

AMENDMENT TO RULES COMMITTEE PRINT 115-

70

OFFERED BY MR. RUSSELL OF OKLAHOMA

At the end of title XI, add the following:

1 **SEC. 11 ____ . EXPEDITED HIRING AUTHORITY FOR COLLEGE**
2 **GRADUATES AND POST-SECONDARY STU-**
3 **DENTS.**

4 (a) IN GENERAL.—Subchapter I of chapter 31 of title
5 5, United States Code, is amended by adding at the end
6 the following:

7 **“§ 3115. Expedited hiring authority for college grad-**
8 **uates; competitive service**

9 “(a) DEFINITIONS.—In this section:

10 “(1) DIRECTOR.—The term ‘Director’ means
11 the Director of the Office of Personnel Management.

12 “(2) INSTITUTION OF HIGHER EDUCATION.—
13 The term ‘institution of higher education’ has the
14 meaning given the term in section 101(a) of the
15 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

16 “(b) APPOINTMENT.—

17 “(1) IN GENERAL.—The head of an agency may
18 appoint, without regard to any provision of sections
19 3309 through 3319 and 3330, a qualified individual

1 to a position in the competitive service classified in
2 a professional or administrative occupational cat-
3 egory at the GS-11 level, or an equivalent level, or
4 below.

5 “(2) RESTRICTIONS.—An appointment under
6 paragraph (1) shall be made in accordance with reg-
7 ulations prescribed by the Director.

8 “(c) QUALIFICATIONS FOR APPOINTMENT.—The
9 head of an agency may make an appointment under sub-
10 section (b) only if the individual being appointed—

11 “(1) has received a baccalaureate or graduate
12 degree from an institution of higher education;

13 “(2) applies for the position—

14 “(A) not later than 2 years after the date
15 on which the individual being appointed re-
16 ceived the degree described in paragraph (1); or

17 “(B) in the case of an individual who has
18 completed a period of not less than 4 years of
19 obligated service in a uniformed service, not
20 later than 2 years after the date of the dis-
21 charge or release of the individual from that
22 service; and

23 “(3) meets each minimum qualification stand-
24 ard prescribed by the Director for the position to
25 which the individual is being appointed.

1 “(d) PUBLIC NOTICE AND ADVERTISING.—

2 “(1) IN GENERAL.—The head of an agency
3 making an appointment under subsection (b) shall
4 publicly advertise positions under this section.

5 “(2) REQUIREMENTS.—In carrying out para-
6 graph (1), the head of an agency shall—

7 “(A) adhere to merit system principles;

8 “(B) advertise positions in a manner that
9 provides for diverse and qualified applicants;
10 and

11 “(C) ensure potential applicants have ap-
12 propriate information relevant to the positions
13 available.

14 “(e) LIMITATION ON APPOINTMENTS.—

15 “(1) IN GENERAL.—Except as provided in para-
16 graph (2), the total number of employees that the
17 head of an agency may appoint under this section
18 during a fiscal year may not exceed the number
19 equal to 15 percent of the number of individuals
20 that the agency head appointed during the previous
21 fiscal year to a position in the competitive service
22 classified in a professional or administrative occupa-
23 tional category, at the GS–11 level, or an equivalent
24 level, or below, under a competitive examining proce-
25 dure.

1 “(2) EXCEPTIONS.—Under a regulation pre-
2 scribed under subsection (f), the Director may estab-
3 lish a lower limit on the number of individuals that
4 may be appointed under paragraph (1) of this sub-
5 section during a fiscal year based on any factor the
6 Director considers appropriate.

7 “(f) REGULATIONS.—Not later than 180 days after
8 the date of enactment of the Direct Hire of Students and
9 Recent Graduates Act of 2017, the Director shall issue
10 interim regulations, with an opportunity for comment, for
11 the administration of this section.

12 “(g) REPORTING.—

13 “(1) IN GENERAL.—Not later than September
14 30 of each of the first 3 fiscal years beginning after
15 the date of enactment of the Direct Hire of Students
16 and Recent Graduates Act of 2017, the head of an
17 agency that makes an appointment under this sec-
18 tion shall submit to Congress a report assessing the
19 impact of the use of the authority provided under
20 this section during the fiscal year in which the re-
21 port is submitted.

