



**Congressional  
Research Service**

Informing the legislative debate since 1914

---

# **Executive Order 14035 Implementation: Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce**

June 3, 2024

**Congressional Research Service**

<https://crsreports.congress.gov>

R48080



R48080

June 3, 2024

**Taylor N. Riccard**  
Analyst in Government  
Organization and  
Management

## Executive Order 14035 Implementation: Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce

On June 25, 2021, President Joe Biden issued Executive Order (E.O.) 14035 on “Diversity, Equity, Inclusion, and Accessibility [DEIA] in the Federal Workforce,” which mandates that the federal government enhance its ability to recruit, hire, develop, promote, and retain talented individuals and to act as a model employer for DEIA. This E.O. required the Office of Personnel Management (OPM) to create a “Government-Wide DEIA Plan” and required executive branch agencies to create their own DEIA strategic plans and tasked them with several DEIA-related responsibilities. In addition, E.O. 14035 emphasized a number of topics in relation to DEIA, including paid internships, partnerships and recruitment, professional development and advancement, training and learning, equity for employees with disabilities, equity for LBGQT+ employees, pay equity, and employment opportunities for formerly incarcerated individuals.

E.O. 14035 requires each agency to establish a chief diversity officer (CDO) or diversity and inclusion officer (DIO). OPM established the Chief Diversity Officers Executive Council (CDOEC) as a forum to engage agency CDOs and DIOs. The CDOEC is tasked with collaborating government-wide on strategic matters related to DEIA; collaborating with member agencies and public and private stakeholders on DEIA programs; engaging in benchmark, strategy, and metric setting for DEIA standards; and promoting the priorities and operating principles of E.O. 14035.

OPM published the *Government-Wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce* in November 2021. The Government-Wide DEIA Plan provides guidance to agencies for implementing E.O. 14035 through vision and mission statements, operating principles, DEIA priorities, advancement strategies, a maturity model, a workplace harassment framework, and next steps. E.O. 14035 also tasked OPM with a number of DEIA roles and responsibilities related to recruitment and hiring, training and development, and workforce equity.

In addition to the work that E.O. 14035 requires of the OPM director, the document outlines specific roles and responsibilities for executive departments and agencies, including reporting and data collection requirements. The head of each agency is required to make DEIA initiatives a priority in strategic planning efforts. Each agency was also directed to develop an Agency DEIA Strategic Plan. This report discusses three specific Agency DEIA Strategic Plans as examples of agency implementation of E.O. 14035 and the Government-Wide DEIA Plan. These plans are from OPM, the Department of Transportation, and the Department of Commerce.

OPM published its first annual report to discuss the progress made on implementing the Government-Wide DEIA Plan and E.O. 14035. The inaugural 2022 report provides workforce demographic data related to race, gender, veteran status, disability status, military spouses, and the Pathways Program. OPM outlines seven “accomplishments” in the report and planned actions for 2023. As of the time this CSR report was published, OPM had not yet released an annual report for 2023.

DEIA in the federal workforce is an issue of sustained interest to both the Biden Administration and Congress. DEIA-related topics may present opportunities for congressional oversight and legislative action. Potential areas of congressional interest may include:

- OPM’s capacity to implement E.O. 14035, the Government-Wide DEIA Plan, and other initiatives;
- agency and federal employee engagement with DEIA issues;
- DEIA data timeliness; and
- the relevance of DEIA as a policy priority.

## Contents

Introduction .....	1
Government-Wide DEIA Plan.....	1
Implementation .....	2
Government-Wide DEIA Plan Operating Principles and Priorities .....	2
Maturity Model and Workplace Harassment Framework .....	3
Next Steps for Agencies.....	4
Chief Diversity Officers Executive Council.....	4
CDOEC Operations.....	5
OPM Additional DEIA Responsibilities.....	6
Recruitment and Hiring.....	6
Training and Development.....	6
Workforce Equity .....	6
Executive Branch Agencies: DEIA Responsibilities .....	7
Agency Reporting .....	7
Data Collection.....	7
Agency DEIA Strategic Plans .....	8
Agency Plan Development and Publication.....	8
Agency Plan Goals and Priorities .....	10
Agency Plan Appendices .....	13
DEIA Annual Report .....	13
Issues for Congress.....	15

## Figures

Figure 1. Maturity Model .....	4
Figure 2. DOC DEIA Strategic Plan at-a-Glance .....	12
Figure 3. DEIA Index Score Comparisons .....	16

## Contacts

Author Information.....	17
-------------------------	----

## Introduction

On June 25, 2021, President Joe Biden issued Executive Order (E.O.) 14035 on “Diversity, Equity, Inclusion, and Accessibility [DEIA] in the Federal Workforce,” which mandates that the federal government enhance its ability to recruit, hire, develop, promote, and retain talented individuals and to act as a model employer for DEIA.<sup>1</sup> This E.O. required the Office of Personnel Management (OPM) to create a government-wide DEIA plan. It also required executive branch agencies to create their own DEIA strategic plans and tasked them with several DEIA-related responsibilities. In addition, E.O. 14035 emphasized a number of topics in relation to DEIA, including paid internships, partnerships and recruitment, professional development and advancement, training and learning, equity for employees with disabilities, equity for LGBTQ+ employees, pay equity, and employment opportunities for formerly incarcerated individuals.

E.O. 14035 builds on several initiatives from the Obama Administration. On August 18, 2011, President Barack Obama issued E.O. 13583, “Establishing a Coordinated Government-Wide Initiative to Promote Diversity and Inclusion in the Federal Workforce,” which initially established the requirement for a “Government-Wide Diversity and Inclusion Initiative and Strategic Plan” and directed agencies to develop their own plans to support diversity and inclusion.<sup>2</sup> Notably, equity and accessibility are not topics addressed in E.O. 13583.

This report provides an overview of E.O. 14035 and outlines its implementation including discussion of the Government-Wide Diversity, Equity, Inclusion, and Accessibility Strategic Plan (hereinafter, Government-Wide DEIA Plan), agency DEIA strategic plans, and the annual DEIA report. It also discusses potential topics of congressional interest for legislative and oversight purposes.

## Government-Wide DEIA Plan

In November 2021, OPM published the *Government-Wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*.<sup>3</sup> The director of OPM is required to reestablish an inter-agency initiative to promote DEIA in the federal workforce in coordination with a number of other officials, including the chair of the Equal Employment Opportunity Commission (EEOC), the Secretary of Labor, the director of the Office of Science and Technology Policy (OSTP), the assistant to the President for National Security Affairs, the assistant to the President for Domestic Policy (APDP), the director of the National Economic Council, and the co-chairs of the Gender Policy Council. The E.O. tasked this group of officials with issuing a Government-Wide DEIA Plan, which is to be updated as appropriate and at a minimum of every four years. This plan is required to:

- define standards for DEIA efforts based on best practices from the public and private sectors,

---

<sup>1</sup> E.O. 14035, “Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce,” 86 *Federal Register* 34593, June 25, 2021, <https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>.

