

**AMENDMENT TO H.R. 5620, AS REPORTED
OFFERED BY MR. COHEN OF TENNESSEE**

Add at the end the following new titles:

1 **TITLE II—RENEWING OUR VOW**
2 **TO HIRE HEROES**

3 **SEC. 201. REAUTHORIZATION OF VETERANS RETRAINING**
4 **ASSISTANCE PROGRAM.**

5 (a) EXTENSION.—Subsection (k) of section 211 of
6 the VOW to Hire Heroes Act of 2011 (Public Law 112–
7 56; 38 U.S.C. 4100 note) is amended by striking “March
8 31, 2014” and inserting “December 31, 2018”.

9 (b) NUMBER OF ELIGIBLE VETERANS.—Subsection
10 (a)(2) of such section is amended—

11 (1) in subparagraph (A), by striking “and” at
12 the end;

13 (2) in subparagraph (B), by striking the period
14 at the end and inserting a semicolon; and

15 (3) by adding at the end the following new sub-
16 paragraphs:

17 “(C) 50,000 during fiscal year 2015;

18 “(D) 50,000 during fiscal year 2016;

19 “(E) 50,000 during fiscal year 2017; and

1 “(F) 50,000 during the period beginning
2 October 1, 2017, and ending December 31,
3 2018.”.

4 (c) CLARIFICATION OF LIMITATION ON AGGREGATE
5 AMOUNT OF ASSISTANCE.—Subsection (b) of such section
6 is amended by striking “up to 12 months of retraining
7 assistance provided by the Secretary of Veterans Affairs”
8 and inserting “an aggregate of not more than 12 months
9 of retraining assistance provided by the Secretary of Vet-
10 erans Affairs under this section”.

11 (d) UPDATED REPORT.—Subsection (i) of such sec-
12 tion is amended by adding at the end the following new
13 paragraph:

14 “(3) UPDATE.—Not later than December 31,
15 2019, the Secretary of Veterans Affairs, in collabo-
16 ration with the Secretary of Labor, shall submit to
17 the appropriate committees of Congress an update
18 to the report described in paragraph (1).”.

19 **SEC. 202. EXTENSION OF AUTHORITY OF SECRETARY OF**
20 **VETERANS AFFAIRS TO PROVIDE REHABILI-**
21 **TATION AND VOCATIONAL BENEFITS TO**
22 **MEMBERS OF ARMED FORCES WITH SEVERE**
23 **INJURIES OR ILLNESSES.**

24 (a) IN GENERAL.—Section 1631(b)(2) of the Wound-
25 ed Warrior Act (title XVI of Public Law 110–181; 10

1 U.S.C. 1071 note) is amended by striking “December 31,
2 2016” and inserting “December 31, 2018”.

3 (b) REPORT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs shall submit to the appro-
7 priate committees of Congress a report on the bene-
8 fits provided by the Secretary under section 1631(b)
9 of such Act.

10 (2) APPROPRIATE COMMITTEES OF CON-
11 GRESS.—In this subsection, the term “appropriate
12 committees of Congress” means—

13 (A) the Committee on Armed Services and
14 the Committee on Veterans’ Affairs of the Sen-
15 ate; and

16 (B) the Committee on Armed Services and
17 the Committee on Veterans’ Affairs of the
18 House of Representatives.

19 **SEC. 203. EXTENSION OF ADDITIONAL REHABILITATION**
20 **PROGRAMS FOR PERSONS WHO HAVE EX-**
21 **HAUSTED RIGHTS TO UNEMPLOYMENT BENE-**
22 **FITS UNDER STATE LAW.**

23 Section 3102(b)(4) of title 38, United States Code,
24 is amended by striking “March 31, 2014” and inserting
25 “March 31, 2018”.

1 **SEC. 204. REAUTHORIZATION OF COLLABORATIVE VET-**
2 **ERANS' TRAINING, MENTORING, AND PLACE-**
3 **MENT PROGRAM.**

4 Subsection (e) of section 4104A of title 38, United
5 States Code, is amended to read as follows:

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 amounts as follows:

9 “(1) \$4,500,000 for the period consisting of fis-
10 cal years 2016 and 2017.

11 “(2) \$4,500,000 for the period consisting of fis-
12 cal years 2018 and 2019.”.

13 **TITLE III—BUILDING ON OUR**
14 **VOW TO HIRE HEROES**

15 **SEC. 301. UNIFIED EMPLOYMENT PORTAL FOR VETERANS.**

16 Section 4105 of title 38, United States Code is
17 amended by adding at the end the following:

18 “(c)(1) The Secretary shall develop a single, unified
19 Federal web-based employment portal, for use by veterans,
20 containing information regarding all Federal programs
21 and activities concerning employment, unemployment, and
22 training to the extent the programs and activities affect
23 veterans.

