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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. HIGGINS of Louisiana introduced the following bill; which was referred
to the Committee on _____

A BILL

To abolish 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 “Sovereign States Edu-
5 cation Restoration Act”.

6 **SEC. 2. ABOLISHMENT OF DEPARTMENT OF EDUCATION.**

7 Effective on the date that is 270 days after the date
8 of enactment of this Act, the Department of Education
9 is abolished, and, with the exception of the programs

1 transferred under section 3, any program for which the
2 Secretary of Education or the Department of Education
3 has administrative responsibility as provided by law or by
4 delegation of authority pursuant to law is repealed, includ-
5 ing each program under the following:

6 (1) The Department of Education Organization
7 Act (20 U.S.C. 3401 et seq.).

8 (2) The General Education Provisions Act (20
9 U.S.C. 1221 et seq.).

10 **SEC. 3. TRANSFER OF CERTAIN DEPARTMENT OF EDU-**
11 **CATION PROGRAMS.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act—

14 (1) all functions, programs, and authorities of
15 the Secretary of Education under the Individuals
16 with Disabilities Education Act (20 U.S.C. 1460 et
17 seq.) shall be transferred to the Department of
18 Health and Human Services;

19 (2) each authority and program of the Office of
20 Indian Education of the Department of Education
21 shall be transferred to the Department of the Inte-
22 rior;

23 (3) each Impact Aid program under title VIII
24 of the Elementary and Secondary Education Act of

1 1965 (20 U.S.C. 7701 et seq.) shall be transferred
2 to the Department of Health and Human Services;

3 (4) the Federal Pell Grant program under title
4 IV of the Higher Education Act of 1965 (20 U.S.C.
5 1070a) shall be transferred to the Department of
6 the Treasury;

7 (5) the Federal Family Education Loan Pro-
8 gram under part B of such title IV shall be trans-
9 ferred to the Department of the Treasury;

10 (6) the William D. Ford Federal Direct Loan
11 Program under part D of such title IV shall be
12 transferred to the Department of the Treasury;

13 (7) the Federal Perkins Loans Program under
14 part E of such title IV shall be transferred to the
15 Department of the Treasury;

16 (8) the activities described in part F, G, or H
17 of title IV that are carried out by the Department
18 of Education shall be transferred so as to be carried
19 out by the Department of Treasury;

20 (9) the Health Education Assistance Loan pro-
21 gram under title VII of the Public Health Service
22 Act (42 U.S.C. 292 et seq.) shall be transferred to
23 the Department of Treasury; and

24 (10) the programs under the Education
25 Sciences Reform Act of 2002 (20 U.S.C. 9501 et

1 seq.) and the Educational Technical Assistance Act
2 of 2002 (20 U.S.C. 9601 et seq.) shall be trans-
3 ferred to the Department of the Treasury.

4 **SEC. 4. BLOCK GRANTS TO STATES.**

5 (a) ELEMENTARY AND SECONDARY EDUCATION
6 STATE BLOCK GRANT PROGRAM.—

7 (1) IN GENERAL.—The Secretary of the Treas-
8 ury shall carry out a program under which the Sec-
9 retary makes allocations to States to support ele-
10 mentary and secondary education, including career
11 and technical education.

12 (2) ALLOCATIONS TO STATES.—The allocations
13 made by the Secretary of Treasury to each State
14 under this subsection for a fiscal year shall be in an
15 amount that bears the same relationship to the
16 amount appropriated to carry out this subsection for
17 the fiscal year as the number of students in kinder-
18 garten through grade 12 who were enrolled in pub-
19 lic, private, and home schools in the State for the
20 previous fiscal year bears to the number of such stu-
21 dents in all States for the previous fiscal year.

22 (3) USE OF FUNDS.—A State that receives an
23 allocation under this subsection shall use such fund-
24 ing for any purpose relating to early childhood, ele-
25 mentary, or secondary education.

1 (b) POSTSECONDARY EDUCATION STATE BLOCK
2 GRANT PROGRAM.—

3 (1) IN GENERAL.—The Secretary of the Treas-
4 ury shall carry out a program under which the Sec-
5 retary makes allocations to States to support post-
6 secondary education.

7 (2) ALLOCATIONS TO STATES.—The allocations
8 made by the Secretary of Treasury to each State
9 under this subsection for a fiscal year shall be in an
10 amount that bears the same relationship to the
11 amount appropriated to carry out this subsection for
12 the fiscal year as the number of students who were
13 enrolled in postsecondary educational institutions in
14 the State for the previous fiscal year bears to the
15 number of such students in all States for the pre-
16 vious fiscal year.

17 (c) BLOCK GRANT CONDITIONS.—As a condition of
18 receiving a block grant under this subsection, a State shall
19 provide the Secretary of Treasury with an assurance that
20 the State will carry out each of the following:

21 (1) Submitting student data to the Secretary of
22 Treasury, annually, as requested by the Secretary of
23 Treasury and as necessary for executing the pro-
24 gram under this section.

1 (2) Completing of annual audits that conform
2 to generally accepted accounting principles, auditing
3 procedures, and safeguarding of funds that conform
4 to chapter 75 of title 31, United States Code (com-
5 monly known as the “Single Audit Act of 1984”)
6 and submitting the results of such audits to the Sec-
7 retary of Treasury.

8 (3) Complying with all applicable Federal civil
9 rights laws, including those described in section 5.

10 (d) MISUSED OR MISAPPROPRIATED FUNDS.—If the
11 Secretary of Treasury finds that any funds under this sec-
12 tion have been misused or misappropriated by the State,
13 the Secretary of the Treasury—

14 (1) may require repayment of the misused
15 funds and withhold Federal funds under this section
16 for the next fiscal year; or

17 (2) may reach a voluntary resolution agreement
18 with that State.

19 (e) DEFINITIONS.—In this section—

20 (1) the term “State” means each of the 50
21 States, the District of Columbia, the Commonwealth
22 of Puerto Rico, and each of the outlying areas; and

23 (2) the term “outlying area” means American
24 Samoa, the Commonwealth of the Northern Mariana
25 Islands, Guam, and the United States Virgin Is-

1 lands, the Republic of the Marshall Islands, the Fed-
2 erated States of Micronesia, and the Republic of
3 Palau.

4 **SEC. 5. CIVIL RIGHTS LAWS.**

5 The Civil Rights Division of the Department of Jus-
6 tice shall be responsible for receiving complaints and oth-
7 erwise enforcing and carrying out Federal civil rights laws
8 that are applicable to the grant programs under section
9 4 and the programs described in paragraphs (4) through
10 (7) of section 3, including—

11 (1) section 504 of the Rehabilitation Act of
12 1973 (29 U.S.C. 794);

13 (2) title IX of the Education Amendments of
14 1972 (20 U.S.C. 1681 et seq.); or

15 (3) title VI of the Civil Rights Act of 1964 (42
16 U.S.C. 2000d et seq.).

17 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated to carry out
19 sections 3, 4, and 5, an amount equal to the total amount
20 appropriated to the Department of Education for fiscal
21 year 2019, of which—

22 (1) not more than 50 percent shall be used to
23 award block grants to States under section 4; and

1 (2) not more than 20 percent shall be used for
2 the administration and oversight required by Federal
3 agencies under this Act.