<sup>2</sup> E.O. 13583, “Establishing a Coordinated Government-Wide Initiative to Promote Diversity and Inclusion in the Federal Workforce,” 76 *Federal Register* 52847, August 18, 2011, <https://www.federalregister.gov/documents/2011/08/23/2011-21704/establishing-a-coordinated-government-wide-initiative-to-promote-diversity-and-inclusion-in-the>.

<sup>3</sup> OPM, *Government-Wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*, November 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/11/Strategic-Plan-to-Advance-Diversity-Equity-Inclusion-and-Accessibility-in-the-Federal-Workforce-11.23.21.pdf>.

- identify strategies to advance DEIA in the federal workforce across a number of dimensions,
- provide a framework for addressing workplace harassment, and
- improve transparency and accountability associated with the EEOC’s Management Directive 715.<sup>4</sup>

## Implementation

This plan provides guidance—organized into seven sections and two appendices—to agencies for implementing E.O. 14035 through vision and mission statements, operating principles, DEIA priorities, advancement strategies, a maturity model, a workplace harassment framework, and next steps.

### Defining Key Terms

OPM’s Government-Wide DEIA Plan provides definitions for *diversity*, *equity*, *inclusion*, and *accessibility* in an appendix.<sup>5</sup> Section 2 of E.O. 14035 uses the same definitions for these terms.

*Diversity* is defined as the “practice of including the many communities, identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of the American people, including underserved communities.”

*Equity* is defined as the “consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.”

*Inclusion* is defined as the “recognition, appreciation, and use of the talents and skills of employees of all backgrounds.”

*Accessibility* is defined as:

The design, construction, development, and maintenance of facilities, information and communication technology, programs, and services so that all people, including people with disabilities, can fully and independently use them. Accessibility includes the provision of accommodations and modifications to ensure equal access to employment and participation in activities for people with disabilities, the reduction or elimination of physical and attitudinal barriers to equitable opportunities, a commitment to ensuring that people with disabilities can independently access every outward-facing and internal activity or electronic space, and the pursuit of best practices such as universal design.

The Government-Wide DEIA Plan’s mission statement states, “Across the federal government, agencies will work collaboratively to drive innovation and organizational outcomes, draw from the full diversity of the nation, and position the federal government to serve as a model employer that values and promotes equity for all Americans.”

## Government-Wide DEIA Plan Operating Principles and Priorities

The operating principles outlined in the Government-Wide DEIA Plan include:

1. **Use data- and evidence-based decisionmaking.** OPM tasks agencies with drawing from E.O. 14035, the Foundations for Evidence-Based Policymaking Act of 2018 (P.L. 115-435), and the Federal Data Strategy to prioritize a data-driven approach to DEIA.<sup>6</sup> It outlines several standards related to agencies’ DEIA data responsibilities.<sup>7</sup>

<sup>4</sup> EEOC, “Management Directive 715,” October 1, 2003, <https://www.eeoc.gov/federal-sector/management-directive/section-717-title-vii>.

<sup>5</sup> OPM, *Government-Wide Strategic Plan*, p. 21.

<sup>6</sup> Office of Management and Budget, “Federal Data Strategy,” <https://strategy.data.gov/>.

<sup>7</sup> OPM, *Government-Wide Strategic Plan*, p. 6.

2. **Focus on continuous improvement.** This emphasizes systematic, ongoing improvement instead of “cyclical or one-time achievements.”<sup>8</sup>
3. **Adopt a collaborative whole-of-agency mandate with partnership engagement.** This requires agencies to leverage resources across each agency and partner with experts across government, nonprofit organizations, and educational institutions.<sup>9</sup>
4. **Prioritize accountability and sustainability.** OPM tasks agency leadership with emphasizing DEIA in decisionmaking and strategic goal planning.<sup>10</sup> This operating principle also states that performance assessment of agency leaders should take execution of DEIA goals and vision into account. In addition, agency leadership should pursue increased transparency for DEIA activities.
5. **Understand the perspectives of the workforce and the customers.** The last operating principle describes OPM’s interest in agencies improving their understanding of both *employee experience* and *customer experience*. OPM defines *customer experience* as “the public’s perceptions of, and overall satisfaction with, their collective interactions with a government agency product, or service.”<sup>11</sup> *Employee experience* is defined as “the perception employees have of their collective interactions with their employer.”<sup>12</sup>

The Government-Wide DEIA Plan also provides a list of 11 government-wide DEIA priorities: safe workplaces, establishing chief diversity officers (CDOs), data collection, promoting paid internships, partnerships and recruitment, professional development and advancement, DEIA training and learning, equity for employees with disabilities, equity for LGBTQI+ employees, pay equity, and employment opportunities for formerly incarcerated individuals.<sup>13</sup>

## Maturity Model and Workplace Harassment Framework

OPM established a DEIA Maturity Model (see **Figure 1**) for agencies to “assess their workforce policies, organizational structures and alignment, and the adequacy of DEIA resources.”<sup>14</sup> OPM uses maturity models to help agencies assess various efforts and initiatives for benchmarking purposes.<sup>15</sup>

---

<sup>8</sup> OPM, *Government-Wide Strategic Plan*, p. 7.

<sup>9</sup> OPM, *Government-Wide Strategic Plan*, p. 7.

<sup>10</sup> OPM, *Government-Wide Strategic Plan*, p. 8.

<sup>11</sup> OPM, *Government-Wide Strategic Plan*, p. 8.

<sup>12</sup> OPM, *Government-Wide Strategic Plan*, p. 8.

<sup>13</sup> OPM, *Government-Wide Strategic Plan*, pp. 9-10.

<sup>14</sup> OPM, *Government-Wide Strategic Plan*, p. 15.

<sup>15</sup> For example, see OPM, *Human Capital Reviews*, May 2018, <https://www.opm.gov/policy-data-oversight/human-capital-framework/reference-materials/tools/human-capital-reviews.pdf>.



