

117TH CONGRESS
1ST SESSION

H. R. 1096

To ensure that the United States diplomatic workforce at all levels reflects the diverse composition of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2021

Ms. BASS (for herself, Mr. PALLONE, Mr. RUSH, Mr. BISHOP of Georgia, Mr. HASTINGS, Mr. BLUMENAUER, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Mr. MCGOVERN, Mr. CHABOT, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. BUTTERFIELD, Mr. RYAN, Mr. RUPPERSBERGER, Mr. SIRES, Mr. COSTA, Ms. MOORE of Wisconsin, Mr. CARSON, Mr. CONNOLLY, Mr. PAYNE, Mr. CICILLINE, Ms. SEWELL, Ms. TITUS, Mr. TAKANO, Mr. VARGAS, Mr. VEASEY, Ms. BROWNLEY, Ms. KELLY of Illinois, Mr. CASTRO of Texas, Mrs. BEATTY, Mr. CASE, Ms. MENG, Mrs. LAWRENCE, Mr. EVANS, Mrs. WATSON COLEMAN, Mr. GALLEG0, Mr. KHANNA, Mr. GOMEZ, Mr. BROWN, Mr. ESPAILLAT, Mr. SUOZZI, Mr. LAWSON of Florida, Mr. CARBAJAL, Mrs. DEMINGS, Ms. JAYAPAL, Mr. TRONE, Ms. OMAR, Ms. HOULAHAN, Mr. LEVIN of Michigan, Ms. TLAIB, Ms. STRICKLAND, Mr. BOWMAN, Ms. MANNING, Mr. TORRES of New York, and Ms. BUSH) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To ensure that the United States diplomatic workforce at all levels reflects the diverse composition of the United States, 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.**

2 This Act may be cited as the “Represent America
3 Abroad Act of 2021”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) As the United States becomes more racially
7 and ethnically diverse, the Department of State and
8 the United States Agency for International Develop-
9 ment (USAID) must continue to invest in policies to
10 recruit, retain, and develop the best and brightest
11 from the full spectrum of American society in order
12 to be better positioned to advance United States in-
13 terests abroad.

14 (2) Foreign Service officers are America’s face
15 to the world. Thus, the workforce must represent the
16 United States commitment to inclusion and diversity
17 in order to effectively advance American values on
18 the world stage.

19 (3) The Department of State and USAID must
20 embrace policies that recruit professionals from the
21 broadest possible pool of talent and retain them in
22 order to significantly increase diversity in the For-
23 eign Service. Timely action to increase diversity at
24 the mid-levels is crucial, as it takes approximately
25 nine years for an entry level Foreign Service officer

1 (class 6, 5, 4) to rise to the mid-ranks of the For-
2 eign Service (class 3, 2, or 1).

3 (4) February and June 2020 reports by the
4 Government Accountability Office found barriers to
5 a diverse and inclusive workforce within the ranks of
6 the Foreign Service, especially at the mid-career and
7 senior levels. Individuals who are racial or ethnic mi-
8 norities comprise only 24 percent at the Department
9 of State and 27 percent at USAID. At the executive
10 level, individuals who are racial or ethnic minorities
11 comprise only 13 percent at the Department of
12 State and 17 percent at USAID. This means that
13 the leadership is the least diverse level within the
14 Foreign Service.

15 (5) In the past, Secretaries of State have ac-
16 knowledged the lack of workforce diversity and
17 pledged to take concrete steps to address the prob-
18 lem. In 2017, then-Secretary of State Rex Tillerson
19 recognized a great diversity gap in the Department
20 of State and former Secretary of State John Kerry
21 noted that in order to represent the United States,
22 the Department of State must have a workforce that
23 reflects the rich composition of its citizenry. Yet
24 there has been no concrete plan to address the lack
25 of diversity at the mid-career and senior levels.

1 (6) USAID has previously identified under-rep-
2 resentation of specific groups in its workforce, but
3 staffing gaps, partly due to a lack of senior leader-
4 ship attention, prevent the agency from adequately
5 addressing the issue.

6 (7) Congress authorized the creation of a 3-year
7 lateral entry pilot project under section 404 of the
8 Department of State Authorities Act, Fiscal Year
9 2017 (Public Law 114–323; 130 Stat. 1928) to
10 bring highly qualified individuals with special skills,
11 which the Department may lack, into the Foreign
12 Service at the mid-career level. Such a project would
13 not only allow the Foreign Service to supplement its
14 work force with those possessing complementary and
15 needed skills, but it would also serve as an avenue
16 to diversify the mid-level and senior ranks of the
17 Foreign Service. Yet, more than three years later,
18 the Department has failed to comply with the law.

