provision of
20 several essential programs and services under the Elemen-
21 tary and Secondary Education Act of 1965 to the Depart-
22 ment of Labor’s Employment and Training Administra-
23 tion. This action represents a willful violation of the De-
24 partment of Education Organization Act (20 U.S.C. 3401
25 et seq.).

1 On February 20, 2026, Linda M. McMahon approved
2 another interagency agreement moving the provision of
3 additional programs and services under the Elementary
4 and Secondary Education Act of 1965 to the Department
5 of Health and Human Services. This action represents a
6 willful violation of the Department of Education Organiza-
7 tion Act (20 U.S.C. 3401 et seq.).

8 Section 205 of the Department of Education Organi-
9 zation Act (20 U.S.C. 3415) states that “There shall be
10 in the Department, an Office of Postsecondary Education,
11 to be administered by the Assistant Secretary for Postsec-
12 ondary Education appointed under section 202(b). The
13 Assistant Secretary shall administer such functions affect-
14 ing postsecondary education, both public and private, as
15 the Secretary shall delegate, and shall serve as the prin-
16 cipal adviser to the Secretary on matters affecting postsec-
17 ondary education.”.

18 On September 30, 2025, Linda M. McMahon ap-
19 proved an interagency agreement moving the provision of
20 several essential programs and services under the Higher
21 Education Act of 1965 to the Employment and Training
22 Administration of the Department of Labor. This action
23 represents a willful violation of the Department of Edu-
24 cation Organization Act (20 U.S.C. 3401 et seq.).

1 On February 20, 2026, Linda M. McMahon approved
2 another interagency agreement moving the provision of
3 additional programs and services under the Higher Edu-
4 cation Act of 1965 to the Bureau of Educational and Cul-
5 tural Affairs of the Department of State. This action rep-
6 resents a willful violation of the Department of Education
7 Organization Act (20 U.S.C. 3401 et seq.).

8 Section 206 of the Department of Education Organi-
9 zation Act (20 U.S.C. 3416) states that “There shall be
10 in the Department, an Office of Career, Technical, and
11 Adult Education, to be administered by the Assistant Sec-
12 retary for Career, Technical, and Adult Education ap-
13 pointed under section 202(b). The Assistant Secretary
14 shall administer such functions affecting career, technical,
15 an adult education as the Secretary shall delegate, and
16 shall serve as principal adviser to the Secretary on matters
17 affecting career, technical, and adult education.”.

18 On May 21, 2025, Linda M. McMahon approved an
19 interagency agreement moving the provision of essential
20 programs and services under the Carl D. Perkins Career
21 and Technical Education Act of 2006 to the Employment
22 and Training Administration of the Department of Labor.
23 This action represents a willful violation of the Depart-
24 ment of Education Organization Act (20 U.S.C. 3401 et
25 seq.).

1 Section 207 of the Department of Education Organi-
2 zation Act (20 U.S.C. 3417) states that “There shall be
3 in the Department an Office of Special Education and Re-
4 habilitative Services, to be administered by the Assistant
5 Secretary for Special Education and Rehabilitative Serv-
6 ices appointed under section 202(b). Notwithstanding the
7 provisions of section 412, the Secretary shall delegate to
8 the Assistant Secretary all functions, other than adminis-
9 trative and support functions, transferred to the Secretary
10 under sections 301(a)(1) (with respect to the bureau for
11 the education and training of the handicapped),
12 301(a)(2)(H), and 301(a)(4).”.

13 On June 15, 2026, Linda M. McMahon approved an
14 interagency agreement moving the provision of essential
15 programs and services under the Individuals with Disabil-
16 ities Education Act (formerly the Education for All
17 Handicapped Children Act) and the Rehabilitation Act of
18 1973 to the Department of Health and Human Services.
19 This action represents a willful violation of the Depart-
20 ment of Education Organization Act (20 U.S.C. 3401 et
21 seq.).

22 Section 203 of the Department of Education Organi-
23 zation Act (20 U.S.C. 3413) states that “There shall be
24 in the Department an Office for Civil Rights, to be admin-
25 istered by the Assistant Secretary for Civil Rights ap-

1 pointed under section 202(b). Notwithstanding the provi-
2 sions of section 412 of this Act, the Secretary shall dele-
3 gate to the Assistant Secretary for Civil Rights all func-
4 tions, other than administrative and support functions,
5 transferred to the Secretary under section 301(a)(3).”.

6 On June 15, 2026, Linda M. McMahon approved an
7 interagency agreement moving the provision of essential
8 programs and services under the Civil Rights Act of 1964,
9 the Education Amendments of 1972, the Americans with
10 Disabilities Act of 1990, the Rehabilitation Act of 1973,
11 and the Age Discrimination Act of 1975 to the Civil
12 Rights Division of the Department of Justice. This rep-
13 resents a willful violation of the Department of Education
14 Organization Act (20 U.S.C. 3401 et seq.).

