

people like Jesse, a retired Navy veteran in San Antonio who has applied for over 300 jobs unsuccessfully.

Sadly, some Republicans continue to blame the unemployment problem on the unemployed, even though there are about four people for every job opening in America today. Too many remain jobless, not for lack of wanting to work, but for a lack of work.

Let's continue to encourage more job creation. But for those who lack a job, we also must preserve the lifeline of extended unemployment benefits. It's only the turkey that ought to be carved at Thanksgiving, not the unemployed's ability to share in the bounty of America.

□ 1240

NATIONAL RIGHT-TO-CARRY RECIPROCALITY ACT

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Madam Speaker, today the House considers the National Right-to-Carry Reciprocity Act. I'm a proud cosponsor of this bill because it will protect Americans' Second Amendment rights by allowing citizens who have a valid permit to carry a firearm in any State in the country with a concealed carry law. The Second Amendment applies to law-abiding citizens all across America, and this reciprocity act will protect Americans' rights as they travel throughout the country.

Law-abiding citizens in western Pennsylvania should be allowed to exercise their constitutional rights even when they leave the Commonwealth's borders. All Americans have an individual right to bear arms that is protected by the Constitution.

I urge my colleagues to support the Second Amendment and vote for the National Right-to-Carry Reciprocity Act.

JOB CREATION

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, first of all, I want to join with my colleague from Rhode Island, Mr. CICILLINE, in extending my condolences to the family of Julius Michaelson, former attorney general of Rhode Island, a dedicated public servant, someone who truly made a difference to the people of our State. He made a difference, and he will be greatly missed.

Madam Speaker, next week Americans will be celebrating Thanksgiving with their families. Unfortunately, far too many will be preoccupied with the uncertainty of being unemployed and finding ways just to put food on the table.

Our country currently has a 9 percent unemployment rate, and there are four

unemployed workers for every open job right now. In my home State of Rhode Island, our unemployment rate continues to hold steady above the national average at 10.5 percent.

Madam Speaker, where is the urgency on job creation? The House just returned from its 11th scheduled recess of the year. With only 45 days left until the end of the year, the Republican-led House has failed to take any meaningful action to spur job creation this year.

Our constituents deserve better than this. The American people are demanding more than this. Congress must put partisan politics aside and focus on growing our economy and creating new job opportunities and getting this country back on track. It is our obligation to do this, and we need to do it now.

DETROIT JOBS TRUST FUND

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. Madam Speaker, I am very concerned about reports that the city of Detroit may be running out of money as early as April of next year.

One of the problems Detroit is facing is that too many of our tax dollars are going to pay off debt owed by the city and owed by the schools at the very time we need to put more police officers, more firefighters, and more emergency medical providers on the street; at a time when we need to hire more school teachers and open more schools that will truly educate and graduate our young people.

That's why I'm urging this Congress, this House specifically, to adopt the Detroit Jobs Trust Fund. And I want to thank you personally, Madam Speaker, for the leadership and vision in supporting this legislation which would allow Federal tax dollars paid by Detroiters to be invested in Detroit, invested to cut taxes to make our streets safer and our schools stronger. This will not only help put Detroiters back to work; it will help our country because when you rebuild Detroit, you renew America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 43 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1303

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at 1 o'clock and 3 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

3% WITHHOLDING REPEAL AND JOB CREATION ACT

Mr. CAMP. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike title II and insert the following:

TITLE II—VOW TO HIRE HEROES

Sec. 201. Short title.

Subtitle A—Retraining Veterans

Sec. 211. Veterans retraining assistance program.

Subtitle B—Improving the Transition Assistance Program

Sec. 221. Mandatory participation of members of the Armed Forces in the Transition Assistance Program of Department of Defense.

Sec. 222. Individualized assessment for members of the Armed Forces under transition assistance on equivalence between skills developed in military occupational specialties and qualifications required for civilian employment with the private sector.

Sec. 223. Transition Assistance Program contracting.

Sec. 224. Contracts with private entities to assist in carrying out Transition Assistance Program of Department of Defense.

Sec. 225. Improved access to apprenticeship programs for members of the Armed Forces who are being separated from active duty or retired.

Sec. 226. Comptroller General review.

Subtitle C—Improving the Transition of Veterans to Civilian Employment

Sec. 231. Two-year extension of authority of Secretary of Veterans Affairs to provide rehabilitation and vocational benefits to members of the Armed Forces with severe injuries or illnesses.

Sec. 232. Expansion of authority of Secretary of Veterans Affairs to pay employers for providing on-job training to veterans who have not been rehabilitated to point of employability.

Sec. 233. Training and rehabilitation for veterans with service-connected disabilities who have exhausted rights to unemployment benefits under State law.

- Sec. 234. Collaborative veterans' training, mentoring, and placement program.
- Sec. 235. Appointment of honorably discharged members and other employment assistance.
- Sec. 236. Department of Defense pilot program on work experience for members of the Armed Forces on terminal leave.
- Sec. 237. Enhancement of demonstration program on credentialing and licensing of veterans.
- Sec. 238. Inclusion of performance measures in annual report on veteran job counseling, training, and placement programs of the Department of Labor.
- Sec. 239. Clarification of priority of service for veterans in Department of Labor job training programs.
- Sec. 240. Evaluation of individuals receiving training at the National Veterans' Employment and Training Services Institute.
- Sec. 241. Requirements for full-time disabled veterans' outreach program specialists and local veterans' employment representatives.
- Subtitle D—Improvements to Uniformed Services Employment and Reemployment Rights
- Sec. 251. Clarification of benefits of employment covered under USERRA.
- Subtitle E—Other Matters
- Sec. 261. Returning heroes and wounded warriors work opportunity tax credits.
- Sec. 262. Extension of reduced pension for certain veterans covered by Medicaid plans for services furnished by nursing facilities.
- Sec. 263. Reimbursement rate for ambulance services.
- Sec. 264. Extension of authority for Secretary of Veterans Affairs to obtain information from Secretary of Treasury and Commissioner of Social Security for income verification purposes.
- Sec. 265. Modification of loan guaranty fee for certain subsequent loans.

TITLE III—OTHER PROVISIONS RELATING TO FEDERAL VENDORS

- Sec. 301. One hundred percent levy for payments to Federal vendors relating to property.
- Sec. 302. Study and report on reducing the amount of the tax gap owed by Federal contractors.

TITLE IV—MODIFICATION OF CALCULATION OF MODIFIED ADJUSTED GROSS INCOME FOR DETERMINING CERTAIN HEALTHCARE PROGRAM ELIGIBILITY

- Sec. 401. Modification of calculation of modified adjusted gross income for determining certain healthcare program eligibility.

TITLE V—BUDGETARY EFFECTS

- Sec. 501. Statutory Pay-As-You-Go Act of 2010.

TITLE II—VOW TO HIRE HEROES

SEC. 201. SHORT TITLE.

This title may be cited as the "VOW to Hire Heroes Act of 2011".

Subtitle A—Retraining Veterans

SEC. 211. VETERANS RETRAINING ASSISTANCE PROGRAM.

- (a) PROGRAM AUTHORIZED.—
- (1) IN GENERAL.—Not later than July 1, 2012, the Secretary of Veterans Affairs shall, in collaboration with the Secretary of Labor, establish and commence a program of retraining assistance for eligible veterans.
- (2) NUMBER OF ELIGIBLE VETERANS.—The number of unique eligible veterans who participate in the program established under paragraph (1) may not exceed—

- (A) 45,000 during fiscal year 2012; and
- (B) 54,000 during the period beginning October 1, 2012, and ending March 31, 2014.

(b) RETRAINING ASSISTANCE.—Except as provided by subsection (k), each veteran who participates in the program established under subsection (a)(1) shall be entitled to up to 12 months of retraining assistance provided by the Secretary of Veterans Affairs. Such retraining assistance may only be used by the veteran to pursue a program of education (as such term is defined in section 3452(b) of title 38, United States Code) for training, on a full-time basis, that—

- (1) is approved under chapter 36 of such title;
- (2) is offered by a community college or technical school;
- (3) leads to an associate degree or a certificate (or other similar evidence of the completion of the program of education or training);
- (4) is designed to provide training for a high-demand occupation, as determined by the Commissioner of Labor Statistics; and
- (5) begins on or after July 1, 2012.

(c) MONTHLY CERTIFICATION.—Each veteran who participates in the program established under subsection (a)(1) shall certify to the Secretary of Veterans Affairs the enrollment of the veteran in a program of education described in subsection (b) for each month in which the veteran participates in the program.

(d) AMOUNT OF ASSISTANCE.—The monthly amount of the retraining assistance payable under this section is the amount in effect under section 3015(a)(1) of title 38, United States Code.

(e) ELIGIBILITY.—

(1) IN GENERAL.—For purposes of this section, an eligible veteran is a veteran who—

(A) as of the date of the submittal of the application for assistance under this section, is at least 35 years of age but not more than 60 years of age;

(B) was last discharged from active duty service in the Armed Forces under conditions other than dishonorable;

(C) as of the date of the submittal of the application for assistance under this section, is unemployed;

(D) as of the date of the submittal of the application for assistance under this section, is not eligible to receive educational assistance under chapter 30, 31, 32, 33, or 35 of title 38, United States Code, or chapter 1606 or 1607 of title 10, United States Code;

(E) is not in receipt of compensation for a service-connected disability rated totally disabling by reason of unemployability;

(F) was not and is not enrolled in any Federal or State job training program at any time during the 180-day period ending on the date of the submittal of the application for assistance under this section; and

(G) by not later than October 1, 2013, submits to the Secretary of Labor an application for assistance under this section containing such information and assurances as that Secretary may require.

(2) DETERMINATION OF ELIGIBILITY.—

(A) DETERMINATION BY SECRETARY OF LABOR.—

(i) IN GENERAL.—For each application for assistance under this section received by the Secretary of Labor from an applicant, the Secretary of Labor shall determine whether the applicant is eligible for such assistance under subparagraphs (A), (C), (F), and (G) of paragraph (1).

(ii) REFERRAL TO SECRETARY OF VETERANS AFFAIRS.—If the Secretary of Labor determines under clause (i) that an applicant is eligible for assistance under this section, the Secretary of Labor shall forward the application of such applicant to the Secretary of Veterans Affairs in accordance with the terms of the agreement required by subsection (h).

(B) DETERMINATION BY SECRETARY OF VETERANS AFFAIRS.—For each application relating to an applicant received by the Secretary of Veterans Affairs under subparagraph (A)(ii), the

Secretary of Veterans Affairs shall determine under subparagraphs (B), (D), and (E) of paragraph (1) whether such applicant is eligible for assistance under this section.

(f) EMPLOYMENT ASSISTANCE.—For each veteran who participates in the program established under subsection (a)(1), the Secretary of Labor shall contact such veteran not later than 30 days after the date on which the veteran completes, or terminates participation in, such program to facilitate employment of such veteran and availability or provision of employment placement services to such veteran.

(g) CHARGING OF ASSISTANCE AGAINST OTHER ENTITLEMENT.—Assistance provided under this section shall be counted against the aggregate period for which section 3695 of title 38, United States Code, limits the individual's receipt of educational assistance under laws administered by the Secretary of Veterans Affairs.

(h) JOINT AGREEMENT.—

(1) IN GENERAL.—The Secretary of Veterans Affairs and the Secretary of Labor shall enter into an agreement to carry out this section.

(2) APPEALS PROCESS.—The agreement required by paragraph (1) shall include establishment of a process for resolving disputes relating to and appeals of decisions of the Secretaries under subsection (e)(2).

(i) REPORT.—

(1) IN GENERAL.—Not later than July 1, 2014, the Secretary of Veterans Affairs shall, in collaboration with the Secretary of Labor, submit to the appropriate committees of Congress a report on the retraining assistance provided under this section.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The total number of—

(i) eligible veterans who participated; and

(ii) associates degrees or certificates awarded (or other similar evidence of the completion of the program of education or training earned).

(B) Data related to the employment status of eligible veterans who participated.

(j) FUNDING.—Payments under this section shall be made from amounts appropriated to or otherwise made available to the Department of Veterans Affairs for the payment of readjustment benefits. Not more than \$2,000,000 shall be made available from such amounts for information technology expenses (not including personnel costs) associated with the administration of the program established under subsection (a)(1).

(k) TERMINATION OF AUTHORITY.—The authority to make payments under this section shall terminate on March 31, 2014.

(l) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Veterans' Affairs and the Committee on Health, Education, Labor, and Pension of the Senate; and

(2) the Committee on Veterans' Affairs and the Committee on Education and the Workforce of the House of Representatives.

Subtitle B—Improving the Transition Assistance Program

SEC. 221. MANDATORY PARTICIPATION OF MEMBERS OF THE ARMED FORCES IN THE TRANSITION ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE.

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

"(c) PARTICIPATION.—(1) Except as provided in paragraph (2), the Secretary of Defense and the Secretary of Homeland Security shall require the participation in the program carried out under this section of the members eligible for assistance under the program.

"(2) The Secretary of Defense and the Secretary of Homeland Security may, under regulations such Secretaries shall prescribe, waive the participation requirement of paragraph (1) with respect to—

“(A) such groups or classifications of members as the Secretaries determine, after consultation with the Secretary of Labor and the Secretary of Veterans Affairs, for whom participation is not and would not be of assistance to such members based on the Secretaries’ articulable justification that there is extraordinarily high reason to believe the exempted members are unlikely to face major readjustment, health care, employment, or other challenges associated with transition to civilian life; and

“(B) individual members possessing specialized skills who, due to unavoidable circumstances, are needed to support a unit’s imminent deployment.”.

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

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 222. INDIVIDUALIZED ASSESSMENT FOR MEMBERS OF THE ARMED FORCES UNDER TRANSITION ASSISTANCE ON EQUIVALENCE BETWEEN SKILLS DEVELOPED IN MILITARY OCCUPATIONAL SPECIALTIES AND QUALIFICATIONS REQUIRED FOR CIVILIAN EMPLOYMENT WITH THE PRIVATE SECTOR.

