

En Bloc Amendments to H.R. 2500		
Subcommittee on Readiness		
En Bloc # 4		
Log #	Sponsor	Description
047	Hill	Protected unpaid interns in Federal Government from workplace harassment and discrimination.
048	Hill	Strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government and for other purposes.
089	Garamendi	Requires a report outlining the near-term actions being taken to reduce the Department of Defense's reliance on foreign-flagged vessels.
318r1	Houlahan	Establishes a policy that DOD should develop and maintain a robust civilian and military digital engineering workforce. It creates the role of Chief Digital Engineering Recruitment and Management Officer to work with the services to recruit tech talent.
421r1	Wilson	Directs the Secretaries of the Air Force and Navy to provide a report on air combat maneuvering instrumentation systems to mitigate risks for collision.
462r2	Gabbard	Directs the Comptroller General to conduct a review and provide a report to HASC on the management of MMR program, the progress of cleaning up munitions, program priorities, and protocols for communicating with stakeholders and the public.
475	Houlahan	Consolidates direct hiring authorities and requires FFRDC study to evaluate steps to improve the competitive hiring process and consider the feasibility of cohort hiring. .
497	Byrne	Changes the report date from Sept 1, 2020, to March 1, 2020.

AMENDMENT TO H.R. 2500
OFFERED BY MS. HILL OF CALIFORNIA

At the end of title XI, add the following:

1 **SEC. 11. PROHIBITED PERSONNEL PRACTICES.**

2 (a) IN GENERAL.—Section 2302 of title 5, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 “(g)(1) All protections afforded to an employee under
6 subparagraphs (A), (B), and (D) of subsection (b)(1) shall
7 be afforded, in the same manner and to the same extent,
8 to an intern and an applicant for internship.

9 “(2) For purposes of the application of this sub-
10 section, a reference to an employee shall be considered a
11 reference to an intern in—

12 “(A) section 717 of the Civil Rights Act of
13 1964 (42 U.S.C. 2000e-16);

14 “(B) sections 12 and 15 of the Age Discrimina-
15 tion in Employment Act of 1967 (29 U.S.C. 631,
16 633a); and

17 “(C) section 501 of the Rehabilitation Act of
18 1973 (29 U.S.C. 791).

19 “(3) In this subsection, the term ‘intern’ means an
20 individual who performs uncompensated voluntary service

1 in an agency to earn credit awarded by an educational in-
2 stitution or to learn a trade or occupation.”.

3 (b) CONFORMING AMENDMENT.—Section 3111(c)(1)
4 of title 5, United States Code, is amended by inserting
5 “section 2302(g) (relating to prohibited personnel prac-
6 tices),” before “chapter 81”.



AMENDMENT TO H.R. 2500
OFFERED BY MS. HILL OF CALIFORNIA

At the end of title XI, add the following:

1 **SEC. 11____. ENHANCEMENT OF ANTIDISCRIMINATION PRO-**
2 **TECTIONS FOR FEDERAL EMPLOYEES.**

3 (a) SENSE OF CONGRESS.—Section 102 of the Notifi-
4 cation and Federal Employee Antidiscrimination and Re-
5 taliation Act of 2002 (5 U.S.C. 2301 note) is amended—

6 (1) in paragraph (4), to read as follows:

7 “(4) accountability in the enforcement of Fed-
8 eral employee rights is furthered when Federal agen-
9 cies take appropriate disciplinary action against
10 Federal employees who have been found to have
11 committed discriminatory or retaliatory acts;” and

12 (2) in paragraph (5)(A)—

13 (A) by striking “nor is accountability” and
14 inserting “but accountability is not”; and

15 (B) by inserting “for what by law the
16 agency is responsible” after “under this Act”.

