

Calendar No. 563

117TH CONGRESS
2^D SESSION**S. 4828****[Report No. 117–211]**

To provide consistent leadership, purpose, and administrative support for the primary governmentwide executive councils, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2022

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

NOVEMBER 17, 2022

Reported by Mr. PETERS, with an amendment

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

A BILL

To provide consistent leadership, purpose, and administrative support for the primary governmentwide executive councils, 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 “Governmentwide Exec-
3 utive Councils Administration and Performance Improve-
4 ment Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) **ADMINISTRATOR.**—The term “Adminis-
8 trator” means the Administrator of General Serv-
9 ices.

10 (2) **ASSOCIATE ADMINISTRATOR.**—The term
11 “Associate Administrator” means the head of the
12 Office of Executive Councils established pursuant to
13 section 4.

14 (3) **DIRECTOR.**—The term “Director” means
15 the Director of the Office of Management and Budg-
16 et.

17 (4) **GOVERNMENTWIDE EXECUTIVE COUNCIL.**—
18 The term “governmentwide executive council”
19 means—

20 (A) the Chief Acquisition Officers Council,
21 established pursuant to Section 1311 of title
22 41, United States Code;

23 (B) the Chief Data Officer Council, estab-
24 lished pursuant to Section 3520A of title 44,
25 United States Code;

1 ~~(C) the Chief Financial Officers Council,~~
 2 ~~established pursuant to Section 302 of the~~
 3 ~~Chief Financial Officers Act of 1990 (31 U.S.C.~~
 4 ~~901 note; Public Law 101–576);~~

5 ~~(D) the Chief Human Capital Officers~~
 6 ~~Council, established pursuant to Section 1303~~
 7 ~~of the Homeland Security Act of 2002 (5~~
 8 ~~U.S.C. 1401 note; Public Law 107–296);~~

9 ~~(E) the Chief Information Officers Council,~~
 10 ~~established pursuant to Section 3603 of title~~
 11 ~~44, United States Code;~~

12 ~~(F) the Performance Improvement Council,~~
 13 ~~established pursuant to Section 1124(b) of title~~
 14 ~~31, United States Code; and~~

15 ~~(G) any other council designated as a gov-~~
 16 ~~ernmentwide executive council, pursuant to sec-~~
 17 ~~tion 6 of this Act.~~

18 **SEC. 3. RESPONSIBILITIES OF GOVERNMENTWIDE EXECU-**
 19 **TIVE COUNCILS.**

20 ~~(a) IN GENERAL.—In addition to any authority pro-~~
 21 ~~vided to a governmentwide executive council elsewhere in~~
 22 ~~law, each governmentwide executive council shall—~~

23 ~~(1) maintain a publicly accessible website that~~
 24 ~~includes information relating to the mission, pur-~~

pose, priorities, and membership of the governmentwide executive council;

(2) develop and publish on the website described in paragraph (1) a charter outlining the roles of members, responsibilities, procedures, and other relevant information concerning the governmentwide executive council;

(3) provide legislative, policy, project funding, or shared services recommendations to the Director and the Administrator related to the specific area of expertise of the governmentwide executive council; and

(4) serve as a primary advisory body to the Director on the development and execution of—

(A) the Federal Government performance plan under section 1115(a) of title 31, United States Code; and

(B) the Federal Government priority goals under section 1120(a) of title 31, United States Code.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Not more than 90 days after the date of enactment of this Act, each governmentwide executive council, after receiving input and recommendations from all members, shall publish a

1 strategic plan for the governmentwide executive
2 council that identifies the goals, priorities, and ex-
3 pectations of the governmentwide executive council.

4 (2) ~~UPDATES.~~—The leadership of each govern-
5 mentwide executive council shall update and affirm
6 the strategic plan required under paragraph (1) not
7 less frequently than once every 2 years.

8 (3) ~~SUBMISSION TO CONGRESS.~~—Each govern-
9 mentwide executive council shall promptly submit
10 the strategic plan published under paragraph (1), or
11 updated under paragraph (2), to the Committee on
12 Homeland Security and Governmental Affairs of the
13 Senate and the Committee on Oversight and Reform
14 of the House of Representatives.

