

109TH CONGRESS
2D SESSION

H. R. 5894

To amend title 5, United States Code, to establish certain protections for preference eligibles selected for involuntary geographic reassignment.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2006

Ms. HERSETH introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 5, United States Code, to establish certain protections for preference eligibles selected for involuntary geographic reassignment.

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 “Veterans Reassign-
5 ment Protection Act”.

1 **SEC. 2. PROTECTIONS FOR PREFERENCE ELIGIBLES SE-**
2 **LECTED FOR INVOLUNTARY GEOGRAPHIC**
3 **REASSIGNMENT.**

4 (a) IN GENERAL.—Section 3502 of title 5, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 “(g)(1) A preference eligible may not be involuntarily
8 separated for failing to accept a directed reassignment to
9 a position outside the commuting area of the preference
10 eligible concerned or to accompany a position outside of
11 such area pursuant to a transfer of function unless such
12 preference eligible—

13 “(A) receives written notice of the reassignment
14 (together with notice of the rights afforded by sub-
15 paragraph (B) and paragraph (2)) at least 30 days
16 before the effective date of the reassignment; and

17 “(B) is allowed to elect to have the selection of
18 employees for release conducted in the same manner
19 as would be required under subsection (a) in the
20 case of a reduction in force.

21 “(2) A preference eligible involuntarily separated in
22 the circumstances described in paragraph (1) (in the mat-
23 ter before subparagraph (A) thereof) is entitled to appeal
24 to the Merit Systems Protection Board under section 7701
25 any failure to comply with the requirements of this sub-
26 section.

1 “(3) For purposes of this subsection, the term ‘pref-
2 erence eligible’ includes a preference eligible serving in or
3 under the United States Postal Service.”.

4 (b) TECHNICAL AMENDMENT.—The first sentence of
5 section 3501(b) of such title is amended by striking “and
6 section 3504” and inserting “section 3502(g)(3), and sec-
7 tion 3504”.

○