

107TH CONGRESS  
2D SESSION

# H. R. 4580

To provide for reform relating to Federal employee career development and benefits, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2002

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Government Reform

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## A BILL

To provide for reform relating to Federal employee career development and benefits, 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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Good People, Good Government Act”.

6       (b) TABLE OF CONTENTS.—The table of contents of  
7       this Act is as follows:

Sec. 1. Short title; table of contents.

### TITLE I—CHIEF HUMAN CAPITAL OFFICERS

Sec. 101. Chief Human Capital Officers.

Sec. 102. Chief Human Capital Officers Council.

Sec. 103. Report on human capital metrics for the Federal Government.

Sec. 104. Effective date.

TITLE II—REFORMS RELATING TO FEDERAL EMPLOYEE CAREER  
DEVELOPMENT AND BENEFITS

Sec. 201. Agency training.

Sec. 202. Agency recruiting.

Sec. 203. Increase in Government contribution for Federal employee health insurance.

1 **TITLE I—CHIEF HUMAN CAPITAL**  
2 **OFFICERS**

3 **SEC. 101. CHIEF HUMAN CAPITAL OFFICERS.**

4 (a) IN GENERAL.—Part II of title 5, United States  
5 Code, is amended by inserting after chapter 13 the fol-  
6 lowing:

7 **“CHAPTER 14—CHIEF HUMAN CAPITAL**  
8 **OFFICERS**

“Sec.

“1401. Establishment of Chief Human Capital Officers.

“1402. Authority and functions of Chief Human Capital Officers.

9 **“§ 1401. Establishment of Chief Human Capital Offi-**  
10 **cers**

11 “The head of each Executive agency shall appoint or  
12 designate a Chief Human Capital Officer, who shall advise  
13 and assist the head of the agency and other agency offi-  
14 cials in carrying out the agency’s responsibilities with re-  
15 spect to—

16 “(1) selecting, developing, and managing a  
17 high-quality, productive workforce in accordance  
18 with merit system principles; and

1 “(2) implementing the rules and regulations of  
2 the President and the Office of Personnel Manage-  
3 ment and the laws governing the civil service within  
4 the agency.

5 **“§ 1402. Authority and functions of Chief Human Cap-**  
6 **ital Officers**

7 “(a) The functions of each Chief Human Capital Of-  
8 ficer shall include—

9 “(1) setting the workforce development strategy  
10 of the agency;

11 “(2) assessing workforce characteristics and fu-  
12 ture needs based on the agency’s mission;

13 “(3) reviewing agency training and other  
14 human resources policies and programs to assess  
15 their effectiveness in promoting the achievement of  
16 the agency’s mission and goals;

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

20 “(5) identifying best practices and  
21 benchmarking studies; and

22 “(6) applying methods for measuring intellec-  
23 tual capital and identifying links of that capital to  
24 organizational performance and growth.

1 “(b)(1) In order to carry out this chapter, each Chief  
2 Human Capital Officer—

3 “(A) shall have access to all records, reports,  
4 audits, reviews, documents, papers, recommenda-  
5 tions, or other material that—

6 “(i) are in the possession or under the con-  
7 trol of the agency; and

8 “(ii) relate to programs or operations with  
9 respect to which that Chief Human Capital Of-  
10 ficer has any duties or responsibilities under  
11 this chapter;

12 “(B) may request such information or assist-  
13 ance, from any Federal, State, or local governmental  
14 entity, as the Chief Human Capital Officer considers  
15 necessary; and

16 “(C) may, to the extent and in such amounts  
17 as may be provided in advance by appropriations  
18 Acts, enter into contracts and other arrangements  
19 for studies, analyses, and other services with public  
20 agencies and with private persons, and make such  
21 payments as may be necessary.

22 “(2)(A) Upon request of a Chief Human Capital Offi-  
23 cer for information or assistance under paragraph (1)(B),  
24 the head of any Federal entity involved shall, insofar as  
25 is practicable and not in contravention of any existing

1 statutory restriction or regulation of the Federal entity  
 2 from which the information is requested, furnish to such  
 3 Chief Human Capital Officer, or to an authorized des-  
 4 ignee, such information or assistance.

