

116TH CONGRESS
2D SESSION

S. 4765

To amend title 10, United States Code, to eliminate the inclusion of certain personally identifying information from the information furnished to promotion selection boards for commissioned officers of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2020

Mr. YOUNG (for himself and Mrs. SHAHEEN) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to eliminate the inclusion of certain personally identifying information from the information furnished to promotion selection boards for commissioned officers of the Armed Forces, and for other purposes.

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 “Combating Bias in
5 Military Promotions Act”.

1 **SEC. 2. ELIMINATION OF INCLUSION OF CERTAIN PERSON-**
 2 **ALLY IDENTIFYING INFORMATION FROM IN-**
 3 **FORMATION FURNISHED TO PROMOTION SE-**
 4 **LECTION BOARDS FOR COMMISSIONED OFFI-**
 5 **CERS OF THE ARMED FORCES.**

6 (a) REGULAR OFFICERS.—Section 615 of title 10,
 7 United States Code, is amended—

8 (1) in subsection (b)—

9 (A) by striking “The Secretary of the mili-
 10 tary department concerned” and inserting
 11 “Subject to subsection (c), the Secretary of the
 12 military department concerned”;

13 (B) in paragraph (2), by striking “the
 14 names” and inserting “the identifiers”;

15 (C) in paragraph (3), by striking “whose
 16 name” and inserting “whose identifier”; and

17 (D) in paragraph (5), by striking “sub-
 18 section (c)” and inserting “subsection (d)”;

19 (2) by redesignating subsections (c), (d), and
 20 (e) as subsections (d), (e), and (f), respectively; and

21 (3) by inserting after subsection (b) the fol-
 22 lowing new subsection (c):

23 “(c)(1) Information on an officer furnished to a selec-
 24 tion board under this section may not include any informa-
 25 tion that indicates the sex, age, or race of the officer, or
 26 a photograph of the officer.

1 “(2) In any information so furnished, an officer shall
 2 be identified through a unique identifier employed by the
 3 Secretary of the military department concerned for that
 4 purpose, rather than by the use of, or explicit reference
 5 to, the officer’s name.”.

6 (b) RESERVE OFFICERS.—Section 14107 of title 10,
 7 United States Code, is amended—

8 (1) in subsection (b)—

9 (A) by striking “The Secretary of the mili-
 10 tary department concerned” and inserting
 11 “Subject to subsection (c), the Secretary of the
 12 military department concerned”;

13 (B) in paragraph (2), by striking “The
 14 name” and inserting “The identifier”; and

15 (C) in paragraph (3), by striking “the
 16 name” and inserting “the identifier”; and

17 (2) by redesignating subsections (c) and (d) as
 18 subsections (d) and (e), respectively; and

19 (3) by inserting after subsection (b) the fol-
 20 lowing new subsection (c):

21 “(c) OMISSION OF CERTAIN PERSONALLY IDENTI-
 22 FYING INFORMATION.—(1) Information on an officer fur-
 23 nished to a selection board under this section may not in-
 24 clude any information that indicates the sex, age, or race
 25 of the officer, or a photograph of the officer.

1 “(2) In any information so furnished, an officer shall
2 be identified through a unique identifier employed by the
3 Secretary of the military department concerned for that
4 purpose, rather than by the use of, or explicit reference
5 to, the officer’s name.”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on the date that is two years
8 after the date of the enactment of this Act, and shall apply
9 with respect to activities of promotion selection boards
10 convened under section 611(a) or 14101(a) of title 10,
11 United States Code, on or after that date.

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