15 **SEC. 4. HARMONIZING ADMINISTRATIVE SUPPORT FOR**
16 **GOVERNMENTWIDE EXECUTIVE COUNCILS.**

17 (a) ~~OFFICE OF EXECUTIVE COUNCILS.~~—There is es-
18 tablished in the General Services Administration the Of-
19 fice of Executive Councils.

20 (b) ~~DUTIES.~~—The Office of Executive Councils
21 shall—

22 (1) in consultation with the Director, provide
23 administrative, project management, and other sup-
24 port to the governmentwide executive councils;

1 (2) detail employees to 1 or more government-
 2 wide executive council, as needed, to support the op-
 3 erations and functions of each governmentwide exec-
 4 utive council;

5 (3) collect and transfer funds to support the
 6 priorities of the governmentwide executive councils;
 7 as provided in appropriations acts; and

8 (4) subject to approval of the leadership of a
 9 governmentwide executive council, submit any re-
 10 ports, provide any information, or respond to any re-
 11 quests required by Congress.

12 (c) ~~FUNCTIONAL INDEPENDENCE.~~—The Office of
 13 Executive Councils shall be headed by an Associate Ad-
 14 ministrators who shall—

15 (1) be appointed by the President;

16 (2) carry out additional duties and functions
 17 the Director and Administrator jointly request; and

18 (3) represent the collective viewpoints and pri-
 19 orities of the governmentwide executive councils and
 20 their membership.

21 (d) ~~PROHIBITION.~~—The Office of Executive Councils
 22 may not provide any administrative or project manage-
 23 ment services to an entity unless the entity is approved
 24 by Congress.

1 **SEC. 5. HARMONIZING GOVERNMENTWIDE EXECUTIVE**
 2 **COUNCIL LEADERSHIP ROLES.**

3 (a) ~~TITLE 41.—Section 1311 of title 41, United~~
 4 ~~States Code, is amended—~~

5 (1) ~~in subsection (b)—~~

6 (A) ~~by striking paragraph (1); and~~

7 (B) ~~by redesignating paragraphs (2)~~
 8 ~~through (5) as paragraphs (1) through (4); and~~
 9 (2) ~~in subsection (c)—~~

10 (A) ~~in paragraph (1), by striking “Deputy~~
 11 ~~Director for Management of the Office of Man-~~
 12 ~~agement and Budget” and inserting “Adminis-~~
 13 ~~trator”;~~

14 (B) ~~by striking paragraph (3); and~~

15 (C) ~~by redesignating paragraph (4) as~~
 16 ~~paragraph (3).~~

17 (b) ~~TITLE 44.—Title 44, United States Code, is~~
 18 ~~amended—~~

19 (1) ~~in section 3520A—~~

20 (A) ~~in subsection (a), by striking “Office~~
 21 ~~of Management and Budget” and inserting “ex-~~
 22 ~~ecutive branch”;~~

23 (B) ~~in subsection (c) by striking para-~~
 24 ~~graphs (2) and (3) and inserting the following:~~

1 ~~“(2) CHAIR.—The Chair of the Council shall be~~
 2 ~~the Administrator of the Office of Electronic Gov-~~
 3 ~~ernment.~~

4 ~~“(3) VICE CHAIR.—The Council shall select~~
 5 ~~from among its members a Vice Chair of the Coun-~~
 6 ~~cil.”;~~

7 ~~(C) by redesignating subsections (d) and~~
 8 ~~(e) as subsections (e) and (f); and~~

9 ~~(D) by inserting before subsection (e), as~~
 10 ~~so redesignated, the following:~~

11 ~~“(d) SUPPORT.—The Administrator of General Serv-~~
 12 ~~ices shall provide administrative and other support for the~~
 13 ~~Council.”; and~~

14 ~~(2) in section 3603—~~

15 ~~(A) in subsection (b)—~~

16 ~~(i) by striking paragraphs (1) and (3);~~

17 ~~(ii) by redesignating paragraphs (2)~~

18 ~~and (4) through (7) as paragraphs (1)~~

19 ~~through (5), respectively; and~~

20 ~~(iii) in paragraph (1), as so redesign-~~

21 ~~ated, by inserting before the period “,~~

22 ~~who shall serve as Chair of the Council”;~~

23 ~~and~~

1 ~~(B) in subsection (c)(1), by striking “on~~
 2 ~~behalf of the Deputy Director for Manage-~~
 3 ~~ment”.~~

