

Calendar No. 733118TH CONGRESS
2^D SESSION**S. 3654****[Report No. 118-313]**

To amend the Presidential Transition Act of 1963 to require the timely appointment of agency transition officials, to ensure adequate performance and oversight of required transition-related preparation, to require new guidance for agencies and possible transition teams, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2024

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

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Reported by Mr. PETERS, with an amendment

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

A BILL

To amend the Presidential Transition Act of 1963 to require the timely appointment of agency transition officials, to ensure adequate performance and oversight of required transition-related preparation, to require new guidance for agencies and possible transition teams, 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 “Agency Preparation
 5 for Transitions Act of 2024”.

6 **SEC. 2. FEDERAL TRANSITION COORDINATOR.**

7 Section 4(c) of the Presidential Transition Act of
 8 1963 (3 U.S.C. 102 note) is amended to read as follows:

9 “(c) **FEDERAL TRANSITION COORDINATOR.**—

10 “(1) **DESIGNATION.**—The Administrator shall
 11 designate an employee of the General Services Ad-
 12 ministration who is a senior career employee to the
 13 position of Federal Transition Coordinator.

14 “(2) **DUTIES OF THE FEDERAL TRANSITION CO-**
 15 **ORDINATOR.**—A Federal Transition Coordinator
 16 shall be responsible for—

17 “(A) carrying out the duties and authori-
 18 ties of the Administrator relating to Presi-
 19 dential transitions under this Act, or any other
 20 provision of law, except for determining the ap-
 21 parent successful candidate under section 3(e);

22 “(B) serving as the Federal Transition Co-
 23 ordinator with responsibility for coordinating
 24 transition planning across agencies, including

1 through the agency transition directors council
2 established under subsection (e);

3 “(C) ensuring agencies comply with all
4 statutory requirements relating to transition
5 planning and reporting;

6 “(D) acting as a liaison to eligible can-
7 didates;

8 “(E) regularly providing updates to agen-
9 cies not included on the agency transition direc-
10 tors council with information, including infor-
11 mation on briefing materials, key transition
12 milestones, and succession planning;

13 “(F) identifying best practices relating to
14 Presidential transitions for transition teams,
15 Federal agencies, and incumbent administra-
16 tions;

17 “(G) identifying—

18 “(i) the most significant challenges
19 for Federal agencies that are posed by
20 Presidential transitions; and

21 “(ii) ways to mitigate the risks associ-
22 ated with such challenges during subse-
23 quent Presidential transitions; and

24 “(H) other duties at the discretion of the
25 Administrator.

1 “(3) APPOINTMENT OF THE FEDERAL TRANSI-
2 TION COORDINATOR.—

3 “(A) IN GENERAL.—Not later than 2 years
4 before the date of each Presidential election, the
5 Administrator shall appoint a Federal Transi-
6 tion Coordinator.

7 “(B) NON-ELECTION PERIODS.—During
8 any period during which there is not an indi-
9 vidual serving as Federal Transition Coordi-
10 nator pursuant to an appointment in accord-
11 ance with subparagraph (A), the Administrator
12 shall designate an officer or employee to carry
13 out any transition responsibilities until the ap-
14 pointment of the next Federal Transition Coor-
15 dinator.

16 “(C) REPORTING TO CONGRESS.—The Ad-
17 ministrator shall report to Congress—

18 “(i) when the Administrator has ap-
19 pointed a new Federal Transition Coordi-
20 nator; and

21 “(ii) when the Administrator has des-
22 ignated an officer or employee to carry out
23 transition responsibilities under subpara-
24 graph (B).

1 “(4) **RULE OF CONSTRUCTION.**—Nothing in
 2 this subsection shall be construed to prohibit the Ad-
 3 ministrator from revoking an existing designation of
 4 an individual serving as Federal Transition Coordi-
 5 nator and designating a new individual to serve as
 6 the Federal Transition Coordinator.”.

7 **SEC. 3. WHITE HOUSE TRANSITION COORDINATING COUN-**
 8 **CIL.**

9 (a) **IN GENERAL.**—Section 4(d) of the Presidential
 10 Transition Act of 1963 (3 U.S.C. 102 note) is amended—

11 (1) in paragraph (1), by striking “Not later
 12 than 6 months before the date of a Presidential elec-
 13 tion,” and all that follows and inserting “There is
 14 established a White House transition coordinating
 15 council for the purposes of facilitating the Presi-
 16 dential transition. The White House transition co-
 17 ordinating council shall, at a minimum, meet and
 18 perform the duties provided for in this Act.”;

19 (2) in paragraph (2)—

20 (A) in subparagraph (B), by striking
 21 “and” at the end;

22 (B) in subparagraph (C), by striking the
 23 period at the end and inserting a semicolon;
 24 and

25 (C) by adding at the end the following:

1 “(D) oversee the transition process for of-
2 fices within the Executive Office of the Presi-
3 dent and ensure that such offices produce rel-
4 evant transition briefing materials for eligible
5 candidates;

6 “(E) during any year during which a Pres-
7 idential election is not being held, designate em-
8 ployees within the Executive Office of the Presi-
9 dent who shall develop, in coordination with the
10 Archivist of the United States, a plan for em-
11 ployees serving in positions in the executive
12 branch to identify, on at least an annual basis,
13 Presidential records (as defined in section 2201
14 of title 44, United States Code), including elec-
15 tronic records, to be transferred to and main-
16 tained and preserved by the Archivist in the
17 event of a possible Presidential transition; and

18 “(F) not later than 180 days before the
19 date of each Presidential election, the employees
20 designated under subparagraph (E) shall sub-
21 mit to Congress the most recent plan developed
22 under subparagraph (E) through a written re-
23 port or a briefing with relevant committees.”;
24 and

25 (3) by adding at the end the following:

1 “(3) MEETING FREQUENCY.—The White House
2 transition coordinating council shall meet—

3 “(A) as soon as practicable during a year
4 during which a Presidential election is being
5 held, but not later than the day before the first
6 regular meeting of the agency transition direc-
7 tors council under subsection (e)(4)(B) during
8 such year; and

9 “(B) to host an exercise described in para-
10 graph (2)(C) as soon as is practicable after the
11 date on which the Administrator determines a
12 sole apparent successful candidate for the office
13 of the President, but not later than the date on
14 which the apparent successful candidate for the
15 office of President is inaugurated.”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date that is 30 days
18 after the date of enactment of this Act.

