

HR 2879

Stop Government Abuse Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Jul 31, 2013

Current Status: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Government

Latest Action: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Sep 9, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/2879>

Sponsor

Name: Rep. Jenkins, Lynn [R-KS-2]

Party: Republican • **State:** KS • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Kelly, Mike [R-PA-3]	R · PA		Jul 31, 2013
Rep. Meadows, Mark [R-NC-11]	R · NC		Jul 31, 2013

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Sep 9, 2013
Judiciary Committee	House	Referred to	Aug 1, 2013
Oversight and Government Reform Committee	House	Referred To	Jul 31, 2013

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
113 HR 2579	Related bill	Aug 1, 2013: Pursuant to the provisions of H. Res. 322, H.R. 2579 is laid on the table.
113 HRES 322	Procedurally related	Aug 1, 2013: Motion to reconsider laid on the table Agreed to without objection.
113 S 1378	Related bill	Jul 25, 2013: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Stop Government Abuse Act - **Title I: Common Sense In Compensation** - (Sec. 102) Prohibits the payment of certain discretionary monetary payments or performance awards to federal employees during any period of sequestration. Allows the head of an agency to waive the prohibition: (1) relating to performance awards, subject to the approval of the Director of the Office of Personnel Management (OPM); and (2) relating to discretionary payments, if such prohibition would violate the terms of a collective bargaining agreement.

Title II: Government Employee Accountability - (Sec. 202) Sets forth investigative leave requirements for federal employees in the competitive service and Senior Executive Service (SES) career employees. Defines "investigative leave" as a temporary absence without duty for disciplinary reasons, for up to 90 days.

Authorizes a federal agency to place an employee on investigative leave: (1) without loss of pay and without charge to annual or sick leave only for misconduct, neglect of duty, malfeasance, or misappropriation of funds; or (2) without pay if such employee's conduct is determined to be flagrant and the employee engaged in such conduct intentionally.

Requires an agency head to: (1) review the investigation into an employee's misconduct, neglect of duty, malfeasance, or misappropriation of funds at the end of each 45-day investigative period; (2) report on such review to the House Committee on Oversight and Government Reform and the Senate Committee on Homeland Security and Governmental Affairs not later than 5 business days after the end of each 45-day period; and (3) remove, suspend without pay, or reinstate or restore such employee to duty at the end of the investigative leave period. Allows an agency to extend a period of investigative leave for an additional period not to exceed 90 days.

Grants an employee placed on investigative leave certain rights, including: (1) 30 days' advance written notice of, and a reasonable time (not less than 7 days) to answer, charges; (2) the right to be represented by an attorney; and (3) the right to appeal to the Merit Systems Protection Board (MSPB).

Allows an agency head to remove an SES employee for serious neglect of duty, misappropriation of funds, or malfeasance if the agency head: (1) determines that the employee knowingly acted in a manner that endangers the interest of the agency mission, (2) considers the removal to be necessary or advisable in the interests of the United States, and (3) determines that other procedures authorizing removal are not efficient. Grants such employees notice and appeal rights.

(Sec. 204) Includes misappropriation of funds as a ground in suspending or reinstating an SES employee or placing such employee in another civil service position.

Title III: Citizen Empowerment - (Sec. 301) Grants individuals who are the target of enforcement actions by executive agency employees the right to record in-person and telephonic interactions. Requires that notice of such right be included in any written material provided to an individual concerning an audit, investigation, inspection, or enforcement action that could result in civil or criminal penalties or the collection of an unpaid tax. Requires each executive agency to post on its website information explaining the right of individuals to record interactions with agency employees.

Actions Timeline

- **Sep 9, 2013:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Aug 1, 2013:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Aug 1, 2013:** Rule H. Res. 322 passed House.
- **Aug 1, 2013:** Considered under the provisions of rule H. Res. 322. (consideration: CR H5296-5306)
- **Aug 1, 2013:** In each case the rule provides for one hour of debate on the bill and one motion to recommit for each bill.
- **Aug 1, 2013:** DEBATE - The House proceeded with one hour of debate on H.R. 2879.
- **Aug 1, 2013:** The previous question was ordered pursuant to the rule. (consideration: CR H5305)
- **Aug 1, 2013:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 239 - 176 (Roll no. 436). (text: CR H5296-5298)
- **Aug 1, 2013:** On passage Passed by the Yeas and Nays: 239 - 176 (Roll no. 436). (text: CR H5296-5298)
- **Aug 1, 2013:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 31, 2013:** Introduced in House
- **Jul 31, 2013:** Referred to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jul 31, 2013:** Rules Committee Resolution H. Res. 322 Reported to House. In each case the rule provides for one hour of debate on the bill and one motion to recommit for each bill.