DIVERSITY IN THE FEDERAL GOVERNMENT'S SENIOR EXECUTIVE SERVICE

by
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ABSTRACT

The makeup of the Senior Executive Service (SES) has never mirrored the racial and ethnic diversity of our nation. African Americans and Hispanics/Latinos are particularly under-represented in the SES. Congressional and executive-branch efforts to improve diversity in the SES have been proposed but never implemented. The current administration's hostility toward diversity in the federal workforce, as evidenced by directives that severely restrict federal agencies' ability to engage in diversity training, may lead to further reductions in SES diversity. This proposal examines trends in diversity in the SES, as well as the value of implementing measures to enhance diversity in the workplace. This proposal further examines the feasibility of measures to close the diversity gap in the SES, including using data to better promote diversity and developing a stronger applicant pool. Though achieving a goal of mirroring the nation's diversity in the makeup of the SES will be challenging, implementing efforts like the one proposed herein will demonstrate our nation's commitment to creating a true representative bureaucracy.

Capstone Advisor: Paul J. Weinstein, Jr.

ACKNOWLEDGEMENT

For Rob, who managed the kids, pets, and household while I was busy book learnin'.

TABLE OF CONTENTS

Tables and Figures

MEMORANDUM FOR PRESIDENT-ELECT JOSEPH R. BIDEN
DATE: November 15, 2020
FROM: Jo-Ann M. Kriebel
SUBJECT: Racial Diversity in the Senior Executive Service

I.   Action-Forcing Event

On September 4, 2020, Russel Vought, Director of the White House Office of

Management and Budget, issued a memo directing federal agencies to "identify all contracts or

other agency related spending related to any training on 'critical race theory,' 'white privilege,'

or any other training or propaganda effort that teaches or suggests either (1) that the United

States is an inherently racist or evil country or (2) that any race or ethnicity is inherently racist or

evil." The memo further directs agencies to "identify all available avenues within the law to

cancel any such contracts and/or to divert Federal dollars away from these un-American

propaganda training sessions."[1]

II.   Statement of the Problem

The makeup of the Senior Executive Service (SES) has never mirrored the racial and

ethnic diversity of our nation. Congressional and executive-branch efforts to improve diversity in

the SES have never been implemented in any administration. The current administration's

hostility toward diversity in the federal workforce may lead to further reductions in SES diversity

above those already seen in recent years. And yet, research has shown that diversity among

senior leadership among for-profit companies correlates with greater financial performance.[2]

Diversity across all levels in the workplace is correlated with enhanced innovation, creativity,[3]

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[1] Russell Vought to Heads of Executive Departments and Agencies, September 4, 2020.
https://www.whitehouse.gov/wp-content/uploads/2020/09/M-20-34.pdf.
[2] Hunt, Vivian and Prince, Sara. "Why Diversity Matters." Accessed September 20, 2020,
https://www.mckinsey.com/business-functions/organization/our-insights/why-diversity-matters.
[3] Phillips, Katherine W. "How Diversity Makes Us Smarter." Accessed September 20, 2020,
https://www.scientificamerican.com/article/how-diversity-makes-us-smarter.

trust, and openness in communication.[4] Additionally, diversity management (a "voluntary

organizational program designed to create greater inclusion of all individuals into informal social

networks and formal company programs") correlates with improved job satisfaction among

employees.[5]

Jin and Lee (2016) found that inclusive leadership, more than simply diversity

management, "predicted perceptions of work group performance for minority employees," and

they recommend that organizations focus on "preparing managers and leaders to become

effective coaches in a diverse workplace."[6] Training in diversity and inclusion will be integral to

such a goal.

Despite research supporting the benefits of diversity in leadership, "more than 93

percent of CEOs of Fortune 500 firms are still white men," with "only six [B]lack CEOs and seven

Latino CEOs . . . among the top executives."[7]

Lack of diversity in the SES may help explain the disparities among *Best Places to Work*

in the Federal Government scores between SES members and other federal employees. In every

measure of job satisfaction, from leadership effectiveness to work/life balance, SES members

rate their experiences higher than do other workers. Overall, the *Best Places to Work in the*

Federal Government score among SES members is nearly 19 percent higher than that of other

workers. Among the categories with the largest disparities: effectiveness of senior leaders (rated

positively by 78 percent of SES members, but only by 50 percent of other workers); support for

diversity (83 and 58 percent, respectively); and fairness of leadership (81 and 54 percent,

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[4] Hofhuis, Joep, van der Rijt, Pernill G. A., and Vlug, Martijn. "Diversity Climate Enhances Work Outcome Through Trust and Openness in Workgroup Communication." *SpringerPlus* 5, no.1 (June 2016): 714. https://dx.doi.org/10.1186%2Fs40064-016-2499-4.
[5] Jin, Myung and Lee, Jaeyong. "Does Leadership Matter in Diversity Management? Assessing the Relative Impact of Diversity Policy and Inclusive Leadership in the Public Sector. *Leadership & Organization Development Journal*, 38 no.2 (April 2017): 303. https://doi.org/10.1108/LODJ-07-2015-0151.
[6] Jin, Myung and Lee, Jaeyong, 314.
[7] Feagin, Joe R. *White Party, White Government: Race, Class, and U.S. Politics* (London: Routledge, 2012): 177.

respectively).[8] Could homogeneity in the SES ranks create an echo chamber effect that is missing among the more diverse rank and file?

Authors of the *Best Places to Work in the Federal Government* report note that "if the views of the leaders and their employees are at great variance, it also could mean that employees see real problems that the senior executives do not."[9] In this case, a SES that more accurately represents the federal workforce would bring with it a better understanding of problems and issues that affect workers at all levels, along with a commitment to solve such problems for the benefit of all workers.

Most African Americans perceive discrimination in hiring, and studies of hiring and promotions practices bear out these perceptions.[10] While many factors play into discrimination, one factor of particular relevance is the issue of network segregation, in which "workers of color are often segregated away from certain critical social networks that are essential to finding good jobs."[11] Studies have shown that most white workers use their (predominantly white) networks to find employment, and that most employers use their employees' networks to find additional workers. When labor markets are mostly white, employers then recruit additional workers "who in turn are overwhelmingly white."[12]

In *Representative Bureaucracy,* Krislov asserts that "the argument for *representational* participation, in short, is that it leads to *functional* effectiveness" (emphasis in original).[13] Krislov also highlights the government's role in legitimizing policy through its practice, since political

[8] Partnership for Public Service. "Best Places to Work in the Federal Government® Analysis Perspectives from the Senior Executive Service." Accessed October 4, 2020. https://ourpublicservice.org/wp-content/uploads/2013/04/5f96471d7fd9c5d4057b1d7a415087c3-1396979926.pdf.
[9] Partnership for Public Service.
[10] Feagin, Joe R. *Racist America: Roots, Current Realities, and Future Reparations*, 4th ed. (London: Routledge, 2019).
[11] Feagin 2019, p. 186.
[12] Feagin, 2019, p. 188.
[13] Krislov, Samuel. *Representative Bureaucracy*. (Englewood Cliffs, N.J.: Prentice-Hall, 1974), p. 129.

actions "tend to be highly visible."[14] An inclusive SES would demonstrate that the federal government is committed to diversity and inclusion, and position the government as an example for others to follow.

By limiting the ability of government agencies to train federal executives on the importance of diversity, the US risks maintaining a system in which African Americans and Hispanics/Latinos are continually underrepresented in the SES. A continued lack of diversity at this level increases the risk that the federal workforce will fall behind in developing innovative and creative solutions to existing and future problems. Additionally, lack of executive diversity and investment in inclusive environments risks declining workforce morale and prevents the government from leading by example for industries across the US.

III. History

In 2018, the US federal civilian workforce comprised nearly 3 million Americans[15] working under several pay programs, including the general and law enforcement officer pay schedules, as well as the federal wage system.[16] Managing much of this workforce are nearly 8,000 members of the SES.[17]

Founded in 1978, the goal of the SES is to "ensure that the executive management of the Government of the United States is responsive to the needs, policies, and goals of the [n]ation and otherwise is of the highest quality." Members of the SES "operate and oversee nearly every government activity in approximately 75 [f]ederal agencies." [18]

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[14] Krislov, 129.

[15] US Equal Employment Opportunity Commission. "Annual Report on the Federal Workforce: Form 462 and MD-715 Data Tables for FY 2017 and FY 2018." Accessed September 20, 2020, http://www.eeoc.gov/sites/default/files/2020-06/2018_workforce_tables.zip.

