

119TH CONGRESS
1ST SESSION

H. R. 2456

To terminate the Department of Education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2025

Mr. MORAN introduced the following bill; which was referred to the Committee on Education and Workforce

A BILL

To terminate the Department of Education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Orderly Liquidation
5 of the Department of Education Act”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The Department of Education has existed
9 for 45 years but despite its existence, education in
10 the United States has not improved.

1 (2) The Department of Education has failed
2 “to supplement and complement the efforts of
3 States, the local school systems and other instru-
4 mentalities of the States” in order to improve the
5 quality of education as outlined in section 102(2) of
6 the Department of Education Organization Act (20
7 U.S.C. 3402(2)).

8 (3) The Department of Education has contin-
9 ued to promote policies that strip local elected offi-
10 cials, educators, and parents of the ability to direct
11 the education of children.

12 (b) PURPOSES.—The purposes of this Act are the fol-
13 lowing:

14 (1) To orderly liquidate the Department of
15 Education.

16 (2) To return the responsibility and authority
17 of educating students to States and local commu-
18 nities.

19 (3) To ensure that the Federal government
20 does not continue to place unnecessary and restric-
21 tive regulation on those tasked with educating chil-
22 dren.

1 **SEC. 3. OFFICE OF EDUCATION.**

2 (a) IN GENERAL.—The Public Health Service Act
3 (42 U.S.C. 201 et seq.) is amended by adding at the end
4 the following:

5 **“TITLE XXXIV—OFFICE OF**
6 **EDUCATION**

7 **“SEC. 3401. OFFICE OF EDUCATION.**

8 “(a) IN GENERAL.—There shall be in the Depart-
9 ment of Health and Human Services an Office of Edu-
10 cation (referred to in this section as ‘the Office’).

11 “(b) DIRECTOR.—The Office shall be under the di-
12 rection and supervision of the Director of Education (re-
13 ferred to in this section as the ‘Director’), who shall be
14 appointed by the President and who shall report directly
15 to the Secretary of Health and Human Services.

16 “(c) ASSISTANT DIRECTOR OF K–12 EDUCATION.—
17 The Director shall appoint an Assistant Director of K–
18 12 Education who shall administer such functions affect-
19 ing elementary and secondary education as the Director
20 shall delegate.

21 “(d) ASSISTANT DIRECTOR OF HIGHER EDU-
22 CATION.—The Director shall appoint an Assistant Direc-
23 tor of Higher Education who shall administer such func-
24 tions affecting postsecondary education as the Director
25 shall delegate.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall take effect on the date that the President
3 implements the plan required under section 4(b)(1).

4 **SEC. 4. ORDERLY LIQUIDATION OF DEPARTMENT OF EDU-**
5 **CATION.**

6 (a) TERMINATION OF DEPARTMENT OF EDU-
7 CATION.—Effective on October 1, 2026, the Department
8 of Education is terminated, and, with the exception of
9 functions transferred under this Act, any function for
10 which the Secretary of Education or the Department of
11 Education has administrative responsibility as provided by
12 law or by delegation of authority pursuant to law is re-
13 pealed.

14 (b) LIQUIDATION PLAN.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of enactment of this Act, the Presi-
17 dent shall develop and implement a plan to orderly
18 liquidate the Department of Education.

19 (2) CONSULTATION.—Not later than 15 days
20 before the date on which the plan required under
21 paragraph (1) is implemented, the President shall
22 consult with the appropriate congressional commit-
23 tees on such plan.

24 (3) PLAN ELEMENTS.—The plan required
25 under paragraph (1) shall contain, in accordance

1 with subsection (a), such elements as the President
2 deems appropriate, including the following:

3 (A) Specification of the steps to be taken
4 to terminate functions of the Department of
5 Education in accordance with subsection (a).

6 (B) Specification of the steps to be taken
7 to transfer administrative responsibility of cer-
8 tain Department of Education functions to
9 other entities in accordance with section 5.

10 (C) Specification of the steps to be taken
11 to transfer the Institute of Education Science
12 to the Office of Education of the Department of
13 Health and Human Services in accordance with
14 section 8.

15 (D) Specification of the steps to be taken
16 to transfer the Office for Civil Rights of the
17 Department of Education to the Department of
18 Justice in accordance with section 9.

19 (E) Specification of the funds available to
20 each entity assuming administrative responsibil-
21 ities transferred in accordance with section 5 to
22 carry out such administrative responsibilities, in
23 accordance with the provisions of section 1531
24 of title 31, United States Code.