19 **SEC. 4. MEMORANDUMS OF UNDERSTANDING.**

20 Section 4(g)(1) of the Presidential Transition Act of
21 1963 (3 U.S.C. 102 note) is amended by striking “shall
22 include, at a minimum,” and all that follows and inserting
23 the following: “shall include—

24 “(A) at a minimum—

1 “(i) the conditions of access to em-
2 ployees, facilities, and documents of agen-
3 cies by transition staff;

4 “(ii) the conditions of access to infor-
5 mation and briefing material critical to na-
6 tional security, which shall be established
7 in consultation with the relevant agencies;
8 and

9 “(iii) the conditions of access to any
10 interagency emergency preparedness and
11 response exercises under subsection
12 (d)(2)(C); and

13 “(B) a provision allowing access described
14 in subparagraph (A) to commence or continue
15 for the eligible candidate and the members of
16 the transition team of the eligible candidate
17 during the period beginning on the day after
18 date of the Presidential election and ending at
19 the time at which the Administrator determines
20 the apparent successful candidate under section
21 3(e).”.

22 **SEC. 5. FREQUENCY OF THE AGENCY TRANSITION DIREC-**
23 **TORS COUNCIL.**

24 Section 4(e)(4)(B) of the Presidential Transition Act
25 of 1963 (3 U.S.C. 102 note) is amended—

1 (1) by striking “6 months” and inserting “270
2 days”; and

3 (2) by striking “inaugurated,” and all that fol-
4 lows and inserting the following: “inaugurated, not
5 less than once per month, which shall include—

6 “(i) a meeting during the period be-
7 ginning on the day after the Presidential
8 election and ending 3 days after the date
9 of the Presidential election; and

10 “(ii) if the Administrator does not de-
11 termine the apparent successful candidates
12 in accordance with section 3(e) on or be-
13 fore the date that is 3 days after the date
14 of the Presidential election, not later than
15 1 day after such determination.”.

16 **SEC. 6. DUTIES OF THE AGENCY TRANSITION DIRECTORS**
17 **COUNCIL.**

18 Section 4(e)(2) of the Presidential Transition Act of
19 1963 (3 U.S.C. 102 note) is amended—

20 (1) in subparagraph (B), by inserting “, includ-
21 ing guidance and templates for providing briefing
22 materials and information both in digital and phys-
23 ical formats” after “candidates”;

24 (2) in subparagraph (C)—

1 (A) by striking “November 1” and insert-
2 ing “October 15”; and

3 (B) by inserting “; which may be updated
4 with additional information as needed after Oc-
5 tober 15” before the semicolon at the end;

6 (3) in subparagraph (D), by striking “and” at
7 the end;

8 (4) in subparagraph (E), by striking the period
9 at the end and inserting a semicolon; and

10 (5) by adding at the end the following:

11 “(F) provide guidance to agencies on how
12 the agencies should engage with and provide in-
13 formation to apparent successful candidates,
14 should there be multiple apparent successful
15 candidates; as described in section 3(e)(2);

16 “(G) develop working groups and sub-
17 committees to address any emergencies that
18 arise during a Presidential transition; and

19 “(H) after the inauguration as President
20 of the apparent successful candidate for the of-
21 fice of President, working with the Federal
22 Transition Coordinator to identify lessons
23 learned from the Presidential transition.”.

1 **SEC. 7. MEMBERSHIP OF AGENCY TRANSITION DIRECTORS**
 2 **COUNCIL.**

3 (a) **IN GENERAL.**—Section 4(e) of the Presidential
 4 Transition Act of 1963 (3 U.S.C. 102 note) is amended—

5 (1) in paragraph (3)—

6 (A) in subparagraph (B), by inserting “,
 7 which shall include not less than 1 senior career
 8 employee who shall oversee transition respon-
 9 sibilities for the Executive Office of the Presi-
 10 dent, including the production of relevant tran-
 11 sition briefing materials for eligible candidates
 12 from each office or component of the Executive
 13 Office of the President” after “by the Presi-
 14 dent”;

15 (B) in subparagraph (C), by striking “sec-
 16 tion 901(b)(1)” and inserting “paragraph (1)
 17 or (2) of section 901(b)”;

18 (C) in subparagraph (D)—

19 (i) by inserting “, as defined under
 20 section 3502 of title 44, United States
 21 Code, that is” after “any other agency”;
 22 and

23 (ii) by striking “and” at the end;

24 (D) in subparagraph (E), by striking the
 25 period at the end and inserting “; and”;

26 (E) by adding at the end the following:

1 “(F) the co-chairpersons of the council es-
2 tablished under paragraph (5)(A).”;

3 (2) by adding at the end the following:

4 “(5) COUNCIL FOR NON-ATDC AGENCY TRANSI-
5 TION DIRECTORS.—

6 “(A) IN GENERAL.—The Co-Chairpersons
7 of the agency transition directors council shall
8 establish and operate a council for small and
9 independent agency transition directors (re-
10 ferred to in this paragraph as the ‘council’).

11 “(B) ADVISORY BODY.—The council shall
12 serve as the principle advisory body to the Co-
13 Chairpersons of the agency transition directors
14 council relating to the priorities, needs, and
15 functions of the council, as they relate to small
16 and independent agencies.

17 “(C) MEMBERS.—The council shall be
18 composed of the Agency Transition Directors
19 designated under subsection (f)(1)(A) from
20 each agency that does not have a representative
21 who is a member of the agency transition direc-
22 tors council.

23 “(D) CO-CHAIRPERSONS.—The Co-Chair-
24 persons of the agency transition directors coun-

1 eil shall select from among the council members
2 2 co-chairpersons of the council.

3 ~~“(6) GUIDANCE.—The Federal Transition Co-~~
4 ordinator shall consult with the co-chairpersons of
5 the council established under paragraph (5)(A), to
6 provide relevant guidance and information to the
7 council on issues relating to Presidential transitions.

8 ~~“(7) OMB REPRESENTATIVE ON THE AGENCY~~
9 TRANSITION DIRECTORS COUNCIL.—

10 ~~“(A) IN GENERAL.—Not later than 1 year~~
11 before the date of a Presidential election, the
12 Director of the Office of Management and
13 Budget shall designate an employee of the Of-
14 fice of Management and Budget who is a senior
15 career employee to serve on the agency transi-
16 tion directors council, who shall work with the
17 Deputy Director for Management of the Office
18 of Management and Budget in carrying out the
19 transition duties of the Office of Management
20 and Budget.

21 ~~“(B) LESSONS LEARNED.—After the inau-~~
22 guration as President of the apparent success-
23 ful candidate for the office of President, the
24 employee designated under subparagraph (A)
25 shall assist the Federal Transition Coordinator

1 by contributing any lessons learned by the Of-
 2 fice of Management and Budget from the Presi-
 3 dential transition.”.

4 (b) IMPLEMENTATION FOR 2024 ELECTION.—As
 5 soon as is practicable after the date of enactment of this
 6 Act, the Director of the Office of Management and Budget
 7 shall designate an employee of the Office of Management
 8 and Budget to serve on the agency transition directors
 9 council in accordance with paragraph (7) of section 4(e)
 10 of the Presidential Transition Act of 1963, as added by
 11 subsection (a) of this section.

