

Calendar No. 203

118TH CONGRESS }
1st Session }

SENATE

{ REPORT
118-95

IMPROVING GOVERNMENT EFFICIENCY
AND WORKFORCE DEVELOPMENT THROUGH
FEDERAL EXECUTIVE BOARDS ACT OF 2023

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 285

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



SEPTEMBER 11, 2023.—Ordered to be printed

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DEVELOPMENT THROUGH FEDERAL EXECUTIVE
BOARDS ACT OF 2023

SEPTEMBER 11, 2023.—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. 285]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 285), to provide for the perpetuation, administration, and funding of Federal Executive Boards, and for other purposes, having considered the same, reports favorably thereon with an amendment, in the nature of a substitute, and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 285, the *Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2023*, would formally authorize Federal Executive Boards (FEBs). FEBs coordinate federal activities outside of Washington, DC, and develop state and local partnerships, including for the purposes of emergency pre-

paredness and workforce development. The bill would establish an interagency fund for FEB operations.¹

II. BACKGROUND AND NEED FOR THE LEGISLATION

President John F. Kennedy established Federal Executive Boards (FEBs) in 1961 through a directive to federal agencies. In a memo to the heads of federal departments and agencies, President Kennedy described FEBs as an effort to better coordinate and strengthen government activities outside the nation's capital. 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.²

Currently, approximately 85% of federal employees work outside of Washington, DC.³ There are 28 FEB locations in metropolitan areas that are major centers of federal activity.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. One or two full-time employees manage daily FEB office operations in the roles of Executive Director and Deputy Director or Assistant.⁷

The activities of FEBs vary depending on their region's needs, but they often include 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.⁸ Participating agencies describe FEBs as a valuable and beneficial resources. According to an agency effectiveness survey published in May 2023, 89% of FEB members agreed that involvement with the FEB has benefited their agency.⁹

The overarching strategic goals of FEBs include carrying out workforce training, sharing best practices, and building coalitions

¹ On September 28, 2022, the Committee approved S. 4894, the *Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2022*. That bill, as reported, is substantially similar to S. 285. Accordingly, this committee report is, in many respects, similar to the committee report for S. 4894. See S. Rept. 117-252.

² Federal Executive Boards, *Presidential Directive* (Nov. 10, 1961) (www.feb.gov/about/presidential-directive/).

³ Federal Executive Boards, Home Page (www.feb.gov/) (accessed May 18, 2023).

⁴ Federal Executive Boards, *Frequently Asked Questions* (www.feb.gov/faqs/) (accessed May 18, 2023); Federal Executive Boards, *Locations* (www.feb.gov/board-locations/) (accessed May 18, 2023); The 28 FEB locations include: 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.

⁵ 5 CFR §960.103; Federal Executive Boards, *Frequently Asked Questions* (www.feb.gov/faqs/) (accessed May 18, 2023).

⁶ Federal Executive Boards, *Frequently Asked Questions* (www.feb.gov/faqs/) (accessed May 18, 2018).

⁷ *Id.*; Federal Executive Boards, *Federal Executive Board National Network: Annual Report Fiscal Year 2022* (May 2023) (www.feb.gov/plans-reports/federal-executive-board-2022-annual-report.pdf).

⁸ Federal Executive Boards, *About* (www.feb.gov/about/) (accessed May 18, 2023).

⁹ Federal Executive Boards, *Federal Executive Board National Network: Annual Report Fiscal Year 2022* (May 2023) (www.feb.gov/plans-reports/federal-executive-board-2022-annual-report.pdf).

among federal agencies and state and local entities.¹⁰ According to their most recent annual report published in May 2023, in Fiscal Year 2022 FEBs provided workforce training opportunities that resulted in an estimated cost avoidance of more than \$6.6 million in agency spending. FEBs provided alternative dispute resolution programs for agencies that resulted in an estimated cost avoidance of more than \$9.8 million. In addition, FEBs assisted local federal agency leaders during emergency responses by providing time-sensitive status information for a number of natural disasters like hurricanes, tornadoes, and winter storms.¹¹ In recent years, FEBs have played a critical role in responding to the COVID-19 pandemic.¹² FEBs 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.¹³

For over 60 years, FEBs have assisted our government’s emergency preparedness, workforce development, and community engagement efforts, particularly during unprecedented times like the COVID-19 pandemic.¹⁴ However, FEBs are not formally authorized and do not have a stable source of funding. Currently, a voluntary host federal department or agency within a given geographic area provides FEB operational funding, even though a number of agencies benefit from the FEB activities.¹⁵ 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.¹⁶ The lack of an authorized funding structure can also mean these entities are at risk of shutting down or closing. Additionally, the need for FEBs to focus on obtaining funding for basic operations significantly detracts from FEB efforts to meet strategic goals, including activities related to workforce development.¹⁷

Since 2022, the Biden Administration has pursued a “refreshed FEB funding and governance model” involving new roles for the Office of Management and Budget (OMB) and the General Services Administration (GSA).¹⁸ In his Fiscal Year 2023 Budget Request, President Biden called for developing pipelines for internships 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 Na-

¹⁰ Federal Executive Boards, *Federal Executive Board National Network: Strategic Plan Fiscal Years 2023–2024* (Oct. 2022) (www.feb.gov/plans-reports/strategic-plan-fy23-fy24.pdf).