[16] US Office of Personnel Management. "Pay & Leave: Salaries & Wages." Accessed September 20, 2020, https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages.

[17] US Office of Personnel Management. "Senior Executive Service Report 2017." Accessed September 20, 2020, https://www.opm.gov/policy-data-oversight/data-analysis-documentation/federal-employment-reports/reports-publications/ses-summary-2017.pdf.

[18] US Office of Personnel Management. "Senior Executive Service." Accessed September 20, 2020, https://www.opm.gov/policy-data-oversight/senior-executive-service.

The Office of Personnel Management (OPM), which manages all human resources

activities for federal agencies, strives to build a workforce that "reflects America's diversity."[19] Is

this goal reflected in the makeup of the SES, as well as of the larger federal workforce?

The percentage of white employees among the federal civilian workforce is roughly

equivalent to the number of whites as a percentage of the US population. African Americans are

over-represented in federal civilian employment, while Hispanics/Latinos are underrepresented.

However, when examining African Americans and Hispanics/Latinos as a percentage of the SES,

data show that both groups are underrepresented. See Table 1 for detailed figures.

Table 1: Populations by Race

Race	Percentage of the US Population (2018)[20]	Percentage of the US Federal Civilian Workforce (2018)[21]	Percentage of the Senior Executive Service (2018)[22]
White (Not Hispanic/Latino)	60.10	59.28	79.05
African American	13.40	20.16	9.59
Hispanic/Latino	18.50	9.610	3.69

Note that the disparity for hiring Hispanics/Latinos in the federal workforce is not fully

explained by US citizenship status, which is required to work for the federal government.[23] Most

Hispanics/Latinos in the US were born in this country and, as such, are US citizens. Similarly, the

majority (79 percent) of foreign-born Hispanics/Latinos in the US hold US citizenship.[24]

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[19] US Office of Personnel Management. "Policy, Data, Oversight: Diversity & Inclusion." Accessed September 20, 2020, https://www.opm.gov/policy-data-oversight/diversity-and-inclusion.

[20] United States Census Bureau. "Quick Facts: United States." Accessed September 20, 2020, https://www.census.gov/quickfacts/fact/table/US/PST045219.

[21] US Equal Employment Opportunity Commission. "Annual Report on the Federal Workforce: Form 462 and MD-715 Data Tables for FY 2017 and FY 2018." Accessed September 20, 2020, http://www.eeoc.gov/sites/default/files/2020-06/2018_workforce_tables.zip.

[22] US Equal Employment Opportunity Commission.

[23] US Office of Personnel Management. "Frequently Asked Question: Employment." Accessed September 20, 2020https://www.opm.gov/faqs/QA.aspx?fid=de14aff4-4f77-4e17-afaa-fa109430fc7b&pid=acfb91ff-c4aa-4b34-b159-7d40c6b45c15#:~:text=Frequently%20Asked%20Questions%20Employment&text=Under%20Executive%20Order%2011935%2C%20only,appointment%20is%20prohibited%20by%20statute.

[24] Noe-Bustamante, Luis and Flores, Antonio. "Facts on Latinos in the U.S." Accessed September 20, 2020, https://www.pewresearch.org/hispanic/fact-sheet/latinos-in-the-u-s-fact-sheet.

These data show that OPM has fallen short of building a federal workforce that is reflective of our nation's diversity—a disparity that is especially stark in the makeup of the SES.

The United States Government Accountability Office (GAO) (and its previous iteration, the General Accounting Office) has produced several reports on diversity in the SES. In the March 2001 report, *Senior Executive Service Diversity Increased in the Past Decade*, GAO found that minority representation in the SES workforce increased from approximately 7 percent in 1990 to 13 percent in 1999. More specifically, the percentage of African Americans in the SES increased from just under 5 percent in 1990 to just under 8 percent in 1999, while the percentage of Hispanics/Latinos increased from approximately 1 percent to 2 percent in the same timeframe.[25]

In the January 2003 report, *Senior Executive Service: Enhanced Agency Efforts Needed to Improve Diversity as the Senior Corps Turns Over*, GAO examined trends in hiring along with the potential for replacing a significant proportion of the SES due to expected attrition between 2000 and 2007, and found that the result would be "a corps whose racial and ethnic profile is virtually the same as it was before."[26]

In 2008, GAO revisited its 2003 predictions in the report, *Human Capital Diversity in the Federal SES and Processes for Selecting New Executives*. GAO reported that between 2000 and 2007, the percentage of SES members who were African American remained stagnant (8.4 and 8.5 percent, respectively), while the percentages of Hispanics/Latinos increased slightly from 2.7 to 3.8 percent during that timeframe.[27]

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[25] US Government Accountability Office (US GAO). "Senior Executive Service Diversity Increased in the Past Decade." March 2001. https://www.gao.gov/assets/240/231335.pdf.
[26] US Government Accountability Office (US GAO). "Senior Executive Service: Enhanced Agency Efforts Needed to Improve Diversity as the Senior Corps Turns Over." January 2003. https://www.gao.gov/new.items/d0334.pdf., p. 8.
[27] US Government Accountability Office (US GAO). "Human Capital Diversity in the Federal SES and Processes for Selecting New Executives." November 2008. https://www.gao.gov/assets/290/283854.pdf.

The Congressional Research Service (CRS) examined diversity in the SES in a 2012 report that reach similar conclusions to those of the GAO. CRS found that African Americans made up less than 10 percent of the SES workforce, while Hispanics/Latinos made up just over 3 percent of the SES workforce.[28]

The US Congress has also examined the issue of SES diversity. In a hearing before the House Subcommittee on Civil Service and Agency Organization on October 15, 2003, representatives from federal agencies discussed their efforts at improving diversity in their SES candidate pools, as well as the obstacles they face in the form of "constitutional limits upon efforts of affirmative outreach toward traditionally underrepresented groups."[29]

In testimony at the hearing, Ronald P. Sanders (OPM's Associate Director for Strategic Human Resources Policy) described the office's recently developed SES candidate development program, designed to help diversity of the SES candidate pool "by ensuring that those qualified members of traditionally underrepresented groups know about the program and are encouraged to apply."[30]

Congress revisited the issue of diversity in the SES in 2011 with a hearing before the Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee. In this hearing, Nancy Kichak, OPM's Associate Director for Employee Service and Chief Human Capital Officer, acknowledged the continued lack of diversity in the SES, and noted OPM's efforts at improvement. Among these efforts was the establishment of the OPM

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[28] White House Transition Project. "The Senior Executive Service: Background and Options for Reform." Accessed October 4, 2020. https://whitehousetransitionproject.org/wp-content/uploads/2016/04/Executive-Service_090612-1.pdf.

[29] US Government Publishing Office. "Achieving Diversity in the Senior Executive Service." October 15, 2003. https://www.govinfo.gov/content/pkg/CHRG-108hhrg92901/html/CHRG-108hhrg92901.htm.

[30] US Government Publishing Office, 2003.

"Office of Diversity and Inclusion to develop and coordinate governmentwide policy and initiatives to promote diversity."[31]

Two bills were introduced into Congress that, had they been enacted, would have addressed diversity in the SES. Rep. Danny Davis introduced the Senior Executive Service Diversity Assurance Act in the House in October 2007. The bill was passed and an identical bill, introduced by Sen. Daniel Akaka, was recommended for passage in the Senate.[32][33] Following inaction on these bills, the two re-introduced them in 2009, when they were again stalled.[34][35]

In 2012, Sen. Akaka and Rep. James Moran introduced the identical bills, "Senior Executive Service Reform Act of 2012," into their respective houses, where they once again stalled. The bills would have mandated some of the same diversity measures proposed in the previously introduced legislation.[36] To-date, Congress has passed no legislation mandating diversity improvement in the SES.

The Obama administration sought to address diversity in the federal workforce through Executive Order 13583, "Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce."[37] Though this order did not reference the SES

[31] US Government Publishing Office. "Strengthening the Senior Executive Service: A Review of Challenges Facing the Government's Leadership Corps." March 29, 2011. https://www.govinfo.gov/content/pkg/CHRG-112shrg67120/html/CHRG-112shrg67120.htm.

[32] Library of Congress. "H.R.3774 - 110th Congress (2007-2008): Senior Executive Service Diversity Assurance Act." Last modified June 19, 2008. https://www.congress.gov/bill/110th-congress/house-bill/3774.

