

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**10**

**OFFERED BY MR. IVEY OF MARYLAND**

Add at the end of subtitle A of title VIII the following:

1 **SEC. 8\_\_ . DIVERSITY AND INCLUSION REPORTING RE-**  
2 **QUIREMENTS FOR COVERED CONTRACTORS.**

3 (a) IN GENERAL.—Subchapter V of chapter 325 of  
4 title 10, United States Code, is amended by inserting after  
5 section 4892 the following new section:

6 **“§ 4893. Diversity and inclusion reporting require-**  
7 **ments for covered contractors**

8 “(a) COVERED CONTRACTOR REPORTS.—

9 “(1) IN GENERAL.—The Secretary of Defense  
10 shall require each covered contractor awarded a  
11 major contract to submit to the Secretary of Defense  
12 by the last day of each full fiscal year that occurs  
13 during the period of performance of any major con-  
14 tract a report on diversity and inclusion.

15 “(2) ELEMENTS.—Each report under para-  
16 graph (1) shall include, for the fiscal year covered by  
17 the report—

1           “(A) a description of each major contract  
2           with a period of performance during the fiscal  
3           year covered by the report, including the period  
4           of performance, expected total value, and value  
5           to date of each major contract;

6           “(B) the total value of payments received  
7           under all major contracts of each covered con-  
8           tractor during such fiscal year;

9           “(C) the total number of participants in  
10          the board of directors of each covered con-  
11          tractor, nominees for the board of directors of  
12          the covered contractor, and the senior leaders of  
13          the covered contractor, disaggregated by demo-  
14          graphic classifications;

15          “(D) with respect to employees of each  
16          covered contractor—

17                 “(i) the total number of such employ-  
18                 ees; and

19                 “(ii) the number of such employees  
20                 (expressed as a numeral and as a percent-  
21                 age of the total number), identified by  
22                 membership in demographic classification  
23                 and major occupational group;

1           “(E) the value of first-tier subcontracts  
2           under each major contract entered into during  
3           such fiscal year;

4           “(F) with respect to employees of each cov-  
5           ered subcontractor—

6                   “(i) the total number of such employ-  
7                   ees;

8                   “(ii) the number of such employees  
9                   (expressed as a numeral and as a percent-  
10                  age of the total number), identified by  
11                  membership in demographic classification  
12                  and major occupational group;

13           “(G) whether the board of directors of the  
14           covered contractor has, as of the date on which  
15           the covered contractor submits a report under  
16           this section, adopted any policy, plan, or strat-  
17           egy to promote racial, ethnic, and gender diver-  
18           sity among the members of the board of direc-  
19           tors of the covered contractor, nominees for the  
20           board of directors of the covered contractor, or  
21           the senior leaders of the covered contractor; and

22           “(H) a description of participation by the  
23           contractor in diversity programs, to include  
24           hours spent, funds expended in support of, and

1           the number of unique relationships established  
2           by each such diversity program.

3           “(b) ANNUAL SUMMARY REPORT.—

4           “(1) REPORT REQUIRED.—Not later than 60  
5           days after the first day of each fiscal year, the Sec-  
6           retary shall submit to the congressional defense com-  
7           mittees a report summarizing the reports submitted  
8           pursuant to subsection (a).

9           “(2) ELEMENTS.—Each report under para-  
10          graph (1) shall include—

11           “(A) an index of the reports submitted  
12           pursuant to subsection (a);

13           “(B) a compilation of the data described in  
14           such subsection, disaggregated as described in  
15           such subsection;

16           “(C) an aggregation of the data provided  
17           in such reports; and

18           “(D) a narrative that analyzes the infor-  
19           mation disclosed in such reports and identifies  
20           any year-to-year trends in such information.

21          “(c) PUBLIC AVAILABILITY.—Each report required  
22          under this subsection shall be posted on a single publicly  
23          available website of the Department of Defense and made  
24          available in a machine-readable format that is  
25          downloadable, searchable, and sortable.

1 “(d) DEFINITIONS.—In this section:

2 “(1) COVERED CONTRACTOR.—The term ‘cov-  
3 ered contractor’ means a contractor awarded a  
4 major contract.

5 “(2) COVERED SUBCONTRACTOR.—The term  
6 ‘covered subcontractor’ means a subcontractor per-  
7 forming a subcontract that is one of the 10 highest  
8 aggregate value subcontracts under a major con-  
9 tract.

10 “(3) DEMOGRAPHIC CLASSIFICATIONS.—The  
11 term ‘demographic classifications’ means classifica-  
12 tions by race, gender, veteran status, or ethnicity.

13 “(4) DIVERSITY PROGRAM.—The term ‘diver-  
14 sity program’ means—

15 “(A) a mentor-protege relationship estab-  
16 lished under section 4092 of title 10, United  
17 States Code;

18 “(B) a program conducted under section  
19 4093 of this title; or

20 “(C) any other program designated by the  
21 Secretary of Defense as designed to increase  
22 the diversity of the workforce of the defense in-  
23 dustrial base.

1           “(5) MAJOR CONTRACT.—The term ‘major con-  
2           tract’ has the meaning given the term in section  
3           4351 of this title.

4           “(6) MAJOR OCCUPATIONAL GROUP.—The term  
5           ‘major occupational group’ means a major occupa-  
6           tional group as defined by the Bureau of Labor Sta-  
7           tistics.

8           “(7) SENIOR LEADER.—The term ‘senior lead-  
9           er’ means—

10                   “(A) the president of a covered contractor;

11                   “(B) any vice president in charge of a  
12                   principal business unit, division, or function of  
13                   a covered contractor;

14                   “(C) any other officer of a covered con-  
15                   tractor who performs a policy-making function;

16                   or

17                   “(D) an individual responsible for the di-  
18                   rect or indirect management of more than 200  
19                   individuals.”.

20           (b) EFFECTIVE DATE AND APPLICABILITY.—The  
21           amendments made by this section shall take effect on July  
22           1, 2024, and shall apply with respect to contracts entered  
23           into on or after July 1, 2024.

