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Fair Chance Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Sep 10, 2015

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 344.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 344. (Jan 12, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2021>

Sponsor

Name: Sen. Booker, Cory A. [D-NJ]

Party: Democratic • **State:** NJ • **Chamber:** Senate

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Sep 10, 2015
Sen. Brown, Sherrod [D-OH]	D · OH		Sep 10, 2015
Sen. Ernst, Joni [R-IA]	R · IA		Sep 10, 2015
Sen. Johnson, Ron [R-WI]	R · WI		Sep 10, 2015
Sen. Peters, Gary C. [D-MI]	D · MI		Oct 6, 2015
Sen. Portman, Rob [R-OH]	R · OH		Oct 7, 2015
Sen. Kaine, Tim [D-VA]	D · VA		Oct 8, 2015
Sen. Murray, Patty [D-WA]	D · WA		Oct 8, 2015
Sen. Franken, Al [D-MN]	D · MN		Nov 10, 2015
Sen. Wyden, Ron [D-OR]	D · OR		Nov 17, 2015
Sen. Murphy, Christopher [D-CT]	D · CT		Nov 19, 2015
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jan 28, 2016
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jan 28, 2016
Sen. Durbin, Richard J. [D-IL]	D · IL		Feb 4, 2016
Sen. Warner, Mark R. [D-VA]	D · VA		Feb 10, 2016
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		May 9, 2016
Sen. Carper, Thomas R. [D-DE]	D · DE		Jul 14, 2016

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Jan 12, 2016

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 HR 3470	Identical bill	Mar 23, 2016: Referred to the Subcommittee on Workforce Protections.

Summary (as of Jan 12, 2016)

Fair Chance to Compete for Jobs Act of 2015 or the Fair Chance Act

(Sec. 2) This bill prohibits an executive agency, including the U.S. Postal Service, the Postal Regulatory Commission, and the Executive Office of the President, from requesting an applicant for federal employment to disclose criminal history record information before a conditional offer of employment is made to the applicant. Exceptions to this prohibition are allowed for positions that, by law, require consideration of criminal history, that involve sensitive or classified information, that are law enforcement positions, or that are positions identified in regulations by the Office of Personnel Management (OPM) as requiring consideration of criminal history information. The OPM regulations must be consistent with the Civil Rights Act of 1964 and other relevant federal civil rights laws.

OPM must develop, implement, and publish a policy to assist agency employees in complying with the disclosure prohibition and a complaint process for employment applicants who are improperly asked to disclose their criminal history information. OPM shall take adverse action against any agency employee who violates the disclosure prohibition.

The bill amends the Congressional Accountability Act of 1995 and the federal judicial code to apply the disclosure prohibition to the legislative and judicial branches, respectively.

(Sec. 3) The bill: (1) prohibits an executive agency from requiring an individual or sole proprietor who submits a bid for a civilian agency or defense contract to disclose criminal history record information before a conditional offer is made with respect to such contract; and (2) requires, as a condition of receiving a contract and payments, that a contractor may not request the disclosure of criminal history record information about an applicant for a position related to work under such contract before the contractor extends a conditional offer to the applicant. Exceptions to the prohibition include sensitive positions, positions that, by law, require consideration of criminal history, and other positions identified in General Services Administration regulations as requiring consideration of criminal history information.

(Sec. 4) The Bureau of Justice Statistics in the Office of Justice Programs of the Department of Justice, in coordination with the Bureau of the Census, must design and initiate a study on the employment of individuals (not including aliens who have been or will be removed from the United States for a violation of the immigration laws) who have completed a prison term for a federal criminal offense. The study must use demographic data and data on employment and earnings of such individuals who are denied employment, including the reasons for denial. The Bureau must report on such study to specified congressional committees not later than two years after the enactment of this Act and every five years thereafter. Such report may not include any personally identifiable information.

Actions Timeline

- **Jan 12, 2016:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Johnson with an amendment in the nature of a substitute. With written report No. 114-200.
- **Jan 12, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 344.
- **Oct 7, 2015:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 10, 2015:** Introduced in Senate
- **Sep 10, 2015:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Sponsor introductory remarks on measure: CR S6606-6608)