

Calendar No. 636

117TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 117-252

IMPROVING GOVERNMENT EFFICIENCY AND
WORKFORCE DEVELOPMENT THROUGH
FEDERAL EXECUTIVE BOARDS ACT OF 2022

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 4894

TO PROVIDE FOR THE PERPETUATION, ADMINISTRATION, AND
FUNDING OF FEDERAL EXECUTIVE BOARDS, AND FOR OTHER
PURPOSES



DECEMBER 13, 2022.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

39-010

WASHINGTON : 2023

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BOARDS ACT OF 2022

DECEMBER 13, 2022.—Ordered to be printed

Mr. PETERS, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 4894]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs,
to which was referred the bill (S. 4894) to provide for the perpetua-
tion, administration, and funding of Federal Executive Boards, and
for other purposes, having considered the same, reports favorably
thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

S. 4894, the *Improving Government Efficiency and Workforce De-
velopment through Federal Executive Boards Act of 2022*, would for-
mally authorize Federal Executive Boards (FEBs). FEBs coordinate
activities among federal agency field offices located outside of
Washington, D.C. and develop state and local partnerships, includ-
ing for the purposes of emergency preparedness and workforce de-
velopment. The bill will stabilize FEBs by establishing a reliable
interagency fund for essential FEB operations. The bill also takes

a number of steps to enable FEBs to further support agency workforce development efforts to recruit and place students, veterans, and others into skills training opportunities like apprenticeships and paid internships within federal agencies.

II. BACKGROUND AND NEED FOR THE LEGISLATION

President Kennedy established Federal Executive Boards (FEBs) in 1961 through a directive to federal agencies.¹ In a memo to the heads of federal departments and agencies, President Kennedy described Federal Executive Boards as an effort to better coordinate and strengthen government activities outside of the nation's capital.² The President directed the Civil Service Commission to establish an FEB in each of its administrative regions across the country, with the participation of the heads of agency field offices and installations.³

Currently there are approximately 85% of Federal employees located outside of Washington, D.C. and 28 FEB locations in metropolitan areas that are major centers of federal activity, including: Atlanta, Georgia; Baltimore, Maryland; Boston, Massachusetts; Buffalo, New York; Chicago, Illinois; Cincinnati, Ohio; Cleveland, Ohio; Colorado; Dallas-Ft. Worth, Texas; Detroit, Michigan; Honolulu-Pacific, Hawaii; Houston, Texas; Kansas City, Missouri; Los Angeles, California; Minnesota; New Mexico; New Orleans, Louisiana; New York City, New York; Newark, New Jersey; Oklahoma; Oregon; Philadelphia, Pennsylvania; Pittsburgh, Pennsylvania; Saint Louis, Missouri; San Antonio, Texas; San Francisco, California; Seattle, Washington; and South Florida.⁴ The Office of Personnel Management (OPM) has the authority to dissolve, merge, divide, or establish new FEBs based on resources and regional needs.⁵ Members of FEBs include the highest-ranking federal officials of each agency within the geographic region.⁶ In each geographic area, the FEB represents 140 agency components on average, including civilian, military, postal, and law enforcement agencies.⁷ One or two full-time employees manage daily FEB office operations in the roles of Executive Director and Deputy Director or Assistant.⁸

The activities of FEBs vary depending on the unique challenges and opportunities of their region, but qualities they share include establishing useful networks for sharing best practices across agencies, improving implementation of federal initiatives at the state and local levels, and identifying areas of duplication to enhance federal government efficiency.⁹ Participating agencies overwhelm-

¹ Federal Executive Boards, *Presidential Directive* (Nov. 10, 1961) (<https://www.feb.gov/about/presidential-directive/>).

² *Id.*

³ *Id.*

⁴ Federal Executive Boards, *Frequently Asked Questions* (<https://www.feb.gov/faqs/>); Federal Executive Boards, *Locations* (<https://www.feb.gov/board-locations/>).

⁵ 5 CFR 960.103; Federal Executive Boards, *Frequently Asked Questions* (<https://www.feb.gov/faqs/>).

⁶ Federal Executive Boards, *Frequently Asked Questions* (<https://www.feb.gov/faqs/>).

⁷ *Id.*; Federal Executive Boards, *Federal Executive Board National Network Annual Report Fiscal Year 2021* (May 2022) (<https://www.feb.gov/plans-reports/federal-executive-board-2021-annual-report.pdf>).