12 **SEC. 8. INTERIM AGENCY LEADERSHIP FOR TRANSITIONS.**

13 (a) IN GENERAL.—Section 4(f) of the Presidential
 14 Transition Act of 1963 (3 U.S.C. 102 note) is amended—

15 (1) by redesignating paragraphs (1) and (2) as
 16 subparagraphs (A) and (B), respectively, and adjust-
 17 ing the margin accordingly;

18 (2) by inserting before subparagraph (A), as so
 19 redesignated, the following:

20 “(1) ELECTION YEARS.—”;

21 (3) in paragraph (1)(A), as so designated—

22 (A) by striking “6 months” and inserting
 23 “270 days”; and

24 (B) by inserting “, who shall serve as the
 25 Agency Transition Director for the agency and

1 whose term as Agency Transition Director shall
2 last until not later than the date that is 90
3 days after the date of the inauguration as
4 President of the apparent successful candidate
5 for the office of President,” after “a senior ca-
6 reer employee of the agency”; and

7 (4) by adding at the end the following:

8 “(2) OVERSIGHT AND IMPLEMENTATION OF
9 TRANSITION IN NON-ELECTION YEARS.—

10 “(A) IN GENERAL.—Not later than 1 year
11 after the date of each inauguration day—

12 “(i) the head of each agency which
13 has a representative who serves on the
14 agency transition directors council shall
15 designate an employee of the agency who is
16 a senior career employee to serve as the
17 representative of the agency at the annual
18 meetings of the agency transition directors
19 council described in subsection (c)(4)(A);
20 and

21 “(ii) the head of each agency which
22 does not have a representative who serves
23 on the agency transition directors council
24 shall designate an employee of the agency

1 who is a senior career employee to oversee
2 issues relating to Presidential transitions.

3 “(B) DUTIES.—An employee designated by
4 the head of an agency under subparagraph (A)
5 shall serve as the official responsible for the
6 transition operations of the agency until the
7 date on which the head of the agency designates
8 an employee as an Agency Transition Director
9 under paragraph (1)(A) with respect to the
10 next Presidential election.

11 “(3) RULE OF CONSTRUCTION.—Nothing in
12 this subsection shall be construed to prohibit the
13 head of an agency from designating—

14 “(A) the individual who is serving as the
15 Agency Transition Director for the agency
16 under paragraph (1)(A) for purposes of para-
17 graph (2)(A); or

18 “(B) the individual who the head des-
19 ignated for purposes of paragraph (2)(A) as the
20 Agency Transition Director for the agency
21 under paragraph (1)(A).”.

22 (b) CONFORMING AMENDMENTS.—Section
23 3(e)(2)(B) of the Presidential Transition Act of 1963 (3
24 U.S.C. 102 note) is amended—

1 (1) by striking “the senior career employee of
2 each agency” and inserting “the Agency Transition
3 Director of each agency”; and

4 (2) by striking “subsection (f)(1)” and insert-
5 ing “subsection (f)(1)(A)”.

6 **SEC. 9. REPORTS ON POLITICAL APPOINTEES APPOINTED**
7 **TO NONPOLITICAL PERMANENT POSITIONS.**

8 Section 4(b) of the Edward “Ted” Kaufman and Mi-
9 chael Leavitt Presidential Transitions Improvements Act
10 of 2015 (5 U.S.C. 3101 note) is amended by adding at
11 the end the following:

12 “(3) PUBLICATION.—The Director of the Office
13 of Personnel Management shall make a version of
14 each report required under paragraph (1) and each
15 report required under paragraph (2) available to the
16 public, which may exclude information in accordance
17 with subsection (e).”.

18 **SEC. 10. REPORTS AND GUIDANCE BY TRANSITION OFFI-**
19 **CIALS.**

20 (a) IN GENERAL.—Section 4 of the Presidential
21 Transition Act of 1963 (3 U.S.C. 102 note) is amended—

22 (1) in subsection (i), in the subsection heading,
23 by inserting “BY THE PRESIDENT” after “RE-
24 PORTS”; and

25 (2) by adding at the end the following:

1 “(j) OTHER REPORTS REGARDING TRANSITIONS.—

2 “(1) DEFINITIONS.—In this subsection—

3 “(A) the term ‘incoming administration’
4 means the apparent successful candidate for the
5 office of President, the apparent successful can-
6 didate for the office of Vice President, a mem-
7 ber of the transition team, or any other em-
8 ployee or contractor of the apparent successful
9 candidate for the office of President or the ap-
10 parent successful candidate for the office of
11 Vice President who is performing duties relat-
12 ing to the Presidential transition; and

13 “(B) the term ‘outgoing administration’
14 means an individual who, during the period be-
15 ginning on the date of a Presidential election
16 and ending on the date of the inauguration with
17 respect to the Presidential election (unless the
18 individual serving as President on the date of
19 such Presidential election is inaugurated as
20 President at such inauguration), serves as the
21 President, the Vice President, or an officer or
22 employee in the executive branch of the Federal
23 Government.

24 “(2) EXERCISES.—Not later than November 1
25 of each year during which a Presidential election is

1 held, the White House transition coordinating coun-
2 cil shall submit to Congress a report, which may
3 contain a classified annex, on the plans of the coun-
4 cil for hosting exercises described in subsection
5 (d)(2)(C), which shall include a summary of—

6 “(A) the topics to be covered by the exer-
7 cises;

8 “(B) scheduled dates for the exercises; and

9 “(C) plans for ensuring emergency pre-
10 paredness prior to a determination by the Ad-
11 ministrator that a single candidate for the of-
12 fice of President should be treated as the sole
13 apparent successful candidate in accordance
14 with section 3(e), including during any period
15 of multiple potential apparent successful can-
16 didates as described in section 3(e)(2), if appli-
17 eable.

18 “(3) GAO REPORTS.—

19 “(A) IN GENERAL.—Not later than 180
20 days after the date on which the Administrator
21 determines the sole apparent successful can-
22 didate for the office of President in accordance
23 with section 3(e) with respect to each Presi-
24 dential election, the Comptroller General of the
25 United States, in consultation with the agency

1 transition directors council, shall submit to
2 Congress a report on the Presidential transition
3 process and make a version of the report avail-
4 able to the public.