5 “(B) Whenever information or assistance requested  
 6 under paragraph (1)(A) or (1)(B) is, in the judgment of  
 7 a Chief Human Capital Officer, unreasonably refused or  
 8 not provided, the Chief Human Capital Officer shall report  
 9 the circumstances to the head of the establishment in-  
 10 volved without delay.”.

11 (b) CLERICAL AMENDMENT.—The table of chapters  
 12 for part II of title 5, United States Code, is amended by  
 13 inserting after the item relating to chapter 13 the fol-  
 14 lowing:

“14. Chief Human Capital Officers ..... 1401”.

15 **SEC. 102. CHIEF HUMAN CAPITAL OFFICERS COUNCIL.**

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

18 (1) the Director of the Office of Personnel  
 19 Management, who shall serve as chairperson of the  
 20 Council;

21 (2) the Deputy Director of the Office of Man-  
 22 agement and Budget; and

23 (3) the Chief Human Capital Officers of Execu-  
 24 tive departments (as defined by section 101 of title  
 25 5, United States Code) and any other members who

1       are designated by the Director of the Office of Per-  
2       sonnel Management.

3       (b) FUNCTIONS.—The Chief Human Capital Officers  
4       Council shall meet periodically to advise and coordinate  
5       the activities of the agencies of its members on such mat-  
6       ters as modernization of human resources systems, im-  
7       proved quality of human resources information, and legis-  
8       lation affecting human resources operations and organiza-  
9       tions.

10   **SEC. 103. REPORT ON HUMAN CAPITAL METRICS FOR THE**  
11                   **FEDERAL GOVERNMENT.**

12       (a) IN GENERAL.—The General Accounting Office  
13       shall conduct a study and prepare a report on the feasi-  
14       bility and desirability of developing human capital metrics  
15       for use by the Federal Government.

16       (b) CONTENTS.—The report under subsection (a)  
17       shall examine the feasibility and desirability of developing  
18       a proposed set of metrics that—

19               (1) may be applied to the Federal Government  
20       human capital process;

21               (2) provides for the basic quantitative analysis  
22       and measurement for human capital that are nec-  
23       essary for reform efforts;

24               (3) provides for standardized measurements  
25       of—

1 (A) the efficiency of the human capital  
2 process of a Federal agency; and

3 (B) the success of a Federal agency in  
4 achieving human capital objectives;

5 (4) provides for an accurate comparison among  
6 agencies to encourage management focus on human  
7 capital issues; and

8 (5) may be used as the basis for regular reports  
9 prepared by Chief Human Capital Officers.

10 (c) SUBMISSION OF REPORT.—Not later than 1 year  
11 after the date of enactment of this Act, the General Ac-  
12 counting Office shall submit the report prepared under  
13 this section to—

14 (1) the Committee on Governmental Affairs of  
15 the Senate; and

16 (2) the Committee on Government Reform of  
17 the House of Representatives.

18 **SEC. 104. EFFECTIVE DATE.**

19 (a) IN GENERAL.—Except as provided under sub-  
20 section (b), this title shall take effect 180 days after the  
21 date of enactment of this Act.

22 (b) REPORT.—Section 103 shall take effect on the  
23 date of enactment of this Act.

1 **TITLE II—REFORMS RELATING**  
2 **TO FEDERAL EMPLOYEE CA-**  
3 **REER DEVELOPMENT AND**  
4 **BENEFITS**

5 **SEC. 201. AGENCY TRAINING.**

6 (a) TRAINING TO ACCOMPLISH PERFORMANCE  
7 PLANS AND STRATEGIC GOALS.—Section 4103 of title 5,  
8 United States Code, is amended by adding at the end the  
9 following:

10 “(c) The head of each agency shall—

11 “(1) evaluate each program and plan estab-  
12 lished, operated, or maintained under subsection (a)  
13 with respect to accomplishing specific agency goals  
14 and objectives; and

15 “(2) modify such program or plan to accom-  
16 plish such goals and objectives.”.

