

HR 4360

Official Personnel File Enhancement Act

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Jan 11, 2016

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. (Apr 27, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4360>

Sponsor

Name: Rep. Chaffetz, Jason [R-UT-3]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Apr 27, 2016
Oversight and Government Reform Committee	House	Reported By	Mar 16, 2016

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 HR 4909	Related bill	May 26, 2016: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 502.

(This measure has not been amended since it was reported to the House on March 16, 2016. The summary of that version is repeated here.)

Official Personnel File Enhancement Act

(Sec. 2) This bill requires that a permanent notation be made in the official personnel record file of a federal employee in the competitive or excepted service who is the subject of a personnel investigation and who resigns prior to the resolution of such investigation, if an adverse finding is made against such employee at the close of such investigation.

The bill defines "personnel investigation" to include: (1) an investigation by an Inspector General; and (2) an adverse personnel action as a result of performance, misconduct, or for such cause as will promote the efficiency of the service under provisions relating to performance appraisals or adverse actions.

The agency employing such employee shall make such notation within 40 days after the resolution of such investigation.

Prior to making such notation, the agency shall:

- notify the employee in writing within 5 days of such resolution and provide such employee a copy of the adverse finding and any supporting documentation,
- provide the employee at least 30 days to respond in writing and to furnish affidavits and other documentary evidence to show why the adverse finding was unfounded, and
- provide a written decision regarding such notation and the specific reasons to the employee at the earliest practicable date.

The bill entitles an employee to appeal the agency's decision to the Merit Systems Protection Board. Such an appeal shall be noted in the employee's file while the appeal is pending. If the employee is the prevailing party on appeal, the agency shall remove the notation regarding the adverse finding from the employee's file within two weeks after the Board issues its decision.

(Sec. 3) The bill requires any federal government appointing authority to review and consider the personnel file of a former federal employee who is a candidate for a position within the competitive or excepted service prior to appointing or reinstating such employee to such a position.

Actions Timeline

- **Apr 27, 2016:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Apr 26, 2016:** Mr. Chaffetz moved to suspend the rules and pass the bill, as amended.
- **Apr 26, 2016:** Considered under suspension of the rules. (consideration: CR H1983-1984)
- **Apr 26, 2016:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4360.
- **Apr 26, 2016:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H1983)
- **Apr 26, 2016:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H1983)
- **Apr 26, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 16, 2016:** Reported (Amended) by the Committee on Oversight and Government Reform. H. Rept. 114-454.
- **Mar 16, 2016:** Placed on the Union Calendar, Calendar No. 348.
- **Jan 12, 2016:** Committee Consideration and Mark-up Session Held.
- **Jan 12, 2016:** Ordered to be Reported (Amended) by Voice Vote.
- **Jan 11, 2016:** Introduced in House
- **Jan 11, 2016:** Referred to the House Committee on Oversight and Government Reform.