

119TH CONGRESS
2D SESSION

H. R. 9602

To ensure the Department of State will manage all foreign gift and contract reporting done under section 117 of the Higher Education Act of 1965, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2026

Mr. BAUMGARTNER introduced the following bill; which was referred to the Committee on Education and Workforce

A BILL

To ensure the Department of State will manage all foreign gift and contract reporting done under section 117 of the Higher Education Act of 1965, 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. SHORT TITLE.**

4 This Act may be cited as the “Less Bureaucracy,
5 Better International Foreign Gift Transparency Act”.

1 **SEC. 2. TRANSFER OF DEPARTMENT OF EDUCATION FUNC-**
2 **TIONS RELATED TO DISCLOSURE OF FOR-**
3 **EIGN GIFTS.**

4 There are transferred to the Secretary of State all
5 functions which the Secretary of Education exercised be-
6 fore the effective date of this Act (including all related
7 functions of any officer or employee of the Department
8 of Education) under section 117 of the Higher Education
9 Act of 1965 (20 U.S.C. 1011f).

10 **SEC. 3. EXERCISE OF AUTHORITIES.**

11 Except as otherwise provided by law, the Secretary
12 of State may, for purposes of performing a function under
13 section 117 of the Higher Education Act of 1965 (20
14 U.S.C. 1011f), exercise all authorities under any other
15 provision of law that were available with respect to the
16 performance of that function to the Secretary of Edu-
17 cation immediately before the effective date of the transfer
18 of the function under this Act.

19 **SEC. 4. TRANSFER AND ALLOCATIONS OF APPROPRIA-**
20 **TIONS AND PERSONNEL.**

21 Except as otherwise provided in this Act, the per-
22 sonnel employed in connection with, and the assets, liabil-
23 ities, contracts, property, records, and unexpended bal-
24 ances of appropriations, authorizations, allocations, and
25 other funds employed, used, held, arising from, available
26 to, or to be made available in connection with the func-

1 tions transferred under this Act, subject to section 1531
2 of title 31, United States Code, shall be transferred to the
3 Department of State. Unexpended funds transferred pur-
4 suant to this section shall be used only for the purposes
5 for which the funds were originally authorized and appro-
6 priated.

7 **SEC. 5. AUTHORITY OF DIRECTOR OF THE OFFICE OF MAN-**
8 **AGEMENT AND BUDGET WITH RESPECT TO**
9 **FUNCTIONS TRANSFERRED.**

10 (a) **PERSONNEL DETERMINATIONS.**—The Director of
11 the Office of Management and Budget shall ensure that
12 this Act does not result in a net increase in full-time equiv-
13 alent employees at the Federal agencies impacted by this
14 Act, based on the number of such employees at such agen-
15 cies on the date of enactment of this Act.

16 (b) **FUNCTION DETERMINATIONS.**—If necessary, the
17 Director of the Office of Management and Budget shall
18 make any determination of the functions that are trans-
19 ferred under this Act.

20 (c) **INCIDENTAL TRANSFERS.**—The Director of the
21 Office of Management and Budget, at such time or times
22 as the Director shall provide, may make such determina-
23 tions as may be necessary with regard to the functions
24 transferred by this Act, and to make such additional inci-
25 dental dispositions of personnel, assets, liabilities, grants,

1 contracts, property, records, and unexpended balances of
2 appropriations, authorizations, allocations, and other
3 funds held, used, arising from, available to, or to be made
4 available in connection with such functions, as may be nec-
5 essary to carry out the provisions of this Act. The Director
6 shall provide for further measures and dispositions as may
7 be necessary to effectuate the purposes of this Act.

8 (d) CERTIFICATION OF COMPLIANCE.—On the effec-
9 tive date of this Act, the Director of the Office of Manage-
10 ment and Budget shall certify compliance with this Act,
11 including the requirement under subsection (a), to the
12 Committee on Education and Workforce of the House of
13 Representatives and the Committee on Health, Education,
14 Labor, and Pensions of the Senate.

15 **SEC. 6. DELEGATION AND ASSIGNMENT.**

16 Except as otherwise expressly prohibited by law or
17 otherwise provided in this Act, the Secretary of State may
18 delegate any of the functions transferred to the Secretary
19 under this Act to such officers and employees of the Sec-
20 retary as the Secretary may designate, and may authorize
21 successive redelegations of such functions as may be nec-
22 essary or appropriate. No delegation of functions by the
23 Secretary of State under this section or under any other
24 provision of this Act shall relieve the Secretary of responsi-
25 bility for the administration of the function.