5 “(B) CONTENTS.—A report under sub-
6 paragraph (A) shall include—

7 “(i) a review of the efficiency, effec-
8 tiveness, and security of activities required
9 in this Act of the outgoing administration
10 and the incoming administration, includ-
11 ing—

12 “(I) briefings of members of the
13 incoming administration by members
14 of the outgoing administration;

15 “(II) migration of technology
16 platforms;

17 “(III) information-sharing be-
18 tween agencies or between the out-
19 going administration and the incom-
20 ing administration; and

21 “(IV) the services and facilities
22 provided by the Administrator to fa-
23 cilitate an efficient transfer of power
24 before and after the date of the appli-
25 cable Presidential election;

1 “(ii) the cost of the services and facili-
2 ties provided by the General Services Ad-
3 ministration, the National Archives and
4 Records Administration, the Office of Gov-
5 ernment Ethics, and the Department of
6 Justice to facilitate an efficient transfer of
7 power before and after the date of the ap-
8 plicable Presidential election;

9 “(iii) an assessment of the major chal-
10 lenges and achievements of service-pro-
11 viding agencies in the delivery of core tran-
12 sition services to agencies, the outgoing ad-
13 ministration, and the incoming administra-
14 tion;

15 “(iv) if the apparent successful can-
16 didate for the office of President is not
17 serving as President on the date of the ap-
18 plicable Presidential election, a description
19 of any known or reported delays in services
20 provided by any agency to the incoming
21 administration; and

22 “(v) recommendations, if any, for
23 changes to the Presidential transition proce-
24 ss.

25 “(4) NEW ADMINISTRATION.—

1 “(A) GUIDANCE.—Not later than 60 days
2 before the date of a Presidential election, the
3 Archivist of the United States shall develop
4 guidance for a President-elect and the transi-
5 tion team of the President-elect relating to com-
6 plying with chapters 22 and 31 of title 44,
7 United States Code, when creating documents
8 for use on or after inauguration day, which
9 shall include guidance for identifying and label-
10 ing all documents created before inauguration
11 day that the President-elect intends to use or
12 transfer after inauguration day.

13 “(B) REPORT.—Not later than 90 days
14 after the date of the inauguration as President
15 of an apparent successful candidate for the of-
16 fice of President who was not serving as Presi-
17 dent on the date of the most recent Presidential
18 election, the Archivist of the United States shall
19 publish a report on the status of the procedures
20 for transition management of the incoming ad-
21 ministration and the outgoing administration,
22 which shall include—

23 “(i) a description of the process of the
24 incoming administration for—

1 “(I) identifying documents cre-
2 ated on or before the date of the inau-
3 guration that are intended for use on
4 or after inauguration day and are
5 subject to chapter 22 of title 44,
6 United States Code; and

7 “(II) providing guidance to offi-
8 cers and employees of the incoming
9 administration on consistently labeling
10 and safely storing classified docu-
11 ments; and

12 “(ii) a description of the process of
13 the outgoing administration for identifying
14 Presidential records, as defined in section
15 2201 of title 44, United States Code, to be
16 preserved and maintained by the Archivist
17 of the United States.

18 “(5) LESSONS LEARNED.—Not later than 180
19 days after each inauguration day, the Federal Tran-
20 sition Coordinator shall report to Congress regard-
21 ing lessons learned from the transition period and
22 offer recommendations for improvements to the
23 Presidential transition process, which shall include—

24 “(A) lessons learned by Agency Transition
25 Directors and the agency transition directors

1 council with respect to the transition operations
2 of agencies;

3 “(B) an assessment of the major chal-
4 lenges and achievements of the Administrator
5 in providing core transition services to agencies,
6 the outgoing administration, and the incoming
7 administration; and

8 “(C) recommendations, if any, for changes
9 to the Presidential transition process.

10 “(k) GUIDANCE ON IT MANAGEMENT DURING THE
11 TRANSITION.—

12 “(1) GENERAL GUIDANCE.—Not later than 180
13 days before the date of each Presidential election,
14 the Federal Transition Coordinator, in consultation
15 with the Secretary of Homeland Security and the
16 Administrator of the Office of E-Government and
17 Information Technology, shall make publicly avail-
18 able in a manner that is accessible by any candidate
19 for the office of President or Vice-President informa-
20 tion regarding information technology management
21 during the Presidential transition, including—

22 “(A) information technology management
23 best practices to protect against cyber threats;

1 “(B) a description of technology platforms
2 that will be provided by the Administrator to el-
3 igible candidates, including at minimum—

4 “(i) email and video conferencing;

5 “(ii) file-sharing and document-shar-
6 ing software;

7 “(iii) personnel selection, vetting, and
8 documenting systems; and

9 “(iv) other technology required to fa-
10 cilitate virtual briefings, meetings, and
11 other interactions between transition team
12 members and with Federal agencies; and

13 “(C) a description of what, if any, tech-
14 nology platforms a candidate may be able to
15 transition into the incoming administration,
16 should the candidate become President.

17 “(2) GUIDANCE FOR ELIGIBLE CANDIDATES.—

18 After the date described in paragraph (1) and before
19 inauguration day, the Federal Transition Coordi-
20 nator, in consultation with the Secretary of Home-
21 land Security and the Administrator of the Office of
22 E-Government and Information Technology, may
23 provide additional information regarding information
24 technology management during the Presidential
25 transition to each eligible candidate.

1 ~~“(3) SUBMISSION TO CONGRESS.—The Federal~~
 2 ~~Transition Coordinator shall submit to Congress any~~
 3 ~~information made publicly available or provided to~~
 4 ~~an eligible candidate under this subsection.”.~~

5 (b) ~~ETHICS PLANS.—Section 4(g)(3)(B) of the Presi-~~
 6 ~~dential Transition Act of 1963 (3 U.S.C. 102 note) is~~
 7 ~~amended—~~

8 (1) ~~by redesignating clauses (i), (ii), (iii), and~~
 9 ~~(iv) as clauses (ii), (iii), (iv), and (v), respectively;~~
 10 ~~and~~

11 (2) ~~by inserting before clause (ii), as so redesign-~~
 12 ~~ated, the following:~~

13 ~~“(i) the name and title of a transition~~
 14 ~~team official whose responsibilities include~~
 15 ~~overseeing implementation of and compli-~~
 16 ~~ance with the ethics plan;”.~~

17 **SEC. 11. TECHNICAL AMENDMENT.**

18 Section ~~3(a)(8)(A)(ii)(III)~~ of the Presidential Transi-
 19 tion Act of 1963 (~~3 U.S.C. 102 note~~) is amended by strik-
 20 ing ~~“from the”~~ and all that follows and inserting ~~“from~~
 21 ~~the Government Accountability Office.”.~~

22 **SECTION 1. SHORT TITLE.**

23 *This Act may be cited as the “Agency Preparation for*
 24 *Transitions Act of 2024”.*

1 **SEC. 2. FEDERAL TRANSITION COORDINATOR.**

2 (a) *IN GENERAL.*—Section 4(c) of the Presidential
3 *Transition Act of 1963 (3 U.S.C. 102 note)* is amended to
4 *read as follows:*