17 (b) NOTIFICATION OF VIOLATION.—Section 202 of
18 the Notification and Federal Employee Antidiscrimination
19 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
20 amended by adding at the end the following:

1 “(d) NOTIFICATION OF FINAL AGENCY ACTION.—

2 “(1) Not later than 30 days after a Federal
3 agency takes final action or the Equal Employment
4 Opportunity Commission issues an appellate decision
5 involving a finding of discrimination or retaliation
6 prohibited by a provision of law covered by para-
7 graph (1) or (2) of section 201(a), as applicable, the
8 head of the agency subject to the finding shall pro-
9 vide notice for at least 1 year on the agency’s inter-
10 net website in a clear and prominent location linked
11 directly from the agency’s internet home page stat-
12 ing that a finding of discrimination or retaliation
13 has been made.

14 “(2) The notification shall identify the date the
15 finding was made, the date or dates on which the
16 discriminatory or retaliatory act or acts occurred,
17 and the law or laws violated by the discriminatory
18 or retaliatory act or acts. The notification shall also
19 advise Federal employees of the rights and protec-
20 tions available under the respective provisions of law
21 covered by paragraph (1) or (2) of section 201(a).”.

22 (c) REPORTING REQUIREMENTS.—

23 (1) ELECTRONIC FORMAT REQUIREMENT.—

24 (A) IN GENERAL.—Section 203(a) of the
25 Notification and Federal Employee Anti-

1 discrimination and Retaliation Act of 2002 (5
2 U.S.C. 2301 note) is amended—

3 (i) by inserting “Homeland Security
4 and” before “Governmental Affairs”;

5 (ii) by inserting “Oversight and” be-
6 fore “Government Reform”; and

7 (iii) by inserting “(in an electronic
8 format prescribed by the Office of Per-
9 sonnel Management)” after “an annual re-
10 port”.

11 (B) EFFECTIVE DATE.—The amendment
12 made by paragraph (1)(C) shall take effect on
13 the date that is 1 year after the date of enact-
14 ment of this Act.

15 (C) TRANSITION PERIOD.—Notwith-
16 standing the requirements of section 203(a) of
17 the Notification and Federal Employee Anti-
18 discrimination and Retaliation Act of 2002 (5
19 U.S.C. 2301 note), the report required under
20 such section may be submitted in an electronic
21 format, as prescribed by the Office of Personnel
22 Management, during the period beginning on
23 the date of enactment of this Act and ending on
24 the effective date in paragraph (2).

1 (2) REPORTING REQUIREMENT FOR DISCIPLI-
2 NARY ACTION.—Section 203 of such Act is amended
3 by adding at the end the following:

4 “(c) DISCIPLINARY ACTION REPORT.—Not later
5 than 60 days after the date on which a Federal agency
6 takes final action or a Federal agency receives an appel-
7 late decision issued by the Equal Employment Oppor-
8 tunity Commission involving a finding of discrimination
9 or retaliation in violation of a provision of law covered by
10 paragraph (1) or (2) of section 201(a), as applicable, the
11 employing Federal agency shall submit to the Commission
12 a report stating whether disciplinary action has been initi-
13 ated against a Federal employee as a result of the viola-
14 tion.”.

15 (d) DATA TO BE POSTED BY EMPLOYING FEDERAL
16 AGENCIES.—Section 301(b) of the Notification and Fed-
17 eral Employee Antidiscrimination and Retaliation Act of
18 2002 (5 U.S.C. 2301 note) is amended—

19 (1) in paragraph (9)—

20 (A) in subparagraph (A), by striking
21 “and” at the end;

22 (B) in subparagraph (B)(ii), by striking
23 the period at the end and inserting “, and”;
24 and

25 (C) by adding at the end the following:

1 “(C) for each such finding counted under
2 subparagraph (A), the agency shall specify—

3 “(i) the date of the finding;

4 “(ii) the affected agency;

5 “(iii) the law violated; and

6 “(iv) whether a decision has been
7 made regarding necessary disciplinary ac-
8 tion as a result of the finding.”; and

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

10 “(11) Data regarding each class action com-
11 plaint filed against the agency alleging discrimina-
12 tion or retaliation, including—

13 “(A) information regarding the date on
14 which each complaint was filed;

15 “(B) a general summary of the allegations
16 alleged in the complaint;

17 “(C) an estimate of the total number of
18 plaintiffs joined in the complaint if known;

19 “(D) the current status of the complaint,
20 including whether the class has been certified;
21 and

22 “(E) the case numbers for the civil actions
23 in which discrimination or retaliation has been
24 found.”.