**Figure I. Maturity Model**  
Government-Wide DEIA Plan: Appendix II

<b>DEIA Maturity Model Overview</b>			
This Maturity Model is an example tool for agencies to consider employing to assess the effectiveness of Diversity Equity, Inclusion, and Accessibility (DEIA) within their workforce policies and culture. This DEIA Maturity Model supports agencies in effectively building an infrastructure for DEIA within their organization to improve efficiency, effectiveness, and equity within their workforce. This model can be adopted or adapted to meet an Agency/Component's unique structure and needs. The practices described here serve as examples within each level and are not exhaustive.			
<b>SIGNALS OF MATURITY</b>	<b>LEVEL 1</b> Foundational Capacity	<b>LEVEL 2</b> Advancing Outcomes	<b>LEVEL 3</b> Leading and Sustaining
<b>DEIA approach</b>	Focused on complying with non-discrimination legislation and regulatory requirements.	DEIA initiatives yielding improved results and outcomes driven by dedicated resources, strategic planning, goal setting and evaluation. Agency/Component practices promote the values of DEIA, but DEIA may not yet be integrated across Agency/Component mission and strategic planning.	DEIA is an integral part of overall Agency/Component mission, vision, values, strategy, policies, and practices. Systematic implementation of DEIA driven through goal setting, data-driven analysis, and continuous improvement. Agency/Component undertakes structural reforms of policies and practices to mitigate barriers, if any.
<b>Diversity framework</b>	Definition of diversity confined to EEO categories.	Inclusive definition of underserved communities.	Connecting, interrelated approach embraces multiple identities.
<b>Organizational structure</b>	DEIA work may be under-resourced within the organization and/or decentralized across the Agency/Component.	DEIA work integrated across EEO, HR, civil rights, and D&I program offices.	DEIA work fully resourced and led at highest levels of Agency/Component leadership with significant and sustained SES responsibility.
<b>DEIA integration</b>	DEIA work may be siloed within the Agency/Component and/or disconnected from mission and strategic planning.	DEIA goals reflected in Agency/Component strategic planning.	DEIA goals fully and strategically integrated with Agency/Component strategic planning, performance management, and learning agendas.

**Source:** OPM, Government-Wide DEIA Plan, November 2021, p. 23.

The Government-Wide DEIA Plan detailed a three-phase framework to prevent and address workplace harassment:<sup>16</sup> (1) completing self-assessments of their policies and procedures, (2) reviewing the self-assessments and implementing new practices with implementation milestones, and (3) implementing evidence-based practices for continued improvement.

### Next Steps for Agencies

The Government-Wide DEIA Plan provides roadmaps for agency action for each component of DEIA. Each roadmap includes a narrative description and lists examples of actions agencies may take in order to pursue each DEIA component.<sup>17</sup> OPM also explains agencies' responsibility for establishing their own DEIA strategic plans<sup>18</sup> and outlines the information that agencies must include in these plans. CDOs within agencies are required to oversee agency implementation of DEIA strategic plans and to evaluate and report on progress on a quarterly basis.

## Chief Diversity Officers Executive Council

Section 4(f) of E.O. 14035 requires each agency to establish a CDO or diversity and inclusion officer (DIO). Those appointed to these positions should have "sufficient seniority to coordinate efforts to promote diversity, equity, inclusion, and accessibility within the agency."<sup>19</sup> OPM issued guidance on January 5, 2022, specifying that CDOs or DIOs must have expertise and authority in order to work with agency leadership and officials across government to advance DEIA within

<sup>16</sup> OPM, *Government-Wide Strategic Plan*, pp. 16-17.

<sup>17</sup> OPM, *Government-Wide Strategic Plan*, pp. 11-14.

<sup>18</sup> OPM, *Government-Wide Strategic Plan*, pp. 19-20.

<sup>19</sup> E.O. 14035, 86 *Federal Register* 34597.

their organizations. In addition, OPM states that it will establish a forum to engage agency CDOs and DIOs.<sup>20</sup>

In 2021, OPM established the Chief Diversity Officers Executive Council (CDOEC). The CDOEC's charter states that the council is to serve as the "principal interagency forum to implement and sustain a national strategy for DEIA across the Federal government and position the Federal government as a model for DEIA."<sup>21</sup> The CDOEC is tasked with collaborating government-wide on strategic matters related to DEIA; collaborating with member agencies and public and private stakeholders on DEIA programs; engaging in benchmark, strategy, and metric setting for DEIA standards; and promoting the priorities and operating principles of E.O. 14035.

The CDOEC is chaired by the director of OPM and vice-chaired by the Office of Management and Budget (OMB) deputy director for management (DDM) and the chair of the EEOC. In addition, the 24 agencies identified in the Chief Financial Officer Act of 1990 (P.L. 101-576) are represented on the council as permanent members by CDOs, DIOs, or equivalent executives.<sup>22</sup> Members of the council are required to attend quarterly meetings, committee meetings, events, and forums; participate in meetings and vote as necessary; implement council projects; serve on committees; bring issues related to DEIA to the council's attention; engage in cross-agency collaboration; and represent council interests at meetings, events, and forums as necessary. The CDOEC chairperson has the authority to appoint an executive committee as well as "standing committees, special committees, working groups, advisory groups, and temporary bodies to address areas of interest to the Council and to carry out the implementation of Federal DEIA initiatives or projects."<sup>23</sup>

The CDOEC may hold votes when a quorum of 50% of its permanent membership is present on topics such as council priorities, recommendations for government-wide policies, initiatives and programs, and actions for OPM. OPM maintains records of voting outcomes and meeting summaries, as well as all other official activities of the CDOEC.

## **CDOEC Operations**

On September 29, 2022, OPM convened the CDOEC for its first interagency meeting.<sup>24</sup> It was chaired by OPM Director Kiran Ahuja and co-chaired by Charlotte Burrows, chair of the EEOC, and OPM DDM Jason Miller. The CDOEC was staffed by the government-wide CDO, Janice Underwood.

---

<sup>20</sup> OPM, "Agency Opportunities to Establish Chief Diversity Officer or Diversity and Inclusion Officer Pursuant to Executive Order 14035, Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce," January 5, 2022, <https://www.chcoc.gov/content/agency-opportunities-establish-chief-diversity-officer-or-diversity-and-inclusion-officer>.

<sup>21</sup> OPM, "Chief Diversity Officers Executive Council Charter," <https://www.opm.gov/policy-data-oversight/chief-diversity-officers-executive-council/chief-diversity-officers-executive-council-charter/#objectives>.

<sup>22</sup> 31 U.S.C. §901(b).

<sup>23</sup> OPM, "Chief Diversity Officers Executive Council Charter." The executive committee includes the chairperson, the vice chairpersons, the government-wide CDO, and up to five additional members of the CDOEC.

<sup>24</sup> OPM, "OPM Launches Chief Diversity Officers Executive Council to Advance Diversity, Equity, Inclusion, and Accessibility Across Federal Agencies," press release, September 29, 2022, <https://www.opm.gov/news/releases/2022/09/release-opm-launches-chief-diversity-officers-executive-council-to-advance-diversity-equity-inclusion-and-accessibility-across-federal-agencies/>.



On September 21, 2023, OPM published a press release acknowledging the first anniversary of the inaugural CDOEC interagency meeting.<sup>25</sup> Among other things, the press release outlined a list of accomplishments that the CDOEC made in its first year, including (1) publishing an official CDOEC charter; (2) creating a website; (3) establishing a forum; (4) creating four working groups on *Standards, Policy, Data, and Professional Learning, Training, and Outreach*; (5) collaborating with the Chief Human Capital Officers Council and other federal councils; and (6) facilitating quarterly CDOEC meetings.

## **OPM Additional DEIA Responsibilities**

In addition to the creation of the Government-Wide DEIA Plan, E.O. 14035 tasked OPM with a number of DEIA roles and responsibilities related to recruitment and hiring, training and development, and workforce equity.

