

**Calendar No. 203**118TH CONGRESS  
1ST SESSION**S. 285****[Report No. 118-95]**

To provide for the perpetuation, administration, and funding of Federal Executive Boards, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2023

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

SEPTEMBER 11, 2023

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**A BILL**

To provide for the perpetuation, administration, and funding of Federal Executive Boards, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Improving Government  
3 Efficiency and Workforce Development through Federal  
4 Executive Boards Act of 2023”.

5 **SEC. 2. FEDERAL EXECUTIVE BOARDS.**

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

9 **“§ 1106. Federal Executive Boards**

10 “(a) PURPOSES.—The purposes of this section are  
11 to—

12 “(1) strengthen the strategic coordination, com-  
13 munication, and management of Government activi-  
14 ties across the United States, including to improve  
15 the experience of citizens interacting with agencies,  
16 and to incorporate field perspectives into the prepa-  
17 ration of Federal workforce policy goals;

18 “(2) facilitate interagency collaboration to im-  
19 prove the efficiency and effectiveness of Federal pro-  
20 grams and initiatives;

21 “(3) facilitate communication and collaboration  
22 on Federal emergency preparedness and continuity  
23 of operations for the Federal workforce in applicable  
24 geographic areas;

25 “(4) facilitate strategies and programs for re-  
26 cruiting, training, managing, and retaining Federal

1 employees, as well as sharing best practices for im-  
 2 proving the workforce experience and access to edu-  
 3 cation and training;

4 “(5) facilitate relationships with State and local  
 5 governments, colleges and universities, and local  
 6 nonprofit organizations that collaborate with the  
 7 Federal Government; and

8 “(6) provide stable funding for Federal Execu-  
 9 tive Boards to enable the activities described in  
 10 paragraphs (1) through (5).

11 “(b) DEFINITIONS.—In this section:

12 “(1) AGENCY.—The term ‘agency’—

13 “(A) means an Executive agency, as de-  
 14 fined in section 105; and

15 “(B) does not include the Government Ac-  
 16 countability Office.

17 “(2) DIRECTOR.—The term ‘Director’ means  
 18 the Director of the Office of Personnel Management.

19 “(3) FEDERAL EXECUTIVE BOARD.—The term  
 20 ‘Federal Executive Board’ means an interagency en-  
 21 tity—

22 “(A) established by the Director—

23 “(i) in coordination with the Director  
 24 of the Office of Management and Budget

1           and the Administrator of General Services;  
2           and

3           “~~(ii)~~ in consultation with the head-  
4           quarters of appropriate agencies;

5           “~~(B)~~ located in a geographic area with a  
6           high concentration of Federal employees outside  
7           the Washington, DC, metropolitan area; and

8           “~~(C)~~ focused on strengthening the manage-  
9           ment and administration of agency activities  
10          and coordination among local Federal officers  
11          to implement national initiatives in that geo-  
12          graphic area.

13          “~~(4)~~ INSTITUTION OF HIGHER EDUCATION.—  
14          The term ‘institution of higher education’ has the  
15          meaning given the term in section 101(a) of the  
16          Higher Education Act of 1965 (20 U.S.C. 1001(a)).

17          “~~(5)~~ STATE APPRENTICESHIP AGENCY.—The  
18          term ‘State Apprenticeship Agency’ has the meaning  
19          given the term in section 29.2 of title 29, Code of  
20          Federal Regulations, or any successor regulation.

21          “~~(c)~~ PERPETUATION AND CONTINUED SUPPORT.—

22          “~~(1)~~ IN GENERAL.—The Director, in coordina-  
23          tion with the Director of the Office of Management  
24          and Budget and the Administrator of General Serv-  
25          ices, shall continue to support the existence of Fed-

1 eral Executive Boards in geographic areas outside  
2 the Washington, DC, metropolitan area.

3 “(2) CONSULTATION.—Before establishing any  
4 new Federal Executive Boards that are not in exist-  
5 ence on the date of enactment of this section, the  
6 Director shall conduct a review of existing Federal  
7 Executive Boards and consult with the headquarters  
8 of appropriate agencies to guide the determination  
9 of the number and location of Federal Executive  
10 Boards.