[33] Library of Congress. "S.2148 - 110th Congress (2007-2008): Senior Executive Service Diversity Assurance Act." Last modified October 1, 2008. https://www.congress.gov/bill/110th-congress/senate-bill/2148.

[34] FEDweek. "Diversity Bill Back on the Table." Last modified June 26, 2009. https://www.fedweek.com/federal-managers-daily-report/diversity-bill-back-on-the-table.

[35] C-SPAN. "S. 1180: Senior Executive Service Diversity Assurance Act of 2009." Accessed October 4, 2020. https://www.c-span.org/congress/bills/bill/?111/s1180.

[36] Library of Congress. "S.2249 - 112th Congress (2011-2012): Senior Executive Service Reform Act of 2012." Last modified March 28, 2012. https://www.congress.gov/bill/112th-congress/senate-bill/2249; Library of Congress. "H.R.6042 - 112th Congress (2011-2012): Senior Executive Service Reform Act of 2012." Last modified June 27, 2012. https://www.congress.gov/bill/112th-congress/house-bill/6042.

[37] Whitehouse.gov. "Executive Order 13583—Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce." Last modified December 12, 2011. https://obamawhitehouse.archives.gov/the-press-office/2011/08/18/executive-order-13583-establishing-coordinated-government-wide-initiativ.

directly, the Governmentwide Inclusive Diversity Strategic Plan that it mandated did address SES

diversity, noting that "of particular concern during this planning period is . . . the continued

difficulty in recruiting minorities and women to fill Senior Executive Service (SES) positions."[38]

This plan was published in 2016. The subsequent Trump administration has neither updated the

plan, nor made public any progress toward its implementation.

The Obama administration made its commitment to diversity in hiring clear in its OPM

strategic plan for 2014–2018, in which attracting "a diverse and talented workforce" was goal

number one, accompanied by a strategy to "[identify] and [address] barriers to diversity."

Similarly, the OPM strategic plan included increasing "applicant flow from groups that are

under-represented" as an indicator of progress."[39]

Further, in 2011, OPM director John Berry and Office of Management and Budget

Deputy Director for Management, Jeffrey D. Zients, issued a memorandum on the SES,

proposing methods to expand and diversity SES "talent pipelines," including piloting a project to

"enable rotational opportunities for high-potential staff at the GS 13–15 level."[40]

Conversely, the first OPM director under the Trump administration admitted that "he

had not read Obama's executive order 13583,"[41] and OPM's strategic plan for 2018–2022 does

not include workforce diversity among its goals. The OPM strategic plan, however, does include

collaboration "to attract a diverse, talented candidate pool" among its strategies toward

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[38] United States Office of Personnel Management. "Governmentwide Inclusive Diversity Strategic Plan 2016." Accessed October 4, 2020. https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/governmentwide-inclusive-diversity-strategic-plan-2016.pdf.
[39] US Office of Personnel Management. "Strategic Plan FY2014–2018." Accessed October 12, 2020. https://www.opm.gov/about-us/budget-performance/strategic-plans/2014-2018-strategic-plan.pdf.
[39] US Office of Personnel Management "Strategic Plan FY2014–2018."
[40] Zients, Jeffrey D., and Berry, John "Senior Executive Initiative." February 18, 2011. https://obamawhitehouse.archives.gov/sites/default/files/omb/performance/ses_initiative_02182011.pdf.
[41] Davidson, Joe. "New OPM chief presses for civil service overhaul, but administration is less interested in diversity." *The Washington Post*. May 1, 2018.

improving the hiring process. However, measures of workforce diversity are not included as progress indicators.[42]

Examining data on African Americans and Hispanics/Latinos in the SES over nearly 30 years demonstrates how little progress has been made in improving these groups' representation. In 1990, African Americans and Hispanics/Latinos made up just 5 and 1 percent of the SES, respectively.

By 2018, the latest year for which data is available, the number of African Americans serving in the SES had nearly doubled to 9.6 percent. This figure, however, demonstrates a decrease from a high of 11.8 percent in 2014. During the same timeframe, the number of Hispanics/Latinos in the SES has increased nearly four-fold—from 1 to 3.7 percent. As with the data for African Americans, the number of Hispanics/Latinos in 2018 also decreased from its all-time high, this time from 4 percent in 2016 and 2017. See Table 2 for complete data.

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[42] US Office of Personnel Management "Strategic Plan FY2014–2018."

Table 2: SES Demographics by Year

Year	SES Percentage African American	SES Percentage Hispanic/Latino
1990[43]	5.0	1.0
1999[44]	8.0	2.0
2000[45]	8.4	2.7
2007[46]	8.5	3.8
2011[47]	10.0	4.1
2012[48]	10.5	4.1
2013[49]	10.8	4.1
2014[50]	11.8	4.4
2015[51]	11.4	4.4
2016[52]	11.0	4.6
2017[53]	10.4	4.6
2018[54]	9.6	3.7

IV. Policy Proposal

In 2011, the Center for American Progress (CAP) released a detailed plan to bring SES representation in line with that of the US workforce. Th proposal presented here builds on the CAP framework, though with an objective of mirroring the demographics of the US population as a whole—not just the US workforce in which whites are over-represented at 64 percent, vs.

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[43] US Government Accountability Office (US GAO), 2001.
[44] US Government Accountability Office (US GAO), 2001.
[45] US Government Accountability Office (US GAO), 2008.
[46] US Government Accountability Office (US GAO), 2008.
[47] US Office of Personnel Management. "Federal Equal Opportunity Recruitment Program (FEORP) for Fiscal Year 2012." January 2014. https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/feorp-2012.pdf.
[48] US Office of Personnel Management, 2014.
[49] US Office of Personnel Management. "Federal Equal Opportunity Recruitment Program (FEORP) Report to Congress Fiscal Year 2013." February 2016. https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/feorp-2013.pdf.
[50] US Office of Personnel Management. "Federal Equal Opportunity Recruitment Program (FEORP) Report to Congress Fiscal Year 2014." February 2016. https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/feorp-2014.pdf.
[51] US Office of Personnel Management. "Federal Equal Opportunity Recruitment Program (FEORP) Report to Congress Fiscal Year 2016." February 2018. https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/feorp-2016.pdf.
[52] US Office of Personnel Management, 2018.
[53] US Office of Personnel Management. "Federal Equal Opportunity Recruitment Program (FEORP) Report to Congress Fiscal Year 2017." October 2019. https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reports/feorp-2017.pdf.
[54] US Equal Employment Opportunity Commission. "Annual Report on the Federal Workforce: Form 462 and MD-715 Data Tables for FY 2017 and FY 2018." Accessed September 20, 2020, http://www.eeoc.gov/sites/default/files/2020-06/2018_workforce_tables.zip.

their proportion of the US population (60 percent).[55] Thus, the goal of this proposal is to raise

the representation of African Americans in the SES to 13 percent (from its current 10 percent)

and that of Hispanics/Latinos to 19 percent (from its current 4 percent). [56]

This policy does not introduce quotas, but rather identifies and addresses the

institutional obstacles African Americans and Hispanics/Latinos face in rising to leadership

positions within their agencies. By removing institutional barriers to the leadership pipeline, this

policy will result in a steadily increasing number of highly qualified, diverse applicants for

leadership positions in the SES.

In the CAP plan, *A Better, More Diverse Senior Executive Service in 2050*, authors Kohli,

Gans, and Hairston defined the following steps to "ensure that the career SES looks more like

the country over the next 20–40 years and best serves the diverse nation it represents:"

- Make a commitment to closing the diversity gap in the SES

- Use data to better promote diversity

- Develop a stronger applicant pool[57]

This proposal builds on the foundation laid in the CAP plan, with special attention to

collection and use of data to understand obstacles that African-American and Hispanic/Latino

individuals face in becoming part of the SES.

As with the CAP plan, this proposal uses existing quantitative "data on the diversity

breakdown of applicants for posts, and also their chances of getting shortlisted for interview or

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[55] Burns, Crosby, Barton, Kimberly, and Kerby, Sophia. "The State of Diversity in Today's Workforce." Center for American Progress, July 12, 2012. https://www.americanprogress.org/issues/economy/reports/2012/07/12/11938/the-state-of-diversity-in-todays-workforce; United States Census Bureau. "Quick Facts: United States." Accessed September 20, 2020, https://www.census.gov/quickfacts/fact/table/US/PST045219.
[56] United States Census Bureau. "Quick Facts: United States."
[57] Kohli, Jitinder, Gans, John, and Hairston, James. "A Better, More Diverse Senior Executive Service in 2050. Center for American Progress. September 2011. https://www.americanprogress.org/wp-content/uploads/issues/2011/09/pdf/ses_paper.pdf.

appointed."[58] This proposal also collects qualitative data from a representative sample of

current SES members, SES hiring committees, and GS 13–15 employees who have participated in

or who have been recommended for leadership training and other activities that suggest

interest in or fitness for senior leadership positions. Supplementing quantitative data with

qualitative data will help identify real-world obstacles that individuals face in advancing to

leadership positions, as well as identifying opportunities that can ease this transition.

