

Congress detailing requests by agencies to appoint political appointees and former political appointees to non-political civil service positions.

Mr. Speaker, S. 1172 will help ensure the incoming President has the information necessary to oversee our complex government. Together, these commonsense steps will support future Presidents as they prepare to govern immediately after inauguration. Regardless of party, key management actions must be taken during transitions to support the smooth operation of government.

Mr. Speaker, this bill was also referred to the Committee on Homeland Security, and we deeply appreciate their cooperation in getting this bill to the floor.

I also would like to thank Senators JOHNSON and CARPER for their work to ensure the upcoming transition remains nonpartisan and supports the continuance of essential government operations.

Mr. Speaker, as we prepare for an upcoming Presidential transition, I urge my colleagues to support this important bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, December 11, 2015.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR MR. CHAIRMAN: On October 9, 2015, the Committee on Oversight and Government Reform ordered reported with an amendment S. 1172, the Edward “Ted” Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015, by unanimous consent. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Homeland Security.

I ask that you allow the Homeland Security Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Homeland Security represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 11, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for letter regarding S. 1172, the “Edward ‘Ted’ Kaufman and Michael Leavitt Presidential Transitions and Improvements Act of 2015.”

As a result of your having consulted with us on provisions in S. 1172 that fall within the Rule X jurisdiction of the Committee on Homeland Security, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Homeland Security takes this action with our mutual understanding that by forgoing consideration of S. 1172 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and I ask that your support any such request.

To memorialize our understanding, please include a copy of this letter exchange in the report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Ms. KELLY of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. I appreciate the leadership of Senator TOM CARPER in advocating for this bill which would improve the transition process for Presidential administrations.

When a new President takes office, it can take months for the new administration to put people in place. This bill would ensure that the Federal Government can continue its important functions during this transition and allow the head of an agency to put career employees in noncareer positions temporarily if necessary.

Under this legislation, a senior-level interagency transition council would be established to help develop an effective strategy for each Presidential transition. The General Services Administration would also be required to designate a Federal transition coordinator, and agencies would be required to designate senior career officials to oversee transition activities.

This bill would also help the National Archives carry out its mission by authorizing the President to include funds for the Archives to efficiently receive records from the outgoing administration.

Several changes were made to this legislation during consideration by the Oversight and Government Reform Committee to address concerns raised by Ranking Member CUMMINGS. For example, the Senate version of this bill would have required the Office of Personnel Management to report every quarter on requests for political appointees to convert to career employees. The bill before us today would still require OPM to report this information, but it would only be on an annual basis during nonelection years.

This bill will help future Presidents have a smooth and productive transi-

tion. I support this bill, and I have no additional speakers.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I urge adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, S. 1172, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COMPETITIVE SERVICE ACT OF 2015

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1580) to allow additional appointing authorities to select individuals from competitive service certificates, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Competitive Service Act of 2015”.

SEC. 2. ADDITIONAL APPOINTING AUTHORITIES FOR COMPETITIVE SERVICE.

(a) IN GENERAL.—Section 3318 of title 5, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b) OTHER APPOINTING AUTHORITIES.—

“(1) IN GENERAL.—During the 240-day period beginning on the date of issuance of a certificate of eligibles under section 3317(a), an appointing authority other than the appointing authority requesting the certificate (in this subsection referred to as the ‘other appointing authority’) may select an individual from that certificate in accordance with this subsection for an appointment to a position that is—

“(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the ‘original position’); and

“(B) at a similar grade level as the original position.

“(2) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

“(3) REQUIREMENTS.—The selection of an individual under paragraph (1)—

“(A) shall be made in accordance with subsection (a); and

“(B) subject to paragraph (4), may be made without any additional posting under section 3327.

“(4) INTERNAL NOTICE.—Before selecting an individual under paragraph (1), and subject to the requirements of any collective bargaining obligation of the other appointing authority, the other appointing authority shall—

“(A) provide notice of the available position to employees of the other appointing authority;

“(B) provide up to 10 business days for employees of the other appointing authority to apply for the position; and

“(C) review the qualifications of employees submitting an application.

“(5) COLLECTIVE BARGAINING OBLIGATIONS.—Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.”

