

Calendar No. 558

117TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 117-206

CHANCE TO COMPETE ACT

REPORT

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 3423

TO IMPLEMENT MERIT-BASED REFORMS TO THE CIVIL
SERVICE HIRING SYSTEM THAT REPLACE DEGREE-BASED
HIRING WITH SKILLS AND COMPETENCY-BASED HIRING



NOVEMBER 17, 2022.—Ordered to be printed

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Mr. PETERS, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 3423]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 3423) to implement merit-based reforms to the civil service hiring system that replace degree-based hiring with skills- and competency-based hiring, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 3423, the *Chance to Compete Act*, makes reforms to the process of hiring candidates into the federal competitive service. It would improve the process for examining candidates by incorporating skills-based and competency-based technical assessments and more centrally involving subject matter experts within agencies. The bill would also establish a platform to make it easier to share qualified candidates across agencies, as well as public dashboard to add transparency to the hiring process. In addition, the bill would codify an executive order in which agencies are no longer

permitted to prescribe minimum educational requirements for a position, with some narrow exceptions. Finally, the bill would codify a current Administrative effort to encourage agencies to establish talent teams focused on improving the competitive examination and hiring process.

II. BACKGROUND AND NEED FOR THE LEGISLATION

Since 2001, the Government Accountability Office (GAO) has placed Strategic Human Capital Management on the High-Risk List.¹ GAO finds that: “Mission-critical skills gaps both within federal agencies and across the federal workforce pose a high risk to the nation because they impede the government from cost effectively serving the public and achieving results.”² The GAO also notes that although the causes of a skills gap vary, they are often due to shortfalls in talent management activities.³

The National Academy of Public Administration (NAPA) has released multiple white papers examining talent management strategies for addressing human capital challenges in the federal government.⁴ The NAPA recommendations include calling on federal government to “empower talent managers [. . .] with a keen knowledge of the skills and competencies employees should master for a line of work.”⁵ NAPA also suggests streamlining the hiring process by maintaining a pool of qualified workers so multiple vacancies can be filled more quickly.⁶

In 2020, a report published by the National Commission on Military, National, and Public Service describes issues with the federal hiring process that deter applicants and do not result in candidates that meet agency needs.⁷ The Commission recommends that Congress reform federal hiring processes by moving away from the current style of resume reviews and self-assessments towards more advanced assessments that involve hiring managers and subject matter experts.⁸

President Biden’s Presidential Management Agenda in 2021 similarly acknowledges the negative impact that the federal government’s complex hiring process and long hiring times have had on the capacity of federal agencies to carry out their duties.⁹ The President has recognized the need to adapt federal hiring processes to meet future demands.¹⁰ In his budget request for fiscal year 2022, President Biden outlined his support for “agency efforts to expand and enhance recruitment and hiring of top talent, and to deploy more effective qualifying assessments to improve hiring out-

¹ Government Accountability Office, *Strategic Human Capital Management* (www.gao.gov/highrisk/strategic-human-capital-management) (accessed Mar. 3, 2022).

²*Id.*

³*Id.*

⁴ National Academy of Public Administration, *No Time to Wait: Building a Public Service for the 21st Century* (napawash.org/academy-studies/no-time-to-wait-part-2-building-a-public-service-for-the-21st-century) (accessed Mar. 3, 2022).

⁵ National Academy of Public Administration, *No Time to Wait, Part 2: Building a Public Service for the 21st Century* (Sept. 2018).

⁶*Id.* at 20.

⁷ National Commission on Military, National, and Public Service, *Inspired to Serve: The Final Report of the National Commission on Military, National, and Public Service* (Mar. 2020).

⁸*Id.* at 68.

⁹ General Services Administration & the Office of Management and Budget, *The Biden-Harris Management Agenda Vision: Toward an Equitable, Effective, and Accountable Government that Delivers Results for All* (assets.performance.gov/PMA/BidenHarris_Management_Agenda_Vision_11-18.pdf) (accessed Mar. 3, 2022).