17 (b) AGENCY TRAINING OFFICERS.—Section 4103 of  
18 title 5, United States Code, is further amended by adding  
19 after subsection (c) (as added by subsection (a)) the fol-  
20 lowing:

21 “(d) The head of each agency shall appoint or des-  
22 ignate a training officer, who shall advise and assist the  
23 head of the agency in carrying out the duties and respon-  
24 sibilities of that agency head under this chapter.”.



1 (c) RECORDS MAINTENANCE; SPECIFIC TRAINING  
2 PROGRAMS.—

3 (1) IN GENERAL.—Chapter 41 of title 5, United  
4 States Code, is amended by inserting after section  
5 4112 the following:

6 **“§ 4113. Specific training programs**

7 “In consultation with the Office of Personnel Man-  
8 agement, the head of each agency shall establish—

9 “(1) a comprehensive program to provide train-  
10 ing to employees to develop managers for the agen-  
11 cy; and

12 “(2) a program to provide training to managers  
13 on actions, options, and strategies a manager may  
14 use relating to employees with unacceptable perform-  
15 ance.

16 **“§ 4114. Records maintenance**

17 “Each agency shall maintain detailed records of all  
18 activities relating to training of employees of such agen-  
19 cy.”.

20 (2) TECHNICAL AND CONFORMING AMEND-  
21 MENT.—The table of sections for chapter 41 of title  
22 5, United States Code, is amended by inserting after  
23 the item relating to section 4112 the following:

“4113. Specific training programs.

“4114. Records maintenance.”.

24 (d) ACADEMIC DEGREE TRAINING.—

1           (1) IN GENERAL.—Subsection (b) of section  
2       4107 of title 5, United States Code, is amended to  
3       read as follows:

4       “(b)(1) The regulations prescribed under section  
5       4118 shall include provisions under which the head of an  
6       agency may provide training, or payment or reimburse-  
7       ment for the costs of any training, not otherwise allowable  
8       under subsection (a), if such training—

9           “(A) contributes significantly to—

10               “(i) meeting an identified agency training  
11               need;

12               “(ii) resolving an identified agency staffing  
13               problem; or

14               “(iii) accomplishing goals in the agency’s  
15               strategic plan (developed under section 306);

16           “(B) is part of a planned, systematic, and co-  
17       ordinated agency employee development program  
18       linked to accomplishing the goals referred to in sub-  
19       paragraph (A)(iii); and

20           “(C) is administered or conducted by a college  
21       or university, or other comparable educational insti-  
22       tution, recognized under standards implemented by  
23       a national or regional accrediting body, except in a  
24       case in which such standards do not exist or the use  
25       of such standards would not be appropriate.

1       “(2) In exercising any authority under this sub-  
2 section, an agency shall, consistent with the merit system  
3 principles set forth in paragraphs (2) and (7) of section  
4 2301(b), take into consideration the need to—

5               “(A) maintain a balanced workforce in which  
6 women, members of racial and ethnic minority  
7 groups, and persons with disabilities are appro-  
8 priately represented in Government service; and

9               “(B) provide employees effective education and  
10 training to improve organizational and individual  
11 performance.

12       “(3) No authority under this subsection may be exer-  
13 cised on behalf of any employee occupying or seeking to  
14 qualify for appointment to—

15               “(A) a position in the Senior Executive Service  
16 as a noncareer appointee (as defined by section  
17 3132(a)(7)); or

18               “(B) a position which is excepted from the com-  
19 petitive service because of its confidential policy-de-  
20 termining, policy-making, or policy-advocating char-  
21 acter.”.

22       (2) TECHNICAL AND CONFORMING AMEND-  
23 MENTS.—Section 4107 of such title 5, as amended  
24 by paragraph (1), is further amended—

1 (A) in subsection (a), by striking “sub-  
 2 sections (b) and (c) of this section,” and insert-  
 3 ing “subsection (b),”; and

4 (B) by striking subsection (c).