11 “(3) LOCATION.—The Director shall develop a  
12 set of criteria to establish and evaluate the number  
13 and locations of Federal Executive Boards that  
14 shall—

15 “(A) factor in contemporary Federal work-  
16 force data as of the date of enactment of this  
17 section; and

18 “(B) be informed by the annual changes in  
19 workforce data, including the geographic dis-  
20 bursement of the Federal workforce and the  
21 role of remote work options.

22 “(4) MEMBERSHIP.—

23 “(A) IN GENERAL.—Each Federal Execu-  
24 tive Board for a geographic area shall consist of

1 the most senior officer of each agency in that  
2 geographic area.

3 “(B) ALTERNATE REPRESENTATIVE.—The  
4 senior officer of an agency described in sub-  
5 paragraph (A) may designate, by title of office,  
6 an alternate representative, who shall—

7 “(i) be a senior officer in the agency;

8 and

9 “(ii) attend meetings and otherwise  
10 represent the agency on the Federal Execu-  
11 tive Board in the absence of the most  
12 senior officer.

13 “(d) ADMINISTRATION AND OVERSIGHT.—The Direc-  
14 tor, in coordination with the Director of the Office of Man-  
15 agement and Budget and the Administrator of General  
16 Services, shall administer and oversee Federal Executive  
17 Boards, including—

18 “(1) establishing staffing and accountability  
19 policies, including performance standards, for em-  
20 ployees responsible for administering Federal Execu-  
21 tive Boards with an opportunity for employee cus-  
22 tomer service feedback from agencies participating  
23 in Federal Executive Boards;

1           “(2) establishing communications policies for  
2 the dissemination of information to agencies partici-  
3 pating in Federal Executive Boards; and

4           “(3) administering Federal Executive Board  
5 funding through the fund established in subsection  
6 (f).

7           “(e) GOVERNANCE AND ACTIVITIES.—

8           “(1) IN GENERAL.—Each Federal Executive  
9 Board shall—

10           “(A) subject to the approval of the Direc-  
11 tor, adopt charters or other rules for the inter-  
12 nal governance of the Federal Executive Board;

13           “(B) elect a Chairperson from among the  
14 members of the Federal Executive Board, who  
15 shall serve for a set term;

16           “(C) serve as an instrument of outreach  
17 relating to agency activities in the geographic  
18 area;

19           “(D) provide a forum to amplify the ex-  
20 change of information relating to programs and  
21 management methods and problems—

22           “(i) between the national head-  
23 quarters of agencies and the field; and

24           “(ii) among field elements in geo-  
25 graphic areas;

1           “(E) develop local coordinated approaches  
2 to the development and operation of programs  
3 that have common characteristics or serve the  
4 same populations;

5           “(F) communicate management initiatives  
6 and other concerns from Federal officers and  
7 employees in the Washington, DC, metropolitan  
8 area to Federal officers and employees in the  
9 geographic area to achieve better mutual under-  
10 standing and support;

11           “(G) develop relationships with State and  
12 local governments, institutions of higher edu-  
13 cation, and nongovernmental organizations to  
14 help fulfill the roles and responsibilities of the  
15 Federal Executive Board;

16           “(H) in coordination with appropriate  
17 agencies and consistent with any relevant  
18 memoranda of understanding between the Of-  
19 fice of Personnel Management and those agen-  
20 cies, facilitate communication, collaboration,  
21 and training to prepare the Federal workforce  
22 for emergencies and continuity of operations;

23           “(I) in coordination with appropriate agen-  
24 cies, support agency efforts to place and recruit



1 students in training opportunities, particularly  
 2 apprenticeships and paid internships;

3 “(J) consult with the Secretary of Labor  
 4 or State Apprenticeship Agencies on the process  
 5 for establishing registered apprenticeship pro-  
 6 grams within agencies, as appropriate;

7 “(K) consult with State workforce develop-  
 8 ment boards and local workforce development  
 9 boards as established in sections 101 and 107  
 10 of the Workforce Innovation and Opportunity  
 11 Act (29 U.S.C. 3111, 3122), respectively, as  
 12 appropriate;

13 “(L) as appropriate and in accordance  
 14 with law, rules, and policies, lead cross-agency  
 15 talent management initiatives—

16 “(i) including interagency—

17 “(I) recruitment and hiring ac-  
 18 tivities;