¹⁰*Id.* at 19.

comes.”¹¹ The Presidents budget request also called for the funding of agency talent teams as part of the effort to achieve better hiring outcomes.¹²

Despite a number of recommendations to reform the hiring system and move agencies away from using self-assessments, 97% of competitive job announcements across the federal government still rely on the self-assessment questionnaires and a human resources resume review.¹³ In response, the *Chance to Compete Act* would take a number of steps to improve the way the federal government assesses and hires candidates into the civil service. The bill would build on a successful pilot conducted through the U.S. Digital Service (USDS), in partnership with the Office of Personnel Management (OPM).¹⁴ Results of the pilot program include a reduction in the hiring time of applicable positions at the Department of Interior from 45 to 16 days on average and the Department ultimately hiring 52% of qualified candidates who applied, compared to zero candidates from baseline data.¹⁵ In addition, the pool of hired applicants included veterans and a diversity in race, age, and gender.¹⁶ In this model, subject matter experts are centrally involved in assessing the skills and competencies of applicants to ensure they are truly qualified for the work.¹⁷

Along with acting on the results of the pilot conducted by USDS and OPM, the *Chance to Compete Act* would establish a platform to make it easier to share qualified candidates across agencies, as well as a public dashboard to add transparency to the hiring process. The bill would also codify an executive order in which agencies are no longer permitted to prescribe minimum educational requirements for a position, with some narrow exceptions.¹⁸ Finally, the bill would codify a current Administrative effort to encourage agencies to establish talent teams focused on improving the competitive examination and hiring process, as mentioned in the President’s fiscal year 2022 budget request.¹⁹

III. LEGISLATIVE HISTORY

Senator Krysten Sinema (D–AZ) introduced S. 3423, the *Chance to Compete Act*, on December 16, 2021, with Senator James Lankford (R–OK) and Senator Bill Hagerty (R–TN) as original cosponsors. The bill was referred to the Committee on Homeland Security and Governmental Affairs. Senator Thomas Carper (D–DE) joined as cosponsor on January 31, 2022.

The Committee considered S. 3423 at a business meeting on February 2, 2022. During the business meeting, Senator Sinema offered a modification to a substitute amendment. The substitute amendment made some definitions changes in the context of hiring in the federal competitive service, including the terms “examina-

¹¹The White House, *Budget of the U.S. Government: Fiscal Year 2022* (www.whitehouse.gov/wp-content/uploads/2021/05/budget_fy22.pdf) (accessed Mar. 3, 2022).

¹²*Id.*

¹³General Services Administration, *Hiring Assessment and Selection Outcome Dashboard* (d2d.gsa.gov/report/hiring-assessment-and-selection-outcome-dashboard) (accessed Mar. 3, 2022).

¹⁴U.S. Digital Service, *Subject Matter Expert Qualification Assessments (SME-QA)* (www.usds.gov/projects/smeqa) (accessed Mar. 3, 2022).

¹⁵*Id.*

¹⁶*Id.*

¹⁷*Id.*

¹⁸See Exec. Order No. 13932, 85 Fed. Reg. 39457 (July 1, 2020).

¹⁹*The White House, supra* note 11.

tion,” “subject matter expert,” and “technical assessments,” among a few other smaller items. The modification to the substitute amendment made technical corrections, such as restoring a paragraph that requires more specific transparency in the dashboard. Senator Sinema’s substitute amendment and modification to the substitute amendment were adopted by voice vote en bloc. The bill, as amended by the Sinema modified substitute amendment, was ordered reported favorably by voice vote en bloc, with Senators Peters, Carper, Hassan, Sinema, Rosen, Padilla, Ossoff, Portman, Lankford, Scott, and Hawley present.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section establishes the short title of the bill as the “Chance to Compete Act of 2022.”

Sec. 2. Definitions

Subsection (a) defines the terms “agency,” “Director,” “examining agency,” “Office,” “subject matter expert,” and “technical assessment” in the context of this bill.

Subsection (b) defines the term “competitive service” in the context of this bill.

