To amend chapter 1511 of title 36, United States Code, to impose certain requirements on the National Education Association, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. FITZGERALD introduced the following bill; which was referred to the Committee on

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A BILL

To amend chapter 1511 of title 36, United States Code, to impose certain requirements on the National Education Association, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stopping Teachers Unions from Damaging Education Needs Today Act” or the “STUDENT Act”.

SEC. 2. FINDINGS.

Congress finds the following:
(1) The National Education Association (referred to in this section as the NEA) was chartered in 1906 by an Act of Congress “to elevate the character and advance the interests of the profession of teaching; and to promote the cause of education in the United States” and remains the only labor union that has a Federal charter.

(2) By continuing to hold its Federal charter, the NEA’s actions and advocacy effectively receive Congress’ seal of approval.

(3) The NEA can no longer be considered a patriotic or national organization worthy of its Federal charter as it has drifted substantially from its core mission and become a massive political operation dedicated to electing Democrats and imposing a radical progressive agenda on America’s schools.

(4) In July 2019, NEA members held a conference and voted against adding a business item to the organization that stated: “The National Education Association will rededicate itself to the pursuit of increased student learning in every public school in America by putting a renewed emphasis on quality education. NEA will make student learning the priority of the association”.
(5) In the same conference, members voted in support of the right to an abortion, supporting illegal immigration, and expanding professional development for educators to help create student Gender Sexuality Alliance clubs.

(6) According to disclosures made to the Office of Labor-Management Standards, from September 2019 to August 2021, the NEA spent over $116,700,000 on political activities and lobbying, and in the 2020 election cycle, 95.7 percent of candidate campaign contributions by the NEA went to Democrat candidates.

(7) The NEA adopted measures in July 2021 to support critical race theory, calling it “reasonable and appropriate”, and to spend $56,500 on researching and shaming organizations fighting the inclusion of critical race theory in schools.

(8) The NEA and other teacher unions stood in the way of reopening schools in 2020 and 2021 by threatening strikes, donating to Democrat candidates that backed school closures, and influencing Centers for Disease Control and Prevention guidance to make it harder for schools to reopen.
SEC. 3. MEMBERSHIP CLASSIFICATION.

Section 151103 of title 36, United States Code, is amended to read as follows:

“§ 151103. Membership

“(a) In General.—Except as otherwise provided in this section, eligibility for membership in the corporation and the rights, obligations, and designation of classes of members are as provided in the bylaws.

“(b) Collection of Dues From State or Local Government Employees.—The corporation and its State and local affiliates may only accept payment of membership dues or fees from an employee of a State or local government (as such terms are defined in section 3371 of title 5, United States Code) either directly from the employee or indirectly via per capita taxes or other fees paid by an affiliate, if—

“(1) the employee has been notified by the corporation or its applicable State or local affiliate of their right under the First Amendment to the Constitution to refrain from membership and payment of associated dues or fees;

“(2) the employee has clearly and affirmatively consented to membership and payment of associated dues or fees; and

“(3) the employee has authorized the transmittal of their membership dues or fees to the cor-
poration or its applicable State or local affiliate
without the use, directly or indirectly, of payroll de-
duction.

“(c) MEMBERSHIP CANCELLATION.—The corpora-
tion and its State or local affiliates shall process and honor
membership and dues payment cancellation requests as
soon as practicable following receipt.”.

SEC. 4. REQUIREMENTS.

Section 151105 of title 36, United States Code, is
amended—

(1) in the matter before paragraph (1), by
striking “The” and inserting “(a) POWERS.—The”; and

(2) by adding at the end the following:

“(b) REQUIREMENTS.—The corporation shall comply
with the following requirements:

“(1) The corporation, or a director or officer of
the corporation as such, may not contribute to, sup-
port, or participate in any political activity or in any
manner attempt to influence legislation.

“(2) The corporation and its State or local af-
filates shall not—

“(A) discriminate against individuals on
the basis of race, color, religion, sex, disability,
age, or national origin; or
“(B) establish or observe any quota based on race, color, religion, sex, disability, age, or national origin in matters concerning membership, corporate governance, or personnel.

“(3) Each officer of the corporation shall be a United States citizen.

“(4) The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986.

“(5) The form of government of the corporation must be representative of the membership at-large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large.

“(6) The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

“(7) The corporation shall comply with the law governing service of process in—

“(A) the District of Columbia;

“(B) each State in which it is incorporated; and

“(C) each State in which it carries out activities.

“(8) The corporation shall keep—
“(A) correct and complete records of account;

“(B) minutes of the proceedings of members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and

“(C) at the principal office of the corporation established under section 151107 of this title, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

“(9) A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose at any time.

“(10) The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year.

“(11) The Attorney General of the United States may bring a civil action in the United States District Court for the District of Columbia for appropriate equitable relief if the corporation—

“(A) engages or threatens to engage in any act, practice, or policy that is inconsistent with the purposes described in section 151102; or
“(B) refuses, fails, or neglects to carry out its obligations under this chapter or threatens to do so.

“(12) On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for the discharge of all liabilities shall be either deposited in the Treasury of the United States as a miscellaneous receipt or divided equally among employed individuals who are, at the time of dissolution or final liquidation, members of the corporation or any of its State or local affiliates.

“(13) No part of the compensation received for work performed on behalf of the corporation, or any of its State or local affiliates, by any officer or representative of the corporation, or any of its State or local affiliates, who is an employee of a State or local government (as such terms are defined in section 3371 of title 5, United States Code), may be derived from payments made by the State or local government to the corporation or its officers or representatives.

“(14) The corporation and its State or local affiliates shall not—
“(A) require or encourage staff, officers, affiliates, or members to affirm, adopt, or adhere to any belief of concept that—

“(i) the United States is fundamentally or irredeemably racist or sexist;

“(ii) an individual, by virtue of sex, race, ethnicity, religion, color, or national origin—

“(I) is inherently racist, sexist, or oppressive, whether consciously or unconsciously; or

“(II) should be blamed for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin; or

“(iii) an individual’s moral character is necessarily determined, in whole or in part, by his or her sex, race, ethnicity, religion, color, or national origin; or

“(B) advocate for or encourage any local educational agency, public school (including a public charter school), or governmental entity responsible for the oversight of public secondary or elementary schools to require students to af-
firm, adopt or adhere to any of the beliefs or concepts described in subparagraph (A).

“(15) The corporation and its State or local affiliates shall not—

“(A) call, or participate in, a strike, work stoppage, or slowdown affecting a State or local government (as such terms are defined in section 3371 of title 5, United States Code); or

“(B) condone any activity described in subparagraph (A) of this paragraph by failing to take action to prevent or stop such activity.

“(16) The corporation and its State and local affiliates shall be deemed to be ‘labor organizations’ as such term is defined in section 3 of the Labor-management Reporting and Disclosure Act of 1959 (29 U.S.C. 402) and shall abide by all provisions of that chapter applicable to labor organizations.”.

**SEC. 5. REPEAL OF DISTRICT OF COLUMBIA PROPERTY TAX EXEMPTION.**

(a) IN GENERAL.—Section 151106 of title 36, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1511 of title 36, United States Code, is amended by repealing the item relating to section 151106.