

118TH CONGRESS
1ST SESSION

H. R. 1487

To amend title 5, United States Code, to reaffirm the role of the Office of Personnel Management as the leader for civilian human resource management in the Federal Government, to encourage innovation in the Office's management of human capital, to strengthen the Office's ability to support Federal human capital management as a strategic priority, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2023

Mr. CONNOLLY (for himself and Mr. MFUME) introduced the following bill;
which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 5, United States Code, to reaffirm the role of the Office of Personnel Management as the leader for civilian human resource management in the Federal Government, to encourage innovation in the Office's management of human capital, to strengthen the Office's ability to support Federal human capital management as a strategic priority, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Office of Personnel
3 Management Reform Act”.

4 **SEC. 2. ROLE AND MISSION OF OFFICE OF PERSONNEL**
5 **MANAGEMENT.**

6 Section 1101 of title 5, United States, Code is
7 amended—

8 (1) by striking “The Office of Personnel Man-
9 agement” and inserting “(a) ESTABLISHMENT.—
10 The Office of Personnel Management”; and

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

12 “(b) MISSION.—The Office of Personnel Manage-
13 ment shall lead the Federal Government in enterprise
14 strategic human resources management, ensure the proper
15 application of merit system principles for all Federal civil-
16 ian human resource systems and employees, and carry out
17 the policies set forth in section 3 of the Civil Service Re-
18 form Act of 1978 (Public Law 95–454). In addition, the
19 Office of Personnel Management shall—

20 “(1) function as an independent human capital
21 agency for Federal civilian personnel systems, em-
22 ployees, and annuitants;

23 “(2) structure as a streamlined organization ca-
24 pable of fulfilling all its missions in a manner that
25 is effective, efficient, and readily navigable by those
26 who interact with the agency;

1 “(3) provide Government-wide leadership and
 2 facilitate appropriate and efficient access to human
 3 capital data and systems to support strategic Gov-
 4 ernment-wide human capital management;

5 “(4) use information technology and data, data
 6 analytics, and predictive analytics to inform decision
 7 making, identify best practices and drive innovation;

8 “(5) develop both current and forward-looking
 9 approaches for human resource management;

10 “(6) establish and maintain an efficient, and, as
 11 appropriate, risk-based and data-driven oversight
 12 program in support of merit systems principles and
 13 other statutory requirements OPM is obligated to
 14 enforce; and

15 “(7) promote staff capacity-building to support
 16 a competent and diverse workforce, consistent with
 17 the requirements of chapter 41 of this title.”.

18 **SEC. 3. QUALIFICATIONS OF OPM DIRECTOR.**

19 Chapter 11 of title 5, United States Code, is amend-
 20 ed—

21 (1) in section 1102—

22 (A) in subsection (a), by adding at the end
 23 after the period the following: “The individual
 24 appointed as Director shall be appointed with-
 25 out regard to political affiliation and have dem-

1 onstrated human capital expertise and manage-
2 ment and leadership experience.”; and

3 (B) by adding after subsection (d) the fol-
4 lowing:

5 “(e) An individual serving as Director or Deputy Di-
6 rector may be removed from office by the President only
7 if the reasons for such removal are specifically set forth
8 in a written statement submitted to the Committee on
9 Oversight and Reform in the House of Representatives
10 and the Committee on Homeland Security and Govern-
11 mental Affairs in the Senate. The President shall commu-
12 nicate in writing the reasons for any such removal to both
13 Houses of Congress not later than 30 days before the re-
14 moval.”; and

15 (2) in section 1103(a) by—

16 (A) redesignating paragraph (9) as para-
17 graph (12);

18 (B) striking “and” at the end of para-
19 graph (8); and

20 (C) inserting after paragraph (8) the fol-
21 lowing:

22 “(9) serving as the principal advisor to the
23 President on Federal human capital policies and
24 leading Federal civilian human capital efforts to at-
25 tract and retain the optimal Federal workforce;

1 “(10) establishing a framework for Federal
2 agency workforce management and working with
3 stakeholders to develop policies that foster best prac-
4 tices in all human capital areas;

5 “(11) setting standards of practice and working
6 collaboratively across the Federal human capital
7 community; and”.

