

105TH CONGRESS
1ST SESSION

H. R. 2079

To require implementation of an alternative program for providing a benefit or employment preference under Federal law.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1997

Mr. CAMPBELL (for himself and Mr. EHLERS) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To require implementation of an alternative program for providing a benefit or employment preference under Federal law.

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 “Racial and Gender
5 Preference Reform Act”.

6 **SEC. 2. ALTERNATIVE PROGRAM REQUIRED.**

7 Whenever the use of race, gender, or national origin
8 as a basis for granting a benefit or a preference under
9 a Federal program is invalidated by a court of competent

1 jurisdiction, the program described in section 3 shall be
2 substituted for the invalidated program.

3 **SEC. 3. OPERATION OF ALTERNATIVE PROGRAM.**

4 The program referred to in section 2 is one in which
5 the official responsible for the invalidated program de-
6 scribed in such section shall determine in each case which
7 individuals qualify to be in the category of “individuals
8 of special achievement”, taking into account experience
9 and achievements of each individual separately, and not
10 as a member of any group, in order to determine which
11 individuals have overcome particularly high obstacles to
12 achieve the qualifications relevant for the position or bene-
13 fit being sought. The responsible official shall take into
14 account in making such a determination the individual’s
15 personal situation, including conditions of low opportunity
16 by reason of—

- 17 (1) low parental income,
- 18 (2) low levels of education of parents,
- 19 (3) depressed economic surroundings of up-
20 bringing,
- 21 (4) low percentage of students graduating from
22 the individual’s high school (or failure to attend high
23 school),
- 24 (5) special work obligations imposed on an indi-
25 vidual by reason of need to care for family members,

- 1 (6) need to master a second language, and
- 2 (7) individual instances of bias or discrimina-
- 3 tion actually practiced against the individual on the
- 4 basis of race, age, gender, national origin, or reli-
- 5 gion.