1 (e) DATA TO BE POSTED BY THE EQUAL EMPLOY-
2 MENT OPPORTUNITY COMMISSION.—Section 302(b) of the
3 Notification and Federal Employee Antidiscrimination
4 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
5 amended by striking “(10)” and inserting “(11)”.

6 (f) NOTIFICATION AND FEDERAL EMPLOYEE ANTI-
7 DISCRIMINATION AND RETALIATION ACT AMEND-
8 MENTS.—

9 (1) NOTIFICATION REQUIREMENTS.—The Noti-
10 fication and Federal Employee Antidiscrimination
11 and Retaliation Act of 2002 (5 U.S.C. 2301 note)
12 is amended by adding after section 206 the fol-
13 lowing:

14 **“SEC. 207. COMPLAINT TRACKING.**

15 “Not later than 1 year after the date of enactment
16 of the Federal Employee Antidiscrimination Act of 2019,
17 each Federal agency shall establish a system to track each
18 complaint of discrimination arising under section
19 2302(b)(1) of title 5, United States Code, and adjudicated
20 through the Equal Employment Opportunity process from
21 inception to resolution of the complaint, including whether
22 a decision has been made regarding necessary disciplinary
23 action as the result of a finding of discrimination.

1 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

2 “If a Federal agency takes an adverse action covered
3 under section 7512 of title 5, United States Code, against
4 a Federal employee for an act of discrimination or retalia-
5 tion prohibited by a provision of law covered by paragraph
6 (1) or (2) of section 201(a), the agency shall, after all
7 appeals relating to such action have been exhausted, in-
8 clude a notation of the adverse action and the reason for
9 the action in the employee’s personnel record.”.

10 (2) PROCESSING AND REFERRAL.—The Notifi-
11 cation and Federal Employee Antidiscrimination and
12 Retaliation Act of 2002 (5 U.S.C. 2301 note) is
13 amended by adding at the end the following:

14 **“TITLE IV—PROCESSING AND**
15 **REFERRAL**

16 **“SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.**

17 “Each Federal agency is responsible for the fair, im-
18 partial processing and resolution of complaints of employ-
19 ment discrimination and retaliation arising in the Federal
20 administrative process and shall establish a model Equal
21 Employment Opportunity Program that—

22 “(1) is not under the control, either structurally
23 or practically, of a Human Capital or General Coun-
24 sel office;

1 “(2) is devoid of internal conflicts of interest
2 and ensures fairness and inclusiveness within the or-
3 ganization; and

4 “(3) ensures the efficient and fair resolution of
5 complaints alleging discrimination or retaliation.

6 **“SEC. 402. NO LIMITATION ON HUMAN CAPITAL OR GEN-
7 ERAL COUNSEL ADVICE.**

8 “Nothing in this title shall prevent a Federal agency’s
9 Human Capital or General Counsel office from providing
10 advice or counsel to Federal agency personnel on the proc-
11 essing and resolution of a complaint, including providing
12 legal representation to a Federal agency in any pro-
13 ceeding.

14 **“SEC. 403. HEAD OF PROGRAM REPORTS TO HEAD OF
15 AGENCY.**

16 “‘The head of each Federal agency’s Equal Employ-
17 ment Opportunity Program shall report directly to the
18 head of the agency.

19 **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

20 “(a) EEOC FINDINGS OF DISCRIMINATION.—Not
21 later than 30 days after the Equal Employment Oppor-
22 tunity Commission issues an appellate decision involving
23 a finding of discrimination or retaliation within a Federal
24 agency, the Commission shall refer the matter to the Of-
25 fice of Special Counsel.

1 “(b) REFERRALS TO SPECIAL COUNSEL.—The Office
2 of Special Counsel shall accept and review a referral from
3 the Commission under subsection (a) for purposes of seek-
4 ing disciplinary action under its authority against a Fed-
5 eral employee who commits an act of discrimination or re-
6 taliation.