19 “(II) internships and apprentice-  
 20 ships;

21 “(III) onboarding and leadership  
 22 and management development; and

23 “(IV) mentorship programs; and

24 “(ii) by prioritizing initiatives related  
 25 to—

1           “(I) conducting outreach to com-  
2           munities of individuals with demo-  
3           graphics that are underrepresented in  
4           a given occupation or agency; and

5           “(II) addressing skills gaps with-  
6           in the Federal Government related to  
7           high-risk areas as identified by the  
8           Government Accountability Office;

9           “(M) coordinate with the Transition As-  
10          sistance Centers established to carry out the  
11          Transition Assistance Program of the Depart-  
12          ment of Defense to help members of the Armed  
13          Forces who are transitioning to civilian life  
14          apply for Government positions in the geo-  
15          graphic location of the Federal Executive  
16          Board;

17          “(N) as appropriate, serve as a collabo-  
18          rative space where employees from across agen-  
19          cies can participate in innovation projects rel-  
20          evant to Federal initiatives by applying human-  
21          centered design, user-experience design, or  
22          other creativity methods; and

23          “(O) take other actions as agreed to by the  
24          Federal Executive Board and the Director, in  
25          consultation with the Director of the Office of

1 Management and Budget and the Adminis-  
2 trator of General Services.

3 ~~“(2) COORDINATION OF CERTAIN ACTIVITIES.—~~

4 The facilitation of communication, collaboration, and  
5 training described in paragraph (1)(H) shall, when  
6 appropriate, be coordinated and defined through  
7 written agreements entered into between the Direc-  
8 tor and the heads of the applicable agencies.

9 ~~“(3) NON-MONETARY DONATIONS.—~~Each Fed-  
10 eral Executive Board may accept donations of sup-  
11 plies, services, land, and equipment consistent with  
12 the purposes described in paragraphs (1) through  
13 (5) of subsection (a), including to assist in carrying  
14 out the activities described in paragraph (1) of this  
15 subsection.

16 ~~“(4) PROGRAMMATIC ASSESSMENTS.—~~Not less  
17 frequently than semi-annually or following each  
18 major programmatic activity, each Federal Executive  
19 Board shall assess the experience of participants or  
20 other relevant stakeholders in each program pro-  
21 vided by the Federal Executive Board.

22 ~~“(f) FUNDING.—~~

23 ~~“(1) ESTABLISHMENT OF FUND.—~~The Direc-  
24 tor, in coordination with the Director of the Office  
25 of Management and Budget and the Administrator

1 of General Services, shall establish a Federal Execu-  
2 tive Board Fund within the Office of Personnel  
3 Management for financing essential Federal Execu-  
4 tive Board functions for the purposes of staffing and  
5 operating expenses.

6 “(2) DEPOSITS.—There shall be deposited in  
7 the fund established under paragraph (1) amounts  
8 transferred to the fund pursuant to paragraph (3)  
9 from each agency participating in Federal Executive  
10 Boards, according to a formula established by the  
11 Director—

12 “(A) in consultation with the headquarters  
13 of those agencies; and

14 “(B) in coordination with the Director of  
15 the Office of Management and Budget and the  
16 Administrator of General Services.

17 “(3) CONTRIBUTIONS.—

18 “(A) CONTRIBUTION TRANSFERS.—Subject  
19 to the formula for contributions established by  
20 the Director under paragraph (2), each agency  
21 participating in Federal Executive Boards shall  
22 transfer amounts to the fund established under  
23 paragraph (1).

24 “(B) FORMULA.—

1           “(i) IN GENERAL.—The formula for  
2           contributions established by the Director  
3           under paragraph (2) shall consider the  
4           number of employees in each agency in all  
5           geographic areas served by Federal Execu-  
6           tive Boards.

7           “(ii) RECALCULATION.—The contribu-  
8           tion of the headquarters of each agency  
9           under clause (i) to the fund established  
10          under paragraph (1) shall be recalculated  
11          not less frequently than every 2 years.

12          “(C) IN-KIND CONTRIBUTIONS.—At the  
13          discretion of the Director, an agency may pro-  
14          vide in-kind contributions instead of, or in addi-  
15          tion to, providing monetary contributions to the  
16          fund established under paragraph (1).

