



Written by [Alex Newman](#) on March 6, 2017

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## Shutting Down the U.S. Education Department

Legislation to shut down the controversial and unconstitutional U.S. Department of Education was introduced in Congress on February 7 by Representative Thomas Massie (R-Ky.), a leading constitutional conservative. The bill, H.R. 899, would help President Donald Trump follow through on campaign statements suggesting his desire to abolish the department, as well as the Obama-backed “Common Core” school standards. The legislation was introduced on the same day U.S. Education Secretary Betsy DeVos was confirmed by the Senate.



The bill is literally only one sentence long, at least for now. “The Department of Education shall terminate on December 31, 2018,” reads the text of the legislation. What would happen then with the dizzying array of unconstitutional federal “education” programs, statutes, and decrees was not immediately clear. But sources on Capitol Hill said the focus was on getting the ball rolling, with the details to be nailed down later.

The bill was introduced with a good number of cosponsors, all of them among the more liberty-minded wing of the Republican Party, who take their oath to the U.S. Constitution seriously. Among the original cosponsors are congressmen Justin Amash (R-Mich.), Andy Biggs (R-Ariz.), Jason Chaffetz (R-Utah), Matt Gaetz (R-Fla.), Jody Hice (R-Ga.), Walter Jones (R-N.C.), and Raúl Labrador (R-Idaho). It was referred to the House Committee on Education and the Workforce.

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In a statement released in conjunction with the bill, Congressman Massie, the lead sponsor, eloquently and succinctly explained why the U.S. Education Department needed to be shuttered. “Neither Congress nor the President, through his appointees, has the constitutional authority to dictate how and what our children must learn,” explained Massie, who has an almost-perfect score for his first two terms in Congress in The New American’s “Freedom Index,” a congressional scorecard based on the U.S. Constitution.

“Unelected bureaucrats in Washington, D.C. should not be in charge of our children’s intellectual and moral development,” Massie observed. “States and local communities are best positioned to shape curricula that meet the needs of their students. Schools should be accountable. Parents have the right to choose the most appropriate educational opportunity for their children, including home school, public school, or private school.”

Congressman Walter Jones, another one of the more Constitution-friendly members of Congress, also pointed out that the federal government has no legitimate business meddling in education. “For years, I have advocated returning education policy to where it belongs — the state and local level,” explained the conservative lawmaker from North Carolina. “D.C. bureaucrats cannot begin to understand the



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needs of schools and [their] students on an individual basis. It is time that we get the feds out of the classroom, and terminate the Department of Education.”

Yet another liberty-minded lawmaker, Representative Raúl Labrador of Idaho, touted the benefits of local control over education policy. “I’ve always been a proponent of empowering parents, teachers and local school boards who best know our children and their needs,” said the congressman. “Eliminating the U.S. Department of Education is the most important step we in Congress can take in returning decision making to the local level.”

Freshman Congressman Andy Biggs of Arizona, meanwhile, noted that the federal education bureaucracy played a massive role in imposing the current educational disaster afflicting America’s children. “Education of our students should lie primarily with parents, teachers, and state and local officials who know how to meet their individual needs best,” he explained. “Since its inception, the Department of Education has grown into an unrecognizable federal beast, and its policies have helped foster Common Core across the country. It is time the one-size-fits-all approach by the federal government is ended and authority is returned to the local level.”

And Representative Amash, who early on congratulated his friend DeVos on her nomination and said he looked forward to working with her to dismantle federal education mandates, highlighted the Constitution again. “Our Constitution reserves the power over education to the states, and Rep. Amash has consistently supported putting parents and teachers back in control,” his spokesperson was quoted as saying in local media reports. “While relatively little federal money for public education comes from Washington, federal bureaucracy and mandates reduce the total amount of resources available to public schools and cannot properly account for the individualized needs of students.”

In a press release announcing the bill, the lawmakers behind the effort noted that the U.S. Department of Education began operations in 1980. But it was hardly uncontroversial. In fact, the next year, in an address to the nation on his program for economic recovery, President Ronald Reagan — an icon among GOP voters and Americans generally — touted his desire to shut down the unconstitutional bureaucracy altogether.

As the third step in his proposed plan, President Reagan called for shutting down two Cabinet departments — education and energy.

“There’s only one way to shrink the size and cost of big government, and that is by eliminating agencies that are not needed and are getting in the way of a solution,” Reagan said. “Now, we don’t need an Energy Department to solve our basic energy problem. As long as we let the forces of the marketplace work without undue interference, the ingenuity of consumers, business, producers, and inventors will do that for us.”

“Similarly, education is the principal responsibility of local school systems, teachers, parents, citizen boards, and State governments,” the popular president continued in his speech. “By eliminating the Department of Education less than 2 years after it was created, we can not only reduce the budget but ensure that local needs and preferences, rather than the wishes of Washington, determine the education of our children.”

Unfortunately for America and the Constitution, the U.S. Education Department continued to exist, and to accumulate more and more power, money, and control over schools nationwide — squandering hundreds of billions of dollars while making education worse. Since the Reagan administration,



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Republicans at all levels of government have paid lip-service to shutting down the unconstitutional bureaucracy. But they now control the White House and both houses of Congress, giving the GOP and conservative Americans a historic opportunity to follow through.

## **Trump Has Touted It**

And indeed, Trump has long touted the idea of shutting down the whole operation. “A lot of people believe the Department of Education should just be eliminated — get rid of it,” Trump said in one of many similar statements on the campaign trail. “If we don’t eliminate it completely, we certainly need to cut its power and reach.” The solution, he suggested, would be to go back to what the Constitution explicitly requires — absolutely no federal role in education.

