

118TH CONGRESS
1ST SESSION

S. 2064

To ensure that Foreign Service officers are evaluated and given opportunities for advancement based on their conformance to merit system principles, to require the review of Performance Improvement Plans during tenure and promotion appraisals of Foreign Service officers, and to eliminate the requirement for the inclusion of a public member on selection boards.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2023

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To ensure that Foreign Service officers are evaluated and given opportunities for advancement based on their conformance to merit system principles, to require the review of Performance Improvement Plans during tenure and promotion appraisals of Foreign Service officers, and to eliminate the requirement for the inclusion of a public member on selection boards.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLES.**

2 This Act may be cited as the “Stop Wasteful, Odious,
3 and Kooky Exercises at State Act” or the “Stop WOKE
4 at State Act”.

5 **SEC. 2. ELIMINATION OF DIVERSITY, EQUITY, INCLUSION,
6 AND ACCESSIBILITY ADVOCACY REQUIRE-
7 MENT DURING THE FOREIGN SERVICE TEN-
8 URE AND PROMOTION PROCESS.**

9 (a) **PERFORMANCE EVALUATIONS.**—In evaluating
10 the performance of any Foreign Service officer during the
11 tenure and promotion process, the evaluator may not—

12 (1) evaluate the officer’s advocacy for diversity,
13 equity, inclusion, and accessibility principles; or

14 (2) rate the officer’s adherence and dem-
15 onstrated commitment to diversity, equity, inclusion,
16 and accessibility principles.

17 (b) **FOREIGN SERVICE SELECTION BOARD.**—The
18 Foreign Service selection board may not refer to diversity,
19 equity, inclusion, or accessibility when identifying and
20 rank ordering employees for tenure and promotion in the
21 Foreign Service.

22 (c) **MERIT SYSTEM PRINCIPLES.**—The Secretary of
23 State shall ensure that all references to diversity, equity,
24 inclusion, and accessibility principles in the Foreign Af-
25 fairs Manual, the Foreign Service Precepts, and the For-
26 eign Service Employee Evaluation Report are immediately

1 replaced with references to adherence to the merit system
 2 principles set forth in section 2301 of title 5, United
 3 States Code.

4 **SEC. 3. MANDATORY REVIEW OF PERFORMANCE IMPROVE-**
 5 **MENT PLANS DURING TENURE AND PRO-**
 6 **MOTION APPRAISAL PROCESS.**

7 The Secretary of State shall ensure that the tenure
 8 and promotion appraisal process for any Foreign Service
 9 officer include a review of all Performance Improvement
 10 Plans that have been issued to such officer during the pre-
 11 ceding 5-year period regarding performance that was con-
 12 sidered unacceptable.

13 **SEC. 4. FOREIGN SERVICE SELECTION BOARDS.**

14 Section 602 of the Foreign Service Act of 1980 (22
 15 U.S.C. 4002) is amended—

16 (1) in subsection (b), by striking the first sen-
 17 tence; and

18 (2) by adding at the end the following:

19 “(d) The chair of a selection board that is evaluating
 20 the performance of a member of the Service or the Senior
 21 Foreign Service under subsection (a) shall be in the same
 22 career track (historically known as ‘general functional
 23 cone’) as such member.”.

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