⁸ *Federal Executive Boards, supra* note 6; Federal Executive Boards, *Federal Executive Board National Network Annual Report Fiscal Year 2021* (May 2022) (<https://www.feb.gov/plans-reports/federal-executive-board-2021-annual-report.pdf>).

⁹ Federal Executive Boards, *About* (<https://www.feb.gov/about/>).

ingly describe FEBs as valuable and beneficial resources. According to an agency effectiveness survey published in May 2022, 92% of Board members recommended engagement with the FEB.¹⁰

The overarching strategic goals of FEBs include regional and local coordination of federal emergency response activities across agencies, carrying out workforce development strategies in support of strengthening the federal talent pipeline, and building partnerships between federal agencies and state and local entities, including governments, nonprofits, and colleges and universities.¹¹ In their most recent annual report for Fiscal Year 2021, published in May 2022, FEB-provided workforce training opportunities that resulted in an estimated cost avoidance of more than \$6.9 million and FEB-sponsored alternative dispute resolution of cases that resulted in an estimated cost avoidance of more than \$7.4 million.¹² In terms of federal emergency response, FEBs assisted local Federal agency leaders by providing time-sensitive status information during real world natural disasters like hurricanes, tropical storms, and tornados.¹³ In recent years, FEBs also played a critical role in the comprehensive response to the COVID–19 pandemic.¹⁴ According to the Federal Executive Board Network Fiscal Year 2020 Annual Report, boards across the country “served as a convening resource” that enabled agency leaders to discuss their pandemic-related concerns and share best practices on an ongoing basis.¹⁵

For over 60 years, FEBs have strengthened our government’s emergency preparedness, workforce development, and community engagement efforts, particularly during unprecedented times like the COVID–19 pandemic.¹⁶ However, FEBs are not formally authorized and do not have a stable source of funding.¹⁷ Currently, a voluntary host federal department or agency provides FEB operational funding and funding for projects is covered by local member agencies.¹⁸ This voluntary funding structure can mean unreliable commitments of budget and staff by employing agencies, which can negatively affect the capacity and effectiveness of FEBs.¹⁹ Without an authorized funding structure, it can also mean these critical entities are increasingly at risk of shutting down or closing. Additionally, the current need for FEBs to focus on obtaining funding for basic operations significantly detracts from FEB efforts to meet

¹⁰ Federal Executive Boards, *Federal Executive Board National Network Annual Report Fiscal Year 2021* (May 2022) (<https://www.feb.gov/plans-reports/federal-executive-board-2021-annual-report.pdf>).

¹¹ Federal Executive Boards, *Federal Executive Board National Network Strategic and Operational Plan 2018–2022* (Oct. 2017) (<https://www.feb.gov/plans-reports/federal-executive-board-strategic-plan-2018-2022.pdf>).

¹² *Federal Executive Boards*, *supra* note 10.

¹³ *Id.*

¹⁴ Partnership for Public Service, *How Federal Executive Boards played a key role in supporting the federal workforce during the COVID–19 pandemic* (blog) (Apr. 8, 2021) (<https://ourpublicservice.org/blog/how-federal-executive-boards-played-a-key-role-in-supporting-the-federal-workforce-during-the-covid-19-pandemic/>).

¹⁵ Federal Executive Boards, *Federal Executive Board National Network Annual Report Fiscal Year 2020* (Feb. 2021) (<https://www.feb.gov/plans-reports/federal-executive-board-2020-annual-report.pdf>).

¹⁶ Stephanie Cheung, *Happy 60th anniversary to the Federal Executive Boards*, Partnership for Public Service (blog) (Nov. 10, 2021) (<https://ourpublicservice.org/blog/happy-60th-anniversary-to-the-federal-executive-boards/>).

¹⁷ *Federal Executive Boards*, *supra* note 6.

¹⁸ *Id.*

¹⁹ Erich Wagner, *Biden’s Budget Focuses on Making Agencies a ‘Model Employer.’* Government Executive (article) (Mar. 29, 2022) (<https://www.govexec.com/workforce/2022/03/biden-budget-agencies-model-employer/363757/>).

strategic goals, including activities related to workforce development.²⁰

In his Fiscal Year 2023 Presidential Budget Request (FY23 Budget), President Biden calls for developing pipelines for internships “around the Nation through a reinvigorated vision and funding model for Federal Executive Boards, to ensure a pulse on the Federal impact in communities and support Federal employees and agencies across the Nation.”²¹ The President’s FY23 Budget requested a \$10 million interagency fund, as well as the establishment of an FEB Program Management Office, to replace the current “ad hoc” funding structure.²² The Biden Administration is also currently developing a “refreshed FEB funding and governance model” involving new roles for the Office of Management and Budget (OMB) and the General Services Administration (GSA).²³

