

119TH CONGRESS
1ST SESSION

S. 1811

To amend the Higher Education Act of 1965 to prohibit graduate medical schools from receiving Federal financial assistance if such schools adopt certain policies and requirements relating to diversity, equity, and inclusion.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2025

Mr. KENNEDY (for himself and Mr. SCHMITT) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to prohibit graduate medical schools from receiving Federal financial assistance if such schools adopt certain policies and requirements relating to diversity, equity, and inclusion.

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 “Embracing Anti-Dis-
5 crimination, Unbiased Curricula, and Advancing Truth in
6 Education Act” or the “EDUCATE Act”.

1 **SEC. 2. LIMITATION ON AVAILABILITY OF FUNDS FOR CER-**
2 **TAIN GRADUATE MEDICAL SCHOOLS.**

3 Part B of title I of the Higher Education Act of 1965
4 (20 U.S.C. 1011 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 124. LIMITATION ON AVAILABILITY OF FUNDS FOR**
7 **CERTAIN GRADUATE MEDICAL SCHOOLS.**

8 “(a) LIMITATION.—Notwithstanding any other provi-
9 sion of law, no graduate medical school at an institution
10 of higher education shall be eligible to receive funds or
11 any other form of financial assistance under any Federal
12 program, including participation in any federally funded
13 or guaranteed student loan program, unless the institution
14 submits the following certifications to the Secretary:

15 “(1) A certification that the institution does
16 not, and will not, do any of the following:

17 “(A) Direct or compel faculty, staff, or
18 students of the medical school to personally
19 state, pledge, recite, or otherwise express any of
20 the following tenets as a precondition of receiv-
21 ing any benefit, program access, instruction,
22 privilege, employment, admission, or other such
23 matter:

24 “(i) That any sex, race, ethnicity, reli-
25 gion, color, or national origin makes an in-

1 individual a member of oppressed or oppres-
2 sor categories.

3 “(ii) That individuals should be ad-
4 versely treated on the basis of their sex,
5 race, ethnicity, religion, color, or national
6 origin.

7 “(iii) That individuals, by virtue of
8 sex, race, ethnicity, religion, color, or na-
9 tional origin, are inherently responsible for
10 actions committed in the past by other
11 members of the same sex, race, ethnicity,
12 religion, color, or national origin.

13 “(iv) That America is systemically,
14 structurally, or institutionally racist, or
15 that racism is weaved into the ‘ordinary
16 business of society’, or that America is an
17 oppressive nation.

18 “(B) Take any action that would deprive
19 or tend to deprive a medical student of edu-
20 cational opportunities or otherwise adversely af-
21 fect their status as a student, on the basis of
22 race, ethnicity, color, or national origin, includ-
23 ing—

24 “(i) making a distinction or classifica-
25 tion of medical school students on the

1 basis of race, ethnicity, color, or national
2 origin;

3 “(ii) establishing a privilege or benefit
4 for students solely on the basis of race,
5 ethnicity, color, or national origin;

6 “(iii) providing a course of instruction
7 for students solely on the basis of race,
8 ethnicity, color, or national origin; or

9 “(iv) otherwise distinguishing students
10 by race, ethnicity, color, or national origin.

11 “(C) Require a course of instruction or
12 unit of study at the medical school directing or
13 otherwise compelling students, faculty, or staff
14 to personally state, pledge, recite, assert, or
15 otherwise adopt any of the tenets specified in
16 subparagraph (A).

17 “(D) Establish, maintain, or contract with
18 a diversity, equity, and inclusion office, or any
19 other functional equivalent of such an office, to
20 serve the medical school.

21 “(E) Require or incentivize an individual
22 to complete a diversity statement professing or
23 adhering to diversity, equity, and inclusion as a
24 condition of, or benefit in, admission or employ-
25 ment at such school.

1 “(2) A certification that the institution will
2 comply with all applicable civil rights laws, includ-
3 ing—

4 “(A) titles IV and VI of the Civil Rights
5 Act of 1964 (42 U.S.C. 2000c et seq.; 2000d
6 et seq.);

7 “(B) title IX of the Education Amend-
8 ments of 1972 (20 U.S.C. 1681 et seq);

9 “(C) section 504 of the Rehabilitation Act
10 of 1973 (29 U.S.C. 794);

11 “(D) the Age Discrimination Act of 1975
12 (42 U.S.C. 6101 et seq.); and

13 “(E) any regulations, guidelines, and
14 standards issued by the Department of Edu-
15 cation under any applicable civil rights laws.

