

110TH CONGRESS  
1ST SESSION

# H. R. 728

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2007

Ms. HERSETH (for herself and Mr. CLAY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## 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”.

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