

Suspend the Rules and Pass the Bill, HR. 3286

(The amendment strikes all after the enacting clause and inserts a new text)

114TH CONGRESS
1ST SESSION

H. R. 3286

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.

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

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Honoring Investments
3 in Recruiting and Employing American Military Veterans
4 Act of 2016” or the “HIRE Vets Act”.

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

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

13 (1) to recruit, employ, and retain veterans; and
14 (2) to provide community and charitable serv-
15 ices supporting the veteran community.

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

19 (1) the Secretary shall annually—

20 (A) solicit and accept voluntary applica-
21 tions from employers in order to consider
22 whether those employers should receive a HIRE
23 Vets Medallion;

24 (B) review applications received in each
25 calendar year; and

1 (C) provide to the President a list of re-
2 cipients; and

3 (2) the President shall annually—

4 (A) notify such recipients of their awards;
5 and

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

8 (i) announce the names of such recipi-
9 ents;

10 (ii) recognize such recipients through
11 publication in the Federal Register; and

12 (iii) issue to each such recipient—

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

15 (II) a certificate stating that
16 such employer is entitled to display
17 such HIRE Vets Medallion during the
18 following calendar year, to be des-
19 ignated a “HIRE Vets Medallion Cer-
20 tificate”.

21 (c) TIMING.—

22 (1) SOLICITATION PERIOD.—The Secretary
23 shall solicit applications not later than January 31st
24 of each calendar year for the medallions to be
25 awarded in November of that calendar year.

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

6 (3) REVIEW PERIOD.—The Secretary shall fin-
7 ish reviewing applications not later than August 31st
8 of each calendar year for the medallions to be
9 awarded in November of that calendar year.

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

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

21 **SEC. 3. SELECTION OF RECIPIENTS.**

22 (a) APPLICATION REVIEW PROCESS.—

23 (1) IN GENERAL.—The Secretary shall review
24 all applications received in a calendar year to deter-

1 mine whether an employer should receive a HIRE
2 Vets Medallion, and, if so, of what level.

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

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

18 (b) AWARDS.—

19 (1) LARGE EMPLOYERS.—

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

1 (B) GOLD HIRE VETS MEDALLION.—No
2 employer shall be eligible to receive a Gold
3 HIRE Vets Medallion in a given calendar year
4 unless—

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

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

13 (iii) such employer has established
14 programs to enhance the leadership skills
15 of veteran employees during their employ-
16 ment.

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

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

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

1 than 85 percent of veteran employees hired
2 during the calendar year before the prior
3 calendar 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 com-
15 mensurate with the employee's salary prior
16 to 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
5 duties include those described under sub-
6 paragraph (E)(iv).

7 (E) **ADDITIONAL CRITERIA.**—The Sec-
8 retary may provide, by rule, additional criteria
9 with which to determine qualifications for re-
10 ceipt of 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
14 by—

15 (A) employers with 50 or fewer employees;

16 and

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

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

22 **SEC. 4. DISPLAY OF AWARD.**

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

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

4 (2) publicly display the HIRE Vets Medallion
5 Certificate issued in conjunction with such medal-
6 lion.

7 (b) UNLAWFUL DISPLAY PROHIBITED.—It is unlaw-
8 ful for any employer to publicly display a HIRE Vets Me-
9 dallion, in connection with, or as a part of, any advertise-
10 ment, solicitation, business activity, or product—

11 (1) for the purpose of conveying, or in a man-
12 ner reasonably calculated to convey, a false impres-
13 sion that the employer received the medallion
14 through the HIRE Vets Medallion Program, if such
15 employer did not receive such medallion through the
16 HIRE Vets Medallion Program; or

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

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

2 (a) **FUND ESTABLISHED.**—There is established in
3 the Treasury of the United States a fund to be designated
4 the “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
12 this Act.

13 (c) **USE OF FUNDS.**—Amounts in the HIRE Vets
14 Medallion Award Fund shall be available, subject to 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
23 in fees to be proposed in the present year;

24 (2) the cost of administering the HIRE Vets
25 Medallion 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
8 reports required under subsection (a) to the Chairman and
9 Ranking Member of—

10 (1) the Committees on Education and the
11 Workforce and Veterans' Affairs of the House of
12 Representatives; and

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

16 **SEC. 7. DEFINITIONS.**

17 In this Act:

18 (a) EMPLOYER.—The term “employer” has the
19 meaning given such term under section 4303 of title 38,
20 United States Code, except that such term does not in-
21 clude—

22 (1) the Federal Government;

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

24 (3) any foreign state.

1 (b) SECRETARY.—The term “Secretary” means the
2 Secretary of Labor.

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