

S 59

Chance to Compete Act of 2024

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Jan 24, 2023

Current Status: Became Public Law No: 118-188.

Latest Action: Became Public Law No: 118-188. (Dec 23, 2024)

Law: 118-188 (Enacted Dec 23, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/59>

Sponsor

Name: Sen. Sinema, Kyrsten [I-AZ]

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

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Carper, Thomas R. [D-DE]	D · DE		Jan 24, 2023
Sen. Hagerty, Bill [R-TN]	R · TN		Jan 24, 2023
Sen. Lankford, James [R-OK]	R · OK		Jan 24, 2023

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Dec 2, 2024

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

No related bills are listed.

Chance to Compete Act of 2024

This act requires federal agencies to use technical assessments to fill most positions in the competitive service. Under the act, a technical assessment is a tool relevant and specific to a position for which it is developed that allows for the demonstration of job-related skills, abilities, knowledge, and competencies. A technical assessment must be based upon a job analysis and may not solely or principally rely upon a self-assessment from an automated examination.

(Sec. 3) Under the act, the Office of Personnel Management (OPM) must develop and implement a plan for transitioning to using technical assessments for hiring into competitive service positions unless the hiring agency certifies that it is impracticable. No later than 18 months after the act's enactment, OPM must provide Congress with the plan for federal agencies to transition to the use of technical assessments. The plan must be implemented within three years after the act's enactment.

In the three-year period following the bill's enactment, executive agencies must preference the use of technical assessments for hiring into competitive service positions to the maximum extent practicable. An agency that determines that the use of a technical assessment is impracticable must describe its rationale for using an alternative assessment in the applicable job posting.

The act authorizes agencies to identify subject matter experts (SMEs) and agency talent teams to provide hiring support to the agency. SMEs in the job field of a given position may develop position-specific assessments that allow for an applicant to demonstrate job-related technical skills, abilities, and knowledge relevant to the position. OPM may establish a federal talent team to provide support to agency talent teams.

No later than one year after the act's enactment, OPM must study and report to Congress regarding the feasibility of examining agencies sharing technical assessments and the development of an online platform where agencies can share and customize technical assessments.

(Sec. 4) The act requires OPM to conduct a review of examinations for positions in the competitive service for which agencies have established a minimum educational requirement because the position is of a scientific, technical, or professional nature. OPM must determine whether such requirements are justified based on data, evidence, and other relevant information and provide Congress with recommendations to amend the hiring practices in accordance with the review's findings. The review must be conducted in consultation with appropriate agencies, employee representatives, external experts, and other relevant stakeholders. The report shall be provided within one year after the act's enactment.

(Sec. 5) OPM must publish on a public-facing website and submit to Congress a report examining agencies' progress and any significant difficulties in implementing the act's requirements. The first report must be provided within one year after the act's enactment and subsequent reports provided annually until the fifth publication and submission of the report to Congress.

OPM must also publish on a public facing website and submit to Congress an annual report of positions in the competitive service for which an examining agency examined applicants during the applicable period (limited to positions for which hiring is complete). The data must be broken down by applicant demographic indicators to facilitate direct comparisons to data available as of October 1, 2020, as a baseline.

(Sec. 6) No later than three years after the act's enactment, the Government Accountability Office (GAO) must provide Congress with a report that assesses the implementation of the act, assesses changes to the hiring process for the competitive service, and makes recommendations to improve the hiring process for the competitive service.

(Sec. 7) No later than one year after the act's enactment, OPM shall evaluate and revise, as appropriate to conform with the act, government-wide systems of records specified in the act. OPM must notify Congress of any revisions.

Actions Timeline

- **Dec 23, 2024:** Presented to President.
- **Dec 23, 2024:** Signed by President.
- **Dec 23, 2024:** Became Public Law No: 118-188.
- **Dec 16, 2024:** Received in the House.
- **Dec 16, 2024:** Held at the desk.
- **Dec 16, 2024:** Mr. Burlison moved to suspend the rules and pass the bill.
- **Dec 16, 2024:** Considered under suspension of the rules. (consideration: CR H7215-7218)
- **Dec 16, 2024:** DEBATE - The House proceeded with forty minutes of debate on S. 59.
- **Dec 16, 2024:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H7216-7217)
- **Dec 16, 2024:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H7216-7217)
- **Dec 16, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 13, 2024:** Message on Senate action sent to the House.
- **Dec 12, 2024:** Measure laid before Senate by unanimous consent. (consideration: CR S7041-7043)
- **Dec 12, 2024:** The committee substitute withdrawn by Unanimous Consent.
- **Dec 12, 2024:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Dec 12, 2024:** Passed Senate with an amendment by Unanimous Consent. (text of amendment in the nature of a substitute: CR S7010-7011)
- **Dec 2, 2024:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Peters with an amendment in the nature of a substitute. With written report No. 118-250.
- **Dec 2, 2024:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 651.
- **Jul 31, 2024:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jan 24, 2023:** Introduced in Senate
- **Jan 24, 2023:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.