

be subject to discipline including suspensions from employment and fines.

In June 2024, the Board issued a notice of proposed rulemaking for its regulations implementing the FCA in the legislative branch. In early December 2024, the Board submitted final regulations to Congress for approval. If approved, these regulations would provide necessary protections for job applicants in the legislative branch alleging a violation of the FCA.

ENDNOTES

1. Senate Report No. 91-1282 (October 6, 1970) respecting the recordkeeping and records provisions of now Section 8(c) of the OSH Act.

2. *Id.* See also Report No. 91-1291 of the House Committee on Education and Labor, 91st Congress, 2d Session, p.30, to accompany H.R. 16785 (OSH Act) (“Adequate information is the precondition for responsible administration of practically all sections of this bill.”).

3. See “Detailed Frequently Asked Questions for OSHA’s Injury and Illness Recordkeeping Rule for Federal Agencies,” <https://www.osha.gov/enforcement/fap/recordkeeping-faqs>.

4. Office of the General Counsel, Office of Congressional Workplace Rights, Special Report: Occupational Safety and Health Concerns Arising out of the Events of January 6, 2021, <https://www.ocwr.gov/publications/reports/other-reports/special-report-occupational-safety-and-health-concerns-arising-out-of-the-events-of-january-6-2021-july-2-2021/> (citing U.S. Senate, Committee on Homeland Security and Governmental Affairs and Committee on Rules and Administration, Examining the U.S. Capitol Attack: A Review of the Security, Planning, and Response Failures on January 6, Staff Report at 1 (June 8, 2021), <https://www.rules.senate.gov/imo/media/doc/Jan%206%20HSGAC%20Rules%20Report.pdf>. According to the General Counsel’s Special Report, of the approximately 1,200 officers defending the Capitol on January 6, fewer than 300 were equipped with much in the way of PPE.

5. See PUMP Technical Correction Act, S. 2219, 118th Cong. (2023); PUMP Technical Correction Act, H.R. 3585, 118th Cong. (2023); Legislative Branch Appropriations Act, 2025, S. 4768, 118th Cong. (2024) (containing the language of the PUMP technical correction acts).

6. See Comptroller General Decision B-193636 (January 9, 1979) (finding although legislative history indicated Congress intended benefit to apply to all federal employees, section 5550a covers only employees of the agencies specified in section 5550a).

7. 124 Cong. Rec. 15435 (1978).

8. See, e.g., the Whistleblower Protection Act of 1989, 5 U.S.C. §2302(b)(8), as amended by the Whistleblower Protection Enhancement Act of 2012, Pub. L. 112-199.

9. See, e.g., the Intelligence Community Whistleblower Protection Act of 1998, 5 U.S.C. App. §8H, 50 U.S.C. §3033, 50 U.S.C. §3517; and the FBI Whistleblower Protection Enhancement Act of 2016, 5 U.S.C. §2303(a).

10. See, e.g., *United States Capitol Police v. Office of Compliance*, 916 F.3d 1023 (Fed. Cir. 2019) (affirming the Board’s determination that the USCP had committed a ULP when it refused to participate in an arbitration concerning an officer’s termination, where two Federal Circuit Court of Appeal decisions had already flatly rejected the statutory interpretation arguments made by USCP that termination decisions were not subject to arbitration).

11. See at 2 U.S.C. §1313.

12. See 29 U.S.C. §213; 29 C.F.R. part 541.

13. The 1996 FLSA regulations exempt from overtime any employee whose salary (exclu-

sive of board and lodging) is “not less than \$155 per week” or “not less than \$250 per week” if their primary duty involves management of the employing office and includes the customary and regular direction of two or more employees. The 2022 OCWR FLSA regulations pending congressional approval increase the salary test to not less than \$684 per week (exclusive of board, lodging, or other facilities). See generally, 168 Cong. Rec. H8203, S5148 (Sep. 28, 2022).

