

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 119-33**  
**OFFERED BY MS. MACE OF SOUTH CAROLINA**

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

1 **SEC. 5\_\_\_. PROHIBITION ON CRITICAL RACE THEORY AND**  
2 **DIVERSITY, EQUITY, AND INCLUSION PRACTICES IN DODEA SCHOOLS.**  
3

4 (a) PROHIBITION ON INSTRUCTION IN CRITICAL  
5 RACE THEORY.—

6 (1) IN GENERAL.—None of the funds author-  
7 ized to be appropriated by this Act or otherwise  
8 made available for any fiscal year for the Depart-  
9 ment Defense Education Activity may be obligated  
10 or expended to—

11 (A) teach or promote critical race theory to  
12 students in any classroom instruction, training,  
13 or extracurricular activity;

14 (B) require, encourage, or coerce any stu-  
15 dent to affirm, adopt, or support any belief or  
16 concept rooted in critical race theory;

17 (C) implement any training program relat-  
18 ing to critical race theory; or

1           (D) develop, purchase, or distribute any  
2 curriculum that incorporates critical race the-  
3 ory.

4           (2) CRITICAL RACE THEORY DEFINED.—In this  
5 subsection, the term “critical race theory” means  
6 any theory, framework, or ideology that holds or  
7 teaches that—

8           (A) any race is inherently superior or infe-  
9 rior to another race;

10           (B) an individual, by virtue of race or sex,  
11 is inherently racist, sexist, oppressed, or oppres-  
12 sive, whether consciously or unconsciously;

13           (C) an individual should be discriminated  
14 against or receive adverse or favorable treat-  
15 ment solely or partly because of race or sex;

16           (D) the United States is fundamentally or  
17 irredeemably racist or sexist;

18           (E) individuals bear collective guilt or re-  
19 sponsibility for actions committed in the past by  
20 others of the same race or sex;

21           (F) meritocracy is inherently racist or sex-  
22 ist or was created to oppress members of an-  
23 other race or sex;

1 (G) the Declaration of Independence or the  
2 Constitution of the United States of America is  
3 a fundamentally racist document;

4 (H) an individual's moral character or  
5 worth is determined by an individual's race; or

6 (I) an individual should feel discomfort,  
7 guilt, anguish, or any other form of psycho-  
8 logical distress on account of his or her race or  
9 sex.

10 (b) PROHIBITION ON DIVERSITY, EQUITY, AND IN-  
11 CLUSION PRACTICES.—

12 (1) IN GENERAL.—Except as provided in para-  
13 graph (2), the Director of the Department of De-  
14 fense Education Activity may not—

15 (A) maintain an office relating to diversity,  
16 equity, inclusion, or accessibility, or any sub-  
17 stantially similar office;

18 (B) maintain or employ a chief diversity  
19 officer or a substantially similar officer;

20 (C) develop, implement, distribute, or pub-  
21 lish—

22 (i) plans, strategic plans, reports, or  
23 surveys relating to diversity, equity, inclu-  
24 sion, or accessibility; or

1 (ii) action plans, reports, or surveys  
2 relating to equity or substantially similar  
3 plans, reports, or surveys;

4 (D) develop, implement, or maintain a re-  
5 source group or an affinity group based on  
6 race, color, ethnicity, national origin, sexual ori-  
7 entation, or gender identity;

8 (E) develop, implement, or maintain an  
9 agency equity team or a substantially similar  
10 team;

11 (F) develop, implement, distribute, publish,  
12 establish, or purchase—

13 (i) a training course relating to—

14 (I) diversity;

15 (II) equity;

16 (III) inclusion;

17 (IV) a critical theory relating to  
18 race, gender, or otherwise; or

19 (V) intersectionality; or

20 (ii) a training course substantially  
21 similar to a training course described in  
22 clause (i);

23 (G) develop, implement, or maintain a di-  
24 versity, equity, inclusion, and accessibility data  
25 dashboard; or

1 (H) maintain or employ a person in a posi-  
2 tion relating to diversity, equity, inclusion, or  
3 accessibility.

4 (2) RULE OF CONSTRUCTION.—Nothing in  
5 paragraph (1) shall be construed to prevent the Di-  
6 rector of the Department of Defense Education Ac-  
7 tivity from maintaining or operating—

8 (A) Equal Employment Opportunity offices  
9 as historically organized and operated within  
10 the Department of Defense Education Activity;  
11 or

12 (B) an office enforcing the Americans with  
13 Disabilities Act of 1990 (42 U.S.C. 12101 et  
14 seq.) or similar programs or offices as histori-  
15 cally organized and operated within the Depart-  
16 ment of Defense Education Activity.

17 (c) ENFORCEMENT AND PENALTIES.—

18 (1) ENFORCEMENT AUTHORITY.—The Sec-  
19 retary of Defense shall take such steps as may be  
20 necessary to ensure compliance with the require-  
21 ments of this section, including compliance by the  
22 Director of the Department of Defense Education  
23 Activity, schools operated by the activity, and per-  
24 sonnel of such schools.

1           (2) PENALTIES.—Any employee or contractor  
2 of the Department of Defense who wilfully violates  
3 a provision of this section shall be subject to such  
4 disciplinary action as the Secretary of Defense deter-  
5 mines appropriate, which may include suspension or  
6 termination.

7           (3) VIOLATION REPORTING.—The Secretary of  
8 Defense shall establish a process through which a  
9 parent or legal guardian of a student at a school op-  
10 erated by the Department of Defense Education Ac-  
11 tivity may file a formal complaint with the Depart-  
12 ment of Defense regarding suspected violations of  
13 this section.

