

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

Mr. PETERS (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Governmentwide Exec-  
5 utive Councils Administration and Performance Improve-  
6 ment Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1           (1) ADMINISTRATOR.—The term “Adminis-  
2           trator” means the Administrator of General Serv-  
3           ices.

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

8           (3) DIRECTOR.—The term “Director” means  
9           the Director of the Office of Management and Budg-  
10          et.

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  
16                41, 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,  
21                established pursuant to Section 302 of the  
22                Chief Financial Officers Act of 1990 (31 U.S.C.  
23                901 note; Public Law 101–576);

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

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

3 (E) the Chief Information Officers Council,  
4 established pursuant to Section 3603 of title  
5 44, 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 the  
11 requirements of section 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, pur-  
19 pose, priorities, and membership of the govern-  
20 mentwide executive council;

21 (2) develop and publish on the website de-  
22 scribed in paragraph (1) a charter outlining the  
23 roles of members, responsibilities, procedures, and  
24 other relevant information concerning the govern-  
25 mentwide executive council;



1           (3) SUBMISSION TO CONGRESS.—Each govern-  
2           mentwide executive council shall promptly submit  
3           the strategic plan published under paragraph (1), or  
4           updated 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 es-  
11          tablished in the General Services Administration the Of-  
12          fice of Executive Councils.

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

15                 (1) in consultation with the Director, provide  
16                 administrative, project management, and other sup-  
17                 port to the governmentwide executive councils;

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

22                 (3) collect and transfer funds to support the  
23                 priorities of the governmentwide executive councils,  
24                 as provided in appropriations acts; and



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

2 (B) by redesignating paragraphs (2)  
3 through (5) as paragraphs (1) through (4); and  
4 (2) in subsection (c)—

5 (A) in paragraph (1), by striking “Deputy  
6 Director for Management of the Office of Man-  
7 agement and Budget” and inserting “Adminis-  
8 trator”;

9 (B) by striking paragraph (3); and

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

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

14 (1) in section 3520A—

15 (A) in subsection (a), by striking “Office  
16 of Management and Budget” and inserting “ex-  
17 ecutive branch”;

18 (B) in subsection (c) by striking para-  
19 graphs (2) and (3) and inserting the following:

20 “(2) CHAIR.—The Chair of the Council shall be  
21 the Administrator of the Office of Electronic Gov-  
22 ernment.

23 “(3) VICE CHAIR.—The Council shall select  
24 from among its members a Vice Chair of the Coun-  
25 cil.”;

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

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

5 “(d) SUPPORT.—The Administrator of General Serv-  
6 ices shall provide administrative and other support for the  
7 Council.”; and

8 (2) in section 3603—

9 (A) in subsection (b)—

10 (i) by striking paragraphs (1) and (3);

11 (ii) by redesignating paragraphs (2)  
12 and (4) through (7) as paragraphs (1)  
13 through (5), respectively; and

14 (iii) in paragraph (1), as so redesign-  
15 nated, by inserting before the period “,  
16 who shall serve as Chair of the Council”;  
17 and

18 (B) in subsection (c)(1), by striking “on  
19 behalf of the Deputy Director for Manage-  
20 ment”.

21 (c) CHIEF FINANCIAL OFFICERS ACT OF 1990.—  
22 Section 302 of the Chief Financial Officers Act of 1990  
23 (31 U.S.C. 901 note) is amended—

24 (1) in subsection (a)—

25 (A) by striking paragraph (1);



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

4           (C) in paragraph (1), as so redesignated,  
5           by inserting “, who shall serve as chair of the  
6           council” after “Management and Budget”; and

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

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

14          (d) HOMELAND SECURITY ACT OF 2002.—Section  
15          1303 of the Homeland Security Act of 2002 (5 U.S.C.  
16          1401 note) is amended by adding at the end the following:

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

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

22                 (1) by striking paragraph (1) and inserting the  
23                 following:

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

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

6           (3) by inserting after paragraph (1) the fol-  
7 lowing:

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

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

12                   “(B) the Performance Improvement Offi-  
13 cer from each agency defined in section 901(b)  
14 of this title;

15                   “(C) other Performance Improvement Offi-  
16 cers as determined appropriate by the chair-  
17 person; and

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

20           “(3) CHAIRPERSON AND VICE CHAIRPERSON.—

21                   “(A) CHAIRPERSON.—The chairperson of  
22 the Performance Improvement Council shall be  
23 a designee of the Deputy Director of Manage-  
24 ment of the Office of Management and Budget.

1                   “(B) VICE CHAIRPERSON.—The Perform-  
2                   ance Improvement Council shall select from  
3                   among its members a Performance Improve-  
4                   ment Officer to serve as vice chairperson.”.

5 **SEC. 6. AUTHORITIES OF THE DIRECTOR.**

6           (a) DESIGNATION.—Subject to the requirements in  
7 subsection (b), the Director may designate 1 or more other  
8 councils to be a governmentwide executive council.

9           (b) SUBMISSION TO CONGRESS; REVIEW.—

10           (1) JUSTIFICATION FOR DESIGNATION.—If the  
11 Director makes the determination to designate 1 or  
12 more councils to be a governmentwide executive  
13 council, the Director shall—

14                   (A) provide a justification for the designa-  
15                   tion to the Committees on Homeland Security  
16                   and Governmental Affairs and Appropriations  
17                   of the Senate and the Committees on Oversight  
18                   and Reform and Appropriations of the House of  
19                   Representatives; and

20                   (B) include in the justification required  
21                   under subparagraph (A)—

22                           (i) the name of the council;

23                           (ii) the names of the chair and vice  
24                   chair of the council;

1 (iii) the agencies that will be members  
2 of the council;

3 (iv) the expected goals, functions, and  
4 priorities of the council;

5 (v) the expected annual costs to sup-  
6 port the functions of the council; and

7 (vi) any other information the Direc-  
8 tor determines to be necessary regarding  
9 the designation of the council to be a gov-  
10 ernmentwide executive council.

11 (2) APPROVAL.—Any designation by the Direc-  
12 tor shall be deemed approved unless, not later than  
13 30 days after the date on which each chair and  
14 ranking member of the committees described under  
15 paragraph (1)(A) receive the justification, the chair  
16 and ranking member of 1 or more of the Committees  
17 provided the justification under paragraph (1)(A)  
18 jointly notify the Director of their disapproval for  
19 the designation.

20 (c) REQUIREMENTS.—If the designation of a new  
21 governmentwide executive council is approved pursuant to  
22 subsections (a) and (b), that governmentwide executive  
23 council shall be subject to the requirements under section  
24 3.

1 **SEC. 7. TECHNICAL AMENDMENTS.**

2 (a) TITLE 31.—Section 503 of title 31, United States  
3 Code, is amended—

4 (1) in subsection (a)—

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

6 (B) by redesignating paragraphs (13) and  
7 (14) as paragraphs (12) and (13); and

8 (2) in subsection (b)—

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

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

12 (b) TITLE 44.—Section 3602(f) of title 44, United  
13 States Code, is amended—

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

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