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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

# **H. R. 6066**

To amend title 5, United States Code, to reaffirm the role of the Office of Personnel Management as the leader for civilian human resource management in the Federal Government, to encourage innovation in the Office's management of human capital, to strengthen the Office's ability to support Federal human capital management as a strategic priority, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. Maloney introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# **A BILL**

To amend title 5, United States Code, to reaffirm the role of the Office of Personnel Management as the leader for civilian human resource management in the Federal Government, to encourage innovation in the Office's management of human capital, to strengthen the Office's ability to support Federal human capital management as a strategic priority, 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 “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-  
18 form Act of 1978 (Public Law 95–454). In addition, the  
19 Office of Personnel Management shall—

20 “(1) function as an independent human capital  
21 agency for Federal civilian personnel systems, em-  
22 ployees, and annuitants;

23 “(2) structure as a streamlined, customer-fo-  
24 cused organization to effectively and efficiently exe-  
25 cute its mission priorities;

1           “(3) provide Government-wide leadership and  
2           facilitate appropriate and efficient access to human  
3           capital data and systems to support strategic Gov-  
4           ernment-wide human capital management;

5           “(4) use information technology and data, data  
6           analytics, and predictive analytics to inform decision  
7           making, identify best practices and drive innovation;

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

10           “(6) establish and maintain an efficient, risk-  
11           based, data-driven oversight program in support of  
12           merit systems principles; and

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

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

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

19           (1) in section 1102—

20                   (A) in subsection (a), by adding at the end  
21                   after the period the following: “The individual  
22                   appointed as Director shall be appointed with-  
23                   out regard to political affiliation and have dem-  
24                   onstrated human capital expertise and manage-  
25                   ment and leadership experience.”; and

1 (B) by adding after subsection (d) the fol-  
2 lowing:

3 “(e) An individual serving as Director or Deputy Di-  
4 rector may be removed from office by the President only  
5 if the reasons for such removal are specifically set forth  
6 in a written statement submitted to the Committee on  
7 Oversight and Reform in the House of Representatives  
8 and the Committee on Homeland Security and Govern-  
9 mental Affairs in the Senate. The President shall commu-  
10 nicate in writing the reasons for any such removal to both  
11 Houses of Congress not later than 30 days before the re-  
12 moval.”; and

13 (2) in section 1103(a) by—

14 (A) redesignating paragraph (9) as para-  
15 graph (12);

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

18 (C) inserting after paragraph (8) the fol-  
19 lowing:

20 “(9) serving as the principal advisor to the  
21 President on Federal human capital policies and  
22 leading Federal civilian human capital efforts to at-  
23 tract and retain the optimal Federal workforce;

24 “(10) establishing a framework for Federal  
25 agency workforce management and working with

1 stakeholders to develop policies that foster best prac-  
2 tices in all human capital areas;

3 “(11) setting standards of practice and working  
4 collaboratively across the Federal human capital  
5 community; and”.

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

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

10 “(f)(1) There is established within the Office of Per-  
11 sonnel Management the position of Chief Management Of-  
12 ficer. Such position shall be filled by a member of the Sen-  
13 ior Executive Service in a designated career reserved posi-  
14 tion. The Director shall establish and appoint an indi-  
15 vidual to occupy such position not later than 90 days after  
16 the date of enactment of the Strengthening the Office of  
17 Personnel Management Act.

18 “(2) Subject to the authority, direction, and control  
19 of the Director, the Chief Management Officer shall per-  
20 form such duties and exercise such powers as the Director  
21 may prescribe, including—

22 “(A) assisting the Director and Deputy Direc-  
23 tor to provide continuity, strengthen internal agency  
24 organization and management, promoting the mis-

1 sion and strategic goals of the Office, and improving  
2 Office performance;

3 “(B) serving as the principal advisor to the Di-  
4 rector on all operations, activities, and programs in  
5 the Office;

6 “(C) directing the associate Directors, program  
7 divisions, and support functions of the Office on  
8 matters for which the Chief Management Officer has  
9 responsibility;

10 “(D) establishing processes for supervising op-  
11 erations of the Office, including planning and pro-  
12 cesses, performance management, information tech-  
13 nology management, and unifying management ef-  
14 forts across the Office;

15 “(E) aligning human resources policies and pro-  
16 grams of the Office with the organization mission,  
17 goals and performance outcomes;

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

21 “(G) identifying leading practices and bench-  
22 marks relevant to the Officer’s areas of responsi-  
23 bility.”.

24 (b) CLERICAL AMENDMENTS.—

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

5           (2) TABLE OF SECTIONS.—The table of sections  
6           for chapter 11 of such title is amended by striking  
7           the item relating to section 1102 and inserting the  
8           following:

“1102. Director; Deputy Director; Associate Directors; Chief Management Officer.”.

