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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To prohibit discrimination based on an individual’s texture or style of hair.

IN THE HOUSE OF REPRESENTATIVES

Mrs. WATSON COLEMAN (for herself and [see ATTACHED LIST of cosponsors])
introduced the following bill; which was referred to the Committee on

A BILL

To prohibit discrimination based on an individual’s texture
or style of hair.

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 “Creating a Respectful
5 and Open World for Natural Hair Act of 2021” or the
6 “CROWN Act of 2021”.

7 **SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSE.**

8 (a) FINDINGS.—Congress finds the following:

1 (1) Throughout United States history, society
2 has used (in conjunction with skin color) hair tex-
3 ture and hairstyle to classify individuals on the basis
4 of race.

5 (2) Like one's skin color, one's hair has served
6 as a basis of race and national origin discrimination.

7 (3) Racial and national origin discrimination
8 can and do occur because of longstanding racial and
9 national origin biases and stereotypes associated
10 with hair texture and style.

11 (4) For example, routinely, people of African
12 descent are deprived of educational and employment
13 opportunities because they are adorned with natural
14 or protective hairstyles in which hair is tightly coiled
15 or tightly curled, or worn in locs, cornrows, twists,
16 braids, Bantu knots, or Afros.

17 (5) Racial and national origin discrimination is
18 reflected in school and workplace policies and prac-
19 tices that bar natural or protective hairstyles com-
20 monly worn by people of African descent.

21 (6) For example, as recently as 2018, the
22 United States Armed Forces had grooming policies
23 that barred natural or protective hairstyles that
24 servicemembers of African descent commonly wear
25 and that described these hairstyles as "unkempt".

1 (7) The United States Army also recognized
2 that prohibitions against natural or protective hair-
3 styles that African-American soldiers are commonly
4 adorned with are racially discriminatory, harmful,
5 and bear no relationship to African-American serv-
6 icewomen's occupational qualifications and their
7 ability to serve and protect the Nation. As of Feb-
8 ruary 2021, the United States Army removed min-
9 imum hair length requirements and lifted restric-
10 tions on any soldier wearing braids, twists, locs, and
11 cornrows in order to promote inclusivity and accom-
12 modate the hair needs of soldiers.

13 (8) As a type of racial or national origin dis-
14 crimination, discrimination on the basis of natural
15 or protective hairstyles that people of African de-
16 scend are commonly adorned with violates existing
17 Federal law, including provisions of the Civil Rights
18 Act of 1964 (42 U.S.C. 2000e et seq.), section 1977
19 of the Revised Statutes (42 U.S.C. 1981), and the
20 Fair Housing Act (42 U.S.C. 3601 et seq.). How-
21 ever, some Federal courts have misinterpreted Fed-
22 eral civil rights law by narrowly interpreting the
23 meaning of race or national origin, and thereby per-
24 mitting, for example, employers to discriminate
25 against people of African descent who wear natural

1 or protective hairstyles even though the employment
2 policies involved are not related to workers' ability to
3 perform their jobs.

4 (9) Applying this narrow interpretation of race
5 or national origin has resulted in a lack of Federal
6 civil rights protection for individuals who are dis-
7 criminated against on the basis of characteristics
8 that are commonly associated with race and national
9 origin.

10 (10) In 2019 and 2020, State legislatures and
11 municipal bodies throughout the United States have
12 introduced and passed legislation that rejects certain
13 Federal courts' restrictive interpretation of race and
14 national origin, and expressly classifies race and na-
15 tional origin discrimination as inclusive of discrimi-
16 nation on the basis of natural or protective hair-
17 styles commonly associated with race and national
18 origin.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the Federal Government should acknowl-
22 edge that individuals who have hair texture or wear
23 a hairstyle that is historically and contemporarily as-
24 sociated with African Americans or persons of Afri-
25 can descent systematically suffer harmful discrimi-

1 nation in schools, workplaces, and other contexts
2 based upon longstanding race and national origin
3 stereotypes and biases;

4 (2) a clear and comprehensive law should ad-
5 dress the systematic deprivation of educational, em-
6 ployment, and other opportunities on the basis of
7 hair texture and hairstyle that are commonly associ-
8 ated with race or national origin;