(b) ALTERNATIVE RANKING AND SELECTION PROCEDURES.—Section 3319 of title 5, United States Code, is amended by striking subsection (c) and inserting the following:

“(C) SELECTION.—

“(1) IN GENERAL.—An appointing official may select any applicant in the highest quality category or, if fewer than 3 candidates have been assigned to the highest quality category, in a merged category consisting of the highest and the second highest quality categories.

“(2) USE BY OTHER APPOINTING OFFICIALS.—Under regulations prescribed by the Office of Personnel Management, appointing officials other than the appointing official described in paragraph (1) (in this subsection referred to as the ‘other appointing official’) may select an applicant for an appointment to a position that is—

“(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the ‘original position’); and

“(B) at a similar grade level as the original position.

“(3) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

“(4) REQUIREMENTS.—The selection of an individual under paragraph (2)—

“(A) shall be made in accordance with this subsection; and

“(B) subject to paragraph (5), may be made without any additional posting under section 3327.

“(5) INTERNAL NOTICE.—Before selecting an individual under paragraph (2), and subject to the requirements of any collective bargaining obligation of the other appointing authority (within the meaning given that term in section 3318(b)(1)), the other appointing official shall—

“(A) provide notice of the available position to employees of the appointing authority employing the other appointing official;

“(B) provide up to 10 business days for employees of the other appointing authority to apply for the position; and

“(C) review the qualifications of employees submitting an application.

“(6) COLLECTIVE BARGAINING OBLIGATIONS.—Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.

“(7) PREFERENCE ELIGIBLES.—Notwithstanding paragraphs (1) and (2), an appointing official may not pass over a preference eligible in the same category from which selection is made, unless the requirements of section 3317(b) and 3318(c), as applicable, are satisfied.”

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 9510(b)(5) of title 5, United States Code, is amended by striking “3318(b)” and inserting “3318(c)”.

(d) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue an interim final rule with comment to carry out the amendments made by this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from Illinois (Ms. KELLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 1580, the Competitive Service Act of 2015, introduced by Senator JON TESTER of Montana. This bill will allow Federal agencies to share their lists of best qualified candidates with other agencies needing to hire for similar positions.

Mr. Speaker, many applicants are reluctant to apply for jobs with the Federal Government due to the length of time it takes for some agencies to fill job announcements. This bill will expedite the Federal hiring process by allowing agencies to share their assessments of job applicants for competitive service positions.

S. 1580 allows an agency to hire from another agency's certified list of eligible candidates as long as the original job announcement provided notice that the list of eligible candidates may be used by another agency, that the position is in the same occupational category, and that the position is at a similar grade level.

However, before an agency can hire from another agency's certified list of eligible candidates, that agency must provide notice of the available position to its internal employees, give up to 10 business days for its employees to submit applications, and then consider those applications. S. 1580 provides that as long as all of these requirements are met, an agency does not need to make any additional postings and may hire from the list of certified eligible candidates.

In an April 2014 report, titled, “A New Civil Service Framework,” the Partnership for Public Service discussed allowing agencies to share those best qualified candidates with other agencies. PPS notes that creating cross-agency best qualified applicant pools is “another commonsense opportunity to create enterprisewide efficiencies for the Federal Government.”

With the Federal Government looking to fill critical vacancies, this bill will assist agencies with recruiting and hiring much-needed talent in areas such as cybersecurity and information technology.

Mr. Speaker, the committee received letters of support for this legislation

from the Professional Managers Association and the Partnership for Public Service. The Federal Managers Association also supports this bill, calling it commonsense legislation.

I want to thank Senator TESTER for this legislation. The House has a similar bill that was introduced by Representatives CONNOLLY and WITTMAN, and I want to thank them also for bringing this matter to the attention of the committee as well.

Mr. Speaker, as we move forward with legislation to make the Federal Government more effective and efficient, I urge my colleagues to support this important, bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. KELLY of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 1580, the Competitive Service Act of 2015. I commend Senators TESTER and PORTMAN and other colleagues in the Senate for their leadership on this important legislation. I also want to thank my friend and colleague, Congressman CONNOLLY of Virginia, for his work on this bill and introducing the companion bill in the House.