17          “(4) MINIMUM AMOUNT.—

18                 “(A) IN GENERAL.—The fund established  
19                 under paragraph (1) shall include a minimum  
20                 of \$15,000,000 in each fiscal year, to remain  
21                 available until expended.

22                 “(B) ADJUSTMENT.—The Director shall  
23                 adjust the amount required under subparagraph  
24                 (A) every 2 years on a schedule aligned with

1 the recalculation described in paragraph  
2 (3)(B)(ii) to reflect—

3 “(i) the percentage increase, if any, in  
4 the Consumer Price Index for all Urban  
5 Consumers as determined by the Bureau of  
6 Labor Statistics; and

7 “(ii) any changes in costs related to  
8 Federal pay changes authorized by the  
9 President or by an Act of Congress.

10 “(5) USE OF EXCESS AMOUNTS.—Any unobli-  
11 gated and unexpended balances in the fund estab-  
12 lished under paragraph (1) that the Director deter-  
13 mines to be in excess of amounts needed for Federal  
14 Executive Board functions shall be allocated among  
15 the Federal Executive Boards for the activities de-  
16 scribed in subsection (c) by the Director—

17 “(A) in coordination with the Director of  
18 the Office of Management and Budget and the  
19 Administrator of General Services; and

20 “(B) in consultation with the headquarters  
21 of agencies participating in Federal Executive  
22 Boards.

23 “(6) ADMINISTRATIVE AND OVERSIGHT  
24 COSTS.—The Office of Personnel Management shall  
25 pay for costs relating to administrative and oversight

1 activities conducted under subsection (d) from ap-  
2 propriations made available to the Office of Per-  
3 sonnel Management.

4 “(g) REPORTS.—The Director, in coordination with  
5 the Director of the Office of Management and Budget and  
6 the Administrator of General Services, shall submit bien-  
7 nial reports to Congress and to agencies participating in  
8 Federal Executive Boards on the outcomes of and budget  
9 matters related to Federal Executive Boards.

10 “(h) REGULATIONS.—The Director, in coordination  
11 with the Director of the Office of Management and Budget  
12 and the Administrator of General Services, shall prescribe  
13 regulations necessary to carry out this section.”.

14 (b) REPORT.—

15 (1) DEFINITION.—In this subsection, the term  
16 “Federal Executive Board” has the meaning given  
17 the term in section 1106(b) of title 5, United States  
18 Code, as added by subsection (a) of this section.

19 (2) REPORT.—Not later than 180 days after  
20 the date of enactment of this Act, the Director of  
21 the Office of Personnel Management, in coordination  
22 with the Director of the Office of Management and  
23 Budget and the Administrator of General Services,  
24 shall submit to the Committee on Homeland Secu-  
25 rity and Governmental Affairs of the Senate and the

1 Committee on Oversight and Accountability of the  
2 House of Representatives a report that includes—

3 (A) a description of essential Federal Ex-  
4 ecutive Board functions;

5 (B) details of staffing requirements for  
6 each Federal Executive Board; and

7 (C) estimates of staffing and operating ex-  
8 penses for each Federal Executive Board.

9 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

10 The table of sections for chapter 11 of title 5, United  
11 States Code, is amended by inserting after the item relat-  
12 ing to section 1105 the following:

“1106. Federal Executive Boards.”.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Improving Government*  
15 *Efficiency and Workforce Development through Federal Ex-*  
16 *ecutive Boards Act of 2023”.*

17 **SEC. 2. FEDERAL EXECUTIVE BOARDS.**

18 (a) *IN GENERAL.*—Chapter 11 of title 5, United States  
19 Code, is amended by adding at the end the following:

20 **“§ 1106. Federal Executive Boards**

21 *“(a) PURPOSES.*—The purposes of this section are to—

22 *“(1) strengthen the strategic coordination, com-*  
23 *munication, and management of Government activi-*  
24 *ties across the United States, including to improve*  
25 *the experience of citizens interacting with agencies,*



1       *and to incorporate field perspectives into the prepara-*  
2       *tion of Federal workforce policy goals;*

3             “(2) *facilitate interagency collaboration to im-*  
4       *prove the efficiency and effectiveness of Federal pro-*  
5       *grams and initiatives, including those that impact*  
6       *the competitiveness of the United States in the global*  
7       *economy;*