4 ~~(c) CHIEF FINANCIAL OFFICERS ACT OF 1990.—~~
 5 Section 302 of the Chief Financial Officers Act of 1990
 6 ~~(31 U.S.C. 901 note) is amended—~~

7 ~~(1) in subsection (a)—~~

8 ~~(A) by striking paragraph (1);~~

9 ~~(B) by redesignating paragraphs (2), (3),~~
 10 ~~and (4) as paragraphs (1), (2), and (3), respec-~~
 11 ~~tively;~~

12 ~~(C) in paragraph (1), as so redesignated,~~
 13 ~~by inserting “, who shall serve as chair of the~~
 14 ~~council” after “Management and Budget”; and~~

15 ~~(D) in paragraph (2), as so redesignated,~~
 16 ~~by inserting “, who shall serve as vice chair of~~
 17 ~~the council” after “Secretary of Treasury”; and~~
 18 ~~(2) by adding at the end the following:~~

19 ~~“(c) SUPPORT.—The Administrator of General Serv-~~
 20 ~~ices shall provide administrative and other support for the~~
 21 ~~council.”.~~

22 ~~(d) HOMELAND SECURITY ACT OF 2002.—Section~~
 23 ~~1303 of the Homeland Security Act of 2002 (5 U.S.C.~~
 24 ~~1401 note) is amended by adding at the end the following:~~

1 “(e) SUPPORT.—The Administrator of General Serv-
 2 ices shall provide administrative and other support for the
 3 Council.”.

4 (e) TITLE 31.—Section 1124(b) of title 31, United
 5 States Code, is amended—

6 (1) by striking paragraph (1) and inserting the
 7 following:

8 “(1) ESTABLISHMENT.—There is established in
 9 the executive branch a Performance Improvement
 10 Council.”;

11 (2) by redesignating paragraphs (2) and (3) as
 12 paragraphs (4) and (5); and

13 (3) by inserting after paragraph (1) the fol-
 14 lowing:

15 “(2) MEMBERSHIP.—The Performance Im-
 16 provement Council shall consist of —

17 “(A) a designee of the Director of the Of-
 18 fice of Management and Budget;

19 “(B) the Performance Improvement Offi-
 20 cer from each agency defined in section 901(b)
 21 of this title;

22 “(C) other Performance Improvement Offi-
 23 cers as determined appropriate by the chair-
 24 person; and

1 “(D) other individuals as determined ap-
 2 propriate by the chairperson.”.

3 ~~“(3) CHAIRPERSON AND VICE CHAIRPERSON.—~~

4 ~~“(A) CHAIRPERSON.—The chairperson of~~
 5 ~~the Performance Improvement Council shall be~~
 6 ~~a designee of the Deputy Director of Manage-~~
 7 ~~ment of the Office of Management and Budget.~~

8 ~~“(B) VICE CHAIRPERSON.—The Perform-~~
 9 ~~ance Improvement Council shall select from~~
 10 ~~among its members a Performance Improve-~~
 11 ~~ment Officer to serve as vice chairperson.”.~~

12 **SEC. 6. ANNUAL REPORT; PROCESS FOR INCLUSION OF AD-**
 13 **DITIONAL GOVERNMENTWIDE EXECUTIVE**
 14 **COUNCILS.**

15 (a) **ANNUAL REPORT.**—Not later than 1 year after
 16 the date of enactment of this Act, and annually thereafter,
 17 the Associate Administrator shall submit to the Commit-
 18 tees on Homeland Security and Governmental Affairs and
 19 Appropriations of the Senate and the Committees on
 20 Oversight and Reform and Appropriations of the House
 21 of Representatives a report on the activities of the Office
 22 of Executive Councils.

23 (b) **CONTENTS.**—The reports required under sub-
 24 section (a) shall include—

1 (1) a description of the activities of the Office
 2 of Executive Councils during the year period ending
 3 on the date on which the report is submitted, includ-
 4 ing detailed summaries of the projects and services
 5 provided by the Office of Executive Councils, orga-
 6 nized by governmentwide executive council;

7 (2) a detailed accounting of—

8 (A) the costs associated with the activities
 9 of the Office of Executive Councils, organized
 10 by governmentwide executive council; and

11 (B) any administrative costs associated
 12 with the operations of the Office of Executive
 13 Councils;

14 (3) a detailed accounting of all projects, serv-
 15 ices, or other programs approved by and executed on
 16 behalf of each governmentwide executive council, in-
 17 cluding any outcomes or highlights of such projects,
 18 services, or other programs; and

19 (4) any recommendations for the designation of
 20 other councils or entities as governmentwide execu-
 21 tive councils.