Sec. 3. Defining the term “examination” for purposes of hiring the competitive service

Subsection (a) adds a new subsection regarding the examinations process to a section in title 5 related to hiring into the competitive service. The new subsection defines “examination” as an opportunity to directly demonstrate knowledge, skills, abilities, and competencies through a passing score assessment and as including a resume review conducted by a subject matter expert. The text specifies that after two years following the bill’s enactment, an examination cannot include other kinds of resume reviews, self-assessments, or any other methods based on educational attainment, alone. The new subsection defines the terms “agency,” “Director,” “examining agency,” “Office,” “passing score assessment,” “subject matter expert,” and “technical assessment” in the context of the new subsection. In addition, the new subsection specifies that subject matter experts at the hiring agency can develop position-specific assessments for the hiring process, in partnership with human resources employees at the agency. The subject matter expert may also administer the assessment to determine if an applicant is qualified for the position or to rank applicants for the position. Finally, the new subsection authorizes an agency to share technical assessments with other agencies. A receiving agency may customize the assessments so long as they continue to satisfy related requirements in federal regulations. The new subsection directs OPM to establish a platform that agencies can use to share and customize assessments.

Subsection (b) directs OPM and the heads of agencies to eliminate the use of examinations that do not align with the new definition of examination, per subsection (a), within two years after the date of enactment of this bill.

Subsection (c) requires OPM to maintain and periodically update a public dashboard with details on the hiring processes for positions in the competitive service, including the type of assessment and hiring authority used by the agency, as well as whether or not the agency selected a candidate. The subsection also requires OPM to annually submit a progress report with hiring summary data to Congress and make the report publicly available. The report must include data broken down by demographic indicator, such as veteran status, race, gender, and disability.

Subsection (d) directs the GAO to assess the implementation of this section and make recommendations for improvements to the hiring process for the competitive service.

Sec. 4. Amendments to Competitive Service Act of 2015

Subsection (a) amends existing language in title 5 to expand the length of time an individual may be selected from a “certificate of eligibles,” which is a referral list of the highest-ranked eligible candidates for a position in the same occupational series and at a similar grade level. The text increases the length of time for selection from 240 days to one year. This subsection would also add provisions to establish a platform for sharing resumes of individuals on a certificate of eligibles, operated by OPM.

Subsection (b) would add a new subsection to title 5 to maximize the sharing of qualified applicants across agencies. The new subsection defines the terms “agency,” “Director,” “Office,” and “competitive service” in the context of the new subsection. The text directs OPM to share certificates of eligibles with accompanying resumes and allow agencies to host multi-agency hiring actions.

Subsection (c) requires OPM to promulgate regulations to carry out this section within 180 days after the bill’s enactment.

Sec. 5. Modernizing and reforming the assessment and hiring of Federal job candidates

Subsection (a) amends existing language in title 5 related to prescribing minimum educational requirements for competitive service positions. It would limit the use of minimum educational requirements to positions that cannot be legally performed by an individual who does not have the minimum prescribed educational level.

Subsection (b) directs OPM to amend related guidance documents and regulations as needed to implement subsection (a). It also requires OPM and the heads of agencies to amend their hiring practices in this regard within one year after the bill’s enactment.

Sec. 6. Talent teams

Subsection (a) authorizes agencies to establish talent teams that provide hiring support to agencies in terms of improving examinations, facilitating the writing of job announcements, sharing of qualified applicants.

Subsection (b) authorizes OPM to establish a federal talent team to support agency talent teams, including support for developing technical assessments and sharing qualified applicants.

V. EVALUATION OF REGULATORY IMPACT

[Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.]

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 9, 2022.

Hon. GARY C. PETERS,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed table summarizing estimated budgetary effects and mandates information for some of the legislation that has been ordered reported by the Senate Committee on Homeland Security and Governmental Affairs during the 117th Congress.

If you wish further details, we will be pleased to provide them. The CBO staff contact for each estimate is listed on the enclosed table.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

SUMMARY ESTIMATES OF LEGISLATION ORDERED REPORTED

The Congressional Budget Act of 1974 requires the Congressional Budget Office, to the extent practicable, to prepare estimates of the budgetary effects of legislation ordered reported by Congressional authorizing committees. In order to provide the Congress with as much information as possible, the attached table summarizes information about the estimated direct spending and revenue effects of some of the legislation that has been ordered reported by the Senate Committee on Homeland Security and Governmental Affairs during the 117th Congress. The legislation listed in this table generally would have small effects, if any, on direct spending or revenues, CBO estimates. Where possible, the table also provides information about the legislation's estimated effects on spending subject to appropriation and on intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act.