Further, this policy recommendation proposes examining practices of outside

organizations that have successfully improved diversity in their senior executive staffing.

Finally, using these data, the final element of this proposal mirrors CAP's

recommendation to "develop a stronger applicant pool" by addressing barriers identified in the

qualitative research described above. See Table 3 for a detailed plan and Table 4 for milestones.

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[58] Kohli, Gans, and Hairston.

Table 3: Policy Proposal Plan

Make a Commitment to Closing the Diversity Gap in the SES			
Activity	**Responsible Party**	**Objective**	**Timing**
Include goal of raising African American and Hispanic/Latino representation in SES to 13 and 19 percent, respectively, by 2030 in President' Management Agenda	Office of Management and Budget	Demonstrate administration's commitment to diversity in government leadership	January 2021
Use Data to Better Promote Diversity			
Activity	**Responsible Party**	**Objective**	**Timing**
Report on demographics of SES	Office of Personnel Management	Monitor progress toward goal	Annually in February, reporting on previous year's data
Design qualitative survey of SES members, hiring committee members, and GS 13–15 employees	Office of Personnel Management	Identify obstacles African Americans and Hispanics/Latinos face in moving into leadership positions	February 2021
Conduct qualitative survey	Office of Personnel Management	Identify obstacles	March–April 2021
Analyze and draft report on qualitative survey data	Office of Personnel Management	Identify obstacles	April–July 2021
Conduct review of published literature on best practices in promoting diversity among public organizations	Office of Personnel Management	Identify obstacles	February–April 2021
Develop a Stronger Applicant Pool			
Activity	**Responsible Party**	**Objective**	**Timing**
Examine qualitative survey findings and literature review to identify best practices in enhancing diversity among candidates for SES positions	Office of Management and Budget	Identify best practices to enhance diversity	August 2021–October 2021
Disseminate best practices to SES hiring committees and to leadership across all Executive Branch agencies with memorandum from the OPM director to institute best practices across hiring committees	Office of Management and Budget	Implement best practices to enhance diversity	November 2021

Table 4: Milestones

Calendar Year	Goal for African Americans as a Percentage of the SES Workforce	Goal for Hispanics/Latinos as a Percentage of the SES Workforce
2022	10.3	5.8
2023	10.6	7.6
2024	10.9	9.4
2025	11.2	11.2
2026	11.5	13.0
2027	11.8	14.8
2028	12.1	16.6
2029	12.4	18.4
2030	13.0	20.0

Policy Authorization Tool

Through the Office of Management and Budget, President-Elect Biden will include the strategic goal of raising the representation of African Americans in the SES to 13 percent and Hispanics/Latinos to 19 percent in his President's Management Agenda (PMA), which "lays out a long-term vision for modernizing the [f]ederal [g]overnment in key areas that will improve the ability of agencies to deliver mission outcomes, provide excellent service, and effectively steward taxpayer dollars on behalf of the American people."[59]

OMB will post annual updates on progress toward milestones in Table 4 at performance.gov, the federal government's website to share performance measures with the public.[60]

Performance measures will include baseline data and annual updates on SES diversity. In addition, OMB will share progress toward implementing qualitative data collection, as well as findings from evaluation of the data and agency plans to remove obstacles to a diverse SES applicant pool.

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[59] General Services Administration and Office of Management and Budget. "President's Management Agenda". Accessed October 18, 2020. https://www.performance.gov/PMA/PMA.html.
[60] General Services Administration and Office of Management and Budget.

Policy Implementation Tool

The policy will be implemented by OMB under the authority of the President's Management Council (PMC), which was established under the presidential memorandum "Implementing Government Reform," issued by George W. Bush on July 11, 2011. The memorandum directs the PMC, chaired by the OMB deputy director, to implement the PMA among other managerial responsibilities. Additionally, the memorandum directs government agencies to cooperate with the PMC by "sharing assistance, information, and advice," thus facilitating agency participation in quantitative and qualitative information gathering.[61]

Furthermore, the PMC is directed to seek outside perspectives on management reform, by considering the "experience of corporations, nonprofit organizations, [s]tate and local governments, [g]overnment employees, public sector unions, and customers of [g]overnment services," allowing for evaluation and implementation of best practices identified outside of the federal government.[62]

V. Policy Analysis

Effectiveness of a Diversity Strategy in Reaching Diversity Goals in Staffing

The United Kingdom has demonstrated its commitment to diversity in its civil service. In 1998, the UK laid out goals for the percentages of women and Black and ethnic minority groups to be employed the civil service by 2004–2005. In 2005, the UK evaluated its progress toward the goals laid out in 1998, and, recognizing that it had not met these goals, outlined a 10-point plan to improve diversity in the civil service by 2008.

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[61] US Government Publishing Office. "Implementing Government Reform." July 11, 2001.
https://www.govinfo.gov/content/pkg/CFR-2002-title3-vol1/pdf/CFR-2002-title3-vol1-other-id226.pdf
[62] US Government Publishing Office, "Implementing Government Reform."

The 10-point plan built upon lessons learned since 1998, and included new targets, an evaluation and measurement plan, and standards for leadership and accountability, among other elements. See Table 5 for detail.[63]

Table 5: 10-Point Plan Goals[64]

Demographic Group	2004–2005 Goal	2005 Actual	2008 Goal
Women's percentage of senior civil service	35.0	29.1	37.0
Women's percentage of top management positions	25.0	25.5	30.0
Black and ethnic minority percentage of senior civil service	3.2	2.8	4.0

In 2008, the UK again revisited its progress toward diversity in the civil service, with the report, *Promoting Equality, Valuing Diversity: A Strategy for the Civil Service*. The report notes progress toward the 10-point plan's goals for women and blacks and ethnic minorities in the civil service by 2008. In 2007, women made up 32.1 percent of the senior civil service (still 5.0 percentage points shy of the 2008 goal of 37.0 percent), and 26.6 percent of top management positions (over 4.0 percentage points shy of the 2008 goal of 30.0 percent). In 2007, Blacks and ethnic minorities made up 3.4 percent of those in the senior civil service, down just 0.6 percent from the 2008 goal of 4.0 percent.[65]

The 2008 report laid out new goals to be achieved by 2013 through work toward four themes: creating an inclusive culture, leadership accountability for diversity, recruitment and promotion, and diversity at all levels of civil service.

In 2015, the National Audit Office released *Equality, Diversity and Inclusion in the Civil Service*, a study of "the government's approach to achieving an equal, diverse, and inclusive

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[63] UK Civil Service. *Delivering a Diverse Civil Service: A 10-Point Plan.* 2005. http://data.parliament.uk/ DepositedPapers/Files/DEP2008-0380/DEP2008-0380.pdf
[64] UK Civil Service, 2005.
[65] UK Civil Service. *Promoting Equality, Valuing Diversity: A Strategy for the Civil Service.* 2008. https://www.yumpu.com/en/document/read/36525936/promoting-equality-valuing-diversity-the-civil-service

workforce."[66] The study found that of the goals for women in top management positions in the

civil service and for Black and ethnic minority individuals were exceeded. The goal for women as

a percentage of the senior civil service was just one point shy of its goal of 39.0 percent.

Examined over a period of 11 years, from 2003 to 2014, the data for these demographic

groups show significant progress in increasing their representation in the UK's civil service. (See

Table 6 for detailed figures.) This progress over time suggests that implementation of a

thorough plan for diversity can be effective in moving a government toward its goal of a civil

service that is representative of its citizenship.

Table 6: Progress Toward Goals

Demographic Group	2003 Baseline as Percentage of Workforce[67]	2013 Goal as Percentage of Workforce [68]	2014 Actual as Percentage of Workforce[69]	Percentage Change 2003–2014
Women's percentage of senior civil service	27.5	39.0	38.0	+38.2
Women's percentage of top management positions*	23.9	34.0	35.0	+46.4
Black and ethnic minority percentage of senior civil service	2.4	5.0	7.0	+191.7

*Defined in the 2015 audit as "the number of female departmental permanent secretaries."