15 Section 215 of the Department of Education Organi-
16 zation Act (20 U.S.C. 3423c) states that “There shall be
17 in the Department an Office of Indian Education (referred
18 to in this section as ‘the Office’) in the Department of
19 Education.”.

20 On September 30, 2025, Linda M. McMahon ap-
21 proved an interagency agreement moving the provision of
22 essential programs and services related to American Indi-
23 ans under the Elementary and Secondary Education Act
24 of 1965, the Higher Education Act of 1965, the Carl D.
25 Perkins Career and Technical Education Act of 2006, the

1 Individuals with Disabilities Education Act (formerly the
2 Education for All Handicapped Children Act), and the Re-
3 habilitation Act of 1973 to the Department of the Interior.
4 This represents a willful violation of the Department of
5 Education Organization Act (20 U.S.C. 3401 et seq.).

6 Although the Department of Education has framed
7 these interagency agreements as “partnerships”, Linda M.
8 McMahon has publicly made statements referencing her
9 plan to dismantle and eliminate the Department of Edu-
10 cation, demonstrating a willful intent to violate the De-
11 partment of Education Organization Act (20 U.S.C. 3401
12 et seq.), including—

13 (1) in a Fox News opinion editorial, Linda M.
14 McMahon stated, “I took office as Secretary of Edu-
15 cation with a mission unlike any of my predecessors:
16 to oversee the responsible and permanent closure of
17 the very department I now lead”; and

18 (2) in a USA Today opinion editorial, Linda M.
19 McMahon stated, “The Trump administration will
20 succeed where President Ronald Reagan and other
21 conservative leaders did not . . . The Schumer shut-
22 down underlined just how little the Department of
23 Education will be missed”.

24 These statements represent a willful intent to unilat-
25 erally dismantle and eliminate the Department of Edu-

1 cation without approval by Congress. As a Federal agency
2 established by Congress in the Department of Education
3 Organization Act (20 U.S.C. 3401 et seq.), the Depart-
4 ment of Education cannot be dismantled, nor can statu-
5 tory functions be reassigned to another Federal agency
6 without an Act of Congress. Therefore, Linda M.
7 McMahon's actions have violated Federal law.

8 Wherefore Linda M. McMahon, by such conduct, has
9 demonstrated that she will remain a threat to the Con-
10 stitution if allowed to remain in office, and has acted in
11 a manner grossly incompatible with her duties and the
12 rule of law. Linda M. McMahon thus warrants impeach-
13 ment and trial, removal from office, and disqualification
14 to hold and enjoy any office of honor, trust, or profit
15 under the United States.

16 ARTICLE II: FALSE STATEMENTS BEFORE CONGRESS

17 The Constitution provides that the House of Rep-
18 resentatives "shall have the sole Power of Impeachment"
19 and that civil Officers of the United States, including the
20 Secretary of Education, "shall be removed from Office on
21 Impeachment for, and Conviction of, Treason, Bribery, or
22 other high Crimes and Misdemeanors". In her conduct
23 while Secretary of Education, Linda M. McMahon, in vio-
24 lation of her oath to support and defend the Constitution
25 of the United States against all enemies, foreign and do-
26 mestic, to bear true faith and allegiance to the same, and

1 to well and faithfully discharge the duties of her office,
2 has made false statements during testimony before the
3 United States Senate.

4 On February 13, 2025, Linda M. McMahon testified
5 before the United States Senate Committee on Health,
6 Education, Labor, and Pensions. During her testimony,
7 McMahon made several deceptive and false statements,
8 willfully misleading Congress and demonstrating her will-
9 ingness to violate Federal law.

10 Linda M. McMahon repeatedly stated in her testi-
11 mony that, under her leadership, the Department of Edu-
12 cation would disburse all congressionally appropriated dol-
13 lars in accordance with statute.

14 Senator Murray asked Linda M. McMahon “if con-
15 firmed, do you commit to getting every dollar we have in-
16 vested in our students and schools out to them?” and
17 McMahon responded, “well, the appropriated dollars and
18 those monies that are passed by Congress, yes”.

19 Senator Murray asked, “what will you do if the Presi-
20 dent or Elon Musk tells you not to spend money Congress
21 has appropriated to you?” and McMahon responded, “We
22 will certainly expend those dollars that Congress has
23 passed, but I do think it is worthwhile to take a look at
24 the programs before money goes out the door”.

1 Senator Hassan asked a question about the Presi-
2 dent’s attempt to cut all Federal funding to New Hamp-
3 shire. McMahon stated, “Let me just object to one point,
4 and that is that the residents in the State of New Hamp-
5 shire should not be concerned that Federal funding is
6 going to be removed from their schools. How they get that
7 Federal funding may change”.