22 (c) DESIGNATION.—

23 (1) REQUEST.—Not earlier than the date that
 24 is 30 days after the submission of each report re-
 25 quired under subsection (a), and only if such report

1 includes a recommendation for the designation of 1
 2 or more councils or entities as governmentwide exec-
 3 utive councils; the Director may submit to the Com-
 4 mittees on Homeland Security and Governmental
 5 Affairs and Appropriations of the Senate and the
 6 Committees on Oversight and Reform and Appro-
 7 priations of the House of Representatives a request
 8 for those recommended councils or entities to be des-
 9 ignated as governmentwide executive councils.

10 (2) CONTENTS.—A request under paragraph
 11 (1) shall include—

12 (A) the name of the council;

13 (B) the names of the chair and vice chair
 14 of the council;

15 (C) the agencies that will be members of
 16 the council;

17 (D) the expected goals, functions, and pri-
 18 orities of the council;

19 (E) the expected annual costs to support
 20 the functions of the council; and

21 (F) any other information the Director de-
 22 termines to be necessary regarding the designa-
 23 tion of the council to be a governmentwide exec-
 24 utive council.

1 (d) **REQUIREMENTS.**—Any new governmentwide ex-
 2 ecutive council designated after the date of enactment of
 3 this Act shall be subject to the requirements under section
 4 3.

5 **SEC. 7. TECHNICAL AMENDMENTS.**

6 (a) **TITLE 31.**—Section 503 of title 31, United States
 7 Code, is amended—

8 (1) in subsection (a)—

9 (A) by striking paragraph (12); and

10 (B) by redesignating paragraphs (13) and

11 (14) as paragraphs (12) and (13); and

12 (2) in subsection (b)—

13 (A) by striking paragraph (5); and

14 (B) by redesignating paragraphs (6)

15 through (10) as paragraphs (5) through (9).

16 (b) **TITLE 44.**—Section 3602(f) of title 44, United
 17 States Code, is amended—

18 (1) by striking paragraph (7); and

19 (2) by redesignating paragraphs (8) through

20 (17) as paragraphs (7) through (16).

21 **SECTION 1. SHORT TITLE.**

22 *This Act may be cited as the “Governmentwide Execu-*
 23 *tive Councils Administration and Performance Improve-*
 24 *ment Act”.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) *ADMINISTRATOR.*—The term “Adminis-
4 trator” means the Administrator of General Services.

5 (2) *ASSOCIATE ADMINISTRATOR.*—The term “As-
6 sociate Administrator” means the head of the Office
7 of Executive Councils established pursuant to section
8 4.

9 (3) *DIRECTOR.*—The term “Director” means the
10 Director of the Office of Management and Budget.

11 (4) *GOVERNMENTWIDE EXECUTIVE COUNCIL.*—
12 The term “governmentwide executive council”
13 means—

14 (A) the Chief Acquisition Officers Council,
15 established pursuant to Section 1311 of title 41,
16 United States Code;

17 (B) the Chief Data Officer Council, estab-
18 lished pursuant to Section 3520A of title 44,
19 United States Code;

20 (C) the Chief Financial Officers Council, es-
21 tablished pursuant to Section 302 of the Chief
22 Financial Officers Act of 1990 (31 U.S.C. 901
23 note; Public Law 101–576);

24 (D) the Chief Human Capital Officers
25 Council, established pursuant to Section 1303 of

1 *the Homeland Security Act of 2002 (5 U.S.C.*
 2 *1401 note; Public Law 107–296);*

3 *(E) the Chief Information Officers Council,*
 4 *established pursuant to Section 3603 of title 44,*
 5 *United States Code;*

6 *(F) the Performance Improvement Council,*
 7 *established pursuant to Section 1124(b) of title*
 8 *31, United States Code; and*