7 “(c) NOTIFICATION.—The Office of Special Counsel
8 shall notify the Commission in a case in which the Office
9 of Special Counsel initiates disciplinary action.

10 “(d) SPECIAL COUNSEL APPROVAL.—A Federal
11 agency may not take disciplinary action against a Federal
12 employee for an alleged act of discrimination or retaliation
13 referred by the Commission under this section except in
14 accordance with the requirements of section 1214(f) of
15 title 5, United States Code.”.

16 (3) CONFORMING AMENDMENTS.—The table of
17 contents in section 1(b) of the Notification and Fed-
18 eral Employee Antidiscrimination and Retaliation
19 Act of 2002 (5 U.S.C. 2301 note) is amended—

20 (A) by inserting after the item relating to
21 section 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”;

22 and

23 (B) by adding at the end the following:

“TITLE IV—PROCESSING AND REFERRAL

“Sec. 401. Processing and resolution of complaints.

"Sec. 402. No limitation on Human Capital or General Counsel advice.

"Sec. 403. Head of Program reports to head of agency.

"Sec. 404. Referrals of findings of discrimination."

1 (g) NONDISCLOSURE AGREEMENT LIMITATION.—

2 Section 2302(b) of title 5, United States Code, is amend-
3 ed—

4 (1) in paragraph (13)—

5 (A) by inserting "or the Office of Special
6 Counsel" after "Inspector General";

7 (B) by striking "implement" and inserting
8 "(A) implement"; and

9 (C) by striking the period that follows the
10 quoted material and inserting "; or"; and

11 (2) by adding after subparagraph (A), as added
12 by paragraph (1)(B), and preceding the flush left
13 matter that follows paragraph (13), the following:

14 "(B) implement or enforce any nondisclo-
15 sure policy, form, or agreement, if such policy,
16 form, or agreement prohibits or restricts an em-
17 ployee from disclosing to Congress, the Office of
18 Special Counsel, or an Office of the Inspector
19 General any information that relates to any vio-
20 lation of any law, rule, or regulation, or mis-
21 management, a gross waste of funds, an abuse
22 of authority, or a substantial, and specific dan-

1 ger to public health or safety, or any other
2 whistleblower protection.”.



**Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020**

Offered by: Mr. Garamendi

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Reducing Reliance on Foreign-Flagged Vessels

The committee notes the Center for Strategic and Budgetary Assessment issued a report warning that “decades of downsizing and consolidation with the goal of achieving greater efficiency have left U.S. defense maritime logistics forces brittle while simultaneously contributing to the decline of the U.S. shipbuilding industry and the Merchant Marine. Failing to remedy this situation when adversaries have U.S. logistics networks in their crosshairs could cause the United States to lose a war and fail its allies and partners in their hour of need.” The committee shares this concern. Elsewhere in this Act, the committee includes several provisions that would help the Navy address its existing sealift shortfall by reauthorizing the Maritime Security Program, creating a Tanker Security Program to address the shortfall in US-flagged, US-crewed tankers, and requiring the Navy to initiate an affordable, domestic built sealift ship. While these provisions will help address the sealift shortfall in the long term, the committee remains concerned about near-term mitigations and the reliance on foreign built and foreign flagged vessels to support U.S. sealift requirements.

Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services, not later than March 1, 2020, that outlines near-term actions being taken to reduce the Department of Defense’s reliance on foreign-flagged vessels.

Log 3181

AMENDMENT TO H.R. 2500
OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

At the appropriate place in title II, insert the following new section:

1 **SEC. 2. POLICY ON THE TALENT MANAGEMENT OF DIG-**
2 **ITAL EXPERTISE AND SOFTWARE PROFES-**
3 **SIONALS.**

4 (a) **POLICY.—**

5 (1) **IN GENERAL.**—It shall be a policy of the
6 Department of Defense to promote and maintain
7 digital expertise and software development as core
8 competencies of civilian and military workforces of
9 the Department, and as a capability to support the
10 National Defense Strategy, which policy shall be
11 achieved by—