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

(1) **IN GENERAL.**—The Secretary of Labor shall, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, enter into a contract with a qualified organization to conduct a study to identify any equivalences between the skills developed by members of the Armed Forces through various military occupational specialties (MOS), successful completion of resident training courses, attaining various military ranks or rates, or other military experiences and the qualifications required for various positions of civilian employment in the private sector.

(2) **COOPERATION OF FEDERAL AGENCIES.**—The departments and agencies of the Federal Government, including the Office of Personnel Management, the General Services Administration, the Government Accountability Office, the Department of Education, and other appropriate departments and agencies, shall cooperate with the contractor under paragraph (1) to conduct the study required under that paragraph.

(3) **REPORT.**—Upon completion of the study conducted under paragraph (1), the contractor under that paragraph shall submit to the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor a report setting forth the results of the study. The report shall include such information as the Secretaries shall specify in the contract under paragraph (1) for purposes of this section.

(4) **TRANSMITTAL TO CONGRESS.**—The Secretary of Labor shall transmit to the appropriate committees of Congress the report submitted under paragraph (3), together with such comments on the report as the Secretary considers appropriate.

(5) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs, the Committee on Armed Services, and the Committee on Health, Education, Labor, and Pension of the Senate; and

(B) the Committee on Veterans’ Affairs, the Committee on Armed Services, and the Committee on Education and the Workforce of the House of Representatives.

(b) **PUBLICATION.**—The secretaries described in subsection (a)(1) shall ensure that the equivalences identified under subsection (a)(1) are—

(1) made publicly available on an Internet website; and

(2) regularly updated to reflect the most recent findings of the secretaries with respect to such equivalences.

(c) **INDIVIDUALIZED ASSESSMENT OF CIVILIAN POSITIONS AVAILABLE THROUGH MILITARY EXPERIENCES.**—The Secretary of Defense shall ensure that each member of the Armed Forces who is participating in the Transition Assistance Program (TAP) of the Department of Defense receives, as part of such member’s participation in that program, an individualized assessment of the various positions of civilian employment in the private sector for which such member may be qualified as a result of the skills developed by such member through various military occupational specialties (MOS), successful completion of resident training courses, attaining various military ranks or rates, or other military experiences. The assessment shall be performed using the results of the study conducted under subsection (a) and such other information as the Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, considers appropriate for that purpose.

(d) **FURTHER USE IN EMPLOYMENT-RELATED TRANSITION ASSISTANCE.**—

(1) **TRANSMITTAL OF ASSESSMENT.**—The Secretary of Defense shall make the individualized assessment provided a member under subsection (a) available electronically to the Secretary of Veterans Affairs and the Secretary of Labor.

(2) **USE IN ASSISTANCE.**—The Secretary of Veterans Affairs and the Secretary of Labor may use an individualized assessment with respect to an individual under paragraph (1) for employment-related assistance in the transition from military service to civilian life provided the individual by such Secretary and to otherwise facilitate and enhance the transition of the individual from military service to civilian life.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 223. TRANSITION ASSISTANCE PROGRAM CONTRACTING.

(a) **TRANSITION ASSISTANCE PROGRAM CONTRACTING.**—

(1) **IN GENERAL.**—Section 4113 of title 38, United States Code, is amended to read as follows:

“§4113. Transition Assistance Program personnel

“(a) **REQUIREMENT TO CONTRACT.**—In accordance with section 1144 of title 10, the Secretary shall enter into a contract with an appropriate private entity or entities to provide the functions described in subsection (b) at all locations where the program described in such section is carried out.

“(b) **FUNCTIONS.**—Contractors under subsection (a) shall provide to members of the Armed Forces who are being separated from active duty (and the spouses of such members) the services described in section 1144(a)(1) of title 10, including the following:

“(1) Counseling.

“(2) Assistance in identifying employment and training opportunities and help in obtaining such employment and training.

“(3) Assessment of academic preparation for enrollment in an institution of higher learning or occupational training.

“(4) Other related information and services under such section.

“(5) Such other services as the Secretary considers appropriate.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 41 of title 38, United States Code, is amended by striking the item relating to section 4113 and inserting the following new item:

“4113. Transition Assistance Program personnel.”.

(b) **DEADLINE FOR IMPLEMENTATION.**—The Secretary of Labor shall enter into the contract required by section 4113 of title 38, United States

Code, as added by subsection (a), not later than two years after the date of the enactment of this Act.

SEC. 224. CONTRACTS WITH PRIVATE ENTITIES TO ASSIST IN CARRYING OUT TRANSITION ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE.

Section 1144(d) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking “public or private entities; and” and inserting “public entities;”;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5), the following new paragraph (6):

“(6) enter into contracts with private entities, particularly with qualified private entities that have experience with instructing members of the armed forces eligible for assistance under the program carried out under this section on—

“(A) private sector culture, resume writing, career networking, and training on job search technologies;

“(B) academic readiness and educational opportunities; or

“(C) other relevant topics; and”.

SEC. 225. IMPROVED ACCESS TO APPRENTICESHIP PROGRAMS FOR MEMBERS OF THE ARMED FORCES WHO ARE BEING SEPARATED FROM ACTIVE DUTY OR RETIRED.

Section 1144 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **PARTICIPATION IN APPRENTICESHIP PROGRAMS.**—As part of the program carried out under this section, the Secretary of Defense and the Secretary of Homeland Security may permit a member of the armed forces eligible for assistance under the program to participate in an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), or a pre-apprenticeship program that provides credit toward a program registered under such Act, that provides members of the armed forces with the education, training, and services necessary to transition to meaningful employment that leads to economic self-sufficiency.”.

SEC. 226. COMPTROLLER GENERAL REVIEW.

Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the Transition Assistance Program (TAP) and submit to Congress a report on the results of the review and any recommendations of the Comptroller General for improving the program.

Subtitle C—Improving the Transition of Veterans to Civilian Employment

SEC. 231. TWO-YEAR EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF THE ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES.

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

SEC. 232. EXPANSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PAY EMPLOYERS FOR PROVIDING ON-JOB TRAINING TO VETERANS WHO HAVE NOT BEEN REHABILITATED TO POINT OF EMPLOYABILITY.

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

SEC. 233. TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW.

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

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

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

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

“(b) *ADDITIONAL REHABILITATION PROGRAMS FOR PERSONS WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW.*—

(1) Except as provided in paragraph (4), a person who has completed a rehabilitation program under this chapter shall be entitled to an additional rehabilitation program under the terms and conditions of this chapter if—

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

“(B) the person—

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

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

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

“(C) begins such additional rehabilitation program within six months of the date of such exhaustion.

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

“(A) no payments of regular compensation can be made under such law because such person has received all regular compensation available to such person based on employment or wages during such person’s base period; or

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

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

“(4) No person shall be entitled to an additional rehabilitation program under paragraph (1) from whom the Secretary receives an application therefor after March 31, 2014.”

(2) *DURATION OF ADDITIONAL REHABILITATION PROGRAM.*—Section 3105(b) of such title is amended—

(A) by striking “Except as provided in subsection (c) of this section,” and inserting “(1) Except as provided in paragraph (2) and in subsection (c),”; and

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

“(2) The period of a vocational rehabilitation program pursued by a veteran under section 3102(b) of this title following a determination of the current reasonable feasibility of achieving a vocational goal may not exceed 12 months.”

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

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

(2) by redesignating subsection (e) as subsection (f); and

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

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

“(2) A rehabilitation program described in this paragraph is a rehabilitation program pursued by a veteran under section 3102(b) of this title.”

(c) *EFFECTIVE DATE.*—The amendments made by subsections (a) and (b) shall take effect on June 1, 2012, and shall apply with respect to rehabilitation programs beginning after such date.

(d) *COMPTROLLER GENERAL REVIEW.*—Not later than two years after the date of the enact-

ment of this Act, the Comptroller General of the United States shall—

(1) conduct a review of the training and rehabilitation under chapter 31 of title 38, United States Code; and

(2) submit to Congress a report on the findings of the Comptroller General with respect to the review and any recommendations of the Comptroller General for improving such training and rehabilitation.

SEC. 234. COLLABORATIVE VETERANS’ TRAINING, MENTORING, AND PLACEMENT PROGRAM.

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

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

“(a) *GRANTS.*—The Secretary shall award grants to eligible nonprofit organizations to provide training and mentoring for eligible veterans who seek employment. The Secretary shall award the grants to not more than three organizations, for periods of two years.

“(b) *COLLABORATION AND FACILITATION.*—The Secretary shall ensure that the recipients of the grants—

“(1) collaborate with—

“(A) the appropriate disabled veterans’ outreach specialists (in carrying out the functions described in section 4103A(a)) and the appropriate local veterans’ employment representatives (in carrying out the functions described in section 4104); and

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

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

“(c) *APPLICATION.*—To be eligible to receive a grant under this section, a nonprofit organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the information shall include—

“(1) information describing how the organization will—

“(A) collaborate with disabled veterans’ outreach specialists and local veterans’ employment representatives and the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));

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

“(C) make available, for each veteran receiving the training, a mentor to provide career advice to the veteran and assist the veteran in preparing a resume and developing job interviewing skills; and

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

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

“(2) Not later than 18 months after the date of enactment of the VOW to Hire Heroes Act of 2011, the Secretary shall—

“(A) conduct an assessment of the performance of the grant recipients, disabled veterans’ outreach specialists, and local veterans’ employment representatives in carrying out activities under this section, which assessment shall include collecting information on the number of—

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

“(ii) veterans who entered the training;

“(iii) veterans who completed the training;

“(iv) veterans who were placed in meaningful employment under this section; and

“(v) veterans who remained in such employment as of the date of the assessment; and

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

“(i) a description of how the grant recipients used the funds made available under this section;

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

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

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

(f) *DEFINITIONS.*—In this section—

“(1) the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Health, Education, Labor, and Pension of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Education and Workforce of the House of Representatives; and

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

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

(1) in paragraph (1), by inserting “and facilitate placements” after “intensive services”; and

(2) by adding at the end the following:

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

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

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

SEC. 235. APPOINTMENT OF HONORABLY DISCHARGED MEMBERS AND OTHER EMPLOYMENT ASSISTANCE.

(a) *APPOINTMENTS TO COMPETITIVE SERVICE POSITIONS.*—

(1) *IN GENERAL.*—Chapter 21 of title 5, United States Code, is amended by inserting after section 2108 the following:

“§2108a. Treatment of certain individuals as veterans, disabled veterans, and preference eligibles

“(a) *VETERAN.*—

“(1) *IN GENERAL.*—Except as provided under paragraph (3), an individual shall be treated as a veteran defined under section 2108(1) for purposes of making an appointment in the competitive service, if the individual—

“(A) meets the definition of a veteran under section 2108(1), except for the requirement that the individual has been discharged or released from active duty in the armed forces under honorable conditions; and

“(B) submits a certification described under paragraph (2) to the Federal officer making the appointment.

“(2) *CERTIFICATION.*—A certification referred to under paragraph (1) is a certification that the individual is expected to be discharged or released from active duty in the armed forces under honorable conditions not later than 120 days after the date of the submission of the certification.

“(b) *DISABLED VETERAN.*—

“(1) *IN GENERAL.*—Except as provided under paragraph (3), an individual shall be treated as

a disabled veteran defined under section 2108(2) for purposes of making an appointment in the competitive service, if the individual—

“(A) meets the definition of a disabled veteran under section 2108(2), except for the requirement that the individual has been separated from active duty in the armed forces under honorable conditions; and

“(B) submits a certification described under paragraph (2) to the Federal officer making the appointment.

“(2) CERTIFICATION.—A certification referred to under paragraph (1) is a certification that the individual is expected to be separated from active duty in the armed forces under honorable conditions not later than 120 days after the date of the submission of the certification.

“(c) PREFERENCE ELIGIBLE.—Subsections (a) and (b) shall apply with respect to determining whether an individual is a preference eligible under section 2108(3) for purposes of making an appointment in the competitive service.”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) DEFINITIONS.—Section 2108 of title 5, United States Code, is amended—

(i) in paragraph (1), in the matter following subparagraph (D), by inserting “, except as provided under section 2108a,” before “who has been”;

(ii) in paragraph (2), by inserting “(except as provided under section 2108a)” before “has been separated”;

(iii) in paragraph (3), in the matter preceding subparagraph (A), by inserting “or section 2108a(c)” after “paragraph (4) of this section”.

(B) TABLE OF SECTIONS.—The table of sections for chapter 21 of title 5, United States Code, is amended by adding after the item relating to section 2108 the following:

“2108a. Treatment of certain individuals as veterans, disabled veterans, and preference eligibles.”

(b) EMPLOYMENT ASSISTANCE: OTHER FEDERAL AGENCIES.—

(1) DEFINITIONS.—In this subsection—

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

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

(2) RESPONSIBILITIES OF OFFICE OF PERSONNEL MANAGEMENT.—The Director of the Office of Personnel Management shall—

(A) designate agencies that shall establish a program to provide employment assistance to members of the Armed Forces who are being separated from active duty in accordance with paragraph (3); and

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

(3) ELEMENTS OF PROGRAM.—The head of each agency designated under paragraph (2)(A), in consultation with the Director of the Office of Personnel Management, and acting through the Veterans Employment Program Office of the agency established under Executive Order 13518 (74 Fed. Reg. 58533; relating to employment of veterans in the Federal Government), or any successor thereto, shall—

(A) establish a program to provide employment assistance to members of the Armed Forces who are being separated from active duty, including assisting such members in seeking employment with the agency;

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

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

(4) OTHER OFFICE.—If an agency designated under paragraph (2)(A) does not have a Veterans Employment Program Office, the head of

the agency, in consultation with the Director of the Office of Personnel Management, shall select an appropriate office of the agency to carry out the responsibilities of the agency under paragraph (3).