¹¹ Federal Executive Boards, *supra* note 9.

¹² *How Federal Executive Boards played a key role in supporting the federal workforce during the COVID-19 pandemic*, Partnership for Public Service (blog) (Apr. 8, 2021) (ourpublicservice.org/blog/how-federal-executive-boards-played-a-key-role-in-supporting-the-federal-workforce-during-the-covid-19-pandemic/).

¹³ Federal Executive Boards, *Federal Executive Board National Network Annual Report Fiscal Year 2020* (Feb. 2021) (www.feb.gov/plans-reports/federal-executive-board-2020-annual-report.pdf).

¹⁴ 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/>).

¹⁵ Federal Executive Boards, *supra* note 6.

¹⁶ *Biden’s Budget Focuses on Making Agencies a ‘Model Employer,’* Government Executive (Mar. 29, 2022) (www.govexec.com/workforce/2022/03/biden-budget-agencies-model-employer/363757/).

¹⁷ Federal Executive Boards, *Federal Executive Board National Network Annual Report Fiscal Year 2021* (May 2022) (www.feb.gov/plans-reports/federal-executive-board-2021-annual-report.pdf).

¹⁸ Office of Management and Budget, *Analytical Perspectives: Budget of the U.S. Government Fiscal Year 2023* (Mar. 28, 2022) (https://www.whitehouse.gov/wp-content/uploads/2022/04/spec_fy2023.pdf).

tion.”¹⁹ President Biden’s Fiscal Year 2024 Budget Request similarly calls for “stable and predictable funding” to enable FEBs “to strengthen the federal workforce, better communicate and execute management and workforce priorities, and encourage cross-agency local community engagement.”²⁰ A congressional authorization of an interagency fund for FEB operations would provide this stability to FEBs with transparency and continuity between Presidential Administrations.

In the 111th Congress, Senate Homeland Security and Governmental Affairs Committee 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 2023*, 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 by unanimous consent. The House Committee on Oversight and Government Reform also voted to advance the bill by voice vote in 2010, but the bill never received a vote on the House floor.²¹

The *Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2023* 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. This bill would 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. 285, the *Improving Government Efficiency and Workforce Development through Federal Executive Boards Act of 2023*, on February 7, 2023, 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. 285 at a business meeting on May 17, 2023. At the business meeting, Chairman Peters offered a substitute amendment that added the topics of U.S. competitiveness and emerging technologies as subjects for FEBs to consider when carrying out their activities related to interagency collaboration and training the federal workforce. The substitute amendment was adopted by unanimous consent with Senators Peters, Hassan, Sinema, Rosen, Padilla, Ossoff, Blumenthal, Paul, Lankford, Romney, and Scott present. The bill, as amended, was ordered reported

¹⁹Office of Management and Budget, *Budget of the U.S. Government Fiscal Year 2023* (Mar. 28, 2022) (www.whitehouse.gov/wp-content/uploads/2022/03/budget_fy2023.pdf).

²⁰Office of Management and Budget, *Analytical Perspectives: Budget of the U.S. Government Fiscal Year 2024* (Mar. 9, 2023) (www.whitehouse.gov/wp-content/uploads/2023/03/spec_fy2024.pdf).

²¹S. 806, 111th Cong. (2009).

favorably by roll call vote of 10 yeas to 1 nay, with Senators Peters, Hassan, Sinema, Rosen, Padilla, Ossoff, Blumenthal, Lankford, Romney, and Scott voting in the affirmative and Senator Paul voting in the negative. Senators Carper, Johnson, and Hawley voted yea by proxy and Senator Marshall voted no by proxy, for the record only.

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 2023.”

Section 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 section 1106 describes the purposes of the bill to authorize Federal Executive Boards. The purposes include: (1) strengthening interagency coordination to improve the experience of citizens interacting with agencies; (2) facilitating interagency collaboration to improve the efficiency and effectiveness of federal initiatives, including those that impact the competitiveness of the United States; (3) facilitating communication on federal emergency preparedness and continuity of operations; (4) facilitating 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 training, including with respect to the responsible use of emerging technologies; (5) building relationships with state and local governments and other entities that collaborate with the federal government; and (6) providing stable funding for FEBs to enable the activities associated with the other stated purposes.

Subsection (b) of 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 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 a given geographic area, who may designate an alternative representative to attend meetings and represent the agency on the FEB.

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

Subsection (e) of 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 programmatic activity and at least semi-annually, FEBs must assess the experiences of participants and other relevant stakeholders involved in the program.

