

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1470  
OFFERED BY MR. ROSS OF FLORIDA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. PROVISIONS RELATING TO PROBATIONARY PE-**  
**2 RIODS.**

**3 (a) IN GENERAL.**—Section 3321 of title 5, United  
**4 States Code, is amended—**

**5 (1) in subsection (a), by striking “The Presi-**  
**6 dent” and inserting “Subject to subsections (c) and**  
**7 (d), the President”;**

**8 (2) by redesignating subsection (c) as sub-**  
**9 section (e); and**

**10 (3) by inserting after subsection (b) the fol-**  
**11 lowing:**

**12 “(c) The length of a probationary period under para-**  
**13 graph (1) or (2) of subsection (a), established by rule, reg-**  
**14 ulation, or other action of the President, shall be—**

**15 “(1) except as provided in paragraph (2), not**  
**16 less than 2 years; and**

**17 “(2) in the case of a preference eligible, not**  
**18 longer than—**

1           “(A) if the appointment (as referred to in  
2           subsection (a)(1)) or the initial appointment (as  
3           referred to in subsection (a)(2)) is to a position  
4           that exists on the effective date of this sub-  
5           section, the length of the probationary period  
6           which applies to such position as of such effec-  
7           tive date; or

8           “(B) if the appointment (as referred to in  
9           subsection (a)(1)) or the initial appointment (as  
10          referred to in subsection (a)(2)) is to a position  
11          that does not exist on the effective date of this  
12          subsection, such length of time as the President  
13          may establish, consistent with the purposes of  
14          this paragraph.

15          “(d) The head of each agency shall, in the adminis-  
16          tration of this section, take appropriate measures to en-  
17          sure that—

18                 “(1) any announcement of a vacant position  
19                 within such agency and any offer of appointment  
20                 made to any individual with respect to any such po-  
21                 sition shall clearly state the terms and conditions of  
22                 the probationary period applicable to such position;

23                 “(2) any individual who is required to complete  
24                 a probationary period under this section shall receive  
25                 timely notice of the performance and other require-

1       ments which must be met in order to successfully  
2       complete the probationary period; and

3               “(3) upon successful completion of a proba-  
4       tionary period under this section, certification to  
5       that effect shall be made, supported by a brief state-  
6       ment of the basis for that certification, in such form  
7       and manner as the President may by regulation pre-  
8       scribe.”.

9       (b) **TECHNICAL AMENDMENT.**—Section 3321(e) of  
10      title 5, United States Code (as so redesignated by sub-  
11      section (a)(2)) is amended by striking “Subsections (a)  
12      and (b) of this section” and inserting “This section”.

13      (c) **EFFECTIVE DATE.**—This section and the amend-  
14      ments made by this section—

15              (1) shall take effect 180 days after the date of  
16      enactment of this Act; and

17              (2) shall apply in the case of any appointment  
18      (as referred to in section 3321(a)(1) of title 5,  
19      United States Code) and any initial appointment (as  
20      referred to in section 3321(a)(2) of such title 5) tak-  
21      ing effect on or after the date on which this section  
22      takes effect.

23      **SEC. 2. APPEALS FROM ADVERSE ACTIONS.**

24      (a) **IN GENERAL.**—Section 7501(1) of title 5, United  
25      States Code, is amended—

1           (1) by striking “1 year” the first place it ap-  
2           pears and inserting “not less than 2 years”; and

3           (2) by striking “1 year” the second place it ap-  
4           pears and inserting “2 years”.

5           (b) DEFINITION AMENDMENT.—Section 7511(a)(1)  
6 of title 5, United States Code, is amended—

7           (1) in subparagraph (A)(ii), by striking “1  
8           year” the first place it appears and inserting “not  
9           less than 2 years”; and

10          (2) in subparagraph (C)(ii), by striking “2  
11          years” the first place it appears and inserting “not  
12          less than 2 years”.

13          (c) EFFECTIVE DATE.—This section and the amend-  
14          ments made by this section—

15          (1) shall take effect 180 days after the date of  
16          enactment of this Act; and

17          (2) shall apply in the case of any individual  
18          whose period of continuous service (as referred to in  
19          the provision of law amended by paragraph (1) or  
20          (2) of subsection (b), as the case may be) com-  
21          mences on or after the date on which this section  
22          takes effect.