12 (A) the recruitment, development, and
13 incentivization of retention in and to the civilian
14 and military workforce of the Department of in-
15 dividuals with aptitude, experience, proficient
16 expertise, or a combination thereof in digital ex-
17 pertise and software development;

18 (B) at the discretion of the Secretaries of
19 the military departments, the development and

MTG #2

1 maintenance of civilian and military career
2 tracks related to digital expertise, and related
3 digital competencies for members of the Armed
4 Forces, including the development and maintenance
5 of training, education, talent management,
6 incentives, and promotion policies in support
7 of members at all levels of such career
8 tracks; and

9 (C) the development and application of appropriate
10 readiness standards and metrics to
11 measure and report on the overall capability,
12 capacity, utilization, and readiness of digital engineering
13 professionals to develop and deliver
14 operational capabilities and employ modern
15 business practices.

16 (2) DEFINITIONS.—For purposes of this section,
17 “digital engineering” is the discipline and set
18 of skills involved in the creation, processing, transmission,
19 integration, and storage of digital data, (including
20 but not limited to data science, machine
21 learning, software engineering, software product
22 management, and artificial intelligence product management).

24 (b) RESPONSIBILITY.—

1 (1) APPOINTMENT OF OFFICER.—Not later
2 than 270 days after the date of enactment of this
3 Act, the Secretary of Defense shall appoint a civilian
4 official responsible for the development and imple-
5 mentation of the policy set forth in subsection (a).
6 The official shall be known as the “Chief Digital En-
7 gineering Recruitment and Management Officer of
8 the Department of Defense” (in this section referred
9 to as the “Officer”).

10 (2) EXPIRATION OF APPOINTMENT.—The ap-
11 pointment of the Officer under paragraph (1) shall
12 expire on September 30, 2029.

13 (c) DUTIES.—In developing and providing for the dis-
14 charge of the policy set forth in subsection (a), the Officer
15 shall work with the Assistant Secretaries of the military
16 departments for Manpower and Reserve Affairs to carry
17 out the following:

18 (1) Develop for, and enhance within, the re-
19 cruitment programs of each Armed Force various
20 core initiatives, programs, activities, and mecha-
21 nisms, tailored to the unique needs of each Armed
22 Force, to identify and recruit civilian employees and
23 members of the Armed Forces with demonstrated
24 aptitude, interest, and proficiency in digital engi-
25 neering, and in science, technology, engineering, and

1 mathematics (STEM) generally, including initiatives,
2 programs, activities, and mechanisms to target pop-
3 ulations of individuals not typically aware of oppor-
4 tunities in the Department of Defense for a digital
5 engineering career.

6 (2) Identify and share with the military depart-
7 ments best practices around the development of
8 flexible career tracks and identifiers for digital engi-
9 neering and related digital competencies and mean-
10 ingful opportunities for career development, talent
11 management, and promotion within such career
12 tracks.

13 (3) Develop and maintain education, training,
14 doctrine, rotational opportunities, and professional
15 development activities to support the civilian and
16 military digital engineering workforce.

17 (4) Coordinate and synchronize digital force
18 management activities throughout the Department
19 of Defense, advise the Secretary of Defense on all
20 matters pertaining to the health and readiness of
21 digital forces, convene a Department-wide executive
22 steering group, and submit to Congress an annual
23 report on the readiness of digital forces and progress
24 toward achieving the policy set forth in subsection
25 (a).

1 (5) Create a Department-wide mechanism to
2 track digital expertise in the workforce, develop and
3 maintain organizational policies, strategies, and
4 plans sufficient to build, maintain, and refresh inter-
5 nal capacity at scale, and report to the Secretary
6 quarterly on the health and readiness the digital en-
7 gineering workforce.

8 (6) Assist the military departments in design-
9 ing, developing, and executing programs and incen-
10 tives to retain, track, and oversee digital expertise
11 among civilian employees of the Department and
12 members of the Armed Forces on active duty.

