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Statement for the Record

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FOR A HEARING ON

“Diversity Across the Intelligence Community”

BEFORE THE
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Thank you for the opportunity to appear before you to discuss the very important topic of diversity within the Intelligence Community (IC) and at the National Security Agency specifically. I am honored to join my colleagues from across the IC for this discussion.

Commitment to Inclusion and Diversity

As the Director of the National Security Agency (NSA), I recognize the critical importance of ensuring that the highly talented workforce we rely on to help secure our nation every day reflects the diversity of our country now and throughout our future. Equally important is providing a fair, rewarding and inclusive work environment for our on-board talent. Without that, diversity will not flourish.

One of the strengths of NSA's diversity, equality and inclusion (DEI) program is the clear and visible engagement by Senior leaders across our enterprise in this work. Since 2018, our annual assessment of senior DEI accomplishments has resulted in year-over-year improvements in performance and has increased clarity of purpose and expectations for the entire workforce. I am counting on this support to help address our persistent challenges set forth below.

Another strength of NSA's DEI program is the high level of employee engagement on DEI initiatives on a number of fronts. We have 11 Employee Resource Groups (ERGs) with which I engage directly to hear their concerns and ideas on making NSA a more inclusive work place. We have a dynamic diversity and inclusion training program managed through our National Cryptologic School. Each year NSA also embarks on an extensive diversity outreach program focused on recruiting talent that will increase our work force diversity.

While we have many strengths, we also have a number of challenges to address. NSA has shown steady progress in increasing the overall representation of minority, women, Persons with Disabilities (PWD) and Persons with Targeted Disabilities (PWTD) populations over the past 10 years, but our demographic profile still lags our Intelligence Community (IC) counterparts and the federal civilian labor force for some demographic groups. In addition, representation of racial/ethnic minorities, women, and PWD in NSA's senior ranks is roughly 10 percent lower than their overall representation in graded positions.

Furthermore, our ongoing review of personnel processes (e.g. promotions, awards, assignments) and outcomes persistently uncovers differing results for some segments of the population. These gaps in representation and outcomes contribute to the impression by some employees, especially members of underrepresented groups, that the NSA work environment is an uneven playing field and lacks inclusion. As evidence, NSA employees, and underrepresented groups in particular, have consistently ranked fairness on the annual IC Climate Survey Inclusion Quotient (IQ) lower than any other IQ factor -- even with an increase to 71.6% positive in FY21 it is still 4.4-12.8 percentage points below the other IQ factors of cooperative, empowered, open and supportive.

These are key issues that must be addressed if we are to continue to succeed in our mission and win in the great talent competition. With this in mind, I have established three outcomes to drive us forward:

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- Increased representation of underrepresented populations at all grades and senior ranks;
- Ensuring consistent and fair outcomes in all personnel programs, policies, and processes; and,
- Ownership of diversity, equality and inclusion (DEI) outcomes by all leaders and employees as a means of changing NSA culture to be more naturally diverse, fair and inclusive.

To ensure the Agency can meet these outcomes we recently adopted a new 4-year strategic plan in accordance with ODNI and Office of Personnel Management (OPM) guidance. The new strategy sets a path to engage all members of the workforce, which is reflective of the American people, in a shared, connected mission. This strategy will guide the future direction of diversity, equality and inclusion efforts at NSA and aligns the agency to meet the requirements of the new Executive Order on DEI and Accessibility (DEIA) in the Federal Workforce.

NSA Workforce Demographics

Today NSA's civilian population overall is:

- 26.1% racial/ethnic minority,
- 41.3% women,
- 12.4% persons with disabilities (PWD) and,
- 2.7% persons with targeted disabilities.

These numbers reflect positive changes over the past 3 years, as indicated:

- Racial/Ethnic minority representation among NSA civilians has increased by 2.4% ;
- Female representation has increased by 0.2% , and
- PWD representation has increased by 2.1%.

NSA's senior cadre (Defense Intelligence Senior Executives (DISES) and Defense Intelligence Senior Leaders (DISLs)), which has seen an increase of representation by 1.9% across racial/ethnic minority groups, 0.3% for women, and 1.1% for PWD over the past 3 years, is currently comprised of:

- 15.8% racial/ethnic minority
- 30.9% women, and
- 7.62% PWD.

Notably, however, representation of minorities and women in Senior ranks is roughly 10% lower than their overall representation among the graded workforce. Representation of women in the DISL ranks is even lower, at only 18.3% of the population, a 1.2% increase in representation in 3 years.

