AMENDMENT TO RULES COMM. PRINT 117–13
OFFERED BY MR. CASTRO OF TEXAS

Add at the end of the bill the following:

DIVISION F—DIVERSITY AND INCLUSION AT THE DEPARTMENT OF STATE

TITLE LXX—DIVERSITY AND INCLUSION AT THE DEPARTMENT OF STATE

SEC. 7001. SHORT TITLE.

This division may be cited as the “Diversity and Inclusion at the Department of State Act”.

SEC. 7002. DEFINITION.

In this division, 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.).

Subtitle A—Chief Diversity and Inclusion Officer

SEC. 7101. 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 Secretary of State, a Chief Diversity and Inclusion Officer, who shall—

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

“(B) 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 Di-
rector General of the Foreign Service, to promote diversity and inclusion at the Department of State, and conducting annual reviews of individual 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, Equity, Inclusion, and Accessibility Leadership Council established in subsection (j).

“(E) Reviewing the implementation and effectiveness of the Department of State’s accountability mechanisms in eliminating discrimination and harassment, ensuring consequences are implemented for perpetrators of harassment, bullying, and discrimination, and that managers with a documented track record of such behavior are not selected for senior management positions, including as chiefs of mission, deputy chiefs of mission, principal officers, assistant secretaries, deputy assistant secretaries, or political advisors.
“(F) Ensuring allocation of adequate resources for carrying out subparagraph (E).

“(G) Promoting mentorship and sponsorship for entry- and mid-level employees at the Department of State to promote diversity and inclusivity.

“(H) 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, national origin, and sex, and by office and bureau; and

“(B) appoint subject matter experts in accordance 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-

“(7) DISCLOSURES TO CONGRESS.—The provi-
sions under relevant laws and regulations providing
that information collected by an agency shall be dis-
closed only in the form of gross statistics shall not
apply to disclosures by the Department of State to
the Committee on Foreign Affairs of the House of
Representatives or the Committee on Foreign Rela-
tions of the Senate, including with respect to
disaggregated data and other such communications
related to diversity at the Department of State.
“(8) DEFINITION.—In this subsection and sub-
section (j) (relating to the Diversity and Inclusion
Leadership Council), 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.).

“(j) DIVERSITY, EQUITY, INCLUSION, AND ACCESSI-
BILITY LEADERSHIP COUNCIL.—

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

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

“(3) COMPOSITION.—The Diversity, Equity, In-
clusion, and Accessibility Leadership Council shall
include the following:

“(A) The Secretary of State.
“(B) The Chief Diversity and Inclusion Officer.

“(C) The Director General.

“(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, Equity, Inclusion, and Accessibility 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 section 1 of the State Department Basic Authorities Act of 1956, as added by subsection (a), should be pro-
vided sufficient office space and support staff to ensure successful operation.

Subtitle B—Diversity in the Foreign and Civil Service and at the Department of State

SEC. 7201. REPRESENTATION ON BOARD OF EXAMINERS FOR THE PURPOSES OF ENTRY INTO THE FOREIGN SERVICE.

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

SEC. 7202. 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 Secretary determines relevant.”; and

(2) in section 603 (22 U.S.C. 4003)—

(A) in subsection (a), in the second sentence, 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), respectively; and

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

“(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 recruitment activities, or serving on the Board of Examiners or on selection boards;
“(2) a record of promoting and supporting diversity and inclusion at the Department of State, including in management practices;”.

SEC. 7203. 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 help individuals under-represented in specific ranks of the Foreign Service obtain advancement through the mid-ranks and into the Senior Foreign Service. Such program shall match interested participants who are—

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

“(2) mid-level members of the Foreign Service with senior-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:

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

(e) 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 and above.

(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. 7204. 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. 7205. 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);”.