

114TH CONGRESS  
2D SESSION

# H. R. 5658

To amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2016

Mr. MCCARTHY introduced the following bill; which was referred to the Committee on Oversight and Government Reform

---

## A BILL

To amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tested Ability to Le-  
5 verage Exceptional National Talent Act of 2016” or the  
6 “TALENT Act of 2016”.

7 **SEC. 2. PRESIDENTIAL INNOVATION FELLOWS PROGRAM.**

8 (a) IN GENERAL.—Chapter 31 of title 5, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing:

1 “SUBCHAPTER V—PRESIDENTIAL INNOVATION  
2 FELLOWS PROGRAM

3 **“§ 3171. Presidential Innovation Fellows Program**

4 “(a) POLICY.—It is in the national interest for the  
5 Government to attract the brightest minds skilled in tech-  
6 nology or innovative practices to serve in the Government  
7 to work on some of the Nation’s biggest and most pressing  
8 challenges. This subchapter establishes a program to en-  
9 courage successful entrepreneurs, executives, and  
10 innovators to join the Government and work in close co-  
11 operation with Government leaders, to create meaningful  
12 solutions that can help save lives and taxpayer money, fuel  
13 job creation, and significantly improve how the Govern-  
14 ment serves the American people.

15 “(b) ESTABLISHMENT.—The Administrator of Gen-  
16 eral Services shall continue the Presidential Innovation  
17 Fellows Program (hereinafter referred to as the ‘Pro-  
18 gram’) to enable exceptional individuals with proven track  
19 records to serve time-limited appointments in Executive  
20 agencies to address some of the Nation’s most significant  
21 challenges and improve existing Government efforts that  
22 would particularly benefit from expertise using innovative  
23 techniques and technology.

24 “(c) ADMINISTRATION.—The Program shall be ad-  
25 ministered by a Director, appointed by the Administrator

1 under authorities of the General Services Administration.  
2 The Administrator shall provide necessary staff, resources  
3 and administrative support for the Program.

4 “(d) APPOINTMENT OF FELLOWS.—The Director  
5 shall appoint fellows pursuant to the Program and, in co-  
6 operation with Executive agencies, shall facilitate place-  
7 ment of fellows to participate in projects that have the  
8 potential for significant positive effects and are consistent  
9 with the President’s goals.

10 “(e) APPLICATION PROCESS.—

11 “(1) IN GENERAL.—The Director shall pre-  
12 scribe the process for applications and nominations  
13 of individuals to the Program.

14 “(2) PROGRAM STANDARDS.—Following publi-  
15 cation of these processes, the Director may accept  
16 for consideration applications from individuals. The  
17 Director shall establish, administer, review, and re-  
18 vise, if appropriate, a Governmentwide cap on the  
19 number of fellows. The Director shall establish and  
20 publish salary ranges, benefits, and standards for  
21 the Program.

22 “(f) SELECTION, APPOINTMENT, AND ASSIGNMENT  
23 OF FELLOWS.—

1           “(1) PROCEDURES.—The Director shall pre-  
2       scribe appropriate procedures for the selection, ap-  
3       pointment, and assignment of fellows.

4           “(2) CONSULTATION.—Prior to the selection of  
5       fellows, the Director shall consult with the heads of  
6       Executive agencies regarding potential projects and  
7       how best to meet those needs. Following such con-  
8       sultation, the Director shall select and appoint indi-  
9       viduals to serve as fellows.

10          “(3) TIME LIMITATION.—Fellows selected for  
11       the Program shall serve under short-term, time-lim-  
12       ited appointments. Such fellows shall be appointed  
13       for no less than 6 months and no longer than 2  
14       years in the Program. The Director shall facilitate  
15       the process of placing fellows at requesting Execu-  
16       tive agencies.

17          “(g) RESPONSIBILITIES OF AGENCIES.—Each Exec-  
18       utive agency shall work with the Director and the Presi-  
19       dential Innovation Fellows Program advisory board estab-  
20       lished under section 3172 to attempt to maximize the Pro-  
21       gram’s benefits to the agency and the Government, includ-  
22       ing by identifying initiatives that have a meaningful effect  
23       on the people served and that benefit from involvement  
24       by one or more fellows. Such agencies shall ensure that

1 each fellow works closely with responsible senior officials  
2 for the duration of the assignment.

3 **“§ 3172. Presidential Innovation Fellows Program ad-**  
4 **visory board**

5 “(a) IN GENERAL.—The Administrator of General  
6 Services shall continue an advisory board to advise the Di-  
7 rector of the Presidential Innovation Fellows Program by  
8 recommending such priorities and standards as may be  
9 beneficial to fulfill the mission of the Presidential Inno-  
10 vation Fellows Program and assist in identifying potential  
11 projects and placements for fellows. The advisory board  
12 may not participate in the selection process under section  
13 3171(f).

14 “(b) CHAIR; MEMBERSHIP.—The Administrator shall  
15 designate a representative to serve as the Chair of the ad-  
16 visory board. In addition to the Chair, the membership  
17 of the advisory board shall include—

18 “(1) the Deputy Director for Management of  
19 the Office of Management and Budget;

20 “(2) the Director of the Office of Personnel  
21 Management;

22 “(3) the Administrator of the Office of Elec-  
23 tronic Government of the Office of Management and  
24 Budget;

1           “(4) the Assistant to the President and Chief  
2           Technology Officer; and

3           “(5) other individuals as may be designated by  
4           the Administrator.

5           “(c) CONSULTATION.—The advisory board may con-  
6           sult with industry, academia, or nonprofits to ensure the  
7           Presidential Innovation Fellows Program is continually  
8           identifying opportunities to apply advanced skillsets and  
9           innovative practices in effective ways to address the Na-  
10          tion’s most significant challenges.”.

11          (b) CLERICAL AMENDMENT.—The table of sections  
12          for chapter 31 of title 5, United States Code, is amended  
13          by adding at the end the following:

“SUBCHAPTER V—PRESIDENTIAL INNOVATION FELLOWS PROGRAM

“3171. Presidential Innovation Fellows Program.

“3172. Presidential Innovation Fellows Program advisory board.”.

14          (c) TRANSITION.—The Presidential Innovation Fel-  
15          lows Program established pursuant to Executive Order  
16          13704 (5 U.S.C. 3301 note) as in existence on the day  
17          before the date of enactment of this Act shall be consid-  
18          ered the Presidential Innovation Fellows Program de-  
19          scribed under this section.

20          (d) NO ADDITIONAL FUNDS AUTHORIZED.—No ad-  
21          ditional funds are authorized to be appropriated to carry  
22          out this Act or the amendments made by this Act. This

- 1 Act and the amendments made by this Act shall be carried
- 2 out using amounts otherwise authorized.