S. 1580 is a commonsense measure to streamline the Federal Government's hiring process. The legislation would reduce duplication in the vetting of candidates for Federal jobs by allowing agencies to share their list of best qualified candidates with other agencies that are hiring for a similar position.

Under this bill, an agency may hire an individual from another agency's certified list of candidates without any additional job posting if the agency meets certain requirements, including notifying its employees of the available position and allowing them to apply.

I urge my colleagues to join me in voting in favor of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN). He has been a major player in this legislation.

Mr. WITTMAN. Mr. Speaker, I thank the gentleman from Georgia for yielding and thank him for his leadership.

As you have heard, this is just a commonsense bill, and I rise in strong support of S. 1580, the Competitive Services Act. I want to thank my colleague from Virginia, GERRY CONNOLLY, for his effort, along with my staff, in putting together the House version of this bill.

It is just a commonsense, bicameral, and bipartisan bill that allows agencies in a very complex and competitive world to aggressively and timely recruit individuals for these positions. We want to get individuals into those positions quickly, and we want to understand where the talent lies so that these agencies can communicate back

and forth. Many times that silo approach doesn't work. This breaks down those silos and allows agencies to share information about these applicants.

In today's world when we need to, in a timely way, gets folks into the cybersecurity realm, we need to get folks into the information technology realm, and even in the veterans' healthcare realm where we need to get healthcare providers there quickly, especially when there is demand, this is the perfect way to do that. When we go through the effort of having these individuals apply for these jobs, we know what their qualifications are. There is no reason why we shouldn't be sharing this information. It allows us to act in the best interests of taxpayers, it cuts down on the amount of expense that is put forth in recruiting these individuals, and it ensures that we get things done on time.

We understand, too, the talent pool that is out there. Many times, too, if you look at it and say that these are the individuals who are available and even if there is a challenge in getting somebody, you can immediately see that, instead of having to wait for time to communicate back and forth between agencies and say, "Well, it doesn't look like in this area that we have the number of individuals that we need; what is the next course of action?" this allows us to get through all of those particular issues and get people in these positions as quickly as possible.

It is just a commonsense piece of legislation that allows our managers to manage in the most effective way possible. It allows us to do the best job for our country, and it allows the best use of taxpayers' dollars.

Mr. Speaker, I urge my colleagues to support S. 1580.

Ms. KELLY of Illinois. Mr. Speaker, I have no additional speakers.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I have no further speakers, and I am prepared to close. I urge adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I want to express my strong support for the bipartisan, bicameral Competitive Service Act, S. 1580, before the House today. I am pleased to sponsor the House companion, H.R. 2827, of this common-sense legislation with my fellow Virginian, ROB WITTMAN.

Our bill reforms an antiquated and cumbersome hiring system that hinders our nation's ability to efficiently hire the most qualified candidates into federal service. Under current law, federal agencies are prohibited from sharing information about vetted job applicants. For example, when agencies identify finalists for a vacant position in a highly competitive field, such as cybersecurity, no other agency can leverage those efforts and take advantage of applicant screening that's already been performed.

Our bill will empower agencies to share information about the most qualified candidates,

allowing the federal government to effectively recruit the best and the brightest talent while saving taxpayer dollars. It represents a win-win for applicants and agency human resource professionals.

Further this is an important component of a comprehensive effort to modernize the federal hiring process to ensure we can recruit the next generation of civil servants. We are facing a retirement bubble within the federal ranks. Last year, GAO reported that nearly one-third of the federal workforce would be eligible to retire by the end of fiscal year 2017.

We need to begin repairing the significant damage that has been wrought on federal employees. The perception of public service, once lionized by President Kennedy as a noble profession, has steadily been whittled away by the current House majority, which has cut federal pay and benefits. Just try to go to a college campus today and convince a young graduate that they have a promising future federal service.

The relaunch of the USAJobs site later this week is another critical tool that will make the application process more user-friendly and transparent. Our Competitive Service Act will ensure all agencies have ready access to those qualified individuals once they're in the system.

I urge my colleagues to support this common-sense legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, S. 1580, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARTER of Georgia) at 6 o'clock and 30 minutes p.m.

