

104TH CONGRESS
2D SESSION

H. R. 3594

To amend title 38, United States Code, to ensure compliance with veterans' preference requirements at the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 1996

Mr. BUYER (for himself, Mr. FILNER, and Mr. SOLOMON) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to ensure compliance with veterans' preference requirements at the Department of Veterans Affairs.

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. FAILURE TO COMPLY WITH VETERANS' PREF-**
4 **ERENCE REQUIREMENTS TO BE TREATED AS**
5 **A PROHIBITED PERSONNEL PRACTICE.**

6 (a) IN GENERAL.—Chapter 7 of title 38, United
7 States Code, is amended by adding at the end the follow-
8 ing:

1 **“§ 713. Failure to comply with veterans’ preference**
2 **requirements to be treated as a prohib-**
3 **ited personnel practice**

4 “(a) An employee of the Department who has author-
5 ity to take, direct others to take, recommend, or approve
6 any personnel action, shall not, with respect to such au-
7 thority, take or fail to take any personnel action with re-
8 spect to an employee or applicant for employment if the
9 taking of or failure to take such action would violate any
10 law, rule, or regulation implementing, or directly concern-
11 ing, veterans’ preference.

12 “(b) A failure to comply with subsection (a) shall be
13 treated as a prohibited personnel practice.

14 “(c) The Secretary shall, not later than six months
15 after the date of the enactment of this section, submit a
16 written report to each House of Congress with respect
17 to—

18 “(1) the implementation of this section; and

19 “(2) the administration of veterans’ preference
20 requirements by the Department generally.

21 “(d) For the purpose of this section, the terms ‘per-
22 sonnel action’ and ‘prohibited personnel practice’ shall
23 have the respective meanings given them by section 2302
24 of title 5.”.

25 (b) CLERICAL AMENDMENT.—The table of sections
26 at the beginning of chapter 7 of such title is amended by

1 inserting after the item relating to section 712 the follow-
2 ing:

“Sec. 713. Failure to comply with veterans’ preference requirements to be treat-
ed as a prohibited personnel practice.”.

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