

AMENDMENT TO H.R. 3838
OFFERED BY MS. MACE OF SOUTH CAROLINA

At the appropriate place in title IX, insert the following:

1 SEC. 9 ____ . PROHIBITION OF DIVERSITY, EQUITY, AND IN-
2 CLUSION PROGRAMS OF THE DEPARTMENT
3 OF DEFENSE.

4 (a) REPEAL OF REPORTING REQUIREMENTS ON DI-
5 VERSITY AND INCLUSION.—Section 113 of title 10, United
6 States Code, is amended—

7 (1) in subsection (c)—

8 (A) by striking paragraph (2); and

9 (B) by redesignating paragraphs (3) and
10 (4) as paragraphs (2) and (3), respectively;

11 (2) in subsection (g)(1)(B)—

12 (A) by striking clause (vii); and

13 (B) by redesignating clauses (viii), (ix),
14 and (x) as clauses (vii), (viii), and (ix), respec-
15 tively; and

16 (3) by striking subsections (l) and (m) and by
17 redesignating subsections (n) and (o) as subsections
18 (l) and (m), respectively.

1 (b) REPEAL OF CHIEF DIVERSITY OFFICER.—Sec-
2 tion 147 of title 10, United States Code, is repealed.

3 (c) REPEAL OF PROGRAM ON DIVERSITY IN MILI-
4 TARY LEADERSHIP.—Section 656 of title 10, United
5 States Code, is repealed.

6 (d) PROHIBITED DIVERSITY, EQUITY, AND INCLU-
7 SION PRACTICES.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the Secretary of Defense may not—

10 (A) maintain an office relating to diversity,
11 equity, inclusion, or accessibility or any sub-
12 stantially similar office;

13 (B) maintain or employ a chief diversity
14 officer or a substantially similar officer;

15 (C) develop, implement, distribute, or pub-
16 lish—

17 (i) plans, strategic plans, reports, or
18 surveys relating to diversity, equity, inclu-
19 sion, and accessibility;

20 (ii) action plans, reports, or surveys
21 relating to equity or substantially similar
22 plans, reports, or surveys;

23 (D) develop, implement, or maintain an
24 employee resource group or an affinity group

1 based on race, color, ethnicity, religion, national
2 origin, sexual orientation, or gender identity;

3 (E) develop, implement, or maintain an
4 agency equity team or a substantially similar
5 team;

6 (F) develop, implement, distribute, publish,
7 establish, or purchase—

8 (i) a training course relating to—

9 (I) diversity;

10 (II) equity;

11 (III) inclusion;

12 (IV) a critical theory relating to
13 race, gender, or otherwise; or

14 (V) intersectionality; or

15 (ii) a training course substantiality
16 similar to a training course described in
17 clause (i);

18 (G) develop, implement, or maintain a di-
19 versity, equity, inclusion, and accessibility data
20 dashboard or a substantially similar data dash-
21 board; or

22 (H) maintain or employ a position relating
23 to diversity, equity, inclusion, or accessibility.

1 (2) RULE OF CONSTRUCTION.—Nothing in
2 paragraph (1) shall be construed to prevent the Sec-
3 retary of Defense from maintaining or operating—

4 (A) Equal Employment Opportunity offices
5 as historically organized and operated within
6 the Department of Defense; or

7 (B) an office enforcing the Americans with
8 Disabilities Act of 1990 (42 U.S.C. 12101 et
9 seq.) or similar programs or offices as histori-
10 cally organized and operated within the Depart-
11 ment of Defense.