ESTIMATED BUDGETARY EFFECTS AND MANDATES INFORMATION

Bill Number	Title	Status	Last Action	Budget Function	Direct Spending, 2023-2032	Revenues, 2023-2032	Spending Subject to Appropriation, 2023-2027	Pay-As-You-Go Procedures Apply?	Increases On-Budget Deficits Beginning in 2033?	Mandates	Contact
S. 3423	Chance to Compete Act of 2022	Ordered reported	02/02/22	800	Between zero and \$500,000	0	Not estimated	Yes	No	No	Matthew Pickford

S. 3423 would require federal agencies to prioritize hiring based on demonstrable skills (through technical assessments and examinations) rather than on educational requirements. To support these changes, the Office of Personnel Management would be required to create a platform to share examination tools and a public website that tracks the types of assessments used to fill open positions. CBO estimates that enacting S. 3423 would have an insignificant effect on direct spending and no effect on revenues over the 2023-2032 period. CBO has not estimated the discretionary costs of implementing S. 3423. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

UNITED STATES CODE

* * * * *

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

* * * * *

PART III—EMPLOYEES

* * * * *

Subpart B—Employment and Retention

* * * * *

CHAPTER 33—EXAMINATION, SELECTION, AND PLACEMENT

* * * * *

Subchapter I—Examination, Certification, and Appointment

* * * * *

SEC. 3304. COMPETITIVE SERVICE; EXAMINATIONS

(a) * * *

(b) * * *

(c) *EXAMINATIONS.*—

(1) *DEFINITIONS.*—

(A) *EXAMINATION DEFINED FOR PURPOSES OF THIS CHAPTER.*—*For purposes of this chapter, the term ‘examination’—*

(i) *means an opportunity to directly demonstrate knowledge, skills, abilities, and competencies, through a passing score assessment;*

(ii) *includes a résumé review that is—*

(I) *conducted by a subject matter expert; and*

(II) *based upon indicators that—*

(aa) *are derived from a job analysis; and*

(bb) *bear a rational relationship to performance in the position for which the examining agency is hiring; and*

(iii) *on and after the date that is 2 years after the date of enactment of the Chance to Compete Act of 2022, does not include a self-assessment from an automated examination, a résumé review (except as provided in clause (ii)), or any other method of determining the experience or level or level of educational attainment of an individual, alone.*

(B) *OTHER TERMS.*—*In this subsection—*

(i) the term 'agency' means an agency described in section 901(b) of title 31;

(ii) the term 'Director' means the Director of the Office;

(iii) the term 'examining agency' means—

(I) the Office; or

(II) an agency to which the Director has delegated examining authority under section 1104(a)(2) of this title;

(iv) the term 'Office' means the Office of Personnel Management;

(v) the term 'passing score assessment' means an assessment that an individual can pass or fail;

(vi) the term 'subject matter expert' means an employee or selecting official—

(I) who possesses understanding of the duties of, and knowledge, skills, and abilities required for, the position for which the employee or selecting official is developing or administering an assessment; and

(II) whom the delegated examining unit of the agency that employs the employee or selecting official designates to assist in the development and administration of technical assessments under paragraph (2); and

(vii) the term 'technical assessment' means an assessment developed under paragraph (2)(A)(i) that—

(I) allows for the demonstration of job-related technical skills, abilities, and knowledge;

(II)(aa) is based upon a job analysis;

(bb) is relevant to the position for which the assessment is developed; and

(cc) does not discriminate on the basis of a protected status, as established by Director in regulations implementing this subsection; and

(III) may include—

(aa) a structured interview;

(bb) a work-related exercise;

(cc) a custom or generic procedure used to measure an individual's employment or career-related qualifications and interests; or

(dd) another assessment that meets the criteria under subclauses (I) and (II).

