



COMMITTEE ON
EDUCATION & LABOR
REPUBLICANS

COMMITTEE
STATEMENT

**Opening Statement of Rep. Ben Cline (R-VA), Republican Leader
Subcommittee on Civil Rights and Human Services Hearing:
“On the Basis of Sex: Examining the Administration’s Attacks on Gender-Based
Protections”
September 10, 2020**

(As prepared for delivery)

"Prior to coming to Congress, I was proud to serve as a prosecutor of domestic violence cases to ensure justice was carried out. Additionally, during my time as a Delegate in Virginia’s General Assembly, I authored several bills to meaningfully increase protections for such victims and their families. Furthermore, while in Congress, I have worked across the aisle to introduce H.R. 6685 with Congresswoman McBath to allow funds allotted through the Family Violence Prevention Services Act to still be accessed during the pandemic. Here in Congress, our committee has created protections for pregnant women, students, and workers alike so they can live, work, and learn in environments free from discrimination. I know I speak for all my colleagues here today when I say no one should ever be denied an opportunity because of unlawful discrimination.

That’s why my Republican colleagues and I consistently support legislation that aligns with protections defined under existing civil rights laws. These very laws are what ensure the fairness I mentioned earlier in classrooms and workplaces across the country.

Unfortunately, the same cannot be said for my colleagues on the other side of the aisle. Democrats cherry pick who does and does not deserve protections.

Democrats have undermined students’ rights and fundamental fairness under Title IX of the Education Amendments of 1972. In 2011, the Obama administration issued guidance that created significant controversy and confusion. Many criticized the guidance for undermining due process rights for involved parties

and for denying public review and comment from affected stakeholders. In fact, multiple court cases have struck down campus procedures that resulted from the guidance.

The Trump administration addressed this past wrongdoing by taking over 124,000 public comments into consideration while drafting a rule that defines the responsibilities of institutions to respond to allegations of sexual harassment, including sexual assault, under Title IX.

Many Democrats have been critical of the Education Department's updated Title IX rule despite the fact that the rule is rooted in our deepest, time-tested legal traditions. It requires schools to take all allegations of sexual harassment, including sexual assault, seriously, and support and protect survivors during every step of the process.

This rule will help ensure that all students can pursue education free from discrimination, harassment, and sexual violence, and we owe it to survivors to ensure that clear and fair procedures are in place to respond to sexual violence. The Department of Education's Title IX rule delivers on this front.

Democrats have also consistently tried to roll back protections that allow religious organizations to operate in accordance with their sincerely held religious beliefs.

In fact, Democrats slammed a proposed rule announced last year by the Department of Labor (DOL) to protect religious liberty. Religious organizations have been discouraged from seeking federal contracts because of uncertainty surrounding the requirements for religious organizations. DOL's proposed rule clarifies the protections given to religious organizations that contract with the federal government. DOL rightly considered recent Supreme Court decisions regarding the religious freedom of employers, which affirmed the limitations on the government to infringe on the free exercise of religion. Not only does this proposed rule protect religious liberty, it also benefits both the contracting system and taxpayers by encouraging additional qualified organizations to bid for contracts, which will increase competition and provide needed goods and services that may otherwise not be available.

Bottom line, all Americans deserve to learn and work in an environment free from discrimination based on their sex or religion. Committee Republicans have and

will continue to advocate for policies that allow students to learn and employees to work in environments free from discrimination.

While I look forward to the testimony from our witnesses, I'd like to point out that my Democrat colleagues only allowed Republicans to invite one witness to cover a very broad set of issues. Unfortunately, this structure will limit the Subcommittee's ability to have a robust discussion today on how to best ensure Americans can pursue an education and a career in positive environments."

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