

118TH CONGRESS
1ST SESSION

H. R. 3278

To limit the use of military personnel for certain purposes, to direct the Secretary of Defense to appoint a Director of COVID Policy of the Department of Defense, and to limit environmental projects of such Department.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

Mr. WALTZ introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Oversight and Accountability, 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 limit the use of military personnel for certain purposes, to direct the Secretary of Defense to appoint a Director of COVID Policy of the Department of Defense, and to limit environmental projects of such Department.

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 “Working to Address
5 Recruiting and Retention to Improve Our Readiness Act”
6 or the “WARRIOR Act”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) throughout history, men and women of all
4 colors, creeds, races, and religions have helped build,
5 defend, and define our great Nation;

6 (2) the rich diversity we see in American society
7 today has been greatly influenced by the Constitu-
8 tion and the merit-based structure of our Armed
9 Forces;

10 (3) recent, perhaps well-intentioned, diversity,
11 equity, and inclusion programs within the Depart-
12 ment have caused greater division within the Armed
13 Forces;

14 (4) some of these programs are diverting focus
15 and resources away from force readiness against our
16 potential adversaries;

17 (5) the Armed Forces should provide equal op-
18 portunity for all members;

19 (6) advancement and selection in the Armed
20 Forces should be based solely on merit;

21 (7) photos of members should not considered by
22 promotion and selection boards; and

23 (8) the needs of the Armed Forces should al-
24 ways take precedence over meeting artificially de-
25 rived quotas for diversity.

1 **SEC. 3. LIMITATIONS ON USE OF MILITARY PERSONNEL**
2 **FOR CERTAIN PURPOSES.**

3 (a) **PROHIBITIONS ON USES OF FEDERAL FUNDS.—**

4 No Federal funds may be used to—

5 (1) take into consideration the race, ethnicity,
6 color, national origin, or gender of an individual
7 when making a determination regarding a military
8 accession, assignment, selection, or promotion;

9 (2) promote critical race theory at a Service
10 Academy, in military training, or in professional
11 military education; or

12 (3) investigate extremism in the Armed Forces
13 or Department of Defense.

14 (b) **GENDER-NEUTRAL PHYSICAL STANDARDS.—**Not
15 later than 180 days after the date of the enactment of
16 this Act, the Secretaries of the military departments shall
17 establish gender-neutral physical readiness standards that
18 ensure members can perform the duties of their respective
19 military occupational specialties.

20 (c) **DEI HIRING FREEZE.—**Effective on the date of
21 the enactment of this Act, the Secretary of Defense shall
22 freeze the number of civilian employees of the Department
23 of Defense who perform tasks related to DEI. Thereafter,
24 the Secretary may hire only one such employee for every
25 2,000 members who join the Armed Forces.

1 (d) DEI REPORT.—Not later than December 1,
2 2023, the Secretary of Defense shall submit to the Com-
3 mittees on Armed Services of the Senate and House of
4 Representatives a report on programs of the Department
5 of Defense related to DEI. Such report shall include the
6 following:

7 (1) The number of such programs.

8 (2) The number of personnel assigned to carry
9 out such programs.

10 (3) The number of personnel hours spent on
11 each such program.

12 (4) The total costs to the Federal Government
13 for such programs.

14 (e) INSTRUCTORS AT SERVICE ACADEMIES.—The Su-
15 perintendent of a Service Academy may not employ as an
16 instructor at such Service Academy an individual who is
17 not a member of the Armed Forces or a civilian employee
18 of the Department of Defense unless the Superintendent
19 determines no such member or employee may be ade-
20 quately trained for such purpose.

21 (f) DEFINITIONS.—In this section:

22 (1) The term “critical race theory” means the
23 theory that individuals, by virtue of race, ethnicity,
24 color, or national origin, bear collective guilt and are
25 inherently responsible for actions committed in the

1 past by other individuals of such race, ethnicity,
2 color, or national origin.

3 (2) The term “DEI” means diversity, equity,
4 and inclusion.

5 (3) The term “Service Academy” has the mean-
6 ing given such term in section 347 of title 10,
7 United States Code.

8 **SEC. 4. APPOINTMENT OF DIRECTOR OF COVID POLICY OF**
9 **THE DEPARTMENT OF DEFENSE.**

10 The Secretary of Defense shall appoint a Director of
11 COVID Policy to determine and take any action the Direc-
12 tor determines appropriate regarding a member of the
13 Armed Forces involuntarily separated solely on the basis
14 of refusing to receive a vaccination against COVID-19.
15 Such actions may include reinstatement and payment of
16 back pay.

17 **SEC. 5. LIMITATION ON ENVIRONMENTAL PROJECTS OF**
18 **THE DEPARTMENT OF DEFENSE.**

19 No Federal funds may be used for any environmental
20 project of the Department of Defense unless the Secretary
21 of Defense submits to the Committees on Armed Services
22 of the Senate and House of Representatives a report in
23 which the Secretary that contains—

24 (1) a cost-benefit analysis of such project; and

1 (2) the certification of the Secretary that such
2 project—

3 (A) improves readiness; and

4 (B) is the least costly option.

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