this Congress, and for that I commend Speaker PELOSI, the House Democratic leadership, and my colleagues on both sides of the aisle.

Mr. Speaker, female genital mutilation (FGM) is an abhorrent practice and a recognizable international human rights violation.

H.R. 6100, the *STOP FGM Act* is necessary remedial legislative modifying current law to aid women in several important respects.

Specifically, the legislation would:

1. Amend 18 U.S.C. §116 by setting forth three groups of persons who can be prosecuted under the statute: (1) anyone who performs, attempts to perform, or conspires to perform, female genital mutilation on a minor; (2) a parent, guardian, or caretaker of a minor who facilitates or consents to the female genital mutilation of the minor; and (3) anyone who transports a minor for the purpose of performance of female genital mutilation on the minor;

2. Increase the statutory maximum for a violation of the statute, from 5 years to 10 years;

3. Prohibit a defendant charged with this offense from using as a defense the argument that they were compelled to commit the offense because of religion, custom, tradition, ritual, or standard practice; and

4. Amend the existing statute to more explicitly define what types of procedures constitute female genital mutilation.

Most significantly, the STOP FGM Act enables us to better address FGM more comprehensively in the United States by requiring the Attorney General, in consultation with other federal agencies, to submit an annual report to Congress, to include the number of women and girls in the United States at risk of FGM; the protections available and actions taken; and the education and assistance provided to communities about FGM.

Mr. Speaker, according to the World Health Organization (WHO) there are no positive health benefits from practice of FGM and the procedure can have severe long-term impacts on the physical, psychological, sexual, and reproductive health of girls and women.

Earlier this year, on Sunday, March 8, we celebrated International Women's Day, which is designed to help nations worldwide eliminate discrimination against women.

International Women's Day focuses on helping women gain full and equal participation in global development.

The practice of FGM violates girls' and women's rights to sexual and reproductive health, security and physical integrity, their right to be free from torture and cruel, inhuman or degrading treatment, and their right to life when the procedure results in death.

In order for little girls to live their best lives as strong, empowered women, we must protect them now as girls, to give them a fighting chance.

The bipartisan STOP FGM Act takes a big and positive step in that direction.

Mr. Speaker, in 2017, Dr. Nagarwala, a Michigan doctor performed this brutal act on several minors.

The U.S. Department of Justice then prosecuted her and others for violating the law.

It was the first federal case of its kind brought under the existing statute.

Nagarwala challenged the law, and the district court agreed and found that the statute was unconstitutional and that FGM is a 'purely local crime.'

However, according to the World Health Organization, it is estimated that more than 200 million girls and women alive today have undergone female genital mutilation.

Further, there are an estimated 3 million girls at risk of undergoing female genital mutilation every year.

Because of the manner in which female genital mutilation is being practiced in the United States, it affects interstate and foreign commerce, the regulation of which the Constitution entrusts to the Congress in Article I, section 8, clause 3.

Therefore, Congress has the authority under the Commerce Clause, as well as Necessary and Proper Clause contained in Article I, section 8, clause 17, to regulate, restrict, and even prohibit the practice of FGM.

H.R. 6100 is a comprehensive response to addressing FGM more effectively, and it includes input from a wide array of stakeholders, including DOJ, anti-FGM advocates, clinicians, and CDC experts.

I strongly support this bipartisan legislation and ask my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1600, the Stop FGM Act of 2020.

This bill outlaws a practice that is recognized internationally as a human rights violation, and even torture. It is an extreme form of discrimination against women and girls. Unfortunately, half a million girls and women worldwide are subject to this torture or at risk for it.

I am sure most people assumed that FGM was already illegal. It was.

In 1996, Congress prohibited the practice of FGM. But in 2018, a Federal judge in Michigan dismissed charges against a doctor and others from a local Indian Dawoodi Bohra community involved in the mutilation of nine young girls. The judge ruled that the Federal Government does not have the power to regulate FGM.

Since that time, the Justice Department has been able to stop these acts of violence against America's young girls.

This bill will amend title 18 to make FGM that is performed for nonmedical reasons a crime and overturn the judge's decision by explicitly describing the constitutional basis for banning FGM under the Commerce Clause of the United States Constitution.

Mr. Speaker, I think all my colleagues can come together and support this important bipartisan bill, and I urge my colleagues to join me in supporting H.R. 6100.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I emphasize that the practice of FGM violates girls' and women's rights to sexual and reproductive health, security, and physical integrity, their right to be free from torture and cruel or inhumane or degrading treatment, and their right to life when the procedure results in death.

