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) The terms “elementary school”, “local educational agency”, “secondary school”, and “State” have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

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

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

(A) to include race-based theories or materials that advocate such theories in curricula, reading lists, seminars, workshops, trainings, or other educational or professional settings in a manner that could reasonably give rise to the appearance of official sponsorship, approval, or endorsement;

(B) to contract with, hire, or otherwise engage speakers, consultants, diversity trainers, and other persons for the purpose of advocating such theories; and

(C) to compel students to profess a belief in such theories.
(4) The term “race-based theory” means a theory that—

(A) any race is inherently superior or inferior to any other race;

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

(C) the Declaration of Independence or the Constitution of the United States is a fundamentally racist document;

(D) an individual’s moral worth is determined by the race of the individual;

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

(F) an individual, because of the race of the individual, bears responsibility for the actions committed by members of the race of the individual.