9 *(G) any other council designated as a gov-*
 10 *ernmentwide executive council, pursuant to sec-*
 11 *tion 6 of this Act.*

12 **SEC. 3. RESPONSIBILITIES OF GOVERNMENTWIDE EXECU-**
 13 **TIVE COUNCILS.**

14 *(a) IN GENERAL.—In addition to any authority pro-*
 15 *vided to a governmentwide executive council elsewhere in*
 16 *law, each governmentwide executive council shall—*

17 *(1) maintain a publicly accessible website that*
 18 *includes information relating to the mission, purpose,*
 19 *priorities, and membership of the governmentwide ex-*
 20 *ecutive council;*

21 *(2) develop and publish on the website described*
 22 *in paragraph (1) a charter outlining the roles of*
 23 *members, responsibilities, procedures, and other rel-*
 24 *evant information concerning the governmentwide ex-*
 25 *ecutive council;*

1 (3) *provide legislative, policy, project funding, or*
 2 *shared services recommendations to the Director and*
 3 *the Administrator related to the specific area of ex-*
 4 *pertise of the governmentwide executive council; and*

5 (4) *serve as a primary advisory body to the Di-*
 6 *rector on the development and execution of—*

7 (A) *the Federal Government performance*
 8 *plan under section 1115(a) of title 31, United*
 9 *States Code; and*

10 (B) *the Federal Government priority goals*
 11 *under section 1120(a) of title 31, United States*
 12 *Code.*

13 (b) *STRATEGIC PLAN.—*

14 (1) *IN GENERAL.—Not more than 90 days after*
 15 *the date of enactment of this Act, each government-*
 16 *wide executive council, after receiving input and rec-*
 17 *ommendations from all members, shall publish a stra-*
 18 *tegic plan for the governmentwide executive council*
 19 *that identifies the goals, priorities, and expectations*
 20 *of the governmentwide executive council.*

21 (2) *UPDATES.—The leadership of each govern-*
 22 *mentwide executive council shall update and affirm*
 23 *the strategic plan required under paragraph (1) not*
 24 *less frequently than once every 2 years.*

1 (3) *SUBMISSION TO CONGRESS.*—*Each govern-*
 2 *mentwide executive council shall promptly submit the*
 3 *strategic plan published under paragraph (1), or up-*
 4 *dated under paragraph (2), to the Committee on*
 5 *Homeland Security and Governmental Affairs of the*
 6 *Senate and the Committee on Oversight and Reform*
 7 *of the House of Representatives.*

8 **SEC. 4. HARMONIZING ADMINISTRATIVE SUPPORT FOR**
 9 **GOVERNMENTWIDE EXECUTIVE COUNCILS.**

10 (a) *OFFICE OF EXECUTIVE COUNCILS.*—*There is estab-*
 11 *lished in the General Services Administration the Office of*
 12 *Executive Councils.*

13 (b) *DUTIES.*—*The Office of Executive Councils shall—*

14 (1) *in consultation with the Director, provide*
 15 *administrative and project management support to*
 16 *the governmentwide executive councils;*

17 (2) *detail employees to 1 or more government-*
 18 *wide executive council, as needed, to support the oper-*
 19 *ations and functions of each governmentwide execu-*
 20 *tive council;*

21 (3) *collect and transfer funds to support the pri-*
 22 *orities of the governmentwide executive councils, as*
 23 *provided in appropriations acts; and*

24 (4) *submit any reports, provide any informa-*
 25 *tion, or respond to any requests required by Congress.*

1 (c) *FUNCTIONAL INDEPENDENCE.*—*The Office of Exec-*
 2 *utive Councils shall be headed by an Associate Adminis-*
 3 *trator who shall—*

4 (1) *be appointed by the President;*

5 (2) *carry out additional duties and functions the*
 6 *Director and Administrator jointly request; and*

7 (3) *represent the collective viewpoints and prior-*
 8 *ities of the governmentwide executive councils and*
 9 *their membership.*

10 (d) *PROHIBITION.*—*The Office of Executive Councils*
 11 *may not provide any administrative or project manage-*
 12 *ment services to a governmentwide executive council unless*
 13 *the council is authorized by Congress.*

14 (e) *SUNSET.*—*The Office of Executive Councils shall*
 15 *terminate on the date that is 6 years after the date of enact-*
 16 *ment of this Act.*

