

119TH CONGRESS
2D SESSION

H. R. 9606

To ensure that the Secretary of Health and Human Services will manage all functions related to child care access for low-income parents in postsecondary education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2026

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

A BILL

To ensure that the Secretary of Health and Human Services will manage all functions related to child care access for low-income parents in postsecondary 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. SHORT TITLE.**

4 This Act may be cited as the “Less Bureaucracy,
5 Better Child Care for Student Parents Act”.

1 **SEC. 2. TRANSFER OF DEPARTMENT OF EDUCATION FUNC-**
2 **TIONS RELATED TO CHILD CARE ACCESS FOR**
3 **LOW-INCOME PARENTS IN POSTSECONDARY**
4 **EDUCATION.**

5 There are transferred to the Secretary of Health and
6 Human Services (acting through the head of an Office of
7 the Department of Health and Human Services that is
8 in effect on the day before the date of enactment of this
9 Act) all functions which the Secretary of Education exer-
10 cised before the effective date of this Act (including all
11 related functions of any officer or employee of the Depart-
12 ment of Education) under section 419N of the Higher
13 Education Act of 1965 (20 U.S.C. 1070e).

14 **SEC. 3. EXERCISE OF AUTHORITIES.**

15 Except as otherwise provided by law, the Secretary
16 of Health and Human Services may, for purposes of per-
17 forming a function under section 419N of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1070e), exercise all authori-
19 ties under any other provision of law that were available
20 with respect to the performance of that function to the
21 Secretary of Education immediately before the effective
22 date of the transfer of the function under this Act.

23 **SEC. 4. TRANSFER AND ALLOCATIONS OF APPROPRIA-**
24 **TIONS AND PERSONNEL.**

25 Except as otherwise provided in this Act, the per-
26 sonnel employed in connection with, and the assets, liabil-

ities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred under this Act, subject to section 1531 of title 31, United States Code, shall be transferred to the Department of Health and Human Services. Unexpended funds transferred pursuant to this section shall be used only for the purposes for which the funds were originally authorized and appropriated.

SEC. 5. AUTHORITY OF DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET WITH RESPECT TO FUNCTIONS TRANSFERRED.

(a) PERSONNEL DETERMINATIONS.—The Director of the Office of Management and Budget shall ensure that this Act does not result in a net increase in full-time equivalent employees at the Federal agencies impacted by this Act, based on the number of such employees at such agencies on the date of enactment of this Act.

(b) FUNCTION DETERMINATIONS.—If necessary, the Director of the Office of Management and Budget shall make any determination of the functions that are transferred under this Act.

(c) INCIDENTAL TRANSFERS.—The Director of the Office of Management and Budget, at such time or times

1 as the Director shall provide, may make such determina-
2 tions as may be necessary with regard to the functions
3 transferred by this Act, and to make such additional inci-
4 dental dispositions of personnel, assets, liabilities, grants,
5 contracts, property, records, and unexpended balances of
6 appropriations, authorizations, allocations, and other
7 funds held, used, arising from, available to, or to be made
8 available in connection with such functions, as may be nec-
9 essary to carry out the provisions of this Act. The Director
10 shall provide for further measures and dispositions as may
11 be necessary to effectuate the purposes of this Act.

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

19 **SEC. 6. DELEGATION AND ASSIGNMENT.**

20 Except as otherwise expressly prohibited by law or
21 otherwise provided in this Act, the Secretary of Health
22 and Human Services may delegate any of the functions
23 transferred to the Secretary under this Act to such officers
24 and employees of the Secretary as the Secretary may des-
25 ignate, and may authorize successive redelegations of such

1 functions as may be necessary or appropriate. No delega-
2 tion of functions by the Secretary of Health and Human
3 Services under this section or under any other provision
4 of this Act shall relieve the Secretary of responsibility for
5 the administration of the function.

6 **SEC. 7. REFERENCES.**

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

11 (1) the Secretary of Education shall be deemed
12 to refer to the Secretary of Health and Human
13 Services; and

14 (2) the Department of Education shall be
15 deemed to refer to the Department of Health and
16 Human Services.

17 **SEC. 8. SAVINGS PROVISIONS.**

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

21 (1) that have been issued, made, granted, or al-
22 lowed to become effective by the President, any Fed-
23 eral agency or official thereof, or by a court of com-
24 petent jurisdiction, in the performance of any func-
25 tion that is transferred by this Act; and

1 (2) that are in effect on the effective date of
2 such transfer (or become effective after such date
3 pursuant to their terms as in effect on such effective
4 date),

5 shall continue in effect according to their terms until
6 modified, terminated, superseded, set aside, or revoked in
7 accordance with law by the President, the Secretary of
8 Health and Human Services, any other authorized official,
9 a court of competent jurisdiction, or operation of law.

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

1 could have been discontinued or modified if this Act had
2 not been enacted.

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

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

6 (2) in all such suits, proceeding shall be had,
7 appeals taken, and judgments rendered in the same
8 manner and with the same effect as if this Act had
9 not been enacted.

10 (d) NONABATEMENT OF ACTIONS.—No suit, action,
11 or other proceeding commenced by or against the Depart-
12 ment of Education (with respect to the functions trans-
13 ferred by this Act), or by or against any individual in the
14 official capacity of such individual as an officer or em-
15 ployee of the Department of Education (with regard to
16 functions transferred by this Act), shall abate by reason
17 of the enactment of this Act.

18 (e) CONTINUANCE OF SUITS.—If, before the date on
19 which a transfer of a function under this Act takes effect,
20 the Secretary of Education or any officer or employee of
21 the Department of Education in the official capacity as
22 such an officer or employee is party to a suit relating to
23 the function, then such suit shall be continued and the
24 Secretary of Health and Human Services, or other appro-

1 priate official of the Department of Health and Human
2 Services, shall be substituted or added as a party.

3 (f) ADMINISTRATIVE PROCEDURE AND JUDICIAL RE-
4 VIEW.—Except as otherwise provided by this Act, any
5 statutory requirements relating to notice, hearings, action
6 upon the record, or administrative or judicial review that
7 apply to any function transferred by this Act shall apply
8 to the exercise of such function by the Secretary of Health
9 and Human Services and other officers of the Department
10 of Health and Human Services, to which such function
11 is transferred by this Act.

12 **SEC. 9. TRANSITION.**

13 Beginning on the date of enactment of this Act, the
14 Secretary of Health and Human Services is authorized to
15 use, for such period of time as may reasonably be needed
16 to facilitate the orderly implementation of this Act—

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

20 (2) assets of the Department of Education with
21 regard to such functions; and

22 (3) funds appropriated to such functions.

1 **SEC. 10. DEFINITION OF FUNCTION.**

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

5 **SEC. 11. EFFECTIVE DATE.**

6 (a) IN GENERAL.—Except as provided in section 9,
7 this Act shall take effect 6 months after the date of enact-
8 ment of this Act.

9 (b) EARLY IMPLEMENTATION.—Notwithstanding
10 subsection (a), transfers of functions under section 2 or
11 any other provision of this Act (other than section 9) may
12 be carried out beginning on the date of enactment of this
13 Act but not later than the effective date of this Act.

○