

118TH CONGRESS
1ST SESSION

H. R. 938

To abolish the Department of Education and to provide funding directly to States for elementary and secondary education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Mr. MOORE of Alabama (for himself, Mr. NORMAN, Mr. GAETZ, Mr. DONALDS, Ms. GREENE of Georgia, and Mr. CRANE) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To abolish the Department of Education and to provide funding directly to States for elementary and secondary 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. ABOLISHMENT OF DEPARTMENT OF EDU-**
4 **CATION.**

5 (a) IN GENERAL.—Effective on the date that is 30
6 days after the date of enactment of this Act—

7 (1) the Department of Education is abolished;

8 and

9 (2) each applicable program is terminated.

1 (b) APPLICABLE PROGRAM DEFINED.—The term
2 “applicable program” means each program for which the
3 Secretary of Education or the Department of Education
4 has administrative responsibility as provided by law or by
5 delegation of authority pursuant to law as of the day be-
6 fore the date specified in subsection (a), except such term
7 does not include—

8 (1) the Federal Pell Grant program under sec-
9 tion 401 of the Higher Education Act (20 U.S.C.
10 1070a); and

11 (2) the William D. Ford Federal Direct Loan
12 Program under part D of such Act (20 U.S.C.
13 1087a et seq.).

14 (c) TRANSFER OF FUNCTIONS.—Effective on the
15 date specified in subsection (a), the authority to carry out
16 the programs described in paragraphs (1) and (2) of sub-
17 section (b) is hereby transferred to the Secretary of the
18 Treasury.

19 **SEC. 2. BLOCK GRANTS TO STATES.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) States should distribute non-Federal funds
23 for elementary and secondary education in a manner
24 that promotes competition and choices in education

1 in order to secure the best education available for
2 each child; and

3 (2) it is the fundamental right of parents to de-
4 termine the best education for their children.

5 (b) ELEMENTARY AND SECONDARY EDUCATION
6 GRANT PROGRAM.—The Secretary of the Treasury shall
7 carry out a program under which the Secretary makes al-
8 locations to States, in accordance with subsection (c), to
9 support elementary and secondary education.

10 (c) ALLOCATIONS TO STATES.—The allocations made
11 by the Secretary to each State under subsection (b) shall
12 be in proportion to the aggregate amount of Federal indi-
13 vidual income taxes paid by the residents of such State
14 (relative to such aggregate amount paid by residents of
15 all the States) as determined by the Secretary after con-
16 sultation with the Secretary of the Treasury.

17 (d) USE OF FUNDS.—A State that receives an alloca-
18 tion under subsection (c) shall use such funds to support
19 elementary and secondary education in the State.

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