

117TH CONGRESS
1ST SESSION

S. 2711

To amend the Higher Education Act of 1965 and the Elementary and Secondary Education Act of 1965 to provide rules of construction that nothing in those Acts requires the use, teaching, promotion, or recommendation of any academic discipline, program, or activity that holds that the United States is a Nation founded on white supremacy and oppression, or that these forces are at the root of American society.

IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, AUGUST 10), 2021

Mr. LEE (for himself and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 and the Elementary and Secondary Education Act of 1965 to provide rules of construction that nothing in those Acts requires the use, teaching, promotion, or recommendation of any academic discipline, program, or activity that holds that the United States is a Nation founded on white supremacy and oppression, or that these forces are at the root of American society.

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 “Empowering Local
3 Curriculum Act”.

4 **SEC. 2. RULES OF CONSTRUCTION ON REQUIREMENTS OF**
5 **TEACHING.**

6 (a) HIGHER EDUCATION.—Part B of title I of the
7 Higher Education Act of 1965 (20 U.S.C. 1011 et seq.)
8 is amended by adding at the end the following:

9 **“SEC. 124. RULE OF CONSTRUCTION ON REQUIREMENTS OF**
10 **TEACHING.**

11 “Nothing in this Act shall be construed to require
12 the use, teaching, promotion, or recommendation of any
13 academic discipline, program, or activity that holds the
14 following:

15 “(1) The United States is a Nation founded on
16 white supremacy and oppression, or that these forces
17 are at the root of American society.

18 “(2) One race or sex is inherently superior to
19 another race or sex.

20 “(3) The United States is fundamentally racist
21 or sexist.

22 “(4) An individual, by virtue of his or her race
23 or sex, is inherently racist, sexist, or oppressive,
24 whether consciously or unconsciously.

1 “(5) An individual should be discriminated
2 against or receive adverse treatment solely or partly
3 because of his or her race or sex.

4 “(6) Members of one race or sex cannot and
5 should not attempt to treat others without respect to
6 race or sex.

7 “(7) An individual’s moral character is nec-
8 essarily determined by his or her race or sex.

9 “(8) An individual, by virtue of his or her race
10 or sex, bears responsibility for actions committed in
11 the past by other members of the same race or sex.

12 “(9) Any individual should feel discomfort,
13 guilt, anguish, or any other form of psychological
14 distress on account of his or her race or sex.

15 “(10) Meritocracy or traits such as a hard work
16 ethic are racist or sexist, or were created by a par-
17 ticular race to oppress another race.”.

18 (b) ELEMENTARY AND SECONDARY EDUCATION.—

19 Subpart 2 of part F of title VIII of the Elementary and
20 Secondary Education Act of 1965 (20 U.S.C. 7901 et
21 seq.) is amended by adding at the end the following:

22 **“SEC. 8549D. RULE OF CONSTRUCTION ON REQUIREMENTS**
23 **OF TEACHING.**

24 “Nothing in this Act shall be construed to require
25 the use, teaching, promotion, or recommendation of any

1 academic discipline, program, or activity that holds the
2 following:

3 “(1) The United States is a Nation founded on
4 white supremacy and oppression, or that these forces
5 are at the root of American society.

6 “(2) One race or sex is inherently superior to
7 another race or sex.

8 “(3) The United States is fundamentally racist
9 or sexist.

10 “(4) An individual, by virtue of his or her race
11 or sex, is inherently racist, sexist, or oppressive,
12 whether consciously or unconsciously.

13 “(5) An individual should be discriminated
14 against or receive adverse treatment solely or partly
15 because of his or her race or sex.

16 “(6) Members of one race or sex cannot and
17 should not attempt to treat others without respect to
18 race or sex.

19 “(7) An individual’s moral character is nec-
20 essarily determined by his or her race or sex.

21 “(8) An individual, by virtue of his or her race
22 or sex, bears responsibility for actions committed in
23 the past by other members of the same race or sex.

1 “(9) Any individual should feel discomfort,
2 guilt, anguish, or any other form of psychological
3 distress on account of his or her race or sex.

4 “(10) Meritocracy or traits such as a hard work
5 ethic are racist or sexist, or were created by a par-
6 ticular race to oppress another race.”.

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