

Calendar No. 95

112TH CONGRESS
1ST SESSION

S. 951

To improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2011

Mrs. MURRAY (for herself, Ms. MURKOWSKI, Mr. ROCKEFELLER, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CASEY, Mr. COONS, Mr. SANDERS, Mr. TESTER, Mr. LEAHY, Mr. BROWN of Massachusetts, Mr. CARDIN, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. REED, Mrs. McCASKILL, Mr. DURBIN, Mr. BENNET, Ms. SNOWE, Mr. KERRY, Mr. LEVIN, Ms. STABENOW, Mr. UDALL of New Mexico, Mr. MENENDEZ, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

JULY 7, 2011

Reported by Mrs. MURRAY, with an amendment

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

A BILL

To improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, 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 “Hiring Heroes Act of
3 2011”.

4 **SEC. 2. TWO-YEAR EXTENSION OF AUTHORITY OF SEC-**
5 **RETARY OF VETERANS AFFAIRS TO PROVIDE**
6 **REHABILITATION AND VOCATIONAL BENE-**
7 **FITS TO MEMBERS OF THE ARMED FORCES**
8 **WITH SEVERE INJURIES OR ILLNESSES.**

9 Section 1631(b)(2) of the Wounded Warrior Act (title
10 XVI of Public Law 110–181; 10 U.S.C. 1071 note) is
11 amended by striking “December 31, 2012” and inserting
12 “December 31, 2014”.

13 **SEC. 3. EXPANSION OF AUTHORITY OF SECRETARY OF VET-**
14 **ERANS AFFAIRS TO PAY EMPLOYERS FOR**
15 **PROVIDING ON-JOB TRAINING TO VETERANS**
16 **WHO HAVE NOT BEEN REHABILITATED TO**
17 **POINT OF EMPLOYABILITY.**

18 Section 3116(b)(1) of title 38, United States Code,
19 is amended by striking “who have been rehabilitated to
20 the point of employability”.

21 **SEC. 4. TRAINING AND REHABILITATION FOR VETERANS**
22 **WITH SERVICE-CONNECTED DISABILITIES**
23 **WHO HAVE EXHAUSTED RIGHTS TO UNEM-**
24 **PLOYMENT BENEFITS UNDER STATE LAW.**

25 (a) ENTITLEMENT TO ADDITIONAL REHABILITATION
26 PROGRAMS.—

1 (1) IN GENERAL.—Section 3102 of title 38,
2 United States Code, is amended—

3 (A) in the matter before paragraph (1), by
4 striking “A person” and inserting the following:
5 “(a) IN GENERAL.—A person”; and

6 (B) by adding at the end the following new
7 paragraph:

8 “(b) ADDITIONAL REHABILITATION PROGRAMS FOR
9 PERSONS WHO HAVE EXHAUSTED RIGHTS TO UNEM-
10 PLOYMENT BENEFITS UNDER STATE LAW.—(1) A person
11 who has completed a rehabilitation program under this
12 chapter shall be entitled to an additional rehabilitation
13 program under the terms and conditions of this chapter
14 if—

15 “(A) the person is described by paragraph (1)
16 or (2) of subsection (a); and

17 “(B) the person—

18 “(i) has exhausted all rights to regular
19 compensation under the State law or under
20 Federal law with respect to a benefit year;

21 “(ii) has no rights to regular compensation
22 with respect to a week under such State or
23 Federal law; and

1 “(iii) is not receiving compensation with
2 respect to such week under the unemployment
3 compensation law of Canada; and

4 “(C) begins such additional rehabilitation pro-
5 gram within six months of the date of such exhaus-
6 tion.

7 “(2) For purposes of paragraph (1)(B)(i), a person
8 shall be considered to have exhausted such person’s rights
9 to regular compensation under a State law when—

10 “(A) no payments of regular compensation can
11 be made under such law because such person has re-
12 ceived all regular compensation available to such
13 person based on employment or wages during such
14 person’s base period; or

15 “(B) such person’s rights to such compensation
16 have been terminated by reason of the expiration of
17 the benefit year with respect to which such rights
18 existed.

19 “(3) In this subsection, the terms ‘compensation’,
20 ‘regular compensation’, ‘benefit year’, ‘State’, ‘State law’,
21 and ‘week’ have the respective meanings given such terms
22 under section 205 of the Federal-State Extended Unem-
23 ployment Compensation Act of 1970 (26 U.S.C. 3304
24 note).”.

1 (2) DURATION OF ADDITIONAL REHABILITA-
2 TION PROGRAM.—Section 3105(b) of such title is
3 amended—

4 (A) by striking “Except as provided in
5 subsection (e) of this section,” and inserting
6 “(1) Except as provided in paragraph (2) and
7 in subsection (e),”; and

8 (B) by adding at the end the following new
9 paragraph:

10 “(2) The period of a vocational rehabilitation pro-
11 gram pursued by a veteran under section 3102(b) of this
12 title following a determination of the current reasonable
13 feasibility of achieving a vocational goal may not exceed
14 24 months.”.

15 (b) EXTENSION OF PERIOD OF ELIGIBILITY.—Sec-
16 tion 3103 of such title is amended—

17 (1) in subsection (a), by striking “in subsection
18 (b), (c), or (d)” and inserting “in subsection (b), (c),
19 (d), or (e),”;

20 (2) by redesignating subsection (e) as sub-
21 section (f); and

22 (3) by inserting after subsection (d) the fol-
23 lowing new subsection (e):

1 “(e)(1) The limitation in subsection (a) shall not
 2 apply to a rehabilitation program described in paragraph
 3 (2).

4 “(2) A rehabilitation program described in this para-
 5 graph is a rehabilitation program pursued by a veteran
 6 under section 3102(b) of this title.”.

7 (c) EXCEPTION TO LIMITATION ON RECEIPT OF AS-
 8 SISTANCE UNDER CHAPTER 31 AND ONE OR MORE PRO-
 9 GRAMS.—Section 3695(b) of such title is amended—

10 (1) by striking “No person” and inserting “Ex-
 11 cept as provided in paragraph (2), no person”; and

12 (2) by adding at the end the following new
 13 paragraph:

14 “(2) Paragraph (1) shall not apply with respect to
 15 a rehabilitation program described in section 3103(e)(2)
 16 of this title.”.

17 **SEC. 5. ASSESSMENT AND FOLLOW-UP ON VETERANS WHO**
 18 **PARTICIPATE IN DEPARTMENT OF VETERANS**
 19 **AFFAIRS TRAINING AND REHABILITATION**
 20 **FOR VETERANS WITH SERVICE-CONNECTED**
 21 **DISABILITIES.**

22 (a) IN GENERAL.—Section 3106 of title 38, United
 23 States Code, is amended—

24 (1) by adding at the end the following new sub-
 25 section:

1 “(g) For each rehabilitation program pursued by a
 2 veteran under this chapter, the Secretary shall contact
 3 such veteran not later than 180 days after the date on
 4 which such veteran completes such rehabilitation program
 5 or terminates participation in such rehabilitation program
 6 and not less frequently than once every 180 days there-
 7 after for a period of one year to ascertain the employment
 8 status of the veteran and assess such rehabilitation pro-
 9 gram.”; and

10 (2) in the section heading, by adding “; **pro-**
 11 **gram assessment and follow-up**” at the end.