Authorized activities of FEBs under subsection (e) of section 1106 include: (1) conducting outreach on local agency activities; (2) communicating between the national headquarters of agencies and their field offices, as well as among the field offices; (3) coordinating the development and operations of local programs across agencies that have common characteristics or serve the same populations; (4) building relationships with state and local governments, institutions of higher education, and nongovernmental organizations; (5) facilitating communication, collaboration, and training to prepare the federal workforce for emergencies and continuity of operations at the local level; (6) supporting agency efforts to place and recruit students in apprenticeships and paid internships at agency field offices; (7) consulting with the Department of Labor on the process for establishing registered apprenticeship programs within agencies; (8) consulting with state and local workforce development boards; (9) leading cross-agency talent management initiatives, prioritizing initiatives related to conducting outreach to communities of underrepresented demographics, addressing federal skills gaps in areas designated as high-risk by the Government Accountability Office, enabling the federal workforce to adapt to and responsibly use emerging technology, and strengthening the competitiveness of the United States; (10) coordinating with Transition Assistance Centers to help servicemembers transitioning into civilian life apply for government positions; (11) serving as innovation labs that use human-centered or user-experienced designs for cross-agency initiatives; and (12) other actions as agreed to by the FEB and OPM, in consultation with OMB and GSA.

Subsection (f) of section 1106 establishes 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 must consider the number of employees at each agency in the geographic areas served by FEBs and will be recalculated at least 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 will be allocated across FEBs to support the activities described in subsection (e).

Subsection (g) of 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 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 the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Oversight and Accountability regarding Federal Executive Boards within 180 days of the bill's enactment. The report must 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 section 1106, as 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

S. 285, Improving Government Efficiency and Workforce Development Through Federal Executive Boards Act of 2023			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on May 17, 2023			
By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	79	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 285 would require the Office of Personnel Management (OPM) to administer and oversee Federal Executive Boards (FEBs). The bill also would establish a fund for the office operations of FEBs and would require OPM to report on certain activities.

A Presidential directive in 1961 established FEBs to foster communication and collaboration among federal agencies with a signifi-

cant number of employees in places other than Washington, D.C. OPM oversees FEBs (currently 28), which are funded by participating agencies and departments. Under current law, the boards do not receive separate appropriations.

S. 285 would establish statutory authority for FEBs and make changes to how they are administered and funded. The bill would create uniform staffing and reporting requirements for all FEBs and require participating agencies to contribute to a new fund established in the bill for their operations. Those contributions would be determined by a formula based on the number of federal employees at each agency within each area served by an FEB and would be indexed to inflation every two years. For fiscal year 2023, OPM collected about \$15million for FEB operations. Based on the minimum funding amount specified in S. 285, CBO estimates that implementing the bill would cost \$79 million over the 2024 2028 period. That spending would be subject to the availability of the estimated amounts.

S. 285 would authorize participating agencies to contribute using previously appropriated funds to support the FEBs’ activities. To the extent that they use funds appropriated in 2023 or earlier, enacting the bill would affect direct spending. CBO expects that amount would be insignificant.

The costs of the legislation, detailed in Table 1, fall within budget function 800 (general government).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER S. 285

	By fiscal year, millions of dollars—						
	2023	2024	2025	2026	2027	2028	2023–2028
Estimated Authorization	0	15	15	16	16	17	79
Estimated Outlays	0	15	15	16	16	17	79

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

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

* * * * *

TABLE OF SECTIONS

Sec.

1101. Office of Personnel Management.

* * * * *

1105. Administrative procedure.

1106. *Federal Executive Boards.*

* * * * *

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, including those that impact the competitiveness of the United States in the global economy;*

(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, including with respect to the responsible use of emerging technology;*

(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 the 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, DC, 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, DC, metropolitan area.

(2) CONSULTATION.—Before establishing any new Federal Executive Boards that are 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 the 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 the 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, DC, 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 programs 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 and in accordance with law, rules, and policies, lead cross-agency talent management initiatives—*

(i) *including interagency—*

(I) *recruitment and hiring activities;*

(II) internships and apprenticeships;
 (III) onboarding and leadership and management development; and
 (IV) 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;

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

(III) enabling the Federal workforce to adapt to and responsibly use emerging technology; and

(IV) strengthening the competitiveness of the United States in the global economy;

(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 to civilian life apply for Government positions in the geographic location of the Federal Executive Board;

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

(O) take other actions as agreed to by the Federal Executive Board and the Director, in consultation with the Director of 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 the 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 the Director of the Office of Management and Budget and the Administrator of General Services, shall establish a Federal Executive Board Fund within the Office of Personnel Management for financing essential Federal Executive Board functions for the purposes of staffing and operating 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 the Director of the Office of Management and Budget and the Administrator of General Services.

(3) CONTRIBUTIONS.—

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

(B) 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.

(C) 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, to remain available until expended.

(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)(B)(i) 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 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 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 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 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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