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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit the transfer of the Office for Civil Rights of the Department of Education to another Federal agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SCOTT of Virginia introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the transfer of the Office for Civil Rights of the Department of Education to another Federal agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This 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.

(a) PROHIBITION.—

(1) IN GENERAL.—Notwithstanding the provisions listed in paragraph (2), and subject to subsection (c), the Secretary of Education may not, with respect to the functions of the Office for Civil Rights of the Department of Education authorized under section 203 of the Department of Education Organization Act (20 U.S.C. 3413), including functions of the Secretary related to programs administered by such Office—

(A) enter into any agreement, or implement any agreement existing on the date of enactment of this Act, with another Federal agency, including an interagency agreement;

(B) procure services from, contract or carry out an agreement with, obtain any goods or services from, transfer activities or appropriations to, use the research, equipment, services, or facilities of, jointly carry out projects of common interest with, or enter into a similar arrangement with, another Federal agency; or

(C) transfer such a function from the Office for Civil Rights to another office of the De-

partment and subsequently enter into an agreement with another Federal agency relating to such function.

(2) INAPPLICABLE PROVISIONS.—The provisions listed in this paragraph are as follows:

(A) Section 430 of the General Education Provisions Act (20 U.S.C. 1231).

(B) Sections 203(c)(3), 415, and 419 of the Department of Education Organization Act (20 U.S.C. 3413(c)(3), 3475, 3479).

(C) Section 1501 of title 31, United States Code.

(b) DEFINITION OF FUNCTION.—In this section, the term ''function'', when used with respect to an office of the Department of Education, includes administering or operating programs, making grant awards, carrying out technical assistance, enforcing rights and requirements (such as data collection and data sharing requirements), conducting administrative and oversight functions, and monitoring grantees, related to any program, project, or activity for which funds are appropriated to the Department.

(c) EXCEPTION.—This section shall not apply to—

(1) any procurement, contract, agreement (including an agreement for obtaining goods or services

or issuance of joint guidance), transfer, or similar arrangement between the Department of Education and another Federal agency that was in effect on January 20, 2025; or

(2) the renewal of such a procurement, contract, agreement, transfer, or similar arrangement described in this subsection if the renewal contains only the same, or substantially similar, terms.

SEC. 3. COST ANALYSIS.

(a) IN GENERAL.—Not later than 2 weeks after the date of enactment of this Act and each quarter thereafter, the Secretary shall, for each interagency agreement entered into, on or after January 20, 2025, by the Secretary of Education with another Federal agency—

(1) provide to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate, and the Committee on Education and Workforce and the Committee on Appropriations of the House of Representatives; and

(2) make available to the public in an easily accessible format on the Department's website,

a detailed analysis and report that contains information on the actual and estimated obligations for implementing each such interagency agreement by each party to such

agreement and a comparison to actual expenditures for carrying out such responsibilities for fiscal year 2024.

(b) REPORT CONTENTS.—Each report required under subsection (a) shall contain, at a minimum, information on actual and estimated obligations for each of the following:

(1) Grant administration, including outreach, grant notices, competitions, review (including peer review), award processes, disbursement, and monitoring;

(2) Training and professional development of Department of Education, other Federal agency, and State and local grantee staff, such as training on transitioning to and using new grant and payment systems, program administration, and application processes.

(3) Training of grantees and eligible grant applicants on transitioning to and using new grant and payment systems and processes.

(4) Detailing, transferring, relocating, and onboarding Department of Education staff to other Federal agencies.

(5) Changes or upgrades to facilities at the Department of Education or other Federal agencies, in-

cluding the closure of any offices of the Department of Education.

(6) Changes or upgrades to technology and infrastructure used at the Department of Education or other Federal agencies, or by State and local grantees implementing any such interagency agreement.

(7) Overhead and administrative expenses attributed to each such interagency agreement, including costs incurred as a result of legal challenges to any such interagency agreement.

(8) Changes in costs of any contracts the Department of Education enters into to carry out programs covered by any such interagency agreement.

(9) Reductions in force of Department of Education staff, including costs incurred as a result of legal challenges to any reduction in force.

(c) PROHIBITION ON USE OF TRAVEL FUNDS.—None of the funds made available to the Department of Education for fiscal year 2027 or 2028 under the heading ''Program Administration'' or ''Student Aid Administration'' may be obligated or expended for travel expenses of the Secretary of Education unless the Secretary provides the information required in accordance with subsection (a).