Workforce Concerns and Data-Driven Decision-making

NSA takes proactive measures across the workforce to examine and analyze the outcome of processes for fairness; conducts fairness reviews of all new personnel policies, practices, and procedures; and completes multiple self-assessments annually. Data on attrition, the hiring pipeline, performance system outcomes, and Climate Survey results represent the types of

information reviewed regularly. Beyond these required reviews, NSA also conducts in-depth workforce studies to identify trends and uncover potential areas of concern and develop corresponding strategies that support positive workforce outcomes. In the past 5 years we have completed four such studies.

Strategic Workforce Initiatives

As noted, based on demographic trends and outcome data that shows NSA still has work to do, I have established three key DEI outcomes and have aligned strategic initiatives to address each.

Outcome 1: Increased representation of underrepresented populations at all grades and senior ranks

Equity through Action

Recognizing the need for greater representation of minorities in visible leadership positions, I launched the Equity through Action (EtA) initiative in September 2020. EtA is focused on five key areas expected to address some of the underlying issues affecting diversity representation at higher grades and to foster a more fair and inclusive culture. These five EtA pillars are: Accountability, Mentoring, Advocacy, Career Development, and Employee Engagement. It is a whole-of-workforce plan that enlists support from senior leaders, junior employees, and everyone in between. Specific elements include a new mid-career skills enrichment program, a DEI Ambassador Program, a Mentoring for Impact program, and an equitable advocacy initiative, among others.

Recruitment, Outreach and Hiring Initiatives

To meet the recently established IC goal of a 2% increase in diversity hiring of women and minorities by the end of FY2022, NSA increased diversity hiring goals to 43% and 35%, respectively. Significant marketing and outreach is underway to help meet these goals. In FY2021 NSA increased hiring of minorities by 1% over FY2020. There was a decrease in hiring of woman, which we will work to address.

NSA's Student Programs continue to be one of the richest sources of diverse candidates. Conversion of student program participants to permanent employees has averaged 80% over the past 3 years. In addition, NSA works with college and university programs both to ensure academics in post-secondary education meet IC recruiting requirements and to inspire students to pursue careers in cybersecurity, foreign language, and by extension, the Federal Government, including NSA and the IC.

NSA has also made it a priority to establish relationships with more than 50 of the 700+ Minority Serving Institutions (MSIs), including Historically Black Colleges and Universities (HBCUs), Predominately Black Institutions (PBIs), Hispanic-Serving Institutions (HSIs), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), and Alaska Native and Native Hawaiian-Serving Institutions (ANNHSIs.) We have also identified at least 11 Science, Technology, Engineering, and Math (STEM)-focused professional and academic

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diversity outreach organizations with which we have worked hard to build relationships and participate in their yearly conferences. Through these partnerships and participation in their outreach events, NSA is able to reach thousands of potential applicants, improving our name recognition as an employer of choice, while also helping to prepare the next generation of women and minorities for careers in STEM.

Outcome 2: Ensuring consistent and fair outcomes in all personnel programs, policies and processes

Director's Big Six Diversity and Inclusion Focus Areas

In 2019, I established the 'Big Six' Diversity and Inclusion Focus Areas, building on work previously undertaken over the prior 4 years. The 'Big Six' Focus Areas listed below are accompanied by a set of specific objectives and action plans led by Senior Champions and overseen by a Senior Steering Group co-chaired by the Director of Workforce Support Activities and the Director of the DEI Group. They are:

1. Ensure Implementation of fair personnel practices across NSA;
2. Senior leader accountability for DEI;
3. Ensure accessibility of facilities and usability of services for PWD;
4. Recruit and hire a diverse workforce;
5. Onboard and mentor new employees effectively;
6. Develop a Deep Pool of Diverse Senior Candidates

Notably, under Focus Area 1 we have conducted two Promotion Integrated Project Team (IPT) reviews (FY2019 and FY2020/21) and identified more than 20 near-, mid-, and long-term recommendations designed to eliminate promotion outcome gaps. Initial indications from the 2021 Promotion Program indicate some positive trends in areas of prior concern. Work on Focus Area 3 also led to the creation of an Enterprise Accessibility Council and establishment of Accessibility Advocates in every Directorate. This effort has already helped synchronize cross-organizational efforts to resolve accessibility challenges.

Accountability

While Accountability is a theme that runs through many of our strategic initiatives to include EtA and the Big Six, it stands alone as a critical element of our strategic focus. Our efforts to strengthen DEI are largely focused on positive incentives and reinforcement accompanied by clear expectations of accountability for performance and results. As such, at NSA:

- Seniors receive separate evaluations of their diversity and inclusion (D&I) performance each year. The top five performers receive special recognition. Low performers must account to me.
- Graded employees include a D&I objective in their annual performance goals and are encouraged to discuss contributions with their supervisors throughout the year.
- Each year, all leaders and others serving in a supervisory capacity are required to digitally sign a Duty to Act Acknowledgement, signaling their understanding of their responsibility to address misconduct, discrimination, or harassment promptly upon becoming aware of it.

