

ACTION MEMO

FOR: UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

THROUGH: ACTING EXECUTIVE DIRECTOR, OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS //signed//

FROM: Shirley S. Raguindin, Executive Director and Designated Federal Officer, Defense Advisory Committee on Diversity and Inclusion //signed//

SUBJECT: Request for Approval of Terms of Reference Establishing Study Topics

- **Purpose.** Request your signature on the memorandum at TAB A and approval of the proposed Terms of Reference (ToRs) (TAB B) for the Defense Advisory Committee on Diversity and Inclusion (DACODAI) study topics.
- **Background.** As the Sponsor of the DACODAI, you have the authority to establish subcommittees and approve the associated ToRs. All DACODAI and subcommittee work must be in response to a written ToR. All subcommittee study topic work will be provided to the DACODAI for deliberation and discussion at a properly noticed and open meeting unless it must be closed pursuant to one or more of the exemptions found at 5 U.S.C. § 552b(c).
- The Racial/Ethnic Diversity Subcommittee suggested areas of study are:
 - Measuring Success of Diversity and Pipeline Efforts.
 - Recruitment and Retention Initiatives.
- The Racial/Ethnic Inclusion Subcommittee suggested areas of study are:
 - Inclusion and Propensity to Serve.
 - Occupational Inclusion.
 - Racial/Ethnic Integration.
 - Military Leadership Diversity Commission – 10 Year Review.
- The Racial/Ethnic Equal Opportunity and Treatment Subcommittee suggested areas of study are:
 - Pipelines and Succession Planning in the Military.
 - Racial/Ethnic Discrimination.

RECOMMENDATION 1: Sign the memorandum at TAB A.

RECOMMENDATION 2: Approve the proposed Racial/Ethnic Diversity Subcommittee Research Topics and ToR at TAB B by initialing below.

Approve: JNC Disapprove: _____ Other: _____
MAR 17 2023

RECOMMENDATION 3: Approve the proposed Racial/Ethnic Inclusion Subcommittee Research Topics and ToR at TAB B by initialing below.

Approve: JNC Disapprove: _____ Other: _____
MAR 17 2023

RECOMMENDATION 4: Approve the proposed Racial/Ethnic Equal Opportunity and Treatment Research Topics and ToR at TAB B by initialing below.

Approve: JNC Disapprove: _____ Other: _____
MAR 17 2023

Attachments:

- TAB A – Memorandum for Signature
- TAB B – ToR Study Topics
- TAB C – Coordination



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

MAR 17 2023

**MEMORANDUM FOR CHAIR, DEFENSE ADVISORY COMMITTEE ON DIVERSITY
AND INCLUSION**

SUBJECT: Terms of Reference – Defense Advisory Committee on Diversity and Inclusion

As the sponsor of the Defense Advisory Committee on Diversity and Inclusion (DACODAI), I am establishing 7 topics for the Committee to study in 2023. The topics are outlined in the attached Terms of Reference. Each study topic is assigned to one of the three subcommittees that were previously established. These study topics align with the Committee's chartered areas of racial/ethnic diversity, racial/ethnic inclusion, and racial/ethnic equal opportunity and treatment of Service members of the Armed Forces.

The Committee's and subcommittee's work will be subject to the Federal Advisory Committee Act (5 U.S.C., Appendix). All advice and recommendations developed by the three subcommittees in response to these study topics must be provided to the entire DACODAI for its thorough discussion and deliberation at a properly noticed and open meeting, unless the meeting must be closed to the public pursuant to one or more of the Government in the Sunshine Act (5 U.S.C. § 552b) exemptions. The DACODAI's Designated Federal Officer will ensure compliance with these statutory requirements and regulations.

A handwritten signature in black ink, appearing to read "Gilbert R. Cisneros, Jr.", written in a cursive style.

Gilbert R. Cisneros, Jr.