“Education has to be run locally,” Trump also said. “Common Core, No Child Left Behind, and Race to the Top are all programs that take decisions away from parents and local school boards. These programs allow the progressives in the Department of Education to indoctrinate, not educate, our kids. What they are doing does not fit the American model of governance. I am totally against these programs and the Department of Education. It’s a disaster. We cannot continue to fail our children — the very future of this nation.”

Of course, despite the lack of constitutional authority to do so, even before the U.S. Department of Education was officially established during President Jimmy Carter’s administration, the federal government had already started meddling in education. In fact, for decades, the unconstitutional U.S. Department of Health, Education, and Welfare, created without Congress by an out-of-control President Dwight Eisenhower, was quietly expanding its influence over schooling across America under various guises.

Since then, Congress has continued to pass massive and completely unconstitutional education schemes purporting to usurp power over education that was specifically reserved to the states and the people under the Constitution’s 10th Amendment. Most recently, Democrats and establishment Republicans passed the “Every Student Succeeds Act” — a gargantuan educational monstrosity celebrated by Obama as a “Christmas miracle” — usurping even more unconstitutional powers under the demonstrably fraudulent guise of returning power to the states. The bill even funds the creation of “full-service community schools” that would all but replace parents. It also expands “school choice” programs with federal tax dollars, which would come with the proverbial strings attached, at least in the long run.

## **Making Sure Dead Means Gone**

Advocates of shutting down the Education Department and restoring local control celebrated the new bill, but called for a few amendments to ensure that the federal tentacles would not continue to exert influence over schools. Sheri Few, president of the national grassroots group United States Parents Involved in Education (USPIE), noted that her organization’s mission is actually to end the U.S. Department of Education and all federal mandates relating to education. “So, we are very pleased to learn of Rep. Massie’s bill and we are grateful to bill sponsors for taking the lead on this important issue,” Few said in a written statement.

“However, if we really want the feds out of the education business, we should advocate that ALL federal education programs be closed,” Few continued. “For example, closing USED without eliminating the



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federally funded testing consortia, leaves the potential for the consortia (SBAC and PARCC) to remain in their role as an institutional mechanism that perpetuates Common Core and the same re-branded national standards. Therefore, any effort to shut down USED must include a sunset of the federal testing consortia.”

The grassroots education group also recommended an amendment to the legislation that would require Education Secretary DeVos to present the department’s closure plan to Congress “for transparency and approval,” Few said. With state chapters across America, the group has been working hard to restore local control of education, in part by advocating an end to the U.S. Education Department. The activists will continue working toward that mission in the months ahead. (This writer volunteers on the group’s advisory board.)

Another example of federal overreach that has some conservative education experts and analysts concerned is a plan hatched by Marc Tucker of the National Center on Education and the Economy to transform the 50 state education departments into clones of the federal department — all while abolishing local elected school boards. In essence, the argument goes, now that the federal government has helped impose 50 mini versions of itself on the states, the federal department is no longer even necessary to the long-term agenda of nationalizing (and globalizing) education.

One possible way to stop state education departments from becoming regional administrative units of the Department of Education via federal money and controls would be for states to quit accepting federal dollars — and the strings attached to them — and then proceed to abolish their own state education agencies. At that point, schooling and education could be left completely in the hands of local communities, schools, and elected boards, fostering competition and local control. Indeed, early American public education, which was demonstrably superior to what passes for “education” today, was handled almost exclusively at the local level.

Whether Education Secretary DeVos will get on board with the agenda to abolish her department, pushed by the Republican lawmakers and even President Trump on the campaign trail, remains to be seen. However, shortly after Trump selected her, a statement was released indicating that DeVos planned to work on “higher national standards.” Critics expressed serious concern. While she quickly released a statement distancing herself from the politically toxic Common Core scheme imposed on America with bribes and bullying from Obama’s Education Department, DeVos has not publicly called for abolishing the unconstitutional agency she now leads.

The billionaire “school choice” advocate, who was viciously opposed by teachers’ unions and the far-left, along with some opposition on the Right, was narrowly confirmed in a historic 51-50 Senate vote on February 7. Vice President Mike Pence cast the deciding vote to break the tie after two liberal Republicans broke ranks and sided with Democrats. But if conservatives wanting to abolish the U.S. Department of Education get their way, DeVos may soon be out of a job anyway. For schoolchildren, the Constitution, and real school choice, that would be excellent news. But the real battle to “make education great again” will only be just beginning.

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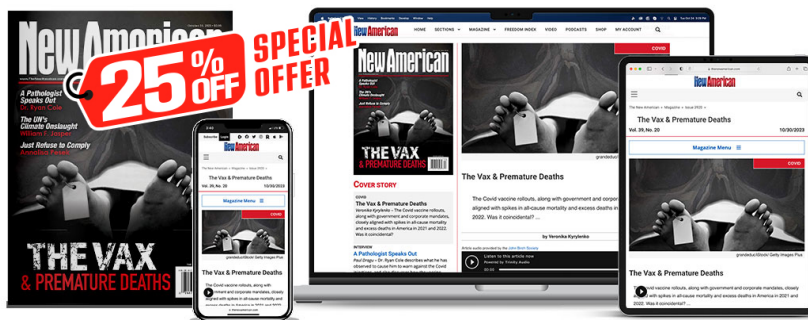
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