

**AMENDMENT TO RULES COMMITTEE PRINT**  
**117-6**  
**OFFERED BY MR. TIFFANY OF WISCONSIN**

Strike line 1 and all that follows through line 12 on page 8, and insert the following:

1 **SECTION 1. PROHIBITION AGAINST DISCRIMINATION AND**  
2 **PREFERENTIAL TREATMENT.**

3 Notwithstanding any other provision of law, neither  
4 the Federal Government nor any officer, employee, or  
5 agent of the Federal Government shall—

6 (1) intentionally discriminate against, or grant  
7 a preference to, any person or group based in whole  
8 or in part on race, color, national origin, or sex, in  
9 connection with—

10 (A) a Federal contract or subcontract;

11 (B) Federal employment; or

12 (C) any other federally conducted program  
13 or activity; or

14 (2) require or encourage a Federal contractor  
15 or subcontractor, or the recipient of a license or fi-  
16 nancial assistance, to discriminate intentionally  
17 against, or grant a preference to, any person or  
18 group based in whole or in part on race, color, na-

1 tional origin, or sex, in connection with any Federal  
2 contract or subcontract or Federal license or finan-  
3 cial assistance.

4 **SEC. 2. PROHIBITION RELATING TO RECIPIENTS OF FED-**  
5 **ERAL AID.**

6 A State, Federal territory, or private entity that re-  
7 ceives Federal financial assistance may not discriminate  
8 against, or grant a preference to, any person or group  
9 based in whole or in part on race, color, national origin,  
10 or sex, in connection with—

11 (1) any contract or subcontract;

12 (2) employment; or

13 (3) admission to any educational institution.

14 **SEC. 3. CONSTRUCTION.**

15 (a) HISTORICALLY BLACK COLLEGES AND UNIVER-  
16 SITIES.—Nothing in this Act shall be construed to prohibit  
17 or limit any act that is designed to benefit an institution  
18 that is an historically Black college or university on the  
19 basis that the institution is an historically Black college  
20 or university.

21 (b) INDIAN TRIBES.—This Act does not prohibit any  
22 action taken—

23 (1) pursuant to a law enacted under the con-  
24 stitutional powers of Congress relating to the Indian  
25 tribes; or

1           (2) under a treaty between an Indian tribe and  
2           the United States.

3           (c) CERTAIN SEX-BASED CLASSIFICATIONS.—This  
4 Act does not prohibit or limit any classification based on  
5 sex if—

6           (1) the classification is applied with respect to  
7           employment and the classification would be exempt  
8           from the prohibitions of title VII of the Civil Rights  
9           Act of 1964 by reason of section 703(e)(1) of such  
10          Act (42 U.S.C. 2000e–2(e)(1)); or

11          (2) the classification is applied with respect to  
12          a member of the Armed Forces pursuant to statute,  
13          direction of the President or Secretary of Defense,  
14          or Department of Defense policy.

15          (d) IMMIGRATION AND NATIONALITY LAWS.—This  
16 Act does not affect any law governing immigration or na-  
17 tionality, or the administration of any such law.

18 **SEC. 4. COMPLIANCE REVIEW OF POLICIES AND REGULA-**  
19 **TIONS.**

20          Not later than 6 months after the date of enactment  
21 of this Act, the head of each department or agency of the  
22 Federal Government, in consultation with the Attorney  
23 General, shall review all existing policies and regulations  
24 that such department or agency head is charged with ad-  
25 ministering, modify such policies and regulations to con-

1 form to the requirements of this Act, and report to the  
2 Committee on the Judiciary of the House of Representa-  
3 tives and the Committee on the Judiciary of the Senate  
4 the results of the review and any modifications to the poli-  
5 cies and regulations.

6 **SEC. 5. REMEDIES.**

7 (a) IN GENERAL.—Any person aggrieved by a viola-  
8 tion of section 1 or 2 may, in a civil action against the  
9 violator (including a violator that is a governmental enti-  
10 ty), obtain appropriate relief (which may include back  
11 pay). A prevailing plaintiff in a civil action under this sec-  
12 tion shall be awarded a reasonable attorney’s fee as part  
13 of the costs.

14 (b) CONSTRUCTION.—This section does not affect  
15 any remedy available under any other law.

16 **SEC. 6. EFFECT ON PENDING MATTERS.**

17 (a) PENDING CASES.—This Act does not affect any  
18 case pending on the date of enactment of this Act.

19 (b) PENDING CONTRACTS AND SUBCONTRACTS.—  
20 This Act does not affect any contract or subcontract in  
21 effect on the date of enactment of this Act, including any  
22 option exercised under such contract or subcontract before  
23 or after such date of enactment.

24 **SEC. 7. DEFINITIONS.**

25 In this Act, the following definitions apply:

1           (1) FEDERAL GOVERNMENT.—The term “Fed-  
2           eral Government” means executive and legislative  
3           branches of the Government of the United States.

4           (2) PREFERENCE.—The term “preference”  
5           means an advantage of any kind, and includes a  
6           quota, set-aside, numerical goal, timetable, or other  
7           numerical objective.

8           (3) HISTORICALLY BLACK COLLEGE OR UNI-  
9           VERSITY.—The term “historically Black college or  
10          university” means a part B institution, as defined in  
11          section 322(2) of the Higher Education Act of 1965  
12          (20 U.S.C. 1061(2)).

