

Opening Statement of Ranking Member Scott (VA-03)

Full Committee Markup

H.R. 618, *Improving Access to Workers' Compensation for Injured Federal Workers Act*

H.R. 8606, *Never Again Education Reauthorization and Study Act of 2024*

H.R. 8648, *Civil Rights Protection Act of 2024*

H.J. Res. 165, *Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance"*

H.R. 6816, *Promoting Responsible Oversight to Eliminate Communist Teachings for Our Kids Act*

H.R. 5567, *Combating the Lies of Authoritarians in School Systems Act*

H.R. 8649, *Transparency in Reporting of Adversarial Contributions to Education Act*

H.R. 7227, *Truth and Healing Commission on Indian Boarding School Policies Act of 2024*

H.R. 8534, *Protecting Student Athletes' Economic Freedom Act*

2175 Rayburn House Office Building

Thursday, June 13, 2024 | 10:45 a.m.

Thank you, Madam Chair, and good morning.

Today, the Committee is considering nine bills.

I am pleased that the Committee has decided to take up several bipartisan bills— one of which improves the lives of our country's frontline healthcare workers— and the other two that seek to examine the impacts of history on Jewish and Native American communities.

However, I am deeply concerned that we are also considering a handful of partisan bills that neglect our responsibilities to students and families. A handful of the remaining bills go as far as singling out students and parents alike on the basis of national origin and are unlikely to pass in the Senate or be signed into law.

The first proposal we will consider is noncontroversial. H.R. 618, led by the gentleman from Michigan, Mr. Walberg, and the gentleman from Connecticut, Mr. Courtney, would amend the *Federal Employees Compensation Act* (FECA) to ensure injured federal employees—particularly in rural areas— can get the appropriate care they need from state-licensed physician assistants and nurse practitioners for work-related injuries.

The next bipartisan bill we will consider is H.R. 8606, the *Never Again Education Reauthorization and Study Act*. This bill reauthorizes the bipartisan *Never Again Education Act* through 2030 to continue providing educators with resources and training to teach important lessons pertaining to the Holocaust.

Although antisemitism is not a new problem; passing this bill is critically important to combatting antisemitism and ensuring schools maintain safe, productive spaces for all students. Committee Democrats have worked with the Majority to ensure curricula introduced are appropriate for students according to their grade level following guidance from the U.S. Holocaust Memorial Museum. I urge my colleagues to support this bill.

The third bipartisan bill we will consider later in the markup is H.R. 7227, the *Truth and Healing Commission on Indian Boarding School Policies Act*. This bipartisan bill was introduced by Representatives Sharice Davids of Kansas and Tom Cole of Oklahoma, and it would establish a commission to investigate, document and report on the histories of Indian boarding schools, the abusive policies and practices, and its impact on our indigenous communities and their descendants. We held a hearing on this important and long overdue bill when I was chairman, and I am glad that Chairwoman Foxx has decided to move this bill today.

As Members of Congress, it is imperative that we acknowledge the federal government's role in the systematic decimation of Indigenous people in the United States. This measure is long overdue, and I am pleased to support the legislation.

Regrettably, I believe this is where our bipartisanship is likely to end.

For years, Democrats have introduced and advocated for legislation to strengthen civil rights enforcement and protect students from discrimination based on race, color, or national origin. Specifically, I have pushed for the *Equity and Inclusion in Education Act* to establish Title VI monitors in educational institutions to investigate and address related violations and to create an assistant secretary at the Department of Education to help develop Title VI policies for schools to adopt.

I am appreciative of my colleagues' new interest in this issue since the bill offered by Congresswoman Chavez-Dereemer amends the *Higher Education Act* to compel the Office of Civil Rights at the Department of Education to establish Title VI requirements on colleges and universities to designate a coordinator, investigate and provide notice of claims, and report to Congress on its investigations. Regrettably, the legislation in its current form does not address current funding gaps within the Department of Education's Office for Civil Rights, and I fear it will place an even greater burden on an already overwhelmed Office with a huge backlog in cases.

