

Department of Education Protection Act – One Pager

Congresswoman Jahana Hayes

Original Cosponsors: Reps. Adams, McIver, Salinas, Titus, Tokuda

In 1979, former President Jimmy Carter oversaw the creation of the modern U.S. Department of Education, an accomplishment hailed as a hallmark of his legacy after his death.

The U.S. Department of Education is vital for ensuring that all students have access to a quality education and for protecting the rights of students and educators.

Additionally, the Department protects the civil rights of students and assists with the implementation of funds designed to provide individual support for students with disabilities. Federal programs at the Department include those within ESSA Title I, II, III, and IV, which are vital in supporting students from low-income backgrounds, developing and training educators, and providing resources for English learners alongside other traditionally underserved students.

During the first Trump Presidency, the Administration sought to underfund, reorganize, and sign executive orders urging the downsizing of the Department of Education. On the campaign trail, President-elect Donald Trump repeatedly vowed to "close" the U.S. Department of Education if he regained the White House. In October, he likened the Department of Education to a "bloated and radical bureaucracy." Terminating the Department of Education is a clear goal for Project 2025.

For years, members of the United States House of Representatives, Senate, and Executive Branch have tried again and again to abolish, dismantle, and defund the Department of Education.

On February 9, 2024, Rep. Barry Moore introduced legislation to abolish the Department of Education and provide funding directly to States for elementary and secondary education. On November 21, 2024, Senator Mike Rounds introduced legislation that abolishes the Department of Education (ED) and terminates any applicable program for which it has administrative responsibility, except for those programs transferred to other federal agencies.

The **Department of Education Protection Act** is imperative to protect the structure of the Department of Education to ensure every student receives the free and appropriate public education they deserve.

The **Department of Education Protection Act** prohibits the use of appropriated funds to be used to decentralize, reduces the staffing level of, or alters the responsibilities, structure, authority, or functionality of the Department of Education. This bill also emphasizes the importance of maintaining the current organization of the Department of Education and reiterates the fundamental role of Congress in shaping and reshaping the agency.