

117TH CONGRESS
1ST SESSION

H. R. 4589

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

JULY 21, 2021

Mr. CASTRO of Texas (for himself, Mrs. TORRES of California, Ms. BASS, Ms. CHU, Ms. TITUS, Ms. ESCOBAR, Mr. CARSON, Mr. SIRES, Mr. GARCÍA of Illinois, Mr. COHEN, Mr. ESPAILLAT, Mr. HUFFMAN, Mr. LIEU, Mr. CONNOLLY, Mr. POCAN, Mr. KIM of New Jersey, Mr. JOHNSON of Georgia, Ms. JACOBS of California, Mr. CASE, Mr. KHANNA, Mr. MCGOVERN, Mr. CICILLINE, Ms. LEE of California, Mr. TORRES of New York, and Mrs. HAYES) introduced the following bill; which was referred to the Committee on Foreign Affairs

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Diversity and Inclusion at the Department of State Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 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 recruit-
ment into the Foreign Service.

Sec. 202. Promotion in the Foreign Service.

Sec. 203. Mentorship program.

Sec. 204. Senior Executive Service candidate development program.

Sec. 205. Diversity defined in the Foreign Service Act of 1980.

6 **SEC. 2. DEFINITION.**

7 In this Act, the term “diversity” means those classes
8 of persons protected under the Civil Rights Act of 1964
9 (42 U.S.C. 2000a et seq.) and the Americans with Disabil-
10 ities Act of 1990 (42 U.S.C. 12101 et seq.).

11 **TITLE I—CHIEF DIVERSITY AND**
12 **INCLUSION OFFICER**

13 **SEC. 101. CHIEF DIVERSITY AND INCLUSION OFFICER.**

14 (a) ESTABLISHMENT.—Section 1 of the State De-
15 partment Basic Authorities Act of 1956 (22 U.S.C.
16 2651a) is amended by adding at the end the following new
17 subsections:

18 “(i) CHIEF DIVERSITY AND INCLUSION OFFICER.—

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

5 “(A) be appointed by the President;

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

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

11 “(2) DUTIES.—The Chief Diversity and Inclu-
12 sion Officer shall be responsible for the following:

13 “(A) Developing, implementing, and updat-
14 ing a diversity and inclusion strategic plan of
15 the Department of State to eliminate barriers
16 to the recruitment, promotion, and retention of
17 traditionally underrepresented groups and to
18 promote the implementation of diversity and in-
19 clusion practices and policies throughout the
20 Department.

21 “(B) Establishing criteria and goals for in-
22 dividual offices and bureaus regarding assign-
23 ments of personnel, in coordination with the Di-
24 rector General of the Foreign Service, to pro-
25 mote diversity and inclusion at the Department

1 of State, and conducting annual reviews of indi-
2 vidual bureaus on their actions taken to satisfy
3 such criteria and goals.

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

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

11 “(E) Reviewing the implementation and ef-
12 fectiveness of the Department of State’s ac-
13 countability mechanisms in eliminating dis-
14 crimination and harassment.

15 “(F) Promoting mentorship and sponsor-
16 ship for members belonging to traditionally
17 underrepresented groups who are working for
18 the Department of State.

19 “(G) Collaborating with appropriate coun-
20 terparts from other Federal departments and
21 agencies and the private sector, to share best
22 practices and lessons learned with respect to
23 promoting diversity and inclusion.

1 “(3) RANK AND STATUS.—The Chief Diversity
2 and Inclusion Officer shall be rank equivalent to an
3 Assistant Secretary of State.

4 “(4) BUREAU SENIOR ADVISORS.—The Sec-
5 retary of State shall appoint in each bureau of the
6 Department of State a Senior Advisor with respect
7 to matters relating to diversity and inclusion, to—

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

11 “(B) coordinate with the Chief Diversity
12 and Inclusion Officer the activities of such bu-
13 reau.

14 “(5) AUTHORITY TO COLLECT INFORMATION.—
15 To carry out the duties described in paragraph (2),
16 the Chief Diversity and Inclusion Officer is author-
17 ized to—

18 “(A) collect and share with Department of
19 State leadership, the Committee on Foreign Af-
20 fairs of the House of Representatives, the Com-
21 mittee on Foreign Relations of the Senate, and
22 Federal departments and agencies, and, as ap-
23 propriate, with Employee Affinity Groups, for-
24 eign affairs professional associations, and other
25 organizations non-personally identifiable infor-

1 mation on diversity in recruiting, hiring, assign-
2 ments, promotions, attrition, and security clear-
3 ances, including assignment restrictions, within
4 the Department, including data disaggregated
5 by race, ethnicity, national origin, and gender,
6 and by office and bureau; and

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

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

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

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

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

3 “(7) DEFINITION.—In this subsection and sub-
4 section (j) (relating to the Diversity and Inclusion
5 Leadership Council), the term ‘diversity’ means
6 those classes of persons protected under the Civil
7 Rights Act of 1964 (42 U.S.C. 2000a et seq.) and
8 the Americans with Disabilities Act of 1990 (42
9 U.S.C. 12101 et seq.).

10 “(j) DIVERSITY AND INCLUSION LEADERSHIP COUN-
11 CIL.—

12 “(1) ESTABLISHMENT.—The Secretary of State
13 shall establish a Diversity and Inclusion Leadership
14 Council to coordinate the implementation of the De-
15 partment of State’s diversity and inclusion strategic
16 plans, initiatives, and policies.