Let me be very clear: This is international, but it is happening in the United States, and I think it is important for this Nation to stand up to this dastardly act.

According to the World Health Organization, it is estimated that more than 200 million girls and women alive today have undergone female genital mutilation. Further, there are an estimated 3 million girls at risk of undergoing female genital mutilation every year.

And because of the manner in which female genital mutilation is being practiced in the United States, it affects interstate and foreign commerce, the regulation which the Constitution entrusts in the Constitution in Article 1, Section 8, Clause 3.

Mr. Speaker, I am very grateful to the Committee on the Judiciary's staff for working together with me and my office, making this legislation a real fix. Therefore, Congress has the authority under the Commerce Clause, as well as the necessary and proper clause contained in Article I, Section 8, to fix this, and that is what we have done.

Again, let me thank the chairman and ranking member of the full committee and of the subcommittees, and all of the Members, for supporting this legislation.

The STOP FGM Act is a critical measure to protect the health and safety of girls in our communities and to ensure that those who would engage in this horrific practice do not go unpunished.

This is bipartisan legislation, and I urge my colleagues to join me in supporting this legislation and voting to stop these dastardly acts.

Mr. Speaker, I yield back the balance of my time.

□ 1530

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, H.R. 6100, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CREATING A RESPECTFUL AND OPEN WORLD FOR NATURAL HAIR ACT OF 2020

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5309) to prohibit discrimination based on an individual's texture or style of hair, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Creating a Respectful and Open World for Natural Hair Act of 2020'' or the ''CROWN Act of 2020''.

SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Throughout United States history, society has used (in conjunction with skin color) hair texture and hairstyle to classify individuals on the basis of race.

(2) Like one's skin color, one's hair has served as a basis of race and national origin discrimination.

(3) Racial and national origin discrimination can and do occur because of longstanding racial and national origin biases and stereotypes associated with hair texture and style.

(4) For example, routinely, people of African descent are deprived of educational and employment opportunities because they are adorned with natural or protective hairstyles in which hair is tightly coiled or tightly curled, or worn in locs, cornrows, twists, braids, Bantu knots, or Afros.

(5) Racial and national origin discrimination is reflected in school and workplace policies and practices that bar natural or protective hairstyles commonly worn by people of African descent.

(6) For example, as recently as 2018, the United States Armed Forces had grooming policies that barred natural or protective hairstyles that servicewomen of African descent commonly wear and that described these hairstyles as ''unkempt''.

(7) In 2018, the United States Armed Forces rescinded these policies and recognized that this description perpetuated derogatory racial stereotypes.

(8) The United States Armed Forces also recognized that prohibitions against natural or protective hairstyles that African-American servicewomen are commonly adorned with are racially discriminatory and bear no relationship to African-American servicewomen's occupational qualifications and their ability to serve and protect the Nation.

(9) As a type of racial or national origin discrimination, discrimination on the basis of natural or protective hairstyles that people of African descent are commonly adorned with violates existing Federal law, including provisions of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), section 1977 of the Revised Statutes (42 U.S.C. 1981), and the Fair Housing Act (42 U.S.C. 3601 et seq.). However, some Federal courts have misinterpreted Federal civil rights law by narrowly interpreting the meaning of race or national origin, and thereby permitting, for example, employers to discriminate against people of African descent who wear natural or protective hairstyles even though the employment policies involved are not related to workers' ability to perform their jobs.

(10) Applying this narrow interpretation of race or national origin has resulted in a lack of Federal civil rights protection for individuals who are discriminated against on the basis of characteristics that are commonly associated with race and national origin.

(11) In 2019 and 2020, State legislatures and municipal bodies throughout the United States have introduced and passed legislation that rejects certain Federal courts' restrictive interpretation of race and national origin, and expressly classifies race and national origin discrimination as inclusive of discrimination on the basis of natural or protective hairstyles commonly associated with race and national origin.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Federal Government should acknowledge that individuals who have hair texture or wear a hairstyle that is historically and contemporarily associated with African Americans or persons of African descent systematically suffer harmful discrimination in schools, workplaces, and other contexts based upon longstanding race and national origin stereotypes and biases;

(2) a clear and comprehensive law should address the systematic deprivation of educational, employment, and other opportunities on the basis of hair texture and hairstyle that are commonly associated with race or national origin;

(3) clear, consistent, and enforceable legal standards must be provided to redress the widespread incidences of race and national origin discrimination based upon hair texture and hairstyle in schools, workplaces, housing, federally funded institutions, and other contexts;

