

119TH CONGRESS
1ST SESSION

S. 1768

To establish the Presidential Management Fellows Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2025

Mr. KIM (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish the Presidential Management 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 “Training Aspiring
5 Leaders Emerging Now To Serve Act” or the “TALENTS
6 Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) **ADVANCED DEGREE; QUALIFYING EDU-**
10 **CATIONAL INSTITUTION.**—

(A) IN GENERAL.—The terms “advanced degree” and “qualifying educational institution” have the meanings given those terms in section 362.102 of title 5, Code of Federal Regulations, or any successor regulation.

(B) DETERMINATION BY DIRECTOR.—The Director may determine whether a master’s certificate qualifies as an advanced degree for the purposes of the Program.

(2) AGENCY.—The term “agency”—

(A) has the meaning given the term “Executive agency” in section 105 of title 5, United States Code; and

(B) includes the Government Publishing Office.

(3) AGENCY PMF COORDINATOR.—The term “agency PMF Coordinator” means an individual, at the appropriate component level of an agency, who—

(A) coordinates the placement, development, and other Program-related activities of Fellows appointed in the agency; and

(B) satisfies the criteria described in section 362.104(a)(8) of title 5, Code of Federal Regulations, or any successor regulation.

1 (4) DIRECTOR.—The term “Director” means
2 the Director of the Office of Personnel Management.

3 (5) EXECUTIVE RESOURCES BOARD.—The term
4 “Executive Resources Board”—

5 (A) means an Executive Resources Board
6 described in section 317.501(a) of title 5, Code
7 of Federal Regulations, or any successor regula-
8 tion; and

9 (B) with respect to an agency that is not
10 required to have an Executive Resources Board
11 pursuant to section 317.501(a) of title 5, Code
12 of Federal Regulations, or any successor regula-
13 tion, means the senior agency official to whom
14 the head of the agency has given responsibility
15 for executive resources management and over-
16 sight.

17 (6) FEDERAL EXECUTIVE BOARD.—The term
18 “Federal Executive Board” means a Federal Execu-
19 tive Board established under section 11.

20 (7) FELLOW.—The term “Fellow” means an in-
21 dividual appointed to serve as a Fellow under the
22 Program.

23 (8) METROPOLITAN AREA.—The term “metro-
24 politan area” means a geographic zone surrounding

1 a major city, as defined and delimited from time to
2 time by the Director.

3 (9) PRINCIPAL AREA OFFICER.—

4 (A) IN GENERAL.—The term “principal
5 area officer” means, with respect to an agency,
6 the senior official of the agency who is located
7 in a metropolitan area and who has no superior
8 official within that metropolitan area other than
9 in the regional office of the agency.

10 (B) MULTIPLE BUREAUS.—If an agency
11 maintains facilities of more than 1 bureau or
12 other subdivision within a metropolitan area,
13 and the heads of those facilities are in separate
14 chains of command within the agency, the agen-
15 cy may have more than 1 principal area officer.

16 (10) PRINCIPAL REGIONAL OFFICER.—The
17 term “principal regional officer” means, with respect
18 to an agency, the senior official in a regional office
19 of the agency.

20 (11) PROGRAM.—The term “Program” means
21 the Presidential Management Fellows Program es-
22 tablished under this Act.

23 (12) SPECIAL REPRESENTATIVE.—The term
24 “special representative” means, with respect to an
25 agency, an official who is—

1 (A) not subject to the supervision of a
 2 principal regional officer or a principal area of-
 3 ficer; and

4 (B) specifically designated by the head of
 5 the agency to serve as the personal representa-
 6 tive of the head of the agency.

7 **SEC. 3. PROGRAM ESTABLISHMENT AND ADMINISTRATION.**

8 (a) ESTABLISHMENT.—There is established the Pres-
 9 idential Management Fellows Program, the purpose of
 10 which is to attract to the Federal service outstanding indi-
 11 viduals from a variety of academic disciplines and career
 12 paths who have a clear interest in, and commitment to,
 13 excellence in the leadership and management of public
 14 policies and programs.

15 (b) DIRECTOR RESPONSIBILITIES.—

16 (1) NUMBER OF FELLOWS.—

17 (A) IN GENERAL.—Subject to subpara-
 18 graph (B), the Director shall determine the
 19 number of individuals who will be finalists to be
 20 appointed as Fellows during any given fiscal
 21 year, which shall be based on input from the
 22 Chief Human Capital Officers Council and from
 23 agencies not represented on that Council.

24 (B) INCREASE IN POSITIONS DURING FIS-
 25 CAL YEARS 2026 THROUGH 2031.—During each

of fiscal years 2026 through 2031, the Director shall ensure that the number of positions for Fellows under the Program during the applicable fiscal year is equal to 200 percent of the number of positions for Fellows under the Program in the fiscal year preceding the fiscal year in which this Act is enacted, as the Program was carried out under subpart D of part 362 of title 5, Code of Federal Regulations, as in effect during that fiscal year.

