To nullify the Executive Order entitled “Executive Order on Creating Schedule F In The Excepted Service”, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Connolly (for himself, Mrs. Carolyn B. Maloney of New York, and Mr. Hoyer) introduced the following bill; which was referred to the Committee on ______________________________

A BILL

To nullify the Executive Order entitled “Executive Order on Creating Schedule F In The Excepted Service”, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Saving the Civil Serv-
5 ice Act”.

(Original Signature of Member)
SEC. 2. NULLIFICATION OF EXECUTIVE ORDER REGARDING SCHEDULE F AND LIMITATIONS ON CONVERSIONS OF COMPETITIVE SERVICE POSITIONS TO EXCEPTED SERVICE POSITIONS.

(a) RESCISSION.—

(1) IN GENERAL.—The provisions of the Executive Order entitled “Executive Order on Creating Schedule F In The Excepted Service”, issued on October 21, 2020, are rescinded and shall have no force or effect.

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on October 21, 2020.

(b) LIMITATION ON FUNDS.—No Federal funds may be used to implement, administer, or otherwise carry out the Executive Order described in subsection (a)(1), or any successor Executive Order or regulation.

(e) CONVERSIONS.—

(1) PROHIBITION.—Notwithstanding any other law, rule, or regulation, and except as provided in paragraph (2)—

(A) a position in the competitive service may not be converted to a position in the excepted service; and

(B) an individual serving in an appointment in the competitive service may not be con-
verted to an appointment in the excepted service.

(2) CONVERSIONS REVERSED.—Notwithstanding paragraph (1)—

(A) any position in the competitive service that was converted to a position in the excepted service under the Executive Order described in subsection (a)(1) during the period beginning on October 21, 2020, and ending on the date of enactment of this Act shall be converted to a position in the competitive service; and

(B) any individual serving in an appointment in the competitive service who was converted to an appointment in the excepted service under such Executive Order during such period shall be converted to an appointment in the competitive service.

(3) COMPETITIVE STATUS.—An individual non-competitively appointed to a position under schedule F (established under the Executive Order described in subsection (a)(1)) may not acquire competitive status under any conversion carried out under this subsection.

(d) REINSTATEMENT.—Any individual occupying a position that was converted from the competitive service
4 to the excepted service under the Executive Order de-
2 scribed in subsection (a)(1), and any individual whose ap-
3 pointment was converted from the competitive service to
4 the excepted service under such Executive Order, who was
5 involuntary removed from the civil service during the pe-
6 riod beginning on October 21, 2020, and ending on the
7 date of enactment of this Act shall be appointed by rein-
8 statement with backpay in accordance with section 5596
9 of title 5, United States Code.
10 (e) DEFINITIONS.—In this section, the terms “civil
11 service”, “competitive service”, and “excepted service”
12 have the meaning given those terms in sections 2101(1),
13 2102, and 2103, respectively, of title 5, United States
14 Code.