8 **SEC. 4. OPM CHIEF MANAGEMENT OFFICER.**

9 (a) IN GENERAL.—Section 1102 of title 5, United
10 States Code, as amended by section 3, is further amended
11 by adding at the end the following:

12 “(f)(1) There is established within the Office of Per-
13 sonnel Management the position of Chief Management Of-
14 ficer. Such position shall be filled by a member of the Sen-
15 ior Executive Service in a designated career reserved posi-
16 tion. The Director shall establish and appoint an indi-
17 vidual to occupy such position not later than 90 days after
18 the date of enactment of the Office of Personnel Manage-
19 ment Reform Act.

20 “(2) Subject to the authority, direction, and control
21 of the Director, the Chief Management Officer shall per-
22 form such duties and exercise such powers as the Director
23 may prescribe, including—

24 “(A) assisting the Director and Deputy Direc-
25 tor to provide continuity, strengthen internal agency

1 organization and management, promoting the mis-
2 sion and strategic goals of the Office, and improving
3 Office performance;

4 “(B) during periods in which the Deputy Direc-
5 tor position is vacant, serving as the principal advi-
6 sor to the Director on all operations, activities, and
7 programs in the Office;

8 “(C) directing the associate Directors, program
9 divisions, and support functions of the Office on
10 matters for which the Chief Management Officer has
11 responsibility;

12 “(D) during periods in which the Deputy Direc-
13 tor position is vacant, establishing processes for su-
14 pervising operations of the Office and unifying man-
15 agement efforts across the Office;

16 “(E) aligning human resources policies and pro-
17 grams of the Office with the organization mission,
18 goals and performance outcomes;

19 “(F) developing a culture of continuous learn-
20 ing and positive employee engagement within the Of-
21 fice to attract and retain employees; and

22 “(G) identifying leading practices and bench-
23 marks relevant to the Officer’s areas of responsi-
24 bility.”.

25 (b) CLERICAL AMENDMENTS.—

1 (1) SECTION HEADING.—The section heading
 2 for section 1102 of title 5, United States Code, is
 3 amended by adding after “**Associate Directors**”
 4 the following: “**; Chief Management Officer**”.

5 (2) TABLE OF SECTIONS.—The table of sections
 6 for chapter 11 of such title is amended by striking
 7 the item relating to section 1102 and inserting the
 8 following:

“1102. Director; Deputy Director; Associate Directors; Chief Management Officer.”.

9 **SEC. 5. FEDERAL WORKFORCE ADVISORY COMMITTEE.**

10 (a) IN GENERAL.—Chapter 11 of title 5, United
 11 States Code, is amended by adding at the end the fol-
 12 lowing:

13 **“§ 1106. Federal Workforce Advisory Committee**

14 “(a) ESTABLISHMENT.—

15 “(1) IN GENERAL.—Not later than 180 days
 16 after the date of the enactment of the Office of Per-
 17 sonnel Management Reform Act, the Director of the
 18 Office of Personnel Management (in this section re-
 19 ferred to as the ‘Director’) shall establish within the
 20 Office an advisory committee to be known as the
 21 ‘Federal Workforce Advisory Committee’ (in this
 22 section referred to as the ‘Advisory Committee’).

1 “(2) DUTIES.—The Advisory Committee shall
2 advise and provide information and recommenda-
3 tions to the Director on—

4 “(A) strategies for making the Federal
5 Government an employer of choice and model
6 employer;

7 “(B) approaches for recruiting, hiring, and
8 retaining people with needed skills to improve
9 Federal services; and

10 “(C) programs and initiatives to build and
11 support a diverse, trusted, and effective Federal
12 workforce.

