To amend the State Department Basic Authorities Act of 1956 to establish in the Department of State a Chief Diversity and Inclusion Officer and the Foreign Service Act of 1980 to promote increased diversity and inclusion in the Foreign Service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CASTRO of Texas introduced the following bill; which was referred to the Committee on 

A BILL

To amend the State Department Basic Authorities Act of 1956 to establish in the Department of State a Chief Diversity and Inclusion Officer and the Foreign Service Act of 1980 to promote increased diversity and inclusion in the Foreign Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Diversity and Inclusion at the Department of State Act”.

(Original Signature of Member)
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition.

TITLE I—CHIEF DIVERSITY AND INCLUSION OFFICER

Sec. 101. Chief Diversity and Inclusion Officer.

TITLE II—DIVERSITY IN THE FOREIGN SERVICE AND AT THE DEPARTMENT OF STATE

Sec. 201. Representation on Board of Examiners for the purposes of recruitment into the Foreign Service.
Sec. 203. Mentorship program.
Sec. 204. Senior Executive Service candidate development program.

SEC. 2. DEFINITION.

In this Act, the term “diversity” means those classes of persons protected under the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.) and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

TITLE I—CHIEF DIVERSITY AND INCLUSION OFFICER

SEC. 101. CHIEF DIVERSITY AND INCLUSION OFFICER.

(a) ESTABLISHMENT.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsections:

“(i) CHIEF DIVERSITY AND INCLUSION OFFICER.—

“(1) IN GENERAL.—There is established in the Department of State, in the office of the Deputy
Secretary of State, a Chief Diversity and Inclusion Officer, who shall—

“(A) be appointed by the President;

“(B) serve as the principal advisor to the Secretary of State on issues related to diversity and inclusion at the Department of State; and

“(C) report directly to the Secretary of State.

“(2) DUTIES.—The Chief Diversity and Inclusion Officer shall be responsible for the following:

“(A) Developing, implementing, and updating a diversity and inclusion strategic plan of the Department of State to eliminate barriers to the recruitment, promotion, and retention of traditionally underrepresented groups and to promote the implementation of diversity and inclusion practices and policies throughout the Department.

“(B) Establishing criteria and goals for individual offices and bureaus regarding assignments of personnel, in coordination with the Director General of the Foreign Service, to promote diversity and inclusion at the Department of State, and conducting annual reviews of indi-
vidual bureaus on their actions taken to satisfy such criteria and goals.

“(C) Serving as a permanent member of any departmental committees responsible for the selection of chiefs of mission and deputy chiefs of mission.

“(D) Serving as the Executive Secretary for the Diversity and Inclusion Leadership Council established in subsection (i).

“(E) Reviewing the implementation and effectiveness of the Department of State’s accountability mechanisms in eliminating discrimination and harassment.

“(F) Promoting mentorship and sponsorship for members belonging to traditionally underrepresented groups who are working for the Department of State.

“(G) Collaborating with appropriate counterparts from other Federal departments and agencies and the private sector, to share best practices and lessons learned with respect to promoting diversity and inclusion.

“(3) RANK AND STATUS.—The Chief Diversity and Inclusion Officer shall be rank equivalent to an Assistant Secretary of State.
“(4) BUREAU SENIOR ADVISORS.—The Secretary of State shall appoint in each bureau of the Department of State a Senior Advisor with respect to matters relating to diversity and inclusion, to—

“(A) serve as the principal advisor for such bureau and report directly to the Principal Deputy Assistant Secretary; and

“(B) coordinate with the Chief Diversity and Inclusion Officer the activities of such bureau.

“(5) AUTHORITY TO COLLECT INFORMATION.—To carry out the duties described in paragraph (2), the Chief Diversity and Inclusion Officer is authorized to—

“(A) collect and share with Department of State leadership, the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, and Federal departments and agencies, and, as appropriate, with Employee Affinity Groups, foreign affairs professional associations, and other organizations non-personally identifiable information on diversity in recruiting, hiring, assignments, promotions, attrition, and security clearances, including assignment restrictions, within
the Department, including data disaggregated
by race, ethnicity, national origin, and gender,
and by office and bureau; and

“(B) appoint subject matter experts in ac-
cordance with the Intergovernmental Personnel
Act of 1970 (42 U.S.C. 4701 et seq.) to analyze
data, draft reports, and perform other tasks as
directed by the Chief Diversity and Inclusion
Officer.

“(6) REPORTING.—Not later than January 30
of every year, the Secretary of State shall submit to
the Committee on Foreign Affairs of the House of
Representatives and the Committee on Foreign Re-
lations of the Senate a report—

“(A) detailing the criteria and goals for in-
dividual offices and bureaus of the Department
of State with respect to diversity and inclusion;

“(B) assessments by the Chief Diversity
and Inclusion Officer on the performance over
the previous year of each such office and bu-
reau to satisfy such criteria and goals; and

“(C) containing any other relevant infor-
mation.

“(7) DEFINITION.—In this subsection and sub-
section (j) (relating to the Diversity and Inclusion

“(j) DIVERSITY AND INCLUSION LEADERSHIP COUNCIL.—

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

“(2) CHAIR.—The Diversity and Inclusion Leadership Council shall be chaired by the Secretary of State. In the Secretary’s absence, the Chief Diversity and Inclusion Officer shall perform the duties of the chair.