(2) ESTABLISHMENT OF QUALIFICATIONS.—

The Director shall establish the qualification requirements for evaluating applicants for the Program.

(c) AGENCY PROCESSES.—

(1) IN GENERAL.—After the Director makes the determination under subsection (b)(1)(A) with respect to a fiscal year, an agency may appoint individuals selected by the Director as finalists to be Fellows according to the short-, medium-, and long-term senior leadership and related recruitment, development, and succession requirements of the agency.

(2) FIELD LOCATIONS OUTSIDE OF WASHINGTON, DC.—An agency that appoints a Fellow to

1 a position in a field location outside of the Wash-
 2 ington, DC metropolitan area may—

3 (A) before making the appointment, dis-
 4 cuss whether the candidate would like to do a
 5 developmental rotation to the headquarters of
 6 the agency and, if so, make a commitment to
 7 allow and fund such a rotation, to the max-
 8 imum extent practicable, in accordance with
 9 section 6(b); and

10 (B) promote interaction among regional
 11 Fellows with the agency Federal Executive
 12 Board and permit that Fellow to attend activi-
 13 ties sanctioned by that Federal Executive
 14 Board in that region.

15 **SEC. 4. ANNOUNCEMENT, ELIGIBILITY, AND SELECTION.**

16 (a) ANNOUNCEMENT.—The Director shall annually
 17 announce the ability to apply for the Program and conduct
 18 a competition for the selection of finalists, as set forth in
 19 this section.

20 (b) ELIGIBILITY.—

21 (1) APPLICATION PERIOD.—To apply for par-
 22 ticipation in the Program, an individual shall—

23 (A) have obtained an advanced degree
 24 from a qualifying educational institution not
 25 more than 2 years before the date on which the

1 Director makes the applicable announcement
2 under subsection (a); or

3 (B) if the individual is attending a grad-
4 uate or professional school (such as law school
5 or medical school), as of the date on which the
6 individual applies, expect to complete an ad-
7 vanced degree described in subparagraph (A)
8 not later than August 31 of the academic year
9 in which the competition is held.

10 (2) SERVICE AS FELLOW.—An individual may
11 not serve as a Fellow unless the individual has, not
12 more than 2 years before the date on which the indi-
13 vidual begins serving as a Fellow, completed an ad-
14 vanced degree from a qualifying educational institu-
15 tion.

16 (3) MULTIPLE APPLICATIONS.—An individual
17 may apply to participate in the Program more than
18 once if the individual satisfies the applicable eligi-
19 bility criteria, except that, if an individual becomes
20 a finalist and subsequently applies to participate in
21 the Program during the next open announcement,
22 the individual shall forfeit that status of the indi-
23 vidual as a finalist.

24 (c) SELECTION.—

1 (1) IN GENERAL.—The Director shall select
 2 Fellow finalists based on the results of a rigorous
 3 structured assessment process, which shall allow the
 4 Director to grant a preference for any individual
 5 who is preference eligible, as defined in section 2108
 6 of title 5, United States Code, in accordance with
 7 the provisions of that title.

8 (2) PUBLICATION OF LIST.—The Director shall
 9 publish and provide to agencies a list of Fellow final-
 10 ists.

11 **SEC. 5. APPOINTMENT AND EXTENSION.**

12 (a) APPOINTMENTS.—

13 (1) IN GENERAL.—An agency—

14 (A) may, subject to subsection (b), make
 15 2-year appointments to the Program under
 16 Schedule D of the excepted service in accord-
 17 ance with part 302 of title 5, Code of Federal
 18 Regulations, or any successor regulations; and

19 (B) shall appoint a Fellow using the ex-
 20 cepted service appointing authority provided
 21 under section 213.3402(c) of title 5, Code of
 22 Federal Regulations, or any successor regula-
 23 tion.

1 (2) ELIGIBILITY PERIOD.—The Director shall
2 establish an eligibility period during which agencies
3 may appoint Fellow finalists.

4 (b) EXTENSIONS.—In accordance with criteria estab-
5 lished by an agency, the agency may extend the term of
6 a Fellow for not more than 120 days to cover a rare or
7 unusual circumstance.

8 (c) GRADE.—An agency may appoint a Fellow at the
9 GS-09, GS-11, or GS-12 level (or any equivalent under
10 a pay and classification system other than the General
11 Schedule, such as the Federal Wage System) depending
12 on the qualifications of the Fellow.

13 (d) TRIAL PERIOD.—The duration of the appoint-
14 ment of a Fellow in the excepted service shall be consid-
15 ered to be a trial period, but not a probationary period.

