

S. 5046, To prohibit the transfer of certain offices and functions of the Department of Education to other Federal agencies, and for other purposes

Section 1. Prohibition on Transferring Certain Offices and Functions of the Department of Education to Other Federal Agencies.

This subsection prohibits the Secretary of Education from entering into or continuing to implement, any agreement with another Federal agency, including procuring services, contracting, obtaining goods or services; transferring activities or appropriations; using research, equipment, or facilities; jointly carrying out projects of common interest, or entering into a similar agreement with another federal agency relating to the functions of the following U.S.

Department of Education offices:

- The Office of Special Education and Rehabilitative Services,
- The Office of Postsecondary Education,
- The Office of Elementary and Secondary Education, and
- The Office of Indian Education

This subsection prohibits the Secretary of Education from moving a function or program within OESE, OSERS, OPE and OIE from those offices to another office of the Department of Education that is not one of those four and subsequently entering into an IAA with another federal agency relating to those functions or programs.

This section does not apply to any procurement, contract, agreement, transfer, or similar arrangement between the U.S. Department of Education and another Federal agency that was already in effect on February 1, 2025, or the renewal of such an agreement.