1 (F) Specification of the proposed allocation
2 of any unexpended funds resulting from the ter-
3 mination of the Department of Education.

4 (G) Specification of the proposed disposi-
5 tion of property, facilities, contracts, records,
6 and other assets and obligations of the Depart-
7 ment of Education.

8 (c) SECRETARY OF EDUCATION RESPONSIBIL-
9 ITIES.—The Secretary of Education shall, in accordance
10 with the plan required under subsection (b)(1), take any
11 actions as may be necessary to conclude any outstanding
12 affairs of the Department of Education before October 1,
13 2026.

14 (d) DIRECTOR OF EDUCATION RESPONSIBILITIES.—
15 The Director of Education of the Office of Education of
16 the Department of Health and Human Services shall as-
17 sist with implementing the plan required under subsection
18 (b)(1).

19 **SEC. 5. TRANSFER OF CERTAIN DEPARTMENT OF EDU-**
20 **CATION FUNCTIONS.**

21 (a) TRANSFERS TO DIRECTOR OF EDUCATION.—In
22 accordance with the plan required under section 4(b)(1),
23 and not later than October 1, 2026, the Secretary of Edu-
24 cation shall transfer to the Director of Education of the

1 Office of Education of the Department of Health and
2 Human Services the following functions:

3 (1) Authority granted to the Secretary of Edu-
4 cation by the Act entitled “An Act to Promote the
5 Education of the Blind”, approved March 3, 1879
6 (20 U.S.C. 101 et seq.).

7 (2) The Honorable Augustus F. Hawkins Cen-
8 ter of Excellence program under subpart 2 of part
9 B of title II of the Higher Education Act of 1965
10 (20 U.S.C. 1033–1033a).

11 (3) Each program under subpart 2 of part A of
12 title IV of the Higher Education Act of 1965 (20
13 U.S.C. 1070a–11 et seq.).

14 (4) Functions under part B of title VII of the
15 Higher Education Act of 1965 (20 U.S.C. 1138 et
16 seq.).

17 (5) Grants under section 619 of the Individuals
18 with Disabilities Education Act (20 U.S.C. 1419).

19 (6) The Program for Infants and Toddlers with
20 Disabilities under part C of the Individuals with
21 Disabilities Education Act (20 U.S.C. 1431 et seq.).

22 (7) The State Personnel Development Grants
23 program under subpart 1 of part D of the Individ-
24 uals with Disabilities Education Act (20 U.S.C.
25 1451 et seq.).

1 (8) Grants under section 662 of the Individuals
2 with Disabilities Education Act (20 U.S.C. 1462).

3 (9) The Helen Keller National Center for
4 Youths and Adults who are Deaf-Blind under the
5 Helen Keller National Center Act (20 U.S.C. 1901
6 et seq.).

7 (10) Grants under part A of title I the Elemen-
8 tary and Secondary Education Act of 1965 (20
9 U.S.C. 6311 et seq.).

10 (11) Each program under part D of title I of
11 the Elementary and Secondary Education Act of
12 1965 (20 U.S.C. 6421 et seq.).

13 (12) The Student Support and Academic En-
14 richment program under part A of title IV of the El-
15 ementary and Secondary Education Act of 1965 (20
16 U.S.C. 7101 et seq.).

17 (13) The 21st Century Community Learning
18 Centers program under part B of title IV of the Ele-
19 mentary and Secondary Education Act of 1965 (20
20 U.S.C. 7171 et seq.).

21 (14) The Magnet Schools Assistance program
22 under part D of title IV of the Elementary and Sec-
23 ondary Education Act of 1965 (20 U.S.C. 7231 et
24 seq.).

1 (15) The Promise Neighborhoods program
2 under subpart 2 of part F of the Elementary and
3 Secondary Education Act of 1965 (20 U.S.C. 7271
4 et seq.).

5 (16) Activities carried out under section
6 4631(a)(1)(B) of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 7281(a)(1)(B)).

8 (17) The Rural Education Achievement Pro-
9 gram under part B of title V of the Elementary and
10 Secondary Education Act of 1965 (20 U.S.C. 7341
11 et seq.).

12 (18) The Preschool Development Grants pro-
13 gram under section 9212 of the Every Student Suc-
14 ceeds Act (Public Law 114–95; 42 U.S.C. 9831
15 note).

16 (19) The Education for Homeless Children and
17 Youths program under part B of title VII of the
18 McKinney-Vento Homeless Assistance Act (42
19 U.S.C. 11431 et seq.).