5 “(c) *FEDERAL TRANSITION COORDINATOR.*—

6 “(1) *APPOINTMENT.*—The Administrator shall
7 *appoint an employee of the General Services Admin-*
8 *istration who is a senior career employee to the posi-*
9 *tion of Federal Transition Coordinator.*

10 “(2) *DUTIES OF THE FEDERAL TRANSITION CO-*
11 *ORDINATOR.*—A Federal Transition Coordinator shall
12 *be responsible for—*

13 “(A) *carrying out the duties and authorities*
14 *of the Administrator relating to Presidential*
15 *transitions under this Act, or any other provi-*
16 *sion of law, except for determining when a can-*
17 *didate shall be treated as an apparent successful*
18 *candidate under section 3(c);*

19 “(B) *servicing as the Federal Transition Co-*
20 *ordinator with responsibility for coordinating*
21 *transition planning across agencies, including*
22 *through the agency transition directors council*
23 *established under subsection (e);*

24 “(C) *ensuring agencies comply with all stat-*
25 *utory requirements relating to transition plan-*
26 *ning and reporting;*

1 “(D) acting as a liaison to eligible can-
2 didates;

3 “(E) regularly providing updates to agen-
4 cies not included on the agency transition direc-
5 tors council with information, including infor-
6 mation on briefing materials, key transition
7 milestones, and succession planning;

8 “(F) identifying best practices relating to
9 Presidential transitions for transition teams,
10 Federal agencies, and incumbent administra-
11 tions;

12 “(G) providing guidance to agencies on how
13 the agencies should engage with and provide in-
14 formation to apparent successful candidates,
15 should there be multiple apparent successful can-
16 didates, as described in section 3(c)(2); and

17 “(H) identifying—

18 “(i) the most significant challenges for
19 Federal agencies that are posed by Presi-
20 dential transitions;

21 “(ii) ways to mitigate the risks associ-
22 ated with such challenges during subsequent
23 Presidential transitions; and

24 “(iii) overall improvements to the
25 Presidential transition process.

1 “(3) *APPOINTMENT OF THE FEDERAL TRANSI-*
2 *TION COORDINATOR.*—

3 “(A) *IN GENERAL.*—*Not later than 2 years*
4 *before the date of each Presidential election, the*
5 *Administrator shall appoint a Federal Transi-*
6 *tion Coordinator.*

7 “(B) *NON-ELECTION PERIODS.*—*During*
8 *any period during which there is not an indi-*
9 *vidual serving as Federal Transition Coordi-*
10 *nator pursuant to an appointment in accordance*
11 *with subparagraph (A), the Administrator shall*
12 *appoint a senior career employee to carry out*
13 *any transition responsibilities until the appoint-*
14 *ment of the next Federal Transition Coordinator.*

15 “(C) *REPORTING TO CONGRESS.*—*As soon*
16 *as practicable, but not later than 30 days, after*
17 *the Administrator appoints a new Federal Tran-*
18 *sition Coordinator, the Administrator shall re-*
19 *port to the Committee on Homeland Security*
20 *and Governmental Affairs of the Senate and the*
21 *Committee on Oversight and Accountability of*
22 *the House of Representatives that the Adminis-*
23 *trator has made the appointment.*

24 “(4) *RULE OF CONSTRUCTION.*—*Nothing in this*
25 *subsection shall be construed to prohibit the Adminis-*

1 *trator from revoking an existing appointment of an*
2 *individual serving as Federal Transition Coordinator*
3 *and appointing a new individual to serve as the Fed-*
4 *eral Transition Coordinator.”.*

5 *(b) RULE OF CONSTRUCTION REGARDING ADDITIONAL*
6 *DUTIES.—Nothing in the amendments made by this Act*
7 *shall be construed to prevent an employee serving as Federal*
8 *Transition Coordinator from performing duties in addition*
9 *to duties relating to issues relating to Presidential transi-*
10 *tions.*

11 *(c) CONFORMING AMENDMENT.—Section 3(c)(2)(B) of*
12 *the Presidential Transition Act of 1963 (3 U.S.C. 102 note)*
13 *is amended by striking “Federal Transition Coordinator*
14 *designated under” and inserting “Federal Transition Coor-*
15 *dinator appointed under”.*

16 **SEC. 3. WHITE HOUSE TRANSITION COORDINATING COUN-**
17 **CIL.**

18 *(a) IN GENERAL.—Section 4(d) of the Presidential*
19 *Transition Act of 1963 (3 U.S.C. 102 note) is amended—*
20 *(1) in paragraph (1), by striking “Not later than*
21 *6 months before the date of a Presidential election,”*
22 *and all that follows and inserting “There is estab-*
23 *lished a White House transition coordinating council*
24 *for the purposes of facilitating the Presidential tran-*
25 *sition. The White House transition coordinating*

1 *council shall, at a minimum, meet and perform the*
2 *duties provided for in this Act.”; and*

3 *(2) by adding at the end the following:*

4 “(5) *MEETING FREQUENCY.—The White House*
5 *transition coordinating council shall meet—*

6 “(A) *as soon as practicable during a year*
7 *during which a Presidential election is being*
8 *held, but not later than the day before the first*
9 *regular meeting of the agency transition direc-*
10 *tors council under subsection (e)(4)(B) during*
11 *such year; and*

12 “(B) *to host an exercise described in para-*
13 *graph (2)(C) as soon as is practicable after the*
14 *date on which the Administrator determines that*
15 *a candidate shall be treated as the sole apparent*
16 *successful candidate for the office of the Presi-*
17 *dent, but not later than the date on which the*
18 *apparent successful candidate for the office of*
19 *President is inaugurated.”.*

20 “(b) *EFFECTIVE DATE.—The amendments made by this*
21 *section shall take effect on the date that is 30 days after*
22 *the date of enactment of this Act.*

23 **SEC. 4. MEMORANDUMS OF UNDERSTANDING.**

24 “(a) *IN GENERAL.—Section 4(g)(1) of the Presidential*
25 *Transition Act of 1963 (3 U.S.C. 102 note) is amended by*

1 *striking “shall include, at a minimum,” and all that follows*
2 *and inserting the following: “shall include—*

3 *“(A) at a minimum—*

4 *“(i) the conditions of access to employ-*
5 *ees, facilities, and documents of agencies by*
6 *transition staff;*

7 *“(ii) the conditions of access to infor-*
8 *mation and briefing material critical to na-*
9 *tional security, which shall be established in*
10 *consultation with the relevant agencies;*

11 *“(iii) the conditions of access to any*
12 *interagency emergency preparedness and re-*
13 *sponse exercises under subsection (d)(2)(C);*
14 *and*

15 *“(iv) the conditions of access to infor-*
16 *mation, services, and facilities authorized to*
17 *be provided in circumstances and during*
18 *time periods described in section 3(c); and*

