

114TH CONGRESS
2D SESSION

H. R. 5658

IN THE SENATE OF THE UNITED STATES

JULY 13, 2016

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, 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 “Tested Ability to Le-
3 verage Exceptional National Talent Act of 2016” or the
4 “TALENT Act of 2016”.

5 **SEC. 2. PRESIDENTIAL INNOVATION FELLOWS PROGRAM.**

6 (a) IN GENERAL.—Chapter 31 of title 5, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

9 “SUBCHAPTER V—PRESIDENTIAL INNOVATION
10 FELLOWS PROGRAM

11 “§ 3171. Presidential Innovation Fellows Program

12 “(a) POLICY.—It is in the national interest for the
13 Government to attract the brightest minds skilled in tech-
14 nology or innovative practices to serve in the Government
15 to work on some of the Nation’s biggest and most pressing
16 challenges. This subchapter establishes a program to en-
17 courage successful entrepreneurs, executives, and
18 innovators to join the Government and work in close co-
19 operation with Government leaders, to create meaningful
20 solutions that can help save lives and taxpayer money, fuel
21 job creation, and significantly improve how the Govern-
22 ment serves the American people.

23 “(b) ESTABLISHMENT.—The Administrator of Gen-
24 eral Services shall continue the Presidential Innovation
25 Fellows Program (hereinafter referred to as the ‘Pro-
26 gram’) to enable exceptional individuals with proven track

1 records to serve time-limited appointments in Executive
2 agencies to address some of the Nation’s most significant
3 challenges and improve existing Government efforts that
4 would particularly benefit from expertise using innovative
5 techniques and technology.

6 “(c) ADMINISTRATION.—The Program shall be ad-
7 ministered by a Director, appointed by the Administrator
8 under authorities of the General Services Administration.
9 The Administrator shall provide necessary staff, resources
10 and administrative support for the Program.

11 “(d) APPOINTMENT OF FELLOWS.—The Director
12 shall appoint fellows pursuant to the Program and, in co-
13 operation with Executive agencies, shall facilitate place-
14 ment of fellows to participate in projects that have the
15 potential for significant positive effects and are consistent
16 with the President’s goals.

17 “(e) APPLICATION PROCESS.—

18 “(1) IN GENERAL.—The Director shall pre-
19 scribe the process for applications and nominations
20 of individuals to the Program.

21 “(2) PROGRAM STANDARDS.—Following publi-
22 cation of these processes, the Director may accept
23 for consideration applications from individuals. The
24 Director shall establish, administer, review, and re-
25 vise, if appropriate, a Governmentwide cap on the

1 number of fellows. The Director shall establish and
2 publish salary ranges, benefits, and standards for
3 the Program.

4 “(f) SELECTION, APPOINTMENT, AND ASSIGNMENT
5 OF FELLOWS.—

6 “(1) PROCEDURES.—The Director shall pre-
7 scribe appropriate procedures for the selection, ap-
8 pointment, and assignment of fellows.

9 “(2) CONSULTATION.—Prior to the selection of
10 fellows, the Director shall consult with the heads of
11 Executive agencies regarding potential projects and
12 how best to meet those needs. Following such con-
13 sultation, the Director shall select and appoint indi-
14 viduals to serve as fellows.

15 “(3) TIME LIMITATION.—Fellows selected for
16 the Program shall serve under short-term, time-lim-
17 ited appointments. Such fellows shall be appointed
18 for no less than 6 months and no longer than 2
19 years in the Program. The Director shall facilitate
20 the process of placing fellows at requesting Execu-
21 tive agencies.

22 “(g) RESPONSIBILITIES OF AGENCIES.—Each Exec-
23 utive agency shall work with the Director and the Presi-
24 dential Innovation Fellows Program advisory board estab-
25 lished under section 3172 to attempt to maximize the Pro-

1 gram’s benefits to the agency and the Government, includ-
2 ing by identifying initiatives that have a meaningful effect
3 on the people served and that benefit from involvement
4 by one or more fellows. Such agencies shall ensure that
5 each fellow works closely with responsible senior officials
6 for the duration of the assignment.

7 **“§ 3172. Presidential Innovation Fellows Program ad-**
8 **visory board**

9 “(a) IN GENERAL.—The Administrator of General
10 Services shall continue an advisory board to advise the Di-
11 rector of the Presidential Innovation Fellows Program by
12 recommending such priorities and standards as may be
13 beneficial to fulfill the mission of the Presidential Innova-
14 tion Fellows Program and assist in identifying potential
15 projects and placements for fellows. The advisory board
16 may not participate in the selection process under section
17 3171(f).

18 “(b) CHAIR; MEMBERSHIP.—The Administrator shall
19 designate a representative to serve as the Chair of the ad-
20 visory board. In addition to the Chair, the membership
21 of the advisory board shall include—

22 “(1) the Deputy Director for Management of
23 the Office of Management and Budget;

24 “(2) the Director of the Office of Personnel
25 Management;

1 “(3) the Administrator of the Office of Elec-
2 tronic Government of the Office of Management and
3 Budget;

4 “(4) the Assistant to the President and Chief
5 Technology Officer; and

6 “(5) other individuals as may be designated by
7 the Administrator.

8 “(c) CONSULTATION.—The advisory board may con-
9 sult with industry, academia, or nonprofits to ensure the
10 Presidential Innovation Fellows Program is continually
11 identifying opportunities to apply advanced skillsets and
12 innovative practices in effective ways to address the Na-
13 tion’s most significant challenges.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for chapter 31 of title 5, United States Code, is amended
16 by adding at the end the following:

“SUBCHAPTER V—PRESIDENTIAL INNOVATION FELLOWS PROGRAM

“3171. Presidential Innovation Fellows Program.

“3172. Presidential Innovation Fellows Program advisory board.”.

17 (c) TRANSITION.—The Presidential Innovation Fel-
18 lows Program established pursuant to Executive Order
19 13704 (5 U.S.C. 3301 note) as in existence on the day
20 before the date of enactment of this Act shall be consid-
21 ered the Presidential Innovation Fellows Program de-
22 scribed under this section.

1 (d) NO ADDITIONAL FUNDS AUTHORIZED.—No ad-
2 ditional funds are authorized to be appropriated to carry
3 out this Act or the amendments made by this Act. This
4 Act and the amendments made by this Act shall be carried
5 out using amounts otherwise authorized.

Passed the House of Representatives July 12, 2016.

Attest:

KAREN L. HAAS,

Clerk.