

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 3286**  
**OFFERED BY MR. WENSTRUP OF OHIO**

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.

14 (c) **USE OF FUNDS.**—Amounts in the HIRE Vets  
15 Medallion Award Fund shall be available, without further  
16 appropriation, to the Secretary to carry out the HIRE  
17 Vets Medallion Program.

18 **SEC. 6. REPORT TO CONGRESS.**

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

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

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

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

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

9           (b) COMMITTEES.—The Secretary shall provide the  
10 reports required under subsection (a) to the Chairman and  
11 Ranking Member of—

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

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

18 **SEC. 7. DEFINITIONS.**

19 In this Act:

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

24           (1) the Federal Government;

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

1           (3) any foreign state.

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

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