SEC. 236. DEPARTMENT OF DEFENSE PILOT PROGRAM ON WORK EXPERIENCE FOR MEMBERS OF THE ARMED FORCES ON TERMINAL LEAVE.

(a) IN GENERAL.—The Secretary of Defense may establish a pilot program to assess the feasibility and advisability of providing to members of the Armed Forces on terminal leave work experience with civilian employees and contractors of the Department of Defense to facilitate the transition of the individuals from service in the Armed Forces to employment in the civilian labor market.

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

(c) REPORT.—Not later than 540 days after the date of the commencement of the pilot program, the Secretary shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives an interim report on the pilot program that includes the findings of the Secretary with respect to the feasibility and advisability of providing covered individuals with work experience as described in subsection (a).

SEC. 237. ENHANCEMENT OF DEMONSTRATION PROGRAM ON CREDENTIALING AND LICENSING OF VETERANS.

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

(1) in subsection (a), by striking “may” and inserting “shall”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “Assistant Secretary shall” and inserting “Assistant Secretary for Veterans' Employment and Training shall, in consultation with the Assistant Secretary for Employment and Training,”;

(ii) by striking “not less than 10 military” and inserting “not more than five military”;

(iii) by inserting “for Veterans' Employment and Training” after “selected by the Assistant Secretary”;

(B) in paragraph (2), by striking “consult with appropriate Federal, State, and industry officials to” and inserting “enter into a contract with an appropriate entity representing a coalition of State governors to consult with appropriate Federal, State, and industry officials and”;

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

“(d) PERIOD OF PROJECT.—The period during which the Assistant Secretary shall carry out the demonstration project under this section shall be the two-year period beginning on the date of the enactment of the VOW to Hire Heroes Act of 2011.”

(b) STUDY COMPARING COSTS INCURRED BY SECRETARY OF DEFENSE FOR TRAINING FOR MILITARY OCCUPATIONAL SPECIALTIES WITHOUT CREDENTIALING OR LICENSING WITH COSTS INCURRED BY SECRETARY OF VETERANS AFFAIRS AND SECRETARY OF LABOR IN PROVIDING EMPLOYMENT-RELATED ASSISTANCE.—

(1) IN GENERAL.—Not later than 180 days after the conclusion of the period described in subsection (d) of section 4114 of title 38, United States Code, as added by subsection (a), the Assistant Secretary of Labor of Veterans' Employment and Training shall, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, complete a study comparing the costs incurred by the Secretary of Defense in training members of the Armed Forces for the military occupational specialties selected by the Assistant Secretary of Labor of Veterans' Employment and Training pursuant to the dem-

onstration project provided for in such section 4114, as amended by subsection (a), with the costs incurred by the Secretary of Veterans Affairs and the Secretary of Labor in providing employment-related assistance to veterans who previously held such military occupational specialties, including—

(A) providing educational assistance under laws administered by the Secretary of Veterans Affairs to veterans to obtain credentialing and licensing for civilian occupations that are similar to such military occupational specialties;

(B) providing assistance to unemployed veterans who, while serving in the Armed Forces, were trained in a military occupational specialty; and

(C) providing vocational training or counseling to veterans described in subparagraph (B).

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the conclusion of the period described in subsection (d) of section 4114 of title 38, United States Code, as added by subsection (a), the Assistant Secretary of Labor of Veterans' Employment and Training shall submit to Congress a report on the study carried out under paragraph (1).

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

(i) The findings of the Assistant Secretary with respect to the study required by paragraph (1).

(ii) A detailed description of the costs compared under the study required by paragraph (1).

SEC. 238. INCLUSION OF PERFORMANCE MEASURES IN ANNUAL REPORT ON VETERAN JOB COUNSELING, TRAINING, AND PLACEMENT PROGRAMS OF THE DEPARTMENT OF LABOR.

Section 4107(c) of title 38, United States Code, is amended—

(1) in paragraph (2), by striking “clause (1)” and inserting “paragraph (1)”;

(2) in paragraph (5), by striking “and” at the end;

(3) in paragraph (6), by striking the period and inserting “; and”;

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

“(7) performance measures for the provision of assistance under this chapter, including—

“(A) the percentage of participants in programs under this chapter who find employment before the end of the first 90-day period following their completion of the program;

“(B) the percentage of participants described in subparagraph (A) who are employed during the first 180-day period following the period described in such subparagraph;

“(C) the median earnings of participants described in such subparagraph;

“(D) the median earnings of participants described in subparagraph (B) during the period described in such subparagraph; and

“(E) the percentage of participants in programs under this chapter who obtain a certificate, degree, diploma, licensure, or industry-recognized credential relating to the program in which they participated under this chapter during the third 90-day period following their completion of the program.”

SEC. 239. CLARIFICATION OF PRIORITY OF SERVICE FOR VETERANS IN DEPARTMENT OF LABOR JOB TRAINING PROGRAMS.

Section 4215 of title 38, United States Code, is amended—

(1) in subsection (a)(3), by adding at the end the following: “Such priority includes giving access to such services to a covered person before a non-covered person or, if resources are limited, giving access to such services to a covered person instead of a non-covered person.”;

(2) by amending subsection (d) to read as follows:

“(d) ADDITION TO ANNUAL REPORT.—(1) In the annual report required under section 4107(c) of this title for the program year beginning in 2003 and each subsequent program year, the Secretary of Labor shall evaluate whether covered persons are receiving priority of service and are being fully served by qualified job training programs. Such evaluation shall include—

“(A) an analysis of the implementation of providing such priority at the local level;

“(B) whether the representation of veterans in such programs is in proportion to the incidence of representation of veterans in the labor market, including within groups that the Secretary may designate for priority under such programs, if any; and

“(C) performance measures, as determined by the Secretary, to determine whether veterans are receiving priority of service and are being fully served by qualified job training programs.

“(2) The Secretary may not use the proportion of representation of veterans described in subparagraph (B) of paragraph (1) as the basis for determining under such paragraph whether veterans are receiving priority of service and are being fully served by qualified job training programs.”

SEC. 240. EVALUATION OF INDIVIDUALS RECEIVING TRAINING AT THE NATIONAL VETERANS’ EMPLOYMENT AND TRAINING SERVICES INSTITUTE.

(a) IN GENERAL.—Section 4109 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The Secretary shall require that each disabled veterans’ outreach program specialist and local veterans’ employment representative who receives training provided by the Institute, or its successor, is given a final examination to evaluate the specialist’s or representative’s performance in receiving such training.

“(2) The results of such final examination shall be provided to the entity that sponsored the specialist or representative who received the training.”

(b) EFFECTIVE DATE.—Subsection (d) of section 4109 of title 38, United States Code, as added by subsection (a), shall apply with respect to training provided by the National Veterans’ Employment and Training Services Institute that begins on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 241. REQUIREMENTS FOR FULL-TIME DISABLED VETERANS’ OUTREACH PROGRAM SPECIALISTS AND LOCAL VETERANS’ EMPLOYMENT REPRESENTATIVES.

(a) DISABLED VETERANS’ OUTREACH PROGRAM SPECIALISTS.—Section 4103A of title 38, United States Code, is amended by adding at the end the following new subsection:

“(d) ADDITIONAL REQUIREMENT FOR FULL-TIME EMPLOYEES.—(1) A full-time disabled veterans’ outreach program specialist shall perform only duties related to meeting the employment needs of eligible veterans, as described in subsection (a), and shall not perform other non-veteran-related duties that detract from the specialist’s ability to perform the specialist’s duties related to meeting the employment needs of eligible veterans.

“(2) The Secretary shall conduct regular audits to ensure compliance with paragraph (1). If, on the basis of such an audit, the Secretary determines that a State is not in compliance with paragraph (1), the Secretary may reduce the amount of a grant made to the State under section 4102A(b)(5) of this title.”

(b) LOCAL VETERANS’ EMPLOYMENT REPRESENTATIVES.—Section 4104 of such title is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) ADDITIONAL REQUIREMENTS FOR FULL-TIME EMPLOYEES.—(1) A full-time local veterans’ employment representative shall perform

only duties related to the employment, training, and placement services under this chapter, and shall not perform other non-veteran-related duties that detract from the representative’s ability to perform the representative’s duties related to employment, training, and placement services under this chapter.

“(2) The Secretary shall conduct regular audits to ensure compliance with paragraph (1). If, on the basis of such an audit, the Secretary determines that a State is not in compliance with paragraph (1), the Secretary may reduce the amount of a grant made to the State under section 4102A(b)(5) of this title.”

(c) CONSOLIDATION.—Section 4102A of such title is amended by adding at the end the following new subsection:

“(h) CONSOLIDATION OF DISABLED VETERANS’ OUTREACH PROGRAM SPECIALISTS AND VETERANS’ EMPLOYMENT REPRESENTATIVES.—The Secretary may allow the Governor of a State receiving funds under subsection (b)(5) to support specialists and representatives as described in such subsection to consolidate the functions of such specialists and representatives if—

“(1) the Governor determines, and the Secretary concurs, that such consolidation—

“(A) promotes a more efficient administration of services to veterans with a particular emphasis on services to disabled veterans; and

“(B) does not hinder the provision of services to veterans and employers; and

“(2) the Governor submits to the Secretary a proposal therefor at such time, in such manner, and containing such information as the Secretary may require.”

Subtitle D—Improvements to Uniformed Services Employment and Reemployment Rights

SEC. 251. CLARIFICATION OF BENEFITS OF EMPLOYMENT COVERED UNDER USERRA.

Section 4303(2) of title 38, United States Code, is amended by inserting “the terms, conditions, or privileges of employment, including” after “means”.

Subtitle E—Other Matters

SEC. 261. RETURNING HEROES AND WOUNDED WARRIORS WORK OPPORTUNITY TAX CREDITS.

(a) IN GENERAL.—Paragraph (3) of section 51(b) of the Internal Revenue Code of 1986 is amended by striking “(\$12,000 per year in the case of any individual who is a qualified veteran by reason of subsection (d)(3)(A)(ii))” and inserting “(\$12,000 per year in the case of any individual who is a qualified veteran by reason of subsection (d)(3)(A)(ii)(I), \$14,000 per year in the case of any individual who is a qualified veteran by reason of subsection (d)(3)(A)(iv), and \$24,000 per year in the case of any individual who is a qualified veteran by reason of subsection (d)(3)(A)(ii)(II))”.

(b) RETURNING HEROES TAX CREDITS.—Subparagraph (A) of section 51(d)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking “or” at the end of clause (i),

(2) by striking the period at the end of clause (ii)(II), and

(3) by adding at the end the following new clauses:

“(iii) having aggregate periods of unemployment during the 1-year period ending on the hiring date which equal or exceed 4 weeks (but less than 6 months), or

“(iv) having aggregate periods of unemployment during the 1-year period ending on the hiring date which equal or exceed 6 months.”

(c) SIMPLIFIED CERTIFICATION.—Paragraph (13) of section 51(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) CREDIT FOR UNEMPLOYED VETERANS.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), for purposes of paragraph (3)(A)—

“(I) a veteran will be treated as certified by the designated local agency as having aggregate periods of unemployment meeting the require-

ments of clause (ii)(II) or (iv) of such paragraph (whichever is applicable) if such veteran is certified by such agency as being in receipt of unemployment compensation under State or Federal law for not less than 6 months during the 1-year period ending on the hiring date, and

“(II) a veteran will be treated as certified by the designated local agency as having aggregate periods of unemployment meeting the requirements of clause (iii) of such paragraph if such veteran is certified by such agency as being in receipt of unemployment compensation under State or Federal law for not less than 4 weeks (but less than 6 months) during the 1-year period ending on the hiring date.

“(ii) REGULATORY AUTHORITY.—The Secretary may provide alternative methods for certification of a veteran as a qualified veteran described in clause (ii)(II), (iii), or (iv) of paragraph (3)(A), at the Secretary’s discretion.”

(d) EXTENSION OF CREDIT.—Subparagraph (B) of section 51(c)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

“(B) after—

“(i) December 31, 2012, in the case of a qualified veteran, and

“(ii) December 31, 2011, in the case of any other individual.”

(e) CREDIT MADE AVAILABLE TO TAX-EXEMPT ORGANIZATIONS IN CERTAIN CIRCUMSTANCES.—

(1) IN GENERAL.—Subsection (c) of section 52 of the Internal Revenue Code of 1986 is amended—

(A) by inserting “(1) IN GENERAL.—” before “No credit”, and

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

“(2) CREDIT MADE AVAILABLE TO QUALIFIED TAX-EXEMPT ORGANIZATIONS EMPLOYING QUALIFIED VETERANS.—For credit against payroll taxes for employment of qualified veterans by qualified tax-exempt organizations, see section 3111(e).”

(2) CREDIT ALLOWABLE.—Section 3111 of such Code is amended by adding at the end the following new subsection:

“(e) CREDIT FOR EMPLOYMENT OF QUALIFIED VETERANS.—

“(1) IN GENERAL.—If a qualified tax-exempt organization hires a qualified veteran with respect to whom a credit would be allowable under section 38 by reason of section 51 if the organization were not a qualified tax-exempt organization, then there shall be allowed as a credit against the tax imposed by subsection (a) on wages paid with respect to employment of all employees of the organization during the applicable period an amount equal to the credit determined under section 51 (after application of the modifications under paragraph (3)) with respect to wages paid to such qualified veteran during such period.

“(2) OVERALL LIMITATION.—The aggregate amount allowed as a credit under this subsection for all qualified veterans for any period with respect to which tax is imposed under subsection (a) shall not exceed the amount of the tax imposed by subsection (a) on wages paid with respect to employment of all employees of the organization during such period.