(4) it is necessary to prevent educational, employment, and other decisions, practices, and policies generated by or reflecting negative biases and stereotypes related to race or national origin;

(5) the Federal Government must play a key role in enforcing Federal civil rights laws in a way that secures equal educational, employment, and other opportunities for all individuals regardless of their race or national origin;

(6) the Federal Government must play a central role in enforcing the standards established under this Act on behalf of individuals who suffer race or national origin discrimination based upon hair texture and hairstyle;

(7) it is necessary to prohibit and provide remedies for the harms suffered as a result of race or national origin discrimination on the basis of hair texture and hairstyle; and

(8) it is necessary to mandate that school, workplace, and other applicable standards be applied in a nondiscriminatory manner and to explicitly prohibit the adoption or implementation of grooming requirements that disproportionately impact people of African descent.

(c) PURPOSE.—The purpose of this Act is to institute definitions of race and national origin for Federal civil rights laws that effectuate the comprehensive scope of protection Congress intended to be afforded by such laws and Congress' objective to eliminate race and national origin discrimination in the United States.

SEC. 3. FEDERALLY ASSISTED PROGRAMS.

(a) IN GENERAL.—No individual in the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance, based on the individual's hair texture or hairstyle, if that hair texture or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), and as if a violation of subsection (a) was treated as if it was a violation of section 601 of such Act (42 U.S.C. 2000d).

(c) DEFINITIONS.—In this section—

(1) the term ''program or activity'' has the meaning given the term in section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a); and

(2) the terms ''race'' and ''national origin'' mean, respectively, ''race'' within the meaning of the term in section 601 of that Act (42 U.S.C. 2000d) and ''national origin'' within the meaning of the term in that section 601.

SEC. 4. HOUSING PROGRAMS.

(a) IN GENERAL.—No person in the United States shall be subjected to a discriminatory housing practice based on the person's hair texture or hairstyle, if that hair texture or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in the Fair Housing Act (42 U.S.C. 3601 et seq.), and as if a violation of subsection (a) was treated as if it was a discriminatory housing practice.

(c) DEFINITION.—In this section—

(1) the terms ''discriminatory housing practice'' and ''person'' have the meanings given the terms in section 802 of the Fair Housing Act (42 U.S.C. 3602); and

(2) the terms ''race'' and ''national origin'' mean, respectively, ''race'' within the meaning of the term in section 804 of that Act (42 U.S.C. 3604) and ''national origin'' within the meaning of the term in that section 804.

SEC. 5. PUBLIC ACCOMMODATIONS.

(a) IN GENERAL.—No person in the United States shall be subjected to a practice prohibited under section 201, 202, or 203 of the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.), based on the person's hair texture or hairstyle, if that hair texture or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in title II of the Civil Rights Act of 1964, and as if a violation of subsection (a) was treated as if it was a violation of section 201, 202, or 203, as appropriate, of such Act.

(c) DEFINITION.—In this section, the terms ''race'' and ''national origin'' mean, respectively, ''race'' within the meaning of the term in section 201 of that Act (42 U.S.C. 2000e) and ''national origin'' within the meaning of the term in that section 201.

SEC. 6. EMPLOYMENT.

(a) PROHIBITION.—It shall be an unlawful employment practice for an employer, employment agency, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining (including on-the-job training programs) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against an individual, based on the individual's hair texture or hairstyle, if that hair texture or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), and as if a violation of subsection (a) was treated as if it was a violation of section 703 or 704, as appropriate, of such Act (42 U.S.C. 2000e–2, 2000e–3).

(c) DEFINITIONS.—In this section the terms ''person'', ''race'', and ''national origin'' have the meanings given the terms in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e).

SEC. 7. EQUAL RIGHTS UNDER THE LAW.

(a) IN GENERAL.—No person in the United States shall be subjected to a practice prohibited under section 1977 of the Revised Statutes (42 U.S.C. 1981), based on the person's hair texture or hairstyle, if that hair

texture or that hairstyle is commonly associated with a particular race or national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros).

(b) ENFORCEMENT.—Subsection (a) shall be enforced in the same manner and by the same means, including with the same jurisdiction, as if such subsection was incorporated in section 1977 of the Revised Statutes, and as if a violation of subsection (a) was treated as if it was a violation of that section 1977.

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to limit definitions of race or national origin under the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.), the Fair Housing Act (42 U.S.C. 3601 et seq.), or section 1977 of the Revised Statutes (42 U.S.C. 1981).