12 (b) CLERICAL AMENDMENT.—The table of sections
 13 at the beginning of chapter 31 of such title is amended
 14 by striking the item relating to section 3106 and inserting
 15 the following new item:

“3106. Initial and extended evaluations; determinations regarding serious em-
 ployment handicap; program assessment and follow-up.”.

16 **SEC. 6. MANDATORY PARTICIPATION OF MEMBERS OF THE**
 17 **ARMED FORCES IN THE TRANSITIONAL AS-**
 18 **SISTANCE PROGRAM OF THE DEPARTMENT**
 19 **OF DEFENSE.**

20 (a) IN GENERAL.—Section 1144(c) of title 10,
 21 United States Code, is amended by striking “shall encour-
 22 age” and all that follows and inserting “shall require the
 23 participation in the program carried out under this section

1 of the members eligible for assistance under the pro-
2 gram.”.

3 (b) **REQUIRED USE OF EMPLOYMENT ASSISTANCE,**
4 **JOB TRAINING ASSISTANCE, AND OTHER TRANSITIONAL**
5 **SERVICES IN PRESEPARATION COUNSELING.**—Section
6 1142(a)(2) of such title is amended by striking “may” and
7 inserting “shall”.

8 **SEC. 7. FOLLOW-UP ON EMPLOYMENT STATUS OF MEM-**
9 **BERS OF ARMED FORCES WHO RECENTLY**
10 **PARTICIPATED IN TRANSITIONAL ASSIST-**
11 **ANCE PROGRAM OF DEPARTMENT OF DE-**
12 **FENSE.**

13 For each individual who participates in the Transi-
14 tional Assistance Program (TAP) of the Department of
15 Defense, the Secretary of Labor shall contact such indi-
16 vidual not later than 180 days after the date on which
17 such individual completes such program and not less fre-
18 quently than once every 90 days thereafter for a period
19 of 180 days to ascertain the employment status of such
20 individual.

21 **SEC. 8. COLLABORATIVE VETERANS’ TRAINING, MEN-**
22 **TORING, AND PLACEMENT PROGRAM.**

23 (a) **IN GENERAL.**—Chapter 41 of title 38, United
24 States Code, is amended by inserting after section 4104
25 the following new section:

1 **“§ 4104A. Collaborative veterans’ training, mentoring,**
2 **and placement program**

3 “(a) GRANTS.—The Secretary shall award grants to
4 eligible nonprofit organizations to provide training and
5 mentoring for eligible veterans who seek employment. The
6 Secretary shall award the grants to not more than 3 orga-
7 nizations, for periods of 2 years.

8 “(b) COLLABORATION AND FACILITATION.—The Sec-
9 retary shall ensure that the recipients of the grants—

10 “(1) collaborate with—

11 “(A) the appropriate disabled veterans’
12 outreach specialists (in carrying out the func-
13 tions described in section 4103A(a)) and the
14 appropriate local veterans’ employment rep-
15 resentatives (in carrying out the functions de-
16 scribed in section 4104); and

17 “(B) the appropriate State boards and
18 local boards (as such terms are defined in sec-
19 tion 101 of the Workforce Investment Act of
20 1998 (29 U.S.C. 2801)) for the areas to be
21 served by recipients of the grants; and

22 “(2) based on the collaboration, facilitate the
23 placement of the veterans that complete the training
24 in meaningful employment that leads to economic
25 self-sufficiency.

1 “(e) APPLICATION.—To be eligible to receive a grant
2 under this section, a nonprofit organization shall submit
3 an application to the Secretary at such time, in such man-
4 ner, and containing such information as the Secretary may
5 require. At a minimum, the information shall include—

6 “(1) information describing how the organiza-
7 tion will—

8 “(A) collaborate with disabled veterans’
9 outreach specialists and local veterans’ employ-
10 ment representatives and the appropriate State
11 boards and local boards (as such terms are de-
12 fined in section 101 of the Workforce Invest-
13 ment Act of 1998 (29 U.S.C. 2801));

14 “(B) based on the collaboration, provide
15 training that facilitates the placement described
16 in subsection (b)(2); and

17 “(C) make available, for each veteran re-
18 ceiving the training, a mentor to provide career
19 advice to the veteran and assist the veteran in
20 preparing a resume and developing job inter-
21 viewing skills; and

22 “(2) an assurance that the organization will
23 provide the information necessary for the Secretary
24 to prepare the reports described in subsection (d).

1 “(d) REPORTS.—(1) Not later than 6 months after
2 the date of enactment of the Hiring Heroes Act of 2011,
3 the Secretary shall prepare and submit to the appropriate
4 committees of Congress a report that describes the process
5 for awarding grants under this section; the recipients of
6 the grants; and the collaboration described in subsections
7 (b) and (c).

8 “(2) Not later than 18 months after the date of en-
9 actment of the Hiring Heroes Act of 2011, the Secretary
10 shall—

11 “(A) conduct an assessment of the performance
12 of the grant recipients; disabled veterans’ outreach
13 specialists; and local veterans’ employment rep-
14 resentatives in carrying out activities under this sec-
15 tion; which assessment shall include collecting infor-
16 mation on the number of—

17 “(i) veterans who applied for training
18 under this section;

19 “(ii) veterans who entered the training;

20 “(iii) veterans who completed the training;

21 “(iv) veterans who were placed in meaning-
22 ful employment under this section; and

23 “(v) veterans who remained in such em-
24 ployment as of the date of the assessment; and

1 “(B) submit to the appropriate committees of
2 Congress a report that includes—

3 “(i) a description of how the grant recipi-
4 ents used the funds made available under this
5 section;

6 “(ii) the results of the assessment con-
7 ducted under subparagraph (A); and

8 “(iii) the recommendations of the Sec-
9 retary as to whether amounts should be appro-
10 priated to carry out this section for fiscal years
11 after 2013.

12 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
13 is authorized to be appropriated to carry out this section
14 \$4,500,000 for the period consisting of fiscal years 2012
15 and 2013.

16 “(f) DEFINITIONS.—In this section—

17 “(1) the term ‘appropriate committees of Con-
18 gress’ means the Committee on Veterans’ Affairs of
19 the Senate and the Committee on Veterans’ Affairs
20 of the House of Representatives; and

21 “(2) the term ‘nonprofit organization’ means an
22 organization that is described in section 501(c)(3) of
23 the Internal Revenue Code of 1986 and that is ex-
24 empt from taxation under section 501(a) of such
25 Code.”

1 (b) CONFORMING AMENDMENT.—Section 4103A of
2 title 38, United States Code, is amended—

3 (1) in paragraph (1), by inserting “and facili-
4 tate placements” after “intensive services”; and

5 (2) by adding at the end the following:

6 “(3) In facilitating placement of a veteran under this
7 program, a disabled veterans’ outreach program specialist
8 shall help to identify job opportunities that are appro-
9 priate for the veteran’s employment goals and assist that
10 veteran in developing a cover letter and resume that are
11 targeted for those particular jobs.”.

12 (c) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 41 of such title is amended
14 by inserting after the item relating to section 4104 the
15 following new item:

“4104A. Collaborative veterans’ training, mentoring, and placement program.”.