19 **SEC. 3. DECLARATION OF NATIONAL INTEREST; STATE-**
20 **MENT OF POLICY.**

21 (a) DECLARATION OF NATIONAL INTEREST.—Con-
22 gress declares that it is in the national interest of the
23 United States to ensure that the members of the United
24 States Foreign Service workforce be representative of the
25 American people.

1 (b) STATEMENT OF POLICY.—It shall be the policy
2 of the Department of State and of the United States
3 Agency for International Development—

4 (1) to strengthen the Foreign Service workforce
5 by bolstering the diversity of those who represent
6 Americans abroad;

7 (2) to treat the people of the Foreign Service
8 as its primary asset, and as such, hold as a central
9 tenet making strides in increasing minority represen-
10 tation at all levels of the Foreign Service workforce
11 to secure the country’s national interests; and

12 (3) in accordance with the Foreign Service Act
13 of 1980, to attract highly qualified, mid-career pro-
14 fessionals who are also American minorities, through
15 a pathway program for entry into the Foreign Serv-
16 ice.

17 **SEC. 4. AUTHORIZATION.**

18 (a) MODIFICATION OF LATERAL ENTRY FOREIGN
19 SERVICE PROGRAM.—Section 404 of the Department of
20 State Authorities Act, Fiscal Year 2017 (Public Law 114–
21 323; 130 Stat. 1928) is amended as follows:

22 (1) In subsection (a)—

23 (A) by striking “It is the sense of Congress
24 that the Foreign Service” and inserting the fol-
25 lowing: “It is the sense of Congress that—

1 “(1) the Foreign Service”;

2 (B) by striking the period at the end and
3 inserting “; and”; and

4 (C) by adding at the end the following:

5 “(2) the lateral entry pilot program authorized
6 under this section should be an avenue for the For-
7 eign Service to diversify its mid-level ranks by in-
8 cluding applicants from traditionally under-rep-
9 resented groups in terms of racial, ethnic, geo-
10 graphic, and gender diversity, and disability sta-
11 tus.”.

12 (2) By redesignating subsections (c) and (d) as
13 subsections (d) and (e), respectively.

14 (3) By inserting after subsection (b) the fol-
15 lowing:

16 “(c) PROGRAM REQUIREMENTS.—The program au-
17 thorized under subsection (b) shall be implemented not
18 later than 60 days after the date of the enactment of this
19 subsection, and the Secretary shall—

20 “(1) ensure that not less than 50 percent of
21 program participants per year are placed in the For-
22 eign Service; and

23 “(2) include recruitment outreach for program
24 participation to—

25 “(A) diversity officers in the private sector;

1 “(B) all members of the Department’s civil
2 service and recognized Department affinity
3 groups;

4 “(C) the civil service of other national se-
5 curity related Federal agencies; and

6 “(D) professional associations.”.

7 (b) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of State
9 shall establish a program, which shall be known as the
10 “Represent America Mid-Career Foreign Service Entry
11 Program” (in this section referred to as the “Program”),
12 to be administered jointly by the Director General of the
13 Foreign Service, the Director of Global Talent Manage-
14 ment of the Department of State, and the Chief Human
15 Capital Officer of the Office of Human Capital and Talent
16 Management of the United States Agency for Inter-
17 national Development, to identify, attract, and welcome
18 into the Foreign Service mid-career professionals who are
19 from minority groups.

20 (c) ELEMENTS OF PROGRAM.—

21 (1) PROGRAM REQUIREMENTS.—The Secretary
22 of State shall carry out the following with respect to
23 the Program:

1 (A) Establish and publish eligibility cri-
2 teria for candidates to participate in the Pro-
3 gram.

4 (B) Carry out countrywide recruitment ef-
5 forts to attract highly qualified, mid-career pro-
6 fessionals from minority groups, such as at and
7 through the following:

8 (i) Community agencies and organiza-
9 tions.

10 (ii) Faith-based organizations.

11 (iii) Community events.

12 (iv) Professional associations.

13 (v) Colleges and universities, including
14 historically Black colleges and universities
15 and other minority-serving institutions
16 such as Hispanic-serving institutions,
17 Asian American and Native American Pa-
18 cific Islander-serving institutions, Amer-
19 ican Indian Tribally controlled colleges and
20 universities, Alaska Native and Native Ha-
21 waiian-serving institutions, Tribal colleges
22 and universities, Predominantly Black In-
23 stitutions, and Native American-serving,
24 Nontribal institutions.

25 (vi) Diplomats in residence.

1 (vii) Job fairs.

2 (viii) Newspaper/magazines/journals.

3 (ix) Radio stations and programs.

4 (x) Websites, webcasts, podcasts, and
5 other online channels.

6 (C) Recruit eligible candidates for the Pro-
7 gram.

8 (D) Develop a structured program that in-
9 cludes as part of the initial training, a class or
10 module that specifically prepares participants
11 for life in the Foreign Service, including con-
12 veying to such participants essential elements of
13 the practical knowledge that is normally ac-
14 quired during a Foreign Service Officer's initial
15 assignments.