SEC. 9. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON LEE) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5309, the Creating a Respectful and Open World for Natural Hair Act of 2020, or CROWN Act of 2020.

This important bill explicitly prohibits discrimination on the basis of hair texture and hairstyles commonly associated with a particular race or national origin in employment, housing, federally funded programs, public accommodations, and the making and enforcement of contracts.

I rise to thank the sponsor of this bill, Congressman CEDRIC RICHMOND of Louisiana, for his leadership and his vision and, really, gathering all of the proponents with all of their efforts to be able to get this bill to move as quickly as it has done.

To be clear, it is my view that existing civil rights statutes that prohibit discrimination on the basis of race or natural origin may already make such kinds of hair-based discrimination unlawful, but it is crucial that we are absolutely sure.

The Equal Employment Opportunity Commission agrees, having issued guidance interpreting title VII of the Civil Rights Act of 1964 to prohibit discrimination based on hairstyle or texture as a form of race discrimination in certain instances. Unfortunately, several Federal courts have erroneously rejected this interpretation, which is why we must pass H.R. 5309.

Personally, coming from the State of Texas, I am aware of a heinous, devastating impact on a young man who had dreadlocks. Apparently, the school district could not find title VII, did not understand the law, and he did not experience the benefit of the law, being suspended and not being able to graduate. That was a dastardly action, and we are all sufferers for that happening to that young man who didn't deserve it.

This legislation will leave no ambiguity that, in key areas where Federal law prohibits race and national origin discrimination, discrimination based on an individual's hair texture or hairstyle, if they are commonly associated with a particular race or national origin, is unlawful.

The history of discrimination based on race and national origin in this country is, sadly, older than the country itself, and we are still living with the consequences today.

Congress took a pivotal step in the fight against racism and discrimination when it passed the Civil Rights Act of 1964, prohibiting discrimination on the basis of race and national origin, as well as other characteristics in key areas of life.

This law did not eliminate discrimination entirely. One cannot legislate away hate. But it provided critical recourse for those who face discrimination, and it made clear that the government has a compelling interest in fighting discrimination.

Even Dr. Martin Luther King said that he might not be able to change hearts, but he could change laws. This is what we are doing today.

We cannot fool ourselves into thinking that discrimination is no longer alive and well; however, the recent protests over police brutality, systemic racism, and institutional racism have forced many who would rather look the other way to confront the continuing and pervasive legacy of racism in our country.

While racism and discrimination still take many blatantly obvious forms, they also manifest themselves in more subtle ways. One form is discrimination based on natural hairstyles and hair textures associated with people of African descent.

I think you can take a national survey, go across the country in all 50 States and find someone who is of African descent, and they will tell you about the response to either their beards and hairstyles, as relates to men, and to women and their hairstyles.

According to a 2019 study of Black and non-Black women conducted by the JOY Collective, Black people are disproportionately burdened by policies and practices in public places, including the workplace, that target, profile, or single them out for natural hairstyles and other hairstyles traditionally associated with their race, like braids, locs, and twists.

Often, those hairstyles are protective hairstyles—hairstyles that tuck the ends of one's hair away and minimize manipulation and exposure to the weather—and can play an important role in helping to keep one's hair healthy. They can be utilitarian, and we are denied that right to have a hairstyle that is utilitarian. That may be dreadlocks and braids and various other styles that are neatly placed on one's head, the crown.

These findings are bolstered by numerous reports of incidents in recent years showing that this form of discrimination is common. For example, in 2017, a Banana Republic employee was told by a manager that she had violated the company's dress code because her box braids were too urban and unkempt.

A year later, a New Jersey high school student was forced by a White referee to either have his dreadlocks cut or forfeit a wrestling match, ultimately leading to a league official humiliatingly cutting the student's hair in public immediately before the match.

Let me just pause for a moment. Any of us who raised children, a son or a daughter, has that image in our heart, in our DNA. That picture has gone viral. It is still there. That young man can be 30 or 40 or 50, and you will see his commitment to wrestling on behalf of his school and his team. And in the public eye, he is having one of the most sacred parts of anyone's experience—your hair—being cut publicly for the world to view. I just feel a pain right now seeing that young man do that. His parents were not there, or had no ability to respond, but he had the courage to get it done so that he could compete with his teammates.

In that same year, an 11-year-old Black girl was asked to leave class at a school near New Orleans because her braided hair extensions violated the school's policy.

