AMENDMENT TO RULES COMMITTEE PRINT 117–54

OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

Add at the end of title XI the following:

1 Subtitle B—PLUM Act of 2022

2	SEC. 1121. SHORT TITLE.
3	This subtitle may be cited as the "Periodically List-
4	ing Updates to Management Act of 2022" or the "PLUM
5	Act of 2022".
6	SEC. 1122. ESTABLISHMENT OF PUBLIC WEBSITE ON GOV-
7	ERNMENT POLICY AND SUPPORTING POSI-
8	TIONS.
9	(a) Establishment.—
10	(1) In General.—Subchapter I of chapter 33
11	of title 5, United States Code, is amended by adding
12	at the end the following:
13	"§ 3330f. Government policy and supporting position
14	data
15	"(a) Definitions.—In this section:
16	"(1) AGENCY.—The term 'agency' means—

1	"(A) any Executive agency, the United
2	States Postal Service, and the Postal Regu-
3	latory Commission; and
4	"(B) the Executive Office of the President
5	and any component within that Office (includ-
6	ing any successor component), including—
7	"(i) the Council of Economic Advi-
8	sors;
9	"(ii) the Council on Environmental
10	Quality;
11	"(iii) the National Security Council;
12	"(iv) the Office of the Vice President;
13	"(v) the Office of Policy Development;
14	"(vi) the Office of Administration;
15	"(vii) the Office of Management and
16	Budget;
17	"(viii) the Office of the United States
18	Trade Representative;
19	"(ix) the Office of Science and Tech-
20	nology Policy;
21	"(x) the Office of National Drug Con-
22	trol Policy; and
23	"(xi) the White House Office, includ-
24	ing the White House Office of Presidential
25	Personnel.

1	"(2) APPOINTEE.—The term 'appointee'—
2	"(A) means an individual serving in a pol-
3	icy and supporting position; and
4	"(B) includes an individual serving in such
5	a position temporarily in an acting capacity in
6	accordance with—
7	"(i) sections 3345 through 3349d
8	(commonly referred to as the 'Federal Va-
9	cancies Reform Act of 1998');
10	"(ii) any other statutory provision de-
11	scribed in section 3347(a)(1); or
12	"(iii) a Presidential appointment de-
13	scribed in section 3347(a)(2).
14	"(3) COVERED WEBSITE.—The term 'covered
15	website' means the website established and main-
16	tained by the Director under subsection (b).
17	"(4) DIRECTOR.—The term 'Director' means
18	the Director of the Office of Personnel Management.
19	"(5) Policy and supporting position.—The
20	term 'policy and supporting position'—
21	"(A) means any position at an agency, as
22	determined by the Director, that, but for this
23	section and section 2(b)(3) of the PLUM Act of
24	2022, would be included in the publication enti-
25	tled 'United States Government Policy and

1	Supporting Positions' (commonly referred to as
2	the 'Plum Book'); and
3	"(B) may include—
4	"(i) a position on any level of the Ex-
5	ecutive Schedule under subchapter II of
6	chapter 53, or another position with an
7	equivalent rate of pay;
8	"(ii) a general position (as defined in
9	section 3132(a)(9)) in the Senior Execu-
10	tive service;
11	"(iii) a position in the Senior Foreign
12	Service;
13	"(iv) a position of a confidential or
14	policy-determining character under sched-
15	ule C of subpart C of part 213 of title 5,
16	Code of Federal Regulations, or any suc-
17	cessor regulation; and
18	"(v) any other position classified at or
19	above level GS-14 of the General Schedule
20	(or equivalent) that is excepted from the
21	competitive service by law because of the
22	confidential or policy-determining nature of
23	the position duties.
24	"(b) Establishment of Website.—Not later than
25	1 year after the date of enactment of the PLUM Act of

1	2022, the Director shall establish, and thereafter the Di-
2	rector shall maintain, a public website containing the fol-
3	lowing information for the President in office on the date
4	of establishment and for each subsequent President:
5	"(1) Each policy and supporting position in the
6	Federal Government, including any such position
7	that is vacant.
8	"(2) The name of each individual who—
9	"(A) is serving in a position described in
10	paragraph (1); or
11	"(B) previously served in a position de-
12	scribed in such paragraph under the applicable
13	President.
14	"(3) Information on—
15	"(A) any Government-wide or agency-wide
16	limitation on the total number of positions in
17	the Senior Executive Service under section
18	3133 or 3134 or the total number of positions
19	under schedule C of subpart C of part 213 of
20	title 5, Code of Federal Regulations; and
21	"(B) the total number of individuals occu-
22	pying such positions.
23	"(c) Contents.—With respect to any policy and
24	supporting position listed on the covered website, the Di-
25	rector shall include—