14. See H. Res. 1516 (117th Cong. 2022).

15. See 2 U.S.C. §1312.

16. See 167 Cong. Rec. H7224, S8966 (Dec. 7, 2021).

17. See Federal Employee Paid Leave Act (subtitle A of title LXXVI of division F of the National Defense Authorization Act for Fiscal Year 2020, Public Law 116-92, Dec. 20, 2019).

18. See 162 Cong. Rec. H4128, S4475 (June 22, 2016).

19. See H. Res. 1516 (117th Cong. 2022).

20. See H. Res. 1096 (117th Cong. 2022).

HOMEBUYERS PRIVACY PROTECTION ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 3502 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3502) to amend the Fair Credit Reporting Act to prevent consumer reporting agencies from furnishing consumer reports under certain circumstances, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Reed-Hagerty substitute amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3339), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Homebuyers Privacy Protection Act”.

SEC. 2. TREATMENT OF PRESCREENING REPORT REQUESTS.

Section 604(c) of the Fair Credit Reporting Act (15 U.S.C. 1681b(c)) is amended by adding at the end the following:

“(4) TREATMENT OF PRESCREENING REPORT REQUESTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) CREDIT UNION.—The term ‘credit union’ means a Federal credit union or a State credit union, as those terms are defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

“(ii) INSURED DEPOSITORY INSTITUTION.—The term ‘insured depository institution’ has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)).

“(iii) RESIDENTIAL MORTGAGE LOAN.—The term ‘residential mortgage loan’ has the meaning given the term in section 1503 of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5102).

“(iv) SERVICER.—The term ‘servicer’ has the meaning given the term in section 6(i) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)).

“(B) LIMITATION.—If a person requests a consumer report from a consumer reporting agency in connection with a credit transaction involving a residential mortgage loan, that agency may not, based in whole or in part on that request, furnish a consumer report to another person under this subsection unless that other person—

“(i) has submitted documentation to that agency certifying that such other person has, pursuant to paragraph (1)(A), the authorization of the consumer to whom the consumer report relates; or

“(ii) (I) has originated a current residential mortgage loan of the consumer to whom the consumer report relates;

“(II) is the servicer of a current residential mortgage loan of the consumer to whom the consumer report relates; or

“(III)(aa) is an insured depository institution or credit union; and

“(bb) holds a current account for the consumer to whom the consumer report relates.”.

SEC. 3. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date that is 90 days after the date of enactment of this Act.

The bill (S. 3502), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

SOURCE CODE HARMONIZATION AND REUSE IN INFORMATION TECHNOLOGY ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 9566, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 9566) to require government-wide source code sharing, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 9566) was ordered to a third reading, was read the third time, and passed.

FEDERAL EMERGENCY MOBILIZATION ACCOUNTABILITY (FEMA) WORKFORCE PLANNING ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 549, S. 4181.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4181) to require the development of a workforce plan for the Federal Emergency Management Agency.

There being no objection, the Senate proceeded to consider the bill which was reported from the Committee on Homeland Security and Governmental Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Emergency Mobilization Accountability (FEMA) Workforce Planning Act”.

SEC. 2. FEMA WORKFORCE PLAN.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Agency.

(2) AGENCY.—The term “Agency” means the Federal Emergency Management Agency.

(3) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(4) SURGE CAPACITY FORCE.—The term “Surge Capacity Force” means the Surge Capacity Force described in section 624 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 711).

(b) PLAN DEVELOPMENT.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 3 years thereafter, the Administrator shall develop and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a human capital operating plan to shape and improve the workforce of the Agency.

(c) LEADING PRACTICES.—The Administrator shall develop the plan required under subsection (b) in accordance with best practices outlined by the Director of the Office of Personnel Management, the Comptroller General of the United States, and other sources relevant to the Federal workforce.