8             “(3) *facilitate communication and collaboration*  
9       *on Federal emergency preparedness and continuity of*  
10       *operations for the Federal workforce in applicable ge-*  
11       *ographic areas;*

12            “(4) *facilitate strategies and programs for re-*  
13       *cruiting, training, managing, and retaining Federal*  
14       *employees, as well as sharing best practices for im-*  
15       *proving the workforce experience and access to edu-*  
16       *cation and training, including with respect to the re-*  
17       *sponsible use of emerging technology;*

18            “(5) *facilitate relationships with State and local*  
19       *governments, colleges and universities, and local non-*  
20       *profit organizations that collaborate with the Federal*  
21       *Government; and*

22            “(6) *provide stable funding for Federal Executive*  
23       *Boards to enable the activities described in para-*  
24       *graphs (1) through (5).*

25       “(b) *DEFINITIONS.—In this section:*

1           “(1) *AGENCY*.—The term ‘agency’—

2                   “(A) means an *Executive agency*, as defined  
3           in section 105; and

4                   “(B) does not include the *Government Ac-*  
5           *countability Office*.

6           “(2) *DIRECTOR*.—The term ‘*Director*’ means the  
7           *Director of the Office of Personnel Management*.

8           “(3) *FEDERAL EXECUTIVE BOARD*.—The term  
9           ‘*Federal Executive Board*’ means an *interagency enti-*  
10          *ty*—

11                   “(A) established by the *Director*—

12                           “(i) in coordination with the *Director*  
13                           of the *Office of Management and Budget*  
14                           and the *Administrator of General Services*;  
15                           and

16                           “(ii) in consultation with the head-  
17                           quarters of appropriate agencies;

18                           “(B) located in a geographic area with a  
19                           high concentration of *Federal employees outside*  
20                           the *Washington, DC, metropolitan area*; and

21                           “(C) focused on strengthening the manage-  
22                           ment and administration of agency activities  
23                           and coordination among local *Federal officers to*  
24                           implement national initiatives in that geo-  
25                           graphic area.

1           “(4) *INSTITUTION OF HIGHER EDUCATION.*—*The*  
 2           *term ‘institution of higher education’ has the meaning*  
 3           *given the term in section 101(a) of the Higher Edu-*  
 4           *cation Act of 1965 (20 U.S.C. 1001(a)).*

5           “(5) *STATE APPRENTICESHIP AGENCY.*—*The*  
 6           *term ‘State Apprenticeship Agency’ has the meaning*  
 7           *given the term in section 29.2 of title 29, Code of Fed-*  
 8           *eral Regulations, or any successor regulation.*

9           “(c) *PERPETUATION AND CONTINUED SUPPORT.*—

10           “(1) *IN GENERAL.*—*The Director, in coordina-*  
 11           *tion with the Director of the Office of Management*  
 12           *and Budget and the Administrator of General Serv-*  
 13           *ices, shall continue to support the existence of Federal*  
 14           *Executive Boards in geographic areas outside the*  
 15           *Washington, DC, metropolitan area.*

16           “(2) *CONSULTATION.*—*Before establishing any*  
 17           *new Federal Executive Boards that are not in exist-*  
 18           *ence on the date of enactment of this section, the Di-*  
 19           *rector shall conduct a review of existing Federal Exec-*  
 20           *utive Boards and consult with the headquarters of ap-*  
 21           *propriate agencies to guide the determination of the*  
 22           *number and location of Federal Executive Boards.*

23           “(3) *LOCATION.*—*The Director shall develop a set*  
 24           *of criteria to establish and evaluate the number and*  
 25           *locations of Federal Executive Boards that shall—*

1           “(A) *factor in contemporary Federal work-*  
2           *force data as of the date of enactment of this sec-*  
3           *tion; and*

4           “(B) *be informed by the annual changes in*  
5           *workforce data, including the geographic dis-*  
6           *bursement of the Federal workforce and the role*  
7           *of remote work options.*

8           “(4) *MEMBERSHIP.—*

9           “(A) *IN GENERAL.—Each Federal Executive*  
10          *Board for a geographic area shall consist of the*  
11          *most senior officer of each agency in that geo-*  
12          *graphic area.*