### **Recruitment and Hiring**

The OPM director, in collaboration with the DDM of OMB, is required to issue guidance to agencies to promote paid internships, fellowships, and apprenticeships in the federal workforce with a specific emphasis on recruiting individuals from underserved communities. The Government-Wide DEIA Plan lists promoting paid internships as one of the government-wide DEIA priorities but does not provide further information on implementation of this aspect of the E.O.

The OPM director, the director of the OSTP, and the DDM of OMB must coordinate a government-wide initiative called the “Partnerships Initiative” to “facilitate recruitment for Federal employment opportunities of individuals who are members of underserved communities.” These officials are to “guide agencies in building or strengthening partnerships” with historically black colleges and universities and other types of institutions of higher education.<sup>26</sup> Further, agency heads are to work with the OPM director, OSTP director, and OMB DDM to establish employment, internship, fellowship, and apprenticeship opportunities for the institutions of higher education that they are required to partner with.

### **Training and Development**

In collaboration with the OMB DDM, the OPM director is required to issue guidance to agencies “for tracking demographic data relating participation in leadership and professional development programs and development opportunities offered or sponsored by agencies and the rate of the placement of participating employees into senior positions in agencies.” In addition, the OPM director and the chair of the EEOC are required to issue guidance and assist agencies in creating and improving DEIA training programs.

### **Workforce Equity**

The OPM director is tasked with working with the Secretary of Labor, the chair of the EEOC, the OMB DDM, the executive director of the Architectural and Transportation Barriers Compliance Board, and the administrator of General Services to advance equity for federal employees with

---

<sup>25</sup> OPM, “Federal Government’s First-Ever Chief Diversity Officers Executive Council Marks One Year,” press release, September 21, 2023, <https://www.opm.gov/news/releases/2023/09/release-federal-government-s-first-ever-chief-diversity-officers-executive-council-marks-one-year/>.

<sup>26</sup> For a full list of entities that agencies are directed to partner with, see Section 7 of E.O. 14035.

disabilities by (1) ensuring agency compliance with applicable laws;<sup>27</sup> (2) assessing agencies' use of the Schedule A hiring authority for persons with disabilities (PWD) and other enhancements to employment opportunities for PWD;<sup>28</sup> (3) ensuring that PWD have access to information about their rights, relevant resources, and reasonable accommodations; and (4) ensuring that federal buildings and workplaces are accessible to PWD and meet accessibility standards.

The OPM director is to coordinate with the heads of agencies to “improve equitable access to employee services and health/medical benefits, update employee identification standards, expand availability of non-binary facilities, and mitigate barriers to security clearance.”<sup>29</sup>

OPM must review government-wide regulations and guidance to address pay inequity and to assess the current accessibility of federal employment opportunities for formerly incarcerated individuals and possible actions to improve these opportunities. The OPM director must report these findings to the President.

## Executive Branch Agencies: DEIA Responsibilities

The previous section of this report discusses responsibilities associated with the OPM director, many of which require coordination with agency officials. In addition to the work that E.O. 14035 requires of the OPM director, the document outlines specific roles and responsibilities for executive departments and agencies, including reporting and data collection requirements.

Agency heads are required to make DEIA initiatives a priority in their strategic planning efforts. They are also required to report to the OPM director, OMB DMM, and assistant to the APDP within 100 days of the issuance of E.O. 14035 on the current state of DEIA within their agencies and opportunities for improvement. Each agency is also directed to develop an Agency DEIA Strategic Plan.

### Agency Reporting

Each agency head is required to report on the agency's implementation of E.O. 14035 and its Agency Strategic Plan to the President on an annual basis. E.O. 14035 required the Government-Wide DEIA Plan to establish a system for this process: “New reporting requirements should be aligned with ongoing reporting established by Executive Order 13985 and the National Security Memorandum on Revitalizing America's Foreign Policy and National Security Workforce, Institutions, and Partnerships.”<sup>30</sup> The Secretary of Defense and the Secretary of Labor are required to review the Workforce Recruitment Program, which is used to recruit college students and recent graduates with disabilities, and to report recommended changes to the APDP.

### Data Collection

E.O. 14035 requires agency heads to measure “demographic representation and trends related to diversity in the agency's overall workforce composition, senior workforce composition,

---

<sup>27</sup> Specifically, E.O. 14035 names Sections 501, 504, and 508 of the Rehabilitation Act of 1973 (P.L. 93-112), as amended (29 U.S.C. §§791, 794, 794d).

<sup>28</sup> For discussion, see CRS Report R47316, *Federal Hiring of Persons with Disabilities*, by Taylor N. Riccard and Kathleen E. Marchsteiner.

<sup>29</sup> OPM, “Executive Order (EO) 14035: Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce,” <https://www.opm.gov/policy-data-oversight/diversity-equity-inclusion-and-accessibility/reference-materials/diversity-equity-inclusion-accessibility-in-the-federal-workforce.pdf>.

<sup>30</sup> E.O. 14035, 86 *Federal Register* 34595.

employment applications, hiring decisions, promotions, pay and compensation, professional development programs, and attrition rates.” They are also required to measure “voluntarily self-reported demographic data regarding the membership of advisory committees, commissions, and boards in a manner consistent with applicable law, including privacy and confidentiality protections, and with statistical standards where applicable,” and agency heads must comply with standards governing the collection, use, and analysis of demographic data.<sup>31</sup> The head of each agency must also implement any revised guidance issued by the OPM director, the chair of the EEOC, and the OMB DDM regarding collection of demographic data about federal employees.

## Agency DEIA Strategic Plans

This report discusses three specific Agency DEIA Strategic Plans as examples of agency implementation of E.O. 14035 and the Government-Wide DEIA Plan. OPM was selected due to its role as the federal government’s chief human resources agency. The Department of Transportation (DOT) and the Department of Commerce (DOC) were selected because of their Cabinet-level statuses and large workforces.

Section 4(b) of E.O. 14035 requires each agency to develop and submit an Agency DEIA Strategic Plan to the APDP, OPM director, and OMB DDM within 120 days of the issuance of the Government-Wide DEIA Plan. These plans are required to “identify actions to advance diversity, equity, inclusion, and accessibility in the workforce and remove any potential barriers to diversity, equity, inclusion, and accessibility in the workforce.” In addition, agency heads must include quarterly goals and actions to advance DEIA within their agencies. Agencies are then required to report annually to the President on agency progress in implementing their Agency DEIA Strategic plans. Agency DEIA Strategic Plans are typically found on agency websites.

## Agency Plan Development and Publication

### OPM

Like other agencies, OPM was required to solicit contributions from many stakeholders within the agency. Prior to the publication of the OPM DEIA Strategic Plan, OPM “conducted a self-assessment to evaluate the effectiveness of the Agency’s DEIA within its workforce policies and culture.”<sup>32</sup> Several DEIA Strategic Plan committees within OPM used this information to help develop the agency’s plan. The OPM DEIA Strategic Plan covers workplace harassment and workplace safety; accessibility, recruitment, development and retention; and data and accountability. The OPM website also refers to an “OPM DEIA Strategic Plan Team,” which is comprised of OPM human resources personnel and employees of the Office of Diversity, Equity, Inclusion, and Accessibility.