1 **SEC. 7. REFERENCES.**

2 With regard to functions transferred under section 2,
3 a reference in any other Federal law, Executive order,
4 rule, regulation, or delegation of authority, or any docu-
5 ment of or relating to—

6 (1) the Secretary of Education shall be deemed
7 to refer to the Secretary of State; and

8 (2) the Department of Education shall be
9 deemed to refer to the Department of State.

10 **SEC. 8. SAVINGS PROVISIONS.**

11 (a) **LEGAL DOCUMENTS.**—All orders, determinations,
12 rules, regulations, permits, grants, loans, contracts, agree-
13 ments, certificates, licenses, and privileges—

14 (1) that have been issued, made, granted, or al-
15 lowed to become effective by the President, any Fed-
16 eral agency or official thereof, or by a court of com-
17 petent jurisdiction, in the performance of any func-
18 tion that is transferred by this Act, and

19 (2) that are in effect on the effective date of
20 such transfer (or become effective after such date
21 pursuant to their terms as in effect on such effective
22 date),

23 shall continue in effect according to their terms until
24 modified, terminated, superseded, set aside, or revoked in
25 accordance with law by the President, the Secretary of

1 State, any other authorized official, a court of competent
2 jurisdiction, or operation of law.

3 (b) PROCEEDINGS.—This Act shall not affect any
4 proceedings or any application for any benefits, service,
5 license, permit, certificate, or financial assistance pending
6 on the effective date of this Act before the Department
7 of Education (with respect to functions transferred by this
8 Act). Such proceedings and applications shall continue, or-
9 ders shall be issued in such proceedings, appeals shall be
10 taken therefrom, and payments shall be made pursuant
11 to such orders, as if this Act had not been enacted, and
12 orders issued in any such proceeding shall continue in ef-
13 fect until modified, terminated, superseded, or revoked by
14 a duly authorized official, by a court of competent jurisdic-
15 tion, or by operation of law. Nothing in this subsection
16 shall be considered to prohibit the discontinuance or modi-
17 fication of any such proceeding under the same terms and
18 conditions and to the same extent that such proceeding
19 could have been discontinued or modified if this Act had
20 not been enacted.

21 (c) SUITS.—Except as provided in subsection (e)—

22 (1) this Act shall not affect suits commenced
23 before the effective date of this Act; and

24 (2) in all such suits, proceeding shall be had,
25 appeals taken, and judgments rendered in the same

1 manner and with the same effect as if this Act had
2 not been enacted.

3 (d) NONABATEMENT OF ACTIONS.—No suit, action,
4 or other proceeding commenced by or against the Depart-
5 ment of Education (with respect to the functions trans-
6 ferred by this Act), or by or against any individual in the
7 official capacity of such individual as an officer or em-
8 ployee of the Department of Education (with regard to
9 functions transferred by this Act), shall abate by reason
10 of the enactment of this Act.

11 (e) CONTINUANCE OF SUITS.—If, before the date on
12 which a transfer of a function under this Act takes effect,
13 the Secretary of Education or any officer or employee of
14 the Department of Education in the official capacity as
15 such an officer or employee is party to a suit relating to
16 the function, then such suit shall be continued and the
17 Secretary of State, or other appropriate official of the De-
18 partment of State, shall be substituted or added as a
19 party.

20 (f) ADMINISTRATIVE PROCEDURE AND JUDICIAL RE-
21 VIEW.—Except as otherwise provided by this Act, any
22 statutory requirements relating to notice, hearings, action
23 upon the record, or administrative or judicial review that
24 apply to any function transferred by this Act shall apply
25 to the exercise of such function by the Secretary of State,

1 and other officers of the Department of State, to which
2 such function is transferred by this Act.

3 **SEC. 9. TRANSITION.**

4 Beginning on the date of enactment of this Act, the
5 Secretary of State is authorized to use, for such period
6 of time as may reasonably be needed to facilitate the or-
7 derly implementation of this Act—

8 (1) the services of officers, employees, and other
9 personnel of the Department of Education with re-
10 gard to functions transferred under this Act;

11 (2) assets of the Department of Education with
12 regard to such functions; and

13 (3) funds appropriated to such functions.

14 **SEC. 10. DEFINITION OF FUNCTION.**

15 For purposes of this Act, the term “function” in-
16 cludes any duty, obligation, power, authority, responsi-
17 bility, right, privilege, activity, or program.

18 **SEC. 11. EFFECTIVE DATE.**

19 (a) IN GENERAL.—Except as provided in section 9,
20 this Act and the amendments made by this Act shall take
21 effect 6 months after the date of enactment of this Act.

22 (b) EARLY IMPLEMENTATION.—Notwithstanding
23 subsection (a), transfers of functions under section 2 or
24 any other provision of this Act (other than section 9) may

- 1 be carried out beginning on the date of enactment of this
- 2 Act but not later than the effective date of this Act.

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