

118TH CONGRESS
2D SESSION

H. R. 7314

To create a task force within the Department of Commerce to oversee and promote diversity, equity, inclusion, and accessibility in the tech industry.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2024

Mr. MEEKS (for himself and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To create a task force within the Department of Commerce to oversee and promote diversity, equity, inclusion, and accessibility in the tech industry.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Diversify Tech Act”.

5 **SEC. 2. ESTABLISHMENT AND POWERS OF THE TASK**
6 **FORCE.**

7 (a) ESTABLISHMENT.—Not later than 60 days after
8 the date of enactment of this Act, the Secretary of Com-

1 merce shall establish, within the Office of Policy and Stra-
2 tegic Planning, the Tech Industry Diversity, Equity, In-
3 clusion, and Accessibility Task Force (in this Act referred
4 to as the “Task Force”).

5 (b) COMPOSITION.—

6 (1) MEMBERS.—The Task Force shall consist
7 of the following members:

8 (A) The Chief Diversity and Equity Officer
9 of the Department of Labor.

10 (B) The Chair of the Communications Eq-
11 uity and Diversity Council of the Federal Trade
12 Commission.

13 (C) The Director of the Women’s Bureau
14 of the Department of Labor.

15 (D) The Under Secretary of Commerce for
16 the Minority Business Development Agency.

17 (E) The Chief Diversity, Equity, and In-
18 clusion Officer of the Department of Commerce.

19 (F) The four temporary members selected
20 pursuant to paragraph (2).

21 (2) TEMPORARY MEMBERS.—The members de-
22 scribed in subparagraphs (A) through (E) of para-
23 graph (1) shall, by a majority vote, select the fol-
24 lowing temporary members for two-year terms:

1 (A) Two experts in the field of diversity,
2 equity, inclusion, and accessibility who work in
3 the tech industry and have a diverse back-
4 ground, including diversity related to race, eth-
5 nicity, gender, and sexual orientation.

6 (B) Two non-voting representatives-at-
7 large who may attend meetings to provide in-
8 sight into—

9 (i) any matter that the Task Force
10 may request; and

11 (ii) the diversity operations of the en-
12 tity in the tech industry for which such
13 representative-at-large is employed.

14 (c) MEETINGS.—

15 (1) IN GENERAL.—The Task Force shall meet
16 quarterly to carry out the duties and responsibilities
17 of the Task Force under section 3.

18 (2) CLOSED MEETINGS.—Notwithstanding sec-
19 tion 1009(a)(1) of title 5, United States Code, the
20 meetings of the Task Force shall be closed to the
21 public and shall be limited to the members described
22 in subsection (b) and any such individuals as the
23 members of the Task Force allow.

24 (d) PROHIBITION OF COMPENSATION OF FEDERAL
25 EMPLOYEES.—Members of the Commission who are full-

1 time officers or employees of the United States may not
2 receive additional pay, allowances, or benefits by reason
3 of their service on the Commission.

4 **SEC. 3. DUTIES AND RESPONSIBILITIES OF THE TASK**
5 **FORCE.**

6 (a) INITIAL AUDIT.—Not later than 60 days after the
7 establishment of the Task Force, the Task force shall—

8 (1) conduct an audit to inform how the Task
9 Force will carry out the activities in subsections (b),
10 (c), and (d), which shall include—

11 (A) the percentage of employees in the
12 tech industry who are minorities;

13 (B) the hiring and retainment policies of
14 entities in the tech industry; and

15 (C) an identification of any trends in lay-
16 offs in the tech industry; and

17 (2) submit to Congress a report that includes
18 the information collected from the audit described in
19 paragraph (1).

20 (b) DUTIES AND RESPONSIBILITIES.—The Task
21 Force shall—

22 (1) promote DEIA in the tech industry, includ-
23 ing issues related to race, ethnicity, gender, and sex-
24 ual orientation;

1 (2) provide guidance to entities in the tech in-
2 dustry on how to achieve DEIA goals and how to
3 measure progress in achieving such goals;

4 (3) through the non-voting members described
5 in subsection (b)(2)(B) of section 2, consult with
6 stakeholders in the tech industry, including employ-
7 ees and investors about DEIA in the tech industry;

8 (4) monitor the treatment of minorities in the
9 tech industry, and consider releasing to the public
10 any information collected pursuant to such moni-
11 toring;

12 (5) promote minority-owned startups in the
13 tech industry as described in subsection (c); and

14 (6) carry out the reporting requirements in sub-
15 section (d).

