

86TH CONGRESS
1ST SESSION

S. 1489

IN THE SENATE OF THE UNITED STATES

MARCH 20, 1959

Mr. KEATING introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28 of the United States Code to provide for certain judicial review of administrative removals and suspensions of Federal employees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That (a) chapter 85 of title 28 of the United States Code
4 is amended by adding at the end thereof the following:

5 “§ 1361. Removal and suspensions of Federal employees

6 “The district courts of the United States, the District
7 Court for the Territory of Alaska, the United States District
8 Court for the District of the Canal Zone, the District
9 Court of Guam, and the District Court of the Virgin Islands

10 shall have jurisdiction of appeals of civilian employees in

1 the executive branch of the Federal Government (1) for
2 reinstatement or restoration to duty following final action by
3 the appropriate administrative authority for the removal or
4 suspension without pay from the service, or (2) concur-
5 rently with the Court of Claims, for compensation as pro-
6 vided by law for the period of such removal or suspension,
7 or (3) for both such reinstatement or restoration and
8 compensation.

9 "Any such appeal shall be filed within sixty days after
10 the date of the final administrative action in that court
11 within the jurisdiction of which the employee is employed
12 or in the District Court for the District of Columbia.

13 "Action for such appeal may be brought against the
14 appropriate officer or agency of the United States and service
15 of process upon such officer or agency may be made at any
16 place in the United States.

17 "The administrative record of the case, except for mat-
18 ters which are privileged or confidential, shall be filed with
19 the court by the officer or agency concerned.

20 "The decision of any such court shall be subject to
21 review as provided for such court in this title.

22 "Nothing contained in this section shall affect the scope
23 of review of any court in actions under this section."

Approved For Release 2004/05/13 : CIA-RDP91-00965R000400290016-9

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By Mr. KEATING

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