

113TH CONGRESS
1ST SESSION

H. R. 2785

To amend title 5, United States Code, to improve the hiring of veterans by the Federal Government and State governments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2013

Mr. WALZ (for himself, Mr. DENHAM, Mr. BENTIVOLIO, and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to improve the hiring of veterans by the Federal Government and State governments, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Reserve Jobs
5 Act”.

1 **SEC. 2. PREFERENCE ELIGIBILITY FOR MEMBERS OF RE-**
2 **SERVE COMPONENTS OF THE ARMED**
3 **FORCES APPOINTED TO COMPETITIVE SERV-**
4 **ICE; CLARIFICATION OF APPEAL RIGHTS.**

5 (a) PREFERENCE ELIGIBILITY.—Section 2108 of
6 title 5, United States Code, is amended—

7 (1) in paragraph (3)—

8 (A) in subparagraph (G)(iii), by striking
9 “and” at the end;

10 (B) by inserting the following after sub-
11 paragraph (H):

12 “(I) an individual who is a member of a re-
13 serve component of the armed forces:

14 “(i) who has—

15 “(I) successfully completed offi-
16 cer candidate training or entry level
17 and skill training; and

18 “(II) incurred, or is performing,
19 an initial period of obligated service in
20 a reserve component of the armed
21 forces of not less than 6 consecutive
22 years; or

23 “(ii) who has completed at least 10
24 years of service in a reserve component of
25 the armed forces in each of which the indi-
26 vidual was credited with at least 50 points

1 under section 12732 of title 10 toward the
2 computation of years of service under sec-
3 tion 12732 of title 10 for purposes of eligi-
4 bility for retired pay under chapter 1223
5 of title 10; and

6 “(J) an individual who is—

7 “(i) retired from service in a reserve
8 component of the armed forces; and

9 “(ii) eligible for, but has not yet com-
10 menced receipt of, retired pay for non-reg-
11 ular service under chapter 1223 of title
12 10;”;

13 (2) in paragraph (4)—

14 (A) in subparagraph (A), by striking “or”
15 at the end;

16 (B) in subparagraph (B), by striking
17 “and” at the end and inserting “or”; and

18 (C) by adding at the end the following:

19 “(C) the individual is a retiree described in
20 paragraph (3)(J);”;

21 (3) in paragraph (5) by striking “and” at the
22 end; and

23 (4) by adding at the end the following:

1 “(6) ‘entry level and skill training’ has the
2 meaning given that term in section 3301(2) of title
3 38; and

4 “(7) ‘reserve component of the armed forces’
5 means a reserve component specified in section
6 101(27) of title 38.”.

7 (b) TIERED HIRING PREFERENCE FOR MEMBERS OF
8 RESERVE COMPONENTS OF THE ARMED FORCES.—Sec-
9 tion 3309 of title 5, United States Code, is amended—

10 (1) in paragraph (1), by striking “and” at the
11 end; and

12 (2) by striking paragraph (2) and inserting the
13 following:

14 “(2) a preference eligible under subparagraph
15 (A), (B), or (J) of section 2108(3) of this title—5
16 points;

17 “(3) a preference eligible under section
18 2108(3)(I)(ii) of this title—4 points; and

19 “(4) a preference eligible under section
20 2108(3)(I)(i) of this title—3 points.”.

21 (c) CLARIFICATION OF APPEAL RIGHTS.—

22 (1) IN GENERAL.—Section 3330a of title 5,
23 United States Code, is amended—

24 (A) in subsection (a)(1)(A), by inserting “,
25 including a preference eligible appointed pursu-

1 ant to section 7401 of title 38 or otherwise em-
2 ployed by the Veterans Health Administration
3 of the Department of Veterans Affairs,” after
4 “A preference eligible”; and

5 (B) in subsection (d)(1), by inserting “, in-
6 cluding a complaint so filed by a preference eli-
7 gible appointed pursuant to section 7401 of
8 title 38 or otherwise employed by the Veterans
9 Health Administration,” after “If the Secretary
10 of Labor is unable to resolve a complaint under
11 subsection (a)”.

12 (2) COORDINATION RULE.—Section 3330a of
13 title 5, United States Code, is amended by adding
14 at the end the following new subsection:

15 “(f) If any part of this section is deemed to be incon-
16 sistent with any provision of chapter 74 of title 38, this
17 section shall be deemed to supersede, override or otherwise
18 modify such provision of chapter 74 of title 38.”.

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