According to OPM, the OPM DEIA Strategic Plan Team worked with the Office of the Director, the Office of Equal Employment Opportunity, the Office of General Counsel, and the OPM DEIA

---

<sup>31</sup> See OMB Directive No. 15, “Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity,” 89 *Federal Register* 22182, March 29, 2024, <https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and>; and OMB, *Guidance for Providing and Using Administrative Data for Statistical Purposes*, February 14, 2014, [https://www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/memoranda/2014/m-14-06.pdf](https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/memoranda/2014/m-14-06.pdf). For discussion, see CRS Insight IN12304, *Revisions to Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, by Taylor R. Knoedl.

<sup>32</sup> OPM, “Plan Development Process,” <https://www.opm.gov/about-us/reports-publications/agency-plans/agency-deia-strategic-plan/plan-development-process/>.

Council to develop the OPM DEIA Strategic Plan and to help implement the plan. OPM also established the OPM DEIA Council in part to “support OPM’s efforts to develop and monitor the implementation of the OPM DEIA Strategic Plan.”<sup>33</sup> OPM states that the DEIA Strategic Plan Team incorporated the directives and priorities of the President’s Management Agenda, relevant executive orders, presidential memorandums, and the Government-Wide DEIA Plan.<sup>34</sup> The OPM DEIA Strategic Plan can be found on the OPM website as of this report’s publication.<sup>35</sup>

## DOT

DOT’s DEIA Strategic Plan for FY2022-FY2026 was developed by DOT’s Workforce Equity Team, which is described as “a cross-Departmental team of staff from civil rights, human resources, and program offices.”<sup>36</sup> The plan states that DOT’s DEIA efforts are organized into “five focus areas: Recruitment, Outreach and Hiring; Leadership and Professional Development; Retention; Workplace Culture; and Accountability.”<sup>37</sup> The DOT DEIA Strategic Plan can be found on the DOT website as of the time of this report’s publication.

The DOT plan highlights the existing role of the CDO for DEIA efforts, summarizes the results of DOT’s DEIA self-assessment, lists existing effective DOT DEIA practices, and reports DOT workforce demographic data.<sup>38</sup> According to DOT, opportunities for improvement uncovered by the self-assessment informed Section 5.1 of the plan, “DOT Focus Areas and Descriptions.” Notably, DOT’s analysis of workforce demographic data on race, national origin, gender, and disability status found that “there has not been a significant shift in the composition of the DOT workforce for the past six years.”<sup>39</sup> DOT concludes, “This emphasizes the need for this DOT DEIA Strategic Plan to identify barriers, develop and implement strategies, and ultimately ensure accountability measures are established for shifting the composition of the DOT workforce to be more reflective of all communities.”

## DOC

DOC’s DEIA Strategic Plan describes the existing DEIA infrastructure within the department and names key contributors to the development of the plan.<sup>40</sup> DOC established an Office of CDO within the Office of Civil Rights (OCR) and a CDO position at the Senior Executive Service level.<sup>41</sup> In September 2021, DOC also created a DEIA Council, which is led by the Deputy Secretary. DOC states that the purpose of the DEIA Council is to “lead the implementation of and to provide oversight and guidance to the Department’s internal and external DEIA initiatives at

---

<sup>33</sup> OPM, “Agency DEIA Strategic Plan Overview,” <https://www.opm.gov/about-us/reports-publications/agency-plans/agency-deia-strategic-plan/deia-overview/>.

<sup>34</sup> OPM, “Plan Development Process: Strategic Alignment,” <https://www.opm.gov/about-us/reports-publications/agency-plans/agency-deia-strategic-plan/plan-development-process/>.

<sup>35</sup> OPM, “Agency Diversity, Equity, Inclusion and Accessibility Strategic Plan,” <https://www.opm.gov/about-us/reports-publications/agency-plans/agency-deia-strategic-plan/>.

<sup>36</sup> DOT, *DEIA Strategic Plan: Advancing Diversity, Equity, Inclusion, and Accessibility in the Department of Transportation: FY22-FY26*, <https://www.transportation.gov/careers/dot-deia-strategic-plan>.

<sup>37</sup> DOT, *DEIA Strategic Plan*, p. 3.

<sup>38</sup> DOT, *DEIA Strategic Plan*, pp. 7-10.

<sup>39</sup> DOT, *DEIA Strategic Plan*, p. 13.

<sup>40</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 9, <https://www.commerce.gov/sites/default/files/2022-10/DOC-DEIA-Strategic-Plan.pdf>.

<sup>41</sup> For discussion of the Senior Executive Service, see CRS In Focus IF11743, *The Senior Executive Service: An Overview*, by Maeve P. Carey.

the highest level.”<sup>42</sup> The DEIA Council is comprised of seven committees: (1) Race and Ethnicity, (2) Gender Equity, (3) Environmental Justice, (4) LGBTQI+, (5) Outreach to Underserved Communities and Businesses, (6) Agency Culture, and (7) Accessibility. The Agency Culture Committee, which is led by the OCR, was responsible for developing the DOC DEIA Strategic Plan. The plan can be found on DOC’s website as of this report’s publication.<sup>43</sup> The DOC website also discusses ways for department employees and leaders to get involved in DEIA initiatives.<sup>44</sup>

Prior to the development of the DOC plan, DOC conducted a DEIA self-assessment pursuant to requirements in E.O. 14035 that showed that

the Department’s DEIA program is at the compliance level and highlighted the need to take significant concrete actions for DEIA to be fully embedded into our culture. So, the Department developed this Plan which identifies solutions to our challenges and barriers and provides the roadmap for how the Department will progress to higher levels on the DEIA Maturity Model.<sup>45</sup>

## Agency Plan Goals and Priorities

### OPM

OPM includes a DEIA mission and vision statement and outlines eight goals that “communicate OPM’s efforts to address problems, needs, challenges, and opportunities concerning DEIA,” which are to be implemented by September 30, 2024.<sup>46</sup> OPM’s eight goals are described below.

- Goal 1 requires OPM to “improve by 2% over the baseline the percent of employees who are knowledgeable and confident in OPM’s anti-harassment and safety practices.”
- Goal 2 requires OPM to “improve by 2% over the baseline the percent of OPM employees who agree that the agency is a great place to work for employees with disabilities.”
- Goal 3 requires OPM to “increase the number of resources dedicated to outreach and recruitment efforts, including for organizations that serve underserved & tribal communities, colleges, and universities by 10%.”
- Goal 4 requires OPM to “increase the percentage of OPM employees who perceive the agency’s hiring practices as diverse, equitable, inclusive, and accessible by 2%.”
- Goal 5 requires OPM to “increase [the Federal Employee Viewpoint Survey]’s Employee Engagement: Professional Development and Growth index by 4%.”
- Goal 6 requires OPM to “increase the percentage of employees who feel valued within their organization by two percentage points.”