17 **SEC. 5. HARMONIZING GOVERNMENTWIDE EXECUTIVE**
 18 **COUNCIL LEADERSHIP ROLES.**

19 (a) *TITLE 41.*—*Section 1311 of title 41, United States*
 20 *Code, is amended—*

21 (1) *in subsection (b)—*

22 (A) *by striking paragraph (1); and*

23 (B) *by redesignating paragraphs (2)*
 24 *through (5) as paragraphs (1) through (4); and*

25 (2) *in subsection (c)—*

(A) in paragraph (1), by striking “Deputy Director for Management of the Office of Management and Budget” and inserting “Administrator”;

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3).

(b) *TITLE 44.*—*Title 44, United States Code, is amended—*

(1) in section 3520A—

(A) in subsection (a), by striking “Office of Management and Budget” and inserting “executive branch”;

(B) in subsection (c) by striking paragraphs (2) and (3) and inserting the following:

“(2) *CHAIR.*—*The Chair of the Council shall be the Administrator of the Office of Electronic Government.*

“(3) *VICE CHAIR.*—*The Council shall select from among its members a Vice Chair of the Council.*”;

(C) by redesignating subsections (d) and (e) as subsections (e) and (f); and

(D) by inserting before subsection (e), as so redesignated, the following:

1 “(d) *SUPPORT.—The Administrator of General Serv-*
 2 *ices shall provide administrative support for the Council.*”;
 3 *and*

4 *(2) in section 3603—*

5 *(A) in subsection (b)—*

6 *(i) by striking paragraphs (1) and (3);*

7 *(ii) by redesignating paragraphs (2)*
 8 *and (4) through (7) as paragraphs (1)*
 9 *through (5), respectively; and*

10 *(iii) in paragraph (1), as so redesign-*
 11 *ated, by inserting before the period “, who*
 12 *shall serve as Chair of the Council”; and*

13 *(B) in subsection (c)(1), by striking “on be-*
 14 *half of the Deputy Director for Management”.*

15 *(c) CHIEF FINANCIAL OFFICERS ACT OF 1990.—Sec-*
 16 *tion 302 of the Chief Financial Officers Act of 1990 (31*
 17 *U.S.C. 901 note) is amended—*

18 *(1) in subsection (a)—*

19 *(A) by striking paragraph (1);*

20 *(B) by redesignating paragraphs (2), (3),*
 21 *and (4) as paragraphs (1), (2), and (3), respec-*
 22 *tively;*

23 *(C) in paragraph (1), as so redesignated, by*
 24 *inserting “, who shall serve as chair of the coun-*
 25 *cil” after “Management and Budget”; and*

1 (D) in paragraph (2), as so redesignated, by
 2 inserting “, who shall serve as vice chair of the
 3 council” after “Secretary of Treasury”; and
 4 (2) by adding at the end the following:

5 “(c) *SUPPORT.*—*The Administrator of General Serv-*
 6 *ices shall provide administrative support for the council.*”.

7 (d) *HOMELAND SECURITY ACT OF 2002.*—Section
 8 1303 of the *Homeland Security Act of 2002* (5 U.S.C. 1401
 9 note) is amended by adding at the end the following:

10 “(e) *SUPPORT.*—*The Administrator of General Serv-*
 11 *ices shall provide administrative support for the Council.*”.

12 (e) *TITLE 31.*—Section 1124(b) of title 31, *United*
 13 *States Code*, is amended—

14 (1) by striking paragraph (1) and inserting the
 15 following:

16 “(1) *ESTABLISHMENT.*—*There is established in*
 17 *the executive branch a Performance Improvement*
 18 *Council.*”;

19 (2) by redesignating paragraphs (2) and (3) as
 20 paragraphs (4) and (5); and

21 (3) by inserting after paragraph (1) the fol-
 22 lowing:

23 “(2) *MEMBERSHIP.*—*The Performance Improve-*
 24 *ment Council shall consist of —*

“(A) a designee of the Director of the Office of Management and Budget, who shall have experience in the areas of strategic and performance planning, measurement, and analysis, including the use of performance information to improve the results of an agency; and

“(B) the Performance Improvement Officer from each agency defined in section 901(b) of this title.”.

