

[DISCUSSION DRAFT]

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

To establish within the Department of State a Chief diversity and inclusion officer and a Diversity and inclusion leadership council and to amend the Foreign Services Act of 1980 to require a report on the composition of the Board of Examiners for the Foreign Service and certain selection boards.

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IN THE HOUSE OF REPRESENTATIVES

Mr. JACKSON of Illinois introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish within the Department of State a Chief diversity and inclusion officer and a Diversity and inclusion leadership council and to amend the Foreign Services Act of 1980 to require a report on the composition of the Board of Examiners for the Foreign Service and certain selection boards.

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. CHIEF DIVERSITY AND INCLUSION OFFICER.**

4 (a) IN GENERAL.—There is established in the De-  
5 partment of State, in the office of the Deputy Secretary

1 of State, a Chief Diversity and Inclusion Officer, who  
2 shall—

3 (1) be appointed by the President;

4 (2) serve as the principal advisor to the Sec-  
5 retary of State on issues related to diversity and in-  
6 clusion at the Department of State; and

7 (3) report directly to the Secretary of State.

8 (b) DUTIES.—The Chief Diversity and Inclusion Offi-  
9 cer shall be responsible for the following:

10 (1) Developing, implementing, and updating a  
11 diversity and inclusion strategic plan of the Depart-  
12 ment of State to eliminate barriers to the recruit-  
13 ment, promotion, and retention of traditionally  
14 underrepresented groups and to promote the imple-  
15 mentation of diversity and inclusion practices and  
16 policies throughout the Department.

17 (2) Establishing criteria and goals for indi-  
18 vidual offices and bureaus regarding assignments of  
19 personnel, in coordination with the Director General  
20 of the Foreign Service, to promote diversity and in-  
21 clusion at the Department of State, and conducting  
22 annual reviews of individual bureaus on their actions  
23 taken to satisfy such criteria and goals.

1           (3) Serving as a permanent member of any de-  
2           partmental committees responsible for the selection  
3           of chiefs of mission and deputy chiefs of mission.

4           (4) Serving as the Executive Secretary for the  
5           Diversity and Inclusion Leadership Council estab-  
6           lished in section 2.

7           (5) Reviewing the implementation and effective-  
8           ness of the Department of State's accountability  
9           mechanisms in eliminating discrimination and har-  
10          assment.

11          (6) Promoting mentorship and sponsorship for  
12          members belonging to traditionally underrepresented  
13          groups who are working for the Department of  
14          State.

15          (7) Collaborating with appropriate counterparts  
16          from other Federal departments and agencies and  
17          the private sector, to share best practices and les-  
18          sons learned with respect to promoting diversity and  
19          inclusion.

20          (c) RANK AND STATUS.—The Chief Diversity and In-  
21          clusion Officer shall be rank equivalent to an Assistant  
22          Secretary of State.

23          (d) BUREAU SENIOR ADVISORS.—The Secretary of  
24          State shall appoint in each bureau of the Department of

1 State a Senior Advisor with respect to matters relating  
2 to diversity and inclusion, to—

3 (1) serve as the principal advisor for such bu-  
4 reau and report directly to the Principal Deputy As-  
5 sistant Secretary; and

6 (2) coordinate with the Chief Diversity and In-  
7 clusion Officer the activities of such bureau.

8 (e) AUTHORITY TO COLLECT INFORMATION.—To  
9 carry out the duties described in subsection (b), the Chief  
10 Diversity and Inclusion Officer is authorized to—

11 (1) collect and share with Department of State  
12 leadership, the Committee on Foreign Affairs of the  
13 House of Representatives, the Committee on Foreign  
14 Relations of the Senate, and Federal departments  
15 and agencies, and, as appropriate, with Employee  
16 Affinity Groups, foreign affairs professional associa-  
17 tions, and other organizations non-personally identi-  
18 fiable information on diversity in recruiting, hiring,  
19 assignments, promotions, attrition, and security  
20 clearances, including assignment restrictions, within  
21 the Department, including data disaggregated by  
22 race, ethnicity, national origin, and gender, and by  
23 office and bureau; and

24 (2) appoint subject matter experts in accord-  
25 ance with the Intergovernmental Personnel Act of

1 1970 (42 U.S.C. 4701 et seq.) to analyze data, draft  
2 reports, and perform other tasks as directed by the  
3 Chief Diversity and Inclusion Officer.

