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## Employee groups push SES diversity bill

By Alyssa Rosenberg | [arosenberg@govexec.com](mailto:arosenberg@govexec.com) | June 22, 2009

Federal employee groups are ramping up efforts to support a bill that would increase the diversity of the Senior Executive Service.

After similar legislation stalled in the Senate last year House and Senate lawmakers introduced new bills ([S. 1180](#) and [H.R. 2721](#)) in June. Sen. Daniel Akaka, D-Hawaii, and Rep. Danny Davis, D-Ill., sponsored the measures.

"We have an active grassroots network and will be encouraging our thousands of members to send letters to their senators asking them to co-sponsor this important bill," said Janet Kopenhagen, the Washington representative for Federally Employed Women.

Kopenhagen said FEW would factor co-sponsorship of the legislation into grading lawmakers on the organization's congressional scorecard of relevant issues. She said Capitol Hill's rapid movement on several other bills affecting federal employees has delayed FEW's lobbying on the diversity legislation, but the organization planned to reach out to other employee groups to formulate a coordinated strategy of support.

The legislation would require the Office of Personnel Management director to create within 180 days of the bill's passage an agency office devoted to Senior Executive Service issues. That office would provide oversight and policymaking functions. Its responsibilities would include: designing standards for SES performance management systems, training senior executives and candidates for the SES, establishing mentor programs for those candidates; and monitoring the demographics both of the senior executive corps and the boards that determine qualifications for SES appointments. The office also would be responsible for creating a minority recruiting program targeting talented women, minorities and people with disabilities for SES slots, and helping coordinate agencies' recruiting programs with their equal employment opportunity offices.

The Senate version of the bill also directs agencies to consider diversity when choosing members of the executive resource boards who deal with individual agencies' programs for senior executives "to the extent practicable." The House version contains similar language, but also directs agency heads to consider diversity when making decisions about whom to appoint to the boards that review qualifications for service in the senior executive ranks.

The composition and use of those review boards [became an issue](#) during the previous Congress. An earlier version of the legislation would have mandated that agencies use three-person panels and require that one member of that panel be a woman and another a racial or ethnic minority.

OPM objected to that provision, saying the Justice Department indicated the quotas would be unconstitutional.

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In addition, the Senior Executives Association wanted to give agencies the option to create diversity subcommittees of their executive resource boards instead of relying on qualifications panels.

Bill Bransford, general counsel for the Senior Executive Association, said his organization prefers the current Senate version of the bill, which provides agencies with more flexibility. But he also said he was concerned that changes to the bill had not convinced senators, who put holds on the legislation in the previous administration, to support the bill now.

"If that happens again, that continues to be a problem," Bransford said. SEA has been promoting the diversity legislation as part of a package of reforms -- dubbed the 2009 SES Reform Act -- the group is backing. SEA has spoken with the senators who placed the legislative holds as part of its advocacy campaign. "I don't know that we've been able to change their minds," he said.

