

119TH CONGRESS
1ST SESSION

S. _____

To establish Federal agency technology and artificial intelligence talent teams to improve competitive service hiring practices, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. KIM introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish Federal agency technology and artificial intelligence talent teams to improve competitive service hiring practices, 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. TECHNOLOGY AND AI TALENT TEAMS, OTHER**
4 **TALENT TEAMS, AND COMPETITIVE SERVICE**
5 **HIRING.**

6 (a) **FEDERAL AGENCY TECHNOLOGY AND AI TAL-**
7 **ENT TEAMS.—**

8 (1) **IN GENERAL.**—An agency may establish one
9 or more technology and artificial intelligence talent
10 teams (referred to in this section as “agency talent

1 teams”), including at the component level. An agen-
2 cy talent team may consist of positions of shared
3 certificate coordinators, recruiters, assessment ex-
4 perts, subject matter experts, and non-technical po-
5 sitions that enable artificial intelligence governance,
6 innovation, and risk management.

7 (2) DUTIES.—An agency talent team shall pro-
8 vide hiring support to the agency and other agencies
9 for technology and artificial intelligence positions, in-
10 cluding by—

11 (A) improving examinations for such posi-
12 tions;

13 (B) facilitating writing job announcements
14 for such positions in the competitive service;

15 (C) sharing high-quality certificates of eli-
16 gibles; and

17 (D) facilitating hiring for such positions in
18 the competitive service using examinations and
19 subject matter experts.

20 (3) OTHER MATTERS.—

21 (A) OTHER TEAMS.—An agency may es-
22 tablish centralized guidance and practices to
23 support agency-led talent teams in order to ad-
24 dress high-need hiring areas.

1 (B) OPM.—The Office of Personnel Man-
2 agement may expand the hiring experience
3 team at the Office to continue to focus on im-
4 proving the hiring experience for hiring man-
5 agers, human resource professionals, and appli-
6 cants starting with scaling best practices for
7 agencies around pooled hiring in support of ar-
8 tificial intelligence and artificial intelligence en-
9 abling roles.

10 (b) OPM TEAM.—

11 (1) IN GENERAL.—The Director of the Office of
12 Personnel Management may establish a Federal
13 technology and artificial intelligence talent team to
14 support agency talent teams in facilitating pooled
15 hiring actions for technology and artificial intel-
16 ligence talent across the Federal Government, pro-
17 viding training, and creating technology platforms to
18 facilitate hiring for the competitive service, includ-
19 ing—

20 (A) ensuring agencies are using best prac-
21 tices for technology and artificial intelligence
22 hiring;

23 (B) leading cross-Government hiring ef-
24 forts for technology and artificial intelligence
25 hiring and engagement with key candidates;

1 (C) the development of technical assess-
2 ments; and

3 (D) the sharing of certificates of eligibles
4 and accompanying résumés under sections
5 3318(b) and 3319(c) of title 5, United States
6 Code.

7 (2) OTHER TEAMS.—The Director—

8 (A) may establish other talent teams to ad-
9 dress high-need hiring areas at any agency; and

10 (B) may expand the hiring experience team
11 at the Office to focus on surge hiring and scal-
12 ing pooled hiring, with initial focus on artificial
13 intelligence and artificial intelligence enabling
14 roles.

15 (c) TECHNICAL ASSESSMENTS.—

16 (1) IN GENERAL.—For the purpose of con-
17 ducting an examination for technology and artificial
18 intelligence positions in the competitive service, any
19 individual whom an agency determines to have an
20 expertise in the subject and job field of the position
21 may—

22 (A) develop, in partnership with human re-
23 sources employees of the examining agency, a
24 position-specific assessment that is relevant to
25 the position; and

1 (B) administer the assessment developed
2 under subparagraph (A) to—

3 (i) determine whether an applicant for
4 the position has demonstrated the estab-
5 lished qualifications for the position; or

6 (ii) rank applicants for the position
7 for category rating purposes under section
8 3319 of title 5, United States Code.

9 (2) SHARING AND CUSTOMIZATION OF ASSESS-
10 MENTS.—

11 (A) SHARING.—An examining agency may
12 share a technical assessment under this sub-
13 section with another examining agency if each
14 agency maintains appropriate control over ex-
15 amination material.

16 (B) CUSTOMIZATION.—An examining
17 agency with which a technical assessment is
18 shared under subparagraph (A) may customize
19 the assessment as appropriate, provided that
20 the resulting assessment satisfies the require-
21 ments under part 300 of title 5, Code of Fed-
22 eral Regulations (or any successor regulation).