4 (f) REPORTING.—Not later than January 30 of every  
5 year, the Secretary of State shall submit to the Committee  
6 on Foreign Affairs of the House of Representatives and  
7 the Committee on Foreign Relations of the Senate a re-  
8 port—

9 (1) detailing the criteria and goals for indi-  
10 vidual offices and bureaus of the Department of  
11 State with respect to diversity and inclusion;

12 (2) assessments by the Chief Diversity and In-  
13 clusion Officer on the performance over the previous  
14 year of each such office and bureau to satisfy such  
15 criteria and goals; and

16 (3) containing any other relevant information.

17 (g) SUPPORT.—The Chief Diversity and Inclusion  
18 Officer of the Department of State shall be provided suffi-  
19 cient office space and support staff to ensure successful  
20 operation.

21 (h) DIVERSITY DEFINED.—In this section, the term  
22 “diversity” means those classes of persons protected under  
23 the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.)  
24 and the Americans with Disabilities Act of 1990 (42  
25 U.S.C. 12101 et seq.).

1 **SEC. 2. DIVERSITY AND INCLUSION LEADERSHIP COUNCIL.**

2 (a) ESTABLISHMENT.—The Secretary of State shall  
3 establish a Diversity and Inclusion Leadership Council to  
4 coordinate the implementation of the Department of  
5 State’s diversity and inclusion strategic plans, initiatives,  
6 and policies.

7 (b) CHAIR.—The Diversity and Inclusion Leadership  
8 Council shall be chaired by the Secretary of State. In the  
9 Secretary’s absence, the Chief Diversity and Inclusion Of-  
10 ficer shall perform the duties of the chair.

11 (c) COMPOSITION.—The Diversity and Inclusion  
12 Leadership Council shall include the following:

13 (1) The Secretary of State.

14 (2) The Chief Diversity and Inclusion Officer.

15 (3) The Director General of Global Talent Man-  
16 agement.

17 (4) One individual from each Bureau, at the  
18 rank of Deputy Assistant Secretary of State or  
19 above.

20 (5) Any other individual determined appropriate  
21 by the Secretary of State.

22 (d) TERM.—Members of the Diversity and Inclusion  
23 Leadership Council shall be appointed in accordance with  
24 this subsection for a period of time as determined by the  
25 Secretary of State.

1 (e) TRANSITION.—The individual serving as Chief  
2 Diversity and Inclusion Officer of the Department of State  
3 may continue to serve in such position until such time as  
4 the appointment of the Chief Diversity and Inclusion Offi-  
5 cer of the Department in accordance with section 1.

6 (f) DIVERSITY DEFINED.—In this section, the term  
7 “diversity” means those classes of persons protected under  
8 the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.)  
9 and the Americans with Disabilities Act of 1990 (42  
10 U.S.C. 12101 et seq.).

11 **SEC. 3. REPORT ON COMPOSITION OF BOARD OF EXAM-**  
12 **INERS FOR FOREIGN SERVICE AND CERTAIN**  
13 **SELECTION BOARDS.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that the Department of State Board of Examiners  
16 should reflect the diversity of the United States to facili-  
17 tate the entry into the Foreign Service of individuals who  
18 satisfy the rigorous requirements of the Service and reflect  
19 the diversity of the American people.

20 (b) REPORT ON PROMOTION IN THE FOREIGN SERV-  
21 ICE.—The Foreign Service Act of 1980 is amended—

22 (1) in section 602 (22 U.S.C. 4002), by adding  
23 at the end the following new subsection:

24 “(d) Not later than January 31 of each year, the Sec-  
25 retary of State shall submit to the Committee on Foreign

1 Affairs of the House of Representatives and the Com-  
2 mittee on Foreign Relations of the Senate a report that—

3 “(1) details the demographic composition of se-  
4 lection boards under this section and the Board of  
5 Examiners for the Foreign Service under section  
6 211 convened in the previous year;

7 “(2) may include information on the diversity of  
8 the members of such boards; and

9 “(3) includes any other information the Sec-  
10 retary determines relevant.”; and

11 (2) in section 603 (22 U.S.C. 4003)—

12 (A) in subsection (a), in the second sen-  
13 tence, by inserting “testimony from peers and  
14 subordinates,” after “supervisors,”; and

15 (B) in subsection (b)—

16 (i) by redesignating paragraphs (1)  
17 through (9) as paragraphs (3) through  
18 (11), respectively; and

19 (ii) by inserting before paragraph (2),  
20 as so redesignated, the following new para-  
21 graphs:

22 “(1) a record of supporting the recruitment and  
23 career development goals of members of the Foreign  
24 Service, such as serving as a mentor in mentorship  
25 program under section 709, participation in recruit-

1           ment activities, or serving on the Board of Exam-  
2           iners or on selection boards;

3                   “(2) a record of promoting and supporting di-  
4           versity and inclusion at the Department of State, in-  
5           cluding in management practices;”.