

AMENDMENT TO H.R. 5620
OFFERED BY MR. MILLER OF FLORIDA

Page 4, beginning on line 16, strike “under section 7701 of title 5”.

Page 11, strike lines 11 through 14 and insert the following:

1 “(B) before such order is made, the individual
2 is afforded—

3 “(i) notice of the order and an opportunity
4 to respond to the order; and

5 “(ii) an opportunity to appeal the order to
6 another department or agency of the Federal
7 Government.”.

Page 14, strike lines 20 through 23 and insert the following:

8 “(2) before such repayment, the employee is af-
9 forded—

10 “(A) notice of the order and an oppor-
11 tunity to respond to the order; and

12 “(B) an opportunity to appeal the order to
13 another department or agency of the Federal
14 Government.”.

Page 20, line 8, insert “consistent with paragraph (3),” before “may”.

Page 20, after line 11, insert the following:

1 “(3) An appeal of a personnel action pursuant to
2 paragraph (2)(A) must be filed with the Senior Executive
3 Disciplinary Appeals Board not later than the date that
4 is seven days after the date of such action. If such appeal
5 is not made within the seven-day period, the personnel ac-
6 tion shall be final and not subject to further appeal.”.

Page 29, strike lines 13 through 18 and insert the following:

7 “(2)(A) Except as provided by subparagraph (B),
8 with respect to a supervisory employee subject to an ad-
9 verse action under this section who is—
10 “(i) an individual as that term is defined in section
11 715(i)(1) of this title, the procedures under subsections
12 (d) and (e) of section 715 of this title shall apply; and
13 “(ii) an individual as that term is defined in section
14 713(g)(1) of this title, the procedures under section
15 713(d) of this title shall apply.”.

Page 29, line 21, strike “five days” and insert “ten days”.

Page 30, line 2, strike “five-day” and insert “ten-day”.

Page 33, line 17, strike “except that” and all that follows through the period on line 21 and insert “except that—”

- 1 (I) any such department or agen-
- 2 cy shall issue a final decision with re-
- 3 spect to such appeal not later than
- 4 the date that is 30 days after the date
- 5 the department or agency received
- 6 such appeal; and
- 7 (II) if such a final decision is not
- 8 made by the applicable department or
- 9 agency within 30 days after receiving
- 10 such appeal, the order of the Sec-
- 11 retary shall be final and not subject to
- 12 further appeal.

Page 34, line 19, strike “7742” and insert “7332”.