Attachments:

As stated

cc:

Advisory Committee Management Officer

Defense Advisory Committee on Diversity and Inclusion Racial/Ethnic Diversity Subcommittee

This Terms of Reference (ToR) establishes the 2023 study topics for the Racial/Ethnic Diversity Subcommittee, a subcommittee of the Defense Advisory Committee on Diversity and Inclusion (DACODAI).

Mission Statement: Consistent with chapter 10 of title 5, United States Code (U.S.C.) (commonly known as the “Federal Advisory Committee Act” or “FACA”) and in accordance with the Department of Defense (DoD) policy and procedures, this subcommittee will not duplicate work that has been performed, or is being performed, by DoD or any other DoD Federal advisory committee or subcommittee, to include DACODAI and its subcommittees. The Racial/Ethnic Diversity Subcommittee will ensure that the Secretary of Defense (SecDef), the Deputy SecDef, and the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) receive independent advice on opportunities for improvements in the employment and integration of racial/ethnic Service members in the Armed Forces.

The subcommittee will conduct research, develop conclusions, and make proposals to the full DACODAI for its thorough deliberation and discussion at a properly noticed and open meeting, unless it must be closed pursuant to one or more of the exemptions found at 5 U.S.C. § 552b(c). DACODAI will then report its independent advice and recommendations to the SecDef through the USD(P&R).

Issue Statement: In accordance with the ToR that established the Racial/Ethnic Diversity Subcommittee, this subcommittee will assess the readiness of the Total Force by examining whether existing policies, procedures, practices, and programs inhibit the full integration of racial/ethnic minority Service members into all military career fields and, if so, whether this impacts the pipeline to senior leadership roles, particularly in the officer corps. The subcommittee will also identify innovative solutions to advance racial/ethnic diversity considerations in the Department’s talent management strategies and operations.

Objectives and Scope: The subcommittee shall analyze the DoD, Military Department, and Armed Forces¹ policies, procedures, and practices pertaining to the employment and integration of racial/ethnic Service members to assess the readiness of the Total Force. The subcommittee will provide periodic updates to the DACODAI on its work, as appropriate, and develop recommendations with comprehensive supporting evidence. The DACODAI will provide its advice and recommendations on the research topics listed below no later than 12 months after approval of the research topics in the annual reporting requirement. Below are two specific areas of study:

¹ With regard to the term, Armed Forces, and for the purpose of the DACODAI subcommittees, the definition described in 10 U.S.C. § 101(a)(4) does not apply. Instead, it means the Army, Navy, Air Force, Marine Corps, and Space Force.

1. **Measuring Success.** Assess the scale and effectiveness of the Armed Forces’ recruitment and retention programs with the goal of providing recommendations

concerning how to measure the efforts of the Department to achieve a dynamic, sustainable level of commissioned officers and senior enlisted personnel that is representative of the diverse population of the United States as directed in Title 10 U.S.C. Sec 656. Including mentoring and counseling program for officers.

2. Recruitment and Retention Initiatives. Examine existing policies and procedures to determine whether current practices impact the recruitment and retention of racial/ethnic minorities, specifically assessing: marketing strategies, use of recruitment and retention goals, the racial/ethnic representation of recruiters, virtual recruiting and retention, and coaching and mentoring programs. Provide recommendations to improve recruitment and retention of racial/ethnic minorities.
3. Selection and Assignment of Senior Leaders (General and Admiral). Examine existing policies and procedures to determine whether current practices impact the selection and assignment of racial/ethnic minorities for senior leadership positions. Examine current Talent Management General Officer and Senior Executive Service assessment of all available promotion data for each individual service component – Active Duty, Reserve, and National Guard by Race, Ethnicity, and Military Occupational Specialties, to determine whether barriers are inhibiting full integration, and identify solutions. Provide recommendations to improve selection and assignment opportunities for racial/ethnic minorities.

