

**AMENDMENT TO H.R. 1646, AS REPORTED**  
**OFFERED BY MR. HYDE OF ILLINOIS**

Page 66, after line 12, add the following:

1 **SEC. 344. CORRECTION OF TIME LIMIT FOR GRIEVANCE**  
2 **FILING.**

3 Section 1104(a) of the Foreign Service Act of 1980  
4 (22 U.S.C. 4134(a)) is amended in the first sentence by  
5 striking “but in no case less than two years after the oc-  
6 currence giving rise to the grievance” and inserting “but  
7 in no case more than three years after the occurrence giv-  
8 ing rise to the grievance.”.

9 **SEC. 345. CLARIFICATION OF SEPARATION FOR CAUSE.**

10 Section 610(a) of the Foreign Service Act of 1980  
11 (22 U.S.C. 4010(a)) is amended—

12 (a) in paragraph (1), by inserting “decide to” after  
13 “may”;

14 (b) by striking paragraphs (2), (3), (4), (5) and (6)  
15 and inserting the following:

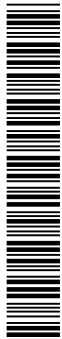
16 “(2) When the Secretary decides under para-  
17 graph (1) to separate, on the basis of misconduct,  
18 any member of the service (other than a United  
19 States citizen employed under section 311 who is not  
20 a family member) who either (A) is serving under a  
21 career appointment, or (B) is serving under a lim-



1       ited appointment, the member may not be separated  
2       from the Service until the member receives a hearing  
3       before the Foreign Service Grievance Board and the  
4       Board decides that cause for separation has been es-  
5       tablished, unless the member waives the right to  
6       such a hearing in writing, or the member's appoint-  
7       ment has expired, whichever occurs first.

8               “(3) If the Board decides that cause for separa-  
9       tion has not been established, the Board may direct  
10      the Department to pay reasonable attorneys fees to  
11      the extent and in the manner provided by section  
12      1107(b)(5). A hearing under this paragraph shall be  
13      conducted in accordance with the hearing procedures  
14      applicable to grievances under section 1106 and  
15      shall be in lieu of any other administrative procedure  
16      authorized or required by this or any other law. Sec-  
17      tion 1110 shall apply to proceedings under this  
18      paragraph.

19              “(4) Notwithstanding the hearing required by  
20      paragraph (2), when the Secretary decides to sepa-  
21      rate a member of the Service for cause, the member  
22      shall be placed on leave without pay. If the member  
23      does not waive the right to a hearing, and the Board  
24      decides that cause for separation has not been estab-



1 lished, the member shall be reinstated with back  
2 pay.”.

