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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To require the Director of the Office of Personnel Management to develop and implement mandatory training for covered Federal employees regarding compliance with directives from the President, Vice President, and other political appointees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PFLUGER introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Director of the Office of Personnel Management to develop and implement mandatory training for covered Federal employees regarding compliance with directives from the President, Vice President, and other political appointees, 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 “Stop Resistance Activi-
5 ties by Federal Employees Act” or the “STRAFE Act”.

1 **SEC. 2. COMPLIANCE TRAINING FOR FEDERAL EMPLOY-**
2 **EES.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Office of Personnel
5 Management shall develop and implement a training pro-
6 gram for covered Federal employees on the limitations
7 with respect to opposing, obstructing, or impeding lawful
8 directives from the President, Vice President, or any other
9 political appointee, including Executive orders, National
10 Security Presidential Memoranda, Presidential Decision
11 Directives, Agency Directives.

12 (b) TRAINING CONTENTS.—The training program re-
13 quired under subsection (a) shall include—

14 (1) an explanation of the violations and pen-
15 alties associated with obstructing the exercise of the
16 authority or the performance of the responsibilities
17 of the President or a political appointee; and

18 (2) instructions on—

19 (A) identifying the activities described in
20 paragraph (1) and subsection (a) which Federal
21 employees are prohibited from engaging in; and

22 (B) how to report Federal employees en-
23 gaging in such prohibited activities to appro-
24 priate political appointees in the Senior Execu-
25 tive Service.

26 (c) TRAINING SCHEDULE.—

1 (1) IN GENERAL.—The head of each Federal
2 agency shall require each covered Federal employee
3 of such agency to—

4 (A) complete the training program imple-
5 mented under subsection (a)—

6 (i) not later than 30 days after the
7 appointment of such covered Federal em-
8 ployee to a position in such agency; and

9 (ii) not less than once every 12
10 months; and

11 (B) each time such covered Federal em-
12 ployee completes such training program, sign a
13 written statement acknowledging that such cov-
14 ered Federal employee has received such train-
15 ing and that such covered Federal employee will
16 act in accordance with such training.

17 (2) EFFECTIVE DATE.—Paragraph (1) shall
18 take effect on the date that is 30 days after the date
19 on which the Office of Personnel Management imple-
20 ments the training program required under sub-
21 section (a).

22 **SEC. 3. REPORTING.**

23 (a) REPORTING PROCESS.—Not later than 180 days
24 after the date of the enactment of this Act, the head of
25 each Federal agency shall established a process for covered

1 Federal employees to report Federal employees for engag-
2 ing in activities described in subsections (a) and (b)(1)
3 which Federal employees are prohibited from engaging in
4 to appropriate political appointees in the Senior Executive
5 Service.

6 (b) REPORT TO PRESIDENT.—Not later than 180
7 days after the date of the enactment of this Act, and every
8 six months thereafter, the head of each Federal agency
9 shall submit to the Executive Office of the President a
10 report containing—

11 (1) the number of reports submitted during the
12 period covered by the report with respect to Federal
13 employees of such Federal agency engaging in activi-
14 ties described in subsections (a) and (b)(1) in viola-
15 tion of law, regulation, or policy; and

16 (2) the number of investigations into such ac-
17 tivities that were initiated, ongoing, or completed
18 during the period covered by the report.

19 **SEC. 4. PENALTIES FOR NONCOMPLIANCE WITH LAWFUL**
20 **DIRECTIVES.**

21 In addition to any other penalties imposed by law,
22 a covered employee who unlawfully opposes, obstructs, or
23 impedes a lawful directive described in section 2(a) shall
24 be subject to—

1 (1) disciplinary action up to and including re-
2 removal, reduction in grade, debarment from Federal
3 employment for a period not to exceed 5 years, sus-
4 pension, or reprimand;

5 (2) an assessment of a civil penalty not to ex-
6 ceed \$1,000; or

7 (3) any combination of the penalties described
8 in paragraph (1) or (2).

9 **SEC. 5. DEFINITIONS.**

10 In this Act:

11 (1) COVERED FEDERAL EMPLOYEE.—The term
12 “covered Federal employee” means an individual
13 holding a position in the civil service in the executive
14 branch that is classified at or above GS–15 of the
15 General Schedule (or equivalent) or in the Senior
16 Executive Service (or equivalent) and either—

17 (A) is in an element of the intelligence
18 community (as such term is defined in section
19 3(4) of the National Security Act of 1947 (50
20 U.S.C. 3003(4)));

21 (B) is in the Department of Defense;

22 (C) the duties of which are primarily—

23 (i) performing law enforcement activi-
24 ties, including—

1 (I) the investigation, apprehen-
2 sion, or detention of individuals sus-
3 pected or convicted of offenses against
4 the criminal laws of the United
5 States; and

6 (II) the enforcement of immigra-
7 tion laws (as such term is defined in
8 section 101 of the Immigration and
9 Nationality Act (8 U.S.C. 1101));

10 (ii) the prosecution of such individuals
11 for such offenses;

12 (iii) the protection of officials of the
13 United States against threats to personal
14 safety;

15 (iv) performing diplomatic activities
16 with foreign entities on behalf of the
17 United States; or

18 (v) the development, implementation,
19 or enforcement of regulations issued by
20 Federal agencies, other than regulations
21 pertaining only to the Federal Govern-
22 ment; or

23 (D) is a supervisor (at any level) of a posi-
24 tion in the executive branch the duties of which
25 are described in subparagraph (B).

1 (2) POLITICAL APPOINTEE DEFINED.—The
2 term “political appointee” means an individual hold-
3 ing—

4 (A) a position which has been excepted
5 from the competitive service by reason of its
6 confidential, policy-determining, policy-making,
7 or policy-advocating character; or

8 (B) a position in the Senior Executive
9 Service as a noncareer appointee (as such term
10 is defined in section 3132(a) of title 5, United
11 States Code).