

119TH CONGRESS
1ST SESSION

H. R. 2880

To provide employment protections for, and reinstatement of, certain probationary Federal career employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2025

Mr. OLSZEWSKI (for himself, Mr. CARSON, Mr. GARCIA of California, Mr. HERNÁNDEZ, Mr. HOYER, Mr. IVEY, Mr. LICCARDO, Ms. NORTON, Ms. TITUS, Mr. TONKO, Ms. UNDERWOOD, Ms. VELÁZQUEZ, Ms. WILLIAMS of Georgia, Mrs. DINGELL, Ms. ELFRETH, Mr. FIELDS, Mr. HORSFORD, Mr. JACKSON of Illinois, Ms. JOHNSON of Texas, Mr. KENNEDY of New York, Mr. HUFFMAN, Mr. KHANNA, Mr. LIEU, Ms. OCASIO-CORTEZ, Mr. RASKIN, Mr. TRAN, Mr. BELL, Mr. MCGARVEY, Mr. DAVID SCOTT of Georgia, Mr. STANTON, and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide employment protections for, and reinstatement of, certain probationary Federal career employees, 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. EMPLOYMENT PROTECTIONS AND REINSTATE-**
2 **MENT OF PROBATIONARY CAREER FEDERAL**
3 **EMPLOYEES.**

4 (a) DUE PROCESS PROTECTIONS.—

5 (1) IN GENERAL.—Any Federal employee who
6 is promoted to a position in the competitive service,
7 a career position in the excepted service, or to a ca-
8 reer appointee position in the Senior Executive Serv-
9 ice and, after such promotion, is serving under a
10 probationary or trial period shall be deemed to be
11 covered by, and subject to the requirements of
12 such chapter II or subchapter V (as the case may be)
13 of chapter 75 of title 5, United States Code.

14 (2) VA EMPLOYEES.—Any Federal employee
15 who is promoted to a position at the Department of
16 Veterans Affairs and, after such promotion, is serv-
17 ing under a probationary or trial period shall be
18 deemed to be covered by, and subject to the require-
19 ments of, section 714 of title 38, United States
20 Code.

21 (b) REINSTATEMENT.—Any individual who was a
22 Federal employee serving under a probationary or trial
23 status after a promotion and who was removed from the
24 competitive service, a career position in the excepted serv-
25 ice, or a career appointee position in the Senior Executive
26 Service during the period beginning on January 20, 2025,

1 and ending on the date of the enactment of this Act shall,
2 at the election of the individual, be reinstated to the same
3 position or an equivalent position with backpay in accord-
4 ance with section 5596 of title 5, United States Code.

5 (c) LIMITATION.—Subsection (a) shall not apply to
6 any individual promoted to a political position and sub-
7 section (b) shall not apply to any individual removed from
8 a political position.

9 (d) DEFINITIONS.—In this section—

10 (1) the term “career appointee” has the mean-
11 ing given that term in section 3132(a) of title 5,
12 United States Code;

13 (2) the terms “civil service”, “competitive serv-
14 ice”, and “excepted service” have the meaning given
15 those terms in section 2101, 2102, and 2103, re-
16 spectively, of such title; and

17 (3) the term “political position” means—

18 (A) a position described under sections
19 5312 through 5316 of such title 5 (relating to
20 the Executive Schedule);

21 (B) a noncareer appointee (as that term is
22 defined in such section 3132(a)); or

23 (C) a position in the executive branch of
24 the Government of a confidential or policy-de-
25 termining character under schedule C of sub-

- 1 part C of part 213 of title 5, Code of Federal
- 2 Regulations.