16 (e) WORK SCHEDULES.—

17 (1) IN GENERAL.—Subject to the other provi-
18 sions of this subsection, a Fellow shall have a full-
19 time work schedule.

20 (2) PART-TIME SCHEDULES.—

21 (A) IN GENERAL.—A Fellow may request
22 a part-time work schedule for a limited period
23 of not more than 180 days, which the agency
24 may approve if—

1 (i) the agency and the Fellow have de-
2 termined that such approval would not
3 negatively impact the ability of the Fellow
4 to meet all Program requirements by the
5 end of the appointment of the Fellow; and

6 (ii) the agency includes an approval of
7 a specific time period during which the
8 part-time work schedule applies that the
9 agency determines to be appropriate.

10 (B) UPDATING OF AGREEMENT.—The Pro-
11 gram agreement of a Fellow shall be updated
12 with the new work schedule of the Fellow upon
13 the approval of any part-time schedule under
14 subparagraph (A).

15 (C) RULE OF CONSTRUCTION.—Nothing in
16 this paragraph may be construed to entitle a
17 Fellow to the approval of a request for a part-
18 time work schedule.

19 (f) RELATIONSHIP TO DIRECT-HIRE AUTHORITY.—
20 Notwithstanding any provision of section 3115 or 3116
21 of title 5, United States Code, an appointment by an agen-
22 cy under the Program shall be considered to be an ap-
23 pointment made using the authority provided to the agen-
24 cy under the applicable section.

1 **SEC. 6. DEVELOPMENT, EVALUATION, PROMOTION, AND**
 2 **CERTIFICATION.**

3 (a) INDIVIDUAL DEVELOPMENT PLANS.—Not later
 4 than 90 days after the date on which the Program begins
 5 in a fiscal year, the head of each agency shall approve
 6 an Individual Development Plan (referred to in this sec-
 7 tion as an “IDP”) for each Fellow serving under an ap-
 8 pointment within the agency, which shall—

9 (1) set forth the specific developmental activi-
 10 ties that are mutually agreed upon by the Fellow
 11 and the supervisor of the Fellow; and

12 (2) be developed in consultation with—

13 (A) the supervisor of the Fellow; and

14 (B)(i) the agency PMF Coordinator; or

15 (ii) the mentor assigned to the Fellow, who
 16 shall not be required to be assigned by the
 17 agency.

18 (b) REQUIRED DEVELOPMENTAL ACTIVITIES.—

19 (1) GENERAL RESOURCES.—

20 (A) OPM RESPONSIBILITIES.—The Direc-
 21 tor shall provide, for each class or cohort of
 22 Fellows—

23 (i) leadership development activities
 24 and general Program resources; and

25 (ii) information on available training
 26 opportunities known to the Director.

1 (B) AGENCY RESPONSIBILITIES.—Each
2 agency shall provide to each class or cohort of
3 Fellows appropriate agency-specific onboarding
4 and employee orientation activities.

5 (2) AGENCY TRAINING.—

6 (A) IN GENERAL.—Each agency shall pro-
7 vide each Fellow serving under an appointment
8 within the agency not fewer than 80 hours of
9 formal interactive training per year that ad-
10 dresses the competencies outlined in the appli-
11 cable IDP.

12 (B) CERTAIN TRAINING NOT INCLUDED.—
13 Mandatory annual training, such as information
14 security and ethics training, shall not count to-
15 ward the satisfaction of the requirement under
16 subparagraph (A).

17 (3) MENTORS.—Not later than 90 days after
18 the start of an appointment of a Fellow, the applica-
19 ble agency shall assign the Fellow a mentor, who
20 shall be a managerial employee of the agency outside
21 the chain of command of the Fellow.

22 (4) ASSIGNMENTS.—An agency shall provide
23 each Fellow serving under an appointment within
24 the agency with not less than 1 rotational or devel-
25 opmental assignment with full-time management or

1 technical responsibilities that is consistent with the
2 IDP of the Fellow and the following:

3 (A) Each Fellow shall receive not less than
4 1 developmental assignment that is not shorter
5 than 120 days and not longer than 180 days,
6 which shall have management or technical re-
7 sponsibilities consistent with the IDP of the
8 Fellow.

9 (B)(i) The developmental assignment de-
10 scribed in subparagraph (A) may be within the
11 organization of the Fellow, in another compo-
12 nent of the employing agency, or in another
13 agency, as permitted by the employing agency.

14 (ii) Each assignment described in this sub-
15 paragraph shall be in a different work unit led
16 by a supervisor other than the usual supervisor
17 of the Fellow.

