

## HR 702

Federal Employee Antidiscrimination Act of 2017

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Jan 27, 2017

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

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Jul 12, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/702>

### Sponsor

**Name:** Rep. Cummings, Elijah E. [D-MD-7]

**Party:** Democratic • **State:** MD • **Chamber:** House

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Jan 27, 2017
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Jan 27, 2017
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Jan 27, 2017
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Jan 27, 2017

### Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Jul 12, 2017
Oversight and Government Reform Committee	House	Reported By	Apr 4, 2017

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

### Related Bills

*No related bills are listed.*

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

### **Federal Employee Antidiscrimination Act of 2017**

(Sec. 2) This bill amends the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to: (1) expand disclosure and enforcement requirements relating to findings of acts of discrimination and retaliation in the federal workplace, and (2) declare that accountability in the enforcement of federal employee rights is furthered when agencies take appropriate disciplinary action against employees who have been found to have committed discriminatory or retaliatory acts.

(Sec. 3) With respect to disclosure of findings of discrimination or retaliation in an agency, the bill requires an agency to provide notice on its website for at least one year regarding any finding by the agency or the Equal Employment Opportunity Commission (EEOC) of discrimination or retaliation in the agency.

(Sec. 4) With respect to agency reporting requirements, the bill requires agencies to:

- submit their annual reports to Congress, the EEOC, and the Department of Justice on discrimination and retaliation in an electronic format;
- report to the EEOC on whether disciplinary action has been initiated against an employee who has committed an act of discrimination or retaliation; and
- include in the data on equal employment opportunity complaints posted on their websites whether a decision has been made to pursue disciplinary action against an employee who has committed an act of discrimination or retaliation and additional data on each class action complaint filed against the agency alleging discrimination or retaliation.

(Sec. 7) The bill also requires agencies to: (1) establish a system to track each complaint of discrimination adjudicated by the EEOC from inception to resolution, including whether a decision has been made on necessary disciplinary action as a result of a finding of discrimination, and (2) make a notation in an employee's personnel record of any adverse action taken against the employee for an act of discrimination or retaliation.

The bill declares that each federal agency is responsible for the fair, impartial processing and resolution of complaints of employment discrimination and retaliation and requires each agency to establish a model Equal Employment Opportunity Program that is not under the control of a Human Capital or General Counsel Office, is devoid of internal conflicts of interest, and ensures fairness, inclusiveness, and the efficient resolution of complaints alleging discrimination or retaliation.

Finally, the bill directs the EEOC to refer a finding of discrimination or retaliation within a federal agency to the Office of Special Counsel. The Special Counsel shall then pursue disciplinary action against any employee who commits an act of discrimination or retaliation.

(Sec. 8) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action shall not with respect to such authority, implement or enforce any nondisclosure policy, form, or agreement if such policy, form, or agreement prohibits or restricts an employee from disclosing to Congress, the Office of Special Counsel, or an Office of the Inspector General any information that relates to any violation of any law, rule, regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or

safety, or any other whistleblower protection.

## Actions Timeline

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- **Jul 12, 2017:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Jul 11, 2017:** Mr. DeSantis moved to suspend the rules and pass the bill, as amended.
- **Jul 11, 2017:** Considered under suspension of the rules. (consideration: CR H5398-5402)
- **Jul 11, 2017:** DEBATE - The House proceeded with forty minutes of debate on H.R. 702.
- **Jul 11, 2017:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H5398-5399)
- **Jul 11, 2017:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H5398-5399)
- **Jul 11, 2017:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 4, 2017:** Reported by the Committee on Oversight and Government Reform. H. Rept. 115-79.
- **Apr 4, 2017:** Placed on the Union Calendar, Calendar No. 45.
- **Feb 2, 2017:** Committee Consideration and Mark-up Session Held.
- **Feb 2, 2017:** Ordered to be Reported by Voice Vote.
- **Jan 27, 2017:** Introduced in House
- **Jan 27, 2017:** Referred to the House Committee on Oversight and Government Reform.