Impact of Diversity on Organizational Effectiveness

The impact of diversity training has been evaluated from three main perspectives, those

of the business case ("that diversity training is good for business and profitability"); social justice

(which "emphasizes impacts such as equal opportunity, fair treatment, [and] the numbers of

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[66] National Audit Office. *Equality, Diversity and Inclusion in the Civil Service.* 2015. https://www.nao.org.uk/wp-content/uploads/2015/06/Equality-diversity-and-inclusion-in-the-civil-service.pdf
[67] UK Civil Service, 2005.
[68] UK Civil Service, 2008.
[69] National Audit Office.

employees promoted from different minority groups"); and learning ("recognizing that different

viewpoints are a sign of a healthy organization") [70].

Alhejji, et al. conducted a systematic literature review of diversity training, evaluated on

outcomes related to these three perspectives. In their analysis of 61 journal articles, "a

significant number of studies reported learning outcomes," including knowledge of diversity

issues as well as changes in behaviors and attitudes toward diversity. They also found "some

evidence" impacts related to the business case, such as increases in productivity, employee and

financial performance, and customer satisfaction, but little evidence of diversity training's

impact on social justice.

Learning Outcomes and Social Justice

Studies of diversity's impact on team performance have returned mixed results, with

different theories supporting "both positive and negative effects of diversity on team process

and performance." Diverse groups have access to more information from different sources;

however, individuals find it easier to interact with others who are similar to themselves.

Managers have a role in moderating these effects in their selection of individual members for a

team. Haas suggests that, to maximize the benefits of diversity and minimize insularity among

similar team members, managers should consider two questions: "Is the composition likely to

result in the emergence of subgroups? [and] Are the demographic characteristics that are taken

into account when identifying potentially strong subgroups relevant to the team task and

goals?"[71]

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[70] Alhejji, Hussain, Garavan, Thomas, Carbery, Ronan, O'Brien, Fergal, and McGuire, David. "Diversity Training Programme Outcomes: A Systematic Review." *Human Resource Development Quarterly* 27, no. 1 (September 2015): 95–149. https://doi.org/10.1002/hrdq.21221.

[71] Haas, Helmut. "How can we explain mixed effects of diversity on team performance? A review with emphasis on context." *Equality, Diversity and Inclusion: An International Journal* 29, no. 5 (June 25, 2010): 458-490. https://doi.org/10.1108/02610151011052771.

Efforts to institute diversity initiatives can lead to backlash from groups that see themselves as disadvantaged by such initiatives. For instance, Students for Fair Admissions, Inc. sued Harvard University for its admissions diversity policies. In a statement in support of the plaintiffs, the US Department of Justice stated that "Harvard's race-based admissions process significantly disadvantages Asian-American applicants compared to applicants of other racial groups—including both white applicants and applicants from other racial minority groups."[72] The Asian American Coalition for Education, "a non-political, non-profit, national organization devoted to promoting equal rights for Asian-Americans in education and education-related activities,"[73] argues that in its diversity practices, Harvard violates the Civil Rights Act of 1964 and the Constitution's fourteenth amendment.[74]

Studies show that such backlash can be lessened by management's framing of the initiatives. When diversity programs are justified through affirmative action ("policies [that] focus on improving opportunities for groups of people . . . who have been historically excluded in United States' society"[75]) cause more backlash than those justified as part of a diversity management program, which "focuses on [the] business need and the view that there is value in diversity."[76]

Some studies have suggested "that ethnic minorities and women who engage in diversity-valuing behavior tend to be negatively stereotyped, and, thus, receive lower

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[72] Gore, John M. and Keveney, Sean R. "United States' Statement of Interest in Opposition to Defendant's Motion for Summary Judgement." 2018. https://www.justice.gov/opa/press-release/file/1090856/download

[73] Asian American Coalition for Education. "About." Accessed November 23, 2020. http://asianamericanforeducation.org/en/about.

[74] Asian American Coalition for Education. Accessed November 23, 2020. "Discrimination in College Admissions." http://asianamericanforeducation.org/en/issue/discrimination-on-admissions/.

[75] CNN. "Affirmative Action Fast Facts." November 15, 2020. https://www.cnn.com/2013/11/12/us/affirmative-action-fast-facts/index.html

[76] Kidder, Deborah L., Lankau, Melenie J., Chrobot-Mason, Donna, Molica, Kelly A., Friedman, Raymond A. "Backlash Toward Diversity Initiatives: Examining the Impact of Diversity Program Justification, Personal and Group Outcomes." *The International Journal of Conflict Management* 15, no. 1 (January 1, 2004): 77-102. https://doi.org/10.1108/eb022908.

competence and performance ratings."[77] Senior leaders' understanding of and advocacy for

diversity in the workplace may help relieve minority employees of the burden of advocating

alone for diversity, and thus lessen the potential for backlash.

Specific to diversity and federal employees, Pitts has examined data from the Federal

Human Capital Survey (FHCV) to understand the effect of diversity management on two

outcomes related to the business case: work group performance and job satisfaction. In this

analysis, Pitts determined that diversity management was related to both outcomes, with

"additional benefit to employees of color when strong diversity management is in place."[78]

In 2012, the Federal Employee Viewpoint Survey was administered to nearly all federal

employees, vs. just a sample of employees in its previous iteration, the FHCV. Using this data, Jin

and Lee examined the impact of managers and leadership in federal employee performance.

They found that inclusive leadership led to a positive perception of work group performance

among racial minorities, while diversity policies had the same impact on white employees.[79]

Increasing diversity among candidate pools is important to enhancing diversity among

hires. However, efforts must be made to avoid tokenism. One series of studies found that having

just one individual of a different race or gender than the majority of candidates led to selection

of a candidate from the majority group. However, adding one additional "minority" candidate

increased the likelihood that the minority would be selected.[80]

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[77] Heckman, David R., Johnson, Stefanie K., Foo, Maw-Der, and Yang, Wei. "Does Diversity-valuing Behavior Result in Diminished Performance Ratings for Non-white and Female Leaders? *Academy of Management Journal* 60, no. 2 (March 3, 2016): 771–797. https://doi.org/10.5465/amj.2014.0538.

[78] Pitts, David. "Diversity Management, Job Satisfaction, and Performance: Evidence from U.S. Federal Agencies." *Public Administration Review*. 69, no. 2 (Mar–Apr 2009): 328–338.

[79] Jin, Myung, Lee, Jaeyong. "Does leadership matter in diversity management? Assessing the Relative Impact of Diversity Policy and Inclusive Leadership in the Public Sector." *Leadership & Organization Development Journal*. 38, no. 2 (April 2017): 303–319. https://doi.org/10.1108/LODJ-07-2015-0151.

[80] Johnson, Stefanie K., Heckman, David R., and Chan, Elsa T. "If There's Only One Woman in Your Candidate Pool, There's Statistically No Chance She'll Be Hired." *Harvard Business Review*. April 26, 2016. https://hbr.org/2016/04/if-theres-only-one-woman-in-your-candidate-pool-theres-statistically-no-chance-shell-be-hired

The Business Case

The business case for diversity often focuses on issues more applicable to the for-profit sector than for the public sector, such as its impact on revenue, customer base, market share, and profit. In a 2009 analysis (updated in 2017), Herring found that diversity is correlated with improvements in all of these issues.[81] The World Economic Forum now considers the business case for diversity "overwhelming."[82] How, though, does this apply to the public sector, which does not focus on profit and market share?

If the federal government wants to attract the best and brightest to public service, it must position itself as an attractive workplace. Research shows that in just 5 years, "75 [percent] of the global workforce will be made up of millennials," and that most millennials value diversity and inclusion, including when selecting employers.[83]

In addition, a demonstrated commitment to diversity will help *retain* millennial workers, which can provide a significant cost savings to the government vs. hiring a new employee. One study estimates that the replacement cost of hiring a replacement worker is 33 percent of the employee's salary.[84] Another study finds that inclusive leaders help reduce employee turnover.[85] With the median salary in the Executive Branch at $79,386 in 2017, the cost savings for retaining each employee is over $26,000. In 2017, the number of federal employees who chose to stop working for in federal service was 189,000. Still more (123,000) federal employees

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[81] Herring 2009, 2017.

[82] Eswaran, Vijay. "The business case for diversity in the workplace is now overwhelming." *World Economic Forum*. April 29, 2019. https://www.weforum.org/agenda/2019/04/business-case-for-diversity-in-the-workplace.

