

114TH CONGRESS  
2D SESSION

# H. R. 3286

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2016

Received

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## AN ACT

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 1 year  
7 after the date of enactment of this Act, the Secretary of  
8 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 (C)(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 (C)(iii).

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 2 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.

Passed the House of Representatives November 29,  
2016.

Attest:

KAREN L. HAAS,  
*Clerk.*