ED & WORKFORCE DEMOCRATS

SECTION-BY-SECTION

House Committee on Education and Workforce
Ranking Member Robert C. "Bobby" Scott

Defend Students' Civil Rights Act of 2026

Sec. 1. Short Title.
The Act may be cited as the *Defend Students' Civil Rights Act of 2026*.

Sec. 2. Prohibition on Transferring the Office for Civil Rights of the Department of Education to Another Federal Agency.
The bill prohibits the Secretary of Education from moving or transferring any function of the Department of Education (ED) Office for Civil Rights (OCR) outside of the Department via any agreement, including an Interagency Agreement (IAA). It also prohibits the Secretary from procuring services or contracting with another agency in regard to administering OCR programs. Agreements and joint projects of common interest with other Departments that were in place prior to January 2025 are excepted.

Sec. 3. Cost Analysis.
For all the IAAs the Department has entered into since January 2025 (not just the IAA that moved functions of OCR to the U.S. Department of Justice), the Secretary must provide the Education authorization and appropriations Committees in the House and Senate a detailed analysis and report of the costs of implementing each interagency agreement, including a comparison to the costs to carry out the functions covered by the agreement in 2024. The analysis must include any costs associated with grant administration, training and professional development of staff, training of grantees required to adopt new systems as a result of the IAA, detailing or transporting ED employees to other Departments, infrastructure upgrades (including technological upgrades), administrative expenses, reductions in force (RIFs), and the cost of defending legal challenges to the IAAs or RIFs. The Secretary is prohibited from using certain accounts at the Department to cover expenses related to her travel until the cost analyses are submitted to Congress.