

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6066
OFFERED BY MS. MALONEY OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Strengthening the Of-
3 fice of Personnel Management Act”.

**4 SEC. 2. ROLE AND MISSION OF OFFICE OF PERSONNEL
5 MANAGEMENT.**

6 Section 1101 of title 5, United States, Code is
7 amended—

8 (1) by striking “The Office of Personnel Man-
9 agement” and inserting “(a) ESTABLISHMENT.—
10 The Office of Personnel Management”; and

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

12 “(b) MISSION.—The Office of Personnel Manage-
13 ment shall lead the Federal Government in enterprise
14 strategic human resources management, ensure the proper
15 application of merit system principles for all Federal civil-
16 ian human resource systems and employees, and carry out
17 the policies set forth in section 3 of the Civil Service Re-

1 form Act of 1978 (Public Law 95–454). In addition, the
2 Office of Personnel Management shall—

3 “(1) function as an independent human capital
4 agency for Federal civilian personnel systems, em-
5 ployees, and annuitants;

6 “(2) structure as a streamlined organization ca-
7 pable of fulfilling all its missions in a manner that
8 is effective, efficient, and readily navigable by those
9 who interact with the agency;

10 “(3) provide Government-wide leadership and
11 facilitate appropriate and efficient access to human
12 capital data and systems to support strategic Gov-
13 ernment-wide human capital management;

14 “(4) use information technology and data, data
15 analytics, and predictive analytics to inform decision
16 making, identify best practices and drive innovation;

17 “(5) develop both current and forward-looking
18 approaches for human resource management;

19 “(6) establish and maintain an efficient, and, as
20 appropriate, risk-based and data-driven oversight
21 program in support of merit systems principles and
22 other statutory requirements OPM is obligated to
23 enforce; and

1 “(7) promote staff capacity-building to support
2 a competent and diverse workforce, consistent with
3 the requirements of chapter 41 of this title.”.

4 **SEC. 3. QUALIFICATIONS OF OPM DIRECTOR.**

5 Chapter 11 of title 5, United States Code, is amend-
6 ed—

7 (1) in section 1102—

8 (A) in subsection (a), by adding at the end
9 after the period the following: “The individual
10 appointed as Director shall be appointed with-
11 out regard to political affiliation and have dem-
12 onstrated human capital expertise and manage-
13 ment and leadership experience.”; and

14 (B) by adding after subsection (d) the fol-
15 lowing:

16 “(e) An individual serving as Director or Deputy Di-
17 rector may be removed from office by the President only
18 if the reasons for such removal are specifically set forth
19 in a written statement submitted to the Committee on
20 Oversight and Reform in the House of Representatives
21 and the Committee on Homeland Security and Govern-
22 mental Affairs in the Senate. The President shall commu-
23 nicate in writing the reasons for any such removal to both
24 Houses of Congress not later than 30 days before the re-
25 moval.”; and

1 (2) in section 1103(a) by—

2 (A) redesignating paragraph (9) as para-
3 graph (12);

4 (B) striking “and” at the end of para-
5 graph (8); and

6 (C) inserting after paragraph (8) the fol-
7 lowing:

8 “(9) serving as the principal advisor to the
9 President on Federal human capital policies and
10 leading Federal civilian human capital efforts to at-
11 tract and retain the optimal Federal workforce;

12 “(10) establishing a framework for Federal
13 agency workforce management and working with
14 stakeholders to develop policies that foster best prac-
15 tices in all human capital areas;

16 “(11) setting standards of practice and working
17 collaboratively across the Federal human capital
18 community; and”.

19 **SEC. 4. OPM CHIEF MANAGEMENT OFFICER.**

20 (a) IN GENERAL.—Section 1102 of title 5, United
21 States Code, as amended by section 3, is further amended
22 by adding at the end the following:

23 “(f)(1) There is established within the Office of Per-
24 sonnel Management the position of Chief Management Of-
25 ficer. Such position shall be filled by a member of the Sen-

1 ior Executive Service in a designated career reserved posi-
2 tion. The Director shall establish and appoint an indi-
3 vidual to occupy such position not later than 90 days after
4 the date of enactment of the Strengthening the Office of
5 Personnel Management Act.

6 “(2) Subject to the authority, direction, and control
7 of the Director, the Chief Management Officer shall per-
8 form such duties and exercise such powers as the Director
9 may prescribe, including—

10 “(A) assisting the Director and Deputy Direc-
11 tor to provide continuity, strengthen internal agency
12 organization and management, promoting the mis-
13 sion and strategic goals of the Office, and improving
14 Office performance;

15 “(B) during periods in which the Deputy Direc-
16 tor position is vacant, serving as the principal advi-
17 sor to the Director on all operations, activities, and
18 programs in the Office;

19 “(C) directing the associate Directors, program
20 divisions, and support functions of the Office on
21 matters for which the Chief Management Officer has
22 responsibility;

23 “(D) during periods in which the Deputy Direc-
24 tor position is vacant, establishing processes for su-

1 pervising operations of the Office and unifying man-
2 agement efforts across the Office;

3 “(E) aligning human resources policies and pro-
4 grams of the Office with the organization mission,
5 goals and performance outcomes;

6 “(F) developing a culture of continuous learn-
7 ing and positive employee engagement within the Of-
8 fice to attract and retain employees; and

9 “(G) identifying leading practices and bench-
10 marks relevant to the Officer’s areas of responsi-
11 bility.”.