“(3) MODIFICATIONS.—For purposes of paragraph (1), section 51 shall be applied—

“(A) by substituting ‘26 percent’ for ‘40 percent’ in subsection (a) thereof,

“(B) by substituting ‘16.25 percent’ for ‘25 percent’ in subsection (i)(3)(A) thereof, and

“(C) by only taking into account wages paid to a qualified veteran for services in furtherance of the activities related to the purpose or function constituting the basis of the organization’s exemption under section 501.

“(4) APPLICABLE PERIOD.—The term ‘applicable period’ means, with respect to any qualified veteran, the 1-year period beginning with the day such qualified veteran begins work for the organization.

“(5) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘qualified tax-exempt organization’ means an employer that is an organization described in section 501(c) and exempt from taxation under section 501(a), and

“(B) the term ‘qualified veteran’ has meaning given such term by section 51(d)(3).”

(3) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury by reason of the amendments made by paragraphs (1) and (2). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(f) TREATMENT OF POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of the amendments made by this section. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession of the United States.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system the amount estimated by the Secretary of the Treasury as being equal to the loss to that possession that would have occurred by reason of the amendments made by this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession establishes to the satisfaction of the Secretary that the possession has implemented (or, at the discretion of the Secretary, will implement) an income tax benefit which is substantially equivalent to the income tax credit in effect after the amendments made by this section.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—The credit allowed against United States income taxes for any taxable year under the amendments made by this section to section 51 of the Internal Revenue Code of 1986 to any person with respect to any qualified veteran shall be reduced by the amount of any credit (or other tax benefit described in paragraph (1)(B)) allowed to such person against income taxes imposed by the possession of the United States by reason of this subsection with respect to such qualified veteran for such taxable year.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term “possession of the United States” includes American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from credit provisions described in such section.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

SEC. 262. EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking “May 31, 2015” and inserting “September 30, 2016”.

SEC. 263. REIMBURSEMENT RATE FOR AMBULANCE SERVICES.

Section 111(b)(3) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(C) In the case of transportation of a person under subparagraph (B) by ambulance, the Secretary may pay the provider of the transportation the lesser of the actual charge for the transportation or the amount determined by the fee schedule established under section 1834(l) of the Social Security Act (42 U.S.C. 1395(l)) unless the Secretary has entered into a contract for that transportation with the provider.”

SEC. 264. EXTENSION OF AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO OBTAIN INFORMATION FROM SECRETARY OF TREASURY AND COMMISSIONER OF SOCIAL SECURITY FOR INCOME VERIFICATION PURPOSES.

Section 5317(g) of title 38, United States Code, is amended by striking “September 30, 2011” and inserting “September 30, 2016”.

SEC. 265. MODIFICATION OF LOAN GUARANTY FEE FOR CERTAIN SUBSEQUENT LOANS.

(a) IN GENERAL.—Section 3729(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking “November 18, 2011” and inserting “October 1, 2016”; and

(B) in clause (iv), by striking “November 18, 2011” and inserting “October 1, 2016”;

(2) in subparagraph (B)—

(A) in clause (i), by striking “November 18, 2011” and inserting “October 1, 2016”;

(B) by striking clauses (ii) and (iii);

(C) by redesignating clause (iv) as clause (ii); and

(D) in clause (ii), as redesignated by subparagraph (C), by striking “October 1, 2013” and inserting “October 1, 2016”;

(3) in subparagraph (C)—

(A) in clause (i), by striking “November 18, 2011” and inserting “October 1, 2016”; and

(B) in clause (ii), by striking “November 18, 2011” and inserting “October 1, 2016”; and

(4) in subparagraph (D)—

(A) in clause (i), by striking “November 18, 2011” and inserting “October 1, 2016”; and

(B) in clause (ii), by striking “November 18, 2011” and inserting “October 1, 2016”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of—

(1) November 18, 2011; or

(2) the date of the enactment of this Act.

TITLE III—OTHER PROVISIONS RELATING TO FEDERAL VENDORS

SEC. 301. ONE HUNDRED PERCENT LEVY FOR PAYMENTS TO FEDERAL VENDORS RELATING TO PROPERTY.

(a) IN GENERAL.—Section 6331(h)(3) of the Internal Revenue Code of 1986 is amended by striking “goods or services” and inserting “property, goods, or services”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to levies issued after the date of the enactment of this Act.

SEC. 302. STUDY AND REPORT ON REDUCING THE AMOUNT OF THE TAX GAP OWED BY FEDERAL CONTRACTORS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of the Treasury, or the Secretary’s delegate, in consultation with the Director of the Office of Management and Budget and the heads of such other Federal agencies as the Secretary determines appropriate, shall conduct a study on ways to reduce the amount of Federal tax owed but not paid by

persons submitting bids or proposals for the procurement of property or services by the Federal government.

(2) MATTERS STUDIED.—The study conducted under paragraph (1) shall include the following matters:

(A) An estimate of the amount of delinquent taxes owed by Federal contractors.

(B) The extent to which the requirement that persons submitting bids or proposals certify whether such persons have delinquent tax debts has—

(i) improved tax compliance; and

(ii) been a factor in Federal agency decisions not to enter into or renew contracts with such contractors.

(C) In cases in which Federal agencies continue to contract with persons who report having delinquent tax debt, the factors taken into consideration in awarding such contracts.

(D) The degree of the success of the Federal lien and levy system in recouping delinquent Federal taxes from Federal contractors.

(E) The number of persons who have been suspended or debarred because of a delinquent tax debt over the past 3 years.

(F) An estimate of the extent to which the subcontractors under Federal contracts have delinquent tax debt.

(G) The Federal agencies which have most frequently awarded contracts to persons notwithstanding any certification by such person that the person has delinquent tax debt.

(H) Recommendations on ways to better identify Federal contractors with delinquent tax debts.

(b) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate, a report on the study conducted under subsection (a), together with any legislative recommendations.

TITLE IV—MODIFICATION OF CALCULATION OF MODIFIED ADJUSTED GROSS INCOME FOR DETERMINING CERTAIN HEALTHCARE PROGRAM ELIGIBILITY

SEC. 401. MODIFICATION OF CALCULATION OF MODIFIED ADJUSTED GROSS INCOME FOR DETERMINING CERTAIN HEALTHCARE PROGRAM ELIGIBILITY.

(a) IN GENERAL.—Subparagraph (B) of section 36B(d)(2) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, and”, and by adding at the end the following new clause:

“(iii) an amount equal to the portion of the taxpayer’s social security benefits (as defined in section 86(d)) which is not included in gross income under section 86 for the taxable year.”

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(c) NO IMPACT ON SOCIAL SECURITY TRUST FUNDS.—

(1) ESTIMATE OF SECRETARY.—The Secretary of the Treasury, or the Secretary’s delegate, shall annually estimate the impact that the amendments made by subsection (a) have on the income and balances of the trust funds established under section 201 of the Social Security Act (42 U.S.C. 401).

(2) TRANSFER OF FUNDS.—If, under paragraph (1), the Secretary of the Treasury or the Secretary’s delegate estimates that such amendments have a negative impact on the income and balances of such trust funds, the Secretary shall transfer, not less frequently than quarterly, from the general fund an amount sufficient so as to ensure that the income and balances of such trust funds are not reduced as a result of such amendments.

TITLE V—BUDGETARY EFFECTS

SEC. 501. STATUTORY PAY-AS-YOU-GO ACT OF 2010.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CAMP. Madam Speaker, I yield myself such time as I may consume.

I come to the floor today in support of permanently repealing the onerous, job-killing 3 percent withholding law. During House action last month, this legislation garnered more than 400 votes for repeal and passed, as amended, with an overwhelming 95 votes in the Senate last week.

The legislation, which has been championed by Ways and Means Health Subcommittee Chairman WALLY HERGER and our Democrat colleague EARL BLUMENAUER, is supported by President Obama and makes clear that when we work together, we can find bipartisan solutions to the laws and regulations that stifle job creation. This legislation does just that and frees up valuable resources businesses can use for hiring.

In addition to the provisions in the House-passed 3 percent withholding bill, the Senate amendment contains a variety of veterans-related provisions—a group of Americans clearly deserving of our support.

Finally, the Senate amendment retains another provision passed by this House with bipartisan support and authored by one of the newest members of the Ways and Means Committee, Representative DIANE BLACK. Mrs. BLACK's legislation modifies the income definition for determining eligibility for exchange subsidies, Medicaid, and the Children's Health Insurance Program, conforming the definition of income in the Democrats' health care law to the standards used by other Federal low-income programs such as food stamps and public housing. In doing so, taxpayers save \$13 billion, and Medicaid funds will not be diverted away from serving America's low-income families.

Madam Speaker, today we can take the final step and send this deficit-re-

ducing and job-creating legislation to the President's desk. I urge my colleagues to vote "yes" on the Senate amendment to H.R. 674, and I look forward to seeing the President sign this bill into law.

I ask unanimous consent that the gentleman from California (Mr. HERGER) control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LEVIN. Madam Speaker, I yield myself such time as I may consume.

I believe this bill will pass with overwhelming support. Nearly everyone agrees that the 3 percent withholding provision should be repealed. It was a misguided approach when it was enacted by the last Republican Congress and it is misguided now. That is why we tried to repeal it earlier and ultimately delayed its implementation. Its repeal, however, should not be claimed as a significant jobs bill. As economist Mark Zandi has said, "I don't think it's meaningful in terms of jobs. It's more trying to clean up something that needs cleaning up."

The veterans provisions added by the Senate are a real jobs bill. They are a useful start in helping those who have loyally served our Nation find work, and I would hope all of us support them, including the tax credits to encourage businesses to hire veterans.

Most on our side support these provisions, and they were included in the President's jobs proposal. But no one should consider these modest steps as a substitute for action on the President's comprehensive jobs plan, which Republicans have so far blocked.

The President's jobs plan includes a payroll tax cut that would save the average family \$1,500 a year. It includes tax credits for hiring the long-term unemployed, payroll tax cuts for hiring, and incentives to invest. It includes an infrastructure bank, and \$75 billion to build roads and schools. That's a jobs agenda that could help many of the 14 million Americans who are still looking for work. Picking out two of the smaller pieces of that agenda and saying you've acted on the President's jobs bill is really disingenuous. The 3 percent withholding repeal and the veterans provisions are things we should do, but we must do much more.

□ 1310

Millions are counting on us to do more. So passage of this bill today represents a challenge to the majority in this House. End your blockade of comprehensive jobs legislation as proposed by the President of the United States.

I reserve the balance of my time.

Mr. HERGER. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 674. Members of this House are well aware of why the 3 percent withholding tax must be repealed. It threatens to destroy the cash flow of thousands of

small businesses that sell goods and services to the government agencies and impose additional costs on cash-strapped State and local governments.

Today I want to talk about the big picture and why this is so important for job creation. Americans are hurting. Nearly 14 million are unable to find work, and millions more are stuck in part-time jobs, even though they would like to work more. We are now well into the fourth year of this downturn, and many Americans are increasingly discouraged about the long-term future of our economy.

America's job creators are hurting too. Today, thousands of small business owners will sit down, look over their books, and try to discern what the future holds. They are uncertain about whether there will be sufficient demand for their goods and services. They are uncertain about how Europe's fiscal crisis will affect our economy and whether we will do what is needed to address our own debt crisis before it's too late. And they're uncertain about the direction of government policy, whether Washington will continue to hand down new taxes and regulations that stifle economic growth.

The 3 percent withholding tax is an example of the kind of government policies that discourage job creation. When small business owners are evaluating whether their investments will allow them to make a living, it matters if a new tax is going to cut off their cash flow in just over a year.

Repealing this tax is one important step. It sends a message to America's job creators that jobs are our number one priority and that Congress is committed to undoing policies that stand in the way of restoring prosperity.

I reserve the balance of my time.

Mr. LEVIN. I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), a distinguished member of our committee.

Mr. LEWIS of Georgia. Madam Speaker, the most important task we face today is helping Americans get back to work. People stop me all over metro Atlanta and tell me how long they've been looking for work, how many applications they have filled out, how many resumes they have sent.

And with the unemployment rate for Iraq and Afghanistan veterans over 12 percent, Senator TESTER's amendment is a good start. It is a necessary start. These are people who want to work, who need to work. They don't want a handout; they want a job.

These men and women put on that uniform to serve and protect our country. We can and must do more to honor their service. It is simply the right and good thing to do.

Now, I must say, Madam Speaker, that I strongly object to the Republican effort to stain a bipartisan bill with a partisan poison pill, making it more difficult for America's seniors to get private health insurance and Medicaid. It is not right, it is not fair, and it is not just.

Mr. HERGER. Madam Speaker, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACK), who has been instrumental in working on this legislation and coming up with savings that we can do to see that it is paid for.

Mrs. BLACK. Thank you, Chairman HERGER.

Madam Speaker, I would like to begin by saying that I am extremely proud that my legislation is part of this very worthy, bipartisan jobs package.

Congress can and should work together to find common ground and forward solutions-based legislation like what we are considering right here. Today the House will pass a package that not only creates more certainty for small business, encourages hiring of our Nation's veterans, but is also paid for, thanks to my legislation, that repeals a costly glitch in the health care law. And this is more than deficit neutral. This legislation will save billions of dollars.

I've spoken on the floor of the House previously about my cost-saving legislation that is now part of this package. When the Affordable Care Act was passed, few realized that this legislation contained a loophole that would allow middle class Americans to receive Medicaid benefits. The new income formula that determines eligibility for government subsidized health insurance, the Modified Adjusted Gross Income, or MAGI, deviated from other Federal assistance programs, failing to include Social Security benefits as income.

Under the health care law, a married couple with an annual income of over \$60,000 could qualify to receive Medicaid benefits. Let me put it in more stark terms. Changing the income formula could result in individuals whose incomes are up to 400 percent of the poverty level receiving Medicaid. This is unacceptable. I very strongly believe that it is our duty to ensure that the very scarce Medicaid resources are there for those in most need.

