

116TH CONGRESS
2D SESSION

H. R. 2574

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2020

Received; read twice and referred to the Committee on Health, Education, and
Labor, and Pensions

AN ACT

To amend title VI of the Civil Rights Act of 1964 to restore
the right to individual civil actions in cases involving
disparate impact, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Equity and Inclusion
3 Enforcement Act of 2019”.

4 **SEC. 2. RESTORATION OF RIGHT TO CIVIL ACTION IN DIS-**
5 **PARATE IMPACT CASES UNDER TITLE VI OF**
6 **THE CIVIL RIGHTS ACT OF 1964.**

7 Title VI of the Civil Rights Act of 1964 (42 U.S.C.
8 2000d et seq.) is amended by adding at the end the fol-
9 lowing:

10 “SEC. 607. The violation of any regulation relating
11 to disparate impact issued under section 602 shall give
12 rise to a private civil cause of action for its enforcement
13 to the same extent as does an intentional violation of the
14 prohibition of section 601.”.

15 **SEC. 3. DESIGNATION OF MONITORS UNDER TITLE VI OF**
16 **THE CIVIL RIGHTS ACT OF 1964.**

17 Title VI of the Civil Rights Act of 1964 (42 U.S.C.
18 2000d et seq.) is further amended by adding at the end
19 the following:

20 “SEC. 608. (a) Each recipient shall—

21 “(1) designate at least one employee to coordi-
22 nate its efforts to comply with requirements adopted
23 pursuant to section 602 and carry out the respon-
24 sibilities of the recipient under this title, including
25 any investigation of any complaint alleging the non-
26 compliance of the recipient with such requirements

1 or alleging any actions prohibited under this title;
2 and

3 “(2) notify its students and employees of the
4 name, office address, and telephone number of each
5 employee designated under paragraph (1).

6 “(b) In this section, the term ‘recipient’ means a re-
7 cipient referred to in section 602 that operates an edu-
8 cation program or activity receiving Federal financial as-
9 sistance authorized or extended by the Secretary of Edu-
10 cation.

11 “(c) ANTISEMITISM CONSIDERED DISCRIMINA-
12 TION.—In carrying out the responsibilities of the recipient
13 under this title, the employee or employees designated
14 under this section shall consider antisemitism to be dis-
15 crimination on the basis of race, color, or national origin
16 as prohibited by this title.”.

17 **SEC. 4. SPECIAL ASSISTANT FOR EQUITY AND INCLUSION.**

18 Section 202(b) of the Department of Education Or-
19 ganization Act (20 U.S.C. 3412(b)) is amended—

20 (1) by redesignating paragraph (4) as para-
21 graph (5); and

22 (2) by inserting after paragraph (3), the fol-
23 lowing:

24 “(4) There shall be in the Department, a Special As-
25 sistant for Equity and Inclusion who shall be appointed

1 by the Secretary. The Special Assistant shall promote, co-
2 ordinate, and evaluate efforts to engender program com-
3 pliance with title VI of the Civil Rights Act of 1964 (42
4 U.S.C. 2000d et seq.) and inform individuals of their
5 rights under such Act, including the dissemination of in-
6 formation, technical assistance, and coordination of re-
7 search activities, in a manner consistent with such Act.
8 The Special Assistant shall advise both the Secretary and
9 Deputy Secretary on matters relating to compliance with
10 title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d
11 et seq.).”.

Passed the House of Representatives September 16,
2020.

Attest:

CHERYL L. JOHNSON,

Clerk.