1	"(1) the agency, and agency component, (in-
2	cluding the agency and bureau code used by the Of-
3	fice of Management and Budget) in which the posi-
4	tion is located;
5	"(2) the name of the position;
6	"(3) the name of the individual occupying the
7	position (if any);
8	"(4) the geographic location of the position, in-
9	cluding the city, State or province, and country;
10	"(5) the pay system under which the position is
11	paid;
12	"(6) the level, grade, or rate of pay;
13	"(7) the term or duration of the appointment
14	(if any);
15	"(8) the expiration date, in the case of a time-
16	limited appointment;
17	"(9) a unique identifier for each appointee;
18	"(10) whether the position is vacant; and
19	"(11) for any position that is vacant—
20	"(A) for a position for which appointment
21	is required to be made by the President, by and
22	with the advice and consent of the Senate, the
23	name of the acting official; and

1	"(B) for other positions, the name of the
2	official performing the duties of the vacant po-
3	sition.
4	"(d) Current Data.—For each agency, the Direc-
5	tor shall indicate in the information on the covered website
6	the date that the agency last updated the data.
7	"(e) FORMAT.—The Director shall make the data on
8	the covered website available to the public at no cost over
9	the internet in a searchable, sortable, downloadable, and
10	machine-readable format so that the data qualifies as an
11	open Government data asset, as defined in section 3502
12	of title 44.
13	"(f) Authority of Director.—
14	"(1) Information required.—Each agency
15	shall provide to the Director any information that
16	the Director determines necessary to establish and
17	maintain the covered website, including the informa-
18	tion uploaded under paragraph (4).
19	"(2) Requirements for agencies.—Not
20	later than 1 year after the date of enactment of the
21	PLUM Act of 2022, the Director shall issue instruc-
22	tions to agencies with specific requirements for the
23	provision or uploading of information required under
24	paragraph (1), including—

1	"(A) specific data standards that an agen-
2	cy shall follow to ensure that the information is
3	complete, accurate, and reliable;
4	"(B) data quality assurance methods; and
5	"(C) the timeframe during which an agen-
6	cy shall provide or upload the information, in-
7	cluding the timeframe described under para-
8	graph (4).
9	"(3) Public accountability.—The Director
10	shall identify on the covered website any agency that
11	has failed to provide—
12	"(A) the information required by the Di-
13	rector;
14	"(B) complete, accurate, and reliable infor-
15	mation; or
16	"(C) the information during the timeframe
17	specified by the Director.
18	"(4) Annual updates.—
19	"(A) In General.—Not later than 90
20	days after the date on which the covered
21	website is established, and not less than once
22	during each year thereafter, the head of each
23	agency shall upload to the covered website up-
24	dated information (if any) on—

1	"(i) the policy and supporting posi-
2	tions in the agency;
3	"(ii) the appointees occupying such
4	positions in the agency; and
5	"(iii) the former appointees who
6	served in such positions in the agency
7	under the President then in office.
8	"(B) Supplement not supplant.—In-
9	formation provided under subparagraph (A)
10	shall supplement, not supplant, previously pro-
11	vided information under that subparagraph.
12	"(5) OPM HELP DESK.—The Director shall es-
13	tablish a central help desk, to be operated by not
14	more than 1 full-time employee, to assist any agency
15	with implementing this section.
16	"(6) COORDINATION.—The Director may des-
17	ignate 1 or more agencies to participate in the devel-
18	opment, establishment, operation, and support of the
19	covered website. With respect to any such designa-
20	tion, the Director may specify the scope of the re-
21	sponsibilities of the agency so designated.
22	"(7) Data standards and timing.—The Di-
23	rector shall make available on the covered website
24	information regarding data collection standards,