MODERNIZATION OF TERMS RELATING TO MINORITIES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4238) to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 376, nays 0, not voting 57, as follows:

[Roll No. 102]

YEAS—376

Abraham	Denham	Jordan
Adams	Dent	Joyce
Aguilar	DeSantis	Kaptur
Allen	DeSaulnier	Katko
Amash	DesJarlais	Keating
Amodei	Deutch	Kelly (IL)
Ashford	Diaz-Balart	Kelly (MS)
Barletta	Dingell	Kelly (PA)
Barr	Dold	Kennedy
Bass	Donovan	Kildee
Beatty	Doyle, Michael	Kilmer
Benishek	F.	Kind
Bera	Duckworth	King (IA)
Beyer	Duffy	King (NY)
Billirakis	Duncan (SC)	Kinzinger (IL)
Bishop (GA)	Duncan (TN)	Kirkpatrick
Bishop (MI)	Edwards	Knight
Bishop (UT)	Ellison	Kuster
Black	Elmrs (NC)	LaHood
Blackburn	Emmer (MN)	Lamborn
Blum	Engel	Lance
Blumenauer	Eshoo	Langevin
Bonamici	Esty	Larsen (WA)
Bost	Farr	Larson (CT)
Boustany	Fitzpatrick	Latta
Boyle, Brendan	Fleischmann	Lawrence
F.	Fleming	Lee
Brady (PA)	Forbes	Levin
Brat	Fortenberry	Lewis
Bridenstine	Foster	Lieu, Ted
Brooks (AL)	Fox	Lipinski
Brooks (IN)	Frankel (FL)	LoBiondo
Brown (FL)	Franks (AZ)	Loeb
Brownley (CA)	Frelinghuysen	Lofgren
Buchanan	Fudge	Long
Buck	Gabbard	Loudermilk
Bucshon	Gallego	Love
Burgess	Garamendi	Lowenthal
Bustos	Garrett	Lowe
Butterfield	Gibbs	Lucas
Calvert	Gibson	Luetkemeyer
Capps	Goodlatte	Lujan Grisham
Cárdenas	Gosar	(NM)
Carney	Gowdy	Lujan, Ben Ray
Carson (IN)	Graham	(NM)
Carter (GA)	Granger	Lummis
Carter (TX)	Graves (GA)	Lynch
Castor (FL)	Graves (LA)	MacArthur
Chabot	Graves (MO)	Maloney, Sean
Chaffetz	Grayson	Marino
Chu, Judy	Green, Al	Masse
Cicilline	Griffith	Matsui
Clark (MA)	Grijalva	McCarthy
Clarke (NY)	Grothman	McCaul
Clawson (FL)	Guinta	McClintock
Clay	Guthrie	McCollum
Cleaver	Gutiérrez	McDermott
Clyburn	Hahn	McHenry
Coffman	Hanna	McKinley
Cohen	Hardy	McMorris
Cole	Harper	Rodgers
Collins (GA)	Hartzler	McNerney
Collins (NY)	Hastings	McSally
Comstock	Heck (NV)	Meadows
Conaway	Heck (WA)	Meehan
Connolly	Hice, Jody B.	Meeks
Cook	Higgins	Meng
Cooper	Himes	Messer
Costa	Holding	Mica
Costello (PA)	Honda	Miller (FL)
Courtney	Hoyer	Miller (MI)
Cramer	Huelskamp	Moolenaar
Crawford	Huffman	Mooney (WV)
Crenshaw	Huizenga (MI)	Moore
Crowley	Hultgren	Moulton
Cuellar	Hunter	Mullin
Cummings	Hurd (TX)	Murphy (FL)
Curbelo (FL)	Hurt (VA)	Murphy (PA)
Davis (CA)	Israel	Nadler
Davis, Danny	Jeffries	Neal
Davis, Rodney	Jenkins (KS)	Neugebauer
DeFazio	Jenkins (WV)	Newhouse
DeGette	Johnson (GA)	Noem
Delaney	Johnson (OH)	Nolan
DeLauro	Jolly	Norcross
DeBene	Jones	Nugent