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112TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 112–236

AMENDING TITLE 38, UNITED STATES CODE, TO DIRECT THE SECRETARY OF VETERANS AFFAIRS TO NOTIFY CONGRESS OF CONFERENCES SPONSORED BY THE DEPARTMENT OF VETERANS AFFAIRS

OCTOBER 5, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. MILLER of Florida, from the Committee on Veterans' Affairs, submitted the following

R E P O R T

[To accompany H.R. 2302]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 2302) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

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19–006

AMENDMENT

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. QUARTERLY REPORTS TO CONGRESS ON CONFERENCES SPONSORED BY THE DEPARTMENT.

(a) IN GENERAL.—Subchapter I of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 517. Quarterly reports to Congress on conferences sponsored by the Department

"(a) QUARTERLY REPORTS REQUIRED.—Not later than 30 days after the end of each fiscal quarter, the Secretary shall submit to the Committee on Veterans' Affairs of the House of Representatives and the Committee on Veterans' Affairs of the Senate a report on covered conferences.

"(b) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

"(1) An accounting of the final costs to the Department of each covered conference occurring during the fiscal quarter preceding the date on which the report is submitted, including the costs related to—

"(A) transportation and parking;

"(B) per diem payments;

"(C) lodging;

"(D) rental of halls, auditoriums, or other spaces;

"(E) rental of equipment;

"(F) refreshments;

"(G) entertainment;

"(H) contractors; and

"(I) brochures or other printed media.

"(2) The total estimated costs to the Department for covered conferences occurring during the fiscal quarter in which the report is submitted.

"(c) COVERED CONFERENCE DEFINED.—In this section, the term 'covered conference' means a conference, meeting, or other similar forum that is sponsored or co-sponsored by the Department of Veterans Affairs and is—

"(1) attended by 50 or more individuals, including one or more employees of the Department; or

"(2) estimated to cost the Department at least $20,000.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 516 the following:

"517. Quarterly reports to Congress on conferences sponsored by the Department.".

SEC. 2. SUBMISSION OF CERTAIN INFORMATION BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter II of chapter 5 of title 38, United States Code, is amended by inserting after section 529 the following new section:

"§ 529A. Submission of certain information by the Secretary to Congress

"(a) IN GENERAL.—The submission of information by the Secretary to the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate in response to a request for such information made by a covered member of the committee shall be deemed to be—

"(1) a covered disclosure under section 552a(b)(9) of title 5; and

"(2) a permitted disclosure under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191), including a permitted disclosure for oversight activities authorized by law as described in section 164.512(d) of title 45, Code of Federal Regulations.

"(b) SUBMISSION TO CHAIRMAN.—With respect to a request for information described in subsection (a) made by a covered member of the committee who is not the chairman, the Secretary shall also submit such information to the chairman of the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate, as the case may be.

"(c) COVERED MEMBER OF THE COMMITTEE.—In this section, the term 'covered member of the committee' means the following:

"(1) The chairman or ranking member of the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate.

"(2) A chairman or ranking member of a subcommittee of the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate.

"(3) The designee of a chairman or ranking member described in paragraph (1) or (2).".

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 529 the following new item:

"529A. Submission of certain information by the Secretary to Congress.".

SEC. 3. PUBLICATION OF DATA ON EMPLOYMENT OF CERTAIN VETERANS BY FEDERAL CONTRACTORS.

Section 4212(d) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(3) The Secretary of Labor shall establish and maintain an Internet website on which the Secretary shall publicly disclose the information reported to the Secretary of Labor by contractors under paragraph (1).".

Amend the title so as to read:

A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs, and for other purposes.

PURPOSE AND SUMMARY

H.R. 2302, was introduced on June 22, 2011, by Representative Marlin Stutzman of Indiana. H.R. 2302, as amended, would amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of costs related to certain conferences sponsored by the Department of Veterans Affairs, and for other purposes.

H.R. 2302, as amended, is comprised of a number of bills introduced in the 112th Congress. These bills include: an amended version of H.R. 2302; H.R. 2388, introduced by Chairman Jeff Miller of Florida, to amend title 38, United States Code, to improve the submission of information by the Secretary of Veterans Affairs to Congress; and H.R. 2243, introduced by Representative Jerry McNerney of California, to amend title 38, United States Code, to require the Secretary of Labor to publish on an Internet Web Site certain information about the number of veterans who are employed by Federal contractors.