[83] Eswaran, Vijay.

[84] Bolden-Barrett, Valerie. "Study: Turnover Costs Employers $15,000 Per Worker." *HR Drive.* August 11, 2017. https://www.hrdive.com/news/study-turnover-costs-employers-15000-per-worker/449142/#:~:text=Employee%20Benefit%20News%20(EBN)%20reports,Work%20Institute's%202017%20Retention%20Report.

[85] Nishii, Lisa Hl, Mayer, David M. "Do Inclusive Leaders Help to Reduce Turnover in Diverse Groups? The Moderating Role of Leader–Member Exchange in the Diversity to Turnover Relationship." *Journal of Applied Psychology* 94, no. 6 (Nov. 2009): 1412–1426.

separated due to retirement, disability, and other reasons.[86] If even a small number of these

employees are replaced, the cost to the government could reach into the billions.

Constitutional Concerns

In 2008, following Rep. Davis' introduction of the *Senior Executive Service Diversity*

Assurance Act, the Department of Justice (DOJ) provided a review of some provisions of the Act

to the Chair of the Committee on Oversight and Government Reform. In its review, DOJ raised

concerns about the constitutionality of what it perceived as quotas, since the bill required that

at least one woman and one racial or ethnic minority sit on each its proposed SES evaluation

panels.[87] Though this policy does not propose quotas or prescribe the makeup of hiring panels,

any effort at increasing hiring diversity will be examined closely from this angle. Additionally,

media outlets might present the policy as a quota system, biasing some members of the public

against it.

Administrative/Technical Feasibility

The proposed survey will be conducted by OPM, which provides assessment and

evaluation services for federal agencies. OPM has experience in personnel matters as well as all

aspects of survey administration, including "survey design, sampling, communications, data

management, statistical analysis, and results reporting."[88]

Data will be collected following the 1997 "Standards for Maintaining, Collecting, and

Presenting Federal Data on Race and Ethnicity" presented in the *Federal Register*. By these

standards, data on race is collected within five categories, including Black or African American.

Data on ethnicity is collected within two categories: Hispanic or Latino and not Hispanic or

[86] Wald, Michael. "Turnover Up as More Workers Quit the Federal Government." *FedSmith.* March 22, 2018.
https://www.fedsmith.com/2018/03/22/turnover-workers-quit-federal-government/
[87] Benczkowski, Brian A. Letter to the Honorable Henry A. Waxman. April 30, 2018.
https://www.justice.gov/archive/ola/views-letters/110-2/04-30-08-hr3774-senior-exec-diversity-act.pdf
[88] Office of Personnel Management. "Services for Agencies. Accessed November 23, 2020.
https://www.opm.gov/services-for-agencies/assessment-evaluation/surveys-and-related-services/#url=Overview.

Latino. Data on race and ethnicity of SES candidates will be collected and shared using these

categorical terms. Data shared with the public will comply with the directive outlined in the

standards, that when displaying "information that represents a combination of race and

ethnicity, the description of the data being displayed shall clearly indicate that both bases of

classification are being used."[89]

Staff costs for survey development, administration, and reporting are estimated as

described in Table 7.

Table 7: Survey Costs

Task	Series/Grade	Mean Hourly Salary (Washington, DC locality pay area)	Number of Hours	Total Cost
Survey Development/Revision	Sociologist/15	$77.00	50	$3,850.00
Survey Pilot/Administration	Sociologist/13	56.00	40	2,240.00
Data Analysis	Management Analyst/14	67.00	80	5,360.00
Report	Management Analyst/13	56.00	40	2,240.00
Total				**$13,690.00**

Other costs to the government will include staff time spent taking the survey, as

described in Table 8.

Table 8: Survey Burden

Staff Position	Approx. Mean Hourly Rate (Washington DC Locality Pay Area	Number of Individuals	Number of Hours/Individual	Total
SES	$89.00	50	1	$4,450.00
GS 15	77.00	75	1	5,775.00
Total				**$10,225.00**

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[89] Federal Register. "Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity." 62, no. 210. October 30, 1997. https://www.govinfo.gov/content/pkg/FR-1997-10-30/pdf/97-28653.pdf.

Additional costs will include license for web survey software, approximately $1,500.

Direct and indirect costs to the government for the proposed survey will total just over

$25,000.00, a modest investment in a program with the potential to achieve significant cost

savings in employee retention alone.

VI. Political Analysis

SES members

Individuals serving in the SES are the key stakeholder in any efforts to change the

makeup of the service. The 2017 SES Exit Survey doesn't directly address the impact of diversity

on individual SES members' decision to leave the SES. However, demographics of those

surveyed suggest that African Americans and Hispanics/Latinos left the SES in greater numbers

than might be expected based on the makeup of the SES. In 2017, 17 percent of those

completing the exit survey were African American, and 10 percent were Hispanic or Latino[90]. In

2018, African Americans made up 9.6 percent of the SES workforce, while. Hispanics/Latinos

made up 3.7 percent of the workforce.[91] While this is not proof that issues related to diversity

influence African Americans' and Latinos' decision to leave the SES, it does raise such concerns.

Federal Employees

Non-SES federal employees—those whose work is directed by SES members and those

who may want to join SES ranks—also have an interest in efforts to alter the makeup of the SES.

Data on pay and grade levels for African Americans and Hispanics/Latinos is suggestive of the

obstacles these groups face in becoming senior leaders within the federal government.

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[90] US Office of Personnel Management. "2017 SES Exit Report." July 2017. https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/ses-exit-survey-results.pdf.
[91] US Equal Employment Opportunity Commission. "Annual Report on the Federal Workforce: Form 462 and MD-715 Data Tables for FY 2017 and FY 2018." Accessed September 20, 2020, http://www.eeoc.gov/sites/default/files/2020-06/2018_workforce_tables.zip.

In 2009, the Merit Systems Protection Board published a report on progress made toward diversifying the federal workforce since its previous report in 1996. This report cites some progress in the numbers of minorities in the federal workforce but shows that African American and Hispanic/Latino federal employees earn considerably less than their white counterparts. In 2008, the median salary for all federal employees was $64,704. However, when disaggregated by race we see that white employees' median salary was $68,875, while for African Americans and Hispanics/Latinos, the median wage was $55,172 and $57,706, respectively.[92]

A significant reason for differences in median wage becomes clear when GS grade levels (the pay system under which more than half of all federal workers are paid) are examined by race. "White employees represent a larger percentage of the employees among the higher grades. In comparison, other groups decrease as they move up the pay scale."[93] See Figure 1 (reproduced from *Fair and Equitable Treatment: Progress Made and Challenges Remaining*) for a stark visual representation of this trend.

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[92] US Merit Systems Protection Board. *Fair and Equitable Treatment: Progress Made and Challenges Remaining.* December 1, 2009. https://www.mspb.gov/MSPBSEARCH/viewdocs.aspx?docnumber= 472678&version=473953&application=ACROBAT.
[93] US Merit Systems Protection Board.

Figure 1: Ethnic/Racial Representation in the Federal Workforce by Grade Levels, FY 2008[94]
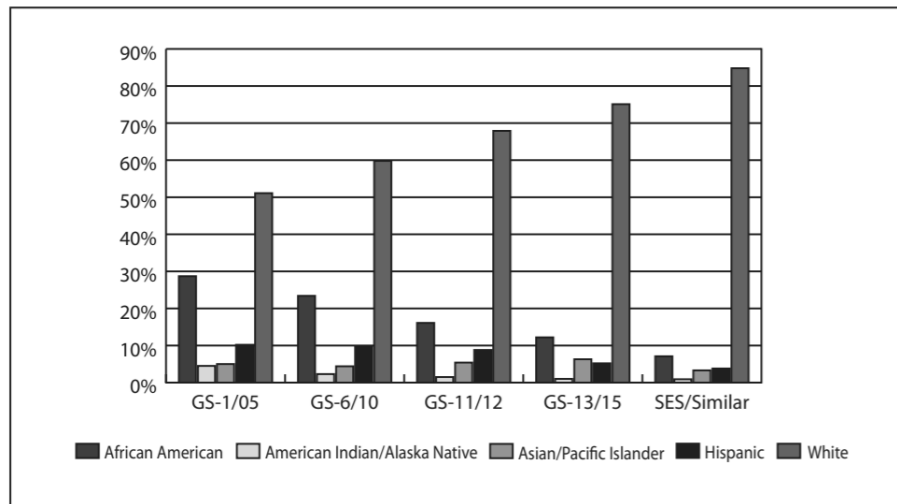
Additionally, African Americans and Hispanics/Latinos are underrepresented in supervisory roles outside of the SES. Using 2008 data, MSPB reports that while African Americans and Hispanics/Latinos made up 18 and 8 percent of the federal workforce respectively, they represent only 13 and 7 percent of non-SES supervisory positions.[95]