---

<sup>42</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 9.

<sup>43</sup> DOC, “Diversity, Equity, Inclusion, and Accessibility (DEIA),” <https://www.commerce.gov/hr/practitioners/human-capital/diversity-inclusion>.

<sup>44</sup> DOC, “How Can You Support DEIA,” <https://www.commerce.gov/cr/programs-and-services/how-can-you-support-deia>.

<sup>45</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 6.

<sup>46</sup> OPM, “Agency DEIA Strategic Plan Goals,” <https://www.opm.gov/about-us/reports-publications/agency-plans/agency-deia-strategic-plan/deia-goals/>.

- Goal 7 requires OPM to “increase the self-identifiers available to include sexual orientation and gender identity data, as well as new racial/ethnic categories, and decrease the percent of undisclosed demographics by 2% from the baseline.”
- Goal 8 requires OPM to improve “access to baseline applicant and workforce data” by 2%.

OPM outlines one or more strategies for achieving each goal. OPM also outlines key milestones, names the implementing organization, lists a target completion time frame, and includes performance measures for each strategy.

## *DOT*

DOT’s DEIA Strategic Plan outlines the Government-Wide DEIA Plan’s vision, mission, and operating principles. It then provides its own mission and vision statements. In addition, DOT describes how it plans to integrate each of the government-wide operating principles into its own agency planning.<sup>47</sup>

Based on OPM’s DEIA Maturity Model, DOT has identified areas for improvement:<sup>48</sup>

Out of the 24 areas OPM reviewed, DOT was assessed at a Level 1 for 15 areas and Level 2 for nine areas. This means that on the continuum of DEIA maturity, DOT must do more to actively promote the integration of DEIA fully into Departmental culture, strategic planning, and mission critical work. In those nine areas where DOT was assessed to be at Level 2, DEIA values are actively being promoted by one or more operating administrations in DOT, however these values may not be fully or consistently integrated and actualized Department-wide. Overall, OPM’s scoring establishes DOT as solidly satisfactory at building a foundational capacity, which meets compliance expectations, with some successes in advancing next level DEIA outcomes. A further look at the scorecard definitions highlights that DOT’s DEIA work would benefit from more resources, better integration, and centralization.<sup>49</sup>

DOT further discusses five focus areas and provides charts that depict planned actions and activities for each of the five focus areas. For example, under Focus Area 1, “Recruitment, Outreach and Hiring,” DOT lists the Government-Wide Strategic Priorities that this focus area is intended to align with.<sup>50</sup> The chart for DOT Focus Area 1 lists DOT Action 1.1 as “Facilitate the recruitment of individuals who are members of underserved communities as candidates and applicants for DOT employment opportunities.” Under Action 1.1, DOT lists several activities, including “Ensure all recruitment strategies and materials are accessible to individuals with disabilities.”

---

<sup>47</sup> DOT, *DEIA Strategic Plan*, pp. 4-7.

<sup>48</sup> DOT includes detailed information on the application of OPM’s DEIA Maturity Model in an appendix to the DEIA Strategic Plan. See DOT, *DEIA Strategic Plan FY22-FY26*, pp. 28-30.

<sup>49</sup> DOT, *DEIA Strategic Plan*, p. 14.

<sup>50</sup> According to the DOT Focus Area 1 chart, these strategic priorities are data collection, promoting paid internships, partnerships and equitable recruitment, advancing equity for employees with disabilities, advancing equity for LGBTQI+ employees, pay equity, and expanding employment opportunities for formerly incarcerated individuals. DOT, *DEIA Strategic Plan*, p. 16.



## DOC

The DOC DEIA Strategic Plan provides department-specific DEIA mission and vision statements.<sup>51</sup> It also provides a “Business Case for DEIA,” which states that enhancing DEIA will help fix “operational and economical inefficiencies.”<sup>52</sup>

DOC’s plan explains that the Agency Culture Committee opted to organize DOC’s efforts around five strategic goals tied to different phases in the employment cycle: (1) diversity, (2) equity, (3) inclusion, (4) accessibility, and (5) infrastructure and accountability.<sup>53</sup> DOC also developed a “Framework for a Safe and Inclusive Workplace,” which is intended to “prevent and address workplace harassment.”<sup>54</sup> The Framework is discussed in detail in the DOC DEIA Strategic Plan’s appendix.

Similar to the DOT DEIA Strategic Plan, DOC provides strategic objectives related to each of the five goals and the Framework in its plan. These are summarized in **Figure 2** below.

**Figure 2. DOC DEIA Strategic Plan at-a-Glance**

Goal 1: Create and Promote an Organizational Culture That Is Diverse Through Enhanced Recruitment and Hiring Practices	<p><b>Strategic Objectives</b></p> <ul style="list-style-type: none"> <li>1.1 Enhance Strategic Outreach and Recruitment to Create a More Diverse and Inclusive Applicant Pool</li> <li>1.2 Establish Hiring Policies and Procedures Designed to Build a Diverse and Representative Workforce Inclusive of Individuals from Underserved Communities Through an Open and Fair Process Consistent with Merit Systems Principles</li> </ul>
Goal 2: Create an Organizational Culture That Is Equitable	<p><b>Strategic Objectives</b></p> <ul style="list-style-type: none"> <li>2.1 Enhance Equity in Pay and Compensation Policies/Practices</li> <li>2.2 Enhance Equity in Recognition, Awards, and Disciplinary Policies and Practices</li> <li>2.3 Enhance Equitable Employee Access to Benefits/Services</li> </ul>
Goal 3: Create and Promote an Organizational Culture That Is Inclusive and Supports a Sense of Belonging	<p><b>Strategic Objectives</b></p> <ul style="list-style-type: none"> <li>3.1 Enhance Employee Retention</li> <li>3.2 Enhance Career Advancement – Professional Development and Promotions</li> <li>3.3 Enhance and Promote DEIA Training</li> <li>3.4 Monitoring the Health of the Department’s Work Environment</li> </ul>
Goal 4: Create and Promote an Organizational Culture That Is Accessible	<p><b>Strategic Objectives</b></p> <ul style="list-style-type: none"> <li>4.1 Ensure That the Department’s Physical Work Environment is Accessible</li> <li>4.2 Ensure That the Department’s Digital Presence, Work Products and Services are Accessible</li> <li>4.3 Ensure That the Department’s Websites, Work Products and Services are Available to Individuals with Limited English Proficiency (LEP)</li> </ul>
Goal 5: Accountability and Strengthening the Department’s DEIA Infrastructure to Ensure Sustainability	<p><b>Strategic Objectives</b></p> <ul style="list-style-type: none"> <li>5.1 Ensure Accountability</li> <li>5.2 Strengthen DEIA Infrastructure</li> <li>5.3 Communicate DEIA Initiatives and Progress in Achieving Goals</li> </ul>
Framework to Promote Safe and Inclusive Workplaces and Address Workplace Harassment	<p><b>Strategic Objectives</b></p> <ul style="list-style-type: none"> <li>F.1 Proactively Prevent Workplace Harassment</li> <li>F.2 Provide Sufficient Resources to Respond and Address Allegations of Workplace Harassment</li> <li>F.3 Demonstrate Leadership Commitment and Promote Respectful Workplaces and Bystander Intervention</li> <li>F.4 Enhance Anti-harassment Education</li> <li>F.5 Sustainability and Continued Improvement</li> </ul>

**Source:** DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 20.

<sup>51</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 8.

