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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title 5, United States Code, to require certain executive branch employees to complete annual training on appropriations law, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. KAPTUR introduced the following bill; which was referred to the Committee on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To amend title 5, United States Code, to require certain executive branch employees to complete annual training on appropriations law, 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 “Appropriations Com-  
5       pliance and Training Act”.

6       **SEC. 2. MANDATORY APPROPRIATIONS LAW TRAINING.**

7       (a) IN GENERAL.—Chapter 41 of title 5, United  
8       States Code, is amended by inserting after section 4105

1 the following new section (and conforming the table of  
2 contents at the beginning of such chapter accordingly):

3 **“§ 4106. Mandatory appropriations law training**

4 “(a) TRAINING.—

5 “(1) IN GENERAL.—The head of each agency  
6 shall require any employee occupying a covered posi-  
7 tion at the agency to complete an annual training  
8 course on appropriations law.

9 “(2) TIMING.—With respect to any employee  
10 occupying a covered position on the date of the en-  
11 actment of this section, such training shall be com-  
12 pleted not later than 1 year after such date and an-  
13 nually thereafter. With respect to any individual ap-  
14 pointed to a covered position after such date of en-  
15 actment, such training shall be completed not later  
16 than 60 days after such appointment and annually  
17 thereafter.

18 “(b) COURSE REQUIREMENTS.—

19 “(1) IN GENERAL.—For purposes of carrying  
20 out the requirements of this section, the head of  
21 each agency shall—

22 “(A) use the appropriations law training  
23 course offered by the Government Account-  
24 ability Office;

1                   “(B) establish an appropriations law train-  
2                   ing course within the agency; or

3                   “(C) use an appropriations law training  
4                   course offered by any other agency or con-  
5                   tractor.

6                   “(2) REQUIREMENTS.—If the head of an agen-  
7                   cy establishes a training course under paragraph  
8                   (1)(B) or uses a training course offered by an agen-  
9                   cy or contractor under paragraph (1)(C), such  
10                  course may not be implemented or used without  
11                  prior approval of the Director of the Office of Man-  
12                  agement and Budget and the Comptroller General.  
13                  Any such course shall at a minimum provide train-  
14                  ing on the following:

15                  “(A) The constitutional and statutory  
16                  framework governing the obligation and expend-  
17                  iture of appropriated funds, including the role  
18                  of Congress and its power of the purse, the role  
19                  of the Office of Management and Budget, and  
20                  the role of executive agencies in the appropria-  
21                  tions process;

22                  “(B) Section 1301 of title 31 (commonly  
23                  referred to as the ‘Purpose Statute’).

1           “(C) Sections 1341, 1342, and 1511  
2           through 1519 of title 31 (commonly referred to  
3           as the ‘Antideficiency Act’).

4           “(D) The bona fide needs rule, including  
5           section 1502 of title 31.

6           “(E) The Impoundment Control Act of  
7           1974 (parts A and B of title X of the Congres-  
8           sional Budget and Impoundment Control Act of  
9           1974).

10          “(F) A comprehensive review of the direc-  
11          tion provided in the current fiscal year’s appro-  
12          priation Act and accompanying report or ex-  
13          planatory statement (if any) relevant to the em-  
14          ploying agency.

15          “(G) All possible penalties an employee  
16          may be subject to for violating appropriations  
17          law.

18          “(H) Any other relevant statutory or regu-  
19          latory provisions concerning the proper use of  
20          appropriated funds.

21          “(c) CERTIFICATION.—The head of each agency shall  
22          submit an annual report to the Office of Management and  
23          Budget listing each employee who has completed such  
24          training. The head shall make a permanent notation in

1 the employee's official personnel record file each time such  
2 employee completes such training.

3 “(b) NONCOMPLIANCE.—

4 “(1) IN GENERAL.—If an employee fails to  
5 complete the required training under this section,  
6 after 45 days of noncompliance—

7 “(A) such employee—

8 “(i) shall be suspended from super-  
9 visory authority over budget execution or  
10 financial decision making, including obliga-  
11 tion of funds; and

12 “(ii) may not, notwithstanding any  
13 other provision of law, receive any perform-  
14 ance bonus or increase in basic rate of pay;  
15 and

16 “(B) the head of the agency shall place a  
17 notation of such noncompliance in the employ-  
18 ee's official personnel record file.

19 “(2) ADDITIONAL PENALTIES.—If an employee  
20 remains in noncompliance after 60 days, such em-  
21 ployee shall be suspended from accessing any agency  
22 information technology systems and computer net-  
23 works, including email and financial management  
24 systems, until the employee completes the required  
25 training under this section.

1       “(c) AGENCY ACCOUNTABILITY.—The head of each  
2 agency shall be responsible for ensuring each employee oc-  
3 cupying a covered position is in compliance with this sec-  
4 tion. Not later than 1 year after the date of the enactment  
5 of this section and annually thereafter, the head of each  
6 agency shall publish, on the agency’s public website, statis-  
7 ties regarding compliance by such employees with the  
8 training required by this section.

9       “(d) DEFINITION OF COVERED POSITION.—In this  
10 section, the term ‘covered position’ means—

11           “(1) any position within the executive branch of  
12 the Government that is classified at or above grade  
13 11 of the General Schedule (or equivalent);

14           “(2) any political position (as that term is de-  
15 fined in section 4(a) of Public Law 114–136); and

16           “(3) any Senior Executive Service position (as  
17 that term is defined in section 3132(a)).”.

18       (b) IMPLEMENTATION.—

19           (1) GUIDANCE.—Not later than 90 days after  
20 the date of the enactment of this Act, the Director  
21 of the Office of Personnel Management, in consulta-  
22 tion with the Comptroller General, shall issue imple-  
23 mentation guidance and maintain a list of approved  
24 providers of training required by section 4106 of

1 title 5, United States Code (as added by subsection  
2 (a)).

3 (2) AGENCY COMPLIANCE PLANS.—Not later  
4 than 120 days after the date of the enactment of  
5 this Act, the head of each executive branch agency  
6 shall submit to the Office of Management and Budg-  
7 et a plan for implementing the training required by  
8 such section 4106.