In support of this ToR and the work conducted in response to it, the DACODAI and this subcommittee have my full support to meet with Department leaders. The DACODAI staff, on behalf of the DACODAI and the Racial/Ethnic Diversity Subcommittee, may request the Office of the SecDef and DoD Component Heads to timely furnish any requested information, assistance, or access to personnel to the DACODAI or the Racial/Ethnic Diversity Subcommittee. All requests shall be consistent with applicable laws; applicable security classifications; DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program"; and this ToR. As special government employee members of a DoD Federal advisory committee, the DACODAI and the Racial/Ethnic Diversity Subcommittee members will not be given any access to DoD networks, to include DoD email systems.

Once material is provided to the DACODAI and the subcommittee, it becomes a permanent part of the DACODAI's records. All data/information provided is subject to public inspection unless the originating Component office properly marks the data/information with the appropriate classification and Freedom of Information Act exemption categories before the data/information is released to the DACODAI and the subcommittee. The DACODAI physical storage capability and electronic storage and communications capability on both unclassified and classified networks to support receipt of material up to the Secret level.

The DACODAI and the Racial/Ethnic Diversity Subcommittee will operate in conformity with and pursuant to the DACODAI's charter; chapter 10 of title 5, U.S.C.; 5 U.S.C. § 552b; and other applicable federal statutes, regulations, and policy. Individual DACODAI and Racial/Ethnic Diversity Subcommittee members and the Racial/Ethnic Diversity Subcommittee as a whole do not have the authority to make decisions or provide recommendations on behalf of

the DACODAI nor report directly to any Federal representative. The members of the Racial/Ethnic Diversity Subcommittee and the DACODAI are subject to certain Federal ethics laws, including 18 U.S.C. § 208, governing conflicts of interest, and the Standards of Ethical Conduct regulations in 5 Code of Federal Regulations, Part 2635.

Defense Advisory Committee on Diversity and Inclusion Racial/Ethnic Inclusion Subcommittee

This Terms of Reference (ToR) establishes the 2023 study topics for the Racial/Ethnic Inclusion Subcommittee, a subcommittee of the Defense Advisory Committee on Diversity and Inclusion (DACODAI).

Mission Statement: Consistent with chapter 10 of title 5, United States Code (U.S.C.) (commonly known as the “Federal Advisory Committee Act” or “FACA”) and in accordance with the Department of Defense (DoD) policy and procedures, this subcommittee will not duplicate work that has been performed, or is being performed, by DoD or any other DoD Federal advisory committee or subcommittee, to include DACODAI and its subcommittees. The Racial/Ethnic Inclusion Subcommittee will ensure that the Secretary of Defense (SecDef), the Deputy SecDef, and the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) receive independent advice on opportunities for improvements to attract, recruit, develop, and retain underrepresented racial/ethnic populations of military personnel.

The subcommittee will conduct research, develop conclusions, and make proposals to the full DACODAI for its thorough deliberation and discussion at a properly noticed and open meeting, unless it must be closed pursuant to one or more of the exemptions found at 5 U.S.C. § 552b(c). DACODAI will then report its independent advice and recommendations to the SecDef through the USD(P&R).

Issue Statement: In accordance with the ToR that established the Racial/Ethnic Inclusion Subcommittee, this subcommittee will examine the effectiveness of existing talent management policies, procedures, practices, and programs to recruit, develop, and retain a racially and ethnically diverse pipeline of military talent, particularly in the officer corps. As a result, the subcommittee will also identify innovative solutions to increase the attractiveness of a military career at the highest grades for underrepresented racial/ethnic populations of military personnel.

Objectives and Scope: The subcommittee shall analyze the DoD, Military Department, and Armed Forces¹ policies, procedures, and practices pertaining to the employment and integration of racial/ethnic Service members to assess the readiness of the Total Force. The subcommittee will provide periodic updates to the DACODAI on its work, as appropriate, and develop recommendations with comprehensive supporting evidence. The DACODAI will provide its advice and recommendation on the research topics listed below no later than 12 months after approval of the research topics in the annual reporting requirement. Below are three specific areas of study:

¹ With regard to the term, Armed Forces, and for the purpose of the DACODAI subcommittees, the definition described in 10 U.S.C. § 101(a)(4) does not apply. Instead, it means the Army, Navy, Air Force, Marine Corps, and Space Force.