19 *“(B) a provision creating a mechanism for*
20 *expeditiously addressing any concerns raised by*
21 *the eligible candidate or the incumbent adminis-*
22 *tration regarding ethical, privacy, or privilege*
23 *concerns relating to access to the information of*
24 *agencies, briefing materials, or nonpublic infor-*
25 *mation.”.*

1 (b) *EFFECTIVE DATE; APPLICABILITY.*—

2 (1) *EFFECTIVE DATE.*—*The amendments made*
3 *by this section shall take effect on the date of enact-*
4 *ment of this Act.*

5 (2) *APPLICABILITY.*—*The amendments made by*
6 *this section shall apply—*

7 (A) *if this Act is enacted before August 1,*
8 *2024, on and after the date that is 30 days after*
9 *the date of enactment of this Act; and*

10 (B) *if this Act is enacted on or after August*
11 *1, 2024, on and after January 21, 2025.*

12 **SEC. 5. FREQUENCY OF THE AGENCY TRANSITION DIREC-**
13 **TORS COUNCIL.**

14 Section 4(e)(4)(B) of the Presidential Transition Act
15 of 1963 (3 U.S.C. 102 note) is amended—

16 (1) *by striking “6 months” and inserting “270*
17 *days”; and*

18 (2) *by striking “inaugurated,” and all that fol-*
19 *lows and inserting the following: “inaugurated, not*
20 *less than once per month, which shall include—*

21 *“(i) a meeting during the period begin-*
22 *ning on the day after the Presidential elec-*
23 *tion and ending 3 days after the date of the*
24 *Presidential election; and*

1 “(ii) a meeting during the period be-
2 ginning 5 days after the date of the Presi-
3 dential election and ending 10 days after
4 the date of the Presidential election.”.

5 **SEC. 6. DUTIES OF THE AGENCY TRANSITION DIRECTORS**
6 **COUNCIL.**

7 Section 4(e)(2) of the Presidential Transition Act of
8 1963 (3 U.S.C. 102 note) is amended—

9 (1) in subparagraph (B), by inserting “, includ-
10 ing guidance and templates for providing briefing
11 materials and information both in digital and phys-
12 ical formats” after “candidates”;

13 (2) in subparagraph (C)—

14 (A) by striking “November 1” and inserting
15 “October 15”; and

16 (B) by inserting “, which may be updated
17 with additional information as needed after Oc-
18 tober 15” before the semicolon at the end;

19 (3) in subparagraph (D), by striking “and” at
20 the end;

21 (4) in subparagraph (E), by striking the period
22 at the end and inserting a semicolon; and

23 (5) by adding at the end the following:

24 “(F) plan for the possibility of engaging
25 with and providing information to apparent

1 *successful candidates, should there be multiple*
2 *apparent successful candidates, as described in*
3 *section 3(c)(2);*

4 *“(G) develop working groups as needed; and*

5 *“(H) after the inauguration as President of*
6 *the apparent successful candidate for the office of*
7 *President, work with the Federal Transition Co-*
8 *ordinator to identify lessons learned from the*
9 *Presidential transition.”.*

10 **SEC. 7. MEMBERSHIP OF AGENCY TRANSITION DIRECTORS**

11 **COUNCIL.**

12 (a) *IN GENERAL.*—Section 4(e) of the *Presidential*
13 *Transition Act of 1963 (3 U.S.C. 102 note)* is amended—

14 (1) *in paragraph (3)—*

15 (A) *in subparagraph (B), by inserting “,*
16 *which shall include not less than 1 senior career*
17 *employee who shall oversee transition respon-*
18 *sibilities for the Executive Office of the Presi-*
19 *dent, including the production of relevant transi-*
20 *tion briefing materials for eligible candidates*
21 *from each office or component of the Executive*
22 *Office of the President” after “by the President”;*

23 (B) *in subparagraph (C), by striking “sec-*
24 *tion 901(b)(1) of title 31, United States Code,*
25 *the Office of Personnel Management” and insert-*

1 ing “paragraph (1) or (2) of section 901(b) of
2 title 31, United States Code, the Executive Office
3 of the President, the Office of Management and
4 Budget”; and

5 (C) in subparagraph (D), by inserting “, as
6 defined under section 3502 of title 44, United
7 States Code, that is” after “any other agency”;
8 and

9 (2) by adding at the end the following:

10 “(5) COUNCIL FOR NON-ATDC AGENCY TRANSI-
11 TION DIRECTORS.—

12 “(A) IN GENERAL.—The Co-Chairpersons of
13 the agency transition directors council shall es-
14 tablish and operate a council for small and inde-
15 pendent agency transition directors (referred to
16 in this paragraph as the ‘council’).

17 “(B) PURPOSE.—The council shall serve as
18 the principle advisory body to the Co-Chair-
19 persons of the agency transition directors council
20 relating to the priorities, needs, and functions of
21 the council, as they relate to small and inde-
22 pendent agencies.

23 “(C) MEMBERS.—The council shall be com-
24 posed of—

1 “(i) the Agency Transition Directors
2 designated under subsection (f)(1)(A) from
3 each agency that does not have a represent-
4 ative who is a member of the agency transi-
5 tion directors council; and

6 “(ii) the Co-Chairpersons of the agency
7 transition directors council.

8 “(D) CO-CHAIRPERSONS.—The Co-Chair-
9 persons of the agency transition directors council
10 shall serve as co-chairpersons of the council.

11 “(6) LESSONS LEARNED BY OMB.—After the in-
12 auguration as President of the apparent successful
13 candidate for the office of President, the senior rep-
14 resentative serving in a career position in the Office
15 of Management and Budget designated for purposes of
16 paragraph (3)(C) shall assist the Federal Transition
17 Coordinator by contributing any lessons learned by
18 the Office of Management and Budget from the Presi-
19 dential transition.”.

20 (b) IMPLEMENTATION FOR 2024 ELECTION.—As soon
21 as is practicable after the date of enactment of this Act,
22 the Director of the Office of Management and Budget shall
23 designate a senior representative serving in a career posi-
24 tion in the Office of Management and Budget to serve on
25 the agency transition directors council in accordance with

1 paragraph (3)(C) of section 4(e) of the Presidential Transi-
 2 tion Act of 1963, as amended by subsection (a) of this sec-
 3 tion.