BACKGROUND AND NEED FOR LEGISLATION

Section 1—Quarterly reports to Congress on conferences sponsored by the department

Current law does not require the Department of Veterans Affairs (VA) to provide Congress with detailed financial data related to functions such as conferences and other large-scale meetings. Typically, VA holds several of these types of meetings annually, which is partially reflected in the significant increase in the VA's budget request for travel from $289 million in FY 2011, to $394 million in FY 2012.

With a growing deficit, and scarce discretionary funding resources, the Committee is very concerned about costs that are not directly related to the mission of providing services and benefits to veterans. Earlier this year, the Veterans Benefit Administration held an 11-day conference to review the schedule of rating disabilities at a resort in Scottsdale, Arizona. Attendees included 50 VA

employees and 10 non-VA individuals. The costs are summarized in the following chart:

Travel	$90,540
Hotel	30,000
Audiovisual	4,000
Support Contractor	97,000
Total	221,540

While the Committee is concerned with the significant cost of such conferences, section 1 of H.R. 2302 would not limit VA's travel budget or eliminate any conferences. The Committee understands that it is often advantageous for VA employees to meet face-to-face for training and leadership development, but believes that there must be more transparency and oversight of these meetings.

Therefore, to add transparency, section 1 of H.R. 2302 would require VA to provide both the Senate and House Committees on Veterans' Affairs a quarterly accounting of actual expenses related to conferences hosted or co-hosted by VA with attendance of 50 or more individuals, or that cost in excess of $20,000. The report would be required within 30 days of the conclusion of each quarter and must also include an estimate of actual conference expenses for the current quarter. The change will provide Congress an acceptable level of insight into VA's expenditures on conferences and also how well VA budgets for these conferences in advance.

Section 2—Submission of certain information by the Secretary of Veterans Affairs

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), (Public Law 104–191, 110 Stat. 1936), restricts access to several types of personal data and defines the conditions under which such data may be released to a requestor.

Currently, VA's Office of Congressional and Legislative Affairs (OCLA) inconsistently applies an unwritten policy regarding the types of information requests from the Committee on Veterans' Affairs that require a signed letter from the Chairman of the Committee or a Chairman of a Subcommittee.

It has been generally understood that, under HIPAA, the requirement for a letter from the Chairman applies to requests that would include an individual's Personally Identifiable Information (PII), such as a Social Security number or date of birth.

However, in practice, VA has required a letter from the Chairman for requests for information having nothing to do with PII. For example, in 2011, VA required letters for information regarding acquisition plans related to five separate facilities, details related to the problematic operation of a VAMC, investigative material related to contracting issues, and more. In each of the aforementioned cases, there was nothing related to PII or HIPAA in the material being sought. The effect of what appears to be an arbitrarily applied policy is a delay in the Committee's oversight capability.

Committee staff is directly authorized by the Members of the Committee to work on behalf of the Members of the Committee. It, therefore, translates that a request by a Committee staff member seeking information under the Committee's official oversight and

investigatory capacity is both within the Committee's jurisdiction and authorized by the Committee.

Beginning in January 2011, staff of both the Subcommittee on Oversight and Investigations and the full Committee on Veterans' Affairs made multiple requests for a copy of the VA's own written policy regarding its requirement for a Chairman's letter. After several months of discussion, the Department admitted that its own policy was unwritten, and that the Department's own opinion of dealing with such matters is based on a 2001 Department of Justice opinion. Additionally, Committee staff met with the Department's General Counsel and discussed the issue, with a promise by the General Counsel that a clear and consistent procedure would be outlined with OCLA. Notwithstanding this assurance, problems with OCLA's inconsistent application of the unwritten policy remain.

During a Subcommittee on Oversight and Investigations legislative hearing on H.R. 2388 on July 20, 2011, Subcommittee Chairman Bill Johnson of Ohio noted that the VA had yet to provide its own written policy, similar to what might be outlined in an employee training manual. The VA responded by submitting another copy of the 2001 Department of Justice opinion, along with a cover letter to Subcommittee Chairman Johnson, yet it did not provide the VA's own written policy on the matter.

The 2001 Department of Justice opinion is titled "Application of Privacy Act Congressional-Disclosure Exception to Disclosures to Ranking Minority Members," and the opinion is directed specifically to the Department of the Treasury in relation to requests from the Senate Finance Committee. The opinion states that information protected under The Privacy Act (5 U.S.C. 552a(b)(9)) will not be disclosed "without the consent of the individual to whom the information relates, unless one of the enumerated exceptions of the Act applies," to include authorizing disclosure "to either the House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee."