1	quality assurance methods, and time frames for re-
2	porting data to the Director.
3	"(8) Regulations.—The Director may pre-
4	scribe regulations necessary for the administration
5	of this section.
6	"(g) Responsibility of Agencies.—
7	"(1) Provision of information.—Each agen-
8	cy shall comply with the instructions and guidance
9	issued by the Director to carry out this section, and,
10	upon request of the Director, shall provide appro-
11	priate assistance to the Director to ensure the suc-
12	cessful operation of the covered website in the man-
13	ner and within the timeframe specified by the Direc-
14	tor under subsection $(f)(2)$.
15	"(2) Ensuring completeness, accuracy,
16	AND RELIABILITY.—With respect to any submission
17	of information described in paragraph (1), the head
18	of an agency shall include—
19	"(A) an explanation of how the agency en-
20	sured the information is complete, accurate,
21	and reliable; and
22	"(B) a certification that the information is
23	complete, accurate, and reliable.
24	"(h) Information Verification.—
25	"(1) Confirmation.—

1	"(A) IN GENERAL.—On the date that is 90
2	days after the date on which the covered
3	website is established, the Director, in coordina-
4	tion with the White House Office of Presi-
5	dential Personnel, shall confirm that the infor-
6	mation on the covered website is complete, ac-
7	curate, reliable, and up-to-date.
8	"(B) CERTIFICATION.—On the date on
9	which the Director makes a confirmation under
10	subparagraph (A), the Director shall publish on
11	the covered website a certification that the con-
12	firmation has been made.
13	"(2) Authority of director.—In carrying
14	out paragraph (1), the Director may—
15	"(A) request additional information from
16	an agency; and
17	"(B) use any additional information pro-
18	vided to the Director or the White House Office
19	of Presidential Personnel for the purposes of
20	verification.
21	"(3) Public comment.—The Director shall es-
22	tablish a process under which members of the public
23	may provide feedback regarding the accuracy of the
24	information on the covered website.
25	"(i) Data Archiving.—

1	"(1) In General.—As soon as practicable
2	after a transitional inauguration day (as defined in
3	section 3349a), the Director, in consultation with
4	the Archivist of the United States, shall archive the
5	data that was compiled on the covered website for
6	the preceding presidential administration.
7	"(2) Public availability.—The Director
8	shall make the data described in paragraph (1) pub-
9	licly available over the internet—
10	"(A) on, or through a link on, the covered
11	website;
12	"(B) at no cost; and
13	"(C) in a searchable, sortable,
14	downloadable, and machine-readable format.".
15	(2) CLERICAL AMENDMENT.—The table of sec-
16	tions for subchapter I of chapter 33 of title 5,
17	United States Code, is amended by adding at the
18	end the following:
	"3330f. Government policy and supporting position data.".
19	(b) Other Matters.—
20	(1) Definitions.—In this subsection, the
21	terms "agency", "covered website", "Director", and
22	"policy and supporting position" have the meanings
23	given those terms in section 3330f of title 5, United
24	States Code, as added by subsection (a).

1	(2) GAO REVIEW AND REPORT.—Not later than
2	1 year after the date on which the Director estab-
3	lishes the covered website, the Comptroller General
4	of the United States shall conduct a review of, and
5	issue a briefing or report on, the implementation of
6	this subtitle and the amendments made by this sub-
7	title, which shall include—
8	(A) the quality of data required to be col-
9	lected and whether the data is complete, accu-
10	rate, timely, and reliable;
11	(B) any challenges experienced by agencies
12	in implementing this subtitle and the amend-
13	ments made by this subtitle; and
14	(C) any suggestions or modifications to en-
15	hance compliance with this subtitle and the
16	amendments made by this subtitle, including
17	best practices for agencies to follow.
18	(3) Sunset of Plum Book.—Beginning on
19	January 1, 2026—
20	(A) the covered website shall serve as the
21	public directory for policy and supporting posi-
22	tions in the Government; and
23	(B) the publication entitled "United States
24	Government Policy and Supporting Positions",

1	commonly referred to as the "Plum Book",
2	shall no longer be issued or published.
3	(4) Funding.—
4	(A) In general.—No additional amounts
5	are authorized to be appropriated to carry out
6	this subtitle or the amendments made by this
7	subtitle.
8	(B) Other funding.—The Director shall
9	carry out this subtitle and the amendments
10	made by this subtitle using amounts otherwise
11	available to the Director.