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EEO Compliance

Our efforts to ensure a fair and representative workforce are underpinned by a strong EEO compliance program. The Agency complies with federal antidiscrimination and retaliation laws and regulations by ensuring timely and fair EEO complaints processing, mandatory training, employee and leadership accountability, referrals for disciplinary action, enforcement of Agency policies, and annual reporting.

The Director of the DEI Group, who oversees the EEO program and reports directly to me, oversees the timely completion of EEO Counseling, the fair and thorough investigation of EEO complaints, and the timely issuance of Final Agency Decisions. In addition, DEI closely coordinates with the Office of General Counsel in carrying out all of these responsibilities in a legally supportable manner. The Agency has allocated funding and qualified staffing to implement these various processes. The Agency complies with EEO settlement agreements and orders issued by the Agency, the Equal Employment Opportunity Commission (EEOC), and EEO-related cases from the Merit Systems Protection Board.

In accordance with EEOC regulations, the Agency makes EEO Alternative Dispute Resolution (ADR) available during the complaint processes and at the EEOC hearing and appellate stages. The Agency seeks to resolve complaints of employment discrimination as early in the process as possible. The Agency's ADR Office is housed within the Office of Dispute Resolution and Grievances, an office independent from the Agency's traditional EEO office (DEI Group). The Agency's EEO ADR program adheres to the concepts of voluntariness, neutrality, confidentiality, enforceability, and flexibility. NSA also has an Anti-Harassment Coordinator Office to provide an avenue outside of the EEO Complaints Process to address harassment complaints, including non-EEO-related harassment. The EEOC confirmed in FY2020 that NSA's policy on Anti-Harassment conforms to all EEOC requirements.

Outcome 3: Ownership of DEI outcomes by all leaders and employees as a means of changing NSA culture to be more naturally diverse, fair and inclusive

Employee Resource Groups

NSA hosts 11 different ERGs to foster and facilitate DEI within NSA. With more than 42 chapters and over 6,500 members throughout our enterprise, these ERGs provide powerful advocacy for needed changes that might otherwise be overlooked, and serve as key partners in recruiting a diverse workforce. Our ERGs have matured and grown significantly over the past 12 years. To increase organizational leader and employee ownership of the DEI mission NSA shifted to a Directorate sponsorship model. Each NSA Directorate assumes responsibility for sponsoring at least one ERG for a period of two years. This shift has already achieved the desired impact of greater leader, employee and organizational support for the ERGs. It proved particularly powerful and timely during the spring and summer of 2020, when Directorate leaders, emboldened by their additional responsibilities and insights, courageously addressed social justice issues with members of their workforce and used the insights they gained to

develop, in concert with their ERGs, Directorate action plans that align with the Agency's Equity through Action framework.

Inclusive Culture

On 25 May 2021, I approved the Agency's first Gender Identity, Expression and Affirmation policy. This policy, is the first of its kind to address equal employment opportunity and promote a safe and inclusive work environment for transgender personnel. It implements E.O 13988, "Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation" as well as the ODNI's Guidance on "Key Elements to Include in Policies Covering Employment of Transgender Individuals in the Intelligence Community." These Changes have also precipitated a broader effort to improve language inclusivity at NSA.

PWD Affirmative Action Plan

In 2019 NSA issued the PWD Affirmative Action Plan (AAP) and established the PWD AAP Council (AAPC) in response to the EEOC final rule to amend the regulations implementing Section 501 of the Rehabilitation Act. Informed by the results of an internal 2018 PWD barrier analysis and the requirements of the EEOC, the PWD AAPC adopted 17 recommendations focused on issues such: as supervisor support, workplace inclusion, career advancement, accessibility of facilities and technology, and job retention. To date, 9 of the 17 recommendations have been implemented with the remaining 8 are scheduled to be completed by FY2022. The impact of these recommendations may take some time to be fully realized, but early indications suggest improvement in our reasonable accommodations processes, increased career opportunities for our PWD population, and greater awareness of and response to the importance of technology accessibility. As of January 2021, NSA is one of only nine Department of Defense Agencies to have EEOC-approved Reasonable Accommodation procedures in place and in July CAREERS & disABLED magazine named NSA its 2021 Public-Sector Employer of the Year.

Mr. Chairman, Ranking Member and the Committee, thank you for your time and, I look forward to the Committee's questions.