The Department's use of this legal opinion as a reason to require a Chairman's letter contains the following deficiencies:

(1) The response cited a ranking minority member's access to personally identifiable information even when the request came from the Chairman;

(2) Regardless of majority or minority party, this information should be made available if it falls within an enumerated exception as described by law, requests from Committees and Subcommittees being an example of enumerated exception;

(3) The written requests from the Committee on Veterans' Affairs (and its subcommittees) routinely are made by staff members specifically acting under the authority of the Committee Chairman (and Subcommittee Chairman); and

(4) Numerous Committee requests in question were not PII or HIPAA related.

The Department's requirement of a letter needlessly obstructs the conduct of the Committee's oversight and investigatory process. Therefore, section 2 of H.R. 2302, as amended, would clearly establish the Department's responsibility to respond to requests for information.

Section 2 would clarify that a request by a covered Member of the House or Senate Committee on Veterans' Affairs is a covered disclosure under the Privacy Act and a permitted disclosure under HIPAA. The section would also clarify that a covered Member of either Committee includes the Chairman or Ranking Member of the House or Senate Committee on Veterans' Affairs, a Chairman or Ranking Member of a Subcommittee of the House or Senate Committee on Veterans' Affairs, or the designee of such Chairmen or Ranking Members. Lastly, the section requires that the Secretary of Veterans Affairs also submit a copy of the information requested by a covered Member of the Committee to the Chairman of the full Committee when submitting such information. These changes would improve Congressional oversight and remove any uncertainty as to whether a letter signed by a Committee Chairman would be required.

Section 3—Publication of data on employment of certain veterans by Federal contractors

Section 4212 of title 38, United States Code, requires companies with Federal contracts worth $100,000 or more to have an affirmative action plan to hire veterans and to report certain veteran-related employment data annually to the U.S. Department of Labor (DoL).

A priority of the Committee has always been veterans' employment in the civilian workforce. During times of high nationwide unemployment and a large number of returning servicemembers, the challenges to reducing veterans' unemployment are magnified. However, current technology and capabilities can provide greater transparency to ensure compliance with current laws, especially regarding Federal contractors using taxpayer dollars.

The Vietnam Era Veterans Readjustment and Assistance Act of 1974 (Public Law 93–508, 88 Stat. 1518), as amended and reflected in section 4212 of title 38, United States Code, requires Federal contractors with contracts worth $100,000 or more to take "affirmative action" to "employ and advance in employment qualified covered veterans." Subsection (d)(1) of section 4212 also requires those same Federal contractors to report on various aspects of their affirmative action program to hire veterans. The reports are commonly referred to as the "VETS 100" and "VETS 100A" reports. DoL has delegated compliance enforcement of section 4212 to the Office of Federal Contractor Compliance.

A review of the DoL Web site shows that DoL provides the ability to file the VETS 100 and VETS 100A reports online, but does not provide public access to the data. Requiring DoL to provide public access to VETS 100 and VETS 100A reports will increase oversight and accountability that is long overdue. In the past, the Subcommittee has heard from veteran service organizations that they do not believe all Federal contractors submit or file a report. Furthermore, there is doubt that DoL does indeed enforce the requirement to submit these reports. Because these reports are not made public, there is no proof that Federal contractors are taking the necessary steps to employ qualified veterans or that their Federal contracts include an affirmative action clause. By making public the employment data reported by Federal contractors, we can ensure that Federal contractors comply with relevant laws and as-

sist Congress to continue to seek ways to improve enforcement of Federal contractor compliance.

HEARINGS

On July 7, 2011, the Subcommittee on Economic Opportunity conducted a legislative hearing on various bills introduced during the 112th Congress, including: H.R. 1911, H.R. 240, H.R. 1263, H.R. 120, H.R. 2274, H.R. 2301, H.R. 2302, H.R. 2345, and H.R. 2329. The following witnesses testified: Mr. Tom Tarantino, Senior Legislative Associate of Iraq and Afghanistan Veterans of America; Mr. Shane Barker, Senior Legislative Associate, National Legislative Service of the Veterans of Foreign Wars of the United States; Mr. Jeff Steele, Assistant Director, National Legislative Commission of The American Legion; MG David Bockel, USA (Ret.), Executive Director of the Reserve Officers Association of the United States (submitted also on behalf of the Reserve Enlisted Association of the United States); Mr. Arthur F. Kirk, Jr., President, Saint Leo University, Saint Leo, FL, on behalf of National Association of Independent Colleges and Universities; Ms. Susan C. Aldridge, Ph.D., President, University of Maryland University College, Adelphia, MD, on behalf of the American Association of State Colleges and Universities; and Mr. Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration of the U.S. Department of Veterans Affairs, who was accompanied by Mr. John Brizzi, Deputy Assistant General Counsel, Office of General Counsel of the U.S. Department of Veterans Affairs. Ms. Vivianne Cisneros Wersel, Au.D., Chair, Government Relations Committee of Gold Star Wives of America, Inc. and the Paralyzed Veterans of America submitted statements for the record.