13          “(B) *ALTERNATE REPRESENTATIVE.—The*  
14          *senior officer of an agency described in subpara-*  
15          *graph (A) may designate, by title of office, an al-*  
16          *ternate representative, who shall—*

17                  “(i) *be a senior officer in the agency;*  
18                  *and*

19                  “(ii) *attend meetings and otherwise*  
20                  *represent the agency on the Federal Execu-*  
21                  *tive Board in the absence of the most senior*  
22                  *officer.*

23          “(d) *ADMINISTRATION AND OVERSIGHT.—The Direc-*  
24          *tor, in coordination with the Director of the Office of Man-*  
25          *agement and Budget and the Administrator of General*

1 *Services, shall administer and oversee Federal Executive*  
 2 *Boards, including—*

3           “(1) *establishing staffing and accountability*  
 4 *policies, including performance standards, for em-*  
 5 *ployees responsible for administering Federal Execu-*  
 6 *tive Boards with an opportunity for employee cus-*  
 7 *tomers service feedback from agencies participating in*  
 8 *Federal Executive Boards;*

9           “(2) *establishing communications policies for the*  
 10 *dissemination of information to agencies partici-*  
 11 *pating in Federal Executive Boards; and*

12           “(3) *administering Federal Executive Board*  
 13 *funding through the fund established in subsection (f).*

14           “(e) *GOVERNANCE AND ACTIVITIES.—*

15           “(1) *IN GENERAL.—Each Federal Executive*  
 16 *Board shall—*

17           “(A) *subject to the approval of the Director,*  
 18 *adopt charters or other rules for the internal gov-*  
 19 *ernance of the Federal Executive Board;*

20           “(B) *elect a Chairperson from among the*  
 21 *members of the Federal Executive Board, who*  
 22 *shall serve for a set term;*

23           “(C) *serve as an instrument of outreach re-*  
 24 *lating to agency activities in the geographic*  
 25 *area;*

1           “(D) provide a forum to amplify the ex-  
2 change of information relating to programs and  
3 management methods and problems—

4                   “(i) between the national headquarters  
5 of agencies and the field; and

6                   “(ii) among field elements in geo-  
7 graphic areas;

8           “(E) develop local coordinated approaches  
9 to the development and operation of programs  
10 that have common characteristics or serve the  
11 same populations;

12           “(F) communicate management initiatives  
13 and other concerns from Federal officers and em-  
14 ployees in the Washington, DC, metropolitan  
15 area to Federal officers and employees in the geo-  
16 graphic area to achieve better mutual under-  
17 standing and support;

18           “(G) develop relationships with State and  
19 local governments, institutions of higher edu-  
20 cation, and nongovernmental organizations to  
21 help fulfill the roles and responsibilities of the  
22 Federal Executive Board;

23           “(H) in coordination with appropriate  
24 agencies and consistent with any relevant memo-  
25 randa of understanding between the Office of

1            *Personnel Management and those agencies, facili-*  
2            *tate communication, collaboration, and training*  
3            *to prepare the Federal workforce for emergencies*  
4            *and continuity of operations;*

5            *“(I) in coordination with appropriate agen-*  
6            *cies, support agency efforts to place and recruit*  
7            *students in training opportunities, particularly*  
8            *apprenticeships and paid internships;*

9            *“(J) consult with the Secretary of Labor or*  
10           *State Apprenticeship Agencies on the process for*  
11           *establishing registered apprenticeship programs*  
12           *within agencies, as appropriate;*

13           *“(K) consult with State workforce develop-*  
14           *ment boards and local workforce development*  
15           *boards as established in sections 101 and 107 of*  
16           *the Workforce Innovation and Opportunity Act*  
17           *(29 U.S.C. 3111, 3122), respectively, as appro-*  
18           *priate;*

19           *“(L) as appropriate and in accordance with*  
20           *law, rules, and policies, lead cross-agency talent*  
21           *management initiatives—*

22           *“(i) including interagency—*

23           *“(I) recruitment and hiring ac-*  
24           *tivities;*

1                   “(II) internships and apprentice-  
2                   ships;

3                   “(III) onboarding and leadership  
4                   and management development; and

5                   “(IV) mentorship programs; and

6                   “(ii) by prioritizing initiatives related  
7                   to—

