

## Union Calendar No. 547

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3286

[Report No. 114-708]

To encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mr. COOK (for himself and Ms. GABBARD) introduced the following bill; which was referred to the Committee on Veterans' Affairs

SEPTEMBER 6, 2016

Additional sponsors: Ms. GRAHAM, Ms. BROWNLEY of California, Mr. NUNES, Mr. HONDA, Mr. HURD of Texas, Mr. TAKANO, Ms. KUSTER, Mr. PETERS, Mr. COSTA, Mr. CÁRDENAS, Mr. RUIZ, Mr. HUNTER, Ms. ESTY, and Mr. POMPEO

SEPTEMBER 6, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on July 29, 2015]

# **A BILL**

To encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, 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 “Honoring Investments*  
5 *in Recruiting and Employing American Military Veterans*  
6 *Act of 2016” or the “HIRE Vets Act”.*

7 **SEC. 2. HIRE VETS MEDALLION PROGRAM.**

8        (a) *PROGRAM ESTABLISHED.*—*Not later than one year*  
9 *after the date of enactment of this Act, the Secretary of*  
10 *Labor shall establish, by rule, a HIRE Vets Medallion Pro-*  
11 *gram to solicit voluntary information from employers for*  
12 *purposes of recognizing, by means of an award to be des-*  
13 *ignated a “HIRE Vets Medallion”, verified efforts by such*  
14 *employers—*

15            (1) *to recruit, employ, and retain veterans; and*  
16            (2) *to provide community and charitable services*  
17 *supporting the veteran community.*

18        (b) *APPLICATION PROCESS.*—*Beginning in the cal-*  
19 *endar year following the calendar year in which the Sec-*  
20 *retary establishes the program—*

21            (1) *the Secretary shall annually—*

22                    (A) *solicit and accept voluntary applica-*  
23 *tions from employers in order to consider wheth-*  
24 *er those employers should receive a HIRE Vets*  
25 *Medallion;*

1           (B) review applications received in each  
2           calendar year; and

3           (C) provide to the President a list of recipi-  
4           ents; and

5           (2) the President shall annually—

6           (A) notify such recipients of their awards;  
7           and

8           (B) at a time to coincide with the annual  
9           commemoration of Veterans Day—

10           (i) announce the names of such recipi-  
11           ents;

12           (ii) recognize such recipients through  
13           publication in the Federal Register; and

14           (iii) issue to each such recipient—

15           (I) a HIRE Vets Medallion of the  
16           level determined under section 3; and

17           (II) a certificate stating that such  
18           employer is entitled to display such  
19           HIRE Vets Medallion during the fol-  
20           lowing calendar year, to be designated  
21           a “HIRE Vets Medallion Certificate”.

22           (c) TIMING.—

23           (1) SOLICITATION PERIOD.—The Secretary shall  
24           solicit applications not later than January 31st of

1 *each calendar year for the medallions to be awarded*  
2 *in November of that calendar year.*

3 (2) *END OF ACCEPTANCE PERIOD.*—*The Sec-*  
4 *retary shall stop accepting applications not earlier*  
5 *than April 30th of each calendar year for the medal-*  
6 *lions to be awarded in November of that calendar*  
7 *year.*

8 (3) *REVIEW PERIOD.*—*The Secretary shall finish*  
9 *reviewing applications not later than August 31st of*  
10 *each calendar year for the medallions to be awarded*  
11 *in November of that calendar year.*

12 (4) *RECOMMENDATIONS TO PRESIDENT.*—*The*  
13 *Secretary shall provide to the President a list of em-*  
14 *ployers to receive HIRE Vets Medallions not later*  
15 *than September 30th of each calendar year for the*  
16 *medallions to be awarded in November of that cal-*  
17 *endar year.*

18 (5) *NOTICE TO RECIPIENTS.*—*The President*  
19 *shall notify employers who will receive HIRE Vets*  
20 *Medallions not later than October 11th of each cal-*  
21 *endar year for the medallions to be awarded in No-*  
22 *vember of that calendar year.*

23 **SEC. 3. SELECTION OF RECIPIENTS.**

24 (a) *APPLICATION REVIEW PROCESS.*—

1           (1) *IN GENERAL.*—*The Secretary shall review all*  
2 *applications received in a calendar year to determine*  
3 *whether an employer should receive a HIRE Vets Me-*  
4 *dallion, and, if so, of what level.*

5           (2) *APPLICATION CONTENTS.*—*The Secretary*  
6 *shall require that all applications provide informa-*  
7 *tion on the programs and other efforts of applicant*  
8 *employers during the calendar year prior to that in*  
9 *which the medallion is to be awarded, including the*  
10 *categories and activities governing the level of award*  
11 *for which the applicant is eligible under subsection*  
12 *(b).*

