

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 9087  
OFFERED BY MS. JACOBS OF CALIFORNIA**

At the end of title VII, add the following:

1 **SEC. 70\_\_ . TIME LIMIT FOR SENATE-CONFIRMED POSITIONS**  
2 **IN THE FOREIGN SERVICE.**

3 (a) IN GENERAL.—Any employee of the Department  
4 of State who performs the functions of a Senate-confirmed  
5 position but has not been confirmed by the Senate for that  
6 position—

7 (1) shall be considered to be holding that posi-  
8 tion in an acting capacity, notwithstanding the title  
9 the officer holds with respect to that position; and

10 (2) shall be subject to all limits that are appli-  
11 cable to holding and remaining in that position  
12 under the Federal Vacancies Reform Act of 1988  
13 and other relevant provisions of law and the require-  
14 ment of subsection (b).

15 (b) CONTINUATION IN POSITION.—If a position spec-  
16 ified in subsection (a) is not held by an individual who  
17 has been confirmed by the Senate for that position after  
18 the time limit specified in the Federal Vacancies Reform  
19 Act of 1988, that position may thereafter only be held by

- 1 an individual who is chosen from a pool of qualified career
- 2 senior Foreign Service or senior executive service officers.

