

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3286
OFFERED BY MR. MILLER

Strike all after the enacting clause and insert the following:

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—

1 (1) the Secretary shall annually—

2 (A) solicit and accept voluntary applica-
3 tions from employers in order to consider
4 whether those employers should receive a HIRE
5 Vets Medallion;

6 (B) review applications received in each
7 calendar year; and

8 (C) provide to the President a list of re-
9 cipients; and

10 (2) the President shall annually—

11 (A) notify such recipients of their awards;
12 and

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

15 (i) announce the names of such recipi-
16 ents;

17 (ii) recognize such recipients through
18 publication in the Federal Register; and

19 (iii) issue to each such recipient—

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

22 (II) a certificate stating that
23 such employer is entitled to display
24 such HIRE Vets Medallion during the
25 following calendar year, to be des-

1 ignated a “HIRE Vets Medallion Cer-
2 tificate”.

3 (c) TIMING.—

4 (1) SOLICITATION PERIOD.—The Secretary
5 shall solicit applications not later than January 31st
6 of each calendar year for the medallions to be
7 awarded in November of that calendar year.

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

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

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

23 (5) NOTICE TO RECIPIENTS.—The President
24 shall notify employers who will receive HIRE Vets
25 Medallions not later than October 11th of each cal-

1 endar year for the medallions to be awarded in No-
2 vember of that calendar year.

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

4 (a) APPLICATION REVIEW PROCESS.—

5 (1) IN GENERAL.—The Secretary shall review
6 all applications received in a calendar year to deter-
7 mine whether an employer should receive a HIRE
8 Vets Medallion, and, if so, of what level.

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

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

24 (b) AWARDS.—

25 (1) LARGE EMPLOYERS.—

1 (A) IN GENERAL.—The Secretary shall es-
2 tablish two levels of HIRE Vets Medallions to
3 be awarded to employers employing 500 or
4 more employees, to be designated the “Gold
5 HIRE Vets Medallion” and the “Platinum
6 HIRE Vets Medallion”.

7 (B) GOLD HIRE VETS MEDALLION.—No
8 employer shall be eligible to receive a Gold
9 HIRE Vets Medallion in a given calendar year
10 unless—

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

14 (ii) such employer has established an
15 employee veteran organization or resource
16 group to assist new veteran employees with
17 integration, including coaching and men-
18 toring; and

19 (iii) such employer has established
20 programs to enhance the leadership skills
21 of veteran employees during their employ-
22 ment.

23 (C) PLATINUM HIRE VETS MEDALLION.—
24 No employer shall be eligible to receive a Plat-

1 inum HIRE Vets Medallion in a given calendar
2 year unless—

3 (i) veterans constitute not less than
4 10 percent of all employees hired by such
5 employer during the prior calendar year;

6 (ii) such employer retains through the
7 end of the prior calendar year not less
8 than 85 percent of veteran employees hired
9 during the calendar year before the prior
10 calendar year;

11 (iii) such employer employs dedicated
12 human resources professionals to support
13 hiring and retention of veteran employees,
14 including efforts focused on veteran hiring
15 and training;

16 (iv) such employer provides each of its
17 employees serving on active duty in the
18 United States National Guard or Reserve
19 with compensation sufficient, in combina-
20 tion with the employee’s active duty pay, to
21 achieve a combined level of income com-
22 mensurate with the employee’s salary prior
23 to undertaking active duty; and

24 (v) such employer has established a
25 tuition assistance program to support vet-

1 eran employees' attendance in postsec-
2 ondary education during the term of their
3 employment.

4 (D) EXEMPTION FOR SMALLER EMPLOY-
5 ERS.—An employer shall be deemed to meet the
6 requirements of subparagraph (E)(iv) if such
7 employer—

8 (i) employs 5,000 or fewer employees;
9 and

10 (ii) employs at least one human re-
11 sources professional whose regular work
12 duties include those described under sub-
13 paragraph (E)(iv).

14 (E) ADDITIONAL CRITERIA.—The Sec-
15 retary may provide, by rule, additional criteria
16 with which to determine qualifications for re-
17 ceipt of each level of HIRE Vets Medallion.

18 (2) SMALL- AND MEDIUM-SIZED EMPLOYERS.—
19 The Secretary shall establish similar awards in order
20 to recognize achievements in supporting veterans
21 by—

22 (A) employers with 50 or fewer employees;
23 and

24 (B) employers with more than 50 but
25 fewer than 500 employees.

1 (c) DESIGN BY SECRETARY.—The Secretary shall es-
2 tablish the shape, form, and metallic content of each
3 HIRE Vets Medallion.

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

5 (a) IN GENERAL.—The recipient of a HIRE Vets Me-
6 dallion may—

7 (1) publicly display such medallion through the
8 end of the calendar year following receipt of such
9 medallion; and

10 (2) publicly display the HIRE Vets Medallion
11 Certificate issued in conjunction with such medal-
12 lion.

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

17 (1) 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, if such
21 employer did not receive such medallion through the
22 HIRE Vets Medallion Program; or

23 (2) for the purpose of conveying, or in a man-
24 ner reasonably calculated to convey, a false impres-
25 sion that the employer received the medallion

1 through the HIRE Vets Medallion Program during
2 the preceding calendar year if it is after the end of
3 the calendar year following the calendar year in
4 which such medallion was issued to such employer
5 through the HIRE Vets Medallion Program.

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

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

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

18 (c) **USE OF FUNDS.**—Amounts in the HIRE Vets
19 Medallion Award Fund shall be available, without further
20 appropriation, to the Secretary to carry out the HIRE
21 Vets Medallion Program.

22 **SEC. 6. REPORT TO CONGRESS.**

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

1 (1) the fees collected from applicants for HIRE
2 Vets Medallions in the prior year and any changes
3 in fees to be proposed in the present year;

4 (2) the cost of administering the HIRE Vets
5 Medallion Program in the prior year;

6 (3) the number of applications for HIRE Vets
7 Medallions received in the prior year; and

8 (4) the HIRE Vets Medallions awarded in the
9 prior year, including the name of each employer to
10 whom a HIRE Vets Medallion was awarded and the
11 level of medallion awarded to each such employer.

12 (b) COMMITTEES.—The Secretary shall provide the
13 reports required under subsection (a) to the Chairman and
14 Ranking Member of—

15 (1) the Committees on Education and the
16 Workforce and Veterans' Affairs of the House of
17 Representatives; and

18 (2) the Committees on Health, Education,
19 Labor, and Pensions and Veterans' Affairs of the
20 Senate.

21 **SEC. 7. DEFINITIONS.**

22 In this Act:

23 (a) EMPLOYER.—The term “employer” has the
24 meaning given such term under section 4303 of title 38,

1 United States Code, except that such term does not in-
2 clude—

- 3 (1) the Federal Government;
- 4 (2) any State, as defined in such section; or
- 5 (3) any foreign state.

6 (b) SECRETARY.—The term “Secretary” means the
7 Secretary of Labor.

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

11 **SEC. 8. LIMITATION ON AWARDS AND BONUSES PAID TO**
12 **SENIOR EXECUTIVE EMPLOYEES OF DEPART-**
13 **MENT OF VETERANS AFFAIRS.**

14 Section 705 of the Veterans Access, Choice, and Ac-
15 countability Act of 2014 (Public Law 113–146; 38 U.S.C.
16 703 note) is amended by striking the period at the end
17 and inserting the following: , “of which, during fiscal year
18 2016, not more than an aggregate amount of \$2,000,000
19 may be paid to employees of the Department of Veterans
20 Affairs who are members of the Senior Executive Serv-
21 ice.”.