5 (e) AGENCY TRAINING AS SEPARATE STATEMENT IN  
 6 ACCOUNTABILITY REPORTS.—Section 902(a)(6) of title  
 7 31, United States Code, is amended—

8 (1) in subparagraph (D), by striking “and”  
 9 after the semicolon;

10 (2) by redesignating subparagraph (E) as sub-  
 11 paragraph (F); and

12 (3) by inserting after subparagraph (D) the fol-  
 13 lowing:

14 “(E) expenditures on agency training;  
 15 and”.

16 **SEC. 202. AGENCY RECRUITING.**

17 (a) IN GENERAL.—Subpart B of part III of title 5,  
 18 United States Code, is amended by inserting before chap-  
 19 ter 31 the following:

20 **“CHAPTER 30—RECRUITMENT AUTHORITY**

“Sec.

“3001. Definition.

“3002. Appointment of recruitment officers.

“3003. Records maintenance.

21 **“§ 3001. Definition**

22 “For the purpose of this chapter, the term ‘agency’  
 23 means an Executive agency.

1 **“§ 3002. Appointment of recruitment officers**

2       “The head of each agency shall appoint or designate  
3 a recruitment officer, who shall advise and assist the head  
4 of the agency in carrying out such functions as the agency  
5 head may specify relating to the recruitment of qualified  
6 candidates for positions within that agency.

7 **“§ 3003. Records maintenance**

8       “Each agency shall maintain detailed records of all  
9 recruitment activities of that agency.”.

10       (b) AGENCY RECRUITING AS SEPARATE STATEMENT  
11 IN ACCOUNTABILITY REPORTS.—Section 902(a)(6) of  
12 title 31, United States Code (as amended by section  
13 201(e)), is further amended—

14           (1) in subparagraph (E), by striking “and”  
15 after the semicolon;

16           (2) by redesignating subparagraph (F) as sub-  
17 paragraph (G); and

18           (3) by inserting after subparagraph (E) the fol-  
19 lowing:

20                   “(F) expenditures on agency recruiting;  
21 and”.

22       (c) CLERICAL AMENDMENTS.—

23           (1) The analysis for part III of title 5, United  
24 States Code, is amended by inserting before the item  
25 relating to chapter 31 the following:

**“30. Recruitment Authority ..... 3001”.**

1           (2)(A) The heading for subpart B of part III  
 2           of title 5, United States Code, is amended to read  
 3           as follows:

4           **“Subpart B—Recruitment, Employment, and**  
 5                                   **Retention”.**

6           (B) The analysis for part III of title 5, United  
 7           States Code, is amended by striking the item relat-  
 8           ing to subpart B and inserting the following:

          “Subpart B—Recruitment, Employment, and Retention”.

9   **SEC. 203. INCREASE IN GOVERNMENT CONTRIBUTION FOR**  
 10                           **FEDERAL EMPLOYEE HEALTH INSURANCE.**

11       (a) INCREASE IN THE MAXIMUM CONTRIBUTION  
 12       PAYABLE BY THE GOVERNMENT (EXPRESSED AS A PER-  
 13       CENTAGE OF GOVERNMENTWIDE WEIGHTED AVER-  
 14       AGES).—Section 8906(b)(1) of title 5, United States Code,  
 15       is amended by striking “72” and inserting “76”.

16       (b) INCREASE IN THE MAXIMUM PERCENTAGE OF AN  
 17       ENROLLEE’S ACTUAL SUBSCRIPTION CHARGES PAYABLE  
 18       BY THE GOVERNMENT.—Section 8906(b)(2) of title 5,  
 19       United States Code, is amended by striking “75” and in-  
 20       serting “79”.

21       (c) EFFECTIVE DATE.—This section shall take effect  
 22       on the first day of the first contract year beginning after  
 23       the date of the enactment of this Act.

○