13 “(b) MEMBERSHIP.—

14 “(1) IN GENERAL.—

15 “(A) APPOINTMENT.—The Director shall
16 appoint not more than 15 members, excluding
17 ex officio members in paragraph (2), to the Ad-
18 visory Committee.

19 “(B) REPRESENTATION.—The Director
20 shall ensure that individuals appointed as mem-
21 bers of the Advisory Committee shall possess
22 knowledge and experience in human capital
23 management and have experience in at least
24 one of the following categories:

1 “(i) Public sector or governmental or-
2 ganizations, including global public sector
3 human resource professionals.

4 “(ii) Nonprofit organizations, includ-
5 ing labor unions.

6 “(iii) Private sector organizations.

7 “(iv) Academia.

8 “(v) Federal employee, retiree, and
9 labor organizations, including organiza-
10 tions that represent substantial numbers of
11 Federal employees occupying General
12 Schedule positions.

13 “(vi) Chief Human Capital Officers or
14 other members from Federal agency
15 human resource offices.

16 “(2) EX OFFICIO MEMBERS.—The following po-
17 sitions shall serve as ex officio members of the Advi-
18 sory Committee: the Director, the Deputy Director,
19 any Associate Director, the Chief Management Offi-
20 cer, the Chief Diversity, Equity, Inclusion and Ac-
21 cessibility Officer, the Chief Human Capital Officers
22 Council Executive Director, and other Federal offi-
23 cials at the discretion of the Director.

24 “(c) ADMINISTRATIVE PROVISIONS.—

25 “(1) MEETINGS.—

1 “(A) IN GENERAL.—The Advisory Com-
2 mittee shall meet at least two times per year.
3 The Chair may request additional meetings,
4 with such additional meetings subject to the ap-
5 proval of the Director.

6 “(B) OPPORTUNITY FOR PUBLIC COM-
7 MENT.—Each meeting shall include, at a min-
8 imum, opportunity for public comment during
9 the Advisory Committee’s deliberations.

10 “(2) BYLAWS.—At the first meeting of the Ad-
11 visory Committee, the members shall select a chair-
12 person and vice chairperson. The Advisory Commit-
13 tee’s bylaws shall be established by the chairperson
14 and vice chairperson and shall be submitted to the
15 members for unanimous approval by the members.

16 “(3) QUORUM.—Seven members of the Advisory
17 Committee shall constitute a quorum.

18 “(4) DECISIONS AND RECOMMENDATIONS BY
19 CONSENSUS.—All decisions, activities, findings, and
20 recommendations of the Advisory Committee shall be
21 made by consensus of the members of the Advisory
22 Committee.

23 “(d) ANNUAL REPORT.—Not later than one year
24 after the date of the first meeting of the Advisory Com-
25 mittee and annually thereafter, the Advisory Committee

1 shall submit an annual report to the Director, the Com-
 2 mittee on Oversight and Reform of the House of Rep-
 3 resentatives, and the Committee on Homeland Security
 4 and Governmental Affairs of the Senate. The Director
 5 shall make the report available online on a publicly acces-
 6 sible website. The report shall contain—

7 “(1) a detailed summary of the agenda and ac-
 8 tivities of, and the findings and recommendations
 9 made by, the Advisory Committee during the pre-
 10 vious year;

11 “(2) if applicable, any agency actions taken to
 12 address the findings and recommendations made by
 13 the Advisory Committee; and

14 “(3) a detailed list of subjects and areas of in-
 15 terest that the Advisory Committee plans to examine
 16 in the next year.

17 “(e) SUNSET.—Effective on December 31, 2026, the
 18 Advisory Committee and the authority of the Advisory
 19 Committee shall terminate.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
 21 for such chapter 11 is amended by adding after the item
 22 relating to section 1105 the following:

“1106. Federal Workforce Advisory Committee.”.