23 (C) PLATFORM FOR SHARING AND
24 CUSTOMIZATION.—

1 (i) IN GENERAL.—The Director of the
2 Office of Personnel Management shall es-
3 tablish and operate an online platform on
4 which examining agencies can share and
5 customize technical assessments under this
6 subsection.

7 (ii) ONLINE PLATFORM.—The Direc-
8 tor shall—

9 (I) not be responsible for inde-
10 pendently validating the utility of the
11 content and technical assessments
12 shared in the online platform de-
13 scribed in clause (i); and

14 (II) ensure that such online plat-
15 form includes the ability of its users
16 to rate the utility of the content and
17 technical assessments shared in the
18 online platform to allow for a ranking
19 of such contents.

20 (3) EXISTING PLATFORMS.—If practicable, an
21 agency shall use an existing hiring platform, includ-
22 ing the USA Hire platform, to conduct technical as-
23 sessments.

24 (d) DEFINITIONS.—In this section:

1 (1) AGENCY.—The term “agency” means an
2 agency described in section 901(b) of title 31,
3 United States Code.

4 (2) EXAMINATION.—

5 (A) IN GENERAL.—The term “examina-
6 tion”—

7 (i) means an opportunity to directly
8 demonstrate knowledge, skills, abilities,
9 and competencies for that position through
10 an assessment;

11 (ii) includes a résumé review that is—

12 (I) conducted or informed by a
13 subject matter expert; and

14 (II) based upon indicators that—

15 (aa) are derived from a job
16 analysis; and

17 (bb) bear a rational relation-
18 ship to performance in the posi-
19 tion for which the examining
20 agency is making an appoint-
21 ment; and

22 (iii) subject to subparagraph (B), on
23 and after the date that is 5 years after the
24 date of enactment of this Act, does not
25 solely include or principally rely upon a

1 self-assessment from an automated exam-
2 ination.

3 (B) WAIVER.—

4 (i) CHIEF HUMAN CAPITAL OFFI-
5 CERS.—The Chief Human Capital Officer
6 of an agency may waive subparagraph
7 (A)(iii) if, not later than 30 days after the
8 date on which the Officer authorizes the
9 waiver, the Officer submits to the Director
10 of the Office of Personnel Management a
11 written report that justifies the need for
12 the waiver and articulates the data, evi-
13 dence, and circumstances for that need.

14 (ii) OPM.—The Director of the Office
15 of Personnel Management—

16 (I) may provide agencies with
17 guidance and instruction on the data,
18 evidence, and circumstances that
19 should be included in a waiver de-
20 scribed in clause (i); and

21 (II) not later than 30 days after
22 the date on which the Director re-
23 ceives a waiver under clause (i), shall
24 post the waiver on a public website.

1 (iii) EFFECT.—A waiver authorized
2 under clause (i) shall not be considered to
3 have taken effect until the Director of the
4 Office of Personnel Management posts the
5 waiver under clause (ii).

6 (3) EXAMINING AGENCY.—The term “exam-
7 ining agency” means—

8 (A) the Office of Personnel Management;
9 or

10 (B) an agency to which the Director has
11 delegated examining authority under section
12 1104(a)(2) of title 5, United States Code.

13 (4) SUBJECT MATTER EXPERT.—The term
14 “subject matter expert” means an employee or se-
15 lecting official—

16 (A) who possesses understanding of the
17 duties of, and knowledge, skills, and abilities re-
18 quired for, the position for which the employee
19 or selecting official is developing or admin-
20 istering an assessment; and

21 (B) whom the agency that employs the em-
22 ployee or selecting official designates to assist
23 in the development and administration of tech-
24 nical assessments under subsection (c).

1 (5) TECHNICAL ASSESSMENT.—The term “tech-
2 nical assessment” means an assessment developed
3 under subsection (c) that—

4 (A) allows for the demonstration of job-re-
5 lated technical skills, abilities, and knowledge;

6 (B)(i) is based upon a job analysis; and

7 (ii) is relevant to the position for
8 which the assessment is developed;

9 (C) may include—

10 (i) a structured interview;

11 (ii) a work-related exercise;

12 (iii) a custom or generic procedure
13 used to measure an individual’s employ-
14 ment or career-related qualifications and
15 interests;

16 (iv) another assessment that meets
17 the criteria under clauses (i) and (ii);

18 (v) external industry assessments, in-
19 cluding multi-hurdle or skills-based assess-
20 ments; or

21 (vi) coding tests, automated tran-
22 scription, or flexible timed exercises.