20 (20) Grants under the Scholarships for Oppor-
21 tunity and Results Act (division C of Public Law
22 112–10).

23 (b) TRANSFERS TO NATIONAL SCIENCE FOUNDA-
24 TION.—In accordance with the plan required under section
25 4(b)(1), and not later than October 1, 2026, the Secretary

1 of Education shall transfer to the Director of the National
2 Science Foundation the following functions:

3 (1) Authority granted to the Secretary of Edu-
4 cation by the Act entitled “An Act to incorporate the
5 Howard University in the District of Columbia”, ap-
6 proved March 2, 1867 (20 U.S.C. 121 et seq.).

7 (2) Functions under the Howard University
8 Endowment Act (20 U.S.C. 130aa et seq.).

9 (3) Functions under section 318 of the Higher
10 Education Act of 1965 (20 U.S.C. 1059e).

11 (4) Grants under section 323 of the Higher
12 Education Act of 1965 (20 U.S.C. 1062).

13 (5) Grants under section 326 of the Higher
14 Education Act of 1965 (20 U.S.C. 1063b).

15 (6) Functions under part D of title III of the
16 Higher Education Act of 1965 (20 U.S.C. 1066 et
17 seq.).

18 (7) Functions under part F of title III of the
19 Higher Education Act of 1965 (20 U.S.C. 1067q et
20 seq.).

21 (8) Grants under section 723 of the Higher
22 Education Act of 1965 (20 U.S.C. 1136a).

23 (9) Functions under part A of title I of the
24 Education of the Deaf Act of 1986 (20 U.S.C. 4301
25 et seq.).

1 (10) Functions under part B of title I of the
2 Education of the Deaf Act of 1986 (20 U.S.C. 4331
3 et seq.).

4 (11) Functions under title II of the Education
5 of the Deaf Act of 1986 (20 U.S.C. 4351 et seq.).

6 (c) TRANSFERS TO DIRECTOR OF THE BUREAU OF
7 INDIAN EDUCATION.—In accordance with the plan re-
8 quired under section 4(b)(1), and not later than October
9 1, 2026, the Secretary of Education shall transfer to the
10 Director of the Bureau of Indian Education of the Depart-
11 ment of the Interior the following functions:

12 (1) Grants under section 316 of the Higher
13 Education Act of 1965 (20 U.S.C. 1059c).

14 (2) Grants under section 116 of the Carl D.
15 Perkins Career and Technical Education Act of
16 2006 (20 U.S.C. 2326).

17 (3) Grants under section 117 of the Carl D.
18 Perkins Career and Technical Education Act of
19 2006 (20 U.S.C. 2327).

20 (4) Grants under subpart 1 of part A of title
21 VI of the Elementary and Secondary Education Act
22 of 1965 (20 U.S.C. 7421 et seq.).

23 (5) Grants under subpart 2 of part A of title
24 VI of the Elementary and Secondary Education Act
25 of 1965 (20 U.S.C. 7441 et seq.).

1 (d) TRANSFERS TO SECRETARY OF THE TREAS-
2 URY.—In accordance with the plan required under section
3 4(b)(1), and not later than October 1, 2026, the Secretary
4 of Education shall transfer to the Secretary of the Treas-
5 ury the following functions:

6 (1) Each program under subpart 1 of part A of
7 title IV of the Higher Education Act of 1965 (20
8 U.S.C. 1070a et seq.).

9 (2) Grants under subpart 3 of part A of title
10 IV of the Higher Education Act of 1965 (20 U.S.C.
11 1070b et seq.).

12 (3) Grants under part C of title IV of the High-
13 er Education Act of 1965 (20 U.S.C. 1087–51 et
14 seq.).

15 (4) The William D. Ford Federal Direct Loan
16 Program under part D of title IV of the Higher
17 Education Act of 1965 (20 U.S.C. 1087a et seq.).

18 (e) TRANSFERS TO SECRETARY OF DEFENSE.—In
19 accordance with the plan required under section 4(b)(1),
20 and not later than October 1, 2026, the Secretary of Edu-
21 cation shall transfer to the Secretary of Defense the fol-
22 lowing functions:

23 (1) Functions under section 7002 of the Ele-
24 mentary and Secondary Education Act of 1965 (20
25 U.S.C. 7702).

1 (2) Functions under section 7003 of the Ele-
2 mentary and Secondary Education Act of 1965 (20
3 U.S.C. 7703).

4 (3) Functions under section 7007 of the Ele-
5 mentary and Secondary Education Act of 1965 (20
6 U.S.C. 7707).