On July 20, 2011, the Subcommittee on Oversight and Investigations conducted a legislative hearing on various bills introduced during the 112th Congress, including: H.R. 2383, H.R. 2243, H.R. 2388, and H.R. 2470. The following witnesses testified: Mr. Thomas Murphy, Director, Compensation Service, Veterans Benefits Administration of the U.S. Department of Veterans Affairs, who was accompanied by the Honorable Roger Baker, Assistant Secretary for Information and Technology and Chief Information Officer, U.S. Department of Veterans Affairs, and John H. "Jack" Thompson, Deputy Assistant General Counsel, Office of General Counsel of the U.S. Department of Veterans; The Honorable Elizabeth A. McGrath, Deputy Chief Management Officer, U.S. Department of Defense; Debra Filippi, Former Director of the U.S. Department of Defense/U.S. Department of Veterans Affairs Interagency Program Office; Jeffrey C. Hall, Assistant National Legislative Director, Disabled American Veterans; and Ryan M. Gallucci, Deputy Director, National Legislative Service, Veterans of Foreign Wars of the United States. The Veterans Employment and Training Service, U.S. Department of Labor, submitted a statement for the record.

SUBCOMMITTEE CONSIDERATION

On July 21, 2011, the Subcommittee on Economic Opportunity met in an open markup session, a quorum being present, and approved H.R. 2302, by voice vote. Ranking Member Braley offered

a motion to favorably report H.R. 2302, to the full Committee. His motion was approved by voice vote.

On July 28, 2011, the Subcommittee on Oversight and Investigations met in an open markup session, a quorum being present. Ranking Member Donnelly offered a motion to report H.R. 2388 favorably to the full Committee. His motion was approved by voice vote. Ranking Member Donnelly also offered a motion to report H.R. 2243 favorably to the full Committee. His motion was approved by voice vote.

COMMITTEE CONSIDERATION

On September 8, 2011, the full Committee met in an open markup session, a quorum being present, to consider H.R. 2302. Mr. Stutzman of Indiana offered an amendment in the nature of substitute to amend H.R. 2302 as introduced and include provisions from H.R. 2302, H.R. 2388 and H.R 2243. The amendment in the nature of substitute was agreed to by voice vote. Following the vote, the full Committee ordered H.R. 2302, as amended, reported favorably to the House of Representatives by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report the legislation and amendments thereto. There were no record votes taken on amendments or in connection with ordering H.R. 2302, as amended, reported to the House. A motion by Ranking Member Bob Filner of California to order H.R. 2302, as amended, reported favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are reflected in the descriptive portions of this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 2302, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 2302, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 2302, as amended, provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 23, 2011.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2302, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Dwayne M. Wright.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 2302—A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs

H.R. 2302 would require the Department of Veterans Affairs (VA) and the Department of Labor (DOL) to report certain information.

Section 1 would require VA to provide detailed quarterly reports to the Congress regarding the final costs of any VA-sponsored conferences attended by more than 50 people (including one or more VA employees) that were estimated to cost the agency at least $20,000. The department currently prepares a cost report for each conference.

Section 2 would expand the number of individuals that are allowed to receive certain confidential information from VA.

Section 3 would require DOL to establish and maintain a public Web site that discloses information about the numbers of veterans employed by certain contractors. Those contractors currently report that information to DOL. CBO expects that DOL would add an additional page to its Web site listing such information.

CBO estimates that any costs associated with implementing H.R. 2302 would be insignificant over the 2012–2016 period.

Enacting H.R. 2302 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 2302 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Dwayne M. Wright. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 2302, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 2302, as amended.

STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to Article I, section 8 of the United States Constitution, the reported bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1—Quarterly reports to Congress on conferences sponsored by the Department

This section amends subchapter I of chapter 5 of title 38 U.S.C. to require the Department of Veterans Affairs to provide Congress with information on its spending on covered conferences.

Subsection (a) requires, that VA submit a quarterly report to both the Senate and House Committee on Veterans' Affairs detailing the expenses related to conferences hosted or co-hosted by VA. It also requires that VA submit this quarterly report within 30 days of the end of the quarter.

Subsection (b) requires that the reports include actual expenses for conferences occurring during the previous quarter related to: transportation and parking; per diem payments; lodging; rentals of halls, auditoriums, or other spaces; rental of equipment; refreshments; entertainment; contractors; and brochures or printed material. It also requires that the report include an estimate of the expected conference expenses for the next quarter.

