

Committee on Natural Resources

Rob Bishop, Chairman

Markup Memorandum

November 3, 2017

To: All Natural Resources Committee Members

From: Majority Committee Staff,
Subcommittee on Indian, Insular and Alaska Native Affairs (x6-9725)

Mark-Up: **H.R. 995 (Rep. Hakeem Jeffries)**, To direct the Secretary of Agriculture and the Secretary of the Interior to amend regulations for racial appropriateness.
November 7 & 8, 2017; 1324 Longworth House Office Building

H.R. 995 (Rep. Hakeem Jeffries), the “21st Century Respect Act”

Summary of the Bill

H.R. 995 was introduced by Rep. Hakeem Jeffries on February 9, 2017 and has been referred to the Subcommittee on Indian, Insular and Alaska Native Affairs. The bill would require the Secretary of Agriculture and the Secretary of the Interior to amend certain sections of the Code of Federal Regulations for the respective agencies for racial appropriateness.

Cosponsors

Rep. Steve Chabot (R-OH-01), Rep. Don Bacon (R-NE-02), Rep. John Faso (R-NY-19), and Rep. Edward Royce (R- CA-39).

Background

Today the United States is 241 years old. In that time, the country has seen an immense amount of change and growth. Over the course of history, laws and policies have been updated to reflect growth, however some decades old statutes and regulations contain antiquated terms.

In the 114th Congress, H.R. 4238 was signed into law which modernized antiquated ethnic terms related to minorities found in the Department of Energy Organization Act¹ and the Local Public Works Capital Development and Investment Act of 1976² for racial appropriateness. H.R. 995 would make similar changes to terms found in the Code of Federal Regulations for the Department of Agriculture and the Department of the Interior.

¹ 42 U.S.C. §7141 et seq.

² 42 U.S.C. §6705 et seq.

Section-by-section Analysis of H.R. 995

Section 1. Short Title. “21st Century Respect Act”

Section 2. Amendments to Regulations.

Subsection(a). The Secretary of Agriculture is required to amend section 1901.202 of title 7 of the Code of Federal Regulations to:

- (1) replace references to the term “Negro or Black” with `Black or African American';
- (2) replace the references to the term “Spanish Surname” with “Hispanic”; and
- (3) replace the references to the term “Oriental” with “Asian American or Pacific Islander”.

Subsection(b). The Secretary of the Interior is required to amend section 906.2 of title 36 of the Code of Federal Regulations to:

- (1) replace the references to the term “Negro” with “Black or African American”;
- (2) replace the definition of “Negro” with the definition of `Black or African American' as “a person having origins in any of the Black racial groups of Africa”;
- (3) replace the references to the term “Oriental” with “Asian American or Pacific Islander”;
- (4) replace the references to the terms “Eskimo” and `Aleut' to “Alaska Native”; and
- (5) replace the definition of `Eskimo' and “Aleut” to have the same meaning as the term “Native” has in section 3(b) of the Alaska Native Claims Settlement Act.

Administration Position

Unknown.

Cost

Unknown.

Anticipated Amendment

The Committee is anticipating a technical amendment to ensure no that there is no substantive effect on the treatment of Alaska Natives under current law.