

106TH CONGRESS  
1ST SESSION

# H. R. 2509

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1999

Mr. CAMPBELL introduced the following bill; which was referred to the Committee on the Judiciary

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## 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 ben-  
13 efit 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.