13 (7) At the request of the Chief of Staff of an
14 Armed Force, or the head of another component or
15 element of the Department, undertake an executive
16 search for key leadership positions in digital engi-
17 neering in such Armed Force, component, or ele-
18 ment, and develop and deploy agile hiring processes
19 to fill such positions.

20 (8) Identify necessary changes in authorities,
21 policies, resources, or a combination thereof to fur-
22 ther the policy set forth in subsection (a), and sub-
23 mit to Congress a report on such changes.

24 (d) IMPLEMENTATION PLAN.—Not later than May 1,
25 2020, the Secretary of Defense shall submit to the Com-

1 mittees on Armed Services of the House of Representa-
2 tives and the Senate a plan to carry out the requirements
3 of this section. The plan shall include the following:

4 (1) An assessment of progress of the Secretary
5 in recruiting an individual to serve as the Officer re-
6 quired to be appointed under subsection (b).

7 (2) A timeline for implementation of the re-
8 quirements of this section, including input from each
9 military department on its unique timeline.

10 (3) Recommendations for any legislative or ad-
11 ministrative action required to meet the require-
12 ments of this section.



Log 421 r1

Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020

Offered by: Mr. Wilson of South Carolina

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Assessment of air combat maneuvering instrumentation and collision awareness systems

The committee understands that despite numerous safety procedures designed for safe, effective training – such as assignment of different block altitudes, low-altitude training rules, and dive recovery rules – the majority of midair collisions and terrain crashes involving combat aircraft occur during training exercises, not combat operations. These mishaps have repeatedly and tragically resulted in losses of life and aircraft. To mitigate the current risk for midair collision and controlled flight into terrain during air combat training, the committee encourages the Air Force, Navy, and Marine Corps officials to consider a collision awareness system that can leverage existing infrastructure and systems that would allow range training officers and pilots to receive notifications in the event a potential midair or terrain crash is assessed.

Therefore, the committee directs the Secretaries of the Air Force and Navy, not later than November 29, 2019, to provide to the congressional defense committees a report of the utilization of air combat maneuvering instrumentation systems for these purposes. This report shall include detailed analyses on the costs, benefits, and feasibility of building out this capability on air combat maneuver instrumentation equipment on all combat aircraft as the basis for a collision awareness system at all relevant training ranges.

Log 462nd

Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020

Offered by: Mrs. Gabbard of Hawaii

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Military Munitions Response Program (MMRP)

The committee notes that in 2014, DOD established goals to implement Interim Risk Management (IRM) at Formerly Used Defense Sites (FUDS) Military Munitions Response Program (MMRP) sites but the program has struggled to reach its goals. The committee further notes that the management challenges facing MMRP have been longstanding dating back to at least 2010, when the Government Accountability Office (GAO) issued a report which found that the Department had not established clear criteria for prioritizing its work or established clear performance goals for work done at FUDS. Most concerning, the GAO expressed concern about DOD recording sites as "complete" in cases where the Department took no action at the site, which could be misleading to the Committee and the public. Therefore, the committee directs the Comptroller General to conduct a review and provide a report to the House Armed Services Committee by June 1, 2020 that examines the following:

- (1) the management of the MMRP program including its staffing and funding levels,
- (2) progress DOD has made in cleaning up munitions response sites,
- (3) resources allocation across MMRP sites in the last 5 years;
- (4) program priorities for the next five years, and
- (5) MMRP protocols for communicating with stakeholders and the public.

AMENDMENT TO H.R. 2500
OFFERED BY MS. HOULAHAN

At the end of title XI, add the following:

1 **SEC. 11. MODIFICATION OF DIRECT HIRE AUTHORITIES**

2 **FOR THE DEPARTMENT OF DEFENSE.**

3 (a) IN GENERAL.—Section 9905 of title 5, United
4 States Code, is amended—

5 (1) in subsection (a)—

6 (A) by amending paragraph (2) to read as
7 follows:

8 “(2) Any cyber workforce position.”; and

9 (B) by adding after paragraph (4) the fol-
10 lowing:

11 “(5) Any scientific, technical, engineering, or
12 mathematics positions, including technicians, within
13 the defense acquisition workforce, or any category of
14 acquisition positions within the Department des-
15 ignated by the Secretary as a shortage or critical
16 need category.