(d) CONTENTS.—The plan developed under subsection (b) shall include—

(1) performance measures to monitor and evaluate progress towards the human capital goals of the Agency, including filling staffing gaps, closing skills gaps in mission critical occupations, and implementing workforce training and, if applicable, progress towards meeting those goals since the date of submission of the most recent plan under subsection (b), including—

(A) a process to monitor and evaluate progress toward those goals;

(B) a discussion of why the Agency has or has not met those goals, including a description of specific barriers; and

(C) a discussion of the addition or deletion of any specific performance measures;

(2) details of the types of employees of the Agency, including by hiring authority and cadre;

(3) a comprehensive analysis of the projected costs associated with implementing the plan;

(4) strategies and practices designed to increase cost-efficiency within the workforce operations of the Agency, including reducing overhead costs, improving resource utilization, and avoiding unnecessary expenditures;

(5) a detailed analysis of how the Agency determined the current overall staffing goals of the Agency;

(6) an analysis of the current workforce of the Agency and possible gaps in the current staffing structure of the Agency needed to fulfill the mission of the Agency, including an assessment of—

(A) the critical and emerging skills that will be needed in the workforce of the Agency to support the mission and responsibilities of, and ef-

fectively manage, the Agency during the 3-year period following the date of the submission of the plan, including target staffing numbers by cadre, region, and office;

(B) the skills of the workforce of the Agency, including numbers of employees by cadre, region, and office on the date of submission of the plan;

(C) projected trends in the workforce of the Agency based on expected losses due to retirement and other attrition, including any known data for the causes of attrition; and

(D) the staffing levels of each category of employee of the Agency, including shortages in the workforce of the Agency and in the projected workforce of the Agency that should be addressed to ensure that the Agency has continued access to the critical and emerging skills described in subparagraph (A);

(7) a plan of action with specific recommendations for developing and reshaping the workforce of the Agency to address the gaps in critical and emerging skills described in paragraph (6)(A), including—

(A) specific recruitment and retention goals by cadre and mission critical occupations, including the analysis that the Agency uses to produce those numbers;

(B) specific strategies for developing, training, deploying, motivating, and retaining the workforce of the Agency and the ability of the workforce of the Agency to fulfill the mission and responsibilities of the Agency, including the program objectives of the Department and the Agency to be achieved through such strategies;

(C) specific strategies for recruiting and retaining individuals needed to address workforce gaps within specific cadres;

(D) specific strategies for the development, training, and coordinated and rapid deployment of the Surge Capacity Force; and

(E) any necessary legislative proposals to improve recruitment and retention; and

(8) a discussion that—

(A) details the number of employees not employed by the Agency serving in the Surge Capacity Force and the qualifications or credentials and training of such individuals;

(B) includes information on annual data relating to the deployment of the workforce of the Agency following major disasters or emergencies declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) during the 3-year period preceding the date of the submission of the plan;

(C) details—

(i) average tenure and attrition data, categorized by type of attrition, for—

(I) types of Agency employees by hiring authority; and

(II) specific offices, regions, and cadres of the Agency; and

(ii) any known reasons why some types of Agency employees or specific offices, regions, or cadres of the Agency may have higher levels of attrition and strategies to address those higher levels of attrition;

(D) details—

(i) efforts of the Agency to help prevent and respond to discrimination and harassment; and

(ii) information on reported cases of discrimination and harassment within the Agency and the outcomes of those cases; and

(E) describes, with respect to hiring information of the Agency, the time between the date on which the Agency validates a need to hire a new employee for a position and—

(i) the acceptance of an offer of employment for the position by an applicant; and

(ii) the start date of the employee at the Agency for the position.

(e) REPORT.—Not later than 180 days after the date of the submission of the plan required under subsection (b), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) analyzes whether the plan meets the requirements of this Act; and

(2) includes necessary recommendations to ensure subsequent plans meet the requirements of this Act.

(f) NO NEW FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this Act.