In the 111th Congress, HSGAC member Senator George Voinovich (R–OH) introduced the *Federal Executive Board Authorization Act of 2009*, a bill similar to the *Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2022*, with Senator Daniel Akaka (D–HI) as a cosponsor. This bill aimed to statutorily authorize the establishment of FEBs and provide for interagency funding for FEBs. The Senate Homeland Security and Governmental Affairs Committee marked up the bill in July 2009 and in the following November, it passed the Senate floor by unanimous consent. The House Committee on Oversight and Government Reform also voted to advance the bill by voice vote in 2010, though it never made it through the House floor.

The Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2022 would authorize FEBs and establish a stable interagency fund financed by contributions from participating agencies for FEB office operations. The bill adds a new section 1106 to Title 5, United States Code, to authorize Federal Executive Boards, which designates OPM, OMB, and GSA as the agencies responsible for the oversight and administration of FEBs. Doing so will ensure FEBs have the resources they need to continue supporting agency initiatives and strengthen federal talent pipelines by increasing the number of training opportunities in government.

III. LEGISLATIVE HISTORY

Chairman Gary Peters (D–MI) introduced S. 4894, the *Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2022*, on September 20, 2022, with original cosponsors Senator John Cornyn (R–TX) and Senator Alex Padilla (D–CA). The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 4894 at a business meeting on September 28, 2022. The Committee ordered the bill to be reported favorably by voice vote *en bloc* with Senators Peters, Carper, Hassan,

²⁰ *Federal Executive Boards*, *supra* note 10.

²¹ Office of Management and Budget, *Budget of the U.S. Government Fiscal Year 2023* (https://www.whitehouse.gov/wp-content/uploads/2022/03/budget_fy2023.pdf).

²² General Services Administration, *How the President’s Budget Delivers for the Federal Workforce* (Mar. 29, 2022) (<https://www.performance.gov/blog/budget-delivers-for-federal-workforce/>).

²³ Office of Management and Budget, *Analytical Perspectives Budget of the U.S. Government Fiscal Year 2023* (https://www.whitehouse.gov/wp-content/uploads/2022/04/spec_fy2023.pdf).

Sinema, Rosen, Padilla, Ossoff, Portman, Johnson, Paul, Lankford, Romney, Scott, and Hawley present.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section establishes the short title of the bill as the “Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2022.”

Sec. 2. Federal Executive Boards

Subsection (a) adds a new section 1106 to title 5, United States Code, to authorize Federal Executive Boards. Subsection (a) of the new section 1106 describes the purposes of the bill to authorize Federal Executive Boards. The purposes include: strengthening interagency coordination and collaboration to improve the experience of citizens interacting with agencies and the efficiency of federal initiatives; facilitating communication on federal emergency preparedness and continuity of operations; facilitating strategies and programs for recruiting, training, managing, and retaining federal employees; and building relationships with state and local governments and other entities that collaborate with the federal government. Another purpose is to provide stable funding for Federal Executive Boards to enable the activities associated with the other stated purposes.

Subsection (b) of the new section 1106 defines the terms “agency,” “Director,” “Federal Executive Board,” “institution of higher education,” and “state apprenticeship agency” in the context of this section.

Subsection (c) of the new section 1106 directs OPM to support Federal Executive Boards in coordination with OMB and GSA. Before establishing any new FEBs, OPM must conduct a review of existing FEBs and consult with the headquarters of appropriate agencies on the number and location of FEBs. Regarding FEB location determinations, OPM must take into account federal workforce data and the geographic disbursement of the Federal workforce, factoring in the role of remote work options. Membership of FEBs shall consist of the most senior officer of each agency in that geographic area, who may designate an alternative representative to attend meetings and represent the agency on the FEB.

Subsection (d) of the new section 1106 designates OPM in partnership with OMB and GSA as the agencies responsible for the oversight and administration of Federal Executive Boards. These activities include establishing staffing and accountability policies for FEBs, setting policies for disseminating information to agencies participating in FEBs, and the administration of funding to FEBs as established by subsection (f).

Subsection (e) of the new section 1106 outlines the governance and activities of Federal Executive Boards. Each FEB is directed to adopt charters or other rules for the internal governance of the Board and elect a Chairperson among FEB members to serve for set term. FEBs may accept non-monetary donations of supplies, services, land, and equipment for carrying out activities associated with the purposes described in subsection (a), including the activities outlined in this subsection. Following each major pro-

grammatic activity and at least semi-annually, FEBs need to assess the experiences of participants and other relevant stakeholders involved in the program.