9 (3) clear, consistent, and enforceable legal
10 standards must be provided to redress the wide-
11 spread incidences of race and national origin dis-
12 crimination based upon hair texture and hairstyle in
13 schools, workplaces, housing, federally funded insti-
14 tutions, and other contexts;

15 (4) it is necessary to prevent educational, em-
16 ployment, and other decisions, practices, and policies
17 generated by or reflecting negative biases and
18 stereotypes related to race or national origin;

19 (5) the Federal Government must play a key
20 role in enforcing Federal civil rights laws in a way
21 that secures equal educational, employment, and
22 other opportunities for all individuals regardless of
23 their race or national origin;

24 (6) the Federal Government must play a central
25 role in enforcing the standards established under

1 this Act on behalf of individuals who suffer race or
2 national origin discrimination based upon hair tex-
3 ture and hairstyle;

4 (7) it is necessary to prohibit and provide rem-
5 edies for the harms suffered as a result of race or
6 national origin discrimination on the basis of hair
7 texture and hairstyle; and

8 (8) it is necessary to mandate that school,
9 workplace, and other applicable standards be applied
10 in a nondiscriminatory manner and to explicitly pro-
11 hibit the adoption or implementation of grooming re-
12 quirements that disproportionately impact people of
13 African descent.

14 (c) PURPOSE.—The purpose of this Act is to institute
15 definitions of race and national origin for Federal civil
16 rights laws that effectuate the comprehensive scope of pro-
17 tection Congress intended to be afforded by such laws and
18 Congress' objective to eliminate race and national origin
19 discrimination in the United States.

20 **SEC. 3. FEDERALLY ASSISTED PROGRAMS.**

21 (a) IN GENERAL.—No individual in the United
22 States shall be excluded from participation in, be denied
23 the benefits of, or be subjected to discrimination under,
24 any program or activity receiving Federal financial assist-
25 ance, based on the individual's hair texture or hairstyle,

1 if that hair texture or that hairstyle is commonly associ-
2 ated with a particular race or national origin (including
3 a hairstyle in which hair is tightly coiled or tightly curled,
4 locs, cornrows, twists, braids, Bantu knots, and Afros).

5 (b) ENFORCEMENT.—Subsection (a) shall be en-
6 forced in the same manner and by the same means, includ-
7 ing with the same jurisdiction, as if such subsection was
8 incorporated in title VI of the Civil Rights Act of 1964
9 (42 U.S.C. 2000d et seq.), and as if a violation of sub-
10 section (a) was treated as if it was a violation of section
11 601 of such Act (42 U.S.C. 2000d).

12 (c) DEFINITIONS.—In this section—

13 (1) the term “program or activity” has the
14 meaning given the term in section 606 of the Civil
15 Rights Act of 1964 (42 U.S.C. 2000d–4a); and

16 (2) the terms “race” and “national origin”
17 mean, respectively, “race” within the meaning of the
18 term in section 601 of that Act (42 U.S.C. 2000d)
19 and “national origin” within the meaning of the
20 term in that section 601.

21 **SEC. 4. HOUSING PROGRAMS.**

22 (a) IN GENERAL.—No person in the United States
23 shall be subjected to a discriminatory housing practice
24 based on the person’s hair texture or hairstyle, if that hair
25 texture or that hairstyle is commonly associated with a

1 particular race or national origin (including a hairstyle in
2 which hair is tightly coiled or tightly curled, locs, corn-
3 rows, twists, braids, Bantu knots, and Afros).

4 (b) ENFORCEMENT.—Subsection (a) shall be en-
5 forced in the same manner and by the same means, includ-
6 ing with the same jurisdiction, as if such subsection was
7 incorporated in the Fair Housing Act (42 U.S.C. 3601
8 et seq.), and as if a violation of subsection (a) was treated
9 as if it was a discriminatory housing practice.

10 (c) DEFINITION.—In this section—

11 (1) the terms “discriminatory housing practice”
12 and “person” have the meanings given the terms in
13 section 802 of the Fair Housing Act (42 U.S.C.
14 3602); and

15 (2) the terms “race” and “national origin”
16 mean, respectively, “race” within the meaning of the
17 term in section 804 of that Act (42 U.S.C. 3604)
18 and “national origin” within the meaning of the
19 term in that section 804.