9   **SEC. 5. OPM ADVISORY COMMITTEE ON HUMAN CAPITAL**  
10                                   **MANAGEMENT.**

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

14   **“§ 1106. OPM Advisory Committee on Human Capital**  
15                                   **Management**

16           “(a) ESTABLISHMENT.—

17                   “(1) IN GENERAL.—Not later than 90 days  
18           after the date of the enactment of the Strengthening  
19           the Office of Personnel Management Act, the Direc-  
20           tor of the Office of Personnel Management (in this  
21           section referred to as the ‘Director’) shall establish  
22           within the Office an advisory committee to be known  
23           as the ‘OPM Advisory Committee on Human Capital

1 Management' (in this section referred to as the 'Ad-  
2 visory Committee').

3 "(2) DUTIES.—The Advisory Committee shall  
4 advise and provide information and recommenda-  
5 tions to the Director on—

6 "(A) strategies for making the Federal  
7 Government an employer of choice and model  
8 employer;

9 "(B) approaches for recruiting, hiring, and  
10 retaining people with needed skills to improve  
11 Federal services; and

12 "(C) programs and initiatives to build and  
13 support a diverse, trusted, and effective Federal  
14 workforce.

15 "(b) MEMBERSHIP.—

16 "(1) IN GENERAL.—

17 "(A) APPOINTMENT.—The Director shall  
18 appoint not more than 15 members, excluding  
19 ex officio members in paragraph (2), to the Ad-  
20 visory Committee.

21 "(B) REPRESENTATION.—The Director  
22 shall ensure that individuals appointed as mem-  
23 bers of the Advisory Committee shall possess  
24 knowledge and experience in human capital



1 management and have experience in at least  
2 one of the following categories:

3 “(i) Public sector or governmental or-  
4 ganizations, including global public sector  
5 human resource professionals.

6 “(ii) Nonprofit organizations, includ-  
7 ing labor unions.

8 “(iii) Private sector organizations.

9 “(iv) Academia.

10 “(v) Federal employee, retiree, and  
11 labor organizations, including organiza-  
12 tions that represent substantial numbers of  
13 Federal employees occupying General  
14 Schedule positions.

15 “(vi) Chief Human Capital Officers or  
16 other members from Federal agency  
17 human resource offices.

18 “(2) EX OFFICIO MEMBERS.—The following po-  
19 sitions shall serve as ex officio members of the Advi-  
20 sory Committee: the Director, the Deputy Director,  
21 any Associate Director, the Chief Management Offi-  
22 cer, the Chief Diversity, Equity, Inclusion and Ac-  
23 cessibility Officer, the Chief Human Capital Officers  
24 Council Executive Director, and other Federal offi-  
25 cials at the discretion of the Director.

1 “(c) ADMINISTRATIVE PROVISIONS.—

2 “(1) MEETINGS.—

3 “(A) IN GENERAL.—The Advisory Com-  
4 mittee shall meet at least two times per year,  
5 with additional meetings as required.

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

10 “(2) BYLAWS.—At the first meeting of the Ad-  
11 visory Committee, the members shall select a chair-  
12 person and vice chairperson. The Advisory Commit-  
13 tee’s bylaws shall be established by the chairperson  
14 and vice chairperson and shall be submitted to the  
15 members for unanimous approval by the members.

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

18 “(4) DECISIONS AND RECOMMENDATIONS BY  
19 CONSENSUS.—All decisions, activities, findings, and  
20 recommendations of the Advisory Committee shall be  
21 made by consensus of the members of the Advisory  
22 Committee.

23 “(d) ANNUAL REPORT.—Not later than one year  
24 after the date of the first meeting of the Advisory Com-  
25 mittee and annually thereafter, the Advisory Committee

1 shall submit an annual report to the Director, the Com-  
2 mittee on Oversight and Reform of the House of Rep-  
3 resentatives, and the Committee on Homeland Security  
4 and Governmental Affairs of the Senate. The Director  
5 shall make the report available online on a publicly acces-  
6 sible website. The report shall contain—

7           “(1) a detailed summary of the agenda and ac-  
8           tivities of, and the findings and recommendations  
9           made by, the Advisory Committee during the pre-  
10          vious year;

11           “(2) if applicable, any agency actions taken to  
12          address the findings and recommendations made by  
13          the Advisory Committee; and

14           “(3) a detailed list of subjects and areas of in-  
15          terest that the Advisory Committee plans to examine  
16          in the next year.”.

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

“1106. OPM Advisory Committee on Human Capital Management.”.