Again, let me state that the Affordable Care Act income formula for Medicaid, CHIP, and exchange subsidies deviated from the eligibility requirements for other Federal assistance programs. Supplemental Social Security Income; Supplemental Nutrition Programs, known as food stamps; Temporary Assistance for Needy Families; and public housing all include the entire Social Security benefit as income.

My legislation, now a part of this package, adds Social Security benefits back into the equation, realigning Medicaid with the other programs and stopping these improper payments before they occur.

Closing the loophole in Medicaid will save \$13 billion over 10 years according to the Congressional Budget Office. And by adding my legislation into this package that includes the 3 percent withholding repeal and the veterans tax deductions, this package will save vital tax dollars.

Madam Speaker, I'd like to take a moment to praise other sections of this bill. And on the heels of Veterans Day, I cannot think of a better time for Congress to step forward and help our veterans get to work. As a wife, mother, and daughter of veterans, I know how important it is that we support those brave men and women who fought for our country.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HERGER. I yield the gentlewoman 1 additional minute.

Mrs. BLACK. I thank the gentleman. I hope that this bipartisan, bicameral veterans legislation is just the beginning of more veterans bills getting passed by Congress.

Veterans who return home to us and seek work should be able to find it. With our economic recovery sluggish, at best, my colleague Mr. HERGER's 3 percent withholding repeal will go a long way to create more certainty for small business. Taxing business at 3 percent is something we cannot afford.

I look forward to this legislation and the entire package being signed into law by the President as soon as possible. We should not have to wait for these commonsense, bipartisan solutions to go into effect.

Mr. LEVIN. Madam Speaker, it is now my real pleasure to yield 2 minutes to the gentleman from California (Mr. FILNER), a gentleman who has worked so hard on veterans issues.

Mr. FILNER. Thank you, Mr. LEVIN, and I appreciate the time. And thank you, Mr. HERGER, for bringing us this bill.

I rise in support of H.R. 674. Every day I get phone calls and letters from veterans telling me how rewarding their service was and what an invaluable experience they received in the military. But they are confused as to why potential employers don't value their time and service and why they get rejection letters for jobs they are qualified to perform.

These veterans are highly skilled individuals who are ready to make an immediate impact to any job. Veterans bring real-world experience to any company and, unfortunately, employers fail to see this value.

In August of this year, the President proposed a comprehensive plan to decrease the veteran unemployment rate. Part of his plan includes a tax credit for employers, and I'm happy to see that Senator MURRAY included this in H.R. 674. It would provide a tax credit for firms that hire certain unemployed veterans, and these tax credits are a win for veterans and a win for the companies. The credits will incentivize struggling businesses that need to increase their work force to hire veterans while getting a tax deduction.

□ 1320

The bill also provides veterans with training, mentoring, and placement services and allows for the appointment of honorably discharged veterans

to the civil service. I'm happy to see H.R. 674 move forward because it will provide individualized assessments for servicemembers in the Transitional Assistance Program, increase access to apprenticeship programs for separating servicemembers, provide authority to the VA to provide services to servicemembers with severe injuries, and many other positive programs that will help veterans.

The President's message was clear. We must fight for our servicemembers and veterans by enacting legislation that will help veterans get jobs.

I hope that all of my colleagues will join me in supporting H.R. 674.

Mr. HERGER. Madam Speaker, I yield 5 minutes to the gentleman from Florida (Mr. MILLER), the chairman of the Veterans' Affairs Committee.

Mr. MILLER of Florida. I thank the gentleman for yielding.

As chairman of the House Veterans' Affairs Committee, I do stand today in the strongest possible support of the Senate amendment to H.R. 674, which includes the provision of the bipartisan and bicameral VOW to Hire Heroes Act of 2011.

This bill contains many provisions of H.R. 2433, the Veterans Opportunity to Work Act, or the VOW Act, which was introduced in July and passed the House by an overwhelming majority just last month.

The VOW Act honors the 1 percent of Americans who, as veterans, have signed a blank check in the amount of up to and including their lives and payable to the other 99 percent of Americans. In return for that investment, too many of them, veterans of every working age generation, are finding themselves unemployed or seriously underemployed due to the current economic downturn. Unfortunately, today's economy has eliminated millions of jobs, many of which will unfortunately never return.

Regardless of the reason, nearly one million veterans need help in acquiring the skills needed for today's job market. That is what the VOW to Hire Heroes Act will do in a very comprehensive and cost-effective manner.

There are millions of jobs going unfilled right now because employers can't find workers with the right skills. I'm proud that a major provision of the VOW to Hire Heroes Act will give nearly 100,000 veterans a chance to gain the new skills that are in demand for today's jobs. And these jobs are not just in high-tech fields. Many are in the trades. Many are in fields that cannot be moved overseas, like transportation. And this bill helps provide the training needed to complete and compete for these types of jobs without adding new programs.

In fact, the two major provisions of this bill essentially recycle two existing well-regarded education and training programs, the Montgomery GI Bill and the Vocational Rehabilitation and Employment Program. That will make use of existing staff and current regulations.

As I said, this Act takes a comprehensive approach. For those just leaving the service, this bill would vastly improve the Transition Assistance Program, or TAP, as it's known, by adding personal skills assessment and improved skills crosswalks into civilian occupations.

The bill would also begin the process of working with the States to help standardize occupational licensing and credentialing, a major bottleneck that often wastes millions of dollars spent on our military training.

For the disabled veterans who have completed VA's Voc Rehab and Employment Program and who have exhausted their unemployment benefits, the bill would offer up to an additional year of vocational rehabilitation.

Madam Speaker, I want to thank the chair of the Senate Committee on Veterans Affairs, Senator PATTY MURRAY, for her insight in including the vocational rehabilitation benefits as part of the compromise bill. I have two final points. The first is, this bill is paid for both mandatory and discretionary. We have worked with the veteran services organizations in order to find the pay-for provisions, and they understand the urgency to help veterans become employed, and I thank them for their support of this legislation.

Secondly, Madam Speaker, I would like to thank Chairman CAMP. I know his plate is full right now, and I thank him most sincerely for helping bring this to the floor.

Mr. LEVIN. Madam Speaker, I yield 2 minutes to a very distinguished member of our committee and a cosponsor of the amendment that we now add to the original bill, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. It is a pleasure to be on the floor with my partner on this legislation, the gentleman from California (Mr. HERGER), being able to see it finally brought to fruition. It was actually made a little better with the inclusion of these important provisions for our veterans.

I am hopeful that we will act with dispatch and approve it unanimously. But I hope we can also focus on what this chapter represents. It was something, in terms of working with the gentleman from California, moving this through Congress, that it seemed to me that there are three elements that we ought to focus on going forward.

First and foremost, that same spirit that has resulted in being able to fix and improve this legislation ought to be focused on how we rebuild and renew America. Because so many of the businesses and governments that were going to be pounded with this 3 percent withholding are struggling to deal with challenges that they face.

There are hundreds of thousands of veterans that could potentially be at work rebuilding and renewing America. We are in a precarious position in terms of our competitiveness internationally, with problems of conges-

tion, pollution. I am hopeful that this same spirit focused here can be focused on this major effort to rebuild and renew America that can help revitalize the economy while it improves our communities.

Second, we need to take a hard look at flaws in how we score legislation. This piece of legislation that we were looking at, part of the challenge was to have some sort of offset because it was going to "cost government money." Well, as a practical matter that is not the case because the CBO rules never take into account how much it would cost to implement it. And as a result of the hearings with Mr. HERGER, with the small business Committee, with a whole range of sources, I am absolutely confident that it would have cost the Federal Government far more to implement it than it ever would have collected.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional minute.

Mr. BLUMENAUER. We need to make sure going forward we don't have these aberrations that cause us to go through these gyrations for something that on its face really is not going to yield the economic results.

Finally, I hope we can work together in the same sort of spirit, evidenced working with Mr. HERGER, Chairman CAMP, Ranking Member LEVIN, to deal with the broader picture of how we're going to solve the long-term problems of our budget deficit and our flawed revenue system. We can reform our system, give a balanced program that both reforms and raises revenues, that changes how we do business. I'm convinced that this is within the capacity of those of us in Congress, and today's positive vote on this legislation is a little indication of how it can be done.

Mr. HERGER. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. STUTZMAN), the chairman of the Veterans' Affairs Subcommittee on Economic Opportunity.

Mr. STUTZMAN. I thank the chairman for yielding.

Madam Speaker, jobs for America's veterans has become a popular topic over the past few weeks. The VOW to Hire Heroes Act is a vital first step in meeting our responsibilities to that 1 percent of Americans mentioned by VA Committee Chairman MILLER in his remarks.

For those who are in the middle of their civilian working life, gaining new skills is often problematic due to a lack of resources to fund education and training, while recently discharged veterans have the post 9/11 GI Bill's generous resources to acquire the skills now in demand. Therefore, I believe the most important provision in the VOW to Hire Heroes Act offers 99,000 unemployed veterans between the ages of 35 and 60 the resources to acquire those new skills.

To my colleagues, the veterans provisions in this bill are worthy of your

support, and I urge you to join me in voting "yes" on the VOW to Hire Heroes Act.

The Amendment to H.R. 674, includes the VOW to Hire Heroes Act of 2011, which reflects a Compromise Agreement reached by the House and Senate Committees on Veterans' Affairs (the Committees) on the following bills reported during the 112th Congress: H.R. 2433, as amended, (House Bill); and S. 951, as reported (Senate Bill).

H.R. 2433, as amended, passed the House on October 12, 2011. S. 951 was reported favorably out of the Senate Committee on July 18, 2011.

The Committees have prepared the following explanation of certain provisions contained in the amendment to H.R. 674, as amended, to reflect a Compromise Agreement between the Committees. Differences between the provisions contained in the Compromise Agreement and the related provisions of the House Bill and the Senate Bill are noted in this document, except for clerical corrections, conforming changes made necessary by the Compromise Agreement, and minor drafting, technical, and clarifying changes.

SUBTITLE A—RETRAINING VETERANS

VETERANS RETRAINING ASSISTANCE PROGRAM

Current Law

In general, educational assistance under the Montgomery GI Bill (Chapter 30 of title 38 United States Code (U.S.C.)) is limited by section 3031 of title 38, U.S.C., to ten years following a servicemember's last discharge from active duty in the Armed Forces.

Senate Bill

The Senate Bill contains no similar provision.

House Bill

Section 101 of H.R. 2433, as amended, would provide an opportunity for unemployed veterans ages 35 to 60 to gain new skills through a temporary expansion of eligibility for an existing education and training benefit, the Montgomery GI Bill (MGIB). This section would allow these veterans to enroll in courses at community colleges and technical training schools for up to 12 months. Education payments would be administered under the rules governing the existing MGIB and would only be payable to veterans enrolled in education or training courses that lead to an associate degree, certificate, or similar qualification, in a high growth occupation as determined by the U.S. Department of Labor (DOL).

This section would authorize the DOL and the U.S. Department of Veterans Affairs (VA) to enroll up to 100,000 unemployed veterans beginning June 1, 2011, through March 31, 2014. Veterans would be eligible to receive the monthly MGIB benefit that is in effect for up to 12 months. Payments under this section would terminate after March 31, 2014. In addition to the above mentioned age requirement, the veteran must have been discharged under conditions other than dishonorable, be unemployed as determined by the Secretary of Labor with special consideration given to those who have been unemployed for at least 26 consecutive weeks and have no eligibility for other education programs administered by VA. The House Bill includes a provision requiring program participants to certify attendance on a monthly basis as is done under the existing MGIB. This provision was included to minimize overpayments to enrollees who do not complete their course of training. This section would require DOL and VA to submit a report to the Committees on veteran participants and their employment status after participation.

Compromise Agreement

Section 211 of the Compromise Agreement generally follows the House's position except that 99,000 unique beneficiaries would be authorized under the agreement. The agreement removes any of the special considerations for eligibility listed in the House provision to simplify the administration of the program. It also directs VA and DOL to jointly carry out this program with a memorandum of agreement that includes provisions to create an appeals system for denied applicants. To provide VA and DOL with the time necessary to administer this section, a July 1 effective date is established. The Committees believe that DOL, through the state employment agencies, is the most appropriate intake point for unemployed veterans to apply for this grant program. DOL is also the appropriate entity to determine that an applicant is unemployed and whether they are currently or had been a participant in any other job training programs. Following these determinations, DOL would forward the application to VA. VA would then determine an applicant's veteran status and eligibility for other education programs administered by VA under title 38 U.S.C. and title 10 U.S.C. The Compromise Agreement also provided up to \$2 million in assistance to VA for use on information technology systems. This is the amount estimated by the Congressional Budget Office to develop and maintain information technology systems to support this section. Finally, the Compromise Agreement includes the Senate Committee on Health, Education, Labor and Pension and the House Committee on Education and the Workforce in the list of committees that would receive the final report on implementation of this section.

The Committees understand that many veterans are in need of the assistance provided under section 101, and urge DOL and VA to come to an agreement on the administration of the program quickly so it can be fully implemented and ready to process applications by the mandated July 1, 2012 start date.

SUBTITLE B—IMPROVING THE TRANSITION ASSISTANCE PROGRAM

MANDATORY PARTICIPATION OF MEMBERS OF THE ARMED FORCES IN THE TRANSITIONAL ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE

Current Law

Section 1144 of title 10, U.S.C., establishes an interagency program known as the Transition Assistance Program (TAP), which offers basic training on veterans benefits, job hunting skills, and other related subjects. TAP is delivered via a partnership between the U.S. Department of Defense (DOD), DOL's Veterans' Employment and Training Service (VETS), VA, and the U.S. Department of Homeland Security (DHS). TAP includes a wide variety of employment-related training lessons as well as a VA benefits briefing, and the Disabled Transition Assistance Program for wounded or injured servicemembers. Under current law, DOD and DHS are required to encourage servicemembers to participate in TAP, but are not required to mandate their participation. Only the U.S. Marine Corps has elected to require its members to participate in TAP.