Unfortunately, research shows that such discrimination is pervasive. The JOY Collective study found that Black women are more likely than non-Black women to have received formal grooming policies in the workplace and that Black women's hairstyles were consistently rated to be lower or ''less ready'' for job performance than non-Black hairstyles by substantial margins.

In view of these disturbing facts, seven States—California, New York, New Jersey, Virginia, Colorado, Washington, and Maryland—have enacted State versions of the CROWN Act, in every case with bipartisan support, sometimes even with unanimous support of both parties. I know my State is finally going to attempt to do so in the next legislative session in the State house.

While I applaud these States for taking this necessary step, this is a matter of basic justice that deals with Federal law, civil rights, title VII, that demands a national solution by this Congress. I am glad that we are where we are today.

Additionally, the United States military has recognized the racially disparate impact of seemingly neutral

grooming policies on persons of African ancestry, particularly Black women. For this reason, in 2017, the Army repealed a grooming regulation prohibiting women servicemembers from wearing their hair in dreadlocks, and, in 2015, the Marine Corps issued regulations to permit loc and twist hairstyles. None of that impacts your service to this Nation.

I thank the gentleman from Louisiana again, Representative CEDRIC RICHMOND, for introducing and championing this important bill and for his leadership on this issue.

I urge my colleagues to pass H.R. 5309, and I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Speaker, I yield myself such time as I may consume.

I watched the wrestling video and I hear the stories from a school in Texas or Banana Republic, and I find these things horrible. I don't think you can find any Member in this Chamber who doesn't find racial discrimination to be repugnant and inconsistent with basic standards of human decency.

What Democrats and Republicans also agree on is that using hairstyles as an excuse for engaging in racial discrimination is wrong and is already illegal under Federal civil rights law, and I think that is where we come to a little bit of a disagreement. If a school administrator in Texas can't find title VII, he is not going to find this language in addition to title VII.

In 1973, the Supreme Court held that using a pretextual reason as cover for undertaking an action prohibited by Federal civil rights laws is, nonetheless, a violation of Federal civil rights laws. As early as 1976, Federal courts held that discrimination on the basis of a hairstyle associated with a certain race or national origin may constitute racial discrimination.

Looking at both this bill and the law, it appears to me that the behavior that we are seeking to make illegal is already illegal. However, both at markup and on the floor, our colleagues have made impassioned arguments about why this bill is necessary, even though we all agree that the activity that we are already talking about is already illegal.

That doesn't take anything away from the discrimination or the embarrassment that any of those young men or women have felt in any of those incidents, but I am not sure the bill solves the problem, and that is why I wish the committee had taken time to examine whether the bill is either redundant or necessary.

Our committee should have held a hearing with alleged victims of the sort of discrimination that the Democrats argue this bill is designed to help. Our committee should have had a hearing with some legal scholars and individuals responsible for enforcing our Nation's civil rights laws to determine if this bill will achieve what it is intended to do.

Schools, employers, and other entities covered by Federal civil rights laws can have race-neutral policies that everyone must follow. They can also have race-neutral policies that have a disparate racial impact, and those are the places we need to address.

This is particularly true when the policy is necessary for critical functions of the job. There is a reason firefighters have mustaches but not beards, and that is because you have to wear an SCBA. You can't wear the mask if you have a beard.

Our committee should have examined how this bill would affect the ability of schools, employers, and other entities to maintain such policies. But we never had a hearing; we just had a markup. Chairman NADLER brought this bill straight to markup, and now we are on the floor today without any legislative hearing.

I am not even sure it is a bad idea. But I would like to know if it is not redundant. I would like to know what the unintended consequences are. And there are real reasons why, when you are dealing with civil rights law, particularly on something that has already been agreed on that is illegal—enforcement and legality are two different things, and we just don't know enough about what we are doing or why it is necessary.

So, I would ask that we oppose this bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me indicate that I want to thank the previous speaker for raising his concerns.

I think what I would like to offer to him is that people have been suffering these indignities for decades. Natural hair is coming back. We called it Afros. And anyone who wore an Afro in a certain era knows how they were confronted and looked at. There were vast numbers of people wearing Afros, whether males or females, individuals of African descent. I am a living witness, and we are living witnesses to that.

So I do want to make the point that it is not redundant. I will make this point again. But in 2016, the Eleventh Circuit rejected the EEOC's argument that existing law prohibits hair discrimination as a proxy for race discrimination.

What I did say, as we worked together, Mr. ARMSTRONG—I appreciate his commentary and his leadership—is that we are here to fix things, and here we have that the Eleventh Circuit would not accept that.

