

Union Calendar No. 475

118TH CONGRESS
2D SESSION

H. R. 6816

[Report No. 118–574]

To prohibit the availability of Federal education funds for elementary and secondary schools that receive direct or indirect support from the Government of the People’s Republic of China.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2023

Mr. HERN (for himself, Ms. STEFANIK, Mr. WALBERG, Ms. VAN DUYNE, Mr. ROUZER, Mr. ALFORD, Mr. BABIN, Mr. GOOD of Virginia, Mr. CLINE, Mr. ELLZEY, Mr. BRECHEEN, Mr. WEBER of Texas, Mr. LATURNER, Mr. JACKSON of Texas, Mr. OGLES, Mr. OWENS, Mr. HUIZENGA, Mr. SCOTT FRANKLIN of Florida, Mr. CLYDE, Mr. ADERHOLT, Mr. WILSON of South Carolina, Mr. ALLEN, Mr. MORAN, Mr. EDWARDS, Mr. LAMALFA, Mr. BAIRD, Mr. AUSTIN SCOTT of Georgia, Mrs. LESKO, and Mr. DUNN of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce

JULY 5, 2024

Additional sponsors: Mr. FITZGERALD, Ms. TENNEY, Mr. PALMER, Mr. MCCORMICK, Mrs. HARSHBARGER, Mr. YAKYM, Mr. BEAN of Florida, Mrs. HOUCHIN, and Mr. BURLISON

JULY 5, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on December 14, 2023]

A BILL

To prohibit the availability of Federal education funds for elementary and secondary schools that receive direct or indirect support from the Government of the People's Republic of China.

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 “Promoting Responsible*
5 *Oversight To Eliminate Communist Teachings for Our*
6 *Kids Act” or the “PROTECT Our Kids Act”.*

7 **SEC. 2. PROHIBITION ON AVAILABILITY OF FUNDS.**

8 *(a) PROHIBITION.—Notwithstanding any other provi-*
9 *sion of law, no funds may be made available under an ap-*
10 *plicable program to any elementary school or secondary*
11 *school that—*

12 *(1) has a partnership in effect with a cultural or*
13 *language institute directly or indirectly funded by the*
14 *Government of the People’s Republic of China, includ-*
15 *ing a Confucius Institute;*

16 *(2) operates a learning center directly or indi-*
17 *rectly supported by the Government of the People’s*
18 *Republic of China (commonly referred to as a “Con-*
19 *fucius Classroom”); or*

20 *(3) otherwise receives support from an indi-*
21 *vidual or entity acting directly or indirectly on behalf*
22 *of the Government of the People’s Republic of China,*
23 *including support in the form of teaching materials,*
24 *personnel, funds, or other resources.*

1 (b) *EFFECTIVE DATE.*—*The prohibition under sub-*
 2 *section (a) shall take effect on the date that is one year after*
 3 *the date of the enactment of this Act.*

4 (c) *CONTRACTS MADE PRIOR TO DATE OF ENACT-*
 5 *MENT.*—

6 (1) *IN GENERAL.*—

7 (A) *WAIVER REQUEST SUBMISSION.*—*In the*
 8 *case of an elementary school or a secondary*
 9 *school that is a party to a contract described in*
 10 *paragraph (2), the school timely shall submit to*
 11 *the Secretary a request for a waiver of the prohi-*
 12 *bition under subsection (a) that includes—*

13 (i) *the complete and unredacted text of*
 14 *the contract, and if the contract is not in*
 15 *English, a translated copy of the text into*
 16 *English; and*

17 (ii) *a statement demonstrating that the*
 18 *contract is for the benefit of the school's*
 19 *mission and students and will promote the*
 20 *security, stability, and economic vitality of*
 21 *the United States.*

22 (B) *WAIVER ISSUANCE.*—*the Secretary,*
 23 *upon receipt of a request submitted under sub-*
 24 *paragraph (A), may issue a waiver to the school*
 25 *for a period beginning on the effective date speci-*

1 *fied in subsection (b) and ending the date on*
2 *which the contract terminates.*

3 (2) *CONTRACTS DESCRIBED.*—*A contract is de-*
4 *scribed in this paragraph if the contract—*

5 (A) *takes effect before the date of the enact-*
6 *ment of this Act;*

7 (B) *continues to be effective after the effec-*
8 *tive date specified in subsection (b); and*

9 (C) *relates to at least one of the cir-*
10 *cumstances described in paragraph (1), (2), or*
11 *(3) of subsection (a).*

12 (d) *NOTICE TO AFFECTED SCHOOLS.*—*Not later than*
13 *90 days after the date of the enactment of this Act, the Sec-*
14 *retary shall provide notice to elementary and secondary*
15 *schools of the requirements of this section together with*
16 *guidance for achieving compliance with such requirements.*

17 (e) *DEFINITIONS.*—*In this section:*

18 (1) *APPLICABLE PROGRAM.*—*The term “applica-*
19 *ble program” has the meaning given that term in sec-*
20 *tion 400(c)(1) of the General Education Provisions*
21 *Act (20 U.S.C. 1221(c)(1)).*

22 (2) *ESEA TERMS.*—*The terms “elementary*
23 *school”, “secondary school”, and “Secretary” have the*
24 *meanings given those terms in section 8101 of the El-*

- 1 *ementary and Secondary Education Act of 1965 (20*
- 2 *U.S.C. 7801).*

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