22 “(1) IN GENERAL.—Not later than September
23 30 of each of the first 3 fiscal years beginning after
24 the date of enactment of the Direct Hire of Students
25 and Recent Graduates Act of 2017, the head of an

1 agency that makes an appointment under this sec-
2 tion shall submit a report to—

3 “(A) Congress that assesses the impact of
4 the use of the authority provided under this
5 section during the fiscal year in which the re-
6 port is submitted; and

7 “(B) the Director that contains data that
8 the Director considers necessary for the Direc-
9 tor to assess the impact and effectiveness of the
10 authority described in subparagraph (A).

11 “(2) CONTENT.—The head of an agency shall
12 include in each report under paragraph (1)—

13 “(A) the total number of individuals ap-
14 pointed by the agency under this section, as
15 well as the number of such individuals who
16 are—

17 “(i) minorities or members of other
18 underrepresented groups; or

19 “(ii) veterans;

20 “(B) recruitment sources;

21 “(C) the total number of individuals ap-
22 pointed by the agency during the applicable fis-
23 cal year to a position in the competitive service
24 classified in a professional or administrative oc-

1 occupational category at the GS–11 level, or an
2 equivalent level, or below; and

3 “(D) any additional data specified by the
4 Director.

5 “(h) SPECIAL PROVISION REGARDING THE DEPART-
6 MENT OF DEFENSE.—

7 “(1) AUTHORITY.—Nothing in this section shall
8 preclude the Secretary of Defense from exercising
9 any authority to appoint a recent graduate under
10 section 1106 of the National Defense Authorization
11 Act for Fiscal Year 2017 (10 U.S.C. note prec.
12 1580), or any applicable successor statute.

13 “(2) REGULATIONS.—Any regulations pre-
14 scribed by the Director for the administration of this
15 section shall not apply to the Department of Defense
16 during the period ending on the date on which the
17 appointment authority of the Secretary of Defense
18 under section 1106 of the National Defense Author-
19 ization Act for Fiscal Year 2017 (10 U.S.C. note
20 prec. 1580), or any applicable successor statute, ter-
21 minates.

22 “§ 3116. Expedited hiring authority for post-sec-
23 ondary students; competitive service

24 “(a) DEFINITIONS.—In this section:

1 “(1) DIRECTOR.—The term ‘Director’ means
2 the Director of the Office of Personnel Management.

3 “(2) INSTITUTION OF HIGHER EDUCATION.—
4 The term ‘institution of higher education’ has the
5 meaning given the term in section 101(a) of the
6 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

7 “(3) STUDENT.—The term ‘student’ means an
8 individual enrolled or accepted for enrollment in an
9 institution of higher education who is pursuing a
10 baccalaureate or graduate degree on at least a part-
11 time basis as determined by the institution of higher
12 education.

13 “(b) APPOINTMENT.—

14 “(1) IN GENERAL.—The head of an agency may
15 make a time-limited appointment of a student, with-
16 out regard to any provision of sections 3309 through
17 3319 and 3330, to a position in the competitive
18 service at the GS–11 level, or an equivalent level, or
19 below for which the student is qualified.

20 “(2) RESTRICTIONS.—An appointment under
21 paragraph (1) shall be made in accordance with reg-
22 ulations prescribed by the Director.

23 “(c) PUBLIC NOTICE.—

24 “(1) IN GENERAL.—The head of an agency
25 making an appointment under subsection (b) shall

1 publicly advertise positions available under this sec-
2 tion.

3 “(2) REQUIREMENTS.—In carrying out para-
4 graph (1), the head of an agency shall—

5 “(A) adhere to merit system principles;

6 “(B) advertise positions in a manner that
7 provides for diverse and qualified applicants;
8 and

9 “(C) ensure potential applicants have ap-
10 propriate information relevant to the positions
11 available.