18 (C)(i) Each developmental assignment de-
19 scribed in subparagraph (A) shall provide a
20 challenging work experience of a caliber appro-
21 priate for a participant in the flagship leader-
22 ship development program of the Federal Gov-
23 ernment.

24 (ii) For the purposes of clause (i), an ap-
25 propriate developmental assignment may in-

1 clude a project implementing a new executive
2 order or major piece of legislation, agency reor-
3 ganization, or cross-agency collaboration on a
4 major initiative.

5 (5) SHORT-TERM ASSIGNMENTS.—In addition
6 to the assignments described in paragraph (4), a
7 Fellow may receive another short-term rotational as-
8 signment, which—

9 (A) shall be not shorter than 30 days and
10 not longer than 180 days, at the discretion of
11 the employing agency; and

12 (B) may take place within the organization
13 of the Fellow, in another component of the em-
14 ploying agency, or in another agency, as per-
15 mitted by the employing agency.

16 (6) ASSESSMENT OF SUBSEQUENT CLASSES.—

17 (A) IN GENERAL.—Upon the request of
18 the Director, the employing agency shall make
19 a Fellow available to assist in the assessment
20 process for subsequent Program classes.

21 (B) SATISFACTION OF TRAINING REQUIRE-
22 MENTS.—Any interactive training provided to a
23 Fellow in connection with assisting the Director
24 under subparagraph (A) may be counted toward
25 the training requirement under paragraph (2).

1 (c) PROMOTION.—

2 (1) IN GENERAL.—An employing agency may
3 promote any Fellow who meets the qualification re-
4 quirements for the applicable position.

5 (2) RULE OF CONSTRUCTION.—Nothing in
6 paragraph (1) may be construed to confer any enti-
7 tlement to a promotion.

8 (d) CERTIFICATE OF COMPLETION.—

9 (1) IN GENERAL.—

10 (A) ERB EVALUATION.—Not later than 45
11 days before the date on which the Program
12 ends in a fiscal year, each Executive Resources
13 Board shall evaluate each Fellow serving under
14 an appointment within the applicable agency
15 and determine whether the Executive Resources
16 Board can certify in writing that the Fellow
17 met all of the requirements of the Program, in-
18 cluding the performance and developmental ex-
19 pectations set forth in the performance plan
20 and IDP of the Fellow.

21 (B) CONSULTATION PERMITTED.—In car-
22 rying out subparagraph (A), an Executive Re-
23 sources Board may consult with the mentor of
24 a Fellow.

25 (2) SUCCESSFUL COMPLETION.—

1 (A) NOTIFICATION.—Not later than 30
2 days before the date on which a Fellow com-
3 pletes the Program, an Executive Resources
4 Board shall notify each Fellow serving under an
5 appointment within the applicable agency re-
6 garding the decision of the Board with respect
7 to certification of successful completion of the
8 Program by the Fellow.

9 (B) CONVERSION ELIGIBILITY.—A Fellow
10 who the applicable Executive Resources Board
11 certifies as having met all of the requirements
12 of the Program shall be eligible for conversion
13 in accordance with section 10.

14 (C) FORWARDING TO OPM.—Each Execu-
15 tive Resources Board shall forward to the Di-
16 rector all certifications of the Board under this
17 paragraph.

18 (3) FAILURE TO CERTIFY.—

19 (A) IN GENERAL.—If an Executive Re-
20 sources Board decides not to certify a Fellow
21 under this subsection, the Fellow may request
22 reconsideration of that determination by the Di-
23 rector, if the Fellow, not later than 15 days
24 after the date on which the Board makes that

1 decision, submits the request in writing with
 2 appropriate documentation and justification.

3 (B) CONTINUATION IN PROGRAM.—With
 4 respect to a Fellow who has submitted a re-
 5 quest for reconsideration under subparagraph
 6 (A)—

7 (i) the Fellow may continue in the
 8 Program pending the outcome of that re-
 9 quest; and

10 (ii) the applicable agency shall con-
 11 tinue to provide appropriate developmental
 12 activities to the Fellow during the period
 13 in which that request is pending.

14 (C) INELIGIBILITY.—A Fellow who is not
 15 approved for certification under this subsection
 16 and who has not submitted a timely request for
 17 reconsideration under subparagraph (A), or
 18 whose request for reconsideration under that
 19 subparagraph (A) has been denied, shall not be
 20 eligible for conversion under section 10.

21 **SEC. 7. MOVEMENT BETWEEN AGENCIES.**

22 (a) IN GENERAL.—At any time during the appoint-
 23 ment of a Fellow, the Fellow may move to another agency,
 24 if—

1 (1) the receiving agency meets all the require-
2 ments for participating in the Program;

3 (2) the original agency releases the appointment
4 of the Fellow to the receiving agency; and

5 (3) the new employing agency appoints the Fel-
6 low without a break in service.