Subsection (f) of the new section 1106 creates a dedicated fund within OPM to cover the staffing and operating expenses of FEBs. OPM, in partnership with OMB and GSA and in consultation with agency heads, will establish a formula for contributions to be deposited into the fund by agencies that participate in Federal Executive Boards. The formula needs to consider the number of employees at each agency in the geographic areas served by FEBs and would be recalculated every two years. OPM may allow agencies to provide in-kind contributions instead of or in addition to monetary contributions. The fund must equate to a minimum of \$15 million, indexed to inflation and factoring in any changes in cost due to federal pay adjustments. If the fund exceeds the needs of FEBs for operating expenses, the remainder would be allocated across FEBs to support the activities described in subsection (e).

Subsection (g) of the new section 1106 directs OPM, with OMB and GSA involvement, to submit biennial reports to Congress and participating agencies on FEB outcomes and budget matters.

Subsection (h) of the new section 1106 authorizes OPM, with OMB and GSA involvement, to prescribe the regulations necessary to carry out this section.

Subsection (b) directs OPM, with OMB and GSA involvement, to submit a report to HSGAC and COR on Federal Executive Boards within 180 days of the bill's enactment. The report needs to include a description of essential FEB functions, details of staffing requirements for each FEB, and estimates of staffing and operating expenses for each FEB.

Subsection (c) amends the table of sections in chapter 11 of title 5, United States Code, to include the new section added by this bill.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 9, 2022.

Hon. GARY C. PETERS,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed table summarizing estimated budgetary effects and mandates information for some of the legislation that has been

ordered reported by the Senate Committee on Homeland Security and Governmental Affairs during the 117th Congress.

If you wish further details, we will be pleased to provide them. The CBO staff contact for each estimate is listed on the enclosed table.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

SUMMARY ESTIMATES OF LEGISLATION ORDERED REPORTED

The Congressional Budget Act of 1974 requires the Congressional Budget Office, to the extent practicable, to prepare estimates of the budgetary effects of legislation ordered reported by Congressional authorizing committees. In order to provide the Congress with as much information as possible, the attached table summarizes information about the estimated direct spending and revenue effects of some of the legislation that has been ordered reported by the Senate Committee on Homeland Security and Governmental Affairs during the 117th Congress. The legislation listed in this table generally would have small effects, if any, on direct spending or revenues, CBO estimates. Where possible, the table also provides information about the legislation's estimated effects on spending subject to appropriation and on intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act.

ESTIMATED BUDGETARY EFFECTS AND MANDATES INFORMATION

Bill Number	Title	Status	Last Action	Budget Function	Direct Spending, 2023-2032	Revenues, 2023-2032	Spending Subject to Appropriation, 2023-2027	Pay-As-You-Go Procedures Apply?	Increases On-Budget Deficits Beginning in 2033?	Mandates	Contact
S. 4894	Improving Government Efficiency and Workforce Development Through Federal Executive Boards Act of 2022	Ordered reported	09/28/22	800	Between zero and \$500,000	0	Not estimated	Yes	No	No	Matthew Pickford

S. 4894 would establish Federal Executive Boards to improve collaboration among federal offices outside of Washington D.C. The Office of Personnel Management would oversee the boards, establish a fund for office operations, and require reports on activities. CBO estimates that enacting S. 4894 would have an insignificant effect on direct spending and no effect on revenues over the 2023-2032 period. CBO has not estimated the discretionary costs of implementing the bill. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows: (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

* * * * *

**TITLE 5—GOVERNMENT ORGANIZATION
AND EMPLOYEES**

* * * * *

**PART II—CIVIL SERVICE FUNCTIONS AND
RESPONSIBILITIES**

* * * * *

CHAPTER 11—OFFICE OF PERSONNEL MANAGEMENT

* * * * *

SEC. 1106. FEDERAL EXECUTIVE BOARDS.

