

110TH CONGRESS  
2D SESSION

# S. 3583

To limit or deny civil service protection for a Federal employee if the appointment of that employee is a prohibited personnel practice that was made on the basis of political affiliation as prohibited under any law, rule, or regulation.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Mr. WHITEHOUSE introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To limit or deny civil service protection for a Federal employee if the appointment of that employee is a prohibited personnel practice that was made on the basis of political affiliation as prohibited under any law, rule, or regulation.

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 “Political Independence  
5 of the Civil Service Act of 2008”.

1 **SEC. 2. POLITICAL INDEPENDENCE OF THE CIVIL SERVICE.**

2 (a) IN GENERAL.—Chapter 75 of title 5, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 “SUBCHAPTER VI—CIVIL SERVICE PROTECTION  
6 FOR EMPLOYEE APPOINTED ON PROHIB-  
7 ITED BASIS OF POLITICAL AFFILIATION

8 “§ 7551. **Civil service protection for employee ap-  
9 pointed on prohibited basis of political  
10 affiliation**

11 “(a) In this section—

12 “(1) the term ‘agency’ has the meaning given  
13 under section 2302(a)(2)(C);

14 “(2) the term ‘covered employee’ means an em-  
15 ployee whose appointment to an agency is a prohib-  
16 ited appointment; and

17 “(3) the term ‘prohibited appointment’ means  
18 any appointment of an employee to an agency which  
19 is a prohibited personnel practice that violates sec-  
20 tion 2302 (b)(1)(E) because such appointment was  
21 made on the basis of political affiliation as prohib-  
22 ited under any law, rule, or regulation.

23 “(b) The protections under subchapters I through V  
24 of this chapter shall not apply to a covered employee.”.

25 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
26 The table of sections for chapter 75 of title 5, United

1 States Code, is amended by adding at the end the fol-  
2 lowing:

“SUBCHAPTER VI—CIVIL SERVICE PROTECTION FOR EMPLOYEE APPOINTED  
ON PROHIBITED BASIS OF POLITICAL AFFILIATION

“Sec. 7551. Civil service protection for employee appointed on prohibited basis  
of political affiliation.”.

3 **SEC. 3. EFFECTIVE DATE.**

4 The amendments made by this Act shall take effect  
5 on the date of enactment of this Act and apply to any  
6 appointment made before, on, or after that date.

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