Mr. SCHUMER. I ask unanimous consent that the Peters amendment, which is at the desk, be considered and agreed to; that the committee-reported substitute, as amended, be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3340) was agreed to, as follows:

(Purpose: To require the Administrator of the Federal Emergency Management Agency to develop strategies for identifying, addressing, preventing, and mitigating discriminatory actions or decisions based on political affiliation)

On page 12, line 15, strike “and” and all that follows through “any” on line 16, and insert the following:

(E) specific strategies for identifying, addressing, preventing, and mitigating discriminatory actions or decisions based on political affiliation; and

(F) any

The committee-reported amendment, in the nature of a substitute, as amended, was agreed to.

The bill (S. 4181), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

S. 4181

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 “Federal Emergency Mobilization Accountability (FEMA) Workforce Planning Act”.

SEC. 2. FEMA WORKFORCE PLAN.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Agency.

(2) AGENCY.—The term “Agency” means the Federal Emergency Management Agency.

(3) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(4) SURGE CAPACITY FORCE.—The term “Surge Capacity Force” means the Surge Capacity Force described in section 624 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 711).

(b) PLAN DEVELOPMENT.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 3 years thereafter, the Administrator shall develop and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a human capital operating plan to shape and improve the workforce of the Agency.

(c) LEADING PRACTICES.—The Administrator shall develop the plan required under subsection (b) in accordance with best practices outlined by the Director of the Office of

Personnel Management, the Comptroller General of the United States, and other sources relevant to the Federal workforce.

(d) **CONTENTS.**—The plan developed under subsection (b) shall include—

(1) performance measures to monitor and evaluate progress towards the human capital goals of the Agency, including filling staffing gaps, closing skills gaps in mission critical occupations, and implementing workforce training and, if applicable, progress towards meeting those goals since the date of submission of the most recent plan under subsection (b), including—

(A) a process to monitor and evaluate progress toward those goals;

(B) a discussion of why the Agency has or has not met those goals, including a description of specific barriers; and

(C) a discussion of the addition or deletion of any specific performance measures;

(2) details of the types of employees of the Agency, including by hiring authority and cadre;

(3) a comprehensive analysis of the projected costs associated with implementing the plan;

(4) strategies and practices designed to increase cost-efficiency within the workforce operations of the Agency, including reducing overhead costs, improving resource utilization, and avoiding unnecessary expenditures;

(5) a detailed analysis of how the Agency determined the current overall staffing goals of the Agency;

(6) an analysis of the current workforce of the Agency and possible gaps in the current staffing structure of the Agency needed to fulfill the mission of the Agency, including an assessment of—

(A) the critical and emerging skills that will be needed in the workforce of the Agency to support the mission and responsibilities of, and effectively manage, the Agency during the 3-year period following the date of the submission of the plan, including target staffing numbers by cadre, region, and office;

(B) the skills of the workforce of the Agency, including numbers of employees by cadre, region, and office on the date of submission of the plan;

(C) projected trends in the workforce of the Agency based on expected losses due to retirement and other attrition, including any known data for the causes of attrition; and

(D) the staffing levels of each category of employee of the Agency, including shortages in the workforce of the Agency and in the projected workforce of the Agency that should be addressed to ensure that the Agency has continued access to the critical and emerging skills described in subparagraph (A);

(7) a plan of action with specific recommendations for developing and reshaping the workforce of the Agency to address the gaps in critical and emerging skills described in paragraph (6)(A), including—

(A) specific recruitment and retention goals by cadre and mission critical occupations, including the analysis that the Agency uses to produce those numbers;

(B) specific strategies for developing, training, deploying, motivating, and retaining the workforce of the Agency and the ability of the workforce of the Agency to fulfill the mission and responsibilities of the Agency, including the program objectives of the Department and the Agency to be achieved through such strategies;

(C) specific strategies for recruiting and retaining individuals needed to address workforce gaps within specific cadres;

