

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2574
OFFERED BY MR. SCOTT OF VIRGINIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Equity and Inclusion
3 Enforcement Act of 2019”.

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

7 Title VI of the Civil Rights Act of 1964 (42 U.S.C.
8 2000d et seq.) is amended by adding at the end the fol-
9 lowing:

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

1 **SEC. 3. DESIGNATION OF MONITORS UNDER TITLE VI OF**
2 **THE CIVIL RIGHTS ACT OF 1964.**

3 Title VI of the Civil Rights Act of 1964 (42 U.S.C.
4 2000d et seq.) is further amended by adding at the end
5 the following:

6 “SEC. 608. (a) Each recipient shall—

7 “(1) designate at least one employee to coordi-
8 nate its efforts to comply with requirements adopted
9 pursuant to section 602 and carry out the respon-
10 sibilities of the recipient under this title, including
11 any investigation of any complaint alleging the non-
12 compliance of the recipient with such requirements
13 or alleging any actions prohibited under this title;
14 and

15 “(2) notify its students and employees of the
16 name, office address, and telephone number of each
17 employee designated under paragraph (1).

18 “(b) In this section, the term ‘recipient’ means a re-
19 cipient referred to in section 602 that operates an edu-
20 cation program or activity receiving Federal financial as-
21 sistance authorized or extended by the Secretary of Edu-
22 cation.”.

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

24 Section 202(b) of the Department of Education Or-
25 ganization Act (20 U.S.C. 3412(b)) is amended—

1 (1) by redesignating paragraph (4) as para-
2 graph (5); and

3 (2) by inserting after paragraph (3), the fol-
4 lowing:

5 “(4) There shall be in the Department, a Spe-
6 cial Assistant for Equity and Inclusion who shall be
7 appointed by the Secretary. The Special Assistant
8 shall promote, coordinate, and evaluate equity and
9 inclusion programs, including the dissemination of
10 information, technical assistance, and coordination
11 of research activities. The Special Assistant shall ad-
12 vise both the Secretary and Deputy Secretary on all
13 matters relating to equity and inclusion in a manner
14 consistent with title VI of the Civil Rights Act of
15 1964 (42 U.S.C. 2000d et seq.).”.