7 (b) TERMS OF SERVICE.—Upon appointment by a
8 new employing agency under subsection (a)(3)—

9 (1) the Fellow shall not begin a new Program
10 period; and

11 (2) because there is no break in service, the
12 time served by the Fellow under the previous Pro-
13 gram appointment shall apply towards the comple-
14 tion of the Program with the new employing agency.

15 (c) NOTIFICATION REQUIRED.—An agency shall no-
16 tify the Director upon making an appointment described
17 in subsection (a)(3).

18 (d) REIMBURSEMENTS.—If a move under this section
19 occurs during the first 180 days of the appointment of
20 a Fellow, the initial employing agency may request from
21 the new appointing agency reimbursement of $\frac{1}{4}$ of the
22 placement fee with respect to the Fellow.

23 **SEC. 8. WITHDRAWAL AND READMISSION.**

24 (a) WITHDRAWAL.—

25 (1) IN GENERAL.—

(A) TREATMENT OF WITHDRAWAL.—A

Fellow may withdraw from the Program at any time, which shall be treated as a resignation from the Federal service, except that any obligations established upon appointment, such as from accepting a recruitment incentive under part 575 of title 5, Code of Federal Regulations, or any successor regulations, shall still apply.

(B) NOTIFICATION.—An agency shall no-

tify the Director when a Fellow within the agency withdraws from the Program.

(2) COMPETITIVE SERVICE.—

(A) IN GENERAL.—A Fellow who held a

permanent appointment in the competitive service in an agency immediately before entering the Program, and who withdraws from the Program for a reason that is not related to misconduct, poor performance, or suitability, may, at the discretion of the employing agency, be placed in a permanent competitive service position, as appropriate, in that agency.

(B) NOT SUBJECT TO APPEAL.—The de-

termination of an agency under subparagraph (A) shall not be subject to appeal.

1 (b) READMISSION.—

2 (1) NO READMISSION.—If a Fellow withdraws
3 from the Program for a reason that relates to mis-
4 conduct, poor performance, or suitability, as deter-
5 mined by the employing agency, the individual may
6 not be readmitted to the Program at any time.

7 (2) PETITION.—

8 (A) IN GENERAL.—If a Fellow withdraws
9 from the Program for a reason that is not re-
10 lated to misconduct, poor performance, or suit-
11 ability, the individual may petition the original
12 employing agency for readmission and re-
13 appointment to the Program.

14 (B) REQUIREMENTS.—A petition sub-
15 mitted under subparagraph (A) shall be in writ-
16 ing and include the appropriate justification for
17 the requested readmission and reappointment,
18 and the applicable agency may approve or deny
19 the request.

20 (C) SUBMISSION TO OPM.—If, under sub-
21 paragraph (B), an agency approves a petition
22 submitted under subparagraph (A), the agency
23 shall submit that approved petition to the Di-
24 rector, which shall include the status of the ap-

1 plicable individual in the Program upon read-
2 mission and reappointment.

3 (D) OPM DISCRETION.—The Director,
4 upon receipt of an approved petition under sub-
5 paragraph (C), may overrule the decision of the
6 agency submitting that approved petition, and
7 that decision of the Director shall not be sub-
8 ject to appeal.

9 **SEC. 9. REMOVAL AND REDUCTION IN FORCE.**

10 (a) REMOVAL.—

11 (1) IN GENERAL.—An agency may remove a
12 Fellow for a reason related to misconduct, poor per-
13 formance, or suitability, upon which the agency shall
14 submit to the Director written notification of the re-
15 moval.

16 (2) END OF TERM.—

17 (A) IN GENERAL.—As a condition of em-
18 ployment, the appointment of a Fellow shall
19 end at the end of the 2-year Program period,
20 plus any agency-approved extension of the ap-
21 pointment of the Fellow under section 5(b), un-
22 less the Fellow is converted under section 10.

23 (B) FAILURE TO CONVERT.—If an agency
24 does not convert a Fellow at the end of the Pro-
25 gram, as provided in section 10, or extend the

1 appointment of the Fellow under section 5(b),
 2 the appointment of the Fellow shall expire on
 3 the date that is 30 days after the date on
 4 which, as applicable—

5 (i) the certification for Program com-
 6 pletion is denied under section 6(d)(3); or

7 (ii) the Director denies a request sub-
 8 mitted by an agency for an extension of
 9 the appointment.

10 (b) REDUCTION IN FORCE.—Each Fellow shall be in
 11 the excepted service group II for purposes of section
 12 351.502 of title 5, Code of Federal Regulations, or any
 13 successor regulation.