16 (c) PROMOTION OF MINORITY-OWNED STARTUPS IN
17 THE TECH INDUSTRY.—The Task Force shall—

18 (1) advise the Secretary of Labor, the Secretary
19 of Commerce, and the Chair of the Federal Trade
20 Commission regarding—

21 (A) the development of outreach programs
22 to minority-owned startups to ensure such
23 startups are aware of grant opportunities; and

24 (B) existing outreach programs to minor-
25 ity-owned startups to ensure such Secretaries

1 and such Chair are aware of all available re-
2 sources, including technical assistance, training,
3 and mentorship; and

4 (2) encourage venture capital investment into
5 minority-owned startups in the tech industry.

6 (d) REPORTING REQUIREMENTS.—

7 (1) REPORT ON LAYOFFS IN 2023.—Not later
8 than 180 days after the date of enactment of this
9 Act, the Task Force shall submit to the President
10 and Congress a publicly available report that—

11 (A) identifies the number of individuals
12 that were laid off during calendar year 2023 by
13 entities in the tech industry;

14 (B) evaluates how the layoffs affected
15 DEIA at entities in the tech industry, including
16 whether—

17 (i) DEIA departments were elimi-
18 nated;

19 (ii) overall diversity in the tech indus-
20 try decreased; and

21 (iii) any Federal civil rights or labor
22 laws may have been violated; and

23 (C) identifies the process and procedures
24 each entity in the tech industry followed in lay-
25 ing off such individuals.

1 (2) ANNUAL REPORT.—Not later than 180 days
2 after the date of enactment of this Act, and on an
3 annual basis thereafter, the Task Force shall submit
4 to the President and Congress a publicly available
5 report that—

6 (A) evaluates the progress of entities in the
7 tech industry in achieving the DEIA goals of
8 such entities;

9 (B) makes recommendations regarding
10 policies and programs that can promote DEIA
11 in the tech industry;

12 (C) evaluates how artificial intelligence can
13 be used to promote DEIA and identify the ways
14 in which artificial intelligence is affecting social,
15 socio-economic, and gender discrimination; and

16 (D) proposes policy solutions to increase
17 accountability in the tech industry concerning
18 such discrimination.

19 **SEC. 4. DEFINITIONS.**

20 In this Act:

21 (1) DEIA.—The term “DEIA” means diver-
22 sity, equity, inclusion, and accessibility.

23 (2) ENTITY IN THE TECH INDUSTRY .—The
24 term “entity in the tech industry” means an entity
25 that—

1 (A) has its principal office located in the
2 United States or has a subsidiary the principal
3 office of which is located in the United States;

4 (B) has over 10 million aggregate sub-
5 scribers or users of social media platforms that
6 are provided by such entity; and

7 (C) manufactures, supports, researches,
8 and develops technology products and services
9 on a large scale.

10 (3) MINORITY-OWNED STARTUP.—The term
11 “minority-owned startup” means a business that is
12 owned, managed, or controlled by one or more mi-
13 nority persons who have, collectively, at least 51 per-
14 cent of an ownership interest in such business.

15 (4) TECH INDUSTRY.—The term “tech indus-
16 try” means the sector of the economy comprised of
17 the entities described in paragraph (2).

18 (5) TECHNOLOGY PRODUCT AND SERVICE.—
19 The term “technology product and service” means—

20 (A) a computing, telecommunications, or
21 consumer electronics-based technology intensive
22 product, including products related to digital
23 electronics, software, optics, or new energy; and

24 (B) a technology service, including an
25 internet-related service, such as services related

- 1 to software, hardware, social media and digital
- 2 platforms, cloud storage, or e-commerce.

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