So I thank the gentleman for raising the concern, and I think Chairman NADLER looked at this carefully and subcommittee chairpersons looked at this carefully and knew that we had to proceed.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LEE), who is a distinguished senior member on the Appropriations Committee but, more importantly, has, I think, had her own life experience and has fought throughout her life for civil rights, civil justice, and ensuring that the most vulnerable will have a voice.

□ 1545

Ms. LEE of California. Mr. Speaker, I thank Representative JACKSON LEE for yielding and also for her tremendous work in advancing this bill to the floor, and also to Chairman NADLER and his support for this legislation. Also, I want to thank and acknowledge Representatives RICHMOND, FUDGE, and PRESSLEY for their tremendous leadership and vision for putting this bill together, and I am in strong support of it.

Mr. Speaker, this morning I thought about our beloved John Lewis and how he made good trouble all of his life. He was an original cosponsor of this bill, and this bill is an example of how we make good trouble to end discrimination.

This bill will prohibit, finally, discrimination based on an individual's style or texture of hair, commonly associated with the race or national origin in the definition of racial discrimination. It is really hard for me to believe that we have to introduce this bill in the 21st century, and so I just want to thank our advocates who have worked so hard to bring this bill to the floor.

As one who has worn her hair as I chose, including natural, I have had many unpleasant encounters with people who told me I did not look like a Member of Congress because of my hair, over and over again. Discrimination against African Americans in schools and in the workplace is real, and it is a continued barrier to equality in our country.

Black men and women continue to face workplace stereotypes and are pressured to adopt White standards of beauty and professionalism. Our daughters are penalized in school for natural hairstyles deemed as messy and unruly in juxtaposition to the treatment of their White counterparts. That is a fact.

Students have been humiliated and suspended for having beautifully braided extensions or forced to cut their locks before a high school wrestling match because it was a violation of some dress code. And across the country people of African descent have been required to cut or change the natural style or texture of their hair just to get a job.

Now, when I was in college, in the day, I was told that I looked too militant and should change my hairstyle if I wanted to be successful in the workplace.

In 2014, the women of the Congressional Black Caucus urged the Army to rescind Army regulations—and Congresswoman JACKSON LEE signed my letter—this was regulation 670–1, which prohibited many hairstyles worn by African-American women and other

women of color. After months of building support, I led an amendment and it was included in the fiscal year 2015 Defense Appropriations Bill to ban funding for this discriminatory rule. A few years later, the United States Navy removed their discriminatory policy.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, with reference to the amendment that I got into the fiscal year 2015 Defense Appropriations Bill funding, to deny funding for this discriminatory rule. We moved forward, and later the U.S. Navy removed their discriminatory policy. They knew it was discriminatory, and finally permitted women, specifically women of color, to wear their hair in dreadlocks, large buns, braids, and ponytails.

This laid the groundwork for my home State, California, to become the first State to ban discrimination against African Americans for wearing natural hairstyles at school or in the workplace with the passage of California's CROWN Act. And I am thankful and so proud of Senator Holly Mitchell for her bold leadership in getting this done.

We owe it to our children to take action in Congress to break down these barriers and make sure that they know that, yes, Black is still beautiful. And, yes, Mr. Speaker, Ms. JACKSON LEE's crown and braids are beautiful.

Our young people see that with this bill we don't want them to be penalized. And they are being penalized if they wear their hair like I wear my hair or like Congresswoman JACKSON LEE wears her hair, they are penalized.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I want to make the point how important this is to let our young children know that it is okay and that we honor them for being who they are by wearing their hair the way that they choose. They won't be penalized. They won't be kicked out of school. They won't be dehumanized or demeaned by just doing that. It is finally time, in this 21st century, to say enough is enough.

Mr. ARMSTRONG. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. JORDAN), the ranking member of the Judiciary Committee.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, a few minutes ago we had a bill on domestic terrorism, Democrats wouldn't add language about the murder of a President Trump supporter by a member of Antifa. On that same bill, Democrats wouldn't add language about an assassination attempt on two police officers just 2 weeks ago, but now we have a bill to Federalize hairstyles. Federalize hairstyles.

Democrats are doing nothing to address the violence and unrest in the streets of our cities, attacks on law enforcement officers across the country. Portland and other cities continue to surrender their streets to violent left-wing agitators, placing their residences and businesses at risk—residents and businesses and business owners across the country from—you have got Asian Americans, African Americans, you got all kinds—all Americans—can't deal with that, but we can Federalize hair.