14 **SEC. 10. CONVERSION TO THE COMPETITIVE SERVICE.**

15 (a) IN GENERAL.—A Fellow shall complete the Pro-
 16 gram within the time limits established under section 5,
 17 including any agency-approved extension under that sec-
 18 tion, after which the Fellow may be converted under sub-
 19 section (b).

20 (b) CONVERSION.—An agency may convert, without
 21 a break in service, a Fellow who has been successfully cer-
 22 tified under section 6(d)(2) to a term or permanent posi-
 23 tion in the competitive service for which the Fellow is
 24 qualified.

1 (c) CONVERSION AT A DIFFERENT AGENCY.—A Fel-
 2 low may be converted under subsection (b) to a position
 3 at a different agency if the following conditions are satis-
 4 fied:

5 (1) The original employing agency is unable to
 6 convert the Fellow to a position in the competitive
 7 service in the organizational unit of the agency in
 8 which the Fellow has served or another component
 9 within the agency—

10 (A) including because of unforeseen budget
 11 constraints, a reorganization, the abolishment
 12 of positions, or any other appropriate reason;
 13 and

14 (B) which is not because of the failure of
 15 the Fellow to obtain a certification under sec-
 16 tion 6(d)(2) or because of the misconduct, poor
 17 performance, or suitability of the Fellow.

18 (2) The conversion shall occur before the end of
 19 the Program period, as established under section 5,
 20 plus any agency-approved extension under that sec-
 21 tion.

22 (3) The position at the new agency shall have
 23 a full performance level that is equivalent to, or less
 24 than, the position to which the Fellow would have
 25 been converted at the original employing agency.

1 **SEC. 11. FEDERAL EXECUTIVE BOARDS.**

2 (a) **AUTHORITY AND STATUS.**—There are established
3 Federal Executive Boards—

4 (1) to strengthen the management and adminis-
5 tration of executive branch activities in selected cen-
6 ters of field operations; and

7 (2) which are organized and function under the
8 authority of the Director.

9 (b) **LOCATIONS.**—

10 (1) **IN GENERAL.**—Federal Executive Boards
11 are established, or shall continue, as applicable, in
12 the following metropolitan areas:

13 (A) Albuquerque-Santa Fe.

14 (B) Atlanta.

15 (C) Baltimore.

16 (D) Boston.

17 (E) Buffalo.

18 (F) Chicago.

19 (G) Cincinnati.

20 (H) Cleveland.

21 (I) Dallas-Fort Worth.

22 (J) Denver.

23 (K) Detroit.

24 (L) Honolulu.

25 (M) Houston.

26 (N) Kansas City.

- 1 (O) Los Angeles.
- 2 (P) Miami.
- 3 (Q) Minneapolis-St. Paul.
- 4 (R) New Orleans.
- 5 (S) New York.
- 6 (T) Newark.
- 7 (U) Philadelphia.
- 8 (V) Pittsburgh.
- 9 (W) Portland.
- 10 (X) St. Louis.
- 11 (Y) San Francisco.
- 12 (Z) Seattle.

13 (2) ACTION BY DIRECTOR.—The Director may
 14 dissolve, merge, or divide any of the Federal Execu-
 15 tive Boards described in paragraph (1), or establish
 16 new Federal Executive Boards, as the Director de-
 17 termines to be necessary, proper, or convenient.

18 (c) MEMBERSHIP.—

19 (1) PRESIDENTIAL DIRECTIVE.—The President
 20 shall direct the head of each agency to arrange for
 21 the leading officials of the field activities of the
 22 agency to participate personally in the work of Fed-
 23 eral Executive Boards.

24 (2) MEMBERS.—

1 (A) IN GENERAL.—The head of each agen-
2 cy shall designate—

3 (i) by title of office, the principal re-
4 gional officer, if any, and the principal
5 area officer, if any, who shall represent the
6 agency on each Federal Executive Board;
7 and

8 (ii) by name and title of office, the
9 special representative, if any, who shall
10 represent the head of the agency on each
11 Federal Executive Board.

12 (B) DESIGNATIONS.—A designation made
13 under subparagraph (A)—

14 (i) shall be made in writing and trans-
15 mitted to the Director;

16 (ii) may be transmitted through the
17 Chair of a Federal Executive Board; and

18 (iii) may be amended at any time by
19 the head of the applicable agency.

20 (3) ALTERNATE MEMBERS.—

21 (A) IN GENERAL.—Each member of a
22 Federal Executive Board may designate any al-
23 ternate member, who shall attend meetings and
24 otherwise serve in the absence of the member.

1 (B) STATUS.—An alternate member shall
2 be the deputy or principal assistant to the
3 member or another senior official of the organi-
4 zation of the member.

