

118TH CONGRESS
1ST SESSION

S. 2468

To amend title III of division H of the Consolidated Appropriations Act, 2023 to prohibit the expenditure of funds on divisive concepts under the priorities noticed in the proposed rule submitted by the Department of Education relating to Proposed Priorities-American History and Civics Education.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2023

Mr. RUBIO (for himself, Mr. CRAMER, and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend title III of division H of the Consolidated Appropriations Act, 2023 to prohibit the expenditure of funds on divisive concepts under the priorities noticed in the proposed rule submitted by the Department of Education relating to Proposed Priorities-American History and Civics Education.

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 “Protect Equality And
3 Civics Education Act of 2023” or the “PEACE Act of
4 2023”.

5 **SEC. 2. LIMITATION ON USE OF FUNDS.**

6 After section 314 of title III of division H of the Con-
7 solidated Appropriations Act, 2023 (Public Law 117–
8 328), insert the following:

9 “SEC. 315. (a) None of the funds made available by
10 this title for an American history and civics education pro-
11 gram under subpart 3 of part B of title II of the Elemen-
12 tary and Secondary Education Act of 1965 (20 U.S.C.
13 6661 et seq.) may be used to fund curriculum, or teaching
14 or counseling, that promotes or compels a divisive concept
15 under the priorities noticed in the proposed rule submitted
16 by the Department of Education relating to Proposed Pri-
17 orities-American History and Civics Education (published
18 at 86 Fed. Reg. 20348 (April 19, 2021)).

19 “(b) In this section:

20 “(1) The term ‘promotes or compels a divisive
21 concept’, means race stereotyping or race
22 scapegoating, or promotion of one or more of the fol-
23 lowing concepts:

24 “(A) One race is inherently superior to an-
25 other race.

1 “(B) The United States is fundamentally
2 racist.

3 “(C) An individual, by virtue of his or her
4 race, is inherently racist or oppressive, whether
5 consciously or unconsciously.

6 “(D) An individual should be discriminated
7 against or receive adverse treatment solely or
8 partly because of his or her race.

9 “(E) Members of one race cannot and
10 should not attempt to treat others without re-
11 spect to race.

12 “(F) An individual’s moral character is
13 necessarily determined by his or her race.

14 “(G) An individual, by virtue of his or her
15 race, bears responsibility for actions committed
16 in the past by other members of the same race.

17 “(H) Any individual should feel discomfort,
18 guilt, anguish, or any other form of psycho-
19 logical distress on account of his or her race.

20 “(I) Meritocracy or traits such as a hard
21 work ethic are racist, or were created by a par-
22 ticular race to oppress another race.

23 “(2) The term ‘race scapegoating’ means as-
24 signing fault, blame, or bias to a race, or to mem-
25 bers of a race because of their race.

1 “(3) The term ‘race stereotyping’ means ascrib-
2 ing character traits, values, moral and ethical codes,
3 privileges, status, or beliefs to a race, or to an indi-
4 vidual because of the individual’s race.”.

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