16 **SEC. 9. INDIVIDUALIZED ASSESSMENT FOR MEMBERS OF**
17 **THE ARMED FORCES UNDER TRANSITION AS-**
18 **SISTANCE ON EQUIVALENCE BETWEEN**
19 **SKILLS DEVELOPED IN MILITARY OCCUPA-**
20 **TIONAL SPECIALITIES AND QUALIFICATIONS**
21 **REQUIRED FOR CIVILIAN EMPLOYMENT**
22 **WITH THE PRIVATE SECTOR.**

23 (a) STUDY ON EQUIVALENCE REQUIRED.—

24 (1) IN GENERAL.—The Secretary of Defense,
25 the Secretary of Veterans Affairs, and the Secretary

1 of Labor shall jointly enter into a contract with a
2 qualified organization or entity jointly selected by
3 the Secretaries, to conduct a study to identify any
4 equivalences between the skills developed by mem-
5 bers of the Armed Forces through various military
6 occupational specialties (MOS) and the qualifications
7 required for various positions of civilian employment
8 in the private sector.

9 (2) COOPERATION OF FEDERAL AGENCIES.—

10 The departments and agencies of the Federal Gov-
11 ernment, including the Office of Personnel Manage-
12 ment, the General Services Administration, the Gov-
13 ernment Accountability Office, and other appropriate
14 departments and agencies, shall cooperate with the
15 contractor under paragraph (1) to conduct the study
16 required under that paragraph.

17 (3) REPORT.—Upon completion of the study
18 conducted under paragraph (1), the contractor
19 under that paragraph shall submit to the Secretary
20 of Defense, the Secretary of Veterans Affairs, and
21 the Secretary of Labor a report setting forth the re-
22 sults of the study. The report shall include such in-
23 formation as the Secretaries shall specify in the con-
24 tract under paragraph (1) for purposes of this sec-
25 tion.

1 (4) TRANSMITTAL TO CONGRESS.—The Sec-
2 retary of Defense, the Secretary of Veterans Affairs,
3 and the Secretary of Labor shall jointly transmit to
4 Congress the report submitted under paragraph (3),
5 together with such comments on the report as the
6 Secretaries jointly consider appropriate.

7 (b) INDIVIDUALIZED ASSESSMENT OF CIVILIAN PO-
8 SITIONS AVAILABLE THROUGH MOS SKILLS.—The Sec-
9 retary of Defense shall ensure that each member of the
10 Armed Forces who is participating in the Transition As-
11 sistance Program (TAP) of the Department of Defense
12 receives, as part of such member's participation in that
13 program, an individualized assessment of the various posi-
14 tions of civilian employment in the private sector for which
15 such member may be qualified as a result of the skills
16 developed by such member through such member's mili-
17 tary occupational specialty. The assessment shall be per-
18 formed using the results of the study conducted under
19 subsection (a) and such other information as the Secretary
20 of Defense, in consultation with the Secretary of Veterans
21 Affairs and the Secretary of Labor, considers appropriate
22 for that purpose.

23 (c) FURTHER USE IN EMPLOYMENT-RELATED
24 TRANSITION ASSISTANCE.—

1 (1) TRANSMITTAL OF ASSESSMENT.—The Sec-
 2 retary of Defense shall transmit the individualized
 3 assessment provided a member under subsection (a)
 4 to the Secretary of Veterans Affairs and the Sec-
 5 retary of Labor.

6 (2) USE IN ASSISTANCE.—The Secretary of
 7 Veterans Affairs and the Secretary of Labor may
 8 use an individualized assessment with respect to an
 9 individual under paragraph (1) for employment-re-
 10 lated assistance in the transition from military serv-
 11 ice to civilian life provided the individual by such
 12 Secretary and to otherwise facilitate and enhance
 13 the transition of the individual from military service
 14 to civilian life.

15 **SEC. 10. APPOINTMENT OF HONORABLY DISCHARGED**
 16 **MEMBERS AND OTHER EMPLOYMENT ASSIST-**
 17 **ANCE.**

18 (a) APPOINTMENT OF HONORABLY DISCHARGED
 19 MEMBERS OF THE UNIFORMED SERVICES TO CIVIL SERV-
 20 ICE POSITIONS.—

21 (1) IN GENERAL.—Chapter 33 of title 5, United
 22 States Code, is amended by inserting after section
 23 3330e the following:

1 **“§ 3330d. Honorably discharged members of the uni-**
 2 **formed services**

3 “The head of an executive agency may appoint a
 4 member of the uniformed services who is honorably dis-
 5 charged to a position in the civil service without regard
 6 to sections 3301 through 3330e during the 180-day period
 7 beginning on the date that the individual is honorably dis-
 8 charged, if that individual is otherwise qualified for the
 9 position.”.

10 (2) **TECHNICAL AND CONFORMING AMEND-**
 11 **MENT.**—The table of sections for chapter 33 of title
 12 5, United States Code, is amended by adding after
 13 the item relating to section 3330e the following:

“3330d. Honorably discharged members of the uniformed services.”.

14 (b) **EMPLOYMENT ASSISTANCE: OTHER FEDERAL**
 15 **AGENCIES.**—

16 (1) **DEFINITIONS.**—In this subsection—

17 (A) the term “agency” has the meaning
 18 given the term “Executive agency” in section
 19 105 of title 5, United States Code; and

20 (B) the term “veteran” has the meaning
 21 given that term in section 101 of title 38,
 22 United States Code.

23 (2) **RESPONSIBILITIES OF OFFICE OF PER-**
 24 **SONNEL MANAGEMENT.**—The Director of the Office
 25 of Personnel Management shall—

1 (A) designate agencies that shall establish
2 a program to provide employment assistance to
3 members of the armed forces who are being
4 separated from active duty in accordance with
5 paragraph (3); and

6 (B) ensure that the programs established
7 under this subsection are coordinated with the
8 Transition Assistance Program (TAP) of the
9 Department of Defense.

10 ~~(3) ELEMENTS OF PROGRAM.—~~The head of
11 each agency designated under paragraph (2)(A), in
12 consultation with the Director of the Office of Per-
13 sonnel Management, and acting through the Vet-
14 erans Employment Program Office of the agency es-
15 tablished under Executive Order 13518 (74 Fed.
16 Reg. 58533; relating to employment of veterans in
17 the Federal Government), or any successor thereto,
18 shall—

19 (A) establish a program to provide employ-
20 ment assistance to members of the Armed
21 Forces who are being separated from active
22 duty, including assisting such members in seek-
23 ing employment with the agency;

1 (B) provide such members with informa-
 2 tion regarding the program of the agency estab-
 3 lished under subparagraph (A); and

4 (C) promote the recruiting, hiring, training
 5 and development, and retention of such mem-
 6 bers and veterans by the agency.

7 (4) OTHER OFFICE.—If an agency designated
 8 under paragraph (2)(A) does not have a Veterans
 9 Employment Program Office, the head of the agen-
 10 cy, in consultation with the Director of the Office of
 11 Personnel Management, shall select an appropriate
 12 office of the agency to carry out the responsibilities
 13 of the agency under paragraph (3).