17 “(6) Any scientific, technical, engineering, or
18 mathematics position, except any such position with-
19 in any defense Scientific and Technology Reinven-
20 tion Laboratory, for which a qualified candidate is

1 required to possess a bachelor's degree or an ad-
2 vanced degree, or for which a veteran candidate is
3 being considered.

4 “(7) Any category of medical or health profes-
5 sional positions within the Department designated
6 by the Secretary as a shortage category or critical
7 need occupation.

8 “(8) Any childcare services position for which
9 there is a critical hiring need and a shortage of
10 childcare providers.

11 “(9) Any financial management, accounting,
12 auditing, actuarial, cost estimation, operational re-
13 search, or business or business administration posi-
14 tion, for which a qualified candidate is required to
15 possess a finance, accounting, management or actu-
16 arial science degree or a related degree, or a related
17 degree equivalent experience.

18 “(10) Any position, as determined by the Sec-
19 retary, for the purpose of assisting and facilitating
20 the efforts of the Department in business trans-
21 formation and management innovation.”; and

22 (2) by striking subsection (b) and inserting the
23 following:

24 “(b) SUNSET.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), effective on September 30, 2025, the au-
3 thority provided under subsection (a) shall expire.

4 “(2) EXCEPTION.—Paragraph (1) shall not
5 apply to the authority provided under subsection (a)
6 to make appointments to positions described under
7 paragraph (5) of such subsection.

8 “(c) SUSPENSION OF OTHER HIRING AUTHORI-
9 TIES.—During the period beginning on the effective date
10 of the regulations issued to carry out the hiring authority
11 with respect to positions described in paragraphs (5)
12 through (10) of subsection (a) and ending on the date de-
13 scribed in subsection (b)(1), the Secretary of Defense may
14 not exercise or otherwise use any hiring authority provided
15 under the following provisions of law:

16 “(1) Sections 1599c(a)(2) and 1705(h) of title
17 10.

18 “(2) Sections 1112 and 1113 of the National
19 Defense Authorization Act for Fiscal Year 2016
20 (Public Law 114–92; 129 Stat. 1033).

21 “(3) Sections 1110 and 1643(a)(3) of the Na-
22 tional Defense Authorization Act for Fiscal Year
23 2017 (Public Law 114–328; 130 Stat. 2450 and
24 2602).

1 “(4) Sections 559 and 1101 of the National
2 Defense Authorization Act for Fiscal Year 2018
3 (Public Law 115–91).”.

4 (b) REPORT.—

5 (1) IN GENERAL.—Not later than February 1,
6 2021, the Secretary of Defense, in coordination with
7 the Director of the Office of Personnel Management,
8 shall contract with a Federally funded research and
9 development center to submit a report to the con-
10 gressional defense committees and the Committee on
11 Oversight and Reform of the House of Representa-
12 tives.

13 (2) CONTENTS.—The report required under
14 paragraph (1) shall—

15 (A) assess and identify steps that could be
16 taken to improve the competitive hiring process
17 at the Department and ensure that direct hir-
18 ing is conducted in a manner consistent with
19 ensuring a merit based civil service and a di-
20 verse workforce in the Department and the rest
21 of the Federal Government; and

22 (B) consider the feasibility and desirability
23 of using cohort hiring, or hiring “talent pools”,
24 instead of conducting all hiring on a position-
25 by-position basis.

1 (3) OTHER MATTERS.—The Federally funded
2 research and development center selected to carry
3 out the report under this subsection shall, in pre-
4 paring such report, consult with all stakeholders,
5 public sector unions, hiring managers, career agency,
6 and Office of Personnel Management personnel spe-
7 cialists, and survey public sector employees and job
8 applicants, when developing its analysis and rec-
9 ommendations.



Log 497

**Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020**

Offered by: Mr. Byrne

In the portion of the report to accompany H.R. 2500 titled "Defense Access Road Projects", strike the following text: "September 1, 2020" and insert the following new text "March 1, 2020".

MTG #2