

117TH CONGRESS
1ST SESSION

H. R. 3235

To restrict executive agencies from acting in contravention of Executive Order
13950.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2021

Mr. OWENS (for himself, Mr. BANKS, Mr. ALLEN, Mr. BABIN, Mr. BISHOP of North Carolina, Mrs. BOEBERT, Mr. BROOKS, Mr. BUCK, Mr. CAWTHORN, Mr. CLOUD, Mr. DONALDS, Mr. GOOD of Virginia, Mr. FALLON, Mr. GREEN of Tennessee, Mr. GROTHMAN, Mrs. HARSHBARGER, Mr. ISSA, Mr. JACKSON, Mr. JACOBS of New York, Mr. JOYCE of Pennsylvania, Mr. KELLY of Pennsylvania, Mr. MAST, Mr. MOOLENAAR, Mr. PERRY, Mr. RESCHENTHALER, Mr. RICE of South Carolina, Mr. ROUZER, Mr. ROY, Mr. AUSTIN SCOTT of Georgia, Mr. STEWART, and Mr. TIFFANY) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on Education and Labor, and Armed Services, 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 restrict executive agencies from acting in contravention
of Executive Order 13950.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON EXECUTIVE AGENCIES ACT-**
2 **ING IN CONTRAVENTION OF EXECUTIVE**
3 **ORDER 13950.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) On September 22, 2020, President Trump
6 issued Executive Order (EO) 13950 “Combating
7 Race and Sex Stereotyping”.

8 (2) EO 13950 was designed “to promote econ-
9 omy and efficiency in Federal contracting, to pro-
10 mote unity in the Federal workforce, and to combat
11 offensive and anti-American race and sex stereo-
12 typing and scapegoating”.

13 (3) Specifically EO 13950, among other things,
14 prohibited Federal agencies from teaching, advo-
15 cating, acting upon, or promoting in any training to
16 agency employees certain divisive concepts, such as
17 those that hold “(1) one race or sex is inherently su-
18 perior to another race or sex; (2) the United States
19 is fundamentally racist or sexist; (3) an individual,
20 by virtue of his or her race or sex, is inherently rac-
21 ist, sexist, or oppressive, whether consciously or un-
22 consciously; (4) an individual should be discrimi-
23 nated against or receive adverse treatment solely or
24 partly because of his or her race or sex; (5) members
25 of one race or sex cannot and should not attempt to
26 treat others without respect to race or sex; (6) an

1 individual’s moral character is necessarily deter-
2 mined by his or her race or sex; (7) an individual,
3 by virtue of his or her race or sex, bears responsi-
4 bility for actions committed in the past by other
5 members of the same race or sex; (8) any individual
6 should feel discomfort, guilt, anguish, or any other
7 form of psychological distress on account of his or
8 her race or sex; or (9) meritocracy or traits such as
9 a hard work ethic are racist or sexist, or were cre-
10 ated by a particular race to oppress another race”.

11 (4) EO 13950 further required that diversity
12 and inclusion efforts of Federal agencies must “first
13 and foremost, encourage agency employees not to
14 judge each other by their color, race, ethnicity, sex,
15 or any other characteristic protected by Federal
16 law”.

17 (5) EO 13950 was issued soon after Office of
18 Management and Budget Director Russell Vought
19 issued a September 4, 2020, memorandum wherein
20 he explained—

21 (A) millions of taxpayer dollars have been
22 spent on training Federal Government workers
23 to “believe divisive, anti-American propaganda”;

1 (B) training sessions that have taught
2 “virtually all White people contribute [or ben-
3 efit from] to racism”; and

4 (C) training sessions have claimed that
5 “there is racism embedded in the belief that
6 America is the land of opportunity or the belief
7 that the most qualified person should receive a
8 job”.

9 (6) In the September 4, 2020, memorandum,
10 Director Vought further explained that such
11 trainings, “not only run counter to the fundamental
12 beliefs for which our Nation has stood since its in-
13 ception, but they also engender division and resent-
14 ment within the Federal workforce”.

15 (7) EO 13950 and the September 4, 2020,
16 memorandum stood as a direct rebuke of so-called
17 “Critical Race Theory”.

18 (8) Critical Race Theory, according to Heritage
19 Foundation visiting fellow Chris Rufo, is “the idea
20 that the United States is a fundamentally racist
21 country and that all of our institutions including the
22 law, culture, business, the economy are all designed
23 to maintain white supremacy”.

1 (9) Critical Race Theory is, at its core, un-
2 American, discriminatory, and based on Marxist ide-
3 ology.

4 (10) Critical Race Theory relies on a Marxist
5 analytical framework, viewing society in terms of op-
6 pressed and oppressor, and instills a defeatist men-
7 tality in those it casts as the oppressed.

8 (11) Critical Race Theory’s objective is the de-
9 struction and replacement of Western Enlighten-
10 ment Liberalism with a Marxist influenced govern-
11 ment.

12 (12) Critical Race Theory intentionally seeks to
13 undermine capitalism and western values, such as
14 property rights, free speech, and the very concept of
15 Lockean natural rights.

16 (13) At the Department of Homeland Security,
17 Rufo explained, trainers “insisted that statements
18 such as ‘America is the land of opportunity’, ‘Every-
19 body can succeed in this society, if they work hard
20 enough’, and ‘I believe the most qualified person
21 should get the job’ are racist and harmful”.

22 (14) At a training session at the National Cred-
23 it Union Administration, Howard Ross taught that
24 “It is irrefutable that [America society] is a system
25 based on racism” and “good and decent [white] peo-

1 ple . . . support the status quo [of] a system of sys-
2 tematized racism”.

3 (15) According to Rufo, employees of the De-
4 partment of the Treasury and Federal financial
5 agencies attended a series of events at which diver-
6 sity trainer Howard Ross taught employees that all
7 White Americans are complicit in White supremacy
8 “by automatic response to the ways were taught
9 Whiteness includes white privilege and white su-
10 premacy”.

11 (16) Martin Luther King Jr., in his “I have a
12 dream speech” said, “I look to a day when people
13 will not be judged by the color of their skin, but by
14 the content of their character”.

15 (17) By teaching that certain individuals, by
16 virtue of inherent characteristics, are inherently
17 flawed, Critical Race Theory contradicts the basic
18 principle upon which our Nation was founded that
19 all men and women are created equal.

20 (18) Critical Race Theory’s teachings stand in
21 contrast to the overarching goal of the Civil Rights
22 Act of 1964 to prevent discrimination on the basis
23 of race, color, or national origin in the United
24 States.

1 (19) Critical Race Theory seeks to portray the
2 United States not as a united Nation of people, fam-
3 ilies, and communities striving for a common pur-
4 pose, but rather one of many victimized groups
5 based on sex, race, national origin, and gender.

6 (20) Critical Race Theory, and its emphasis on
7 predetermining the thoughts, beliefs, and actions of
8 a person, flouts the Constitution of the United
9 States guarantee of equal protection under the law
10 to all men and women.

11 (21) On January 20, 2021, President Joe
12 Biden issued an Executive order revoking President
13 Trump’s EO 13950.

14 (22) The American people should defend the
15 civil rights of all people and seek to eliminate racism
16 wherever it exists. Critical Race Theory and its
17 propagation within the Federal Government through
18 President Biden’s executive action desecrates this
19 paramount pursuit.

20 (b) PROHIBITION.—No executive agency (as defined
21 in section 105 of title 5, United States Code) may act in
22 contravention of Executive Order 13950 (85 Fed. Reg.
23 60683; relating to combating race and sex stereotyping),

- 1 except as such Executive order relates to contractors and
- 2 grant recipients.

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