24 “(2) The Secretary shall work with representatives
25 from the Department of Defense, the Department of Vet-
26 erans Affairs, the Small Business Administration, and

1 other Federal agencies and organizations concerned with
2 veterans' issues, to determine an appropriate platform and
3 implementing agency for the portal. The Secretary shall
4 enter into an agreement with the other Federal agencies
5 for the implementation of the portal.”.

6 **SEC. 302. GRANTS TO HIRE VETERANS AS FIRST RESPOND-**
7 **ERS.**

8 (a) GRANTS FOR FIREFIGHTERS.—The Secretary of
9 Homeland Security shall award grants under section 34
10 of the Federal Fire Prevention and Control Act of 1974
11 (15 U.S.C. 2229a) to hire veterans as firefighters.

12 (b) GRANTS FOR LAW ENFORCEMENT OFFICERS.—
13 The Attorney General shall award grants under part Q
14 of title I of the Omnibus Crime Control and Safe Streets
15 Act of 1968 (42 U.S.C. 3796dd et seq.) to hire veterans
16 as law enforcement officers.

17 (c) PRIORITY.—In awarding grants under this sec-
18 tion to hire veterans, the Secretary of Homeland Security
19 and the Attorney General shall give priority to the hiring
20 of veterans who served on active duty in the Armed Forces
21 on or after September 11, 2001.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 \$250,000,000.

1 **SEC. 303. EMPLOYMENT OF VETERANS AS EVALUATION**
2 **FACTOR IN THE AWARDING OF FEDERAL**
3 **CONTRACTS.**

4 (a) CIVILIAN CONTRACTS.—

5 (1) IN GENERAL.—Chapter 33 of title 41,
6 United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 3313. Employment of veterans as evaluation factor**

9 “The head of each executive agency shall consider fa-
10 vorably as an evaluation factor in solicitations for con-
11 tracts and task or delivery order valued at or above
12 \$25,000,000 the employment by a prospective contractor
13 of veterans constituting at least 5 percent of the contrac-
14 tor’s workforce.”.

15 (2) CLERICAL AMENDMENT.—The table of sec-
16 tions at the beginning of such chapter is amended
17 by adding after the item relating to section 3312 the
18 following new item:

“3313. Employment of veterans as evaluation factor.”.

19 (b) DEFENSE CONTRACTS.—

20 (1) IN GENERAL.—Chapter 137 of title 10,
21 United States Code, is amended by adding at the
22 end the following new section:

23 **“§ 2338. Employment of veterans as evaluation factor**

24 “The head of each agency shall consider favorably as
25 an evaluation factor in solicitations for contracts and task

1 or delivery order valued at or above \$25,000,000 the em-
2 ployment by a prospective contractor of veterans consti-
3 tuting at least five percent of the contractor's workforce.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of such chapter is amended
6 by adding after the item relating to section 2337 the
7 following new item:

“2338. Employment of veterans as evaluation factor.”.

8 (c) REGULATIONS.—Not later than 180 days after
9 the date of the enactment of this Act, the Federal Acquisi-
10 tion Regulatory Council shall amend the Federal Acquisi-
11 tion Regulation to carry out the provisions of section 3313
12 of title 41, United States Code, and section 2338 of title
13 10, United States Code, as added by subsections (a) and
14 (b), respectively.

15 **TITLE IV—IMPROVING EMPLOY-**
16 **MENT AND REEMPLOYMENT**
17 **RIGHTS OF MEMBERS OF THE**
18 **UNIFORMED SERVICES**

19 **SEC. 401. ENFORCEMENT OF RIGHTS OF MEMBERS OF UNI-**
20 **FORMED SERVICES WITH RESPECT TO**
21 **STATES AND PRIVATE EMPLOYERS.**

22 (a) ACTION FOR RELIEF.—Subsection (a) of section
23 4323 of title 38, United States Code, is amended—

24 (1) in paragraph (1)—

1 (A) by striking “appear on behalf of, and
2 act as attorney for, the person on whose behalf
3 the complaint is submitted and”;

4 (B) by striking “for such person”;

5 (C) by striking the fourth sentence; and

6 (D) by adding at the end the following:

7 “The person on whose behalf the complaint is
8 referred may, upon timely application, intervene
9 in such action, and may obtain such appro-
10 priate relief as is provided in subsections (d)
11 and (e).”;

12 (2) by striking paragraph (2) and inserting the
13 following new paragraph (2):

14 “(2)(A) Not later than 60 days after the date the
15 Attorney General receives a referral under paragraph (1),
16 the Attorney General shall transmit, in writing, to the per-
17 son on whose behalf the complaint is submitted—

18 “(i) if the Attorney General has made a deci-
19 sion to commence an action for relief under para-
20 graph (1) relating to the complaint of the person,
21 notice of the decision; and

22 “(ii) if the Attorney General has not made such
23 a decision, notice of when the Attorney General ex-
24 pects to make such a decision.