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

(1) *strengthen the strategic coordination, communication, and management of Government activities across the United States, including to improve the experience of citizens interacting with agencies, and to incorporate field perspectives into the preparation of Federal workforce policy goals;*

(2) *facilitate interagency collaboration to improve the efficiency and effectiveness of Federal programs and initiatives;*

(3) *facilitate communication and collaboration on Federal emergency preparedness and continuity of operations for the Federal workforce in applicable geographic areas;*

(4) *facilitate strategies and programs for recruiting, training, managing, and retaining Federal employees, as well as sharing best practices for improving the workforce experience and access to education and training;*

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

(6) *provide stable funding for Federal Executive Boards to enable the activities described in paragraphs (1) through (5).*

(b) *DEFINITIONS.*—*In this section:*

(1) *AGENCY.*—*The term “agency”—*

(A) *means an Executive agency, as defined in section 105;*

and

(B) *does not include the Government Accountability Office.*

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

(3) *FEDERAL EXECUTIVE BOARD.*—The term “Federal Executive Board” means an interagency entity—

(A) established by the Director—

(i) in coordination with the Director of the Office of Management and Budget and the Administrator of General Services; and

(ii) in consultation with the headquarters of appropriate agencies;

(B) located in a geographic area with a high concentration of Federal employees outside the Washington, D.C., metropolitan area; and

(C) focused on strengthening the management and administration of agency activities and coordination among local Federal officers to implement national initiatives in that geographic area.

(4) *INSTITUTION OF HIGHER EDUCATION.*—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) *STATE APPRENTICESHIP AGENCY.*—The term “State Apprenticeship Agency” has the meaning given the term in section 29.2 of title 29, Code of Federal Regulations, or any successor regulation.

(c) *PERPETUATION AND CONTINUED SUPPORT.*—

(1) *IN GENERAL.*—The Director, in coordination with the Director of the Office of Management and Budget and the Administrator of General Services, shall continue to support the existence of Federal Executive Boards in geographic areas outside the Washington, D.C., metropolitan area.

(2) *CONSULTATION.*—Before establishing any new Federal Executive Boards that not in existence on the date of enactment of this section, the Director shall conduct a review of existing Federal Executive Boards and consult with the headquarters of appropriate agencies to guide the determination of the number and location of Federal Executive Boards.

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

(A) factor in contemporary Federal workforce data as of the date of enactment of this section; and

(B) be informed by the annual changes in workforce data, including the geographic disbursement of the Federal workforce and role of remote work options.

(4) *MEMBERSHIP.*—

(A) *IN GENERAL.*—Each Federal Executive Board for a geographic area shall consist of the most senior officer of each agency in that geographic area.

(B) *ALTERNATE REPRESENTATIVE.*—The senior officer of an agency described in subparagraph (A) may designate, by title of office, an alternate representative, who shall—

(i) be a senior officer in the agency; and

(ii) attend meetings and otherwise represent the agency on the Federal Executive Board in absence of the most senior officer.

(d) *ADMINISTRATION AND OVERSIGHT.*—The Director, in coordination with the Director of the Office of Management and Budget and the Administrator of General Services, shall administer and oversee Federal Executive Boards, including—

(1) *establishing staffing and accountability policies, including performance standards for employees responsible for administering Federal Executive Boards with an opportunity for employee customer service feedback from agencies participating in Federal Executive Boards;*

(2) *establishing communications policies for the dissemination of information to agencies participating in Federal Executive Boards; and*

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

(e) *GOVERNANCE AND ACTIVITIES.*—

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

(A) *subject to the approval of the Director, adopt charters or other rules for the internal governance of the Federal Executive Board;*

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

(C) *serve as an instrument of outreach relating to agency activities in the geographic area;*

(D) *provide a forum to amplify the exchange of information relating to programs and management methods and problems—*

(i) *between the national headquarters of agencies and the field; and*

(ii) *among field elements in geographic areas*

(E) *develop local coordinated approaches to the development and operation of programs that have common characteristics or serve the same populations;*

(F) *communicate management initiatives and other concerns from Federal officers and employees in the Washington, D.C., metropolitan area to Federal officers and employees in the geographic area to achieve better mutual understanding and support;*

(G) *develop relationships with State and local governments, institutions of higher education, and nongovernmental organizations to help fulfill the roles and responsibilities of the Federal Executive Board;*

(H) *in coordination with appropriate agencies and consistent with any relevant memoranda of understanding between the Office of Personnel Management and those agencies, facilitate communication, collaboration, and training to prepare the Federal workforce for emergencies and continuity of operations;*

(I) *in coordination with appropriate agencies, support agency efforts to place and recruit students in training opportunities, particularly apprenticeships and paid internships;*

(J) *consult with the Secretary of Labor or State Apprenticeship Agencies on the process for establishing registered apprenticeship program within agencies, as appropriate;*

