

the Board proposes no changes to section 920.202(c).

Paragraph (d) of section 920.202 of OPM's regulations explains that any violation as defined in paragraph (a) is subject to the complaint and penalty procedures in part 754 of title 5 of the Code of Federal Regulations. The Board proposes modifying paragraph (d) to replace reference to part 754 with reference to subchapter IV of the CAA and OCWR's Procedural Rules.

PART 920—TIMING OF CRIMINAL HISTORY INQUIRIES

Subpart A—General Provisions

Sec.

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§ 920.101 Definitions.

For the purpose of this part:

Employing office means:

(1) The personal office of a Member of the House of Representatives or of a Senator;

(2) A committee of the House of Representatives or the Senate or a joint committee;

(3) Any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; or

(4) The Office of Congressional Accessibility Services, the United States Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Congressional Workplace Rights, the Office of Technology Assessment, the Library of Congress, the Stennis Center for Public Service, the United States Commission on International Religious Freedom, the U.S.-China Economic and Security Review Commission, Congressional-Executive Commission on China, and the Commission on Security and Cooperation in Europe.

Applicant means a person who has applied to an employing office under its procedures for accepting applications consistent with governmentwide regulations, as applicable.

Conditional offer means an offer of employment as a covered employee that is conditioned upon the results of a criminal history inquiry.

Covered employee means any employee of—

- (1) the House of Representatives; (2) the Senate; (3) the Office of Congressional Accessibility Services; (4) the United States Capitol Police; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; (8) the Office of Congressional Workplace Rights; (9) the Office of Technology Assessment; (10) the Library of Congress; (11) the Stennis Center for Public Service; (12) the United States Commission on International Religious Freedom; (13) the U.S.-China Economic and Security Review Commission; (14) the Congressional-Executive Commission on China; or (15) the Commission on Security and Cooperation in Europe.

Criminal history record information—(1) Has the meaning given the term in section 9101(a) of title 5, United States Code; and

(2) Includes any information described in the first sentence of section 9101(a)(2) of title 5, United States Code, that has been sealed or expunged pursuant to law; and

(3) Includes information collected by a criminal justice agency, relating to an act or alleged act of juvenile delinquency, that is analogous to criminal history record information

(including such information that has been sealed or expunged pursuant to law).

§ 920.102 Positions covered by Fair Chance Act regulations.

(a) *Positions covered.* Except as provided in paragraph (b), this part applies to all positions in any employing office.

(b) *Exempt positions.* For purposes of this part an exempt position is any position for which an employing office is required by statutory authority to make inquiries into an applicant's criminal history prior to extending an offer of employment to the applicant.

Subpart B—Timing of Inquiries Regarding Criminal History

§ 920.201. Limitations on criminal history inquiries.

(a) *Applicability.* An employee of an employing office may not request, in oral or written form (including through the Declaration for Federal Employment (Office of Personnel Management Optional Form 306) or any similar successor form, the USAJOBS internet website, or any other electronic means) that an applicant for employment with an employing office disclose criminal history record information regarding the applicant before the employing office extends a conditional offer to the applicant. This includes the following points in the recruitment and hiring process:

(1) Initial application, through a job opportunity announcement on USAJOBS, or through any recruitment/public notification such as on the employing office's website/social media, etc.;

(2) After an employing office receives an initial application through its back-end system, through shared service providers/recruiters/contractors, or orally or via email and other forms of electronic notification; and

(3) Prior to, during, or after a job interview. This prohibition applies to employing office personnel, including when they act through shared service providers, contractors (acting on behalf of the employing office) involved in the employing office's recruitment and hiring process, or automated systems (specific to the employing office or governmentwide).

(b) *Exceptions for certain positions.* (1) The prohibition under paragraph (a) of this section shall not apply with respect to an applicant for an appointment to a position:

(i) Which is exempt in accordance with § 920.102(b);

(ii) That requires a determination of eligibility for access to classified information;

(iii) Is a Federal law enforcement officer position meeting the definition in section 115(c) of title 18, U.S. Code.

(c) *Notification to applicants.* Each employing office must publicize to applicants the prohibition described in paragraph (a) of this section in job opportunity announcements and on employing office websites/portals for positions that do not require a posting on USAJOBS.

§ 920.202. Violations.

(a) An employing office employee may not request, orally or in writing, information about an applicant's criminal history prior to making a conditional offer of employment to that applicant unless the position is exempted or excepted in accordance with § 920.201(b).

(b) A violation (or prohibited action) as defined in paragraph (a) of this section occurs when employing office personnel, shared service providers, or contractors (acting on behalf of the employing office) involved in the employing office's recruitment and hiring process, either personally or through automated systems (specific to the employ-

ing office or governmentwide), make oral or written requests prior to giving a conditional offer of employment—

(1) In a job opportunity announcement on USAJOBS or in any recruitment/public notification such as on the employing office's website or social media;

(2) In communications sent after an employing office receives an initial application, through an employing office's talent acquisition system, shared service providers/recruiters/contractors, orally or in writing (including via email and other forms of electronic notification); or

(3) Prior to, during, or after a job interview or other applicant assessment.

