

118TH CONGRESS  
1ST SESSION

# S. 221

To restrict the appointment of certain military personnel to diversity, equity,  
and inclusion positions.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2023

Mr. COTTON introduced the following bill; which was read twice and referred  
to the Committee on Armed Services

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## A BILL

To restrict the appointment of certain military personnel  
to diversity, equity, and inclusion positions.

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 “DEI Pay Cap Act of  
5 2023”.

6 **SEC. 2. DIVERSITY, EQUITY, AND INCLUSION PERSONNEL**

7 **GRADE CAP.**

8 (a) IN GENERAL.—The Secretary of Defense may not  
9 appoint to, or otherwise employ in, any position with du-  
10 ties as described in subsection (b) a military or civilian

1 employee with a rank or grade in excess of E-5 base pay  
2 or GS-5 not adjusted for locality.

3 (b) COVERED DUTIES.—The duties referred to in  
4 subsection (a) are as follows:

5 (1) Developing, refining, and implementing di-  
6 versity, equity, and inclusion policy.

7 (2) Leading working groups and councils to de-  
8 velop diversity, equity, and inclusion goals and objec-  
9 tives to measure performance and outcomes.

10 (3) Creating and implementing diversity, equity,  
11 and inclusion education, training courses, and work-  
12 shops for military and civilian personnel.

13 (c) APPLICABILITY TO CURRENT EMPLOYEES.—Any  
14 military or civilian employee appointed to a position with  
15 duties described in subsection (b) who holds a rank or  
16 grade in excess of that allowed under subsection (a) shall  
17 be reassigned to another position not later than 180 days  
18 after the date of the enactment of this Act.

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