

AMENDMENT
TO RULES COMMITTEE PRINT 116-19
OFFERED BY MR. BISHOP OF UTAH

At the end of title XI, add the following:

1 **SEC. 11 ____ . MODIFICATION OF PERIOD AFTER RETIRE-**
2 **MENT FOR AUTHORITY OF DEPARTMENT OF**
3 **DEFENSE TO APPOINT RETIRED MEMBERS**
4 **OF THE ARMED FORCES TO POSITIONS WITH-**
5 **IN THE DEPARTMENT AFTER RETIREMENT.**

6 Section 3326 of title 5, United States Code, is
7 amended—

8 (1) by striking subsection (b) and inserting the
9 following:

10 “(b)(1) A retired member of the armed forces may
11 be appointed to a position in the civil service in or under
12 the Department of Defense (including a nonappropriated
13 fund instrumentality under the jurisdiction of the armed
14 forces) immediately after the retirement of the member
15 only if the proposed appointment is authorized by the Sec-
16 retary concerned or a designee of the Secretary concerned,
17 after a determination that—

18 “(A) the position has not been held open pend-
19 ing the retirement of the retired member;

1 “(B) qualification requirements for the position
2 have not been written in a manner designed to give
3 advantage to the retired member; and

4 “(C) the retired member was considered and se-
5 lected in accordance with the applicable law (includ-
6 ing regulations) governing the appointing authority
7 used to appoint the retired member.

8 “(2) The Secretary concerned or a designee of the
9 Secretary concerned shall determine the duration under
10 which the provisions of this subsection apply.”; and

11 (2) by adding at the end the following:

12 “(d)(1) Not later than February 15 each year, the
13 Secretary of Defense and the Director of the Office of Per-
14 sonnel Management shall jointly submit to Congress a re-
15 port on the appointments made during the preceding year
16 using the authority in subsection (b)(1).

17 “(2) Each report under this subsection shall set
18 forth, for the year covered by such report, the following:

19 “(A) The number of appointments made using
20 the authority in subsection (b)(1).

21 “(B) The grades at retirement from the armed
22 forces of the individuals subject to such appoint-
23 ments.

1 “(C) The job titles, pay grades, and locations of
2 employment at appointment of the individuals sub-
3 ject to such appointments.”.