Senate Bill

Section 6 of S. 951, as reported, would amend section 1144 of title 10, U.S.C., to require mandatory participation in TAP for all servicemembers with limited exceptions. These exceptions would be set forth by the Secretaries of DOD and DHS in consultation with VA and VETS.

House Bill

Section 202 of H.R. 2433, as amended, would amend section 1144(c) of title 10, U.S.C., to

require mandatory participation in TAP with limited exceptions. The exceptions would allow for enlisted servicemembers who are in the pay grades of E-8 and above, and officers in pay grades, 0-6 and above to be exempt from mandatory participation. Also, a servicemember would be exempt if there is a documented operational requirement that prevents attendance, or if the servicemember submits a written plan, which receives written approval from the servicemember's commanding officer, and the servicemember declines in writing to participate in TAP based on planned post-service employment or acceptance to an education program.

Compromise Agreement

Section 221 of the Compromise Agreement reflects the Senate position with minor modifications, and includes a provision to exempt servicemembers from TAP if they possess a specialized skill that is needed to support a unit's imminent deployment.

It is the Committees' intent that, in light of this effort, all servicemembers participate in at least the most basic components of TAP and that waivers not be granted except for those who are extraordinarily qualified or for those for whom TAP would be unnecessary or inappropriate due to other extraordinary circumstances.

INDIVIDUALIZED ASSESSMENT FOR MEMBERS OF THE ARMED FORCES UNDER TRANSITION ASSISTANCE ON EQUIVALENCE BETWEEN SKILLS DEVELOPED IN MILITARY OCCUPATIONAL SPECIALTIES AND QUALIFICATIONS REQUIRED FOR CIVILIAN EMPLOYMENT WITH THE PRIVATE SECTOR

Current Law

Under current practice, DOD provides some assessment of servicemembers' skills related to their military occupational specialty (MOS); however, the comparison of military-acquired skills and civilian requirements is not sufficiently robust or detailed, and is not sufficiently inclusive of other training and skills, beyond MOS-related skills, which may qualify a servicemember for civilian employment. The result is many servicemembers who separate from active duty are unable to effectively translate their military experience to an equivalent civilian skill-set.

Senate Bill

Section 9 of S. 951, as reported, would require VA, DOD, and DOL to jointly select a contractor to conduct a study to identify any equivalencies between the skills developed by members of the Armed Forces through various MOSs and the qualifications for various positions of civilian employment in the private sector. This section would also require Federal Government departments and agencies to cooperate with the contractor.

Following completion of the study, the contractor would be required to submit a report to VA, DOD, and DOL. In turn, the section would direct the Departments to jointly submit to Congress the report, along with such comments on the report as the Departments jointly consider appropriate.

This section would also require DOD to ensure that each member of the Armed Forces participating in TAP receives an individualized assessment of the various positions of civilian employment for which such member may be qualified as a result of the member's MOS. DOD would be required to transmit the individualized assessment to VA and DOL for use by either Department when providing employment related assistance during the member's transition from military service to a civilian career.

House Bill

The House Bill contains no similar provisions.

Compromise Agreement

Section 222 of the Compromise Agreement reflects the Senate position with minor

modifications. Under the study required under subsection (a), the Compromise Agreement would require that DOL be the lead agency in implementing the study required under that subsection. The Committees believe that DOL is already the lead agency under TAP, and the study would be better suited to be completed by them and have VA and DOD only consult with DOL on its contents where appropriate. The Compromise Agreement also expands the range of military experiences to be considered in the study to include not only the servicemember's MOS, but also non-resident training programs, attaining higher ranks, and other experiences. The compromise also includes the Department of Education in the list of federal agencies that shall cooperate with the study required under subsection (a). In subsection (d) the Committees have amended the original provision to require DOD to make the individualized assessment of each servicemember available electronically to both DOL and VA so they can use this assessment in any future employment related assistance they provide the servicemember. It is the Committees' view that this assessment should be stored as part of the servicemember's "e-benefits" account. E-benefits is a new online system being developed by VA and DOD as an online repository of servicemembers' and veterans' records. This portal will allow the veteran to easily access this assessment so it can assist them with their transition to civilian life after discharge.

TRANSITION ASSISTANCE PROGRAM CONTRACTING

Current Law

Under section 4113 of title 38, U.S.C., Disabled Veteran Outreach Program Specialists (DVOPS) and Local Veteran Employment Representatives (LVER) are authorized to teach most TAP courses in the United States. DVOPS and LVERs are state employees funded by VETS to provide employment services to veterans. The section also provides the option for VETS to contract with instructors to teach TAP. VETS has used this option to contract for overseas TAP instruction as well as at a limited number of locations in the United States.

Senate Bill

The Senate Bill contains no similar provision.

House Bill

Section 201 of H.R. 2433, as amended, would amend section 4113 of title 38, U.S.C., to require VETS to contract for all TAP instruction. This change would not only ensure quality instruction for all servicemembers but it would allow DVOPS and LVERs to focus on their primary mission, which is to provide intensive employment services to disabled veterans and meet with employers to discuss the advantages of hiring veterans. The provision would require implementation of this provision within two years of enactment.

Compromise Agreement

Section 223 of the Compromise Agreement follows the House Bill.

CONTRACTS WITH PRIVATE ENTITIES TO ASSIST IN CARRYING OUT TRANSITION ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE

Current Law

Section 1144(d) of title 10, U.S.C., lists the types of personnel and organizations that DOL can use in the teaching or facilitating TAP classes. These groups include DVOPS and LVERs, both civilian employees and uniformed members of the Armed Forces, employees of the Veterans Benefits Administration, and representatives of veterans service organizations. The section also allows DOL to enter into contracts with public or private entities to teach all or portions of TAP.

Senate Bill

The Senate Bill contains no similar provision.

House Bill

The House Bill contains no similar provision.

Compromise Agreement

Section 224 of the Compromise Agreement would amend section 1144(d) of title 10, U.S.C., to clarify that when DOL enters into contracts with private entities that they have experience in teaching courses on private sector culture, resume writing, career networking, and training on job search technologies, or in academic readiness and educational opportunities. It is the Committees' view that when DOL contracts for TAP services pursuant to section 223 of the Compromise Agreement they should ensure that the contractors have pertinent expertise in providing quality services to TAP participants. The Committees also recognize that many servicemembers are using their Post-9/11 GI Bill benefits soon after they are discharged, and believe that having TAP instructors provide more information on the type of educational choices that are available to these servicemembers is an effective way to increase use of the Post-9/11 GI Bill and to encourage educational choices that are in line with the servicemember's career goals or intents.

IMPROVED ACCESS TO APPRENTICESHIP PROGRAMS FOR MEMBERS OF THE ARMED FORCES WHO ARE BEING SEPARATED FROM ACTIVE DUTY OR RETIRED

Current Law

Under section 1144 of title 10, U.S.C., TAP furnishes career counseling, assistance in identifying employment and training opportunities, help in obtaining such employment and training, and other related information and services to members of the Armed Forces who are being separated from active duty, and the spouses of such members. However, it is not explicit what types of training are authorized to facilitate a servicemember's transition.

Senate Bill

Section 14 of S. 951, as reported, would amend section 1144 of title 10, U.S.C., by adding at the end a new subsection that would authorize DOD and DHS to permit a member of the Armed Forces eligible for assistance under the section to participate in a pre-apprenticeship program or an apprenticeship program.

Such a program would be required to be registered under the Act of August 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) The section would also authorize DOD and DHS to permit an eligible member to participate in a pre-apprenticeship program that provides credit toward a program registered under the Act of August 1937. Any such apprenticeship or pre-apprenticeship program would be required to provide participating servicemembers with the education, training, and services necessary to transition to meaningful employment that leads to economic self-sufficiency.

House Bill

The House Bill contains no similar provision.

Compromise Agreement

Section 225 of the Compromise Agreement follows the Senate Bill.

REPORT ON THE TRANSITION ASSISTANCE PROGRAM

Current Law

There is currently no statutory requirement for the Comptroller General to complete a study on TAP.

Senate Bill

Section 7(b) of S. 951, as reported, would require DOL to enter into a contract with a

private entity for audits of TAP. Such audits would be required to measure the effectiveness of TAP, and the contractor would be required to report on the findings of the audit and make recommendations, which DOL would be required to implement, to improve TAP.

House Bill

Section 205 of H.R. 2433, as amended, requires that within one year of enactment that the Comptroller General of the United States conduct a review of TAP and its effectiveness.

Compromise Agreement

Section 226 of the Compromise Agreement generally follows the House Bill in that it requires a review to be completed by the Comptroller General. However the agreement requires that the study be completed within two years of enactment.

SUBTITLE C—IMPROVING THE TRANSITION OF VETERANS TO CIVILIAN EMPLOYMENT

TWO-YEAR EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF THE ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES

Current Law

Under section 1631 of the Wounded Warrior Act (title XVI of Public Law (P.L.) 110-181), VA's authority to provide rehabilitation and vocational benefits to members of the Armed Forces with severe injuries or illnesses will expire on December 31, 2012.

Senate Bill

Section 2 of S. 951, as reported, would amend section 1631(b)(2) of the Wounded Warrior Act by extending through December 31, 2014, VA's authority to provide rehabilitation and vocational benefits to certain severely wounded active-duty servicemembers in the same manner as provided to veterans.

House Bill

The House Bill contain no similar provision.

Compromise Agreement

Section 231 of the Compromise Agreement follows the Senate Bill. It is the view of the Committees that a two-year extension of VA's authority is necessary to ensure that severely wounded active-duty servicemembers have continued and uninterrupted access to rehabilitation and vocational benefits.

EXPANSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PAY EMPLOYERS FOR PROVIDING ON-JOB TRAINING TO VETERANS WHO HAVE NOT BEEN REHABILITATED TO POINT OF EMPLOYABILITY

Current Law

Under section 3116 of title 38, U.S.C., VA is authorized to make payments to employers for providing on-job training to veterans who have been rehabilitated to the point of employability to promote the development and establishment of employment and training for veterans who have participated in VA's vocational rehabilitation and employment programs. VA provides these benefits to veterans with service-connected disabilities to enable them to obtain suitable employment.

Senate Bill

Section 3 of S. 951, as reported, would amend section 3116 of title 38 U.S.C. by striking the requirement that veterans be rehabilitated to the point of employability before VA is authorized to make payments to employers for providing on-job training.

House Bill

The House Bill contain no similar provision.

Compromise Agreement

Section 232 of the Compromise Agreement follows the Senate Bill. This change will enable VA to incentivize employers to provide training and employment opportunities to a

broader number of veterans and allow veterans to obtain on-job training and experience while they are still in rehabilitation.

TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW

Current Law

Under sections 3102 and 3103 of title 38 U.S.C., veterans who have a service connected disability rating of at least 20 percent and have an employment handicap or have a disability rating of at least ten percent and have serious employment handicap are eligible for vocational rehabilitation benefits. Eligible veterans are entitled, generally, to 48 months of benefits during the 12-year, post discharge period. These limitations can be extended under certain circumstances.

Senate Bill

Section 4 of S. 951, as reported, would amend section 3102 of title 38, U.S.C., to entitle certain veterans, who have completed a rehabilitation program, as set forth under chapter 31, to up to 24 months of additional vocational rehabilitation and employment benefits if they meet certain requirements.

Under section 4, a person who has completed a chapter 31 rehabilitation program would be entitled to an additional rehabilitation program if the person meets the current requirements for entitlement to a chapter 31 rehabilitation program and has, under State or Federal law, exhausted all rights to regular unemployment compensation with respect to a benefit year, has no rights to regular compensation with respect to a week, is not receiving compensation with respect to such week under the unemployment compensation laws of Canada, and begins such additional rehabilitation program within six months of the date of such exhaustion. Under this section, a person would be considered to have exhausted rights to regular unemployment compensation under State law when no payments of regular unemployment compensation may be made under such law because the person has received all regular unemployment compensation available based on employment or wages during a base period, or such person's rights to compensation have been terminated by reason of the expiration of the benefit year.

House Bill

The House Bill contains no similar provision.

Compromise Agreement

Section 233 of the Compromise Agreement follows the Senate Bill. The Committees realize that many veterans who were rehabilitated have had difficulty in finding and maintaining employment. The Committees understand that unemployed service-connected veterans who have passed their current eligibility for vocational rehabilitation benefits could benefit from additional vocational rehabilitation and employment services while seeking meaningful employment. The agreement limits the amount of assistance to 12 months, provides an effective date of June 1, 2012 and a sunset date of March 31, 2014. In addition, the agreement includes a review of the program and its outcomes by the Government Accountability Office (GAO). It is the intent of the Committees that enrollment in this program be considered a last resort for unemployed and disabled veterans who have exhausted other federal training and unemployment benefit resources.

COLLABORATIVE VETERANS' TRAINING, MENTORING, AND PLACEMENT PROGRAM

Current Law

Under Chapter 41, of title 38, U.S.C., the Department of Labor is authorized to provide job counseling, training, and placement services to veterans.

Senate Bill

Section 8 of S. 951, as reported, would amend chapter 41 of title 38, U.S.C., by inserting after section 4104 a new section, 4104A, which would require DOL to award grants to eligible non-profit organizations to provide training and mentoring for eligible veterans who seek employment. Under this provision, DOL would award grants to not more than three organizations, for contract periods of two years.

The section would require DOL to ensure that the recipients of such grants collaborate with the appropriate DVOPS and LVERs, and the appropriate State Workforce Investment boards and local boards for the areas to be served by the grant recipients. DOL would also be required to ensure that grant recipients facilitate placement in employment that leads to economic self-sufficiency for veterans who have completed training.

To be eligible for such grants, a non-profit organization would be required to submit an application to DOL. The application must include information describing how the organization will engage in the collaboration discussed herein, provide training that facilitates job placement for veterans, and provide mentorship for each veteran receiving training.