Racial discrimination is terrible, it is wrong, and it is already illegal under the law, as the gentleman from North Dakota pointed out. You go ask any American right now, September 2020: What should the United States House of Representatives be focused on? Lots of important issues we have got to deal with.

But a policy that I think is redundant, as the gentleman pointed out, that is already covered under Federal law. We don't want any discrimination and we should rightly deal with it when it raises its ugly head. But this, come on. We can't add language to a domestic terrorism bill about two terrible things that have happened in the last month, but we are going to spend time on Federalizing a hairstyle.

Mr. Speaker, I think we should vote against this.

Ms. JACKSON LEE. Mr. Speaker, I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I will say that the stories we hear, and the things are terrible, but this is a problem of education and not legislation. And it is more than that.

Without having these hearings, without understanding this, without understanding where in our current law that we don't already make this conduct and this pretextual racial conduct illegal, we essentially are saying that we are—I mean, making something illegal twice isn't going to change somebody's mind if it was already illegal once, and I think that is the mistake we are making here. It is not about the conduct and the underlying conduct and those types of things, it is about what we are trying to accomplish, how we are doing it, and the process in which we do it.

The sentiment is there, and I can't disagree with any of these stories, I just don't think this bill solves the problem they are trying to solve. And I don't think we have nearly enough evidence to show that it does. So with that, I would urge my colleagues to vote against this legislation, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the comments of my good friend from North Dakota, and even my good friend from Ohio. But as I close, let me, first of all, indicate this couldn't be a more important bill. I heard on the floor someone talk about this being redundant.

Whenever we can have civil rights, equal rights, and equality as being redundant, then America is doing the right thing. Whenever we can clarify the 11th Circuit that rejected the EEOC's argument that existing law prohibits hair discrimination as a proxy for race discrimination, whenever we can clarify that—whenever we can save the dignity, the hurt, and sometimes the ruination of people who simply because of the color of their skin and the kind of hair that they have, ruins their life or disallows them from graduating or have a public shedding of their hair for the world to see so that they can support their team.

Whenever we are able to fix that on the floor of the House, I think we should do it.

And I take issue with my good friend from Ohio, we have the legislative RECORD. We have condemned any violence against law enforcement officers, and we mourn and ensure that the world knows that we are praying for and have indicated our condemnation of the shooting of the two officers in California and wish for their speedy recovery. And, as well, I want to make sure that all those who are shown to have done this are quickly brought to justice. That is in the legislative history.

We also recognize that the issues dealing with Kenosha are unique and, therefore, we are sorry that Tamir Rice did not get the opportunity as a young boy, just as this 17-year-old, who was clearly engaged with white supremacy and white nationalism, came to this place to do harm, which he did. Tamir Rice was just a 12-year-old boy in a park.

So I don't think you can equate the two, and I don't think you can suggest that we are not supposed to respond to domestic terrorism.

So let me indicate, Mr. Speaker, that I do want to thank Mr. RICHMOND, Ms. FUDGE, Ms. PRESSLEY, and as my colleague mentioned, the late John Robert Lewis, who was always looking for good trouble and to do what is right as a cosponsor of this legislation.

H.R. 5309 is an important piece of legislation that will help further ensure that hairstyles and hair extremes commonly associated with a particular race or national origin cannot be used as proxies for race or national origin discrimination.

Such discrimination should already be prohibited by Federal civil rights statutes, but unfortunately some Federal courts have interpreted these statutes so narrowly as to effectively permit using hair discrimination as a proxy for race or national origin discrimination. H.R. 5309 corrects this erroneous interpretation and further extends justice and equality for all.

Mr. Speaker, I just want to put into the RECORD the plight of two students in the Barbers Hill Independent School District in my State where these two outstanding students, athletes, good academic students, were humiliated because their tradition was to wear dreadlocks, and they were suspended. And one or maybe two of them were not able to walk with their class. Humiliation. Discrimination that never got corrected. So today, for them we correct it. DeAndre Arnold, we correct it. We acknowledge that you deserve your civil rights.

Mr. Speaker, I urge the House to pass H.R. 5309, and I yield back the balance of my time.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. FUDGE. Mr. Speaker, I rise today in support of H.R. 5309, the Creating a Respectful and Open World for Natural Hair Act—also known as the C.R.O.W.N. Act.

Too often African Americans are required to meet unreasonable standards of grooming in the workplace and in the classroom with respect to our hair. Most of those standards are cultural norms that coincide with the texture and style of Black hair.