14 **SEC. 11. OUTREACH PROGRAM FOR CERTAIN VETERANS**
 15 **RECEIVING UNEMPLOYMENT COMPENSA-**
 16 **TION.**

17 (a) IN GENERAL.—The Secretary of Labor shall
 18 carry out a program through the Assistant Secretary of
 19 Labor for Veterans' Employment and Training, the dis-
 20 abled veterans' outreach program specialists employed
 21 under section 4103A of title 38, United States Code, and
 22 local veterans' employment representatives employed
 23 under section 4104 of such title to provide outreach to
 24 covered veterans and provide them with assistance in find-
 25 ing employment.

1 (b) COVERED VETERANS.—For purposes of this sec-
 2 tion, a covered veteran is a veteran who—

3 (1) recently separated from service in the
 4 Armed Forces; and

5 (2) has been in receipt of assistance under the
 6 Unemployment Compensation for Ex-
 7 servicemembers program under subchapter H of
 8 chapter 85 of title 5 for more than 105 days.

9 **SEC. 12. DEPARTMENT OF DEFENSE PILOT PROGRAM ON**
 10 **WORK EXPERIENCE FOR MEMBERS OF THE**
 11 **ARMED FORCES ON TERMINAL LEAVE.**

12 (a) IN GENERAL.—The Secretary of Defense may es-
 13 tablish a pilot program to assess the feasibility and advis-
 14 ability of providing to covered individuals work experience
 15 with civilian employees and contractors of the Department
 16 of Defense to facilitate the transition of the individuals
 17 from service in the Armed Forces to employment in the
 18 civilian labor market.

19 (b) COVERED INDIVIDUALS.—For purposes of this
 20 section, a covered individual is any individual who—

21 (1) is a member of the Armed Forces;

22 (2) the Secretary expects to be discharged or
 23 separated from service in the Armed Forces and is
 24 on terminal leave;

1 (3) the Secretary determines has skills that can
2 be used to provide services to the Department that
3 the Secretary considers critical to the success of the
4 mission of the Department; and

5 (4) the Secretary determines might benefit from
6 exposure to the civilian work environment while
7 working for the Department in order to facilitate a
8 transition of the individual from service in the
9 Armed Forces to employment in the civilian labor
10 market.

11 (e) DURATION.—The pilot program shall be carried
12 out during the two-year period beginning on the date of
13 the commencement of the pilot program.

14 (d) REPORT.—Not later than 540 days after the date
15 of the enactment of this Act, the Secretary shall submit
16 to the Committee on Armed Services and the Committee
17 on Veterans' Affairs of the Senate and the Committee on
18 Armed Services and the Committee on Veterans' Affairs
19 of the House of Representatives a report on the pilot pro-
20 gram that includes the findings of the Secretary with re-
21 spect to the feasibility and advisability of providing cov-
22 ered individuals with work experience as described in sub-
23 section (a).

1 **SEC. 13. ENHANCEMENT OF DEMONSTRATION PROGRAM**
2 **ON CREDENTIALING AND LICENSING OF VET-**
3 **ERANS.**

4 Section 4114 of title 38, United States Code, is
5 amended—

6 (1) in subsection (a), by striking “may” and in-
7 serting “shall”;

8 (2) in subsection (b)(1)—

9 (A) by striking “Assistant Secretary shall”
10 and inserting “Assistant Secretary of Veterans’
11 Employment and Training shall, in consultation
12 with the Assistant Secretary for Employment
13 and Training,”;

14 (B) by striking “10 military” and inserting
15 “five military”; and

16 (C) by inserting “of Veterans’ Employment
17 and Training” after “selected by the Assistant
18 Secretary”; and

19 (3) by striking subsections (d) through (h) and
20 inserting the following:

21 “(d) PERIOD OF PROJECT.—The period during which
22 the Assistance Secretary shall carry out the demonstration
23 project under this section shall be the two-year period be-
24 ginning on the date of the enactment of the Hiring Heroes
25 Act of 2011.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Hiring Heroes Act of*
 3 *2011”.*

4 **SEC. 2. TWO-YEAR EXTENSION OF AUTHORITY OF SEC-**
 5 **RETARY OF VETERANS AFFAIRS TO PROVIDE**
 6 **REHABILITATION AND VOCATIONAL BENE-**
 7 **FITS TO MEMBERS OF THE ARMED FORCES**
 8 **WITH SEVERE INJURIES OR ILLNESSES.**

9 *Section 1631(b)(2) of the Wounded Warrior Act (title*
 10 *XVI of Public Law 110–181; 10 U.S.C. 1071 note) is*
 11 *amended by striking “December 31, 2012” and inserting*
 12 *“December 31, 2014”.*

13 **SEC. 3. EXPANSION OF AUTHORITY OF SECRETARY OF VET-**
 14 **ERANS AFFAIRS TO PAY EMPLOYERS FOR**
 15 **PROVIDING ON-JOB TRAINING TO VETERANS**
 16 **WHO HAVE NOT BEEN REHABILITATED TO**
 17 **POINT OF EMPLOYABILITY.**

18 *Section 3116(b)(1) of title 38, United States Code, is*
 19 *amended by striking “who have been rehabilitated to the*
 20 *point of employability”.*

21 **SEC. 4. TRAINING AND REHABILITATION FOR VETERANS**
 22 **WITH SERVICE-CONNECTED DISABILITIES**
 23 **WHO HAVE EXHAUSTED RIGHTS TO UNEM-**
 24 **PLOYMENT BENEFITS UNDER STATE LAW.**

25 *(a) ENTITLEMENT TO ADDITIONAL REHABILITATION*
 26 *PROGRAMS.—*

1 (1) *IN GENERAL.*—Section 3102 of title 38,
2 *United States Code, is amended—*

3 (A) *in the matter before paragraph (1), by*
4 *striking “A person” and inserting the following:*

5 “*(a) IN GENERAL.—A person*”; and

6 (B) *by adding at the end the following new*
7 *paragraph:*

8 “*(b) ADDITIONAL REHABILITATION PROGRAMS FOR*
9 *PERSONS WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOY-*
10 *MENT BENEFITS UNDER STATE LAW.—(1) A person who*
11 *has completed a rehabilitation program under this chapter*
12 *shall be entitled to an additional rehabilitation program*
13 *under the terms and conditions of this chapter if—*

14 (A) *the person is described by paragraph (1) or*
15 (2) *of subsection (a); and*

16 (B) *the person—*

17 (i) *has exhausted all rights to regular com-*
18 *penetration under the State law or under Federal*
19 *law with respect to a benefit year;*

20 (ii) *has no rights to regular compensation*
21 *with respect to a week under such State or Fed-*
22 *eral law; and*

23 (iii) *is not receiving compensation with re-*
24 *spect to such week under the unemployment com-*
25 *penetration law of Canada; and*

1 “(C) begins such additional rehabilitation pro-
2 gram within six months of the date of such exhaus-
3 tion.

4 “(2) For purposes of paragraph (1)(B)(i), a person
5 shall be considered to have exhausted such person’s rights
6 to regular compensation under a State law when—

7 “(A) no payments of regular compensation can
8 be made under such law because such person has re-
9 ceived all regular compensation available to such per-
10 son based on employment or wages during such per-
11 son’s base period; or

12 “(B) such person’s rights to such compensation
13 have been terminated by reason of the expiration of
14 the benefit year with respect to which such rights ex-
15 isted.

