

§ 2736a. Recruitment and retention**(a) In general**

The Secretary shall—

(1) continue to seek a diverse and talented pool of applicants; and

(2) instruct the Director General of the Foreign Service and the Director of the Bureau of Human Resources of the Department to have a recruitment plan of action for the recruitment of people belonging to traditionally under-represented groups, which should include outreach at appropriate colleges, universities, affinity groups, and professional associations.

(b) Scope

The diversity recruitment initiatives described in subsection (a) shall include—

(1) recruiting at women's colleges, historically Black colleges and universities, minority-serving institutions, and other institutions serving a significant percentage of minority students;

(2) placing job advertisements in newspapers, magazines, and job sites oriented toward diverse groups;

(3) sponsoring and recruiting at job fairs in urban and rural communities and land-grant colleges or universities;

(4) providing opportunities through highly respected, international leadership programs, that focus on diversity recruitment and retention;

(5) expanding the use of paid internships; and

(6) cultivating partnerships with organizations dedicated to the advancement of the profession of international affairs and national security to advance shared diversity goals.

(c) Expand training on anti-harassment and anti-discrimination**(1) In general**

The Secretary shall, through the Foreign Service Institute and other educational and training opportunities—

(A) ensure the provision to all individuals in the workforce of training on anti-harassment and anti-discrimination information and policies, including in existing Foreign Service Institute courses or modules prioritized in the Department's Diversity and Inclusion Strategic Plan for 2016–2020 to promote diversity in Bureau awards or mitigate unconscious bias;

(B) expand the provision of training on workplace rights and responsibilities to focus on anti-harassment and anti-discrimination information and policies, including policies relating to sexual assault prevention and response; and

(C) make such expanded training mandatory for—

(i) individuals in senior and supervisory positions;

(ii) individuals having responsibilities related to recruitment, retention, or promotion of employees; and

(iii) any other individual determined by the Department who needs such training based on analysis by the Department or OPM analysis.

(2) Best practices

The Department shall give special attention to ensuring the continuous incorporation of research-based best practices in training provided under this subsection.

(Pub. L. 117–81, div. E, title LIV, §5403, Dec. 27, 2021, 135 Stat. 2372.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary” and “Department” as used in this section, see section 5002 of Pub. L. 117–81, set out as a note under section 263c of this title.

For definitions of “diversity” and “workforce” as used in this section, see section 5401 of Pub. L. 117–81, set out as a note under section 2736 of this title.

§ 2736b. Leadership engagement and accountability**(a) Reward and recognize efforts to promote diversity and inclusion****(1) In general**

The Secretary shall implement performance and advancement requirements that reward and recognize the efforts of individuals in senior positions and supervisors in the Department in fostering an inclusive environment and cultivating talent consistent with merit system principles, such as through participation in mentoring programs or sponsorship initiatives, recruitment events, and other similar opportunities.

(2) Outreach events

The Secretary shall create opportunities for individuals in senior positions and supervisors in the Department to participate in outreach events and to discuss issues relating to diversity and inclusion with the workforce on a regular basis, including with employee resource groups.

(b) External advisory committees and boards

For each external advisory committee or board to which individuals in senior positions in the Department appoint members, the Secretary is strongly encouraged by Congress to ensure such external advisory committee or board is developed, reviewed, and carried out by qualified teams that represent the diversity of the organization.

(Pub. L. 117–81, div. E, title LIV, §5404, Dec. 27, 2021, 135 Stat. 2373.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

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For definitions of “diversity” and “workforce” as used in this section, see section 5401 of Pub. L. 117–81, set out as a note under section 2736 of this title.

§ 2736c. Professional development opportunities and tools**(a) Expand provision of professional development and career advancement opportunities****(1) In general**

The Secretary is authorized to expand professional development opportunities that sup-

port the mission needs of the Department, such as—

- (A) academic programs;
- (B) private-public exchanges; and
- (C) detail assignments to relevant positions in—
 - (i) private or international organizations;
 - (ii) State, local, and Tribal governments;
 - (iii) other branches of the Federal Government; or
 - (iv) professional schools of international affairs.

(2) Training for senior positions

(A) In general

The Secretary shall offer, or sponsor members of the workforce to participate in, a Senior Executive Service candidate development program or other program that trains members on the skills required for appointment to senior positions in the Department.

(B) Requirements

In determining which members of the workforce are granted professional development or career advancement opportunities under subparagraph (A), the Secretary shall—

- (i) ensure any program offered or sponsored by the Department under such subparagraph comports with the requirements of subpart C of part 412 of title 5, Code of Federal Regulations, or any successor thereto, including merit staffing and assessment requirements;
- (ii) consider the number of expected vacancies in senior positions as a factor in determining the number of candidates to select for such programs;
- (iii) understand how participation in any program offered or sponsored by the Department under such subparagraph differs by gender, race, national origin, disability status, or other demographic categories; and
- (iv) actively encourage participation from a range of demographic categories, especially from categories with consistently low participation.

(Pub. L. 117–81, div. E, title LIV, §5405, Dec. 27, 2021, 135 Stat. 2373.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of “Secretary” and “Department” as used in this section, see section 5002 of Pub. L. 117–81, set out as a note under section 263c of this title.

§ 2736d. Payne fellowship authorization

(a) In general

Undergraduate and graduate components of the Donald M. Payne International Development Fellowship Program may conduct outreach to attract outstanding students with an interest in pursuing a Foreign Service career who represent diverse ethnic and socioeconomic backgrounds.

(b) Review of past programs

The Secretary shall review past programs designed to increase minority representation in international affairs positions.

(Pub. L. 117–81, div. E, title LIV, §5407, Dec. 27, 2021, 135 Stat. 2374.)

Statutory Notes and Related Subsidiaries

DEFINITION

For definition of “Secretary” as used in this section, see section 5002 of Pub. L. 117–81, set out as a note under section 263c of this title.

§ 2736e. Voluntary participation

(a) In general

Nothing in this title should be construed so as to compel any employee to participate in the collection of the data or divulge any personal information. Department employees shall be informed that their participation in the data collection contemplated by this title is voluntary.

(b) Privacy protection

Any data collected under this title shall be subject to the relevant privacy protection statutes and regulations applicable to Federal employees.

(Pub. L. 117–81, div. E, title LIV, §5408, Dec. 27, 2021, 135 Stat. 2375.)

Editorial Notes

REFERENCES IN TEXT

This title, referred to in text, is title LIV (§§5401–5408) of div. E of Pub. L. 117–81, which enacted this section and sections 2736 to 2736d of this title, amended section 3941 of this title, and enacted provisions set out as a note under section 2736 of this title. For complete classification of title LIV to the Code, see Tables.

Statutory Notes and Related Subsidiaries

DEFINITION

For definition of “Department” as used in this section, see section 5002 of Pub. L. 117–81, set out as a note under section 263c of this title.

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