In 2014, my Congressional Black Caucus colleagues and I successfully pushed the U.S. military to reverse its rules classifying hairstyles often worn by female soldiers of color as ''unauthorized''. The military's regulation used words like ''unkempt'' and ''matted'' when referring to traditional African American hairstyles.

To require anyone to change their natural appearance to further their career or education is a clear violation of their civil rights.

A 2019 study by Dove found Black women are 30 percent more likely to receive a formal grooming policy in the workplace. Black women are also 1.5 times more likely to report being forced to leave work or know of a Black woman who was forced to leave work because of her hair.

This is unacceptable.

Seven states agree, including California, New York, New Jersey, Virginia, Colorado, Washington, and Maryland. All have enacted laws banning racial hair discrimination. It is past time we ban the practice at the federal level.

The CROWN Act does that—by federally prohibiting discrimination based on hair styles and hair textures commonly associated with a particular race or national origin.

I was proud to introduce this bill with my friend Congressman RICHMOND, which ensures African Americans no longer have to be afraid to show up to work or the classroom as anything other than who they are.

I urge my colleagues to vote in favor of the CROWN Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, H.R. 5309, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Neiman, one of his secretaries.

□ 1600

ENSURING DIVERSITY IN COMMUNITY BANKING ACT OF 2019

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5322) to establish or modify requirements relating to minority depository institutions, community development financial institutions, and impact banks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Ensuring Diversity in Community Banking Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. SENSE OF CONGRESS ON FUNDING THE LOAN-LOSS RESERVE FUND FOR SMALL DOLLAR LOANS.

The sense of Congress is the following:

(1) The Community Development Financial Institutions Fund (the ''CDFI Fund'') is an agency of the Department of the Treasury, and was established by the Riegle Community Development and Regulatory Improvement Act of 1994. The mission of the CDFI Fund is ''to expand economic opportunity for underserved people and communities by supporting the growth and capacity of a national network of community development lenders, investors, and financial service providers''. A community development financial institution (a ''CDFI'') is a specialized financial institution serving low-income communities and a Community Development Entity (a ''CDE'') is a domestic corporation or partnership that is an intermediary vehicle for the provision of loans, investments, or financial counseling in low-income communities. The CDFI Fund certifies CDFIs and CDEs. Becoming a certified CDFI or CDE allows organizations to participate in various CDFI Fund programs as follows:

(A) The Bank Enterprise Award Program, which provides FDIC-insured depository institutions awards for a demonstrated increase in lending and investments in distressed communities and CDFIs.

(B) The CDFI Program, which provides Financial and Technical Assistance awards to CDFIs to reinvest in the CDFI, and to build the capacity of the CDFI, including financing product development and loan loss reserves.

(C) The Native American CDFI Assistance Program, which provides CDFIs and sponsoring entities Financial and Technical Assistance awards to increase lending and grow the number of CDFIs owned by Native Americans to help build capacity of such CDFIs.

(D) The New Market Tax Credit Program, which provides tax credits for making equity investments in CDEs that stimulate capital investments in low-income communities.

(E) The Capital Magnet Fund, which provides awards to CDFIs and nonprofit affordable housing organizations to finance affordable housing solutions and related economic development activities.

(F) The Bond Guarantee Program, a source of long-term, patient capital for CDFIs to expand lending and investment capacity for community and economic development purposes.

(2) The Department of the Treasury is authorized to create multi-year grant programs designed to encourage low-to-moderate income individuals to establish accounts at federally insured banks, and to improve low-to-moderate income individuals' access to such accounts on reasonable terms.

(3) Under this authority, grants to participants in CDFI Fund programs may be used for loan-loss reserves and to establish small-dollar loan programs by subsidizing related losses. These grants also allow for the providing recipients with the financial counseling and education necessary to conduct transactions and manage their accounts. These loans provide low-cost alternatives to payday loans and other nontraditional forms of financing that often impose excessive interest rates and fees on borrowers, and lead millions of Americans to fall into debt traps. Small-dollar loans can only be made pursuant to terms, conditions, and practices that are reasonable for the individual consumer obtaining the loan.

(4) Program participation is restricted to eligible institutions, which are limited to organizations listed in section 501(c)(3) of the Internal Revenue Code and exempt from tax under 501(a) of such Code, federally insured depository institutions, community development financial institutions and State, local, or Tribal government entities.

(5) Since its founding, the CDFI Fund has awarded over $3,300,000,000 to CDFIs and CDEs, allocated $54,000,000,000 in tax credits,