Section 8 would also require DOL to prepare and submit to the House and Senate Veterans' Affairs Committees a report that describes the process for awarding grants, the recipients of such grants, and the collaboration described herein. DOL would provide this report not later than six months after the date of enactment of the Hiring Heroes Act of 2011.

Additionally, not later than 18 months after the date of enactment, DOL would be required under this section to conduct an assessment of the performance of the grant recipients, DVOPS, and LVERs in carrying out activities under this section. Section 8 also would authorize appropriations of \$4,500,000 for each of Fiscal Years 2012 and 2013.

House Bill

The House Bill contains no similar provision.

Compromise Agreement

Section 234 of the Compromise Agreement generally follows the Senate Bill with the addition of the Senate Committee on Health, Education, Labor, and Pension and House Committee on Education and Workforce to the list of Committees that DOL is required to submit the assessment required under subsection (d)(2).

APPOINTMENT OF HONORABLY DISCHARGED MEMBERS AND OTHER EMPLOYMENT ASSISTANCE

Current Law

Chapter 33 of title 5, U.S.C., sets forth the examination, certification, and appointment process for individuals seeking to enter the civil and competitive services in the Executive branch. The Veterans Recruitment Act authorizes non-competitive appointment for eligible veterans to positions up to the GS-11 level, or equivalent. The Veterans Employment Opportunities Act (VEOA) can be used to appoint those entitled to veterans' preference or veterans who have at least 3 years of active military service to permanent positions in the competitive civil service. Under sections 2108 and 3309(1) of title 5, U.S.C., a veteran must have a disability rating to establish ten-point preference eligibility for a service-connected disability.

Senate Bill

Section 10 of S. 951, as reported, would amend chapter 33 of title 5, U.S.C., by creating a new section, 3330d, which would allow the head of an Executive agency to appoint an honorably discharged servicemember to a position in the civil service, without regard

to certain civil service authorities, within the 180 days following such member's separation from service.

Section 10 would also require the Office of Personnel Management (OPM) to designate agencies to establish a program to provide employment assistance to members of the Armed Forces who are being separated from active duty and to ensure such programs are coordinated with TAP. Each designated agency would be required to consult with OPM and act through its Veterans Employment and Placement Office (VEPO) in order to establish the employment assistance program, which would include assistance to members of the Armed Forces seeking employment with that agency. Under the program, the agency would also provide servicemembers with information regarding its employment assistance program and would promote the recruitment, hiring, training and development, and retention of such servicemembers and veterans by the agency. If a designated agency does not have a VEPO, the agency would be required to select an appropriate office of the agency to carry out the employment assistance program.

House Bill

The House Bill contains no similar provision.

Compromise Agreement

Section 235 of the Compromise Agreement generally follows the Senate Bill with modifications. The Committees expect that enactment of this section would further support servicemembers' seamless transition from the Armed Forces into the civil service by granting veteran preference prior to discharge. The Committees also recognize that certain servicemembers are unable to receive a ten-point preference because of VA's lengthy claims processing system and achieving the ten-point preference granted to disabled veterans will smooth the transition to civilian life.

The agreement strikes all of subsection (a) of S. 951, as reported, regarding agency authority to directly appoint veterans within 180 days of separation from the military and inserts new language that amends section 2108 of title 5, U.S.C., that allows a servicemember to submit paperwork to Federal hiring managers to certify that they expect to be discharged under honorable conditions. This certification would allow the hiring manager to consider the servicemember as a veteran who qualifies for veteran preference for the purpose of a competitive appointment to a civil service job. A similar certification would be authorized for disabled veterans. Servicemembers would be permitted to submit these certifications to hiring managers within 120 days of their discharge. Section 235(b) of the Compromise Agreement follows subsection 10(b) of S. 951, as reported.

A seamless transition from military service to a Federal job opening benefits not only servicemembers, but also the Federal Government. It means that a servicemember can potentially leverage the skills he or she gained while on active duty and apply them as a member of the civil service. The Federal Government benefits from hiring veterans as it allows the Federal Government to continue to receive services from individuals in whom the Federal Government has already invested resources for training. Additionally, this allows the Federal Government to employ individuals with a proven history in Federal service.

DEPARTMENT OF DEFENSE PILOT PROGRAM ON WORK EXPERIENCE FOR MEMBERS OF THE ARMED FORCES ON TERMINAL LEAVE

Current Law

There is no current statute that provides outside work experience to members of the Armed Forces on terminal leave.

Senate Bill

Section 12 of S. 951, as reported, would authorize DOD to establish a pilot program to assess the feasibility and advisability of providing to certain servicemembers on terminal leave work experience with civilian employees and contractors of DOD. The program would facilitate a covered servicemember's transition from active duty into the civilian labor market.

Under this section, an eligible servicemember would be any individual who (1) is a member of the Armed Forces; (2) DOD expects to be discharged or separated from service in the Armed Forces and is on terminal leave; (3) DOD determines has skills that can be used to provide services to DOD that are considered critical to the success of its mission; and (4) DOD determines might benefit from exposure to the civilian work environment in order to facilitate the individual's transition from service in the Armed Forces to employment in the civilian labor market. The pilot program would be carried out during the two-year period beginning on the date of the commencement of the pilot program.

Not later than 540 days after the date of the enactment of this section, DOD would be required to submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate, and to the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives, a report on the pilot program. The report would include the findings of DOD with respect to the feasibility and advisability of providing such work experience to qualifying servicemembers.

House Bill

The House Bill contains no similar provision.

Compromise Agreement

Section 236 of the Compromise Agreement generally follows the Senate Bill. The Committees believe these servicemembers could benefit from being given access to outside work experience while technically still on active duty. The Committees hope this opportunity will better prepare the servicemember for their transition to civilian life.

ENHANCEMENT OF DEMONSTRATION PROJECT ON CREDENTIALING AND LICENSING OF VETERANS

Current Law

Under current law, section 4114 of title 38, U.S.C., DOL, through the Assistant Secretary of Veterans Employment and Training (ASVET), is authorized to carry out a demonstration project on credentialing for the purpose of facilitating the seamless transition of servicemembers from active duty to civilian employment. The section provides for the selection of not less than ten MOSs for purposes of the demonstration project. The selected specialties must involve a skill or set of skills required for civilian employment in an industry with high growth or high worker demand.

After selection of the ten MOSs, DOL is required to consult with Federal, State, and industry stakeholders to identify requirements for civilian credentials, certifications, and licenses that require a skill or set of skills also required by an MOS selected under this section. DOL must analyze these requirements to determine which may be satisfied by the skills, training, or experience acquired by servicemembers with the applicable MOS.

Following this determination, DOL is required to cooperate with the appropriate government and industry stakeholders to reduce or eliminate any barriers to providing a civilian credential, certification, or license to a veteran who acquired any skill, training, or experience while serving as a member of the Armed Forces with an MOS selected

under this section that satisfies the Federal and State requirements for the credential, certification, or license.

This program was never carried out because funding for the pilot program was authorized only by using unobligated funds for the administration of job counseling, training, and placement services for veterans under section 4106 of title 38, U.S.C.

Senate Bill

Section 13 of S. 951, as reported, would amend section 4114 by mandating that DOL carry out the demonstration project on credentialing. Section 4114 would also be amended to require that the ASVET act in consultation with the Assistant Secretary for Employment and Training when selecting the specialties. The number of specialties to be selected would also be reduced from ten to five.

The section would also strike subsections (d) through (h) of section 4114, concerning a task force, consultation, contract authority, and duration of the program described under current law. New subsection (d) would require the demonstration project to be carried out within a two-year period beginning on the date of the enactment of this section.

Section 13 would also require, not later than 180 days after the enactment of the Senate Bills, which the ASVET, in consultation with DOD and VA, study the costs incurred by DOD to train servicemembers for MOSs compared to those incurred by VA and DOL for employment-related assistance to veterans. The study would include an analysis of the costs incurred by VA to provide educational assistance to veterans regarding civilian credentialing and licensing and the costs associated with assistance, vocational training, and counseling to unemployed veterans who were trained in an MOS.

Within the 180-day period after the enactment of the Senate Bill, the ASVET would also be required to submit to Congress a report on the study carried out. Required provisions of the report would include the findings of the Assistant Secretary with respect to the study and an estimate of the savings that would be realized by VA and DOL if DOD were to tailor its MOS training(s) to satisfy Federal, State, and/or local requirements for certain credentials, certifications, or licenses.

House Bill

Section 301 of H.R. 2433 amends section 4114 of title 38, United States Code, to reauthorize the demonstration project and direct the DOL to conduct a study in cooperation with an association of state governors on five to ten military occupations to determine barriers to transitioning those skills to civilian employment and authorizes \$180,000 per year to fund the program through September 30, 2014, and sets reporting requirements.

Compromise Agreement

Section 237 of the Compromise Agreement contains provisions from both the Senate and House Bills. Subsection (a) generally follows the House Bill by reauthorizing the demonstration project and requires that the study be conducted in cooperation with an association of state governors. The agreement also limits the number of MOS's to be studied to not more than five. Subsection (b) of this section adopt a modified version of the Senate Bill by removing the language that assumes that the Federal Government would experience savings if DOD were to tailor its MOS training(s) to satisfy Federal, State, and/or local requirements for certain credentials, certifications, or licenses.

DOD has the largest training program in the world, training servicemembers in hundreds of occupations. While many of these occupations center on combat-related duties, the vast majority train servicemembers in support roles, many of which are closely re-

lated to skills required in civilian occupations.

Despite that close relationship, the Committees' have found that servicemembers find it difficult to transition directly into equivalent civilian occupations. There are many reasons for this, but chief among those reasons is the plethora of vastly differing State laws and regulations that directly impede that transition.

The Committees believes that it is vital to engage the States in an effort to standardize laws and regulations, even on a limited basis, in an effort to smooth servicemembers' transition to civilian employment and retain the value of taxpayer investment in the military training program. The Committees also recognize that an unregulated transition for some specialties may not be achievable, but expects DOL to select military specialties ranging from those that are easier to transition from, to those that are more difficult.

INCLUSION OF PERFORMANCE MEASURES IN ANNUAL REPORT ON VETERAN JOB COUNSELING, TRAINING, AND PLACEMENT PROGRAMS OF THE DEPARTMENT OF LABOR

Current Law

Under Section 4107(c) of title 38, U.S.C., VETS is required to provide Congress with an annual report on the activities of the VETS and some performance measure on the state grant program that provides funding for DVOPS and LVERs. VETS is required under the report to provide the number of veterans who were served by states and various other demographic information.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 302 of H.R. 2433, as amended, amends section 4107(c) by adding a new paragraph that requires that VETS submit, in its annual report to Congress, certain employment/education/training-related data for veterans placed in jobs by DVOPS and LVERs under the State Grant Program.

Compromise Agreement

Section 238 of the Compromise Agreement generally follows the House Bill. VETS currently funds the salaries and expenses of DVOPS and LVERs at a cost of over \$165 million per year. Unfortunately, there is little statistical accountability built into the system to determine if this funding, objectively, leads to effective results. Changes include modifying the timeline of when VETS needs to follow up with the veteran on their employment status and earnings. These modifications were made to better align this section with DOL's current reporting of performance data from states. The Committees hope this section will provide much needed transparency on this critical program and help promote more effective services to unemployed veterans.

CLARIFICATION OF PRIORITY OF SERVICE FOR VETERANS IN DEPARTMENT OF LABOR TRAINING PROGRAMS

Current Law

Section 2 of the Jobs for Veterans Act, P.L. 107-288, required DOL to give veterans, and certain spouses of veterans, priority of service in all DOL training programs for which the veteran or spouse would otherwise qualify. DOL's interpretation of this requirement is to use the proportion of representation of veterans in training programs versus the general veteran population as a basis for determining that the priority of service requirement of section 4215 of title 38, U.S.C., is met.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 239 of H.R. 2433, as amended, would amend section 4215 of title 38, U.S.C., to clarify the law to ensure that veterans are indeed receiving the priority of service envisioned in P.L. 107-288. The section also requires a new section to the VETS annual report, required under section 4107(c) U.S.C., which will track this priority of service at the local level. The section also clarifies that DOL may not use the proportion of representation of veterans in training programs vs. the general veteran population as a basis for determining that the priority of service requirement of section 4215 of title 38, U.S.C., is met.

Compromise Agreement

Section 309 of the Compromise Agreement follows the House Bill. The Committees note that there are at least 24 job training programs operated under the Workforce Investment Act (WIA) for which veterans should have priority. Based on DOL statistics, it appears that DOL interprets the priority of service requirement to be met if veterans and other covered persons are shown to be participating in a DOL training program at a percentage roughly equal to the percentage of veterans in the general population (around nine to ten percent). The Committees believe such a proportion-based approach fails to meet both the letter and spirit of the law. While DOL indicates that veterans comprise about eight percent of WIA participants, most WIA programs fall well short of the rate. Therefore, the Committees believe that priority of service must be quantified using the number of qualified veteran applicants and the number trained relative to the total program participants.

EVALUATION OF INDIVIDUALS RECEIVING TRAINING AT THE NATIONAL VETERANS' EMPLOYMENT AND TRAINING SERVICES INSTITUTE

Current Law

Section 4109 of title 38, U.S.C., establishes the National Veterans Employment and Training Services Institute (NVETI) to provide standardized training to DVOPS and LVERs in how to assist veterans and disabled veteran in obtaining meaningful employment. However, there is no statutory requirement that DVOPS and LVERs satisfactorily complete the course of training or that the employing State agency be informed of an employee's performance at NVETI.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 304 of H.R. 2433, as amended, would require that at the completion of their training at NVETI, each trainee would be required to take a final examination based on the training at NVETI. The results of this examination would then be sent to the organization or group that sponsored the trainee's attendance at NVETI.