16 “(3) In this subsection, the terms ‘compensation’, ‘reg-
17 ular compensation’, ‘benefit year’, ‘State’, ‘State law’, and
18 ‘week’ have the respective meanings given such terms under
19 section 205 of the Federal-State Extended Unemployment
20 Compensation Act of 1970 (26 U.S.C. 3304 note).”.

21 (2) DURATION OF ADDITIONAL REHABILITATION
22 PROGRAM.—Section 3105(b) of such title is amend-
23 ed—

24 (A) by striking “Except as provided in sub-
25 section (c) of this section,” and inserting “(1)

1 *Except as provided in paragraph (2) and in sub-*
2 *section (c),”;* and

3 *(B) by adding at the end the following new*
4 *paragraph:*

5 *“(2) The period of a vocational rehabilitation program*
6 *pursued by a veteran under section 3102(b) of this title fol-*
7 *lowing a determination of the current reasonable feasibility*
8 *of achieving a vocational goal may not exceed 24 months.”.*

9 *(b) EXTENSION OF PERIOD OF ELIGIBILITY.—Section*
10 *3103 of such title is amended—*

11 *(1) in subsection (a), by striking “in subsection*
12 *(b), (c), or (d)” and inserting “in subsection (b), (c),*
13 *(d), or (e)”;*

14 *(2) by redesignating subsection (e) as subsection*
15 *(f); and*

16 *(3) by inserting after subsection (d) the following*
17 *new subsection (e):*

18 *“(e)(1) The limitation in subsection (a) shall not*
19 *apply to a rehabilitation program described in paragraph*
20 *(2).*

21 *“(2) A rehabilitation program described in this para-*
22 *graph is a rehabilitation program pursued by a veteran*
23 *under section 3102(b) of this title.”.*

1 (c) *EXCEPTION TO LIMITATION ON RECEIPT OF AS-*
 2 *SISTANCE UNDER CHAPTER 31 AND ONE OR MORE PRO-*
 3 *GRAMS.*—Section 3695(b) of such title is amended—

4 (1) by striking “No person” and inserting “*Ex-*
 5 *cept as provided in paragraph (2), no person*”; and

6 (2) by adding at the end the following new para-
 7 *graph:*

8 “(2) Paragraph (1) shall not apply with respect to a
 9 *rehabilitation program described in section 3103(e)(2) of*
 10 *this title.*”.

11 **SEC. 5. ASSESSMENT AND FOLLOW-UP ON VETERANS WHO**
 12 **PARTICIPATE IN DEPARTMENT OF VETERANS**
 13 **AFFAIRS TRAINING AND REHABILITATION**
 14 **FOR VETERANS WITH SERVICE-CONNECTED**
 15 **DISABILITIES.**

16 (a) *IN GENERAL.*—Section 3106 of title 38, United
 17 *States Code, is amended—*

18 (1) by adding at the end the following new sub-
 19 *section:*

20 “(g) *For each rehabilitation program pursued by a vet-*
 21 *eran under this chapter, the Secretary shall contact such*
 22 *veteran not later than 180 days after the date on which*
 23 *such veteran completes such rehabilitation program or ter-*
 24 *minates participation in such rehabilitation program and*
 25 *not less frequently than once every 180 days thereafter for*

1 *a period of one year to ascertain the employment status*
 2 *of the veteran and assess such rehabilitation program.”; and*

3 *(2) in the section heading, by adding “; **pro-***
 4 ***gram assessment and follow-up” at the end.***

5 *(b) CLERICAL AMENDMENT.—The table of sections at*
 6 *the beginning of chapter 31 of such title is amended by*
 7 *striking the item relating to section 3106 and inserting the*
 8 *following new item:*

“3106. Initial and extended evaluations; determinations regarding serious employ-
ment handicap; program assessment and follow-up.”.

9 **SEC. 6. MANDATORY PARTICIPATION OF MEMBERS OF THE**
 10 **ARMED FORCES IN THE TRANSITIONAL AS-**
 11 **SISTANCE PROGRAM OF DEPARTMENT OF DE-**
 12 **FENSE.**

13 *(a) IN GENERAL.—Subsection (c) of section 1144 of*
 14 *title 10, United States Code, is amended to read as follows:*

15 *“(c) PARTICIPATION.—(1) Except as provided in para-*
 16 *graph (2), the Secretary of Defense and the Secretary of*
 17 *Homeland Security shall require the participation in the*
 18 *program carried out under this section of the members eligi-*
 19 *ble for assistance under the program.*

20 *“(2) The Secretary of Defense and the Secretary of*
 21 *Homeland Security may, under regulations such Secre-*
 22 *taries shall prescribe, waive the participation requirement*
 23 *of paragraph (1) with respect to such groups or classifica-*
 24 *tions of members as the Secretaries consider appropriate*

1 *after consultation with the Secretary of Labor and the Sec-*
 2 *retary of Veterans Affairs.”.*

3 (b) *REQUIRED USE OF EMPLOYMENT ASSISTANCE,*
 4 *JOB TRAINING ASSISTANCE, AND OTHER TRANSITIONAL*
 5 *SERVICES IN PRESEPARATION COUNSELING.—Section*
 6 *1142(a)(2) of such title is amended by striking “may” and*
 7 *inserting “shall”.*

8 **SEC. 7. FOLLOW-UP AND AUDITS OF TRANSITIONAL ASSIST-**
 9 **ANCE PROGRAM.**

10 (a) *FOLLOW-UP ON EMPLOYMENT STATUS OF MEM-*
 11 *BERS OF ARMED FORCES WHO RECENTLY PARTICIPATED*
 12 *IN TRANSITIONAL ASSISTANCE PROGRAM.—For each indi-*
 13 *vidual who participates in the Transitional Assistance Pro-*
 14 *gram (TAP) of the Department of Defense, the Secretary*
 15 *of Labor shall contact such individual not later than 180*
 16 *days after the date on which such individual separates from*
 17 *service in the Armed Forces and not less frequently than*
 18 *once every 90 days thereafter for a period of 180 days to*
 19 *ascertain the employment status of such individual.*

20 (b) *AUDITS OF THE TRANSITION ASSISTANCE PRO-*
 21 *GRAM.—*

22 (1) *CONTRACT.—The Secretary of Labor shall*
 23 *enter into a contract for audits of the Transition As-*
 24 *sistance Program carried out under chapter 58 of title*
 25 *10, United States Code. The Secretary of Labor shall*

1 *enter into such contract with a private organization*
2 *not affiliated with the program, and shall ensure that*
3 *the audits are conducted not less often than once every*
4 *3 years.*

5 (2) *AUDIT.*—*In conducting such an audit, the*
6 *organization shall measure the effectiveness of the*
7 *Transition Assistance Program, and identify any*
8 *measures needed to improve the effectiveness of the*
9 *program.*

