

shall appoint or designate a Chief Human Capital Officer, who shall—

- (1) advise and assist the head of the agency and other agency officials in carrying out the agency's responsibilities for selecting, developing, training, and managing a high-quality, productive workforce in accordance with merit system principles;
- (2) implement the rules and regulations of the President and the Office of Personnel Management and the laws governing the civil service within the agency; and
- (3) carry out such functions as the primary duty of the Chief Human Capital Officer.

(Added Pub. L. 107-296, title XIII, § 1302(a), Nov. 25, 2002, 116 Stat. 2287.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Chapter effective 180 days after Nov. 25, 2002, see section 1305 of Pub. L. 107-296, set out as an Effective Date of 2002 Amendment note under section 1103 of this title.

##### CHIEF HUMAN CAPITAL OFFICERS COUNCIL

Pub. L. 107-296, title XIII, § 1303, Nov. 25, 2002, 116 Stat. 2288, as amended by Pub. L. 117-81, div. F, title LXVI, § 6604, Dec. 27, 2021, 135 Stat. 2441, provided that:

“(a) ESTABLISHMENT.—There is established a Chief Human Capital Officers Council, consisting of—

- “(1) the Director of the Office of Personnel Management, who shall act as chairperson of the Council;
- “(2) the Deputy Director for Management of the Office of Management and Budget, who shall act as vice chairperson of the Council; and
- “(3) the Chief Human Capital Officers of Executive departments and any other members who are designated by the Director of the Office of Personnel Management.

“(b) FUNCTIONS.—The Chief Human Capital Officers Council shall meet periodically to advise and coordinate the activities of the agencies of its members on such matters as modernization of human resources systems, improved quality of human resources information, and legislation affecting human resources operations and organizations.

“(c) EMPLOYEE LABOR ORGANIZATIONS AT MEETINGS.—The Chief Human Capital Officers Council shall ensure that representatives of Federal employee labor organizations are present at a minimum of 1 meeting of the Council each year. Such representatives shall not be members of the Council.

“(d) ANNUAL REPORTS.—

“(1) IN GENERAL.—Each year, the Chief Human Capital Officers Council shall submit to Congress a report that includes the following:

- “(A) A description of the activities of the Council.
- “(B) A description of employment barriers that prevent the agencies of its members from hiring qualified applicants, including those for digital talent positions, and recommendations for addressing the barriers that would allow such agencies to more effectively hire qualified applicants.

“(2) PUBLIC AVAILABILITY.—Not later than 30 days after the date on which the Council submits a report under paragraph (1), the Director of the Office of Personnel Management shall make the report publicly available on the website of the Office of Personnel Management.”

#### § 1402. Authority and functions of agency Chief Human Capital Officers

(a) The functions of each Chief Human Capital Officer shall include—

- (1) setting the workforce development strategy of the agency;

(2) assessing workforce characteristics and future needs based on the agency's mission and strategic plan;

(3) aligning the agency's human resources policies and programs with organization mission, strategic goals, and performance outcomes;

(4) developing and advocating a culture of continuous learning to attract and retain employees with superior abilities;

(5) identifying best practices and benchmarking studies;<sup>1</sup> and

(6) applying methods for measuring intellectual capital and identifying links of that capital to organizational performance and growth.

(b) In addition to the authority otherwise provided by this section, each agency Chief Human Capital Officer—

(1) shall have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material that—

(A) are the property of the agency or are available to the agency; and

(B) relate to programs and operations with respect to which that agency Chief Human Capital Officer has responsibilities under this chapter; and

(2) may request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this chapter from any Federal, State, or local governmental entity.

(Added Pub. L. 107-296, title XIII, § 1302(a), Nov. 25, 2002, 116 Stat. 2288.)

#### CHAPTER 15—POLITICAL ACTIVITY OF CERTAIN STATE AND LOCAL EMPLOYEES

Sec.	Definitions.
1501.	Influencing elections; taking part in political campaigns; prohibitions; exceptions.
1502.	Nonpartisan candidacies permitted.
1503.	Investigations; notice of hearing.
1504.	Hearings; adjudications; notice of determinations.
1505.	Orders; withholding loans or grants; limitations.
1506.	Subpenas and depositions.
1507.	Judicial review.
1508.	

#### Editorial Notes

##### AMENDMENTS

1974—Pub. L. 93-443, title IV, § 401(b)(2), Oct. 15, 1974, 88 Stat. 1290, substituted “candidacies” for “political activity” in item 1503.

#### § 1501. Definitions

For the purpose of this chapter—

(1) “State” means a State or territory or possession of the United States;

(2) “State or local agency” means the executive branch of a State, municipality, or other political subdivision of a State, or an agency or department thereof, or the executive branch of the District of Columbia, or an agency or department thereof;

<sup>1</sup> So in original. The comma probably should be a semicolon.