20 **SEC. 5. PUBLIC ACCOMMODATIONS.**

21 (a) IN GENERAL.—No person in the United States
22 shall be subjected to a practice prohibited under section
23 201, 202, or 203 of the Civil Rights Act of 1964 (42
24 U.S.C. 2000a et seq.), based on the person’s hair texture
25 or hairstyle, if that hair texture or that hairstyle is com-

1 monly associated with a particular race or national origin
2 (including a hairstyle in which hair is tightly coiled or
3 tightly curled, locs, cornrows, twists, braids, Bantu knots,
4 and Afros).

5 (b) ENFORCEMENT.—Subsection (a) shall be en-
6 forced in the same manner and by the same means, includ-
7 ing with the same jurisdiction, as if such subsection was
8 incorporated in title II of the Civil Rights Act of 1964,
9 and as if a violation of subsection (a) was treated as if
10 it was a violation of section 201, 202, or 203, as appro-
11 priate, of such Act.

12 (c) DEFINITION.—In this section, the terms “race”
13 and “national origin” mean, respectively, “race” within
14 the meaning of the term in section 201 of that Act (42
15 U.S.C. 2000e) and “national origin” within the meaning
16 of the term in that section 201.

17 **SEC. 6. EMPLOYMENT.**

18 (a) PROHIBITION.—It shall be an unlawful employ-
19 ment practice for an employer, employment agency, labor
20 organization, or joint labor-management committee con-
21 trolling apprenticeship or other training or retraining (in-
22 cluding on-the-job training programs) to fail or refuse to
23 hire or to discharge any individual, or otherwise to dis-
24 criminate against an individual, based on the individual’s
25 hair texture or hairstyle, if that hair texture or that hair-

1 style is commonly associated with a particular race or na-
2 tional origin (including a hairstyle in which hair is tightly
3 coiled or tightly curled, locs, cornrows, twists, braids,
4 Bantu knots, and Afros).

5 (b) ENFORCEMENT.—Subsection (a) shall be en-
6 forced in the same manner and by the same means, includ-
7 ing with the same jurisdiction, as if such subsection was
8 incorporated in title VII of the Civil Rights Act of 1964
9 (42 U.S.C. 2000e et seq.), and as if a violation of sub-
10 section (a) was treated as if it was a violation of section
11 703 or 704, as appropriate, of such Act (42 U.S.C.
12 2000e–2, 2000e–3).

13 (c) DEFINITIONS.—In this section the terms “per-
14 son”, “race”, and “national origin” have the meanings
15 given the terms in section 701 of the Civil Rights Act of
16 1964 (42 U.S.C. 2000e).

17 **SEC. 7. EQUAL RIGHTS UNDER THE LAW.**

18 (a) IN GENERAL.—No person in the United States
19 shall be subjected to a practice prohibited under section
20 1977 of the Revised Statutes (42 U.S.C. 1981), based on
21 the person’s hair texture or hairstyle, if that hair texture
22 or that hairstyle is commonly associated with a particular
23 race or national origin (including a hairstyle in which hair
24 is tightly coiled or tightly curled, locs, cornrows, twists,
25 braids, Bantu knots, and Afros).

1 (b) ENFORCEMENT.—Subsection (a) shall be en-
2 forced in the same manner and by the same means, includ-
3 ing with the same jurisdiction, as if such subsection was
4 incorporated in section 1977 of the Revised Statutes, and
5 as if a violation of subsection (a) was treated as if it was
6 a violation of that section 1977.

7 **SEC. 8. RULE OF CONSTRUCTION.**

8 Nothing in this Act shall be construed to limit defini-
9 tions of race or national origin under the Civil Rights Act
10 of 1964 (42 U.S.C. 2000a et seq.), the Fair Housing Act
11 (42 U.S.C. 3601 et seq.), or section 1977 of the Revised
12 Statutes (42 U.S.C. 1981).

13 **SEC. 9. DETERMINATION OF BUDGETARY EFFECTS.**

14 The budgetary effects of this Act, for the purpose of
15 complying with the Statutory Pay-As-You-Go Act of 2010,
16 shall be determined by reference to the latest statement
17 titled “Budgetary Effects of PAYGO Legislation” for this
18 Act, submitted for printing in the Congressional Record
19 by the Chairman of the House Budget Committee, pro-
20 vided that such statement has been submitted prior to the
21 vote on passage.