7 (4) Assistance under section 7008(a) of the El-
8 ementary and Secondary Education Act of 1965 (20
9 U.S.C. 7708(a)).

10 (f) TRANSFERS TO SECRETARY OF LABOR.—In ac-
11 cordance with the plan required under section 4(b)(1), and
12 not later than October 1, 2026, the Secretary of Edu-
13 cation shall transfer to the Secretary of Labor the fol-
14 lowing functions:

15 (1) Functions under parts A and B of title I of
16 the of the Rehabilitation Act of 1973 (29 U.S.C.
17 720 et seq.).

18 (2) Grants under section 303 of the Rehabilita-
19 tion Act of 1973 (29 U.S.C. 773).

20 (3) Allotments under title VI of the Rehabilita-
21 tion Act of 1973 (29 U.S.C. 795g et seq.; also
22 known as the “Employment Opportunities for Indi-
23 viduals With Disabilities Act”).

24 (4) Functions under sections 111, 112, 113,
25 114, and 115 of the Carl D. Perkins Career and

1 Technical Education Act of 2006 (20 U.S.C. 2321
2 et seq.).

3 (g) TRANSFER TO DIRECTOR OF THE BUREAU OF IN-
4 DIAN AFFAIRS.—In accordance with the plan required
5 under section 4(b)(1), and not later than October 1, 2026,
6 the Secretary of Education shall transfer to the Director
7 of the Bureau of Indian Affairs of the Department of the
8 Interior the administration of grants under section 121
9 of the Rehabilitation Act of 1973 (29 U.S.C. 741).

10 (h) TRANSFER OF PRESCHOOL DEVELOPMENT
11 GRANTS PROGRAM.—In accordance with the plan required
12 under section 4(b)(1), and not later than October 1, 2026,
13 the Secretary of Health and Human Services and the Sec-
14 retary of Education shall transfer to the Director of Edu-
15 cation the administration of the Preschool Development
16 Grants program under section 9212 of the Every Student
17 Succeeds Act (Public Law 114–95; 42 U.S.C. 9831 note).

18 (i) LIMITATION ON TRANSFER OF FUNCTIONS.—The
19 transfer of functions pursuant to this section does not ex-
20 tend to the transfer of personnel employed by the Depart-
21 ment of Education to carry out such functions.

22 **SEC. 6. SCHEDULED TERMINATION OF CERTAIN EDU-**
23 **CATION FUNDS.**

24 No sums may be expended after October 1, 2036, to
25 carry out the following functions:

1 (1) Grants under part A of title I the Elemen-
 2 tary and Secondary Education Act of 1965 (20
 3 U.S.C. 6311 et seq.).

4 (2) Each program under part D of title I of the
 5 Elementary and Secondary Education Act of 1965
 6 (20 U.S.C. 6421 et seq.).

7 **SEC. 7. SCHEDULED TERMINATION OF FEDERAL DIRECT**
 8 **PLUS LOANS.**

9 Section 455(a) of the Higher Education Act of 1965
 10 (20 U.S.C. 1087e) is amended by adding at the end the
 11 following:

12 “(4) TERMINATION OF AUTHORITY TO MAKE
 13 FEDERAL DIRECT PLUS LOANS.—

14 “(A) IN GENERAL.—Subject to subpara-
 15 graph (B) and notwithstanding any provision of
 16 this part or part B, no Federal Direct PLUS
 17 Loans may be made under this part for any pe-
 18 riod of instruction beginning on or after Octo-
 19 ber 1, 2026.

20 “(B) LOANS MADE BEFORE OCTOBER 1,
 21 2026.—A borrower who has not received a Fed-
 22 eral Direct PLUS Loan before the date of en-
 23 actment of the Orderly Liquidation of the De-
 24 partment of Education Act and for whom a
 25 Federal Direct PLUS Loan is first disbursed

for any period of instruction beginning on or after such date, but not later than October 1, 2026, may be eligible to receive Federal Direct PLUS Loans until the completion of the course of study for which such loan was first disbursed or September 30, 2030, whichever occurs first.”.

**SEC. 8. TRANSFER OF THE INSTITUTE OF EDUCATION
SCIENCE TO THE OFFICE OF EDUCATION.**

Effective on October 1, 2026, there are transferred to the Office of Education of the Department of Health and Human Services the functions, personnel, and assets of the Institute of Education Science.