How do federal employees feel about diversity in their workplaces overall? The FEVS survey includes a New IQ Index that is made up of several question groups that measure inclusion within the government. The "open" group assesses management's support for diversity. In 2019, across all agencies, the New IQ rating for openness was just 61 on a 100-point scale, suggesting that federal workers would like to see improved support for diversity from their managers.[96]

One key FEVS question included in the "open" category shows different perceptions of agreement to the statement "policies and programs promote diversity in the workplace." The

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[94] US Merit Systems Protection Board.
[95] US Merit Systems Protection Board.
[96] US Office of Personnel Management. "Governmentwide Management Report." 2019.
https://www.opm.gov/fevs/reports/governmentwide-reports/governmentwide-management-report/governmentwide-report/2019/2019-governmentwide-management-report.pdf

percentage of whites who agreed or strongly agreed with this statement was 61.3. Among

African Americans and Hispanics/Latinos those percentages were 54.2 and 55.5, respectively.[97]

The differences in perception of support for diversity in the workforce could indicate

that while African Americans and Hispanics/Latinos would agree with the importance of

enhancing support for diversity throughout the federal government generally, and in the SES

specifically, whites may be less supportive of such efforts. If the issue is seen as a less significant

problem to the majority of the workforce, this group may respond negatively to efforts to

address the issue.

Advocacy Organizations

The Senior Executives Association (SEA), a professional association advocating for the

interests of federal executives, included a goal of increasing SES diversity it its legislative agenda

for the 114th Congress. In this agenda, SEA stated its support for "diversity legislation that

requires OPM and agencies to implement methods of increasing diversity in the SES, including

creating a diverse pipeline of candidates."[98] Additionally, following the high-profile police killing

of George Floyd, which again focused the public's attention on the killing of African-American

men in police custody, SEA released a statement on systemic racism in federal employment. In

this statement, SEA acknowledged that "the SES is among the least diverse demographic[s] in

the federal workforce."[99]

At its 2020 Legislative & Grassroots Mobilization conference, the American Federation

of Government Employees (AFGE) presented its 2020 issue papers. Among the issues covered

was that of affirmative action for diversity in cohort hiring. In this issue paper, AFGE noted its

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[97] US Office of Personnel Management, 2019.
[98] Senior Executives Association. "Legislative Agenda 114th Congress". Accessed November 23, 2020.https://cdn.ymaws.com/seniorexecs.site-ym.com/resource/resmgr/sealegislativeagenda 114thcon.pdf.
[99] Senior Executives Association. "SEA Statement on Systemic Racism in the Federal Workforce." June 15, 2020. https://mailchi.mp/bd55602b4403/sea-statement-on-systemic-racism-in-the-federal-workforce?e=72ce3d1457.

concern that "exceptions to full and fair open competition for jobs have . . . been used to circumvent internal competition for jobs [and] weaken diversity.[100]

In an interview with *Government Executive*, Blacks in Government (BIG) president Doris Sartor noted the importance of mentoring and professional development in diversifying the federal workforce. She also stated that "all employees should have the tools to compete for leadership opportunities."[101] The National Association of Hispanic Federal Executives (NAHFE) engages in leadership and career development training, including a mentorship program for its members to "increase the number of federal employees that become qualified to meet the core qualifications to fill upper level positions, including . . . SES positions."[102] These activities suggest that BIG and NAHFE would support an initiative to diversify the SES.

Labor unions remain an important voice in issues related to the US workforce. In one study of the history of affirmative action and labor unions, Frymer notes that while "many national unions were important supporters of the civil rights movement and the passage of the Civil Rights Act, even some of the most progressive unions far underestimated or even denied the role of racial discrimination in the workplace."[103]

More recently, the AFL-CIO, a "federation of 56 national and international labor unions that represent 12.5 million working men and women,"[104] resolved in 2005 to preserve

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[100] American Federation of Government Employees, AFL-CIO. "2020 Issue Papers." Accessed November 23, 2020.https://www.afge.org/globalassets/images/apps/legcon/legcon-2020/resources/2020-issue-papers.pdf.
[101] Bublé, Courtney. "Blacks in Government President Seeks to Boos Recruiting, Mentoring and Advocacy at Federal Agencies. *Government Executive.* July 17, 2020. https://www.govexec.com/workforce/2020/07/blacks-government-president-seeks-boost-recruiting-mentoring-and-advocacy-federal-agencies/166815.
[102] NAHFE. "Career Development Training. Accessed November 23, 2020. https://nahfe.org/nahfeactivities.html.
[103] Frymer, Paul. "Affirmative Action in American Labor Unions: Necessary but Problematic for the Cause of Civil Rights." *Revue Franchise D'etudes Américain* No. 111 (March 2007): 73–87.
[104] AFL-CIO. "About Us." https://aflcio.org/about-us. Accessed November 23, 2020.

affirmative action, stating that "this important remedy is essential to securing the value of equality."[105]

The Public

In a 2019 Pew Research Center survey on race in the US, most adults (75 percent) agreed that employers should promote diversity in the workplace. Agreement was higher (86 percent) among those who reported their political affiliation as Democrat/leaning Democrat. Though lower among those identifying as Republican/leaning Republican, more than half (61 percent) agreed that employers should promote diversity in the workplace.[106]

This same survey, however, indicates a lack of support for consideration of race and ethnicity when making hiring decisions. Nearly 75 percent of all adults believe that employers should "only take a person's qualifications into account, even if it results in less diversity." Among Democrats and those who lean Democrat, that number was lower (62 percent), and among Republicans and those who lean Republican, 90 percent believed that employers should consider qualifications alone when hiring staff.[107]

A 2019 study examined support for diversity programs in the workplace. The authors found that the justifications for such programs influenced the level of support. When the need to improve diversity was cited as the reason for implementing diversity programs, employees were less supportive than if programs were justified as decreasing discrimination.[108]

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[105] AFL-CIO. "Resolution 3: The Values That Unite Us as a People and a Movement." July 25, 2005. https://aflcio.org/resolution/values-unite-us-people-and-movement
[106] Horowitz, Juliana Menasce. "Americans See Advantages and Challenges in Country's Growing Racial and Ethnic Diversity." Pew Research Center. May 8, 2019. https://www.pewsocialtrends.org/2019/05/08/americans-see-advantages-and-challenges-in-countrys-growing-racial-and-ethnic-diversity.
[107] Horowitz, Juliana Menasce.
[108] Scarborough, William J., Lambouths III, Danny L., Holbrook, Allyson L. "Support of Workplace Diversity Policies: The Role of Race, Gender, and Beliefs About Inequality. *Social Science Research* 79 (March 2019): 194–210. https://doi.org/10.1016/j.ssresearch.2019.01.002.

In November 2020, voters in California weighed in on the issue of affirmative action by voting on a state constitutional amendment that would have repealed 1996's Proposition 209, "which stated that the government and public institutions cannot discriminate against or grant preferential treatment to persons on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, and public contracting."[109] Proposition 209 essentially ended affirmative action in California.

California voters rejected the 2020 amendment, thus continuing the state's inability to implement affirmative action. Those who supported the amendment included the "California Latino Legislative Caucus, the California Legislative Black Caucus, and the California Asian & Pacific Islander Legislative Caucus." Among the groups that opposed the amendment were the "Asian American Coalition for Education and Students for Fair Admissions, which sued Harvard University after claiming it discriminated against Asian American students to accept Latino and Black students."[110] That groups of Asian Americans were both in favor of and opposed to this issue illustrates the mixed feelings some in this demographic may have about supporting other minority groups, while at the same time being conscious of the potential harm to their own demographic group.

As the demographic with the greatest representation in the US population, whites may perceive themselves at the greatest potential disadvantage if affirmative action programs are implemented. One study examined this issue and revealed that whites with higher levels of racism or "the belief that [w]hites are disadvantaged relative to racial minorities in society"

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[109] Ballotpedia. "California Proposition 6, Repeal Proposition 209 Affirmative Action Amendment (2020). Accessed November 23, 2020. https://ballotpedia.org/California_Proposition_16,_Repeal_Proposition_ 209_Affirmative_Action_Amendment_(2020).
[110] Bojórquez, Kim. "Proposition 16 would bring affirmative action back to California. Here's how it works." *Sacramento Bee*, October 17, 2020.

