

A BILL

To abolish the Department of the Treasury, repeal section 301 of title 31, United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of the Treasury Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

- (1) The Department of the Treasury collects taxes through the Internal Revenue Service, manages federal finances and debt, produces currency and coin, enforces financial regulations and sanctions, and charters national banks.
- (2) By administering a federal income tax system, a fiat currency, and regulation of banking and financial transactions, the Department regulates activities that are local and intrastate in character, exceeding the power granted in Article I, Section 8, Clause 3 “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes,” a power that, as understood at ratification, reaches trade and exchange across State lines and not production, local activity, or the internal affairs of the States.
- (3) By issuing and supporting fiat currency unbacked by gold or silver, the Department exceeds the power granted in Article I, Section 8, Clause 5 “To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures,” which the Founders understood to require money of fixed metallic weight and fineness, as established by the Coinage Act of 1792, and disregards Article I, Section 10, which permits the States to make nothing “but gold and silver Coin a Tender in Payment of Debts.”
- (4) The functions of the Department are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.
- (5) By requiring financial institutions to report the transactions of Americans without warrants, the Department infringes the Fourth Amendment’s protection of “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,” and its requirement that no warrants shall issue “but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

(6) By compelling disclosures and seizing property through administrative levies, the Department violates the Due Process Clause, Self-Incrimination Clause, and Takings Clause of the Fifth Amendment, which provide that no person shall “be deprived of life, liberty, or property, without due process of law”, no person “shall be compelled in any criminal case to be a witness against himself”, and that private property shall not “be taken for public use, without just compensation”.

(7) By imposing civil penalties through administrative proceedings, the Department denies Americans the Seventh Amendment’s guarantee that “In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.”

(8) By imposing penalties disproportionate to any offense, the Department subjects Americans to penalties and forfeitures that may be grossly disproportionate to any offense, contrary to the Eighth Amendment’s command that excessive fines shall not be “imposed.”

(9) By examining the private financial affairs of every American, the Department exceeds the Sixteenth Amendment, which permits Congress to lay and collect taxes on incomes without apportionment but conferred no power to subject the private papers, finances, and daily affairs of every American to continuing federal examination, and which did not repeal the Framers’ protection against unapportioned direct taxes in Article I, Section 9, Clause 4 as to any other subject.

(10) In carrying out its functions, the Department disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(11) The Constitution delegates to the United States no power over banking, local finance, and the private financial affairs of the people. By administering a federal income tax system, a fiat currency, and regulation of banking and financial transactions, the Department exercises powers that the Tenth Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(12) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The Department perpetuates the centralized administration the Declaration condemned. The Declaration likewise condemned “imposing Taxes on us without our Consent.” The security of property, which the Founders regarded as inseparable from liberty, may not be left to the discretion of federal officers.

(13) Abolishing the Department of the Treasury and repealing section 301 of title 31, United States Code, will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE DEPARTMENT OF THE TREASURY.

(a) In General.—The Department of the Treasury is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Department of the Treasury, ceasing all functions, except that the collection of such taxes, duties, imposts, and excises as Congress lawfully lays, the payment of the debts of the United States, the borrowing of money on the credit of the United States, and the coining of gold and silver money of fixed weight and fineness, as authorized by Article I, Section 8, Clauses 1, 2, and 5 of the Constitution, shall be transferred to such other department or officer of the United States as determined by such official.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Department of the Treasury shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Department of the Treasury shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE DEPARTMENT OF THE TREASURY.

(a) In General.—Section 301 of title 31, United States Code, and any other provision of law establishing the Department of the Treasury or vesting functions in the Department of the Treasury, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Department of the Treasury and to any office, officer, or function established in or vested in the Department of the Treasury;

(2) reassigning only the collection of such taxes, duties, imposts, and excises as Congress lawfully lays, the payment of the debts of the United States, the borrowing of money on the credit of the United States, and the coining of gold and silver money of fixed weight and fineness, as authorized by Article I, Section 8, Clauses 1, 2, and 5 of the Constitution, in accordance with section 3(b), and terminating every other function of the Department of the Treasury; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Department of the Treasury.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the Department of the Treasury shall revert to its organizational structure as it existed prior to the establishment of the Department of the Treasury, and no function of the Department of the Treasury shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Department of the Treasury abolished by this Act, other than the enumerated functions transferred under section 3(b).

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.