

To the office of U.S. Representative Adelita S. Grijalva

Re: HR 10438 (119th Congress), SYLLABLE Act of 2026 • Latest action (2026-09-16): Referred to the House Committee on Education and Workforce.

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Office of record (Congress.gov): 1203 Longworth House Office Building, Washington, DC • (202) 225-2435

Limited Dual Language Pilot for High-Need Schools

The measure, as described from the official record: Help low-income children, including English learners and minority children in high-need schools, learn in two languages from preschool through 5th grade by supporting dual language immersion programs.

THE PROPOSAL

Congress may support local schools through limited, voluntary grants, but it may not run local schools. That rule comes from two provisions. Article I, Section 8, Clause 1 permits federal spending for the general welfare, and the Tenth Amendment reserves control over curriculum, staffing, and instruction to states and local communities. This draft would rest on that line: federal dollars may seed local dual language efforts, while all teaching decisions stay local. The strongest objection is that federal money will steer local lessons or grow into open-ended spending; the answer is a small capped pilot with no mandate, a fixed end date, and local control written into the grant terms.

The VFA proposal would create a time-limited Dual Language Learning Pilot. The Department of Education would award up to five competitive grants to local partnerships of school districts, early childhood programs, and technical support groups. Each partnership would run a dual language immersion program serving low-income children in high-need schools from preschool through 5th grade. Participation by families and students would be fully voluntary with plain-language notice.

The pilot would protect local control. States and school districts would choose the languages, lesson plans, staffing, and grade structure. No school would be required to adopt dual language instruction. Federal funds could be used for teacher training, learning materials, family outreach, and program review. Funds could not be used to impose a national curriculum or to require specific textbooks.

The pilot would be capped and checked each year. Total spending would be capped at \$50 million over five years, paid from existing Department of Education funds. Each grantee would publish yearly results on enrollment, attendance, English progress, progress in the partner language, and costs. The Department of Education would report to Congress each year. The Government Accountability Office would review results before the five-year end date.

The VFA proposal adds clear limits that the official summary does not state. It caps the number of grants at five, caps total cost, ends the program after five years unless Congress renews it,

requires public reporting, and confirms voluntary participation and local control over lessons. The original as summarized would authorize up to five grants for the same student groups and grades; this draft would keep that goal while adding fiscal discipline, a sunset, and stronger safeguards for parents, taxpayers, and local schools.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Effective Date	School year beginning after date of enactment
Enforcement Mechanism	Department of Education grant terms with annual audits, public reporting, and authority to pause or end funds for misuse; family participation is voluntary with plain-language notice
Funding Amount	\$50 million total cap over five years, no more than \$10 million per year
Funding Source	Existing Department of Education appropriations, no new taxes or borrowing
Oversight Body	Department of Education with annual public report to Congress and review by the Government Accountability Office before renewal
Sunset Years	5 years

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1
- Tenth Amendment

Concerns with the measure as written:

- No specific rights violation is stated in the official summary, but a federal grant program for local schools raises federalism questions under the Tenth Amendment if federal funds direct local curriculum decisions.
 - An open-ended grant authorization without a stated budget cap, sunset, or oversight mechanism raises concerns about restrained and accountable use of the spending power under Article I, Section 8, Clause 1.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

VFA assesses the gain for Democrats and progressives as expanded access to dual language immersion for low-income children, English learners, and minority students in high-need schools from preschool through 5th grade. VFA assesses the gain for Republicans and conservatives as strict fiscal and federalism limits: no more than five grants, a \$50 million total cap from existing funds, a five-year sunset, voluntary family participation, and full state and local control over curriculum with no federal mandate or national curriculum.

Strongest objection, and the answer: The strongest objection is that federal money will steer local lessons or grow into open-ended spending; the answer is a small capped pilot with no mandate, a fixed end date, and local control written into the grant terms.

CHECK BEFORE RELYING ON THIS

Basis: The basis is the Congress.gov summary of H.R. 10438 in the 119th Congress, which states the bill would authorize the Department of Education to award up to five grants to

partnerships of local educational agencies, early childhood programs, and technical assistance entities for dual language immersion serving low-income children from preschool through 5th grade. The same record states referral to the House Committee on Education and Workforce on September 16, 2026.

The full bill text and current law were not part of the official summary. Eligibility rules, curriculum rules, appeal rights, cost effects, and conflicts with state law remain unverified. Readers should verify grant terms, funding levels, and program rules at the [Congress.gov](https://www.congress.gov) bill page before treating this draft as a full legal analysis.

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