<sup>52</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 5.

<sup>53</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, pp. 10-11.

<sup>54</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, p. 60.

## Agency Plan Appendices

### OPM

OPM’s DEIA Strategic Plan includes three appendices that provide information on key terms and definitions, acronyms, and OPM contributors.<sup>55</sup>

### DOT

In addition to detailed information on the Maturity Model assessment, the DOT DEIA Strategic Plan includes information on a number of topics in appendices. Notably, Section 6.5 of the appendices displays DOT’s DEIA actions and key activities in charts that include target completion dates and status indicators (i.e., “Complete,” “In Progress,” or “Not Started”).<sup>56</sup>

### DOC

In an appendix titled “Detailed Strategic Objectives and Actions,” DOC breaks down each strategic goal with discussion of annual metrics, quarterly metrics, sub-objectives, actions to achieve sub-objectives, proposed timelines, and owners of each objective.<sup>57</sup> For example, Strategic Goal 1 is “Create and promote an organizational culture that is diverse through enhanced recruitment and hiring practices.” One of the annual metrics for Strategic Goal 1 is the “Percent of bureaus with established Strategic Outreach and Recruitment (SOAR) working groups.” Objective 1.1 within Strategic Goal 1 is “Enhance outreach and recruitment to create a more diverse and inclusive applicant pool.” DOC then lists several sub-objectives for Objective 1.1. For each of these sub-objectives, the plan describes actions DOC plans to take to achieve that sub-objective, the timeline for completion, and the stakeholder(s) responsible for the listed actions.

## DEIA Annual Report

On February 15, 2023, OPM released its first annual report titled *Government-Wide DEIA: Our Progress and Path Forward to Building a Better Workforce for the American People* for calendar year 2022, which discusses the progress made on the Government-Wide DEIA Plan and E.O. 14035.<sup>58</sup> The report provides workforce demographic data related to race, gender, veteran status, disability status, military spouses, and the Pathways Program. Findings from OPM’s research are discussed in more detail in the appendix to the annual report.<sup>59</sup>

OPM lists seven “accomplishments” in the implementation of E.O. 14035 and the Government-Wide DEIA plan.<sup>60</sup>

---

<sup>55</sup> OPM, “Agency DEIA Strategic Plan Appendices,” <https://www.opm.gov/about-us/reports-publications/agency-plans/agency-deia-strategic-plan/deia-appendices/>.

<sup>56</sup> DOT, *DEIA Strategic Plan*, pp. 36-55.

<sup>57</sup> DOC, *Diversity, Equity, Inclusion and Accessibility Strategic Plan 2022-2024*, pp. 21-59.

<sup>58</sup> OPM, *Government-Wide DEIA: Our Progress and Path Forward to Building a Better Workforce for the American People: Annual Report 2022*, <https://www.opm.gov/policy-data-oversight/diversity-equity-inclusion-and-accessibility/reports/DEIA-Annual-Report-2022.pdf>.

<sup>59</sup> OPM, *Government-Wide DEIA*, pp. 22-27.

<sup>60</sup> OPM, *Government-Wide DEIA*, pp. 9-14.

1. The establishment of the CDOEC (see “Chief Diversity Officers Executive Council”). OPM states that the CDOEC will collaborate with various stakeholders to pursue DEIA projects and programs across the government. Further, the CDOEC will set DEIA standards for accountability, support agencies in their DEIA initiatives, and promote the implementation of E.O. 14035.
2. The Federal Employee Resource Group (ERG) Summit held on April 22, 2022. According to OPM, the summit was “designed to equip Federal employees in ERGs to better support agencies’ efforts to strategically advance DEIA and impact mission outcomes.”
3. The “DEIA Summit 2022: A Whole-of-Government Approach to Disability Employment” event hosted virtually by OPM’s Office of Diversity, Equity, Inclusion, and Accessibility on December 6-8, 2022, to discuss “Promising practices and strategies to improve employment for people with disabilities in the Federal workforce.”
4. Promoting gender-affirming and inclusive care for employees through the Federal Employees Health Benefits Program.
5. DEIA-related updates made to the OPM Federal Employee Viewpoint Survey (FEVS).<sup>61</sup> OPM explains that these updates were “to transform the existing OPM FEVS diversity and inclusion index, ‘New Inclusion Quotient,’ into an index that assesses employee experiences with DEIA policies, practices, and procedures regarding their agency and its leaders.”
6. Establishment of a “DEIA Learning Community” to work with agency DEIA teams, produce a newsletter, provide feedback on agency DEIA self-assessments, and host webinars and office hours.
7. “Advancing DEIA Promising Practices for Federal Agencies.” OPM explains that it has worked with a number of agencies to produce a document titled “Promising Practices for Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce,” which discusses DEIA issues, solutions, and outcomes.<sup>62</sup>

The annual report also discusses the activities and initiatives that OPM planned for 2023, including additional ERG and DEIA summits. The implementation of some of these activities remains to be seen as of the time of this report’s publication. According to the annual report, OPM planned to partner with the General Services Administration to assess outcomes with agencies participating in DEIA training. OPM also discusses plans to create a “DEIA Dashboard,” which is also an OPM Agency Priority Goal.<sup>63</sup> OPM explains that the purpose of this dashboard is “improving data collection, use, and sharing to help agencies successfully implement DEIA-focused programs, practices and policies supporting improved equitable services through an engaged workforce.”<sup>64</sup> OPM discusses data-driven plans for FY2023-FY2026 in detail in a report

---

<sup>61</sup> The FEVS is an annual survey administered by OPM. It seeks to measure federal employees’ perceptions of their work experiences, their agency, and leadership. For more information, see CRS Insight IN12079, *The 2022 Federal Employee Viewpoint Survey (FEVS): Results and Issues for Congress*, by Taylor N. Riccard

<sup>62</sup> OPM, *Promising Practices for Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*, <https://www.opm.gov/policy-data-oversight/diversity-equity-inclusion-and-accessibility/promising-practices-for-diversity-equity-inclusion-and-accessibility-in-the-federal-workforce.pdf>.

<sup>63</sup> OPM, “FY 2023 Annual Performance Report,” <https://www.opm.gov/about-us/2023-annual-performance-report/agency-priority-goals/>.

<sup>64</sup> OPM, *Government-Wide DEIA*, p. 20.

titled *Data Strategy*.<sup>65</sup> Finally, OPM speaks to the “DEIA Talent Sourcing for America” initiative launched in September 2022, which “seeks to apply a DEIA lens on the first step in the employment cycle, prior to a candidate’s application.”<sup>66</sup>

As of the time this report was published, OPM had not yet released an annual report for 2023.

