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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To provide authority to convert certain employees serving under time-limited appointments to career or career-conditional appointments in the civil service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WALKINSHAW introduced the following bill; which was referred to the Committee on _____

A BILL

To provide authority to convert certain employees serving under time-limited appointments to career or career-conditional appointments in the civil service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Keep Federal Tech Talent Act''.

SEC. 2. AUTHORITY TO CONVERT TIME-LIMITED FEDERAL EMPLOYEES CARRYING OUT DUTIES RELATING TO TECHNOLOGY TO CIVIL SERVICE POSITIONS.

(a) IN GENERAL.—The head of a Federal agency may convert a covered individual to—

(1) a career or career-conditional appointment in the competitive service;

(2) a highly qualified expert appointment under section 9903 of title 5, United States Code;

(3) a senior-level or scientific or professional position, including positions compensated under section 5376 of such title; or

(4) a position within the Defense Civilian Intelligence Personnel System or any equivalent appointment authority established within an intelligence community element.

(b) APPLICATION.—The head of a Federal agency—

(1) for purposes of recruiting covered individuals to be so converted, shall offer such covered individual the choice to receive, after such conversion, benefits—

(A) under section 5379 of title 5, United States Code, (relating to student loan repayment); or

(B) under chapter 41 of such title (relating to job-related training, including non-academic, skills-based, technical, or occupational development); and

(2) shall carry out any conversion under subsection (a) subject to such agency's qualification standards and suitability determinations.

(c) REPORT.—Not later than January 1, 2028, and each year thereafter, the head of each Federal agency shall submit a report to the Office of Personnel Management on the use of authority provided under this section, including the total number of individuals converted and positions filled.

(d) EFFECTIVE DATE.—This section shall take effect beginning on January 1, 2027.

(e) DEFINITIONS.—In this section—

(1) the terms ''competitive service'' and ''excepted service'' have the meaning given those terms in sections 2102 and 2103, respectively, of title 5, United States Code;

(2) the term ''covered individual''—

(A) means an individual who—

(i) is serving a time-limited appointment in the excepted service or under a

time-limited term appointment in the competitive service performing—

(I) technical, engineering, computational, information technology, software engineering, artificial intelligence, machine learning, cybersecurity, data science, data analytics, scientific, mathematical, statistical, modeling, simulation or other related technical functions;

(II) research, analysis, testing, evaluation, experimentation, monitoring, development, or applied work in the physical, biological, biomedical, health, environmental, agricultural, natural resource, earth, space, atmospheric, oceanographic, geospatial, materials, chemical, or other scientific or engineering sciences;

(III) laboratory, field, research, or technical functions that directly support scientific research, testing, analysis, monitoring, experimentation, or development, including the collection, preparation, processing, preser-

vation, management, or analysis of samples, specimens, scientific data, or research materials;

(IV) the design, development, fabrication, installation, calibration, maintenance, repair, testing, validation, operation, or technical support of scientific, laboratory, research, engineering, computing, sensing, monitoring, or other specialized instruments, systems, facilities, or equipment;

(V) technology research, development, demonstration, testing, evaluation, deployment, transfer, or commercialization, including the development or application of emerging technologies; or

(VI) scientific or technical project or program management, research administration, project development, operational or field support, quality assurance, safety, regulatory or technical compliance, scientific information management, or other pro-

grammatic, administrative, or professional functions that directly support scientific, technical, engineering, laboratory, research, or technology-related missions; and

(ii) meets the qualification, suitability, and appointment requirements for the applicable position to which the individual will be converted to under this section, including requirements under applicable agency-specific qualification and suitability determination authority; and

(B) does not include a special Government employee (as that term is defined in section 202 of title 18, United States Code); and

(3) the term ''Federal agency'' means any department, agency, or instrumentality of the executive branch of the Federal Government, but does not include the armed forces (as that term is defined in section 101 of title 10, United States Code).