8                   “(I) conducting outreach to com-  
9                   munities of individuals with demo-  
10                  graphics that are underrepresented in  
11                  a given occupation or agency;

12                  “(II) addressing skills gaps with-  
13                  in the Federal Government related to  
14                  high-risk areas as identified by the  
15                  Government Accountability Office;

16                  “(III) enabling the Federal work-  
17                  force to adapt to and responsibly use  
18                  emerging technology; and

19                  “(IV) strengthening the competi-  
20                  tiveness of the United States in the  
21                  global economy;

22                  “(M) coordinate with the Transition Assist-  
23                  ance Centers established to carry out the Transi-  
24                  tion Assistance Program of the Department of  
25                  Defense to help members of the Armed Forces



1           *who are transitioning to civilian life apply for*  
2           *Government positions in the geographic location*  
3           *of the Federal Executive Board;*

4           “(N) *as appropriate, serve as a collabo-*  
5           *rative space where employees from across agen-*  
6           *cies can participate in innovation projects rel-*  
7           *evant to Federal initiatives by applying human-*  
8           *centered design, user-experience design, or other*  
9           *creativity methods; and*

10           “(O) *take other actions as agreed to by the*  
11           *Federal Executive Board and the Director, in*  
12           *consultation with the Director of the Office of*  
13           *Management and Budget and the Administrator*  
14           *of General Services.*

15           “(2) *COORDINATION OF CERTAIN ACTIVITIES.—*

16           *The facilitation of communication, collaboration, and*  
17           *training described in paragraph (1)(H) shall, when*  
18           *appropriate, be coordinated and defined through writ-*  
19           *ten agreements entered into between the Director and*  
20           *the heads of the applicable agencies.*

21           “(3) *NON-MONETARY DONATIONS.—Each Federal*  
22           *Executive Board may accept donations of supplies,*  
23           *services, land, and equipment consistent with the pur-*  
24           *poses described in paragraphs (1) through (5) of sub-*

1        *section (a), including to assist in carrying out the ac-*  
2        *tivities described in paragraph (1) of this subsection.*

3            *“(4) PROGRAMMATIC ASSESSMENTS.—Not less*  
4        *frequently than semi-annually or following each*  
5        *major programmatic activity, each Federal Executive*  
6        *Board shall assess the experience of participants or*  
7        *other relevant stakeholders in each program provided*  
8        *by the Federal Executive Board.*

9            *“(f) FUNDING.—*

10            *“(1) ESTABLISHMENT OF FUND.—The Director,*  
11        *in coordination with the Director of the Office of*  
12        *Management and Budget and the Administrator of*  
13        *General Services, shall establish a Federal Executive*  
14        *Board Fund within the Office of Personnel Manage-*  
15        *ment for financing essential Federal Executive Board*  
16        *functions for the purposes of staffing and operating*  
17        *expenses.*

18            *“(2) DEPOSITS.—There shall be deposited in the*  
19        *fund established under paragraph (1) amounts trans-*  
20        *ferred to the fund pursuant to paragraph (3) from*  
21        *each agency participating in Federal Executive*  
22        *Boards, according to a formula established by the Di-*  
23        *rector—*

24            *“(A) in consultation with the headquarters*  
25        *of those agencies; and*

1           “(B) *in coordination with the Director of*  
2           *the Office of Management and Budget and the*  
3           *Administrator of General Services.*

4           “(3) *CONTRIBUTIONS.—*

5           “(A) *CONTRIBUTION TRANSFERS.—Subject*  
6           *to the formula for contributions established by*  
7           *the Director under paragraph (2), each agency*  
8           *participating in Federal Executive Boards shall*  
9           *transfer amounts to the fund established under*  
10           *paragraph (1).*

11           “(B) *FORMULA.—*

12           “(i) *IN GENERAL.—The formula for*  
13           *contributions established by the Director*  
14           *under paragraph (2) shall consider the*  
15           *number of employees in each agency in all*  
16           *geographic areas served by Federal Execu-*  
17           *tive Boards.*

18           “(ii) *RECALCULATION.—The contribu-*  
19           *tion of the headquarters of each agency*  
20           *under clause (i) to the fund established*  
21           *under paragraph (1) shall be recalculated*  
22           *not less frequently than every 2 years.*

23           “(C) *IN-KIND CONTRIBUTIONS.—At the dis-*  
24           *cretion of the Director, an agency may provide*  
25           *in-kind contributions instead of, or in addition*

1           to, providing monetary contributions to the fund  
2           established under paragraph (1).

