

118TH CONGRESS  
1ST SESSION

# H. R. 1524

To provide for equal protection of the law and to prohibit discrimination and preferential treatment on the basis of race, color, or national origin in Federal actions, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2023

Mr. TIFFANY (for himself, Mr. OWENS, Mrs. STEEL, and Mr. DONALDS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Oversight and Accountability, Education and the Workforce, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To provide for equal protection of the law and to prohibit discrimination and preferential treatment on the basis of race, color, or national origin in Federal actions, 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 “Fairness, Anti-dis-  
5 crimination and Individual Rights Act of 2023” or “FAIR  
6 Act of 2023”.

1 **SEC. 2. PROHIBITION AGAINST DISCRIMINATION AND**  
2 **PREFERENTIAL TREATMENT.**

3 Notwithstanding any other provision of law, neither  
4 the Federal Government nor any officer, employee, or  
5 agent of the Federal Government shall—

6 (1) intentionally discriminate against, or grant  
7 a preference to, any person or group based in whole  
8 or in part on race, color, or national origin, in con-  
9 nection with—

10 (A) a Federal contract or subcontract;

11 (B) Federal employment; or

12 (C) any other federally conducted program  
13 or activity; or

14 (2) require or encourage a Federal contractor  
15 or subcontractor, or the recipient of a license or fi-  
16 nancial assistance, to discriminate intentionally  
17 against, or grant a preference to, any person or  
18 group based in whole or in part on race, color, or  
19 national origin, in connection with any Federal con-  
20 tract or subcontract or Federal license or financial  
21 assistance.

22 **SEC. 3. PROHIBITION RELATING TO RECIPIENTS OF FED-**  
23 **ERAL AID.**

24 A State or private entity that receives Federal finan-  
25 cial assistance may not discriminate against, or grant a  
26 preference to, any person or group based in whole or in

1 part on race, color, or national origin, in connection  
2 with—

3 (1) any contract or subcontract;

4 (2) employment; or

5 (3) admission to any educational institution.

6 **SEC. 4. CONSTRUCTION.**

7 This Act does not affect any law governing immigra-  
8 tion or nationality, or the administration of any such law.

9 **SEC. 5. COMPLIANCE REVIEW OF POLICIES AND REGULA-**  
10 **TIONS.**

11 Not later than 6 months after the date of enactment  
12 of this Act, the head of each department or agency of the  
13 Federal Government, in consultation with the Attorney  
14 General, shall review all existing policies and regulations  
15 that such department or agency head is charged with ad-  
16 ministering, modify such policies and regulations to con-  
17 form to the requirements of this Act, and report to the  
18 Committee on the Judiciary of the House of Representa-  
19 tives and the Committee on the Judiciary of the Senate  
20 the results of the review and any modifications to the poli-  
21 cies and regulations.

22 **SEC. 6. REMEDIES.**

23 (a) IN GENERAL.—Any person aggrieved by a viola-  
24 tion of section 2 or 3 may, in a civil action against the  
25 violator (including a violator that is a governmental enti-

1 ty), obtain appropriate relief (which may include back  
2 pay). A prevailing plaintiff in a civil action under this sec-  
3 tion shall be awarded a reasonable attorney’s fee as part  
4 of the costs.

5 (b) CONSTRUCTION.—This section does not affect  
6 any remedy available under any other law.

7 **SEC. 7. EFFECT ON PENDING MATTERS.**

8 (a) PENDING CASES.—This Act does not affect any  
9 case pending on the date of enactment of this Act.

10 (b) PENDING CONTRACTS AND SUBCONTRACTS.—  
11 This Act does not affect any contract or subcontract in  
12 effect on the date of enactment of this Act, including any  
13 option exercised under such contract or subcontract before  
14 or after such date of enactment.

15 **SEC. 8. DEFINITIONS.**

16 In this Act, the following definitions apply:

17 (1) FEDERAL GOVERNMENT.—The term “Fed-  
18 eral Government” means executive and legislative  
19 branches of the Government of the United States.

20 (2) PREFERENCE.—The term “preference”  
21 means an advantage of any kind, and includes a  
22 quota, set-aside, numerical goal, timetable, or other  
23 numerical objective.

○