1 “(B) If the Attorney General notifies a person that
2 the Attorney General expects to make a decision under
3 subparagraph (A)(ii), the Attorney General shall, not later
4 than 30 days after the date on which the Attorney General
5 makes such decision, notify, in writing, the person of such
6 decision.”;

7 (3) by redesignating paragraph (3) as para-
8 graph (4);

9 (4) by inserting after paragraph (2) the fol-
10 lowing new paragraph (3):

11 “(3) Whenever the Attorney General has reasonable
12 cause to believe that a State (as an employer) or a private
13 employer is engaged in a pattern or practice of resistance
14 to the full enjoyment of any of the rights and benefits pro-
15 vided for under this chapter, and that the pattern or prac-
16 tice is of such a nature and is intended to deny the full
17 exercise of such rights and benefits, the Attorney General
18 may commence an action for relief under this chapter.”;
19 and

20 (5) in paragraph (4), as redesignated by para-
21 graph (3), by striking subparagraph (C) and insert-
22 ing the following new subparagraph (C):

23 “(C) has been notified by the Attorney General
24 that the Attorney General does not intend to com-

1 mence an action for relief under paragraph (1) with
2 respect to the complaint under such paragraph.”.

3 (b) STANDING.—Subsection (f) of such section is
4 amended to read as follows:

5 “(f) STANDING.—An action under this chapter may
6 be initiated only by the Attorney General or by a person
7 claiming rights or benefits under this chapter under sub-
8 section (a).”.

9 (c) CONFORMING AMENDMENT.—Subsection (h)(2)
10 of such section is amended by striking “under subsection
11 (a)(2)” and inserting “under paragraph (1) or (4) of sub-
12 section (a)”.

13 **SEC. 402. SUSPENSION, TERMINATION, OR DEBARMENT OF**
14 **CONTRACTORS FOR REPEATED VIOLATIONS**
15 **OF EMPLOYMENT OR REEMPLOYMENT**
16 **RIGHTS OF MEMBERS OF UNIFORMED SERV-**
17 **ICES.**

18 (a) IN GENERAL.—Subchapter III of chapter 43 of
19 title 38, United States Code, is amended by adding at the
20 end the following new section:

21 **“§ 4328. Suspension, termination, or debarment of**
22 **contractors**

23 “(a) GROUNDS FOR SUSPENSION, TERMINATION, OR
24 DEBARMENT.—Payment under a contract awarded by a
25 Federal executive agency may be suspended and the con-

1 tract may be terminated, and the contractor who made
2 the contract with the agency may be suspended or
3 debarred in accordance with the requirements of this sec-
4 tion, if the head of the agency determines that the con-
5 tractor as an employer has repeatedly been convicted of
6 failing or refusing to comply with one or more provisions
7 of this chapter.

8 “(b) EFFECT OF DEBARMENT.—A contractor
9 debarred by a final decision under this section is ineligible
10 for award of a contract by a Federal executive agency,
11 and for participation in a future procurement by a Federal
12 executive agency, for a period specified in the decision, not
13 to exceed five years.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of chapter 43 of such title is amended
16 by inserting after the item relating to section 4327 the
17 following new item:

“4328. Suspension, termination, or debarment of contractor.”.

18 (c) REGULATIONS.—Not later than 180 days after
19 the date of the enactment of this Act, the Federal Acquisi-
20 tion Regulatory Council shall amend the Federal Acquisi-
21 tion Regulation to carry out section 4328 of title 38,
22 United States Code, as added by subsection (a).

23 (d) EFFECTIVE DATE.—Section 4328 of title 38,
24 United States Code, as added by subsection (a), shall
25 apply with respect to failures and refusals to comply with

1 provisions of chapter 43 of such title occurring on or after
2 the date of the enactment of this Act.