10 (3) *REPORT.*—*At the conclusion of each audit,*
11 *the organization shall prepare a report containing the*
12 *findings resulting from the audit, and recommenda-*
13 *tions for improving the effectiveness of the program.*
14 *The organization shall submit the report to the Sec-*
15 *retary of Labor, the other Secretaries referred to in*
16 *section 1144 of title 10, United States Code, the Com-*
17 *mittee on Armed Services and the Committee on Vet-*
18 *erans' Affairs of the Senate, and the Committee on*
19 *Armed Services and the Committee on Veterans' Af-*
20 *fairs of the House of Representatives.*

21 (4) *IMPROVEMENTS.*—*The Secretary of Labor, in*
22 *conjunction with the other Secretaries, shall review*
23 *the report and shall implement any measures needed*
24 *to improve the effectiveness of the Transition Assist-*
25 *ance Program.*

1 **SEC. 8. COLLABORATIVE VETERANS' TRAINING, MEN-**
 2 **TORING, AND PLACEMENT PROGRAM.**

3 (a) *IN GENERAL.*—Chapter 41 of title 38, United
 4 States Code, is amended by inserting after section 4104 the
 5 following new section:

6 **“§4104A. Collaborative veterans’ training, mentoring,**
 7 **and placement program**

8 “(a) *GRANTS.*—The Secretary shall award grants to
 9 eligible nonprofit organizations to provide training and
 10 mentoring for eligible veterans who seek employment. The
 11 Secretary shall award the grants to not more than 3 organi-
 12 zations, for periods of 2 years.

13 “(b) *COLLABORATION AND FACILITATION.*—The Sec-
 14 retary shall ensure that the recipients of the grants—

15 “(1) collaborate with—

16 “(A) the appropriate disabled veterans’ out-
 17 reach specialists (in carrying out the functions
 18 described in section 4103A(a)) and the appro-
 19 priate local veterans’ employment representatives
 20 (in carrying out the functions described in sec-
 21 tion 4104); and

22 “(B) the appropriate State boards and local
 23 boards (as such terms are defined in section 101
 24 of the Workforce Investment Act of 1998 (29
 25 U.S.C. 2801)) for the areas to be served by re-
 26 cipients of the grants; and

1 “(2) based on the collaboration, facilitate the
2 placement of the veterans that complete the training
3 in meaningful employment that leads to economic
4 self-sufficiency.

5 “(c) APPLICATION.—To be eligible to receive a grant
6 under this section, a nonprofit organization shall submit
7 an application to the Secretary at such time, in such man-
8 ner, and containing such information as the Secretary may
9 require. At a minimum, the information shall include—

10 “(1) information describing how the organiza-
11 tion will—

12 “(A) collaborate with disabled veterans’ out-
13 reach specialists and local veterans’ employment
14 representatives and the appropriate State boards
15 and local boards (as such terms are defined in
16 section 101 of the Workforce Investment Act of
17 1998 (29 U.S.C. 2801));

18 “(B) based on the collaboration, provide
19 training that facilitates the placement described
20 in subsection (b)(2); and

21 “(C) make available, for each veteran re-
22 ceiving the training, a mentor to provide career
23 advice to the veteran and assist the veteran in
24 preparing a resume and developing job inter-
25 viewing skills; and

1 “(2) an assurance that the organization will pro-
2 vide the information necessary for the Secretary to
3 prepare the reports described in subsection (d).

4 “(d) *REPORTS.*—(1) Not later than 6 months after the
5 date of enactment of the *Hiring Heroes Act of 2011*, the
6 Secretary shall prepare and submit to the appropriate com-
7 mittees of Congress a report that describes the process for
8 awarding grants under this section, the recipients of the
9 grants, and the collaboration described in subsections (b)
10 and (c).

11 “(2) Not later than 18 months after the date of enact-
12 ment of the *Hiring Heroes Act of 2011*, the Secretary
13 shall—

14 “(A) conduct an assessment of the performance of
15 the grant recipients, disabled veterans’ outreach spe-
16 cialists, and local veterans’ employment representa-
17 tives in carrying out activities under this section,
18 which assessment shall include collecting information
19 on the number of—

20 “(i) veterans who applied for training
21 under this section;

22 “(ii) veterans who entered the training;

23 “(iii) veterans who completed the training;

24 “(iv) veterans who were placed in meaning-
25 ful employment under this section; and

1 “(v) veterans who remained in such employ-
2 ment as of the date of the assessment; and

3 “(B) submit to the appropriate committees of
4 Congress a report that includes—

5 “(i) a description of how the grant recipi-
6 ents used the funds made available under this
7 section;

8 “(ii) the results of the assessment conducted
9 under subparagraph (A); and

10 “(iii) the recommendations of the Secretary
11 as to whether amounts should be appropriated to
12 carry out this section for fiscal years after 2013.

13 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—There is
14 authorized to be appropriated to carry out this section
15 \$4,500,000 for the period consisting of fiscal years 2012 and
16 2013.

17 “(f) *DEFINITIONS.*—In this section—

18 “(1) the term ‘appropriate committees of Con-
19 gress’ means the Committee on Veterans’ Affairs of the
20 Senate and the Committee on Veterans’ Affairs of the
21 House of Representatives; and

22 “(2) the term ‘nonprofit organization’ means an
23 organization that is described in section 501(c)(3) of
24 the Internal Revenue Code of 1986 and that is exempt
25 from taxation under section 501(a) of such Code.”

1 (b) *CONFORMING AMENDMENT.*—Section 4103A of title
2 38, United States Code, is amended—

3 (1) in paragraph (1), by inserting “and facili-
4 tate placements” after “intensive services”; and

5 (2) by adding at the end the following:

6 “(3) In facilitating placement of a veteran under this
7 program, a disabled veterans’ outreach program specialist
8 shall help to identify job opportunities that are appropriate
9 for the veteran’s employment goals and assist that veteran
10 in developing a cover letter and resume that are targeted
11 for those particular jobs.”.

12 (c) *CLERICAL AMENDMENT.*—The table of sections at
13 the beginning of chapter 41 of such title is amended by in-
14 serting after the item relating to section 4104 the following
15 new item:

“4104A. Collaborative veterans’ training, mentoring, and placement program.”.

16 **SEC. 9. INDIVIDUALIZED ASSESSMENT FOR MEMBERS OF**
17 **THE ARMED FORCES UNDER TRANSITION AS-**
18 **SISTANCE ON EQUIVALENCE BETWEEN**
19 **SKILLS DEVELOPED IN MILITARY OCCUPA-**
20 **TIONAL SPECIALTIES AND QUALIFICATIONS**
21 **REQUIRED FOR CIVILIAN EMPLOYMENT WITH**
22 **THE PRIVATE SECTOR.**

23 (a) *STUDY ON EQUIVALENCE REQUIRED.*—

24 (1) *IN GENERAL.*—The Secretary of Defense, the
25 Secretary of Veterans Affairs, and the Secretary of

1 *Labor shall jointly enter into a contract with a quali-*
2 *fied organization or entity jointly selected by the Sec-*
3 *retaries, to conduct a study to identify any equiva-*
4 *lences between the skills developed by members of the*
5 *Armed Forces through various military occupational*
6 *specialties (MOS) and the qualifications required for*
7 *various positions of civilian employment in the pri-*
8 *vate sector.*