Subsection (c) defines covered conferences that will be included in the report as those that are attended by 50 or more individuals,

including one or more employees of the VA, or have an estimated cost of at least $20,000.

Section 2—Submission of certain information by the Secretary of Veterans Affairs

This section amends subchapter II of chapter 5 of title 38 U.S.C. to require the Secretary of Veterans Affairs to provide certain information to the House and Senate Committee on Veterans' Affairs.

Subsection (a) sets out that information requested by House and Senate Committees on Veterans' Affairs for oversight functions shall be deemed permissible under privacy rules and the Health Insurance Portability and Accountability Act of 1996 (P.L. 104–191).

Subsection (b) requires that when a Member of the House or Senate Committee is provided this information, that the Secretary also provides a copy to that Committee's respective Chairman.

Subsection (c) defines covered Members of the Committee as the Chairman or Ranking Member of the Senate or House Committee on Veterans' Affairs, a Chairman or Ranking Member of a Subcommittee on the House or Senate Committee on Veterans' Affairs, or their designee.

Section 3—Publication of data on employment of certain Veterans by Federal Contractors

This section amends section 4212(d) of title 38 U.S.C. to require the Secretary of Labor to publish on an Internet Web site, reports submitted by government contractors on the results of their affirmative action plans to hire veterans.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

* * * * * * *

PART I—GENERAL PROVISIONS

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CHAPTER 5—AUTHORITY AND DUTIES OF THE SECRETARY

SUBCHAPTER I—GENERAL AUTHORITIES

Sec.
501. Rules and regulations.

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517. Quarterly reports to Congress on conferences sponsored by the Department.

SUBCHAPTER II—SPECIFIED FUNCTIONS

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529A. Submission of certain information by the Secretary to Congress.

SUBCHAPTER I—GENERAL AUTHORITIES

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§ 517. Quarterly reports to Congress on conferences sponsored by the Department

(a) QUARTERLY REPORTS REQUIRED.—Not later than 30 days after the end of each fiscal quarter, the Secretary shall submit to the Committee on Veterans' Affairs of the House of Representatives and the Committee on Veterans' Affairs of the Senate a report on covered conferences.

(b) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

(1) An accounting of the final costs to the Department of each covered conference occurring during the fiscal quarter preceding the date on which the report is submitted, including the costs related to—

(A) transportation and parking;
(B) per diem payments;
(C) lodging;
(D) rental of halls, auditoriums, or other spaces;
(E) rental of equipment;
(F) refreshments;
(G) entertainment;
(H) contractors; and
(I) brochures or other printed media.

(2) The total estimated costs to the Department for covered conferences occurring during the fiscal quarter in which the report is submitted.

(c) COVERED CONFERENCE DEFINED.—In this section, the term "covered conference" means a conference, meeting, or other similar forum that is sponsored or co-sponsored by the Department of Veterans Affairs and is—

(1) attended by 50 or more individuals, including one or more employees of the Department; or

(2) estimated to cost the Department at least $20,000.

SUBCHAPTER II—SPECIFIED FUNCTIONS

* * * * * * *

§ 529A. Submission of certain information by the Secretary to Congress

(a) IN GENERAL.—The submission of information by the Secretary to the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate in response to a request for such information made by a covered member of the committee shall be deemed to be—

(1) a covered disclosure under section 552a(b)(9) of title 5; and

(2) a permitted disclosure under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191), including a permitted disclosure for oversight activities authorized by law as described in section 164.512(d) of title 45, Code of Federal Regulations.

(b) SUBMISSION TO CHAIRMAN.—With respect to a request for information described in subsection (a) made by a covered member of the committee who is not the chairman, the Secretary shall also submit such information to the chairman of the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate, as the case may be.

(c) COVERED MEMBER OF THE COMMITTEE.—In this section, the term "covered member of the committee" means the following:

(1) The chairman or ranking member of the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate.

(2) A chairman or ranking member of a subcommittee of the Committee on Veterans' Affairs of the House of Representatives or the Committee on Veterans' Affairs of the Senate.

(3) The designee of a chairman or ranking member described in paragraph (1) or (2).

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PART III—READJUSTMENT AND RELATED BENEFITS

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CHAPTER 42—EMPLOYMENT AND TRAINING OF VETERANS

* * * * * * *

§ 4212. Veterans' employment emphasis under Federal contracts

(a) * * *

* * * * * * *

(d)(1) * * *

* * * * * * *

(3) The Secretary of Labor shall establish and maintain an Internet website on which the Secretary shall publicly disclose the information reported to the Secretary of Labor by contractors under paragraph (1).

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