4 **SEC. 8. INTERIM AGENCY LEADERSHIP FOR TRANSITIONS.**

5 (a) *IN GENERAL.*—Section 4(f) of the Presidential
 6 Transition Act of 1963 (3 U.S.C. 102 note) is amended—

7 (1) by redesignating paragraphs (1) and (2) as
 8 subparagraphs (A) and (B), respectively, and adjust-
 9 ing the margin accordingly;

10 (2) by inserting before subparagraph (A), as so
 11 redesignated, the following:

12 “(1) *ELECTION YEARS.*—”;

13 (3) in paragraph (1)(A), as so designated—

14 (A) by striking “6 months” and inserting
 15 “270 days”; and

16 (B) by striking “to oversee and implement
 17 the activities of the agency, component, or sub-
 18 component relating to the Presidential transi-
 19 tion” and inserting “, who shall serve as the
 20 Agency Transition Director for the agency, over-
 21 see and implement the activities of the agency,
 22 component, or subcomponent relating to Presi-
 23 dential transition, and provide support to the
 24 Federal Transition Coordinator and the Admin-
 25 istrator as necessary for the completion of the re-

1 ports required under paragraphs (3) and (4) of
2 subsection (j)”; and

3 (4) by adding at the end the following:

4 “(2) *OVERSIGHT AND IMPLEMENTATION OF*
5 *TRANSITION IN NON-ELECTION YEARS.—*

6 “(A) *IN GENERAL.—Not later than 1 year*
7 *after the date of each inauguration day—*

8 “(i) *the head of each agency which has*
9 *a representative who serves on the agency*
10 *transition directors council shall designate*
11 *an employee of the agency who is a senior*
12 *career employee to serve as the representa-*
13 *tive of the agency at the annual meetings of*
14 *the agency transition directors council de-*
15 *scribed in subsection (e)(4)(A); and*

16 “(ii) *the head of each agency which*
17 *does not have a representative who serves on*
18 *the agency transition directors council shall*
19 *designate an employee of the agency who is*
20 *a senior career employee to oversee issues*
21 *relating to Presidential transitions.*

22 “(B) *DUTIES.—An employee designated by*
23 *the head of an agency under subparagraph (A)*
24 *shall serve as the official responsible for the tran-*
25 *sition operations of the agency until the date on*

1 *which the head of the agency designates an em-*
2 *ployee as an Agency Transition Director under*
3 *paragraph (1)(A) with respect to the next Presi-*
4 *dential election.*

5 “(3) *RULE OF CONSTRUCTION.*—*Nothing in this*
6 *subsection shall be construed to prohibit the head of*
7 *an agency from designating—*

8 “(A) *the individual who is serving as the*
9 *Agency Transition Director for the agency under*
10 *paragraph (1)(A) for purposes of paragraph*
11 *(2)(A); or*

12 “(B) *the individual who the head designated*
13 *for purposes of paragraph (2)(A) as the Agency*
14 *Transition Director for the agency under para-*
15 *graph (1)(A).”.*

16 (b) *CONFORMING AMENDMENTS.*—*Section 3(c)(2)(B)*
17 *of the Presidential Transition Act of 1963 (3 U.S.C. 102*
18 *note) is amended—*

19 (1) *by striking “the senior career employee of*
20 *each agency” and inserting “the Agency Transition*
21 *Director of each agency”; and*

22 (2) *by striking “subsection (f)(1)” and inserting*
23 *“subsection (f)(1)(A)”.*

24 (c) *RULE OF CONSTRUCTION REGARDING ADDITIONAL*
25 *DUTIES.*—*Nothing in the amendments made by this Act*

1 *shall be construed to prevent an employee serving as an*
 2 *Agency Transition Director from performing duties in ad-*
 3 *dition to duties relating to issues relating to Presidential*
 4 *transitions.*

5 **SEC. 9. REPORTS ON POLITICAL APPOINTEES APPOINTED**
 6 **TO NONPOLITICAL PERMANENT POSITIONS.**

7 *Section 4(b) of the Edward “Ted” Kaufman and Mi-*
 8 *chael Leavitt Presidential Transitions Improvements Act of*
 9 *2015 (5 U.S.C. 3101 note) is amended by adding at the*
 10 *end the following:*

11 *“(3) PUBLICATION.—The Director of the Office of*
 12 *Personnel Management shall make a version of each*
 13 *report required under paragraph (1) and each report*
 14 *required under paragraph (2) available to the public,*
 15 *which may exclude information in accordance with*
 16 *subsection (c).”.*

17 **SEC. 10. REPORTS AND GUIDANCE BY TRANSITION OFFI-**
 18 **CIALS.**

19 *(a) IN GENERAL.—Section 4 of the Presidential Tran-*
 20 *sition Act of 1963 (3 U.S.C. 102 note) is amended—*

21 *(1) in subsection (i), in the subsection heading,*
 22 *by inserting “BY THE PRESIDENT” after “REPORTS”;*
 23 *and*

24 *(2) by adding at the end the following:*

25 *“(j) OTHER REPORTS REGARDING TRANSITIONS.—*

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

2 “(A) *the term ‘incoming administration’*
3 *means the apparent successful candidate for the*
4 *office of President, the apparent successful can-*
5 *didate for the office of Vice President, a member*
6 *of the transition team, or any other employee or*
7 *contractor of the apparent successful candidate*
8 *for the office of President or the apparent suc-*
9 *cessful candidate for the office of Vice President*
10 *who is performing duties relating to the Presi-*
11 *dential transition; and*

12 “(B) *the term ‘outgoing administration’*
13 *means an individual who, during the period be-*
14 *ginning on the date of a Presidential election*
15 *and ending on the date of the inauguration with*
16 *respect to the Presidential election (unless the in-*
17 *dividual serving as President on the date of such*
18 *Presidential election is inaugurated as President*
19 *at such inauguration), serves as the President,*
20 *the Vice President, or an officer or employee in*
21 *the executive branch of the Federal Government.*

22 “(2) *EXERCISES.*—*Not later than November 1 of*
23 *each year during which a Presidential election is*
24 *held, the White House transition coordinating council*
25 *shall submit to Congress a report, which may contain*

1 *a classified annex, on the plans of the council for*
2 *hosting exercises described in subsection (d)(2)(C),*
3 *which shall include a summary of—*

4 *“(A) the topics to be covered by the exer-*
5 *cises;*

6 *“(B) scheduled dates for the exercises; and*

7 *“(C) plans for ensuring emergency pre-*
8 *paredness prior to a determination by the Ad-*
9 *ministrator that a single candidate for the office*
10 *of President should be treated as the sole appar-*
11 *ent successful candidate in accordance with sec-*
12 *tion 3(c), including during any period of mul-*
13 *tiple apparent successful candidates as described*
14 *in section 3(c)(2), if applicable.*

15 *“(3) GAO REPORTS.—*

16 *“(A) IN GENERAL.—Not later than 270*
17 *days after the date of each inauguration day, the*
18 *Comptroller General of the United States, in*
19 *consultation with the agency transition directors*
20 *council, shall submit to the Committee on Home-*
21 *land Security and Governmental Affairs and the*
22 *Committee on Appropriations of the Senate and*
23 *the Committee on Oversight and Accountability*
24 *and the Committee on Appropriations of the*
25 *House of Representatives a report on the Presi-*

