

**AMENDMENT TO DIVISION A OF RULES**  
**COMMITTEE PRINT 117-12**  
**(LABOR, HHS, EDUCATION APPROPRIATIONS**  
**DIVISION)**  
**OFFERED BY MR. HERN OF OKLAHOMA**

At the end of the division (before the short title), insert the following:

1       SEC. \_\_\_\_\_.

2       (a) None of the funds made available by this Act may  
3 be used toward State or local educational agencies which  
4 allocate funds to an elementary school or secondary school  
5 that promotes race-based theories or compels teachers or  
6 students to affirm, adhere to, adopt, or profess beliefs con-  
7 trary to title VI of the Civil Rights Act of 1964 (42 U.S.C.  
8 2000d et seq.).

9       (b) None of the funds made available by this Act may  
10 be used toward an institution of higher education if such  
11 institution compels teachers or students to affirm, adhere  
12 to, adopt, or profess race-based theories or beliefs contrary  
13 to title VI of the Civil Rights Act of 1964 (42 U.S.C.  
14 2000d et seq.).

15       (c) In this section:

1           (1) The terms “elementary school”, “local edu-  
2           cational agency”, “secondary school”, and “State”  
3           have the meanings given those terms in section 8101  
4           of the Elementary and Secondary Education Act of  
5           1965 (20 U.S.C. 7801).

6           (2) The term “institution of higher education”  
7           has the meaning given that term in section 102 of  
8           the Higher Education Act of 1965 (20 U.S.C.  
9           1002).

10          (3) The term “promote”, when used with re-  
11          spect to a race-based theory, means—

12                (A) to include race-based theories or mate-  
13                rials that advocate such theories in curricula,  
14                reading lists, seminars, workshops, trainings, or  
15                other educational or professional settings in a  
16                manner that could reasonably give rise to the  
17                appearance of official sponsorship, approval, or  
18                endorsement;

19                (B) to contract with, hire, or otherwise en-  
20                gage speakers, consultants, diversity trainers,  
21                and other persons for the purpose of advocating  
22                such theories; and

23                (C) to compel students to profess a belief  
24                in such theories.

1           (4) The term “race-based theory” means a the-  
2           ory that—

3                   (A) any race is inherently superior or infe-  
4                   rior to any other race;

5                   (B) the United States is a fundamentally  
6                   racist country;

7                   (C) the Declaration of Independence or the  
8                   Constitution of the United States is a fun-  
9                   damentally racist document;

10                  (D) an individual’s moral worth is deter-  
11                  mined by the race of the individual;

12                  (E) an individual, by virtue of the race of  
13                  the individual, is inherently racist or oppressive,  
14                  whether consciously or unconsciously; or

15                  (F) an individual, because of the race of  
16                  the individual, bears responsibility for the ac-  
17                  tions committed by members of the race of the  
18                  individual

