

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1994
OFFERED BY MISS RICE OF NEW YORK**

Page 3, beginning on line 1, strike subsections (d) and (e) and insert the following (and redesignate subsections (f) through (h) as subsections (e) through (g), respectively):

1 “(e) PROCEDURE.—An individual who is removed or
2 demoted under this section is entitled to—

3 “(1) within 30 days after the individual’s sus-
4 pension or demotion, a written statement of the spe-
5 cific charges against the individual, which may be
6 amended within 30 days thereafter;

7 “(2) an opportunity within 30 days thereafter,
8 plus an additional 30 days if the charges are amend-
9 ed, to answer the charges and submit affidavits;

10 “(3) a hearing, at the request of the individual,
11 by a Department authority duly constituted for this
12 purpose;

13 “(4) a review of the case by the Secretary, be-
14 fore a decision adverse to the individual is made
15 final; and

1 “(5) written statement of the decision of the
2 Secretary.”.

Page 5, after line 23, insert the following:

3 “(h) TREATMENT OF VETERANS, MEMBERS OF UNI-
4 FORMED SERVICES, AND WHISTLEBLOWERS.—This sec-
5 tion shall not apply to any individual who is—

6 “(1) preference eligible under section 2108(3)
7 of title 5;

8 “(2) a member of, applies to be a member of,
9 performs, has performed, applies to perform, or has
10 an obligation to perform service in a uniformed serv-
11 ice (as such term is defined in section 4303(16) of
12 this title); or

13 “(3) an individual seeking corrective action (or
14 on behalf of whom corrective action is sought) from
15 the Office of Special Counsel based on an alleged
16 prohibited personnel practice described in section
17 2302(b) of title 5.”.

