

AMENDMENT TO RULES COMMITTEE PRINT 117-

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OFFERED BY MR. BISHOP OF NORTH CAROLINA

At the end of subtitle F of title V, add the following new section:

1 **SEC. 5___ . PROHIBITION ON PROMOTION OF ANTI-AMER-**
2 **ICAN AND RACIST THEORIES.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) The founding principles of the United
5 States include the belief, enshrined in the Declara-
6 tion of Independence, that “all men are created
7 equal” and “are endowed by their Creator with cer-
8 tain unalienable Rights”.

9 (2) The United States commitment to the equal
10 dignity and natural rights of all mankind is the
11 strongest possible defense against racism and op-
12 pression of all kinds.

13 (3) The mission of the United States Armed
14 Forces is to “support and defend the Constitution of
15 the United States against all enemies, foreign and
16 domestic” and “bear true faith and allegiance to the
17 same”.

1 (4) To carry out this mission, the Armed
2 Forces must train leaders who love the United
3 States, its citizens, and the aforementioned founding
4 principles.

5 (5) Anti-American and racist theories, such as
6 “Critical Race Theory”, teach that the United
7 States is a fundamentally racist Nation, that the
8 Constitution is a fundamentally racist document,
9 and that certain races are fundamentally oppressive
10 or oppressed.

11 (6) Such theories encourage people to judge
12 and treat others differently on the basis of their
13 race, rather than treating them as equal citizens and
14 human beings with equal dignity and protection
15 under the law.

16 (7) Anti-American and racist theories, such as
17 Critical Race Theory, teach students to distrust and
18 even hate their country and fellow citizens.

19 (8) The United States Armed Forces should not
20 promote or otherwise encourage anti-American and
21 racist theories that demoralize and divide its mem-
22 bers while undermining its mission to “bear truth
23 faith and allegiance” to the Constitution.

24 (b) PROHIBITION.—The Armed Forces and academic
25 institutions operated or controlled by the Department of

1 Defense shall not promote the following anti-American
2 and racist theories:

3 (1) Any race is inherently superior or inferior
4 to any other race.

5 (2) The United States of America is a fun-
6 damentally racist country.

7 (3) The Declaration of Independence or the
8 United States Constitution are fundamentally racist
9 documents.

10 (4) An individual's moral character or worth is
11 determined by his or her race.

12 (5) An individual, by virtue of his or her race,
13 is inherently racist or oppressive, whether con-
14 sciously or unconsciously.

15 (6) An individual, because of his or her race,
16 bears responsibility for the actions committed by
17 other members of his or her race.

18 (c) PROMOTE DEFINED.—In this section, the term
19 “promote” means the following:

20 (1) Including theories described under sub-
21 section (b) or materials that advocate such theories
22 in curricula, reading lists, seminars, workshops,
23 trainings, or other educational or professional set-
24 tings in a manner that could reasonably give rise to

1 the appearance of official sponsorship, approval, or
2 endorsement.

3 (2) Contracting with, hiring, or otherwise en-
4 gaging speakers, consultants, diversity trainers, and
5 other persons for the purpose of advocating theories
6 described under subsection (b).

7 (3) Compelling members of the Armed Forces
8 to affirm or profess belief in theories described
9 under subsection (b).

10 (4) Segregating members of the Armed Forces
11 or other individuals by race in any setting, including
12 educational and training sessions.

13 (d) RULES OF CONSTRUCTION.—

14 (1) PROTECTED SPEECH NOT RESTRICTED.—
15 Nothing in this section shall be construed to restrict
16 the protected speech of members of the Armed
17 Forces or any individual.

18 (2) ACCESS TO MATERIALS FOR THE PURPOSE
19 OF RESEARCH OR INDEPENDENT STUDY.—Nothing
20 in this section shall be construed to prevent individ-
21 uals from accessing materials that advocate theories
22 described under subsection (b) for the purpose of re-
23 search or independent study.

24 (3) CONTEXTUAL EDUCATION.—Nothing in this
25 section shall be construed to prevent the Armed

1 Forces and academic institutions operated or con-
2 trolled by the Department of Defense from stating
3 theories described under subsection (b) or assigning
4 materials that advocate such theories for educational
5 purposes in contexts that make clear the Armed
6 Forces and Department of Defense does not spon-
7 sor, approve, or endorse such theories or works.