12 “(d) LIMITATION ON APPOINTMENTS.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), the total number of students that the
15 head of an agency may appoint under this section
16 during a fiscal year may not exceed the number
17 equal to 15 percent of the number of students that
18 the agency head appointed during the previous fiscal
19 year to a position in the competitive service at the
20 GS–11 level, or an equivalent level, or below.

21 “(2) EXCEPTIONS.—Under a regulation pre-
22 scribed under subsection (g), the Director may es-
23 tablish a lower limit on the number of students that
24 may be appointed under paragraph (1) of this sub-

1 section during a fiscal year based on any factor the
2 Director considers appropriate.

3 “(e) CONVERSION.—The head of an agency may,
4 without regard to any provision of chapter 33 or any other
5 provision of law relating to the examination, certification,
6 and appointment of individuals in the competitive service,
7 convert a student serving in an appointment under sub-
8 section (b) to a permanent appointment in the competitive
9 service within the agency without further competition if
10 the student—

11 “(1) has completed the course of study leading
12 to the baccalaureate or graduate degree;

13 “(2) has completed not less than 640 hours of
14 current continuous employment in an appointment
15 under subsection (b); and

16 “(3) meets the qualification standards for the
17 position to which the student will be converted.

18 “(f) TERMINATION.—The head of an agency shall,
19 without regard to any provision of chapter 35 or 75, termi-
20 nate the appointment of a student appointed under sub-
21 section (b) upon completion of the designated academic
22 course of study unless the student is selected for conver-
23 sion under subsection (e).

24 “(g) REGULATIONS.—Not later than 180 days after
25 the date of enactment of the Direct Hire of Students and

1 Recent Graduates Act of 2017, the Director shall issue
2 interim regulations, with an opportunity for comment, for
3 the administration of this section.

4 “(h) REPORTING.—

5 “(1) IN GENERAL.—Not later than September
6 30 of each of the first 3 fiscal years beginning after
7 the date of enactment of the Direct Hire of Students
8 and Recent Graduates Act of 2017, the head of an
9 agency that makes an appointment under this sec-
10 tion shall submit a report to—

11 “(A) Congress that assesses the impact of
12 the use of the authority provided under this
13 section during the fiscal year in which the re-
14 port is submitted; and

15 “(B) the Director that contains data that
16 the Director considers necessary for the Direc-
17 tor to assess the impact and effectiveness of the
18 authority described in subparagraph (A).

19 “(2) CONTENT.—The head of an agency shall
20 include in each report under paragraph (1)—

21 “(A) the total number of individuals ap-
22 pointed by the agency under this section, as
23 well as the number of such individuals who
24 are—

1 “(i) minorities or members of other
2 underrepresented groups; or

3 “(ii) veterans;

4 “(B) recruitment sources;

5 “(C) the total number of individuals ap-
6 pointed by the agency during the applicable fis-
7 cal year to a position in the competitive service
8 at the GS-11 level, or an equivalent level, or
9 below; and

10 “(D) any additional data specified by the
11 Director.

12 “(i) SPECIAL PROVISION REGARDING THE DEPART-
13 MENT OF DEFENSE.—

14 “(1) AUTHORITY.—Nothing in this section shall
15 preclude the Secretary of Defense from exercising
16 any authority to appoint a post-secondary student
17 under section 1106 of the National Defense Author-
18 ization Act for Fiscal Year 2017 (10 U.S.C. note
19 prec. 1580), or any applicable successor statute.

20 “(2) REGULATIONS.—Any regulations pre-
21 scribed by the Director for the administration of this
22 section shall not apply to the Department of Defense
23 during the period ending on the date on which the
24 appointment authority of the Secretary of Defense
25 under section 1106 of the National Defense Author-

1 ization Act for Fiscal Year 2017 (10 U.S.C. note
2 prec. 1580), or any applicable successor statute, ter-
3 minates.”.

4 (b) TABLE OF SECTIONS AMENDMENTS.—The table
5 of sections for subchapter I of chapter 31 of title 5, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

“3115. Expedited hiring authority for college graduates; competitive service.

“3116. Expedited hiring authority for post-secondary students; competitive serv-
ice.”.

