

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3244
OFFERED BY MR. MEADOWS OF NORTH
CAROLINA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. EMPLOYEE SURVEYS.

2 (a) IN GENERAL.—Chapter 14 of title 5, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 “§ 1403. Employee surveys

6 “(a) IN GENERAL.—Each agency shall conduct an
7 annual survey of its employees (including survey questions
8 unique to the agency and questions prescribed under sub-
9 section (b)) to assess—

10 “(1) leadership and management practices that
11 contribute to agency performance; and

12 “(2) employee satisfaction with—

13 “(A) leadership policies and practices;

14 “(B) work environment;

15 “(C) rewards and recognition for profes-
16 sional accomplishment and personal contribu-
17 tions to achieving organizational mission;

1 “(D) opportunity for professional develop-
2 ment and growth; and

3 “(E) opportunity to contribute to achieving
4 organizational mission.

5 “(b) REGULATIONS; NOTICE.—

6 “(1) IN GENERAL.—The Director of the Office
7 of Personnel Management shall issue regulations
8 prescribing survey questions that should appear on
9 all agency surveys under subsection (a) in order to
10 allow a comparison across agencies.

11 “(2) NOTICE OF CHANGE TO REGULATIONS.—

12 “(A) IN GENERAL.—The Director of the
13 Office of Personnel Management may not issue
14 a regulation under this section until the date
15 that is 60 days after the date on which the Di-
16 rector submits such regulation to the Com-
17 mittee on Oversight and Government Reform of
18 the House of Representatives and the Com-
19 mittee on Homeland Security and Govern-
20 mental Affairs of the Senate unless the Director
21 submitted such regulation to those committees
22 not later than the day after the date on which
23 the notice of proposed rulemaking is published
24 in the Federal Register.

1 “(B) APPLICABILITY.—Subparagraph (A)
2 shall apply with respect to any regulation pro-
3 mulgated on or after the date of enactment of
4 this paragraph.

5 “(3) NOTICE OF CHANGE TO SURVEY QUES-
6 TIONS.—Not later than 60 days before finalizing any
7 change, addition, or removal to any survey question
8 in the annual employee survey administered by the
9 Office pursuant to this section, the Director shall—

10 “(A) make the proposed change, addition,
11 or removal and the proposed final text, if appli-
12 cable, of any such question publically available
13 on the agency’s website; and

14 “(B) provide to the Committee on Over-
15 sight and Government Reform of the House of
16 Representatives and the Committee on Home-
17 land Security and Governmental Affairs of the
18 Senate—

19 “(i) the proposed change, addition, or
20 removal and the proposed final text, if ap-
21 plicable, of any such question;

22 “(ii) a justification for the proposed
23 change, addition, or removal; and

24 “(iii) an analysis of whether the
25 change, addition, or removal will affect the

1 ability to compare results from surveys
2 taken after the change, addition, or re-
3 moval is implemented with results from
4 surveys taken before the change, addition,
5 or removal is implemented.

6 “(c) OCCUPATIONAL DATA.—To the extent prac-
7 ticable, the Director of the Office of Personnel Manage-
8 ment shall, in publishing agency survey data collected
9 under subsection (a), include responses to such surveys by
10 occupation. In carrying out this subsection the Director
11 shall ensure the confidentiality of any agency survey re-
12 spondent.

13 “(d) AVAILABILITY OF RESULTS.—The results of the
14 agency surveys under subsection (a) shall be made avail-
15 able to the public and posted on the website of the agency
16 involved, unless the head of such agency determines that
17 doing so would jeopardize or negatively impact national
18 security.

19 “(e) AGENCY DEFINED.—In this section, the term
20 ‘agency’ has the meaning given the term Executive agency
21 in section 105.”.

22 (b) APPLICABILITY.—

23 (1) The requirements of section 1403 of title 5,
24 United States Code (as added by this Act) shall

1 apply with respect to any annual survey initiated on
2 or after the date of enactment of this Act.

3 (2) Any annual survey authorized by, and meet-
4 ing the requirements of, section 1128 of the Na-
5 tional Defense Authorization Act for Fiscal Year
6 2004 (Public Law 108–136; 5 U.S.C. 7101 note)
7 that is in progress on the date of enactment of this
8 Act (or, if no such survey is in progress, was most
9 recently completed prior to the date of enactment of
10 this Act) shall be considered to be a survey author-
11 ized by, and that meets the requirements of, section
12 1403(a) of title 5, United States Code, (as added by
13 this Act) including for purposes of requiring the Of-
14 fice of Personnel Management to give notice of sub-
15 sequent changes, additions, or removals of survey
16 questions under section 1403(b)(3) of such title.

17 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) REPEAL.—Section 1128 of the National
19 Defense Authorization Act for Fiscal Year 2004
20 (Public Law 108–136; 5 U.S.C. 7101 note), and the
21 item relating to such section in the table of sections,
22 is repealed.

23 (2) TABLE OF SECTIONS.—The table of sections
24 for chapter 14 of title 5, United States Code, is

1 amended by inserting after the item relating to sec-
2 tion 1402 the following new item:

“1403. Employee surveys.”.

3 (3) TABLE OF CHAPTERS.—The item relating
4 to chapter 14 in the table of chapters for part II of
5 title 5, United States Code, is amended to read as
6 follows:

“14. Agency Chief Human Capital Officers; Employee Surveys 1401”.