3           “(4) *MINIMUM AMOUNT.*—

4                   “(A) *IN GENERAL.*—The fund established  
5           under paragraph (1) shall include a minimum  
6           of \$15,000,000 in each fiscal year, to remain  
7           available until expended.

8                   “(B) *ADJUSTMENT.*—The Director shall ad-  
9           just the amount required under subparagraph  
10          (A) every 2 years on a schedule aligned with the  
11          recalculation described in paragraph (3)(B)(ii)  
12          to reflect—

13                   “(i) the percentage increase, if any, in  
14           the Consumer Price Index for all Urban  
15           Consumers as determined by the Bureau of  
16           Labor Statistics; and

17                   “(ii) any changes in costs related to  
18           Federal pay changes authorized by the  
19           President or by an Act of Congress.

20           “(5) *USE OF EXCESS AMOUNTS.*—Any unobli-  
21          gated and unexpended balances in the fund estab-  
22          lished under paragraph (1) that the Director deter-  
23          mines to be in excess of amounts needed for Federal  
24          Executive Board functions shall be allocated among

1       *the Federal Executive Boards for the activities de-*  
2       *scribed in subsection (e) by the Director—*

3               “(A) *in coordination with the Director of*  
4               *the Office of Management and Budget and the*  
5               *Administrator of General Services; and*

6               “(B) *in consultation with the headquarters*  
7               *of agencies participating in Federal Executive*  
8               *Boards.*

9               “(6) *ADMINISTRATIVE AND OVERSIGHT COSTS.—*  
10              *The Office of Personnel Management shall pay for*  
11              *costs relating to administrative and oversight activi-*  
12              *ties conducted under subsection (d) from appropri-*  
13              *ations made available to the Office of Personnel Man-*  
14              *agement.*

15              “(g) *REPORTS.—The Director, in coordination with*  
16              *the Director of the Office of Management and Budget and*  
17              *the Administrator of General Services, shall submit bien-*  
18              *nial reports to Congress and to agencies participating in*  
19              *Federal Executive Boards on the outcomes of and budget*  
20              *matters related to Federal Executive Boards.*

21              “(h) *REGULATIONS.—The Director, in coordination*  
22              *with the Director of the Office of Management and Budget*  
23              *and the Administrator of General Services, shall prescribe*  
24              *regulations necessary to carry out this section.”.*

25              “(b) *REPORT.—*

1           (1) *DEFINITION.*—*In this subsection, the term*  
2           *“Federal Executive Board” has the meaning given the*  
3           *term in section 1106(b) of title 5, United States Code,*  
4           *as added by subsection (a) of this section.*

5           (2) *REPORT.*—*Not later than 180 days after the*  
6           *date of enactment of this Act, the Director of the Of-*  
7           *ice of Personnel Management, in coordination with*  
8           *the Director of the Office of Management and Budget*  
9           *and the Administrator of General Services, shall sub-*  
10          *mit to the Committee on Homeland Security and*  
11          *Governmental Affairs of the Senate and the Com-*  
12          *mittee on Oversight and Accountability of the House*  
13          *of Representatives a report that includes—*

14                   (A) *a description of essential Federal Exec-*  
15                   *utive Board functions;*

16                   (B) *details of staffing requirements for each*  
17                   *Federal Executive Board; and*

18                   (C) *estimates of staffing and operating ex-*  
19                   *penses for each Federal Executive Board.*

20          (c) *TECHNICAL AND CONFORMING AMENDMENTS.*—*The*  
21          *table of sections for chapter 11 of title 5, United States*  
22          *Code, is amended by inserting after the item relating to*  
23          *section 1105 the following:*

          “1106. *Federal Executive Boards.*”.



Calendar No. 203

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 285**

[Report No. 118-95]

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**A BILL**

To provide for the perpetuation, administration,  
and funding of Federal Executive Boards, and  
for other purposes.

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SEPTEMBER 11, 2023

Reported with an amendment