1. **Inclusion and Propensity to Serve.** Examine how current programs and practices impact the propensity of racial/ethnic minorities to join the military, seek certain occupations and assignments, and remain for a career. Provide recommendations to improve recruitment and retention of racial/ethnic minorities.

2. Occupational Inclusion. Examine current efforts to fully integrate racial/ethnic minorities into underrepresented military occupational specialties, determine whether barriers are inhibiting full integration, and identify solutions. In addition, examine leadership commitment, engagement, and accountability to a culture of inclusivity at all levels, including the highest ranks, to identify solutions, as required.
3. Military Leadership Diversity Commission (MLDC) Report -- Ten Year Review. Examine the recommendations in the 2011 report of the MLDC and evaluate whether those that were implemented are having a positive impact on diversity and inclusion today. Make recommendations concerning whether any of the 20 recommendations should be further implemented or expanded in scope.

In support of this ToR and the work conducted in response to it, the DACODAI and this subcommittee have my full support to meet with Department leaders. The DACODAI staff, on behalf of the DACODAI and the Racial/Ethnic Inclusion Subcommittee, may request the Office of the SecDef and DoD Component Heads to timely furnish any requested information, assistance, or access to personnel to the DACODAI or the Racial/Ethnic Inclusion Subcommittee. All requests shall be consistent with applicable laws; applicable security classifications; DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program"; and this ToR. As special government employee members of a DoD federal advisory committee, the DACODAI and the Racial/Ethnic Inclusion Subcommittee members will not be given any access to DoD networks, to include DoD email systems.

Once material is provided to the DACODAI and the subcommittee, it becomes a permanent part of the DACODAI's records. All data/information provided is subject to public inspection unless the originating Component office properly marks the data/information with the appropriate classification and Freedom of Information Act exemption categories before the data/information is released to the DACODAI and the subcommittee. The DACODAI physical storage capability and electronic storage and communications capability on both unclassified and classified networks to support receipt of material up to the Secret level.

The DACODAI and the Racial/Ethnic Inclusion Subcommittee will operate in conformity with and pursuant to the DACODAI's charter; chapter 10 of title 5, U.S.C.; 5 U.S.C. § 552b; and other applicable federal statutes, regulations, and policy. Individual DACODAI and Racial/Ethnic Inclusion Subcommittee members and the Racial/Ethnic Inclusion Subcommittee as a whole do not have the authority to make decisions or provide recommendations on behalf of the DACODAI nor report directly to any Federal representative. The members of the Racial/Ethnic Inclusion Subcommittee and the DACODAI are subject to certain Federal ethics laws, including 18 U.S.C. § 208, governing conflicts of interest, and the Standards of Ethical Conduct regulations in 5 Code of Federal Regulations, Part 2635.

**Defense Advisory Committee on Diversity and Inclusion
Racial/Ethnic Equal Opportunity and Treatment Subcommittee**

This Terms of Reference (ToR) establishes the 2023 study topic for the Racial/Ethnic Equal Opportunity and Treatment Subcommittee, a subcommittee of the Defense Advisory Committee on Diversity and Inclusion (DACODAI).

Mission Statement: Consistent with chapter 10 of title 5, United States Code (U.S.C.) (commonly known as “the Federal Advisory Committee Act” or “FACA”) and in accordance with the Department of Defense (DoD) policy and procedures, this subcommittee will not duplicate work that has been performed or is being performed and its subcommittees. The Racial/Ethnic Equal Opportunity and Treatment Subcommittee will ensure that the Secretary of Defense (SecDef), Deputy SecDef, and Under Secretary of Defense for Personnel and Readiness (USD(P&R)) receive independent advice on opportunities for improvements to DoD, Military Department, and Military Service policies, procedures, and practices to deter and address behaviors which may negatively impact equal opportunity and an inclusive environment for racial/ethnic minority Service members.