(c) When a prohibited request, announcement, or communication is publicly posted or simultaneously distributed to multiple applicants, it constitutes a single violation.

(d) Any violation as defined in paragraph (a) of this section is subject to the claim and penalty procedures under subchapter IV of title 2 (other than section 1407 or 1408 of title 2, or a provision of that subchapter that permits a person to obtain a civil action or judicial review) and the OCWR Procedural Rules, consistent with these regulations.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-4531. A letter from the Assistant General Counsel, Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's final priorities, requirements, and definitions — Final Priorities, Requirements, and Definitions-National Professional Development Program [Docket ID: ED-2023-OELA-0132] received May 29, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

EC-4532. A letter from the Director, Rule-making Operations, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's Major final rule — Corporate Average Fuel Economy Standards for Passenger Cars and Light Trucks for Model Years 2027 and Beyond and Fuel Efficiency Standards for Heavy-Duty Pickup Trucks and Vans for Model Years 2030 and Beyond [NHTSA-2023-0022] (RIN: 2127-AM55) received June 10, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-4533. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 24-040, pursuant to Section 3(d)(3) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4534. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 24-021, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4535. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 24-013, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4536. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 24-037, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4537. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department

Notification Number: DDTC 24-002, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4538. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 23-099, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4539. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 23-098, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4540. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 24-001, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4541. A letter from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 24-042, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-4542. A letter from the Principal Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — West Virginia Regulatory Program [SATS No.: WV-125-FOR; Docket ID: OSMRE-2017-0003 S1D1S SS08011000 SX064A000 2340S180110; S2D2S SS08011000 SX064A000 23XS501520] received June 11, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4543. A letter from the Principal Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Wyoming Regulatory Program [SATS No.: WY-050-FOR; Docket ID No.: OSM-2021-0004; S1D1S SS08011000 SX064A000 223S180110; S2D2S SS08011000 SX064A000 22XS501520] received June 11, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-4544. A letter from the Principal Deputy Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Civil Monetary Penalty Inflation Adjustments [Docket ID: OSM 2024-0001; S1D1S SS08011000 SX064A000 24S180110; S2D2SS08011000 SX064A00 24XS501520] (RIN: 1029-AC86) received June 11, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

EC-4545. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2024-1295; Project Identifier MCAI-2023-01124-R; Amendment 39-22744; AD 2024-09-02] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4546. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2024-1298; Project Identifier MCAI-2024-00216-T; Amendment 39-22745; AD 2024-09-03] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4547. A letter from the Management Analyst, FAA, Department of Transportation,

transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2024-1302; Project Identifier AD-2024-00213-A; Amendment 39-22749; AD 2024-10-04] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4548. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Engines [Docket No.: FAA-2023-1652; Project Identifier MCAI-2022-01528-E; Amendment 39-22751; AD 2024-10-06] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4549. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (OSALP); Bombardier, Inc.) Airplanes [Docket No.: FAA-2023-1997; Project Identifier MCAI-2023-00383-T; Amendment 39-22748; AD 2024-10-03] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4550. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Textron Canada Limited Helicopters [Docket No.: FAA-2024-1466; Project Identifier MCAI-2024-00205-R; Amendment 39-22752; AD 2024-07-51] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4551. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2024-0221; Project Identifier AD-2023-01233-T; Amendment 39-22762; AD 2024-11-01] (RIN: 2120-AA64) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4552. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31547; Amdt. No.: 4114] received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4553. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31546; Amdt. No.: 4113] received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4554. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D and E Airspace; McClellan-Palomar Airport, Carlsbad, CA [Docket No.: FAA-2023-0786; Airspace Docket No.: 22-AWP-77] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4555. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Hollister Municipal Airport, Hollister, CA [Docket No.: FAA-2023-1852; Airspace Docket No.: 23-AWP-50] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4556. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Greenville and Vandalia, IL [Docket No.: FAA-2024-0272; Airspace Docket No.: 24-AGL-3] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4557. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Lewisburg, WV [Docket No.: FAA-2023-2275; Airspace Docket No.: 23-ABA-22] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4558. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Reidsville, NC [Docket No.: FAA-2024-0319; Airspace Docket No.: 24-ASO-6] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4559. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Mammoth Lakes Airport, Mammoth Lakes, CA [Docket No.: FAA-2023-1758; Airspace Docket No.: 23-AWP-44] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4560. A letter from the Management Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Turlock Municipal Airport, Turlock, CA [Docket No.: FAA-2024-0163; Airspace Docket No.: 23-AWP-56] (RIN: 2120-AA66) received June 6, 2024, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-4561. A letter from the Chair of the Board of Directors, Office of Congressional Workplace Rights, transmitting notification of new proposed regulations implementing certain substantive rights and protections for job applicants, pursuant to 2 U.S.C. 1384(b)(1); Public Law 104-1, Sec. 304(b)(1); (109 Stat. 29); jointly to the Committees on House Administration and Education and the Workforce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BANKS:

H.R. 8723. A bill to amend the Head Start Act to authorize block grants to States for