9 (2) *COOPERATION OF FEDERAL AGENCIES.—The*
10 *departments and agencies of the Federal Government,*
11 *including the Office of Personnel Management, the*
12 *General Services Administration, the Government Ac-*
13 *countability Office, and other appropriate depart-*
14 *ments and agencies, shall cooperate with the con-*
15 *tractor under paragraph (1) to conduct the study re-*
16 *quired under that paragraph.*

17 (3) *REPORT.—Upon completion of the study con-*
18 *ducted under paragraph (1), the contractor under*
19 *that paragraph shall submit to the Secretary of De-*
20 *fense, the Secretary of Veterans Affairs, and the Sec-*
21 *retary of Labor a report setting forth the results of the*
22 *study. The report shall include such information as*
23 *the Secretaries shall specify in the contract under*
24 *paragraph (1) for purposes of this section.*

1 (4) *TRANSMITTAL TO CONGRESS.*—*The Secretary*
2 *of Defense, the Secretary of Veterans Affairs, and the*
3 *Secretary of Labor shall jointly transmit to Congress*
4 *the report submitted under paragraph (3), together*
5 *with such comments on the report as the Secretaries*
6 *jointly consider appropriate.*

7 (b) *INDIVIDUALIZED ASSESSMENT OF CIVILIAN POSI-*
8 *TIONS AVAILABLE THROUGH MOS SKILLS.*—*The Secretary*
9 *of Defense shall ensure that each member of the Armed*
10 *Forces who is participating in the Transition Assistance*
11 *Program (TAP) of the Department of Defense receives, as*
12 *part of such member's participation in that program, an*
13 *individualized assessment of the various positions of civil-*
14 *ian employment in the private sector for which such mem-*
15 *ber may be qualified as a result of the skills developed by*
16 *such member through such member's military occupational*
17 *specialty. The assessment shall be performed using the re-*
18 *sults of the study conducted under subsection (a) and such*
19 *other information as the Secretary of Defense, in consulta-*
20 *tion with the Secretary of Veterans Affairs and the Sec-*
21 *retary of Labor, considers appropriate for that purpose.*

22 (c) *FURTHER USE IN EMPLOYMENT-RELATED TRANSI-*
23 *TION ASSISTANCE.*—

24 (1) *TRANSMITTAL OF ASSESSMENT.*—*The Sec-*
25 *retary of Defense shall transmit the individualized as-*

1 *assessment provided a member under subsection (a) to*
 2 *the Secretary of Veterans Affairs and the Secretary of*
 3 *Labor.*

4 (2) *USE IN ASSISTANCE.*—*The Secretary of Vet-*
 5 *erans Affairs and the Secretary of Labor may use an*
 6 *individualized assessment with respect to an indi-*
 7 *vidual under paragraph (1) for employment-related*
 8 *assistance in the transition from military service to*
 9 *civilian life provided the individual by such Sec-*
 10 *retary and to otherwise facilitate and enhance the*
 11 *transition of the individual from military service to*
 12 *civilian life.*

13 **SEC. 10. APPOINTMENT OF HONORABLY DISCHARGED MEM-**
 14 **BERS AND OTHER EMPLOYMENT ASSISTANCE.**

15 (a) *APPOINTMENT OF HONORABLY DISCHARGED MEM-*
 16 *BERS OF THE UNIFORMED SERVICES TO CIVIL SERVICE*
 17 *POSITIONS.*—

18 (1) *IN GENERAL.*—*Chapter 33 of title 5, United*
 19 *States Code, is amended by inserting after section*
 20 *3330c the following:*

21 **“§ 3330d. Honorably discharged members of the uni-**
 22 **formed services**

23 *“The head of an Executive agency may appoint a*
 24 *member of the uniformed services who is honorably dis-*
 25 *charged to a position in the civil service without regard*

1 to sections 3301 through 3320, 3322 through 3327, 3329,
 2 and 3330 during the 180-day period beginning on the date
 3 that the individual is honorably discharged, if that indi-
 4 vidual is otherwise qualified for the position.”.

5 (2) *TECHNICAL AND CONFORMING AMEND-*
 6 *MENT.*—*The table of sections for chapter 33 of title 5,*
 7 *United States Code, is amended by adding after the*
 8 *item relating to section 3330c the following:*

“3330d. Honorably discharged members of the uniformed services.”.

9 (b) *EMPLOYMENT ASSISTANCE: OTHER FEDERAL*
 10 *AGENCIES.*—

11 (1) *DEFINITIONS.*—*In this subsection—*

12 (A) *the term “agency” has the meaning*
 13 *given the term “Executive agency” in section 105*
 14 *of title 5, United States Code; and*

15 (B) *the term “veteran” has the meaning*
 16 *given that term in section 101 of title 38, United*
 17 *States Code.*

18 (2) *RESPONSIBILITIES OF OFFICE OF PER-*
 19 *SONNEL MANAGEMENT.*—*The Director of the Office of*
 20 *Personnel Management shall—*

21 (A) *designate agencies that shall establish a*
 22 *program to provide employment assistance to*
 23 *members of the armed forces who are being sepa-*
 24 *rated from active duty in accordance with para-*
 25 *graph (3); and*

1 (B) ensure that the programs established
2 under this subsection are coordinated with the
3 Transition Assistance Program (TAP) of the De-
4 partment of Defense.

5 (3) *ELEMENTS OF PROGRAM.*—The head of each
6 agency designated under paragraph (2)(A), in con-
7 sultation with the Director of the Office of Personnel
8 Management, and acting through the Veterans Em-
9 ployment Program Office of the agency established
10 under Executive Order 13518 (74 Fed. Reg. 58533;
11 relating to employment of veterans in the Federal
12 Government), or any successor thereto, shall—

13 (A) establish a program to provide employ-
14 ment assistance to members of the Armed Forces
15 who are being separated from active duty, in-
16 cluding assisting such members in seeking em-
17 ployment with the agency;

18 (B) provide such members with information
19 regarding the program of the agency established
20 under subparagraph (A); and

21 (C) promote the recruiting, hiring, training
22 and development, and retention of such members
23 and veterans by the agency.

24 (4) *OTHER OFFICE.*—If an agency designated
25 under paragraph (2)(A) does not have a Veterans

1 **SEC. 12. DEPARTMENT OF DEFENSE PILOT PROGRAM ON**
2 **WORK EXPERIENCE FOR MEMBERS OF THE**
3 **ARMED FORCES ON TERMINAL LEAVE.**

4 (a) *IN GENERAL.*—*The Secretary of Defense may es-*
5 *tablish a pilot program to assess the feasibility and advis-*
6 *ability of providing to covered individuals work experience*
7 *with civilian employees and contractors of the Department*
8 *of Defense to facilitate the transition of the individuals from*
9 *service in the Armed Forces to employment in the civilian*
10 *labor market.*

11 (b) *COVERED INDIVIDUALS.*—*For purposes of this sec-*
12 *tion, a covered individual is any individual who—*

13 (1) *is a member of the Armed Forces;*

14 (2) *the Secretary expects to be discharged or sep-*
15 *arated from service in the Armed Forces and is on*
16 *terminal leave;*

17 (3) *the Secretary determines has skills that can*
18 *be used to provide services to the Department that the*
19 *Secretary considers critical to the success of the mis-*
20 *sion of the Department; and*

