

114TH CONGRESS
1ST SESSION

H. R. 1633

To provide for certain improvements relating to the tracking and reporting of employees of the Department of Homeland Security placed on administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Mr. LOUDERMILK (for himself, Mr. McCAUL, Mr. KATKO, Mr. HURD of Texas, Mr. CARTER of Georgia, Mr. WALKER, Ms. McSALLY, and Mr. RATCLIFFE) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To provide for certain improvements relating to the tracking and reporting of employees of the Department of Homeland Security placed on administrative leave, or any other type of paid non-duty status without charge to leave, for personnel matters, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DHS Paid Administra-
5 tive Leave Accountability Act of 2015”.

1 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY IMPROVED**
2 **INTERNAL TRACKING AND REPORTING OF**
3 **ADMINISTRATIVE LEAVE FOR PERSONNEL**
4 **MATTERS.**

5 (a) IN GENERAL.—Title I of the Homeland Security
6 Act of 2002 (Public Law 107–296; 6 U.S.C. 101 et seq.)
7 is amended by adding at the end the following new section:

8 **“SEC. 104. INTERNAL TRACKING AND REPORTING OF AD-**
9 **MINISTRATIVE LEAVE FOR PERSONNEL MAT-**
10 **TERS.**

11 “(a) INTERNAL REPORTING.—Not later than 90 days
12 after the date of the enactment of the DHS Paid Adminis-
13 trative Leave Accountability Act of 2015, and quarterly
14 thereafter, the head of each component of the Department
15 shall submit to the Chief Human Capital Officer of the
16 Department—

17 “(1) the number of employees of the component
18 who had been on administrative leave, or any other
19 type of paid non-duty status without charge to leave,
20 for personnel matters for a period of six consecutive
21 months or longer as of the last day of the period
22 covered by the report; and

23 “(2) the total cost to the component associated
24 with such administrative leave and such paid non-
25 duty status (including salary and benefits) for the
26 period covered by the report.

1 “(b) CHCO TRACKING.—The Chief Human Capital
2 Officer shall—

3 “(1) monitor the number of employees of the
4 Department who are placed on administrative leave
5 or paid non-duty status without charge to leave for
6 personnel matters and the costs (including salary
7 and benefits) associated with such leave or non-duty
8 status; and

9 “(2) in consultation with the head of each of
10 the components of the Department, determine any
11 appropriate actions to be taken by the Department
12 to resolve any personnel matter expeditiously or to
13 eliminate or reduce the use of administrative leave
14 and paid non-duty status without charge to leave in
15 addressing any personnel matter.

16 “(c) PERSONNEL MATTERS DEFINED.—In this sec-
17 tion, the term ‘personnel matters’ means, with respect to
18 an employee, any personnel investigation (including any
19 investigation into misconduct and any national security or
20 suitability investigation), any criminal matter, or any ad-
21 verse action proposed or taken by the Department, includ-
22 ing any action under chapter 75 of title 5, United States
23 Code.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of such Act is amended by inserting after
3 the item relating to section 103 the following new item:

“104. Internal tracking and reporting of administrative leave for personnel mat-
ters.”.

4 **SEC. 3. DEPARTMENT OF HOMELAND SECURITY POLICY**
5 **RELATING TO EMPLOYEES ON ADMINISTRA-**
6 **TIVE LEAVE.**

7 By not later than 90 days after the date of the enact-
8 ment of this Act, the Chief Human Capital Officer of the
9 Department of Homeland Security shall develop and im-
10 plement a Department-wide policy in accordance with ex-
11 isting Federal guidance specifically related to the use of
12 administrative leave, or any other type of paid non-duty
13 status without charge to leave, for personnel matters.
14 Such policy shall include the responsibilities of the compo-
15 nents of the Department for reporting information relat-
16 ing to such administrative leave and such paid non-duty
17 status to the Chief Human Capital Officer, as required
18 under section 104(a) of the Homeland Security Act of
19 2002 (Public Law 107–296), as added by section 2.

1 **SEC. 4. REPORTS TO CONGRESS ON DEPARTMENT OF**
2 **HOMELAND SECURITY EMPLOYEES ON AD-**
3 **MINISTRATIVE LEAVE FOR PERSONNEL MAT-**
4 **TERS.**

5 (a) QUARTERLY REPORTS.—Not later than 30 days
6 after the last day of each calendar quarter of 2016, 2017,
7 and 2018, the Chief Human Capital Officer of the Depart-
8 ment of Homeland Security shall submit to the Committee
9 on Homeland Security of the House of Representatives
10 and the Committee on Homeland Security and Govern-
11 mental Affairs of the Senate a report on the number of
12 Department employees on administrative leave, and any
13 other type of paid non-duty status without charge to leave,
14 for personnel matters for a period of six consecutive
15 months or longer as of the last day of the quarter covered
16 by the report. Each such report shall include—

17 (1) the costs to the Department associated with
18 the placement of such employees on administrative
19 leave or such paid non-duty status (including salary
20 and benefits) for the period covered by the report;
21 and

22 (2) a description of any actions taken by the
23 Department to resolve any personnel matter for
24 which an employee has been placed on administra-
25 tive leave or paid non-duty status without charge to
26 leave.

1 (b) PERSONNEL MATTERS.—In this section, the term
2 “personnel matters” has the meaning given such term in
3 section 104(c) of the Homeland Security Act of 2002
4 (Public Law 107–296), as added by section 2.

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