

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1633  
OFFERED BY MR. LOUDERMILK OF GEORGIA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY IMPROVED**  
5                   **INTERNAL TRACKING AND REPORTING OF**  
6                   **ADMINISTRATIVE LEAVE FOR PERSONNEL**  
7                   **MATTERS.**

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

11 **“SEC. 104. INTERNAL TRACKING AND REPORTING OF AD-**  
12                   **MINISTRATIVE LEAVE FOR PERSONNEL MAT-**  
13                   **TERS.**

14       “(a) INTERNAL REPORTING.—Not later than 90 days  
15 after the date of the enactment of the DHS Paid Adminis-  
16 trative Leave Accountability Act of 2015, and quarterly  
17 thereafter, the head of each component of the Department

1 shall submit to the Chief Human Capital Officer of the  
2 Department—

3 “(1) the number of employees of the component  
4 who had been on administrative leave, or any other  
5 type of paid non-duty status without charge to leave,  
6 for personnel matters for a period of six consecutive  
7 months or longer as of the last day of the period  
8 covered by the report; and

9 “(2) the total cost to the component associated  
10 with such administrative leave and such paid non-  
11 duty status (including salary and benefits) for the  
12 period covered by the report.

13 “(b) CHCO TRACKING.—The Chief Human Capital  
14 Officer shall—

15 “(1) maintain records of the number of employ-  
16 ees of the Department who are placed on adminis-  
17 trative leave or paid non-duty status without charge  
18 to leave for personnel matters and the costs (includ-  
19 ing salary and benefits) associated with such leave  
20 or non-duty status; and

21 “(2) in consultation with the head of each of  
22 the components of the Department, determine any  
23 appropriate actions to be taken by the Department  
24 to resolve any personnel matter objectively, appro-  
25 priately, and expeditiously or to reduce the use of

1 administrative leave and paid non-duty status with-  
2 out charge to leave in addressing any personnel mat-  
3 ter.

4 “(c) PERSONNEL MATTERS DEFINED.—In this sec-  
5 tion, the term ‘personnel matters’ means, with respect to  
6 an employee, any personnel investigation (including any  
7 investigation into misconduct and any national security or  
8 suitability investigation), any criminal matter, or any ad-  
9 verse action proposed or taken by the Department, includ-  
10 ing any action under chapter 75 of title 5, United States  
11 Code.”.

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

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

15 **SEC. 3. DEPARTMENT OF HOMELAND SECURITY POLICY**  
16 **RELATING TO EMPLOYEES ON ADMINISTRA-**  
17 **TIVE LEAVE.**

18 By not later than 90 days after the date of the enact-  
19 ment of this Act, the Chief Human Capital Officer of the  
20 Department of Homeland Security shall develop and im-  
21 plement a Department-wide policy in accordance with ex-  
22 isting Federal guidance specifically related to the use of  
23 administrative leave, or any other type of paid non-duty  
24 status without charge to leave, for personnel matters.

1 Such policy shall include the responsibilities of the compo-  
2 nents of the Department for reporting information relat-  
3 ing to such administrative leave and such paid non-duty  
4 status to the Chief Human Capital Officer, as required  
5 under section 104(a) of the Homeland Security Act of  
6 2002 (Public Law 107–296), as added by section 2. Such  
7 policy shall provide guidance on expediting the resolution  
8 of a personnel matter for which an employee has been on  
9 administrative leave or any other type of paid non-duty  
10 status without charge to leave for a period of six consecu-  
11 tive months or longer in an objective and appropriate man-  
12 ner.

13 **SEC. 4. REPORTS TO CONGRESS ON DEPARTMENT OF**  
14 **HOMELAND SECURITY EMPLOYEES ON AD-**  
15 **MINISTRATIVE LEAVE FOR PERSONNEL MAT-**  
16 **TERS.**

17 (a) QUARTERLY REPORTS.—Not later than 30 days  
18 after the last day of each calendar quarter of 2016, 2017,  
19 and 2018, the Chief Human Capital Officer of the Depart-  
20 ment of Homeland Security shall submit to the Committee  
21 on Homeland Security of the House of Representatives  
22 and the Committee on Homeland Security and Govern-  
23 mental Affairs of the Senate a report on the number of  
24 Department employees on administrative leave, and any  
25 other type of paid non-duty status without charge to leave,

1 for personnel matters for a period of six consecutive  
2 months or longer as of the last day of the quarter covered  
3 by the report. Each such report shall include—

4 (1) the costs to the Department associated with  
5 the placement of such employees on administrative  
6 leave or such paid non-duty status (including salary  
7 and benefits) for the period covered by the report;  
8 and

9 (2) a description of any actions taken by the  
10 Department to resolve any personnel matter for  
11 which an employee has been placed on administra-  
12 tive leave or paid non-duty status without charge to  
13 leave.

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