21 (4) *the Secretary determines might benefit from*
22 *exposure to the civilian work environment while*
23 *working for the Department in order to facilitate a*
24 *transition of the individual from service in the Armed*
25 *Forces to employment in the civilian labor market.*

1 (c) *DURATION.*—*The pilot program shall be carried*
2 *out during the two-year period beginning on the date of*
3 *the commencement of the pilot program.*

4 (d) *REPORT.*—*Not later than 540 days after the date*
5 *of the enactment of this Act, the Secretary shall submit to*
6 *the Committee on Armed Services and the Committee on*
7 *Veterans' Affairs of the Senate and the Committee on Armed*
8 *Services and the Committee on Veterans' Affairs of the*
9 *House of Representatives a report on the pilot program that*
10 *includes the findings of the Secretary with respect to the*
11 *feasibility and advisability of providing covered individ-*
12 *uals with work experience as described in subsection (a).*

13 **SEC. 13. ENHANCEMENT OF DEMONSTRATION PROGRAM ON**
14 **CREDENTIALING AND LICENSING OF VET-**
15 **ERANS.**

16 (a) *IN GENERAL.*—*Section 4114 of title 38, United*
17 *States Code, is amended—*

18 (1) *in subsection (a), by striking “may” and in-*
19 *serting “shall”;*

20 (2) *in subsection (b)(1)—*

21 (A) *by striking “Assistant Secretary shall”*
22 *and inserting “Assistant Secretary of Veterans’*
23 *Employment and Training shall, in consultation*
24 *with the Assistant Secretary for Employment*
25 *and Training,”;*

1 (B) by striking “10 military” and inserting
2 “five military”; and

3 (C) by inserting “of Veterans’ Employment
4 and Training” after “selected by the Assistant
5 Secretary”; and

6 (3) by striking subsections (d) through (h) and
7 inserting the following:

8 “(d) *PERIOD OF PROJECT.*—The period during which
9 the Assistance Secretary shall carry out the demonstration
10 project under this section shall be the two-year period begin-
11 ning on the date of the enactment of the Hiring Heroes Act
12 of 2011.”.

13 (b) *STUDY COMPARING COSTS INCURRED BY SEC-*
14 *RETARY OF DEFENSE FOR TRAINING FOR MILITARY OCCU-*
15 *PATIONAL SPECIALTIES WITHOUT CREDENTIALING OR LI-*
16 *CENSING WITH COSTS INCURRED BY SECRETARY OF VET-*
17 *ERANS AFFAIRS AND SECRETARY OF LABOR IN PROVIDING*
18 *EMPLOYMENT-RELATED ASSISTANCE.*—

19 (1) *IN GENERAL.*—Not later than 180 days after
20 the date of the enactment of this Act, the Assistant
21 Secretary of Labor of Veterans’ Employment and
22 Training shall, in consultation with the Secretary of
23 Defense and the Secretary of Veterans Affairs, carry
24 out a study comparing the costs incurred by the Sec-
25 retary of Defense in training members of the Armed

1 *Forces for military occupational specialties with the*
2 *costs incurred by the Secretary of Veterans Affairs*
3 *and the Secretary of Labor in providing employment-*
4 *related assistance to veterans, including—*

5 *(A) providing educational assistance under*
6 *laws administered by the Secretary of Veterans*
7 *Affairs to veterans to obtain credentialing and*
8 *licensing for civilian occupations that are simi-*
9 *lar to such military occupational specialties;*

10 *(B) providing assistance to unemployed vet-*
11 *erans who, while serving in the Armed Forces,*
12 *were trained in a military occupational spe-*
13 *cialty; and*

14 *(C) providing vocational training or coun-*
15 *seling to veterans described in subparagraph (B).*

16 *(2) REPORT.—*

17 *(A) IN GENERAL.—Not later than 180 days*
18 *after the date of the enactment of this Act, the*
19 *Assistant Secretary of Labor of Veterans' Em-*
20 *ployment and Training shall submit to Congress*
21 *a report on the study carried out under para-*
22 *graph (1).*

23 *(B) ELEMENTS.—The report required by*
24 *subparagraph (A) shall include the following:*

1 (i) *The findings of the Assistant Sec-*
 2 *retary with respect to the study required by*
 3 *paragraph (1).*

4 (ii) *An estimate of the savings that*
 5 *would be realized by the Secretary of Vet-*
 6 *erans Affairs and the Secretary of Labor if*
 7 *the Secretary of Defense were to include*
 8 *credentialing and licensing that is widely*
 9 *accepted in the civilian private sector in the*
 10 *training of members of the Armed Forces*
 11 *for military occupational specialties.*

12 **SEC. 14. IMPROVED ACCESS TO APPRENTICESHIP PRO-**
 13 **GRAMS FOR MEMBERS OF THE ARMED**
 14 **FORCES WHO ARE BEING SEPARATED FROM**
 15 **ACTIVE DUTY OR RETIRED.**

16 *Section 1144 of title 10, United States Code, is amend-*
 17 *ed by adding at the end the following new subsection:*

18 “(e) *PARTICIPATION IN APPRENTICESHIP PRO-*
 19 *GRAMS.—As part of the program carried out under this sec-*
 20 *tion, the Secretary of Defense and the Secretary of Home-*
 21 *land Security may permit a member of the armed forces*
 22 *eligible for assistance under the program to participate in*
 23 *an apprenticeship program registered under the Act of Au-*
 24 *gust 16, 1937 (commonly known as the ‘National Appren-*
 25 *ticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et*

1 *seq.), or a pre-apprenticeship program that provides credit*
 2 *toward a program registered under such Act, that provides*
 3 *members of the armed forces with the education, training,*
 4 *and services necessary to transition to meaningful employ-*
 5 *ment that leads to economic self-sufficiency.”.*

6 **SEC. 15. EXTENSION OF LOAN GUARANTY FEE FOR CERTAIN**
 7 **SUBSEQUENT LOANS.**

8 *(a) EXTENSION.—Section 3729(b)(2)(B)(ii) of title 38,*
 9 *United States Code, is amended—*

10 *(1) by striking “January 1, 2004, and before Oc-*
 11 *tober 1, 2011” and inserting “October 1, 2011, and*
 12 *before October 1, 2014”; and*

13 *(2) by striking “3.30” both places it appears and*
 14 *inserting “3.00”.*

15 *(b) CONFORMING AMENDMENTS.—Section*
 16 *3729(b)(2)(B) of such title is amended—*

17 *(1) in clause (i)—*

18 *(A) by striking “January 1, 2004” and in-*
 19 *serting “October 1, 2011”; and*

20 *(B) by striking “3.00” both places it ap-*
 21 *pears and inserting “3.30”;*

22 *(2) by striking clause (iii) and redesignating*
 23 *clause (iv) as clause (iii); and*

1 (3) *in clause (iii), as redesignated by paragraph*
2 (2), *by striking “October 1, 2013” and inserting “Oc-*
3 *ttober 1, 2014”.*

4 (c) *EFFECTIVE DATE.—The amendments made by sub-*
5 *sections (a) and (b) shall take effect on the later of October*
6 *1, 2011, and the date of the enactment of this Act.*

Calendar No. 95

112TH CONGRESS
1ST Session
S. 951

A BILL

To improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

JULY 7, 2011

Reported with an amendment