

116TH CONGRESS
1ST SESSION

H. R. 2574

[Report No. 116-]

To amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. SCOTT of Virginia (for himself, Mr. NADLER, Mr. SABLAN, and Ms. ADAMS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, 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

MAY --, 2019

Reported from the Committee on Education and Labor with an amendment

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

[For text of introduced bill, see copy of bill as introduced on May 8, 2019]

A BILL

To amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, 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 “Equity and Inclusion*
5 *Enforcement Act of 2019”.*

6 **SEC. 2. RESTORATION OF RIGHT TO CIVIL ACTION IN DIS-**
7 **PARATE IMPACT CASES UNDER TITLE VI OF**
8 **THE CIVIL RIGHTS ACT OF 1964.**

9 *Title VI of the Civil Rights Act of 1964 (42 U.S.C.*
10 *2000d et seq.) is amended by adding at the end the fol-*
11 *lowing:*

12 *“SEC. 607. The violation of any regulation relating to*
13 *disparate impact issued under section 602 shall give rise*
14 *to a private civil cause of action for its enforcement to the*
15 *same extent as does an intentional violation of the prohibi-*
16 *tion of section 601.”.*

17 **SEC. 3. DESIGNATION OF MONITORS UNDER TITLE VI OF**
18 **THE CIVIL RIGHTS ACT OF 1964.**

19 *Title VI of the Civil Rights Act of 1964 (42 U.S.C.*
20 *2000d et seq.) is further amended by adding at the end the*
21 *following:*

22 *“SEC. 608. (a) Each recipient shall—*

23 *“(1) designate at least one employee to coordi-*
24 *nate its efforts to comply with requirements adopted*
25 *pursuant to section 602 and carry out the responsibil-*

1 *ities of the recipient under this title, including any*
2 *investigation of any complaint alleging the non-*
3 *compliance of the recipient with such requirements or*
4 *alleging any actions prohibited under this title; and*

5 *“(2) notify its students and employees of the*
6 *name, office address, and telephone number of each*
7 *employee designated under paragraph (1).*

8 *“(b) In this section, the term ‘recipient’ means a re-*
9 *ipient referred to in section 602 that operates an education*
10 *program or activity receiving Federal financial assistance*
11 *authorized or extended by the Secretary of Education.”.*

12 **SEC. 4. SPECIAL ASSISTANT FOR EQUITY AND INCLUSION.**

13 *Section 202(b) of the Department of Education Orga-*
14 *nization Act (20 U.S.C. 3412(b)) is amended—*

15 *(1) by redesignating paragraph (4) as para-*
16 *graph (5); and*

17 *(2) by inserting after paragraph (3), the fol-*
18 *lowing:*

19 *“(4) There shall be in the Department, a Special As-*
20 *stant for Equity and Inclusion who shall be appointed*
21 *by the Secretary. The Special Assistant shall promote, co-*
22 *ordinate, and evaluate equity and inclusion programs, in-*
23 *cluding the dissemination of information, technical assist-*
24 *ance, and coordination of research activities. The Special*
25 *Assistant shall advise both the Secretary and Deputy Sec-*

1 *retary on all matters relating to equity and inclusion in*
2 *a manner consistent with title VI of the Civil Rights Act*
3 *of 1964 (42 U.S.C. 2000d et seq.).”.*