5 (d) OFFICERS AND ORGANIZATION.—

6 (1) BYLAWS.—

7 (A) IN GENERAL.—Each Federal Execu-
8 tive Board shall adopt bylaws or other rules for
9 the internal governance of the Board, subject to
10 the approval of the Director.

11 (B) CONTENTS.—The bylaws described in
12 subparagraph (A), and other rules of a Federal
13 Executive Board, may reflect the particular
14 needs, resources, and customs of the Board, if
15 those bylaws and rules are not inconsistent with
16 this section or the directives of the President or
17 the Director.

18 (C) CONFLICTS.—If bylaws or rules de-
19 scribed in subparagraph (B) conflict with this
20 section or the directives of the President or the
21 Director, those bylaws or rules, as applicable,
22 shall have no force or effect.

23 (2) CHAIR.—Each Federal Executive Board
24 shall have a Chair, who shall be elected by the mem-

1 bers of the Board and who shall serve for a term of
2 office of not more than 1 year.

3 (3) STAFF.—

4 (A) IN GENERAL.—As the members of a
5 Federal Executive Board determine necessary
6 and proper, those members shall designate per-
7 sonnel from the respective organizations of the
8 members to serve as the staff, or otherwise to
9 participate in, the activities of the Board.

10 (B) OTHER STAFF.—Additional personnel
11 beyond the personnel described in subparagraph
12 (A) may be engaged, by appointment, contract,
13 or otherwise, only with the approval of the Di-
14 rector.

15 (4) TERMINATION.—

16 (A) IN GENERAL.—Unless otherwise ex-
17 pressly provided by law, by directive of the
18 President or the Director, or by the bylaws of
19 the applicable Federal Executive Board, each
20 committee, subcommittee, council, and other
21 subunit of the Board, and each affiliation of the
22 Board with external organizations, shall termi-
23 nate upon expiration of the term of office of the
24 Chair of the Board.

1 (B) REESTABLISHMENT.—A committee,
 2 subcommittee, council, other subunit, or affili-
 3 ation of a Federal Executive Board may be re-
 4 established or renewed by affirmative action of
 5 the Board.

6 (5) BOARD ACTIONS.—

7 (A) IN GENERAL.—A Federal Executive
 8 Board may take an action only with the ap-
 9 proval of a majority of the members of the
 10 Board.

11 (B) NO DELEGATION PERMITTED.—The
 12 authority under subparagraph (A) may not be
 13 delegated.

14 (C) CONFORMANCE WITH LAW.—Each ac-
 15 tivity of a Federal Executive Board shall con-
 16 form to applicable laws and reflect prudent uses
 17 of official time and funds.

18 (e) OPM LEADERSHIP.—

19 (1) ROLE OF DIRECTOR.—The Director—

20 (A) shall be responsible to the President
 21 for the organizational and programmatic activi-
 22 ties of the Federal Executive Boards;

23 (B) direct and oversee the activities of the
 24 Federal Executive Boards consistent with law
 25 and the directives of the President; and

1 (C) may consult with, and require the ad-
2 vice of, the Chair, members, or staff of a Fed-
3 eral Executive Board.

4 (2) ROLE OF REGIONAL REPRESENTATIVES.—
5 The Chair of each Federal Executive Board shall re-
6 port to the Director through the regional representa-
7 tive of the Director and the regional representative
8 of the Director shall oversee the activities of, and pe-
9 riodically visit and meet with, the Federal Executive
10 Boards.

11 (3) COMMUNICATIONS.—

12 (A) IN GENERAL.—The Director shall
13 maintain channels of communication—

14 (i) from the Director through the re-
15 gional representatives of the Director to
16 the Chairs of the Federal Executive
17 Boards; and

18 (ii) between and among the Federal
19 Executive Boards through the Director
20 and the regional representatives of the Di-
21 rector.

22 (B) USE OF CHANNELS.—Any agency may
23 use the channels described in subparagraph (A)
24 to communicate with the Director and with the
25 Federal Executive Boards.

1 (C) COMMUNICATIONS BY CHAIRS.—The
 2 Chair of a Federal Executive Board may com-
 3 municate with the Director on recommendations
 4 for action at the national level, on significant
 5 management problems that cannot be addressed
 6 at the local level, and on other matters of inter-
 7 est to the executive branch.

8 (4) REPORTS.—

9 (A) IN GENERAL.—Each Federal Execu-
 10 tive Board shall transmit to the Director, over
 11 the signature of the Chair of the Board, an an-
 12 nual work plan and an annual report to the Di-
 13 rector on the significant programs and activities
 14 of the Board in each fiscal year, which shall—

15 (i) with respect to each such work
 16 plan—

17 (I) set forth the proposed general
 18 agenda for the succeeding fiscal year;

19 (II) be submitted on or before
 20 July 1; and

21 (III) be subject to the approval
 22 of the Director; and

23 (ii) with respect to each such annual
 24 report—

1 (I) describe and evaluate the ac-
2 tivities of the preceding fiscal year;
3 and

4 (II) be submitted on or before
5 January 1.