“(3) CHAIRPERSON AND VICE CHAIRPERSON.—

“(A) CHAIRPERSON.—The chairperson of the Performance Improvement Council shall be the designee of the Director of Management of the Office of Management and Budget, as described in paragraph (2)(A).

“(B) VICE CHAIRPERSON.—The Performance Improvement Council shall select from among its members a Performance Improvement Officer to serve as vice chairperson.”.

SEC. 6. ANNUAL REPORT; PROCESS FOR INCLUSION OF ADDITIONAL GOVERNMENTWIDE EXECUTIVE COUNCILS.

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Associate Administrator shall submit to the Committees on

1 *Homeland Security and Governmental Affairs and Appro-*
 2 *priations of the Senate and the Committees on Oversight*
 3 *and Reform and Appropriations of the House of Represent-*
 4 *atives a report on the activities of the Office of Executive*
 5 *Councils.*

6 (b) *CONTENTS.—The reports required under subsection*
 7 *(a) shall include—*

8 (1) *a description of the activities of the Office of*
 9 *Executive Councils during the year period ending on*
 10 *the date on which the report is submitted, including*
 11 *detailed summaries of the projects and services pro-*
 12 *vided by the Office of Executive Councils, organized*
 13 *by governmentwide executive council;*

14 (2) *a detailed accounting of—*

15 (A) *the costs associated with the activities of*
 16 *the Office of Executive Councils, organized by*
 17 *governmentwide executive council; and*

18 (B) *any administrative costs associated*
 19 *with the operations of the Office of Executive*
 20 *Councils;*

21 (3) *a detailed accounting of all projects, services,*
 22 *or other programs approved by and executed on behalf*
 23 *of each governmentwide executive council, including*
 24 *any outcomes or highlights of such projects, services,*
 25 *or other programs; and*

1 (4) *any recommendations for the designation of*
 2 *other councils or entities as governmentwide executive*
 3 *councils.*

4 (c) *DESIGNATION.*—

5 (1) *REQUEST.*—*Not earlier than the date that is*
 6 *30 days after the submission of each report required*
 7 *under subsection (a), and only if such report includes*
 8 *a recommendation for the designation of 1 or more*
 9 *councils or entities as governmentwide executive coun-*
 10 *cils, the Director may submit to the Committees on*
 11 *Homeland Security and Governmental Affairs and*
 12 *Appropriations of the Senate and the Committees on*
 13 *Oversight and Reform and Appropriations of the*
 14 *House of Representatives a request for those rec-*
 15 *ommended councils or entities to be designated as gov-*
 16 *ernmentwide executive councils.*

17 (2) *CONTENTS.*—*A request under paragraph (1)*
 18 *shall include—*

19 (A) *the name of the council;*

20 (B) *the names of the chair and vice chair*
 21 *of the council;*

22 (C) *the agencies that will be members of the*
 23 *council;*

24 (D) *the expected goals, functions, and prior-*
 25 *ities of the council;*

1 (E) the expected annual costs to support the
2 functions of the council; and

3 (F) any other information the Director de-
4 termines to be necessary regarding the designa-
5 tion of the council to be a governmentwide execu-
6 tive council.

7 (d) *REQUIREMENTS.*—Any new governmentwide exec-
8 utive council designated after the date of enactment of this
9 Act shall be subject to the requirements under section 3.

10 **SEC. 7. TECHNICAL AMENDMENTS.**

11 (a) *TITLE 31.*—Section 503 of title 31, United States
12 Code, is amended—

13 (1) in subsection (a)—

14 (A) by striking paragraph (12); and

15 (B) by redesignating paragraphs (13) and
16 (14) as paragraphs (12) and (13); and

17 (2) in subsection (b)—

18 (A) by striking paragraph (5); and

19 (B) by redesignating paragraphs (6)
20 through (10) as paragraphs (5) through (9).

21 (b) *TITLE 44.*—Section 3602(f) of title 44, United
22 States Code, is amended—

23 (1) by striking paragraph (7); and

24 (2) by redesignating paragraphs (8) through (17)
25 as paragraphs (7) through (16).

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117TH CONGRESS
2D Session

S. 4828

[Report No. 117-211]

A BILL

To provide consistent leadership, purpose, and administrative support for the primary government-wide executive councils, and for other purposes.

NOVEMBER 17, 2022

Reported with an amendment