13           (3) *VERIFICATION.*—*In reviewing applications,*  
14 *the Secretary shall verify all information provided in*  
15 *the applications, to the extent that such information*  
16 *is relevant in determining whether or not an appli-*  
17 *cant should receive a HIRE Vets Medallion or in de-*  
18 *termining the appropriate level of HIRE Vets Medal-*  
19 *lion for that employer to receive.*

20           (b) *AWARDS.*—

21           (1) *LARGE EMPLOYERS.*—

22           (A) *IN GENERAL.*—*The Secretary shall es-*  
23 *tablish two levels of HIRE Vets Medallions to be*  
24 *awarded to employers employing 500 or more*  
25 *employees, to be designated the “Gold HIRE Vets*

1           *Medallion” and the “Platinum HIRE Vets Me-*  
2           *dallion”.*

3           *(B) GOLD HIRE VETS MEDALLION.—No em-*  
4           *ployer shall be eligible to receive a Gold HIRE*  
5           *Vets Medallion in a given calendar year unless—*

6                     *(i) veterans constitute not less than 7*  
7                     *percent of all employees hired by such em-*  
8                     *ployer during the prior calendar year;*

9                     *(ii) such employer has established an*  
10                    *employee veteran organization or resource*  
11                    *group to assist new veteran employees with*  
12                    *integration, including coaching and men-*  
13                    *toring; and*

14                    *(iii) such employer has established pro-*  
15                    *grams to enhance the leadership skills of*  
16                    *veteran employees during their employment.*

17           *(C) PLATINUM HIRE VETS MEDALLION.—No*  
18           *employer shall be eligible to receive a Platinum*  
19           *HIRE Vets Medallion in a given calendar year*  
20           *unless—*

21                    *(i) veterans constitute not less than 10*  
22                    *percent of all employees hired by such em-*  
23                    *ployer during the prior calendar year;*

24                    *(ii) such employer retains through the*  
25                    *end of the prior calendar year not less than*

1           85 percent of veteran employees hired dur-  
2           ing the calendar year before the prior cal-  
3           endar year;

4           (iii) such employer employs dedicated  
5           human resources professionals to support  
6           hiring and retention of veteran employees,  
7           including efforts focused on veteran hiring  
8           and training;

9           (iv) such employer provides each of its  
10          employees serving on active duty in the  
11          United States National Guard or Reserve  
12          with compensation sufficient, in combina-  
13          tion with the employee's active duty pay, to  
14          achieve a combined level of income commen-  
15          surate with the employee's salary prior to  
16          undertaking active duty; and

17          (v) such employer has established a  
18          tuition assistance program to support vet-  
19          eran employees' attendance in postsec-  
20          ondary education during the term of their  
21          employment.

22          (D) EXEMPTION FOR SMALLER EMPLOY-  
23          ERS.—An employer shall be deemed to meet the  
24          requirements of subparagraph (E)(iv) if such  
25          employer—

1                   (i) employs 5,000 or fewer employees;

2                   and

3                   (ii) employs at least one human re-  
4                   sources professional whose regular work du-  
5                   ties include those described under subpara-  
6                   graph (E)(iv).

7                   (E) *ADDITIONAL CRITERIA.*—The Secretary  
8                   may provide, by rule, additional criteria with  
9                   which to determine qualifications for receipt of  
10                  each level of *HIRE Vets Medallion*.

11                  (2) *SMALL- AND MEDIUM-SIZED EMPLOYERS.*—  
12                  The Secretary shall establish similar awards in order  
13                  to recognize achievements in supporting veterans by—

14                   (A) employers with 50 or fewer employees;

15                   and

16                   (B) employers with more than 50 but fewer  
17                   than 500 employees.

18                  (c) *DESIGN BY SECRETARY.*—The Secretary shall es-  
19                  tablish the shape, form, and metallic content of each *HIRE*  
20                  *Vets Medallion*.