"perceive[d] greater [w]hite disadvantage in organizations that have race-based" affirmative action policies.[111]

While it may be difficult to quantify the number of people in the US who hold racist views, polls show that there is a perception among the general public that it has become both more common and more acceptable to "express racist or racially insensitive views."[112] This could indicate that those who hold such views will be willing to share their opposition to affirmative action or diversity programs.

US voters' feelings or racism may have been revealed in the November 2020 presidential election. President Trump's policies have been "dedicated to preserving a racial hierarchy that can be seen in Trump's own Cabinet and White House, both overwhelmingly white and among the least diverse in recent US history."[113]

As votes were counted (and re-counted), it became clear that a majority of voters (over 78 million) selected then-candidate Biden over President Trump. However, it is important to note that over 73 million voters chose to vote for a second term for President Trump.[114] It should not be assumed that all of these voters hold racist views, but it seems that the Trump administration's policies related to race and diversity were not a deterrent to their vote. These voters' views will have to be considered throughout implementation of any programs related to diversity to ensure that they perceive no additional harm to themselves.

[111] Shteynberg, Garriy, Leslie, Lisa M., Knight, Andrew P. Mayer, David M. "But Affirmative Action Hurts Us! Race-Related Beliefs Shape Perceptions of White Disadvantage and Policy Unfairness." *Organizational Behavior and Human Decision Processes* 115, no. 1 (May 2011): 1–12. https://doi.org/ 10.1016/j.obhdp.2010.11.011.

[112] Menasce Horowitz, Juliana, Brown, Anna, and Cox, Kiana. "Race in America 2019." Pew Research Center. April 9, 2019. https://www.pewsocialtrends.org/2019/04/09/race-in-america-2019.

[113] Miller, Greg. "Allegations of Racism Have Marked Trump's Presidency and Become Key Issue as Election Nears." *The Washington Post.* September 23, 2020.

[114] New York Times. "Presidential Election Results: Biden Wins." Accessed November 15, 2020. https://www.nytimes.com/interactive/2020/11/03/us/elections/results-president.html.

Legislators

Congress has addressed the issue of diversity in the SES several times in recent years,

most recently in 2012 with its proposed Senior Executive Service Reform Act of 2012.[115]

However, this bill and its predecessors have not been passed by a legislative majority.

The 2020 election may give insight into the commitment of legislators on this issue. The

Democratic party is projected to retain control of the US House of Representative, but lost a

total of 7 seats (as of November 15) to the Republican party.[116] Control of the Senate remains in

question as of this writing with two races headed for run-off elections that will determine either

the Republican majority or an even 50/50 split, with potential tie-breaking votes that would be

cast by Democratic Vice-President-Elect Harris, essentially leading to a Democratic majority.[117]

Legislators will have to consider the feelings of their constituents on their advocacy of

diversity programs. And some Republican lawmakers have continued efforts to support

President Trump in securing a second term in office, despite the election results in favor of

President-Elect Biden. Such efforts include schemes to appoint electors in favor of President

Trump to states' electoral college delegations. Other Republican legislators, including those

from influential states like Arizona and Pennsylvania, have "said they would not intervene in the

selection of electors."[118]

Though a majority of Americans support diversity in the workplace, a vocal minority may

continue to raise concerns to derail efforts at improving diversity in federal employment. With

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[115] Library of Congress. "S.2249 - 112th Congress (2011-2012): Senior Executive Service Reform Act of 2012." Last modified March 28, 2012. https://www.congress.gov/bill/112th-congress/senate-bill/2249; Library of Congress. "H.R.6042 - 112th Congress (2011-2012): Senior Executive Service Reform Act of 2012." Last modified June 27, 2012. https://www.congress.gov/bill/112th-congress/house-bill/6042.
[116] New York Times. "U.S. House Election Results." Accessed November 15, 2020.https://www.nytimes.com/interactive/2020/11/03/us/elections/results-house.html.
[117] New York Times. "U.S. Senate Election Results." Accessed November 15, 2020.https://www.nytimes.com/interactive/2020/11/03/us/elections/results-senate.html.
[118] Christie, Bob and Riccardi, Nicholas. "GOP Leaders in 4 States Quash Dubious Trump Bid on Electors." November 14, 2020. https://apnews.com/article/election-2020-joe-biden-donald-trump-legislature-pennsylvania-b199b2debc87fbb20612a48835bc0dba.

careful messaging and reassurances to all voters, however, these concerns can be counter

balanced.

VII. Recommendation

I recommend that President-Elect Biden implement this policy upon the beginning of his

term of office. The SES is an important management arm of the federal government and should

fully represent the people of the nation. The federal government should use its bureaucratic

discretion to ensure this representation and serve as an example for state and local

governments, and for private companies to follow suit.

Since this initiative is fully housed within the executive branch of the federal

government, no congressional approval is needed. This takes pressure off legislators who may

support such efforts, but whose constituents may have concerns over perceived injustice to

non-African-American and Hispanic/Latino ethnic groups.

In the wake of the 2020 presidential election and recent high-profile instances of racism

throughout the US (e.g., police killings of unarmed African Americans, instances of African

Americans being harassed while bird-watching and other everyday activities, etc.), it is

important for our nation's president to make clear his commitment to equality. This proposal

presents an effort that can be implemented quickly as a "baby step" toward racial equality.

Most people in the US indicate that they favor diversity in the workplace. It is important

that messaging around such an effort in the SES does not raise questions of unfairness to non-

racial/ethnic minority groups, however. This proposal does not recommend quotas or other

"hot-button" issues related to diversity, instead undertaking a thoughtful process to understand

obstacles. As such, messaging around this policy should be crafted to make this distinction clear

to legislators and the public. In fact, some issues that impact diversity among racial/ethnic

minorities may be similar to those that prevent lower-income whites (and other groups) from

moving into leadership positions, such as lack of a network among upper levels of management that prevent them from being considered for promotions. As such, strategies to remove these barriers for one racial/ethnic group might be applicable to other groups as well.

For the foreseeable future, there will likely be a contingent of the US population that opposes any efforts toward diversity, in the federal workforce or otherwise. Though the president represents all Americans, he or she need not support all Americans' views. As holder of the most significant bully pulpit in the nation (if not the world), the US president has an opportunity to counter views that he or she deems anathema to the "more perfect union" envisioned in our constitution. Supporting efforts to diversify the federal workforce will be just one effort among many toward social justice that President Biden will implement throughout his term in office. The president should not compromise the morals that made up his presidential platform after his inauguration.

Though an effort to understand and remove the obstacles to racial and ethnic representation in the SES is unlikely to make headlines in itself, the policy would provide the President-Elect with an opportunity to bring in representatives of stakeholder groups to open a dialogue on this subject. Making stakeholders aware of the administration's commitment and efforts to diversify the SES (as well as progress toward these goals) will help secure buy-in from these groups, who will communicate the administration's efforts to their constituents.

The SES is an integral part of the federal government's management system. But at just 8,000 members, it accounts for just a small percentage of the federal government as a whole. This makes the SES an ideal group to essentially pilot test efforts to diversify the federal workforce without implementing quotas or other methods that could face legal challenges. If the efforts described in this policy demonstrate success among the SES, they could be rolled out

across the federal workforce to improve representation of marginalized groups across all pay grades in federal service.

As suggested by the experience of the UK, meeting diversity goals may prove difficult, however, incremental progress can be achieved, nonetheless. This policy's goal for improving African-American representation in the SES is modest and could likely be achieved within 10 years. The goal for improving Hispanic/Latino representation in the SES is bolder. As such, it will be more difficult to achieve its goal within 10 years. Any progress, however, would be an improvement in the dramatic under-representation of Hispanics/Latinos in the SES, and would represent progress in giving this group a full voice in the federal government.

President Biden, by implementing this policy, will begin a process that will outlast his presidency. Improving diversity in the SES will lead to improved diversity throughout the agencies, divisions, and offices overseen by SES members, as diverse leadership seeks out diversity among staff. In this way, the federal workforce will become a more truly representative bureaucracy that is more attuned and responsive to the needs of the increasingly diverse American people.

CURRICULUM VITAE

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She currently lives in her hometown of Baltimore, Maryland and holds a bachelor's degree in sociology and anthropology from Goucher College.