8 Senator Markey asked, “Ms. McMahon, can you com-
9 mit today to not cutting funding for public schools in this
10 country?” and McMahon responded, “Well certainly what
11 I’ll commit to, sir, is that funding for schools is appro-
12 priated by Congress and that funding should continue”.

13 Senator Alsbrooks asked “If you are confirmed,
14 would you support any directive from the President to
15 freeze funds that have been appropriated by Congress, in-
16 cluding funds that students and families rely on to pay
17 for college?” and McMahon replied, “If they’ve been ap-
18 propriated by Congress, those funds should be dissemi-
19 nated”.

20 Despite repeated assurances that all congressionally
21 appropriated funding would be spent in accordance with
22 the statute authorizing such funding, and pledging to dis-
23 burse this funding as Secretary, McMahon has repeatedly
24 contradicted these statements.

1 Since taking office on March 3, 2025, McMahon has
2 made no effort to reinstate the Institute of Education
3 Sciences contracts that were illegally canceled in February
4 2025, and has instead defended these cancellations in both
5 previous and ongoing lawsuits. Examples of these canceled
6 contracts include—

7 (1) 10 contracts for Regional Educational Lab-
8 oratories, which are congressionally authorized under
9 the Education Sciences Reform Act of 2002 (20
10 U.S.C. 9501 et seq.);

11 (2) a \$500,000 contract to conduct studies for
12 the congressionally mandated evaluation of career
13 and technical education under the Carl D. Perkins
14 Career and Technical Education Act of 2006 (20
15 U.S.C. 2301 et seq.);

16 (3) a \$22,739,370 contract to conduct a Na-
17 tional Assessment of Adult Education as part of a
18 report provided to Congress; and

19 (4) 18 grants totaling \$226,000,000 awarded
20 under the Comprehensive Centers Program author-
21 ized under the Educational Technical Assistance Act
22 of 2002 (20 U.S.C. 9601 et seq.).

23 Linda M. McMahon has canceled or discontinued
24 hundreds of Federal grants, including \$1,000,000,000 in
25 grant funds for student mental health under the Bipar-

1 tisan Safer Communities Act and \$168,000,000 in Full-
2 Service Community Schools grants under the Elementary
3 and Secondary Education Act of 1965. Congress author-
4 ized these grants with bipartisan support and McMahon
5 terminated them without congressional approval.

6 In June 2025, the Department of Education notified
7 colleges and universities across the country that they
8 would not receive funding for the College Assistance Mi-
9 grant Program, authorized under the Higher Education
10 Act of 1965 (20 U.S.C. 1001 et seq.) and funded by Con-
11 gress under the Continuing Appropriations and Exten-
12 sions Act, 2025 (Public Law 118–83).

13 In September 2025, the Department of Education re-
14 jected or canceled approximately 100 TRIO grants author-
15 ized under the Higher Education Act of 1965 (20 U.S.C.
16 1001 et seq.) and funded by Congress under the Con-
17 tinuing Appropriations and Extensions Act, 2025 (Public
18 Law 118–83).

19 On September 10, 2025, Linda M. McMahon halted
20 \$350,000,000 in Federal grant funds authorized under
21 the Higher Education Act of 1965 (20 U.S.C. 1001 et
22 seq.) and funded by Congress under the Continuing Ap-
23 propriations and Extensions Act, 2025 (Public Law 118–
24 83) for the following programs:

1 (1) Strengthening Alaska Native and Native
2 Hawaiian-Serving Institutions (authorized under
3 part A of title III of such Act).

4 (2) Strengthening Predominantly Black Institu-
5 tions (authorized under part A of title III of such
6 Act).

7 (3) Strengthening Asian American and Native
8 American Pacific Islander-Serving Institutions (au-
9 thorized under part A of title III of such Act).

10 (4) Strengthening Native American-Serving
11 Nontribal Institutions (authorized under part A of
12 title III of such Act).

13 (5) Minority Science and Engineering Improve-
14 ment (authorized under part E of title III of such
15 Act).

16 (6) Developing Hispanic-Serving Institutions
17 (authorized under part A of title V of such Act).

18 (7) Promoting Postbaccalaureate Opportunities
19 for Hispanic Americans (authorized under part B of
20 title V of such Act).

21 Linda M. McMahon’s actions to cancel congression-
22 ally authorized grant funding since taking office on March
23 3, 2025, demonstrate that the statements made during her
24 February 13, 2025, testimony were knowingly, willfully,
25 and materially false.