(2) TECHNICAL ASSESSMENTS.—

(A) IN GENERAL.—For the purpose of conducting an examination for a position in the competitive service, a subject matter expert who is determined by the subject matter expert's agency to be an expert in the subject and job field of the position, as affirmed and audited by the Chief Human Capital Officer or Human Resources Director (as applicable) of that agency, may—

(i) develop, in partnership with human resources employees of the examining agency, a position-specific assessment that is relevant to the position; and

(ii) *administer the assessment developed under clause (i) to—*

(I) *determine whether an applicant for the position has a passing score to be qualified for the position; or*

(II) *rank applicants for the position for category rating purposes under section 3319.*

(B) *SHARING AND CUSTOMIZATION OF ASSESSMENTS.—*

(i) *SHARING.—An examining agency may share a technical assessment with another examining agency if each agency maintains appropriate control over examination material.*

(ii) *CUSTOMIZATION.—An examining agency with which a technical assessment is shared under clause (i) may customize the assessment as appropriate, provided that the resulting assessment satisfies the requirements under part 300 of title 5, Code of Federal Regulations (or any successor regulation).*

(iii) *PLATFORM FOR SHARING AND CUSTOMIZATION.—*

(I) *IN GENERAL.—The Director shall establish and operate a platform on which examining agencies can share and customize technical assessments under this subparagraph.*

(II) *GUIDANCE.—Not later than 1 year after the date of enactment of the Chance to Compete Act of 2022, the Director shall issue guidance to examining agencies on how to efficiently and effectively share assessments using the platform established under subclause (I).*

(C) *ADOPTION OF DETERMINATIONS BY OTHER AGENCIES.—For purposes of sections 3318(b) and 3319(c), an appointing authority, other than the appointing authority requesting a certificate of eligibles, that selects an individual from that certificate in accordance with such section 3318(b) or 3319(c) may adopt the determination described in subparagraph (A) of this paragraph of a subject matter expert employed by the requesting appointing authority instead of administering an additional technical assessment of the individual*

[(c)](d)(1) For the purpose of this subsection, the term “technician” has the meaning given such term by section 8337(h)(1) of this title.

(2) Notwithstanding a contrary provision of this title or of the rules and regulations prescribed under this title for the administration of the competitive service, an individual who served for at least 3 years as a technician acquires a competitive status for transfer to the competitive service if such individual—

(A) is involuntarily separated from service as a technician other than by removal for cause on charges of misconduct or delinquency;

(B) passes a suitable noncompetitive examination; and

(C) transfers to the competitive service within 1 year after separating from service as a technician.

[(d)](e) The Office of Personnel Management shall promulgate regulations on the manner and extent that experience of an indi-

vidual in a position other than the competitive service, such as the excepted service (as defined under section 2103) in the legislative or judicial branch, or in any private or nonprofit enterprise, may be considered in making appointments to a position in the competitive service (as defined under section 2102). In promulgating such regulations OPM shall not grant any preference based on the fact of service in the legislative or judicial branch. The regulations shall be consistent with the principles of equitable competition and merit based appointments.

~~[(e)](f)~~ Employees at any place outside the District of Columbia where the President or the Office of Personnel Management directs that examinations be held shall allow the reasonable use of public buildings for, and in all proper ways facilitate, holding the examinations.

~~[(f)](g)~~(1) Preference eligibles or veterans who have been separated from the armed forces under honorable conditions after 3 years or more of active service may not be denied the opportunity to compete for vacant positions for which the agency making the announcement will accept applications from individuals outside its own workforce under merit promotion procedures.

(2) If selected, a preference eligible or veteran described in paragraph (1) shall receive a career or career-conditional appointment, as appropriate.

(3) This subsection shall not be construed to confer an entitlement to veterans' preference that is not otherwise required by law.

(4) The area of consideration for all merit promotion announcements which include consideration of individuals of the Federal workforce shall indicate that preference eligibles and veterans who have been separated from the armed forces under honorable conditions after 3 years or more of active service are eligible to apply. The announcements shall be publicized in accordance with section 3327.

(5) The Office of Personnel Management shall prescribe regulations necessary for the administration of this subsection. The regulations shall ensure that an individual who has completed an initial tour of active duty is not excluded from the application of this subsection because of having been released from such tour of duty shortly before completing 3 years of active service, having been honorably released from such duty.

* * * * *

SEC. 3308. COMPETITIVE SERVICE; EXAMINATIONS; EDUCATIONAL REQUIREMENTS PROHIBITED; EXCEPTIONS

The Office of Personnel Management or other examining agency may not prescribe a minimum educational requirement for an examination for the competitive service except when the Office decides that the duties of a ~~[(scientific, technical, or professional)]~~ position cannot be *legally* performed by an individual who does not have a prescribed minimum education *in a jurisdiction in which the duties of the position are to be performed*. The Office shall make the reasons for its decision under this section a part of its public records.