16 “(b) DEFINITIONS.—In this section:

17 “(1) DIVERSITY, EQUITY, AND INCLUSION OF-
18 FICE.—The term ‘diversity, equity, and inclusion of-
19 fice’ means any component of an institution of high-
20 er education, including any division, unit, or center
21 of such an institution, that is responsible for direct-
22 ing or compelling faculty, staff, or students to state,
23 pledge, recite, assert, or otherwise express ideas as
24 a precondition of receiving any benefit, program ac-
25 cess, instruction, privilege, employment, admission,

1 or other such matter in violation of title IV or title
2 VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c
3 et seq.; 2000d et seq.).

4 “(2) DIVERSITY STATEMENT.—The term ‘diver-
5 sity statement’ means any written or oral statement
6 that—

7 “(A) asserts that individuals of any race,
8 sex, ethnicity, color, or national origin are in-
9 herently superior or inferior;

10 “(B) asserts that individuals should be ad-
11 versely or advantageously treated on the basis
12 of their race, sex, ethnicity, color, or national
13 origin; or

14 “(C) asserts that individuals, by virtue of
15 race, sex, ethnicity, color, or national origin,
16 bear collective guilt and are inherently respon-
17 sible for actions committed in the past by other
18 members of the same race, ethnicity, color, or
19 national origin.

20 “(3) INSTITUTION OF HIGHER EDUCATION.—
21 The term ‘institution of higher education’ has the
22 meaning given that term in section 102.”

1 **SEC. 3. CONFORMING REQUIREMENTS FOR ACCREDITING**
2 **AGENCIES AND ASSOCIATIONS.**

3 Section 496(a) of the Higher Education Act of 1965
4 (20 U.S.C. 1099b(a)) is amended—

5 (1) in paragraph (7), by striking “and” at the
6 end;

7 (2) in paragraph (8), by striking the period at
8 the end and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(9) if such agency or association has or seeks
11 to include within its scope of recognition the evalua-
12 tion of the quality of institutions or programs offer-
13 ing graduate medical education, such agency or as-
14 sociation shall, in addition to meeting the other re-
15 quirements of this subpart, demonstrate to the Sec-
16 retary that the agency or association does not re-
17 quire an institution or program to adopt any policies
18 or other requirements in contravention of section
19 124 as a condition of receiving accreditation from
20 the agency or association.”.

21 **SEC. 4. RULES OF CONSTRUCTION.**

22 Nothing in this Act or the amendments made by this
23 Act shall be construed—

24 (1) to prohibit a graduate medical school at an
25 institution of higher education from—

1 (A) providing instruction about unique
2 medical needs or conditions that may be related
3 to an individual's sex, race, or other character-
4 istics; or

5 (B) collecting and maintaining demo-
6 graphic data on students solely for informa-
7 tional purposes;

8 (2) in the case of an institution with a religious
9 mission, to require or incentivize the institution to
10 take any action that is contrary to the tenets of such
11 religion; or

12 (3) to restrict or prohibit—

13 (A) the exercise of First Amendment
14 rights by anyone lawfully present on the
15 grounds of an institution of higher education
16 (as defined in section 102 of the Higher Edu-
17 cation Act of 1965 (20 U.S.C. 1002));

18 (B) academic instruction at such an insti-
19 tution, except to the extent required under sec-
20 tion 124(a)(1)(C) of the Higher Education Act
21 of 1965 (as added by section 2);

22 (C) research operations at such an institu-
23 tion;

24 (D) the operations of student organizations
25 at such an institution;

1 (E) the invitation of lecturers and other
2 guest speakers to such an institution; or

3 (F) the ability of an institution to comply
4 with Federal and State anti-discrimination
5 laws.

6 **SEC. 5. SEVERABILITY.**

7 If any provision of this Act or an amendment made
8 by this Act is held invalid, the remainder of this Act and
9 the amendments made by this Act shall not be affected
10 thereby.

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