17 “(2) CHAIR.—The Diversity and Inclusion
18 Leadership Council shall be chaired by the Secretary
19 of State. In the Secretary’s absence, the Chief Di-
20 versity and Inclusion Officer shall perform the duties
21 of the chair.

22 “(3) COMPOSITION.—The Diversity and Inclu-
23 sion Leadership Council shall include the following:

24 “(A) The Secretary of State.

1 “(B) The Chief Diversity and Inclusion Of-
2 ficer.

3 “(C) The Director General of Global Tal-
4 ent Management.

5 “(D) One individual from each Bureau, at
6 the rank of Deputy Assistant Secretary of State
7 or above.

8 “(E) Any other individual determined ap-
9 propriate by the Secretary of State.

10 “(4) TERM.—Members of the Diversity and In-
11 clusion Leadership Council shall be appointed in ac-
12 cordance with this subsection for a period of time as
13 determined by the Secretary of State.”.

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

21 (c) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that the Chief Diversity and Inclusion Officer of the
23 Department of State established pursuant to subsection
24 (i) of the State Department Basic Authorities Act of 1956,
25 as added by subsection (a), should be provided sufficient

1 office space and support staff to ensure successful oper-
2 ation.

3 **TITLE II—DIVERSITY IN THE**
4 **FOREIGN SERVICE AND AT**
5 **THE DEPARTMENT OF STATE**

6 **SEC. 201. REPRESENTATION ON BOARD OF EXAMINERS**
7 **FOR THE PURPOSES OF RECRUITMENT INTO**
8 **THE FOREIGN SERVICE.**

9 It is the sense of Congress that the Department of
10 State Board of Examiners should reflect the diversity of
11 the United States to facilitate the entry into the Foreign
12 Service of individuals who satisfy the rigorous require-
13 ments of the Service and reflect the diversity of the Amer-
14 ican people.

15 **SEC. 202. PROMOTION IN THE FOREIGN SERVICE.**

16 The Foreign Service Act of 1980 is amended—

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

19 “(d) Not later than January 31 of each year, the Sec-
20 retary of State shall submit to the Committee on Foreign
21 Affairs of the House of Representatives and the Com-
22 mittee on Foreign Relations of the Senate a report that—

23 “(1) details the demographic composition of se-
24 lection boards under this section and the Board of

1 Examiners for the Foreign Service under section
2 211 convened in the previous year;

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

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

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

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

11 (B) in subsection (b)—

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

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

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

20 “(1) a record of supporting the recruitment and
21 career development goals of members of the Foreign
22 Service, such as serving as a mentor in mentorship
23 program under section 709, participation in recruit-
24 ment activities, or serving on the Board of Exam-
25 iners or on selection boards;

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

4 **SEC. 203. MENTORSHIP PROGRAM.**

5 (a) IN GENERAL.—The Foreign Service Act of 1980
6 is amended by inserting after section 708 (22 U.S.C.
7 4028) the following new sections:

8 **“SEC. 709. MENTORSHIP PROGRAM.**

9 “(a) The Secretary of State shall establish in the De-
10 partment of State a mentorship program to match inter-
11 ested participants who are—

12 “(1) entry-level members of the Foreign Serv-
13 ice; and

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

15 “(b) Individuals participating in the mentorship pro-
16 gram under this section should participate for a minimum
17 of two years.

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

22 “(d) Service as a mentor in the mentorship program
23 may be considered as satisfying the criteria described in
24 section 603(b)(1).”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 2 of the Foreign Service Act is amended by in-
3 serting after the item relating to section 707 the following
4 new items:

“Sec. 708. Training for Foreign Service officers.
“Sec. 709. Mentorship program.”.

5 (c) MENTORSHIP PROGRAM FOR CIVIL SERVICE.—

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

9 (A) members of the civil service at the GS–
10 12 level and below; and

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

13 (2) DURATION.—Individuals participating in
14 the civil service mentorship program under para-
15 graph (1) should participate for a minimum of two
16 years.

17 (3) INCLUSION OF EMPLOYEE AFFINITY
18 GROUPS.—Members of Employee Affinity Groups
19 and other individuals selected by the Secretary of
20 State may serve as mentors in the civil service
21 mentorship program under paragraph (1).

1 **SEC. 204. SENIOR EXECUTIVE SERVICE CANDIDATE DEVEL-**
2 **OPMENT PROGRAM.**

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

7 (b) REPORT.—The Secretary of State shall submit to
8 the Committee on Foreign Affairs of the House of Rep-
9 resentatives and the Committee on Foreign Relations of
10 the Senate, at the same time as each report required
11 under section 313 of the Foreign Service Act of 1980, as
12 added by section 2(a)(2), a report detailing disaggregated
13 demographic information of candidates referred by each
14 bureau of the Department of State to interview for the
15 Senior Executive Service, including demographic informa-
16 tion, disaggregated by bureau, relating to the diversity of
17 such candidates.

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

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

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

24 (2) inserting after paragraph (4) the following
25 new paragraph:

1 “(5) ‘diversity’ has the meaning given such
2 term in subsection (i) of section 1 of the State De-
3 partment Basic Authorities Act of 1956 (22 U.S.C.
4 2651a);”.

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