

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

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

1 SEC. _____. (a) PROHIBITION ON AWARD OF
2 FUNDS TO CERTAIN ELEMENTARY AND SECONDARY
3 SCHOOLS.—None of the funds made available by this Act
4 to a State or local educational agency may provided to
5 an elementary school or secondary school that promotes
6 the race-based theories described in subsection (c) or com-
7 pels teachers or students to affirm, adhere to, adopt, or
8 process beliefs in a manner that violates title VI of the
9 Civil Rights Act of 1964.

10 (b) PROHIBITION ON AWARD OF FUNDS TO CERTAIN
11 INSTITUTIONS OF HIGHER EDUCATION.—None of the
12 funds made available by this Act may be provided to an
13 institution of higher education that promotes the race-
14 based theories described in subsection (c) or compels
15 teachers or students to affirm, adhere to, adopt, or process

1 beliefs in a manner that violates title VI of the Civil Rights
2 Act of 1964.

3 (c) RACE-BASED THEORIES DESCRIBED.—The race-
4 based theories described in this subsection are the fol-
5 lowing:

6 (1) Any race is inherently superior or inferior
7 to any other race, color, or national origin.

8 (2) The United States is a fundamentally racist
9 country.

10 (3) The Declaration of Independence or Con-
11 stitution of the United States are fundamentally rac-
12 ist documents.

13 (4) An individual's moral character or worth is
14 determined by the individual's race, color, or na-
15 tional origin.

16 (5) An individual, by virtue of the individual's
17 race, is inherently racist or oppressive, whether con-
18 sciously or unconsciously.

19 (6) An individual, because of the individual's
20 race, bears responsibility for the actions committed
21 by other members of the individual's race, color, or
22 national origin.

23 (d) RULES OF CONSTRUCTION.—

24 (1) PROTECTED SPEECH NOT RESTRICTED.—
25 Nothing in this section shall be construed to restrict

1 the speech of a student, teacher, or any other indi-
2 vidual outside of a school setting.

3 (2) ACCESS TO MATERIALS FOR THE PURPOSE
4 OF RESEARCH OR INDEPENDENT STUDY.—Nothing
5 in this section shall be construed to prevent an indi-
6 vidual from accessing materials that advocate theo-
7 ries described in subsection (c) for the purpose of re-
8 search or independent study.

9 (3) CONTEXTUAL EDUCATION.—Nothing in this
10 section shall be construed to prevent a covered
11 school from stating theories described in subsection
12 (c) or assigning materials that advocate such theo-
13 ries for educational purposes in contexts that make
14 it clear the school does not sponsor, approve, or en-
15 dorse such theories or materials.

16 (e) DEFINITIONS.—In this section:

17 (1) COVERED SCHOOL.—The term “covered
18 school” means an elementary school, a secondary
19 school, or an institution of higher education.

20 (2) ESEA TERMS.—The terms “elementary
21 school”, “local educational agency”, “secondary
22 school”, and “State” have the meanings given those
23 terms in section 8101 of the Elementary and Sec-
24 ondary Education Act of 1965 (20 U.S.C. 7801).

1 (3) INSTITUTION OF HIGHER EDUCATION.—The
2 term “institution of higher education” has the
3 meaning given that term in section 102 of the High-
4 er Education Act of 1965 (20 U.S.C. 1002).

5 (4) PROMOTE.—The term “promote”, when
6 used with respect to a race-based theory described in
7 subsection (c), means—

8 (A) to include such theories or materials
9 that advocate such theories in curricula, read-
10 ing lists, seminars, workshops, trainings, or
11 other educational or professional settings in a
12 manner that could reasonably give rise to the
13 appearance of official sponsorship, approval, or
14 endorsement;

15 (B) to contract with, hire, or otherwise en-
16 gage speakers, consultants, diversity trainers,
17 and other persons for the purpose of advocating
18 such theories;

19 (C) to compel students to profess a belief
20 in such theories; or

21 (D) to segregate students or other individ-
22 uals by race in any setting, including in edu-
23 cational or training sessions.

