

104TH CONGRESS
2^D SESSION

S. 1488

AN ACT

To convert certain excepted service positions in the United States Fire Administration to competitive service positions, 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,*

1 **SECTION 1. CONVERSION OF CERTAIN EXCEPTED SERVICE**
2 **POSITIONS IN THE UNITED STATES FIRE AD-**
3 **MINISTRATION TO COMPETITIVE SERVICE**
4 **POSITIONS.**

5 (a) IN GENERAL.—No later than the date described
6 under subsection (d)(1), the Director of the Federal
7 Emergency Management Agency and the Director of the
8 Office of Personnel Management shall take such actions
9 as necessary to convert each excepted service position es-
10 tablished before the date of the enactment of this Act
11 under section 7(c)(4) of the Federal Fire Prevention and
12 Control Act of 1974 (15 U.S.C. 2206(c)(4)) to a competi-
13 tive service position.

14 (b) EFFECT ON EMPLOYEES.—Any employee em-
15 ployed on the date of the enactment of this Act in an ex-
16 cepted service position converted under subsection (a)—

17 (1) shall remain employed in the competitive
18 service position so converted without a break in serv-
19 ice;

20 (2) by reason of such conversion, shall have
21 no—

22 (A) diminution of seniority;

23 (B) reduction of cumulative years of serv-
24 ice; and

25 (C) requirement to serve an additional pro-
26 bationary period applied; and

1 (3) shall retain their standing and participation
2 with respect to chapter 83 or 84 of title 5, United
3 States Code, relating to Federal retirement.

4 (c) PROSPECTIVE COMPETITIVE SERVICE POSI-
5 TIONS.—Section 7(c)(4) of the Federal Fire Prevention
6 and Control Act of 1974 (15 U.S.C. 2206(c)(4)) is amend-
7 ed to read as follows:

8 “(4) appoint faculty members to competitive
9 service positions and with respect to temporary and
10 intermittent services, to make appointments of con-
11 sultants to the same extent as is authorized by sec-
12 tion 3109 of title 5, United States Code;”.

13 (d) EFFECTIVE DATE.—(1) Except as provided
14 under paragraph (2), this Act shall take effect on the first
15 day of the first pay period, applicable to the positions de-
16 scribed under subsection (a), beginning after the date of
17 the enactment of this Act.

18 (2)(A) The Director of the Federal Emergency Man-
19 agement Agency and the Director of the Office of Person-
20 nel Management shall take such actions as directed under
21 subsection (a) on and after the date of the enactment of
22 this Act.

1 (B) Subsection (c) shall take effect on the date of
2 the enactment of this Act.

Passed the Senate June 13, 1996.

Attest:

Secretary.

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