3 (e) ANNUAL REPORT.—Section 4332(a) of such title
4 is amended—

5 (1) by redesignating paragraph (10) as para-
6 graph (11); and

7 (2) by inserting after paragraph (9) the fol-
8 lowing new paragraph (10):

9 “(10) The number of suspensions, terminations,
10 and debarments under section 4328 of this title,
11 disaggregated by the agency or department imposing
12 the suspension or debarment.”.

13 **SEC. 403. SUBPOENA POWER FOR SPECIAL COUNSEL IN EN-**
14 **FORCEMENT OF EMPLOYMENT AND REEM-**
15 **PLOYMENT RIGHTS OF MEMBERS OF UNI-**
16 **FORMED SERVICES WITH RESPECT TO FED-**
17 **ERAL EXECUTIVE AGENCIES.**

18 Section 4324 of title 38, United States Code, is
19 amended by adding at the end the following new sub-
20 section:

21 “(e)(1) In order to carry out the Special Counsel’s
22 responsibilities under this section, the Special Counsel
23 may require by subpoena the attendance and testimony
24 of Federal employees and the production of documents
25 from Federal employees and Federal executive agencies.

1 “(2) In the case of contumacy or failure to obey a
2 subpoena issued under paragraph (1), upon application by
3 the Special Counsel, the Merit Systems Protection Board
4 may issue an order requiring a Federal employee or Fed-
5 eral executive agency to comply with a subpoena of the
6 Special Counsel.

7 “(3) An order issued under paragraph (2) may be
8 enforced by the Merit Systems Protection Board in the
9 same manner as any order issued under section 1204 of
10 title 5.”.

11 **SEC. 404. ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE**
12 **DEMANDS BY ATTORNEY GENERAL.**

13 (a) IN GENERAL.—Section 4323 of title 38, United
14 States Code, is amended—

15 (1) by redesignating subsection (i) as subsection
16 (j); and

17 (2) by inserting after subsection (h) the fol-
18 lowing new subsection (i):

19 “(i) ISSUANCE AND SERVICE OF CIVIL INVESTIGA-
20 TIVE DEMANDS.—(1) Whenever the Attorney General has
21 reason to believe that any person may be in possession,
22 custody, or control of any documentary material relevant
23 to an investigation under this subchapter, the Attorney
24 General may, before commencing a civil action under sub-

1 section (a), issue in writing and serve upon such person,
2 a civil investigative demand requiring—

3 “(A) the production of such documentary mate-
4 rial for inspection and copying;

5 “(B) that the custodian of such documentary
6 material answer in writing written questions with re-
7 spect to such documentary material; or

8 “(C) the production of any combination of such
9 documentary material or answers.

10 “(2) The provisions of section 3733 of title 31 gov-
11 erning the authority to issue, use, and enforce civil inves-
12 tigative demands shall apply with respect to the authority
13 to issue, use, and enforce civil investigative demands under
14 this section, except that, for purposes of applying such sec-
15 tion 3733—

16 “(A) references to false claims law investigators
17 or investigations shall be considered references to in-
18 vestigators or investigations under this subchapter;

19 “(B) references to interrogatories shall be con-
20 sidered references to written questions, and answers
21 to such need not be under oath;

22 “(C) the definitions relating to ‘false claims
23 law’ shall not apply; and

24 “(D) provisions relating to qui tam relators
25 shall not apply.”.

1 (b) EFFECTIVE DATE.—Subsection (i) of such sec-
2 tion, as added by subsection (a)(2), shall take effect on
3 the date of the enactment of this Act and shall apply with
4 respect to violations of chapter 43 of such title alleged to
5 have occurred on or after such date.

6 (c) ANNUAL REPORTS.—Section 4332(b)(2) of such
7 title is amended—

8 (1) by striking “Not later than” and inserting
9 the following:

10 “(A) IN GENERAL.—Not later than”; and

11 (2) by adding at the end the following new sub-
12 paragraph:

13 “(B) ANNUAL SUPPLEMENT ON CIVIL IN-
14 VESTIGATIVE DEMANDS.—

15 “(i) IN GENERAL.—The Attorney
16 General shall include with each report sub-
17 mitted under subparagraph (A) for the last
18 quarter of each fiscal year a report on the
19 issuance of civil investigative demands
20 under section 4323(i) of this title during
21 the most recently completed fiscal year.

22 “(ii) ELEMENTS.—Each report sub-
23 mitted under clause (i) shall include the
24 following for the fiscal year covered by the
25 report:

1 “(I) The number of times that a
2 civil investigative demand was issued
3 under section 4323(i) of this title.

4 “(II) For each civil investigative
5 demand issued under such section
6 with respect to an investigation,
7 whether such investigation resulted in
8 a settlement, order, or judgment.”.

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