6 (B) OTHER REPORTS.—In addition to the
7 requirements under subparagraph (A), members
8 of each Federal Executive Board shall keep the
9 headquarters of the respective agency informed
10 of the activities of the Board by timely reports
11 through appropriate agency channels.

12 (5) CONFERENCES.—The Director may convene
13 regional and national conferences of the Chairs and
14 other representatives of Federal Executive Boards.

15 (f) AUTHORIZED ACTIVITIES.—

16 (1) IN GENERAL.—Each Federal Executive
17 Board shall—

18 (A) serve as an instrument of outreach for
19 the national headquarters of the executive
20 branch to executive branch activities in the ap-
21 plicable metropolitan area;

22 (B) consider common management and
23 program problems and develop cooperative
24 agreements that will promote the general objec-
25 tives of the Federal Government and of the sev-

1 eral agencies in the applicable metropolitan
2 area, which shall be made with the guidance
3 and approval of the Director, within the range
4 of the delegated authority and discretion held
5 by members, alternates, and staff in that area,
6 consistent with the missions of the agencies in-
7 volved;

8 (C) provide a forum for the exchange of in-
9 formation between Washington, DC and the
10 field, and among field elements in the applica-
11 ble metropolitan area, about programs, manage-
12 ment methods, and problems;

13 (D) develop local coordinated approaches
14 to the development and operation of programs
15 that have common characteristics;

16 (E) communicate management initiatives
17 and other concerns from Washington, DC to
18 the field to achieve better mutual understanding
19 and support;

20 (F) refer problems that cannot be solved
21 locally to the national level; and

22 (G) subject to the guidance of the Direc-
23 tor, be responsible for—

24 (i) presidential initiatives on manage-
25 ment reforms;

1 (ii) personnel initiatives of the Office
2 of Personnel Management;

3 (iii) programs led by the Office of
4 Management and Budget;

5 (iv) facilities planning led by the Gen-
6 eral Services Administration;

7 (v) the local Combined Federal Cam-
8 paign, under the direction of the Director;

9 (vi) the sharing of technical knowl-
10 edge and resources in finance, internal au-
11 diting, personnel management, automated
12 data processing applications, interagency
13 use of computer installations, and similar
14 commonly beneficial activities;

15 (vii) the pooling of resources to pro-
16 vide, as efficiently as possible, and at the
17 least possible cost to the taxpayers of the
18 United States, common services, such as
19 employee first-aid, cardiopulmonary resus-
20 citation (referred to in this clause as
21 “CPR”), CPR training, preventative health
22 programs, assistance to the aging, blood
23 donor programs, and savings bond drives;

24 (viii) the encouragement of employee
25 initiative and better performance through

1 special recognition and other incentive pro-
2 grams;

3 (ix) the provision of assistance in the
4 implementation and upgrading of perform-
5 ance management systems;

6 (x) emergency operations, such as
7 under hazardous weather conditions, re-
8 sponding to blood donation needs, and
9 communicating related leave policies;

10 (xi) the recognition of the service of
11 veterans and the dissemination of informa-
12 tion relating to programs and benefits
13 available to veterans in the Federal service;
14 and

15 (xii) such other programs, projects,
16 and operations as may be set forth in the
17 annual work plan approved by the Direc-
18 tor.

19 (2) ADVISORY ROLE.—The Director—

20 (A) shall advise the Federal Executive
21 Boards on activities in the areas of performance
22 appraisal and incentives, interagency training
23 programs, the educational development of em-
24 ployees of agencies, improvement of labor-man-
25 agement relations, equal employment oppor-

1 tunity (including related programs of the Fed-
2 eral Government), and selective placement pro-
3 grams for handicapped individuals; and

4 (B) may direct a Federal Executive Board
5 to address such specific programs, or undertake
6 such cooperative activities, as the Director de-
7 termines necessary or proper.

8 (g) **ADDITIONAL RULES AND DIRECTIVES.**—The Di-
9 rector may issue further rules and guidance for, and direc-
10 tives to, the Federal Executive Boards.

11 **SEC. 12. REPORTS.**

12 Not later than 3 years after the date of enactment
13 of this Act, and not less frequently than once every 3 years
14 thereafter, the Director shall submit to the Committee on
15 Homeland Security and Governmental Affairs of the Sen-
16 ate and the Committee on Oversight and Government Re-
17 form of the House of Representatives a report that ad-
18 dresses the Program, which shall include an analysis of
19 any structural challenges facing the Program and rec-
20 ommendations on measures to strengthen the Program.

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