(D) specific strategies for the development, training, and coordinated and rapid deployment of the Surge Capacity Force;

(E) specific strategies for identifying, addressing, preventing, and mitigating dis-

criminatory actions or decisions based on political affiliation; and

(F) any necessary legislative proposals to improve recruitment and retention; and

(8) a discussion that—

(A) details the number of employees not employed by the Agency serving in the Surge Capacity Force and the qualifications or credentials and training of such individuals;

(B) includes information on annual data relating to the deployment of the workforce of the Agency following major disasters or emergencies declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) during the 3-year period preceding the date of the submission of the plan;

(C) details—

(i) average tenure and attrition data, categorized by type of attrition, for—

(I) types of Agency employees by hiring authority; and

(II) specific offices, regions, and cadres of the Agency; and

(ii) any known reasons why some types of Agency employees or specific offices, regions, or cadres of the Agency may have higher levels of attrition and strategies to address those higher levels of attrition;

(D) details—

(i) efforts of the Agency to help prevent and respond to discrimination and harassment; and

(ii) information on reported cases of discrimination and harassment within the Agency and the outcomes of those cases; and

(E) describes, with respect to hiring information of the Agency, the time between the date on which the Agency validates a need to hire a new employee for a position and—

(i) the acceptance of an offer of employment for the position by an applicant; and

(ii) the start date of the employee at the Agency for the position.

(e) **REPORT.**—Not later than 180 days after the date of the submission of the plan required under subsection (b), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) analyzes whether the plan meets the requirements of this Act; and

(2) includes necessary recommendations to ensure subsequent plans meet the requirements of this Act.

(f) **NO NEW FUNDS.**—No additional funds are authorized to be appropriated for the purpose of carrying out this Act.

FIRE MANAGEMENT ASSISTANCE GRANTS FOR TRIBAL GOVERNMENTS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 550, S. 4654.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4654) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow Indian tribal governments to directly request fire management assistance declarations and grants, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which was reported from the Committee on Homeland Security and Governmental

Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fire Management Assistance Grants for Tribal Governments Act”.

SEC. 2. INDIAN TRIBAL GOVERNMENT ELIGIBILITY.

(a) **IN GENERAL.**—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) in subsection (a), by inserting “, Indian tribal government,” before “or local government”;

(2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

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

“(b) **PROCEDURE FOR REQUEST.**—The Governor of a State or the Chief Executive of an Indian tribal government affected by a fire described in subsection (a) may directly submit a request to authorize assistance under this section.”; and

(4) by adding at the end the following:

“(g) **SAVINGS PROVISION.**—Nothing in this section shall prohibit an Indian tribal government from receiving assistance under this section pursuant to an authorization made at the request of a State under subsection (b) if assistance is not authorized under this section for the same incident based on a request by the Indian tribal government under subsection (b).”.

(b) **REGULATIONS.**—

(1) **FIRE MANAGEMENT ASSISTANCE DECLARATION DEFINED.**—In this subsection, the term “fire management assistance declaration” means a declaration approved under section 204.21(a) of title 44, Code of Federal Regulations.

(2) **UPDATE.**—Not later than 1 year after the date of enactment of this Act, the President shall issue regulations updating part 204 of title 44, Code of Federal Regulations, to carry out the amendments made by subsection (a).

(3) **CONTENTS.**—In issuing the regulations required under paragraph (2), the President shall—

(A) authorize the Federal Emergency Management Agency to directly receive a request for a fire management assistance declaration from an Indian tribal government and directly provide related grants and resources to Indian tribal governments;

(B) clarify that Indian tribal governments for which the President does not grant a request described in subparagraph (A) remain eligible to receive assistance under section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) through assistance granted under a fire management assistance declaration made at the request of a State;

(C) consider the unique conditions that affect the general welfare of Indian tribal governments; and

(D) enter into government-to-government consultation with Indian tribal governments regarding the regulations.

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 4654), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.