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(Original Signature of Member)

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R.

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To prohibit Federal research agencies and recipients of Federal research grants from using a prohibited diversity, equity, or inclusion practice with respect to Federal research grants, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. NORMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To prohibit Federal research agencies and recipients of Federal research grants from using a prohibited diversity, equity, or inclusion practice with respect to Federal research grants, 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 “Merit Restoration  
5 Act”.

1 **SEC. 2. PROHIBITIONS ON PROHIBITED DIVERSITY, EQ-**  
2 **UITY, OR INCLUSION PRACTICES BY FED-**  
3 **ERAL RESEARCH AGENCIES AND RECIPIENTS**  
4 **IN FEDERAL RESEARCH GRANTS.**

5 (a) PROHIBITIONS.—

6 (1) FEDERAL RESEARCH AGENCIES.—A Fed-  
7 eral research agency may not use any prohibited di-  
8 versity, equity, or inclusion practice in awarding,  
9 evaluating, or continuing a Federal research grant.

10 (2) RECIPIENTS.—A recipient of a Federal re-  
11 search grant may not use any prohibited diversity,  
12 equity, or inclusion practice in carrying out the Fed-  
13 eral research grant.

14 (b) ENFORCEMENT.—If a recipient of a Federal re-  
15 search grant engages in a prohibited diversity, equity, or  
16 inclusion practice in a manner alleged to be in violation  
17 of the prohibition described in subsection (a)(2) with re-  
18 spect to such Federal research grant, the Federal research  
19 agency that awarded the Federal research grant—

20 (1) shall freeze the receipt of Federal funds  
21 with respect to the Federal research grant; and

22 (2) if the Federal research agency determines  
23 that the recipient committed such a violation, shall  
24 require the recipient to repay any Federal funds  
25 used pursuant to the violation with respect to the  
26 Federal research grant.

1 (c) APPLICABILITY.—Subsection (a) shall apply with  
2 respect to an agreement for a Federal research grant en-  
3 tered into on or after the date of the enactment of this  
4 Act.

5 (d) DEFINITIONS.—In this section:

6 (1) FEDERAL RESEARCH AGENCY.—The term  
7 “Federal research agency” means any Executive  
8 agency (as defined in section 105 of title 5, United  
9 States Code) that awards, administers, conducts, or  
10 supports scientific, medical, technological, engineer-  
11 ing, or other research activities through Federal  
12 funds, Federal research grants, contracts, coopera-  
13 tive agreements, or direct operations.

14 (2) FEDERAL RESEARCH GRANT.—The term  
15 “Federal research grant”—

16 (A) means a grant awarded by a Federal  
17 research agency to support a systematic study  
18 directed toward fuller scientific knowledge or  
19 understanding of the subject studied;

20 (B) includes—

21 (i) an activity involving the training of  
22 an individual in a research technique, if  
23 such activity—

1 (I) uses the same facilities as  
2 other research and development activi-  
3 ties; and

4 (II) is not included in the in-  
5 struction function; and

6 (ii) a subgrant awarded by an entity  
7 that is not part of the Federal Government  
8 to carry out a grant program; and

9 (C) does not include—

10 (i) direct cash assistance provided by  
11 the Federal Government to an individual;

12 (ii) a subsidy;

13 (iii) a loan;

14 (iv) a loan guarantee; or

15 (v) insurance.

16 (3) PROHIBITED DIVERSITY, EQUITY, OR IN-  
17 CLUSION PRACTICE.—The term “prohibited diver-  
18 sity, equity, or inclusion practice” means—

19 (A) discriminating for or against any per-  
20 son on the basis of race, color, ethnicity, reli-  
21 gion, biological sex, or national origin;

22 (B) requiring as a condition of employ-  
23 ment, as a condition for promotion or advance-  
24 ment, or as a condition for speaking, making a  
25 presentation, or submitting written materials

1           that an employee undergo training, education,  
2           coursework, or other pedagogy that asserts that  
3           a particular race, color, ethnicity, religion, bio-  
4           logical sex, or national origin is inherently or  
5           systemically superior or inferior, oppressive or  
6           oppressed, or privileged or unprivileged; or

7           (C) requiring as a condition of employ-  
8           ment, as a condition for promotion or advance-  
9           ment, or as a condition for speaking, making a  
10          presentation, or submitting written materials  
11          the signing of or assent to a statement, code of  
12          conduct, work program, plan, or other similar  
13          device that requires assent by an employee that  
14          a particular race, color, ethnicity, religion, bio-  
15          logical sex, or national origin is inherently or  
16          systemically superior or inferior, oppressive or  
17          oppressed, or privileged or unprivileged.