

AMENDMENT TO
RULES COMMITTEE PRINT 119–8
OFFERED BY MR. JACKSON OF ILLINOIS

Add at the end of title XI the following new subtitle:

1 **Subtitle C—Civil Rights**
2 **Accountability for DOD Employees**
3 **SEC. 1131. CIVIL RIGHTS ACCOUNTABILITY FOR DOD EM-**
4 **PLOYEES.**

5 (a) IN GENERAL.—The Secretary of Defense shall
6 ensure that appropriate corrective action is taken with re-
7 spect to any official or employee of the Department of De-
8 fense who has been found to have engaged in any of the
9 actions, violations, or misconduct referred to in subsection
10 (b) while in the course of such official’s or employee’s em-
11 ployment or in administering a Department of Defense
12 program or service—

13 (1) in any administrative finding by the Depart-
14 ment of Defense, including any final agency decision
15 issued by the Assistant Secretary of Defense for
16 Civil Rights and any civil rights compliance review
17 or misconduct investigation conducted by the De-
18 partment of Defense;

1 (2) in any Federal administrative or judicial
2 proceeding;

3 (3) in any settlement with respect to civil
4 rights;

5 (4) in any audit or investigation conducted by
6 the Office of the Inspector General of the Depart-
7 ment of Defense; or

8 (5) in any investigation conducted by the Office
9 of the Special Counsel.

10 (b) COVERED ACTIONS, VIOLATIONS, OR MIS-
11 CONDUCT.—The actions, violations, or misconduct re-
12 ferred to in this subsection are discriminatory actions, re-
13 taliatory actions, harassment, civil rights violations, or re-
14 lated misconduct.

15 (c) CORRECTIVE ACTION DEFINED.—In this section,
16 the term “corrective action” means any action taken to
17 respond to any of the actions, violations, or misconduct
18 referred to in subsection (b) that—

19 (1) would enhance civil rights at the Depart-
20 ment of Defense, including any policy or pro-
21 grammatic changes to prevent similar misconduct
22 from occurring in the future; and

23 (2) may include disciplinary actions, includ-
24 ing—

25 (A) removal from Federal service;

- 1 (B) suspension without pay;
- 2 (C) any reduction in grade or pay; and
- 3 (D) a letter of reprimand.

4 **SEC. 1132. IMPROVEMENTS TO THE OFFICE OF THE ASSIST-**
5 **ANT SECRETARY FOR CIVIL RIGHTS.**

6 Chapter 4 of title 10, United States Code, is amended
7 by inserting after section 138 the following (and con-
8 forming the table of contents at the beginning of such
9 chapter accordingly):

10 **“§ 138a. Assistant Secretary of Defense for Civil**
11 **Rights**

12 “(a) ESTABLISHMENT.—The Secretary shall estab-
13 lish in the Department the position of Assistant Secretary
14 of Defense for Civil Rights (referred to in this section as
15 the ‘Assistant Secretary’).

16 “(b) APPOINTMENT.—The Assistant Secretary shall
17 be appointed by the President, by and with the advice and
18 consent of the Senate.

19 “(c) DUTIES.—

20 “(1) IN GENERAL.—The Secretary shall dele-
21 gate to the Assistant Secretary responsibility for—

22 “(A) ensuring compliance with all civil
23 rights and related laws by all agencies and
24 under all programs of the Department;

1 “(B) coordinating administration of civil
2 rights laws (including regulations) within the
3 Department for employees of, and participants
4 in, programs of the Department; and

5 “(C) ensuring that necessary and appro-
6 priate civil rights components are properly in-
7 corporated into all strategic planning initiatives
8 of the Department and agencies of the Depart-
9 ment.

10 “(2) OFFICE OF LEGAL ADVISOR FOR CIVIL
11 RIGHTS.—Not later than 120 days after the date of
12 enactment of this section, the Secretary shall estab-
13 lish an Office of Legal Advisor for Civil Rights that
14 shall—

15 “(A) be the sole office within the Depart-
16 ment responsible for providing legal advice to
17 the Assistant Secretary to—

18 “(i) ensure compliance with all civil
19 rights and related laws and regulations by
20 all agencies and under all programs of the
21 Department; and

22 “(ii) carry out fair and impartial in-
23 vestigations of civil rights complaints;

24 “(B) report directly to the Assistant Sec-
25 retary; and

1 “(C) not represent or defend the Depart-
2 ment or any of its agencies with respect to any
3 claims of program or employment discrimina-
4 tion.”.

5 **SEC. 1133. OFFICE OF THE CIVIL RIGHTS OMBUDSPERSON.**

6 Chapter 4 of title 10, United States Code, as amend-
7 ed by section 1132 of this subtitle, is further amended
8 by inserting after section 138a the following (and con-
9 forming the table of contents at the beginning of such
10 chapter accordingly):

11 **“§ 138b. Office of the Civil Rights Ombudsperson**

12 “(a) IN GENERAL.—Not later than 120 days after
13 the date of enactment of this section, the Secretary shall
14 establish an Office of the Civil Rights Ombudsperson (in
15 this section referred to as the ‘Office’) within the Depart-
16 ment. The Office shall be independent of Department
17 agencies and offices.

18 “(b) OMBUDSPERSON DESIGNATION.—The Secretary
19 shall designate a Civil Rights Ombudsperson (in this sec-
20 tion referred to as the ‘Ombudsperson’) for the Office. The
21 Ombudsperson shall be considered a senior official of the
22 Department and have a background in civil rights enforce-
23 ment.

24 “(c) OFFICE PERSONNEL.—The Ombudsperson shall
25 appoint such employees as are necessary to perform the

1 functions of the Office and for the administration of the
2 Office.

3 “(d) FUNCTIONS.—The functions of the Office shall
4 be—

5 “(1) to assist employees, contractors, sub-
6 contractors, and other parties engaged in Depart-
7 ment programs in navigating the civil rights review
8 process;

9 “(2) to ensure that claimants are aware of the
10 appeals process;

11 “(3) to promote awareness of the Office and its
12 responsibilities among employees, contractors, sub-
13 contractors, and other parties engaged in Depart-
14 ment programs; and

15 “(4) to raise issues and concerns with respect
16 to, and make recommendations to the Secretary
17 about, equitable access or implementation of Depart-
18 ment programs.

19 “(e) ACCESS TO INFORMATION.—

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 the Secretary shall establish procedures to provide
22 the Office access to all departmental records nec-
23 essary to execute the functions of the Office under
24 subsection (d).

1 “(2) TIMELINES.—The procedures described in
2 paragraph (1) shall include a requirement that re-
3 quests from the Office for departmental records
4 shall be fulfilled not later than 60 days after the re-
5 quest is made.

6 “(f) ANNUAL REPORT.—Beginning not later than
7 one year after the date of enactment of this section, and
8 annually thereafter, the Ombudsperson shall prepare and
9 submit to the Committee on Armed Services of the House
10 of Representatives and the Committee on Armed Services
11 of the Senate a report on—

12 “(1) the activities carried out by the Office; and

13 “(2) the findings and recommendations of the
14 Office with respect to equitable access or implemen-
15 tation of Department programs.

16 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated such sums as are nec-
18 essary to carry out this section for each of fiscal years
19 2026 through 2030.”.