**SEC. 9. TRANSFER OF THE OFFICE FOR CIVIL RIGHTS TO
THE DEPARTMENT OF JUSTICE.**

Effective on October 1, 2026, there are transferred to the Department of Justice the functions, personnel, and assets of the Office for Civil Rights of the Department of Education.

SEC. 10. OPTION TO REFUSE FEDERAL FUNDS.

Any recipient of a grant, an allotment, or other funds provided pursuant to a function transferred under section 5 may decline to receive such grant, allotment, or funds.

1 **SEC. 11. REFERENCES.**

2 Any reference in any other Federal law, Executive
3 order, rule, regulation, or delegation of authority, or any
4 document of or pertaining to a department or office from
5 which a function is transferred by this Act—

6 (1) to the head of such department or office is
7 deemed to refer to the head of the department or of-
8 fice to which such function is transferred; or

9 (2) to such department or office is deemed to
10 refer to the department or office to which such func-
11 tion is transferred.

12 **SEC. 12. EXERCISE OF AUTHORITIES.**

13 Except as otherwise provided by law, an official to
14 whom a function is transferred by this Act may, for pur-
15 poses of performing the function, exercise all authorities
16 under any other provision of law that were available with
17 respect to the performance of that function to the official
18 responsible for the performance of the function imme-
19 diately before the effective date of the transfer of the func-
20 tion under this Act.

21 **SEC. 13. SAVINGS PROVISIONS.**

22 (a) **LEGAL DOCUMENTS.**—All orders, determinations,
23 rules, regulations, permits, grants, loans, contracts, agree-
24 ments, certificates, licenses, and privileges—

25 (1) that have been issued, made, granted, or al-
26 lowed to become effective by the President, the Sec-

1 retary of Education, or any other Government offi-
2 cial, or by a court of competent jurisdiction, in the
3 performance of any function that is transferred by
4 this Act, and

5 (2) that are in effect on the effective date of
6 such transfer (or become effective after such date
7 pursuant to their terms as in effect on such effective
8 date),

9 shall continue in effect according to their terms until
10 modified, terminated, superseded, set aside, or revoked in
11 accordance with law by the President, any other author-
12 ized official, a court of competent jurisdiction, or operation
13 of law.

14 (b) PROCEEDINGS.—This Act shall not affect any
15 proceedings or any application for any benefits, service,
16 license, permit, certificate, or financial assistance pending
17 on the date of enactment of this Act before an office trans-
18 ferred by this Act, but such proceedings and applications
19 shall be continued. Orders shall be issued in such pro-
20 ceedings, appeals shall be taken therefrom, and payments
21 shall be made pursuant to such orders, as if this Act had
22 not been enacted, and orders issued in any such pro-
23 ceeding shall continue in effect until modified, terminated,
24 superseded, or revoked by a duly authorized official, by
25 a court of competent jurisdiction, or by operation of law.

1 Nothing in this subsection shall be considered to prohibit
2 the discontinuance or modification of any such proceeding
3 under the same terms and conditions and to the same ex-
4 tent that such proceeding could have been discontinued
5 or modified if this Act had not been enacted.

6 (c) SUITS.—This Act shall not affect suits com-
7 menced before the date of the enactment of this Act, and
8 in all such suits, proceeding shall be had, appeals taken,
9 and judgments rendered in the same manner and with the
10 same effect as if this Act had not been enacted.

11 (d) NONABATEMENT OF ACTIONS.—No suit, action,
12 or other proceeding commenced by or against the Depart-
13 ment of Education, or by or against any individual in the
14 official capacity of such individual as an officer or em-
15 ployee of an office transferred by this Act, shall abate by
16 reason of the enactment of this Act.

17 (e) CONTINUANCE OF SUITS.—If any Government of-
18 ficer in the official capacity of such officer is party to a
19 suit with respect to a function of the officer, and under
20 this Act such function is transferred to any other officer
21 or office, then such suit shall be continued with the other
22 officer or the head of such other office, as applicable, sub-
23 stituted or added as a party.

24 (f) ADMINISTRATIVE PROCEDURE AND JUDICIAL RE-
25 VIEW.—Except as otherwise provided by this Act, any

1 statutory requirements relating to notice, hearings, action
2 upon the record, or administrative or judicial review that
3 apply to any function transferred by this Act shall apply
4 to the exercise of such function by the head of the Federal
5 agency, and other officers of the agency, to which such
6 function is transferred by this Act.

7 **SEC. 14. FUNCTION DEFINED.**

8 For purposes of this Act, the term “function” in-
9 cludes any duty, obligation, power, authority, responsi-
10 bility, right, privilege, activity, or program.

