

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To impose limitations on the exception of competitive service positions.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**

**H. R. 7900**

To authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. FEINSTEIN (for herself, Mr. KAINE, Mr. VAN HOLLEN, Mr. WARNER, Mr. PADILLA, Mr. KING, Ms. WARREN, Mr. SCHATZ, and Ms. DUCKWORTH) to the amendment (No. 5499) proposed by Mr. REED

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_\_. LIMITATIONS ON EXCEPTION OF COMPETITIVE SERVICE POSITIONS.**

3  
4 (a) IN GENERAL.—Notwithstanding section 3302 of  
5 title 5, United States Code, no position in the competitive  
6 service (as defined in section 2102 of that title) may be  
7 excepted from the competitive service unless that position  
8 is placed—

1           (1) in any of schedules A through E, as de-  
2           scribed in section 6.2 of title 5, Code of Federal  
3           Regulations, as in effect on September 30, 2020;  
4           and

5           (2) under the terms and conditions under part  
6           6 of title 5, Code of Federal Regulations, as in effect  
7           on September 30, 2020.

8           (b) SUBSEQUENT TRANSFERS.—Notwithstanding  
9           section 3302 of title 5, United States Code, no position  
10          in the excepted service (as defined in section 2103 of that  
11          title) may be placed in any schedule other than a schedule  
12          described in subsection (a)(1).