1 Wherefore Linda M. McMahon, by such conduct, has
2 demonstrated that she will remain a threat to the Con-
3 stitution if allowed to remain in office, and has acted in
4 a manner grossly incompatible with her duties and the
5 rule of law. Linda M. McMahon thus warrants impeach-
6 ment and trial, removal from office, and disqualification
7 to hold and enjoy any office of honor, trust, or profit
8 under the United States.

9 ARTICLE III: BREACH OF PUBLIC TRUST

10 The Constitution provides that the House of Rep-
11 resentatives “shall have the sole Power of Impeachment”
12 and that civil Officers of the United States, including the
13 Secretary of Education, “shall be removed from Office on
14 Impeachment for, and Conviction of, Treason, Bribery, or
15 other high Crimes and Misdemeanors”. In her conduct
16 while Secretary of Education, Linda M. McMahon, in vio-
17 lation of her oath to well and faithfully discharge the du-
18 ties of her office, has breached the public trust, in that:

19 Linda M. McMahon has terminated the employment
20 or overseen the departure of approximately 2,000 employ-
21 ees at the Department of Education, affecting roughly half
22 of the Department of Education’s total workforce.

23 On March 11, 2025, Linda M. McMahon announced
24 a reduction in force (referred to in this article as a “RIF”)
25 to cut the Department of Education’s workforce in half.
26 The RIF included the termination of 1,378 employees

1 without cause, including hundreds of employees in the Of-
2 fice for Federal Student Aid and the Office for Civil
3 Rights.

4 Later that year, the Department of Education failed
5 to disburse congressionally authorized funding in a timely
6 manner, creating significant delays that affected edu-
7 cational programming at elementary and secondary
8 schools and institutions of higher education across the
9 country. These delays in disbursement affected the fol-
10 lowing programs:

11 (1) Migrant Education grants authorized under
12 part C of title I of the Elementary and Secondary
13 Education Act of 1965 (20 U.S.C. 6391 et seq.).

14 (2) Supporting Effective Instruction State
15 Grants authorized under part A of title II of the El-
16 ementary and Secondary Education Act of 1965 (20
17 U.S.C. 6611 et seq.).

18 (3) English Language Acquisition State Grants
19 authorized under part A of title III of the Elemen-
20 tary and Secondary Education Act of 1965 (20
21 U.S.C. 6811 et seq.).

22 (4) Student Support and Academic Enrichment
23 Program grants authorized under part A of title IV
24 of the Elementary and Secondary Education Act of
25 1965 (20 U.S.C. 7101 et seq.).

1 (5) Nita M. Lowey 21st Century Community
2 Learning Centers grants authorized under part B of
3 title IV of the Elementary and Secondary Education
4 Act of 1965 (20 U.S.C. 7171 et seq.).

5 (6) Federal TRIO Programs grants authorized
6 under title IV of the Higher Education Act of 1965
7 (20 U.S.C. 1070a et seq.).

8 (7) Gaining Early Awareness and Readiness for
9 Undergraduate Programs grants authorized under
10 title IV of the Higher Education Act of 1965 (20
11 U.S.C. 1070a et seq.).

12 (8) College Assistance Migrant Program au-
13 thorized under title IV of the Higher Education Act
14 of 1965 (20 U.S.C. 1070a et seq.).

15 (9) High School Equivalency Program author-
16 ized under title IV of the Higher Education Act of
17 1965 (20 U.S.C. 1070a et seq.).

18 (10) Adult Basic and Literacy Education State
19 Grants authorized under title II of the Workforce
20 Innovation and Opportunity Act (29 U.S.C. 3271 et
21 seq.).

22 (11) Integrated English Literacy and Civics
23 Education State Grants authorized under title II of
24 the Workforce Innovation and Opportunity Act (29
25 U.S.C. 3333).

1 In October 2025, Linda M. McMahon initiated an-
2 other harmful and unnecessary RIF and terminated an
3 additional 465 employees without cause. Although a con-
4 tinuing resolution later reversed these terminations, the
5 move was another chaotic and destructive attempt to un-
6 dermine the work of the Department of Education.

7 Linda M. McMahon has decimated the Department
8 of Education's capacity to fulfill its statutory responsibil-
9 ities and created a culture of fear and chaos that has al-
10 ready disrupted and harmed critical educational program-
11 ming. These actions have breached the public trust in the
12 Department of Education and in Linda M. McMahon as
13 its leader.

14 Wherefore Linda M. McMahon, by such conduct, has
15 demonstrated that she will remain a threat to the Con-
16 stitution if allowed to remain in office, and has acted in
17 a manner grossly incompatible with her duties and the
18 rule of law. Linda M. McMahon thus warrants impeach-
19 ment and trial, removal from office, and disqualification
20 to hold and enjoy any office of honor, trust, or profit
21 under the United States.

○