12 (b) CLERICAL AMENDMENTS.—

13 (1) SECTION HEADING.—The section heading
14 for section 1102 of title 5, United States Code, is
15 amended by adding after “**Associate Directors**”
16 the following: “; **Chief Management Officer**”.

17 (2) TABLE OF SECTIONS.—The table of sections
18 for chapter 11 of such title is amended by striking
19 the item relating to section 1102 and inserting the
20 following:

“1102. Director; Deputy Director; Associate Directors; Chief Management Offi-
cer.”.

21 **SEC. 5. FEDERAL WORKFORCE ADVISORY COMMITTEE.**

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

1 **“§ 1106. Federal Workforce Advisory Committee**

2 “(a) ESTABLISHMENT.—

3 “(1) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of the Strengthening
5 the Office of Personnel Management Act, the Direc-
6 tor of the Office of Personnel Management (in this
7 section referred to as the ‘Director’) shall establish
8 within the Office an advisory committee to be known
9 as the ‘Federal Workforce Advisory Committee’ (in
10 this section referred to as the ‘Advisory Committee’).

11 “(2) DUTIES.—The Advisory Committee shall
12 advise and provide information and recommenda-
13 tions to the Director on—

14 “(A) strategies for making the Federal
15 Government an employer of choice and model
16 employer;

17 “(B) approaches for recruiting, hiring, and
18 retaining people with needed skills to improve
19 Federal services; and

20 “(C) programs and initiatives to build and
21 support a diverse, trusted, and effective Federal
22 workforce.

23 “(b) MEMBERSHIP.—

24 “(1) IN GENERAL.—

25 “(A) APPOINTMENT.—The Director shall
26 appoint not more than 15 members, excluding

1 ex officio members in paragraph (2), to the Ad-
2 visory Committee.

3 “(B) REPRESENTATION.—The Director
4 shall ensure that individuals appointed as mem-
5 bers of the Advisory Committee shall possess
6 knowledge and experience in human capital
7 management and have experience in at least
8 one of the following categories:

9 “(i) Public sector or governmental or-
10 ganizations, including global public sector
11 human resource professionals.

12 “(ii) Nonprofit organizations, includ-
13 ing labor unions.

14 “(iii) Private sector organizations.

15 “(iv) Academia.

16 “(v) Federal employee, retiree, and
17 labor organizations, including organiza-
18 tions that represent substantial numbers of
19 Federal employees occupying General
20 Schedule positions.

21 “(vi) Chief Human Capital Officers or
22 other members from Federal agency
23 human resource offices.

24 “(2) EX OFFICIO MEMBERS.—The following po-
25 sitions shall serve as ex officio members of the Advi-

1 sory Committee: the Director, the Deputy Director,
2 any Associate Director, the Chief Management Offi-
3 cer, the Chief Diversity, Equity, Inclusion and Ac-
4 cessibility Officer, the Chief Human Capital Officers
5 Council Executive Director, and other Federal offi-
6 cials at the discretion of the Director.

7 “(c) ADMINISTRATIVE PROVISIONS.—

8 “(1) MEETINGS.—

9 “(A) IN GENERAL.—The Advisory Com-
10 mittee shall meet at least two times per year.
11 The Chair may request additional meetings,
12 with such additional meetings subject to the ap-
13 proval of the Director.

14 “(B) OPPORTUNITY FOR PUBLIC COM-
15 MENT.—Each meeting shall include, at a min-
16 imum, opportunity for public comment during
17 the Advisory Committee’s deliberations.

18 “(2) BYLAWS.—At the first meeting of the Ad-
19 visory Committee, the members shall select a chair-
20 person and vice chairperson. The Advisory Commit-
21 tee’s bylaws shall be established by the chairperson
22 and vice chairperson and shall be submitted to the
23 members for unanimous approval by the members.

24 “(3) QUORUM.—Seven members of the Advisory
25 Committee shall constitute a quorum.

1 “(4) DECISIONS AND RECOMMENDATIONS BY
2 CONSENSUS.—All decisions, activities, findings, and
3 recommendations of the Advisory Committee shall be
4 made by consensus of the members of the Advisory
5 Committee.

6 “(d) ANNUAL REPORT.—Not later than one year
7 after the date of the first meeting of the Advisory Com-
8 mittee and annually thereafter, the Advisory Committee
9 shall submit an annual report to the Director, the Com-
10 mittee on Oversight and Reform of the House of Rep-
11 resentatives, and the Committee on Homeland Security
12 and Governmental Affairs of the Senate. The Director
13 shall make the report available online on a publicly acces-
14 sible website. The report shall contain—

15 “(1) a detailed summary of the agenda and ac-
16 tivities of, and the findings and recommendations
17 made by, the Advisory Committee during the pre-
18 vious year;

19 “(2) if applicable, any agency actions taken to
20 address the findings and recommendations made by
21 the Advisory Committee; and

22 “(3) a detailed list of subjects and areas of in-
23 terest that the Advisory Committee plans to examine
24 in the next year.

1 “(e) SUNSET.—Effective on December 31, 2026, the
2 Advisory Committee and the authority of the Advisory
3 Committee shall terminate.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 for such chapter 11 is amended by adding after the item
6 relating to section 1105 the following:

“1106. Federal Workforce Advisory Committee.”.