1 *dential transition process and make a version of*
2 *the report available to the public.*

3 “(B) *CONTENTS.*—*A report under subpara-*
4 *graph (A) shall include—*

5 “(i) *a review of the efficiency, effective-*
6 *ness, and security of activities required in*
7 *this Act of the outgoing administration and*
8 *the incoming administration, including—*

9 “(I) *briefings of members of the*
10 *incoming administration by members*
11 *of the outgoing administration;*

12 “(II) *migration of technology*
13 *platforms;*

14 “(III) *information-sharing be-*
15 *tween agencies or between the outgoing*
16 *administration and the incoming ad-*
17 *ministration; and*

18 “(IV) *the services and facilities*
19 *provided by the Administrator to fa-*
20 *facilitate an efficient transfer of power*
21 *before and after the date of the applica-*
22 *ble Presidential election;*

23 “(ii) *the cost of the services and facili-*
24 *ties provided by the General Services Ad-*
25 *ministration, the National Archives and*

1 *Records Administration, the Office of Gov-*
2 *ernment Ethics, the Office of Personnel*
3 *Management, and the Department of Jus-*
4 *tice to facilitate an efficient transfer of*
5 *power before and after the date of the appli-*
6 *cable Presidential election;*

7 “(iii) *an assessment of the major chal-*
8 *lenges and achievements of service-providing*
9 *agencies in the delivery of core transition*
10 *services to agencies, the outgoing adminis-*
11 *tration, and the incoming administration;*

12 “(iv) *if the apparent successful can-*
13 *didate for the office of President is not serv-*
14 *ing as President on the date of the applica-*
15 *ble Presidential election, a description of*
16 *any known or reported delays in services*
17 *provided by any agency to the incoming ad-*
18 *ministration; and*

19 “(v) *recommendations, if any, for*
20 *changes to the Presidential transition proc-*
21 *ess.*

22 “(4) *LESSONS LEARNED.—Not later than 180*
23 *days after each inauguration day, the Federal Tran-*
24 *sition Coordinator shall report to the Committee on*
25 *Homeland Security and Governmental Affairs of the*

1 *Senate and the Committee on Oversight and Account-*
2 *ability of the House of Representatives regarding les-*
3 *sons learned from the transition period and offer rec-*
4 *ommendations for improvements to the Presidential*
5 *transition process, which shall include—*

6 *“(A) lessons learned by Agency Transition*
7 *Directors and the agency transition directors*
8 *council with respect to the transition operations*
9 *of agencies; and*

10 *“(B) recommendations, if any, for improve-*
11 *ments to the Presidential transition process.*

12 *“(k) GUIDANCE ON IT MANAGEMENT DURING THE*
13 *TRANSITION.—*

14 *“(1) GENERAL GUIDANCE.—Not later than 1*
15 *year before the date of each Presidential election, the*
16 *Federal Transition Coordinator, in consultation with*
17 *the Secretary of Homeland Security and the Adminis-*
18 *trator of the Office of Electronic Government, shall*
19 *make publicly available in a manner that is acces-*
20 *sible by any candidate for the office of President or*
21 *Vice-President information regarding information*
22 *technology management during the Presidential tran-*
23 *sition, including—*

24 *“(A) information technology management*
25 *best practices to protect against cyber threats;*

1 “(B) a description of technology platforms
2 that will be provided by the Administrator to eli-
3 gible candidates, including at minimum—

4 “(i) email and video conferencing;

5 “(ii) file-sharing and document-shar-
6 ing software;

7 “(iii) personnel selection, vetting, and
8 documenting systems; and

9 “(iv) other technology required to fa-
10 cilitate virtual briefings, meetings, and
11 other interactions between transition team
12 members and with Federal agencies; and

13 “(C) a description of what, if any, tech-
14 nology platforms a candidate may be able to
15 transition into the incoming administration,
16 should the candidate become President.

17 “(2) GUIDANCE FOR ELIGIBLE CANDIDATES.—

18 After the date described in paragraph (1) and before
19 inauguration day, the Federal Transition Coordi-
20 nator, in consultation with the Secretary of Home-
21 land Security and the Administrator of the Office of
22 Electronic Government, may provide additional infor-
23 mation regarding information technology manage-
24 ment during the Presidential transition to each eligi-
25 ble candidate.

1 “(3) *SUBMISSION TO CONGRESS.*—*The Federal*
2 *Transition Coordinator shall submit to the Committee*
3 *on Homeland Security and Governmental Affairs of*
4 *the Senate and the Committee on Oversight and Ac-*
5 *countability of the House of Representatives any in-*
6 *formation made publicly available or provided to an*
7 *eligible candidate under this subsection.*”.

8 **(b) *EFFECTIVE DATE; APPLICABILITY.***—

9 **(1) *EFFECTIVE DATE.***—*The amendments made*
10 *by this section shall take effect on the date of enact-*
11 *ment of this Act.*

12 **(2) *APPLICABILITY.***—

13 **(A) *EXERCISES.***—*Subsection (j)(2) of sec-*
14 *tion 4 of the Presidential Transition Act of 1963,*
15 *as added by this section, shall apply—*

16 *(i) if this Act is enacted before October*
17 *1, 2024, with respect to the Presidential*
18 *election occurring on November 5, 2024,*
19 *and each Presidential election thereafter; or*

20 *(ii) if this Act is enacted on or after*
21 *October 1, 2024, with respect to the Presi-*
22 *dential election occurring on November 7,*
23 *2028, and each Presidential election there-*
24 *after.*

1 (B) *REPORTING.*—Paragraphs (3) and (4)
2 of subsection (j) of section 4 of the Presidential
3 Transition Act of 1963, as added by this section,
4 shall apply with respect to the Presidential elec-
5 tion occurring on November 5, 2024, and each
6 Presidential election thereafter.

7 (C) *GUIDANCE.*—Subsection (k) of section 4
8 of the Presidential Transition Act of 1963, as
9 added by this section, shall apply with respect to
10 the Presidential election occurring on November
11 7, 2028, and each Presidential election there-
12 after.

13 **SEC. 11. TECHNICAL AMENDMENT.**

14 Section 3(a)(8)(A)(i)(III) of the Presidential Transi-
15 tion Act of 1963 (3 U.S.C. 102 note) is amended by striking
16 “from the” and all that follows and inserting “from the
17 Government Accountability Office.”.

Calendar No. 733

118TH CONGRESS
2^D SESSION

S. 3654

[Report No. 118-313]

A BILL

To amend the Presidential Transition Act of 1963 to require the timely appointment of agency transition officials, to ensure adequate performance and oversight of required transition-related preparation, to require new guidance for agencies and possible transition teams, and for other purposes.

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Reported with an amendment