21 **SEC. 4. DISPLAY OF AWARD.**

22                  (a) *IN GENERAL.*—The recipient of a *HIRE Vets Me-*  
23                  *dallion* may—

1           (1) *publicly display such medallion through the*  
2           *end of the calendar year following receipt of such me-*  
3           *dallion; and*

4           (2) *publicly display the HIRE Vets Medallion*  
5           *Certificate issued in conjunction with such medallion.*

6           (b) *UNLAWFUL DISPLAY PROHIBITED.—It is unlawful*  
7           *for any employer to publicly display a HIRE Vets Medal-*  
8           *lion, in connection with, or as a part of, any advertisement,*  
9           *solicitation, business activity, or product—*

10           (1) *for the purpose of conveying, or in a manner*  
11           *reasonably calculated to convey, a false impression*  
12           *that the employer received the medallion through the*  
13           *HIRE Vets Medallion Program, if such employer did*  
14           *not receive such medallion through the HIRE Vets*  
15           *Medallion Program; or*

16           (2) *for the purpose of conveying, or in a manner*  
17           *reasonably calculated to convey, a false impression*  
18           *that the employer received the medallion through the*  
19           *HIRE Vets Medallion Program during the preceding*  
20           *calendar year if it is after the end of the calendar*  
21           *year following the calendar year in which such me-*  
22           *dallion was issued to such employer through the*  
23           *HIRE Vets Medallion Program.*

1 **SEC. 5. APPLICATION FEE AND FUNDING.**

2 (a) *FUND ESTABLISHED.*—*There is established in the*  
3 *Treasury of the United States a fund to be designated the*  
4 *“HIRE Vets Medallion Award Fund”.*

5 (b) *FEE AUTHORIZED.*—*The Secretary may assess a*  
6 *reasonable fee on employers that apply for receipt of a*  
7 *HIRE Vets Medallion and the Secretary shall deposit such*  
8 *fees into the HIRE Vets Medallion Award Fund. The Sec-*  
9 *retary shall establish the amount of the fee such that the*  
10 *amounts collected as fees and deposited into the Fund are*  
11 *sufficient to cover the costs associated with carrying out this*  
12 *Act.*

13 (c) *USE OF FUNDS.*—*Amounts in the HIRE Vets Me-*  
14 *dallion Award Fund shall be available, without further ap-*  
15 *propriation, to the Secretary to carry out the HIRE Vets*  
16 *Medallion Program.*

17 **SEC. 6. REPORT TO CONGRESS.**

18 (a) *REPORTS.*—*Beginning not later than two years*  
19 *after the date of enactment of this Act, the Secretary shall*  
20 *submit to Congress annual reports on—*

21 (1) *the fees collected from applicants for HIRE*  
22 *Vets Medallions in the prior year and any changes in*  
23 *fees to be proposed in the present year;*

24 (2) *the cost of administering the HIRE Vets Me-*  
25 *dallion Program in the prior year;*

1           (3) *the number of applications for HIRE Vets*  
2           *Medallions received in the prior year; and*

3           (4) *the HIRE Vets Medallions awarded in the*  
4           *prior year, including the name of each employer to*  
5           *whom a HIRE Vets Medallion was awarded and the*  
6           *level of medallion awarded to each such employer.*

7           (b) *COMMITTEES.—The Secretary shall provide the re-*  
8           *ports required under subsection (a) to the Chairman and*  
9           *Ranking Member of—*

10           (1) *the Committees on Education and the Work-*  
11           *force and Veterans' Affairs of the House of Represent-*  
12           *atives; and*

13           (2) *the Committees on Health, Education, Labor,*  
14           *and Pensions and Veterans' Affairs of the Senate.*

15 **SEC. 7. DEFINITIONS.**

16           *In this Act:*

17           (a) *EMPLOYER.—The term “employer” has the mean-*  
18           *ing given such term under section 4303 of title 38, United*  
19           *States Code, except that such term does not include—*

20           (1) *the Federal Government;*

21           (2) *any State, as defined in such section; or*

22           (3) *any foreign state.*

23           (b) *SECRETARY.—The term “Secretary” means the*  
24           *Secretary of Labor.*

1       (c) *VETERAN.*—*The term “veteran” has the meaning*  
2 *given such term under section 101 of title 38, United States*  
3 *Code.*

4 ***SEC. 8. LIMITATION ON AWARDS AND BONUSES PAID TO***  
5 ***SENIOR EXECUTIVE EMPLOYEES OF DEPART-***  
6 ***MENT OF VETERANS AFFAIRS.***

7       *Section 705 of the Veterans Access, Choice, and Ac-*  
8 *countability Act of 2014 (Public Law 113–146; 38 U.S.C.*  
9 *703 note) is amended by striking the period at the end and*  
10 *inserting the following: , “of which, during fiscal year 2016,*  
11 *not more than an aggregate amount of \$2,000,000 may be*  
12 *paid to employees of the Department of Veterans Affairs*  
13 *who are members of the Senior Executive Service.”.*

Union Calendar No. 547

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3286**

[Report No. 114-708]

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**A BILL**

To encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, and for other purposes.

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