The subcommittee will conduct research, develop conclusions, and make proposals to the full DACODAI for its thorough deliberations and discussion at a properly noticed and open meeting, unless it must be closed pursuant to one or more of the exemptions found at 5 U.S.C. § 552b(c). DACODAI will then report its independent advice and recommendations to the SecDef through the USD(P&R).

Issue Statement: In accordance with the ToR that established the Racial/Ethnic Equal Opportunity and Treatment Subcommittee, this subcommittee will examine the effectiveness of military policies, procedures, practices, and programs to deter and address behaviors which may negatively impact equal opportunity and an inclusive environment for racial/ethnic minority Service members. The subcommittee will also identify innovative solutions to advance a fair and inclusive work environment for racial/ethnic minority Service members.

Objective and Scope: The subcommittee shall analyze the DoD, Military Department, and Armed Forces¹ policies, procedures, and practices pertaining to the employment and integration of racial/ethnic Service members to assess the readiness of the Total Force. While Racial Disparities in the Military Justice System was a priority topic to study, it was removed due to the Department’s recent completion of this study topic. The subcommittee will provide periodic updates to the Committee on its work, as appropriate, and develop recommendations with comprehensive supporting evidence. The DACODAI will provide its advice and recommendation on the research topics listed below no later than 12 months after approval of the research topics in the annual reporting requirement. Below are two specific areas of study:

¹ With regard to the term, Armed Forces, and for the purpose of the DACODAI subcommittees, the definition described in 10 U.S.C. § 101(a)(4) does not apply. Instead, it means the Army, Navy, Air Force, Marine Corps, and Space Force.

1. Pipelines and Succession Planning in the Military. Determine if there are gaps in institutional policies and procedures that impact the ability of racial/ethnic minority

Service members to progress in their military careers to their full potential. Provide recommendations for changes to policy and practice to promote greater opportunities for racial/ethnic minority Service members.

2. Racial/Ethnic Discrimination. Determine if there are gaps in institutional policies and procedures that have a discriminatory impact on racial/ethnic minority Service members or permit a culture in which discrimination on the basis of race or ethnicity is not acknowledged or appropriately sanctioned.

In support of this ToR and the work conducted in response to it, the DACODAI and this subcommittee have my full support to meet with Department leaders. The DACODAI staff, on behalf of the DACODAI and the Racial/Ethnic Equal Opportunity and Treatment Subcommittee, may request the Office of the SecDef and DoD Component Heads to timely furnish any requested information, assistance, or access to personnel to the DACODAI or the Racial/Ethnic Equal Opportunity and Treatment Subcommittee. All requests shall be consistent with applicable laws; applicable security classifications; DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program"; and this ToR. As special government employee members of a DoD federal advisory committee, the DACODAI and the Racial/Ethnic Equal Opportunity and Treatment Subcommittee members will not be given any access to DoD networks, to include DoD email systems.

Once material is provided to the DACODAI and the subcommittee, it becomes a permanent part of the DACODAI's records. All data/information provided is subject to public inspection unless the originating Component office properly marks the data/information with the appropriate classification and Freedom of Information Act exemption categories before the data/information is released to the DACODAI and the subcommittee. The DACODAI physical storage capability and electronic storage and communications capability on both unclassified and classified networks to support receipt of material up to the Secret level.

The DACODAI and the Racial/Ethnic Equal Opportunity and Treatment Subcommittee will operate in conformity with and pursuant to the DACODAI's charter; chapter 10 of title 5, U.S.C.; 5 U.S.C. § 552b; and other applicable federal statutes, regulations, and policy. Individual DACODAI and Racial/Ethnic Equal Opportunity and Treatment Subcommittee members and the Racial/Ethnic Equal Opportunity and Treatment Subcommittee as a whole do not have the authority to make decisions or provide recommendations on behalf of the DACODAI nor report directly to any Federal representative. The members of the Racial/Ethnic Equal Opportunity and Treatment Subcommittee and the DACODAI are subject to certain Federal ethics laws, including 18 U.S.C. § 208, governing conflicts of interest, and the Standards of Ethical Conduct regulations in 5 Code of Federal Regulations, Part 2635.