(K) consult with State workforce development boards and local workforce development boards as established in sections 101 and 107 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111, 3122), respectively, as appropriate;

(L) as appropriate, create and executive cross-agency talent management initiatives—

(i) including interagency—

(I) recruitment activities;

(II) internships and apprenticeships;

(III) sharing of certifications of eligible candidates for hiring;

(IV) onboarding and leadership and management development; and

(V) mentorship programs; and (ii) by prioritizing initiatives related to—

(I) conducting outreach to communities of individuals with demographics that are underrepresented in a given occupation or agency; and

(II) addressing skills gaps within the Federal Government related to high-risk areas as identified by the Government Accountability Office;

(M) coordinate with the Transition Assistance Centers established to carry out the Transition Assistance Program of the Department of Defense to help members of the Armed Forces who are transitioning into civilian life apply for Government positions in the geographic location of the Federal Executive Board;

(N) provide a forum for local bargaining units to collaborate with regional agency leadership on forums and training;

(O) as appropriate, serve as a collaborative space where employees from across agencies can participate in innovation project relevant to federal initiatives by applying human-centered design, user-experience design, or other creativity methods; and

(P) take other actions as agreed to by the Federal Executive Board and Director, in consultation with the Office of Management and Budget and the Administrator of General Services.

(2) **COORDINATION OF CERTAIN ACTIVITIES.**—The facilitation of communication, collaboration, and training described in paragraph (1)(H) shall, when appropriate, be coordinated and defined through written agreements entered into between the Director and the heads of applicable agencies.

(3) **NON-MONETARY DONATIONS.**—Each Federal Executive Board may accept donations of supplies, services, land, and equipment consistent with the purposes described in paragraphs (1) through (5) of subsection (a), including to assist in carrying out the activities described in paragraph (1) of this subsection.

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

(f) FUNDING.—

(1) ESTABLISHMENT OF THE FUND.—*The Director, in coordination with and with approval from the Director of the Office of Management and Budget and the Administrator of General Services, shall establish a fund within the Office of Personnel Management for financing essential Federal Executive Board functions—*

(A) *including staffing and operating expenses; and*

(B) *excluding the costs of the Office of Personnel Management relating to administrative and oversight activities conducted under subsection (d) or to national office expenses.*

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

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

(B) *in coordination with and with approval from the Director of the Office of Management and Budget and the Administrator of General Services.*

(3) CONTRIBUTIONS.—

(A) FORMULA.—

(i) IN GENERAL.—*The formula for contributions established by the Director under paragraph (2) shall consider the number of employees in each agency in all geographic areas served by Federal Executive Boards.*

(ii) RECALCULATION.—*The contribution of the headquarters of each agency under clause (i) to the fund established under paragraph (1) shall be recalculated not less frequently than every 2 years.*

(B) IN KIND CONTRIBUTIONS.—*At the discretion of the Director, an agency may provide in-kind contributions instead of, or in addition to, providing monetary contributions to the fund established under paragraph (1).*

(4) MINIMUM AMOUNT.—

(A) IN GENERAL.—*The fund established under paragraph (1) shall include a minimum of \$15,000,000 in each fiscal year.*

(B) ADJUSTMENT.—*The Director shall adjust the amount required under subparagraph (A) every 2 years on a schedule aligned with the recalculation described in paragraph (3)(A)(ii) to reflect—*

(3)(A)(ii) to reflect—

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

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

(5) USE OF EXCESS AMOUNTS.—*Any unobligated and unexpended balances in the fund established under paragraph (1) that the Director determines to be in excess of the amounts needed for Federal Executive Board functions shall be allocated*

among the Federal Executive Boards for the activities described in subsection (e) by the Director—

(A) in coordination with and with approval from the Director of the Office of Management and Budget and the Administrator of General Services; and

(B) in consultation with the headquarters of agencies participating in Federal Executive Boards.

(6) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Office of Personnel Management shall pay for costs relating to administrative and oversight activities conducted under subsection (d) from appropriations made available to the Office of Personnel Management.

(g) REPORTS.—The Director, in coordination with and with approval from the Director of the Office of Management and Budget and the Administrator of General Services, shall submit biennial reports to Congress and to agencies participating in Federal Executive Boards on the outcomes of and budget matters related to Federal Executive Boards.

(h) REGULATIONS.— The Director, in coordination with and with approval from the Director of the Office of Management and Budget and the Administrator of General Services, shall prescribe regulations necessary to carry out this section.

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1105. Administrative procedure.

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