Presently, OCR does not have the resources it needs to investigate where campuses are failing to protect against civil rights violations in educational settings. Yet, were calling for a 25 percent cut in funding in the Republican budget to that very office at a time when the OCR saw record complaints. Today, we are considering a bill that could potentially add to that backlog of complaints that OCR is already struggling to manage.

While I appreciate my colleagues' attempts at addressing antisemitism in Title VI incidents on college campuses, H.R. 8648 is neither comprehensive nor a workable measure for students until the very office charged with investigating the claims has the tools needed to actually do the job. I encourage my colleagues to vote against this bill until these shortcomings are addressed.

We will then consider H.J. Res. 165, an attempt to repeal the Education Department's final Title IX regulations.

The Biden Administration's Title IX rule, which was finalized in April, was a huge step forward in our fight to address sexual harassment, assault, and discrimination in K-12 and higher education—all while preserving the due process rights of the accused. By expanding critical protections under the law, the new regulations help ensure that all students, including LGBTQI+ students, are fully protected from discrimination based on sex, sexual orientation, and gender identity.

The Biden-Harris Administration is committed to restoring the original intent of Title IX and fulfilling the promise of equal access to education and a safe learning environment for every student in America. By repealing the rule, we would not only be rolling back progress but also preventing the Administration from promulgating any substantially similar regulations in the future.

I would point out that this regulation did not contain any new rule on playing sports – that is left to another day. It was not included in this rule. Again, I urge my colleagues to vote no on this harmful resolution.

The next three partisan bills we will consider only further the Majority's extreme agenda and inject divisive partisan politics into our children's classrooms and college campuses.

If passed, H.R. 6816 would bar all public elementary schools from receiving any funds from the Department of Education if they receive financial contributions, teaching materials, or any other resources from the Chinese government. This bill is a solution in search of a problem, given that we have no data to suggest that any claimed influence is even occurring in K-12 schools, or if the Chinese government wanted to have such influence, how they would do it.

The next bill, H.R. 5567, adds another item to an already long to-do list for administrators. Without providing any additional financial resources to staff, H.R. 5567 would force K-12 schools to report donations they receive from what the Majority has labeled a "foreign source" within a month of receiving the donation.

Similarly, the last partisan bill in this series, H.R. 8649, is an indiscriminate measure that imposes severe penalties, such as withholding funds to schools and entire school districts if administrators fail to disclose any donations, transactions, or agreements with any foreign entity with parents, whether intentional or not. This bill fails to even describe what a "foreign entity" is. Doing so leaves educators and administrative professionals to navigate nuanced potholes or risk losing necessary funding.

Students and educators face many serious challenges, such as teacher shortages and improving school infrastructure, or what to do when the *American Rescue Plan Act* funds run out later this year. Foreign funds pouring into our K-12 schools is not one of those problems. Aside from creating a series of unfunded mandates, these three proposals are not designed to ward off unscrupulous foreign involvement or improve transparency. Worse, these bills exacerbate the ongoing culture wars and fan the flames of xenophobia, particularly anti-Asian animus.

For this reason, I oppose all three of these bills and I urge my colleagues to do so as well.

Finally, the last partisan bill we will consider today, H.R. 8534, is an overly broad piece of legislation that will strip students of their rights under labor and employment law, state or federal. This will block any effort to form a union, expect a minimum wage, or even to demand equal pay for equal work.

It goes without saying that the collegiate sports industry is vastly different than it was just a few decades ago. Today, college sports are a multi-billion-dollar industry, yet far too many college students face hunger or even homelessness and life-long injuries that often render them unable to play. Yet rather than addressing these problems or enabling athletes to advocate for safer playing conditions, H.R. 8534 makes things even worse. Therefore, we should reject this bill.

Thank you, Madam Chair, and I yield back the balance of my time.