

117TH CONGRESS
1ST SESSION

H. R. 5398

To amend the Civil Rights Act of 1964 to make using critical race theory or critical race pedagogy in any program or activity receiving Federal financial assistance a violation of such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2021

Mr. GOOD of Virginia (for himself, Mr. GOSAR, Mrs. MILLER of Illinois, Mr. DUNCAN, Mrs. BOEBERT, Mr. BIGGS, Mr. LAMALFA, Mr. HARRIS, Mrs. GREENE of Georgia, Mr. BABIN, Mr. GOHMERT, Mr. TIFFANY, Mr. WEBER of Texas, Mr. POSEY, Mr. FALLON, Mr. BUCK, Mr. PERRY, and Mr. BISHOP of North Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Civil Rights Act of 1964 to make using critical race theory or critical race pedagogy in any program or activity receiving Federal financial assistance a violation of such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defending Students’
5 Civil Rights Act of 2021”.

1 **SEC. 2. RULE OF CONSTRUCTION MAKING CRITICAL RACE**
2 **THEORY A VIOLATION OF THE CIVIL RIGHTS**
3 **ACT.**

4 Title VI of the Civil Rights Act of 1964 (42 U.S.C.
5 2000d et seq.) is amended by adding at the end the fol-
6 lowing new section:

7 “SEC. 607. (a) It is a violation of section 601 to use
8 critical race theory or critical race pedagogy in any pro-
9 gram or activity receiving Federal financial assistance.

10 “(b) In this section:

11 “(1) The term ‘critical race pedagogy’ means—

12 “(A) separating students or teachers based
13 on race, color, or national origin; or

14 “(B) assigning characteristics or assump-
15 tions to individuals based on race, color, or na-
16 tional origin.

17 “(2) The term ‘critical race theory’ means a
18 curriculum that establishes that—

19 “(A) one race or sex is inherently superior
20 to another race or sex;

21 “(B) the United States is fundamentally
22 racist or sexist;

23 “(C) an individual, by virtue of their race
24 or sex, is inherently racist, sexist, or oppressive,
25 whether consciously or unconsciously;

1 “(D) an individual should be discriminated
2 against or receive adverse treatment solely or
3 partly because of the race or sex of such indi-
4 vidual;

5 “(E) members of one race or sex cannot
6 and should not attempt to treat others without
7 respect to race or sex;

8 “(F) an individual’s moral character is
9 necessarily determined by the race or sex of
10 such individual;

11 “(G) an individual, by virtue of their race
12 or sex, bears responsibility for actions com-
13 mitted in the past by other members of the
14 same race or sex;

15 “(H) any individual should feel discomfort,
16 guilt, anguish, or any other form of psycho-
17 logical distress on account of the race or sex of
18 such individual; and

19 “(I) meritocracy or traits such as hard
20 work ethic are racist or sexist, or were created
21 by a particular race to oppress another race or
22 individual.”.

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