* * * * *

SEC. 3318. COMPETITIVE SERVICE; SELECTION FROM CERTIFICATES

(a) * * *

(b) OTHER APPOINTING AUTHORITIES.—

(1) IN GENERAL.—During the ~~240-day~~ 1 year period beginning on the date of issuance of a certificate of eligibles under section 3317(a), an appointing authority other than the appointing authority requesting the certificate (in this subsection referred to as the “other appointing authority”) may select an individual from that certificate in accordance with this subsection for an appointment to a position that is—

(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the “original position”); and

(B) at a similar grade level as the original position.

(2) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

(3) REQUIREMENTS.—The selection of an individual under paragraph (1)—

(A) shall be made in accordance with subsection (a); and

(B) subject to paragraph (4), may be made without any additional posting under section 3327.

(4) INTERNAL NOTICE.—Before selecting an individual under paragraph (1), and subject to the requirements of any collective bargaining obligation of the other appointing authority, the other appointing authority shall—

(A) provide notice of the available position to employees of the other appointing authority;

(B) provide up to 10 business days for employees of the other appointing authority to apply for the position; and

(C) review the qualifications of employees submitting an application.

(5) *PLATFORM FOR SHARING RÉSUMÉS OF INDIVIDUALS ON CERTIFICATES OF ELIGIBLES.*—*The Director of the Office shall establish and operate a platform on which an appointing authority can share, with other appointing authorities and the Chief Human Capital Officers Council established under section 1303 of the Chief Human Capital Officers Act of 2002 (5 U.S.C. 1401 note; Public Law 107–296), the résumés of individuals who are on a certificate of eligibles requested by the appointing authority.*

~~[(5)]~~(6) COLLECTIVE BARGAINING OBLIGATIONS.—Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.

* * * * *

SEC. 3319. ALTERNATIVE RANKING AND SELECTION PROCEDURES

(a) The Office, in exercising its authority under section 3304, or an agency to which the Office has delegated examining authority under section 1104(a)(2), may establish category rating systems for evaluating applicants for positions in the competitive service, under 2 or more quality categories based on merit consistent with regulations prescribed by the Office of Personnel Management, rather

than assigned individual numerical ratings. *To be placed in a quality category under the proceeding sentence, an applicant shall be required to have passed an examination in accordance with section 3304(b), subject to the exceptions in that section.*

* * * * *

SEC. 3330a. PREFERENCE ELIGIBLES; ADMINISTRATIVE REDRESS

(a)(1)(A) A preference eligible who alleges that an agency has violated such individual's rights under any statute or regulation relating to veterans' preference may file a complaint with the Secretary of Labor.

(B) A veteran described in ~~section 3304(f)(1)~~ *section 3304(g)(1)* who alleges that an agency has violated such section with respect to such veteran may file a complaint with the Secretary of Labor.

* * * * *

COMPETITIVE SERVICE ACT OF 2015

* * * * *

SEC. 2. ADDITIONAL APPOINTING AUTHORITIES FOR COMPETITIVE SERVICE

- (a) * * *
- (b) * * *

(c) **MAXIMIZING SHARING OF APPLICANT INFORMATION.**—

(1) **DEFINITIONS.**—*In this subsection—*

(A) *the terms ‘agency’, ‘Director’, and ‘Office’ have the meanings given those terms in section 3304(c)(1) of title 5, United States Code; and*

(B) *the term ‘competitive service’ has the meaning given the term in section 2102 of title 5 United States Code.*

(2) **MAXIMIZING SHARING.**—*The Director shall maximize the sharing of information among agencies regarding qualified applicants for positions in the competitive service, including by—*

(A) *providing for the delegation to other agencies of the authority of the Office to host mutli-agency hiring actions to increase the return on investment on high-quality pooled announcements; and*

(B) *sharing certificates of eligibles and accompanying résumés for appointment.*

[(c)](d) TECHNICAL AND CONFORMING AMENDMENT.—Section 9510(b)(5) of title 5, United States Code, is amended by striking “3318(b)” and inserting “3318(c)”.

[(d)](e) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue an interim final rule with comment to carry out the amendments made by this section.

* * * * *