

117TH CONGRESS
1ST SESSION

S. 2346

To codify Executive Order 13950 (relating to combating race and sex stereotyping), and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2021

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To codify Executive Order 13950 (relating to combating race and sex stereotyping), 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop CRT Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) ESEA TERMS.—The terms “elementary
8 school”, “local educational agency”, “secondary
9 school”, and “State” have the meanings given those

1 terms in section 8101 of the Elementary and Sec-
 2 ondary Education Act of 1965 (20 U.S.C. 7801).

3 (2) INSTITUTION OF HIGHER EDUCATION.—The
 4 term “institution of higher education” has the
 5 meaning given that term in section 102 of the High-
 6 er Education Act of 1965 (20 U.S.C. 1002).

7 (3) PROMOTE.—The term “promote”, when
 8 used with respect to a race-based theory, means—

9 (A) to include race-based theories or mate-
 10 rials that advocate such theories in curricula,
 11 reading lists, seminars, workshops, trainings, or
 12 other educational or professional settings in a
 13 manner that could reasonably give rise to the
 14 appearance of official sponsorship, approval, or
 15 endorsement;

16 (B) to contract with, hire, or otherwise en-
 17 gage speakers, consultants, diversity trainers,
 18 and other persons for the purpose of advocating
 19 such theories; and

20 (C) to compel students to profess a belief
 21 in such theories.

22 (4) RACE-BASED THEORY.—The term “race-
 23 based theory” means a theory that—

24 (A) any race is inherently superior or infe-
 25 rior to any other race;

1 (B) the United States is a fundamentally
2 racist country;

3 (C) the Declaration of Independence or the
4 Constitution of the United States is a fun-
5 damentally racist document;

6 (D) an individual's moral worth is deter-
7 mined by the race of the individual;

8 (E) an individual, by virtue of the race of
9 the individual, is inherently racist or oppressive,
10 whether consciously or unconsciously; or

11 (F) an individual, because of the race of
12 the individual, bears responsibility for the ac-
13 tions committed by members of the race of the
14 individual.

15 **SEC. 3. CODIFICATION OF EXECUTIVE ORDER.**

16 Executive Order 13950 (85 Fed. Reg. 60683; relat-
17 ing to combating race and sex stereotyping) shall have the
18 force and effect of law, except that the executive order
19 shall not apply to elementary schools, secondary schools,
20 or institutions of higher education.

21 **SEC. 4. FEDERAL FUNDS LIMITATION.**

22 (a) PROHIBITION ON AWARD OF FUNDS TO CERTAIN
23 ELEMENTARY AND SECONDARY SCHOOLS.—No Federal
24 funds received by a State or a local educational agency
25 may be allocated to an elementary school or secondary

1 school that promotes race-based theories or compels teach-
2 ers or students to affirm, adhere to, adopt, or profess be-
3 liefs contrary to title VI of the Civil Rights Act of 1964
4 (42 U.S.C. 2000d et seq.).

5 (b) PROHIBITION ON AWARD OF FUNDS TO CERTAIN
6 INSTITUTIONS OF HIGHER EDUCATION.—No Federal
7 funds may be awarded to an institution of higher edu-
8 cation if such institution compels teachers or students to
9 affirm, adhere to, adopt, or profess race-based theories or
10 beliefs contrary to title VI of the Civil Rights Act of 1964
11 (42 U.S.C. 2000d et seq.).

12 (c) RULES OF CONSTRUCTION.—

13 (1) PROTECTED SPEECH NOT RESTRICTED.—
14 Nothing in this section shall be construed to restrict
15 the speech of a student, a teacher, or any other indi-
16 vidual outside of a school setting.

17 (2) ACCESS TO MATERIALS FOR THE PURPOSE
18 OF RESEARCH OR INDEPENDENT STUDY.—Nothing
19 in this section shall be construed to prevent an indi-
20 vidual from accessing materials that advocate race-
21 based theories for the purpose of research or inde-
22 pendent study.

23 (3) CONTEXTUAL EDUCATION.—Nothing in this
24 section shall be construed to prevent an elementary
25 school or secondary school from stating race-based

1 theories or assigning materials that advocate race-
2 based theories for educational purposes in contexts
3 that make it clear the school does not sponsor, ap-
4 prove, or endorse such theories or materials.

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