16 (E) Include appropriate mentorship and
17 other career development opportunities, such as
18 leadership training, for Program participants.

19 (2) OVERALL QUALIFICATIONS.—In recruiting,
20 training, and assigning members of the Program,
21 the Secretary of State should seek highly qualified
22 minority individuals who are mid-career profes-
23 sionals—

24 (A) with diverse work experience who have
25 capabilities, insights, techniques, and experi-

1 ences that would serve to enrich the Foreign
2 Service workforce and empower it to perform
3 more effectively;

4 (B) with demonstrated knowledge of, expe-
5 rience with, and interest in United States for-
6 eign policy and national security and inter-
7 national affairs, including knowledge of the af-
8 fairs, cultures, and languages of other coun-
9 tries;

10 (C) with demonstrable leadership skills and
11 the potential for further growth;

12 (D) that demonstrate a track record of col-
13 laboration, team-building, and stakeholder man-
14 agement skills;

15 (E) with demonstrated capacity for critical
16 thinking and analytical skills, including the
17 ability to synthesize information into clear and
18 concise recommendations;

19 (F) with strategic thinking, and ability to
20 solve complex problems;

21 (G) with flexibility, adaptability, and deter-
22 mination; and

23 (H) who are United States citizens with
24 worldwide service availability and who are able

1 to obtain appropriate security and medical
2 clearances.

3 (d) ADVANCEMENT FROM PROGRAM.—Candidates
4 who are accepted into the Program in accordance with the
5 qualifications and requirements of this section shall have
6 the opportunity to advance to the Foreign Service oral as-
7 sessment for potential entry as the appropriate class of
8 mid-level Foreign Service officer in accordance with the
9 candidate’s professional qualifications.

10 (e) MID-CAREER PROFESSIONAL DEFINED.—For
11 purposes of the Program, the term “mid-career profes-
12 sional” means an individual who has the skills and experi-
13 ence to serve as a mid-level Foreign Service officer (class
14 3, 2, or 1) and who meets any of the following criteria,
15 consistent with the merit-based principles and core pre-
16 cepts set forth in the Foreign Affairs Manual and Hand-
17 book and in accordance with applicable requirements of
18 the Foreign Service Act of 1980:

19 (1) An individual with at least eight years of
20 professional experience and a bachelor’s degree from
21 an accredited college or university in selected fields
22 of study representing the needs of the Department
23 of State, including public policy, public administra-
24 tion, international law, international relations, polit-
25 ical science, foreign languages, business administra-

1 tion, economics, history, sociology, geography, social
2 or cultural anthropology, statistics, or the human-
3 ities.

4 (2) An individual with at least seven years of
5 professional experience and a master's degree from
6 an accredited college or university in selected fields
7 of study representing the needs of the Department
8 of State, including any field specified in paragraph
9 (1).

10 (3) An individual with at least five years of pro-
11 fessional experience and doctoral degree from an ac-
12 credited college or university in selected fields of
13 study representing the needs of the Department of
14 State, including any field specified in paragraph (1).

15 (f) REPORTS.—

16 (1) INITIAL REPORT.—Not later than 180 days
17 after the date of the enactment of this Act, the Sec-
18 retary of State shall submit to the Committee on
19 Foreign Affairs of the House of Representatives and
20 the Committee on Foreign Relations of the Senate
21 a report on a plan to establish the Program.

22 (2) ANNUAL UPDATE.—Not later than one year
23 after the submission of the report required under
24 paragraph (1) and annually thereafter, the Secretary
25 of State shall submit to the Committee on Foreign

1 Affairs of the House of Representatives and the
2 Committee on Foreign Relations of the Senate a re-
3 port on the status of the Program. Each such report
4 shall include the following information with respect
5 to the previous year:

6 (A) The number of candidates approved
7 for the Program.

8 (B) The number of candidates who began
9 participating, including anonymized information
10 on such candidates' backgrounds with respect
11 to education and prior work experience and
12 grade level at which the candidate entered the
13 Foreign Service.

14 (C) A breakdown of the number of partici-
15 pants recruited into and advancing from the
16 Program by ethnicity and sex.

17 (D) A disaggregation by Foreign Service
18 cone and post or mission (including identifying
19 whether the post is hard-to-fill) assigned to
20 each participant advancing from the Program.

21 (E) Program attrition rates and retention
22 data, including information on how such data
23 compares to the data reported in the most re-
24 cent prior submission of such report.

1 (F) Information on recruiting efforts for
2 the Program, including an outreach strategy
3 detailing resources allocated to outreach, as well
4 as where, how, and when outreach will be car-
5 ried out.

6 (G) Information on efforts to improve the
7 efficacy of the Program and promote retention
8 of Program participants.

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