## Issues for Congress

DEIA in the federal workforce is an issue of sustained interest to both the Biden Administration and Congress. DEIA related topics may present opportunities for congressional oversight and legislative action. Potential areas of congressional interest may include:

- OPM’s capacity to implement E.O. 14035, the Government-Wide DEIA Plan, and other initiatives;
- agency and federal employee engagement with DEIA issues; and
- the relevance of DEIA as a policy priority.

OPM’s overall operational capacity has been a matter of debate in recent years. In 2021, the National Academy of Public Administration released a congressionally mandated report on OPM, which included 23 recommendations for the agency.<sup>67</sup> Several of these recommendations related to increasing OPM’s capacity, modernizing OPM’s approach to human capital management, streamlining the agency’s operations, and bolstering OPM’s leadership role in workforce planning for the federal government. OPM issued a formal response in September 2021.<sup>68</sup> In February 2023, the Government Accountability Office (GAO) issued a report titled *Federal Workforce: OPM Advances Efforts to Close Government-Wide Skills Gaps but Needs a Plan to Improve Its Own Capacity*,<sup>69</sup> which suggests that OPM has skill gaps that may hinder its ability to provide support to other executive agencies. GAO recommended that “OPM (1) establish an action plan to address its skills gaps, and (2) document and take other actions to address the risks its skills gaps pose to meeting its strategic objectives. OPM concurred with both recommendations.”<sup>70</sup> As of the time of this report’s publication, the statuses of GAO’s recommendations were designated as “open.”<sup>71</sup> In light of the concerns regarding OPM’s capabilities, Congress may wish to consider if OPM is able to lead the DEIA initiatives and other human capital management activities that are of interest to Congress.

According to OPM’s 2023 FEVS, DEIA Index scores increased slightly from 2022 to 2023 (see **Figure 3**).<sup>72</sup> The DEIA Index is designed to measure employee perceptions of agency practices

<sup>65</sup> OPM, *Data Strategy Fiscal Years 2023-2026*, March 2023, <https://www.opm.gov/data/data-strategy/opm-data-strategy.pdf>.

<sup>66</sup> OPM, *Government-Wide DEIA*, p. 21.

<sup>67</sup> National Academy of Public Administration, *Elevating Human Capital: Reframing the U.S. Office of Personnel Management’s Leadership Imperative*, March 17, 2021, <https://s3.us-west-2.amazonaws.com/napa-2021/studies/united-states-office-of-personnel-management-independent-assessment/OPM-Final-Report-National-Academy-of-Public-Administration.pdf>.

<sup>68</sup> OPM, *Response to the National Academy of Public Administration Study Report to Congress*, September 2021, <https://www.opm.gov/about-us/reports-publications/responses/opm-response-to-napa-study.pdf>.

<sup>69</sup> GAO, *Federal Workforce: OPM Advances Efforts to Close Government-Wide Skills Gaps but Needs a Plan to Improve Its Own Capacity*, GAO-23-105528, February 27, 2023, <https://www.gao.gov/products/gao-23-105528>.

<sup>70</sup> GAO, *Federal Workforce*, p. 8.

<sup>71</sup> GAO, *Federal Workforce*, p. 28.

<sup>72</sup> OPM, *Federal Employee Viewpoint Survey Results: Governmentwide Management Report*, p. 16, (continued...)

related to DEIA, with higher scores indicating more positive perceptions.<sup>73</sup> The DEIA Index was added to the FEVS in 2022.

**Figure 3. DEIA Index Score Comparisons**  
FEVS 2023 Governmentwide Management Report



**Source:** OPM, *Federal Employee Viewpoint Survey Results: Governmentwide Management Report*, p. 16, <https://www.opm.gov/fevs/reports/governmentwide-reports/governmentwide-reports/governmentwide-management-report/2023/2023-governmentwide-management-report.pdf>.

Given the small number of years’ worth of data collected by the DEIA Index, it remains to be seen if there are significant conclusions to be drawn regarding employee perception of agencies’ DEIA actions. Congress may wish to review the DEIA question set to determine if it is a satisfactory measure of this topic moving forward.

OPM’s most recent annual report on the progress of government-wide DEIA initiatives covers 2022. OPM has not yet released a report for 2023 as of the time of this report’s publication. Congress may wish to consider if OPM’s reporting on DEIA is prompt enough for oversight purposes.

<https://www.opm.gov/fevs/reports/governmentwide-reports/governmentwide-reports/governmentwide-management-report/2023/2023-governmentwide-management-report.pdf>.

<sup>73</sup> See CRS Insight IN12079, *The 2022 Federal Employee Viewpoint Survey (FEVS): Results and Issues for Congress*, by Taylor N. Riccard.

Though the Biden Administration has shown interest in prioritizing DEIA in the federal workforce, there is some debate among Members of Congress regarding the importance of DEIA as a policy priority in general. For example, Senator Eric Schmitt introduced S. 3252, the Abolish Government DEI Act, in November 2023 to terminate the authority of existing DEIA-related agency offices and to prohibit agencies from carrying out any plans related to DEIA. The House Foreign Affairs Committee’s Subcommittee on Oversight and Accountability held a hearing on the State Department’s FY2024 budget request in June 2023.<sup>74</sup> The hearing’s witness was the former CDO of the State Department, Gina Abercrombie-Winstanley, who led the department’s Office of Diversity and Inclusion. Subcommittee Chairman Brian Mast said during the hearing, “I believe that this office has a clever name that uses strong, emotional words—‘diversity,’ ‘equity’ and ‘inclusion’—but functionally does the opposite of what American has always stood for, which is simply, the best man [or] the best woman for the job,” while Abercrombie-Winstanley argued that DEIA efforts are essential for healthy recruitment and retention levels at the State Department. The House Committee on Appropriations’ report on the FY2024 Financial Services and General Government Appropriations bill states that the committee does not support the Biden Administration’s request to fund staff diversity and inclusion offices.<sup>75</sup> Proponents of expanded DEIA efforts in Congress may wish to consider legislative options to codify aspects of E.O. 14035 into law, while those in opposition may seek to limit executive agencies’ actions related to expanding DEIA initiatives.

## Author Information

Taylor N. Riccard  
Analyst in Government Organization and  
Management

---

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS’s institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

---

<sup>74</sup> U.S. Congress, House Committee on Foreign Affairs, Subcommittee on Oversight and Accountability, *Examining the Fiscal Year 24 State Department Diversity Equity Inclusion and Accessibility Budget*, hearings, 118<sup>th</sup> Cong., June 13, 2023.

<sup>75</sup> U.S. Congress, House Committee on Appropriations, *Financial Services and General Government Appropriations Bill, 2024*, report to accompany H.R. 4664, 118<sup>th</sup> Cong., H.Rept. 118-145, July 17, 2023, p. 3.