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.”.
SEC. 3. DESIGNATION OF MONITORS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.

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

"Sec. 608. (a) Each recipient shall—

"(1) designate at least one employee to coordinate its efforts to comply with requirements adopted pursuant to section 602 and carry out the responsibilities of the recipient under this title, including any investigation of any complaint alleging the non-compliance of the recipient with such requirements or alleging any actions prohibited under this title; and

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

"(b) In this section, the term ‘recipient’ means a recipient referred to in section 602 that operates an education program or activity receiving Federal financial assistance authorized or extended by the Secretary of Education.”.

SEC. 4. SPECIAL ASSISTANT FOR EQUITY AND INCLUSION.

Section 202(b) of the Department of Education Organization Act (20 U.S.C. 3412(b)) is amended—
(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3), the following:

“(4) There shall be in the Department, a Special Assistant for Equity and Inclusion who shall be appointed by the Secretary. The Special Assistant shall promote, coordinate, and evaluate equity and inclusion programs, including the dissemination of information, technical assistance, and coordination of research activities. The Special Assistant shall advise both the Secretary and Deputy Secretary on all matters relating to equity and inclusion in a manner consistent with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).”.