“(3) COMPOSITION.—The Diversity and Inclusion Leadership Council shall include the following:

“(A) The Secretary of State.

“(B) The Chief Diversity and Inclusion Officer.

“(C) The Director General of Global Talent Management.
“(D) One individual from each Bureau, at the rank of Deputy Assistant Secretary of State or above.

“(E) Any other individual determined appropriate by the Secretary of State.

“(4) TERM.—Members of the Diversity and Inclusion Leadership Council shall be appointed in accordance with this subsection for a period of time as determined by the Secretary of State.”.

(b) TRANSITION.—The individual serving as Chief Diversity and Inclusion Officer of the Department of State may continue to serve in such position until such time as the appointment of the Chief Diversity and Inclusion Officer of the Department in accordance with subsection (i) of section 1 of the State Department Basic Authorities Act of 1956, as added by subsection (a).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Chief Diversity and Inclusion Officer of the Department of State established pursuant to subsection (i) of the State Department Basic Authorities Act of 1956, as added by subsection (a), should be provided sufficient office space and support staff to ensure successful operation.
TITLE II—DIVERSITY IN THE FOREIGN SERVICE AND AT THE DEPARTMENT OF STATE

SEC. 201. REPRESENTATION ON BOARD OF EXAMINERS FOR THE PURPOSES OF RECRUITMENT INTO THE FOREIGN SERVICE.

It is the sense of Congress that the Department of State Board of Examiners should reflect the diversity of the United States to facilitate the entry into the Foreign Service of individuals who satisfy the rigorous requirements of the Service and reflect the diversity of the American people.

SEC. 202. PROMOTION IN THE FOREIGN SERVICE.

The Foreign Service Act of 1980 is amended—

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

“(d) Not later than January 31 of each year, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report that—

“(1) details the demographic composition of selection boards under this section and the Board of Examiners for the Foreign Service under section 211 convened in the previous year;
“(2) may include information on the diversity of
the members of such boards; and
“(3) includes any other information the Sec-
retary determines relevant.”; and

(2) in section 603 (22 U.S.C. 4003)—

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

(B) in subsection (b)—

(i) in paragraph (1), by striking “,
or” and inserting “; or”;

(ii) by redesignating paragraphs (1)
and (2) as paragraphs (3) and (4), respec-
tively; and

(iii) by inserting before paragraph (3),
as so redesignated, the following new para-
graphs:

“(1) a record of supporting the recruitment and
career development goals of members of the Foreign
Service, such as serving as a mentor in mentorship
program under section 709, participation in recruit-
ment activities, or serving on the Board of Exam-
iners or on selection boards;
“(2) a record of promoting and supporting diversity and inclusion at the Department of State, including in management practices;”.

SEC. 203. MENTORSHIP PROGRAM.

(a) IN GENERAL.—The Foreign Service Act of 1980 is amended by inserting after section 708 (22 U.S.C. 4028) the following new sections:

“SEC. 709. MENTORSHIP PROGRAM.

“(a) The Secretary of State shall establish in the Department of State a mentorship program to match interested participants who are—

“(1) entry-level members of the Foreign Service; and

“(2) mid-level members of the Foreign Service.

“(b) Individuals participating in the mentorship program under this section should participate for a minimum of two years.

“(c) The mentorship program established under this section may include members of Employee Affinity Groups as mentors, in addition to other individuals selected by the Secretary of State.

“(d) Service as a mentor in the mentorship program may be considered as satisfying the criteria described in section 603(b)(1).”.
(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act is amended by inserting after the item relating to section 707 the following new items:

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(See. 708. Training for Foreign Service officers.
(See. 709. Mentorship program.).
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(c) MENTORSHIP PROGRAM FOR CIVIL SERVICE.—

(1) IN GENERAL.—The Secretary of State shall establish a mentorship program to match mentors with interested participants who are—

(A) members of the civil service at the GS-12 level and below; and

(B) members of the civil service from at the GS-13 level to the GS-15 level.

(2) DURATION.—Individuals participating in the civil service mentorship program under paragraph (1) should participate for a minimum of two years.

(3) INCLUSION OF EMPLOYEE AFFINITY GROUPS.—Members of Employee Affinity Groups and other individuals selected by the Secretary of State may serve as mentors in the civil service mentorship program under paragraph (1).
SEC. 204. SENIOR EXECUTIVE SERVICE CANDIDATE DEVELOPMENT PROGRAM.

(a) IN GENERAL.—The Secretary of State shall offer the Senior Executive Service Candidate Development Program every three years to members of the civil service at the Department of State at the GS-14 and GS-15 levels.

(b) REPORT.—The Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, at the same time as each report required under section 313 of the Foreign Service Act of 1980, as added by section 2(a)(2), a report detailing disaggregated demographic information of candidates referred by each bureau of the Department of State to interview for the Senior Executive Service, including demographic information, disaggregated by bureau, relating to the diversity of such candidates.

SEC. 205. DIVERSITY DEFINED IN THE FOREIGN SERVICE ACT OF 1980.

Section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902) is amended by—

(1) redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively; and

(2) inserting after paragraph (4) the following new paragraph:
“(5) ‘diversity’ has the meaning given such term in subsection (i) of section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a);”.