Compromise Agreement

Section 240 of the Compromise Agreement follows the House Bill with a small modification that the results of the examination be provided to the organization or group that sponsored the trainee's attendance at NVETI, but that the results not be listed as passing or failing. However, the Committees strongly believe that the information provided to the state or agency should indicate whether the student's performance on the exam meets minimum standards and that a minimal grade should be included. Under the Compromise Agreement the requirements of the section shall not be enforced until 180 days following the passage of the Compromise Agreement.

REQUIREMENTS FOR FULL-TIME DISABLED VETERANS OUTREACH PROGRAM SPECIALISTS AND LOCAL VETERANS EMPLOYMENT REPRESENTATIVES

Current Law

There is no current statutory requirement that full time DVOPS and LVERs only provide services to veterans and not non-veterans.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 305 of H.R. 2433, as amended, amends sections 4103A and 4104 of title 38 U.S.C., to require that full-time DVOPS and LVERs perform only duties related to providing employment assistance to veterans. Section 305 also requires that VETS conduct regular audits to ensure compliance with these requirements and authorizes VETS to reduce the amount of assistance paid to a state to fund DVOPS and LVERs if the state is not in compliance with this section.

Compromise Agreement

Section 241 of the Compromise Agreement generally follows the House Bill. The Committees continue to hear that unemployment center managers divert DVOPs and LVERs to non-veterans related work. This practice obviously negatively impacts the amount of time that veterans unemployment specialists can spend on serving veterans. The agreement amends the provision to ensure that DVOPS and LVERs are allowed to provide, minor, non-substantive support to non-veterans. The Compromise Agreement also gives Governors the option of consolidating DVOP and LVER positions into one job as long as they certify to DOL that no services to veterans will be reduced as part of the consolidation. The Committees expect VETS to provide clear guidance to the states as to what constitutes minor, non-substantive services. The agreement further requires that DOL approve of Governor's consolidation plan. The Committees believe that in a time of fiscal restraint, flexibility in providing service to veterans so long as services do not deteriorate is appropriate. For example, at smaller employer center there may be only one part-time DVOP and one part-time LVER. This provision would permit the consolidation of those two positions into one, thereby reducing administrative overhead while not affecting quality of service to veterans.

SUBTITLE D—IMPROVEMENTS TO UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS

CLARIFICATION OF BENEFITS OF EMPLOYMENT COVERED UNDER USERRA

Current Law

Section 4303 of title 38 U.S.C. for the purposes of the protections under the Uniformed Services Employment and Reemployment Right Act (USERRA), defines 'benefit,' 'benefit of employment,' or 'rights and benefits.'

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 401 of H.R. 2433, as amended, would expand the definition of 'benefit,' 'benefit of employment,' or 'rights and benefits' to include the right not to suffer workplace harassment or the creation of a hostile work environment by including, 'the terms, conditions, or privileges of employment,' to conform USERRA with the Supreme Court's decision in *Mentor Savings Bank vs. Vinson*, 477 U.S. 57, 63-66 (1986) and DOL's request for such change in its annual report on USERRA.

Compromise Agreement

Section 251 of the Compromise Agreement follows the House Bill.

SUBTITLE E—OTHERS MATTERS

EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES

Current Law

P.L. 101-508, the Omnibus Budget Reconciliation Act of 1990, reduced VA pension for certain veterans in receipt of Medicaid-covered nursing home care to no more than \$90 per month, for any period after the month of admission to the nursing care facility. This authority expired on September 30, 1992, but has been extended several times, most recently through May 31, 2015, in the Veterans' Benefit Act of 2010.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 507 of H.R. 2433, as amended, would amend section 5503(d)(7) of title 38 U.S.C., to extend the authority for limitation of VA pension to \$90 per month for certain beneficiaries receiving Medicaid-covered nursing home care from May 31, 2015.

Compromise Agreement

Section 262 of the Compromise Agreement follows the House Bill, except that the limitation would be extended until September 30, 2016 and not May 31, 2016.

REIMBURSEMENT RATE FOR AMBULANCE SERVICES

Current Law

Under section 111 of title 38, U.S.C., VA is authorized to reimburse certain veterans for their transportation by ambulance to and from VA medical facilities based on the 'actual necessary expense.'

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 504 of H.R. 2433, as amended, would amend section 111(b)(3) of title 38, U.S.C., by adding a new subparagraph (C), which would authorize VA to pay the lesser of the actual amount charged by the ambulance provider or the applicable amount in the Medicare fee schedule for ambulance services, unless VA has entered into a contract for such transportation with the provider.

Compromise Agreement

Section 263 of the Compromise Agreement follows the House Bill.

EXTENSION OF AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO OBTAIN INFORMATION FROM SECRETARY OF TREASURY AND COMMISSIONER OF SOCIAL SECURITY FOR INCOME VERIFICATION PURPOSES

Current Law

Section 6103(1)(7)(D)(viii) of title 26, U.S.C., authorizes the release of certain income information by the Internal Revenue Service (IRS) or the Social Security Administration (SSA) to VA for the purposes of verifying the incomes of applicants for VA needs-based benefits. Section 5317(g) of title 38, U.S.C., provides VA with temporary authority to obtain and use this information. Under current law, this authority expires on November 18, 2011.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

The House Bill does not contain a similar provision.

Compromise Agreement

Section 264 of the Compromise Agreement extends the authority under section 5317(g) to authorize the release of certain income information by IRS or the SSA to VA for the purposes of verifying the incomes of applicants for VA needs-based non-service connected pension benefits through September 30, 2016. The Committees note that this extension was also included in section 3(c) of H.R. 2349, as amended, which passed the House on October 11, 2011, and section 708 of S. 914, as reported by the Senate Committee on June 29, 2011.

MODIFICATION OF LOAN GUARANTY FEE FOR CERTAIN SUBSEQUENT LOANS

Current Law

Section 3729(b)(2) of title 38, U.S.C., sets forth a loan fee table that lists funding fees to be paid by beneficiaries, expressed as a percentage of the loan amount, for different types of loans guaranteed by VA. Funding fee rates have varied over the years, but with one exception, have remained constant since 2004. All funding fee rates are set to be reduced on November 18, 2011.

Senate Bill

Section 15 of S. 951 would amend the fee schedule set forth in section 3729(b)(2) of title 38 U.S.C., by extending VA's authority to collect certain fees and by adjusting the amount of the fees. Specifically, the section would amend-section 3729(b)(2)(B)(ii) by striking 'January 1, 2004, and before October 1, 2011' and inserting 'October 1, 2011, and before October 1, 2014,' and by striking '3.30' both places it appears and inserting '3.00.'

The section would also amend section 3729(b)(2)(B)(i) by striking 'January 1, 2004' and inserting 'October 1, 2011' and by striking '3.00' both places it appears and inserting '3.30.' The section would also strike clause (iii) and re-designate clause (iv) as clause (iii). Clause (iii), as redesignated, would be amended by striking 'October 1, 2013' and inserting 'October 1, 2014.'

House Bill

Section 501 of H.R. 2433, as amended, would amend the fee schedule set forth in section 3729(b)(2) of title 38 U.S.C., by extending VA's authority to collect certain fees and by adjusting the amount of the fees. Specifically, the section would amend section 3729(b)(2)(A)(iii) and 3729(b)(2)(A)(iv) by striking 'November 18, 2011', and inserting 'October 1, 2017'.

The section would also amend section 3729(b)(2)(B)(i) by striking 'November 18, 2011' and inserting 'October 1, 2017'. The section would also strike clauses (ii) and (iii) and re-designate clause (iv) as clause (ii). Clause (ii), as re-designated, would be amended by striking 'October 1, 2013' and inserting 'October 1, 2017'. The section would also amend section 3729(b)(2)(C)(i) and 3729(b)(2)(C)(ii) by striking 'November 18, 2011' and inserting 'October 1, 2017'. Finally, the section would also amend section 3729(b)(2)(D)(i) and 3729(b)(2)(D)(ii) by striking 'November 18, 2011' and inserting 'October 1, 2017'.

Compromise Agreement

Section 265 of the Compromise Agreement follows the House Bill except that instead of inserting 'October 1, 2017' for the various extensions the agreement inserts 'October 1, 2016'.

TITLE V—BUDGETARY EFFECTS STATUTORY PAY-AS-YOU-GO ACT OF 2010

Current Law

P.L. 111-139, the Statutory Pay-As-You-Go Act (PAYGO Act), requires that most new spending is offset by spending cuts or added revenue elsewhere.

Senate Bill

The Senate Bill does not contain a similar provision.

House Bill

Section 507 of H.R. 2433, as amended, contains language required by the PAYGO Act in order for the estimate of budgetary effect from the House Budget Committee to be used by the Office of Management and Budget on PAYGO scorecards.

Compromise Agreement

Section 501 of the compromise agreement follows the House Bill.

□ 1330

Mr. LEVIN. I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Madam Speaker, I spoke in favor of repealing the 3 percent withholding provision when it

passed the House just last month, and I am pleased the Senate has not only passed it but has added important provisions to help our brave men and women in uniform find work when they return home.

The amended bill provides retraining assistance to unemployed veterans as well as tax credits to businesses that hire unemployed veterans, which is a segment of our population that has been especially hard-hit by our sluggish economy. An estimated 12 percent of veterans who have served since the attacks of September 11 are unemployed. This is far above the national average and is not what our Nation's heroes deserve.

Our servicemembers have gone above and beyond for their country, and this legislation is one way for Congress to honor their sacrifice and to help them succeed here at home. I strongly support this legislation and urge my colleagues to vote in its favor.

Mr. HERGER. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY), the chairman of the Small Business Subcommittee on Contracting and Workforce.

Mr. MULVANEY. Last week I came to this floor and stood in the well and called upon the Senate to do something, which was to take up this bill—this bill that had passed out of our subcommittee with tremendous bipartisan support and that passed out of this House with bipartisan support. It's something that went practically unnoticed nationwide, especially in the media.

I ask the Senate to simply take this bill up because it was not only something that the House had supported on a bipartisan basis, but it was something that was actually part of the President's jobs bill as well. So, in the name of doing the right thing, I come to the House floor to thank the Senate for actually doing that. While they're at it, they might want to take this opportunity to take up the other 19 jobs bills that we've sent them over the course of the last several months.

The Senate has done the right thing here. They've taken up a bill that the House has sent them, a bill that will actually give people the opportunity to go back to work. What has happened is that both parties have come together to try and figure out ways to give folks exactly that opportunity. That same possibility exists another 19 times over in the Senate. The Senate has done the right thing with this bill by passing it and by sending it back to us. It's going to become law now.

I call upon the Senate to please do the right thing again and take up the 19 bills that we have sent over so that we will have the opportunity to do this again before the end of the year.

Mr. LEVIN. Madam Speaker, I yield myself 15 seconds.

The problem is that the 19 bills weren't real jobs bills. So now what the Senate has sent us back is an addition

that is a real jobs bill, though not comprehensive.

I now yield 2 minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for his leadership, not only on the committee but in so many ways in this Congress, and for yielding me time.

Madam Speaker, I rise in strong support of H.R. 674 and of the President's veterans jobs bill.

The 3 percent withholding repeal is very important on its own. This was an important bill that will help small business contractors who would have experienced significant cash flow problems for day-to-day operations had the withholding tax gone into effect. It also provides important tax credits to encourage more employers to hire our veterans who are out of work. Well over 12 percent of our returning veterans are out of work. This bill provides additional education and job training for veterans to gain additional skills and to be successful in an increasingly competitive job market, and it takes important steps to help ease the transition between military service and the civilian workforce.

I am pleased that we are working together to repeal this tax burden and help our veterans in a comprehensive way during these tough economic times. I am pleased that this portion of the President's jobs bill is being enacted today. I thank all who are supporting it.

Mr. HERGER. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. LEVIN. I now, with pleasure, yield 2 minutes to the gentleman from Georgia (Mr. BISHOP).

(Mr. BISHOP of Georgia asked and was given permission to revise and extend his remarks.)

Mr. BISHOP of Georgia. I thank the distinguished gentleman for yielding.

Madam Speaker, I would like to thank the Democratic and Republican leadership in both the House and the Senate for their timely consideration of the VOW to Hire Heroes Act of 2011.

As the House sponsor of the Hiring Heroes Act provisions that are in the bill, I would also like to thank the chairmen and ranking members of the House and Senate Veterans' Affairs Committees for their outstanding work on this jobs measure, as well as to thank the chairs and ranking members of the House Ways and Means Committee.

Just as this Nation has a responsibility not to leave our soldiers behind on the battlefield, we also have an obligation not to forget our veterans when they return home.

Last month the unemployment rate for veterans who fought in Iraq and Afghanistan was 12 percent. The youngest of veterans, ages 18 to 24, had a 30 percent unemployment rate in October. Among African American veterans aged 18 to 24, the jobless rate is a striking 48 percent. These numbers, Madam

Speaker, are unacceptable. H.R. 674 allows us to honor our veterans by ensuring that they have the resources and the tools they need to find suitable and sustainable employment.

I urge my colleagues to support H.R. 674 and to provide our Nation's veterans with the employment opportunities that they need and so rightly deserve.

Madam Speaker, as the House sponsor of the Hiring Heroes provisions in this bill, I would be remiss if I did not also thank House Veterans' Affairs Committee Chair JEFF MILLER; House Veterans' Affairs Committee Ranking Member BOB FILNER; Senate Veterans' Affairs Committee Chair PATTY MURRAY; and Senate Veterans' Affairs Committee Ranking Member RICHARD BURR for their outstanding work on this comprehensive 1 veterans' jobs measure.

Last week as America celebrated Veterans' Day, patriots all across our great nation honored our brave veterans with parades, luncheons, and other ceremonies of remembrance. The many sacrifices members of our Armed Services have made for the freedoms we currently enjoy certainly warrants a national day of recognition and so much more.

Our patriotic service members have been instrumental in building and defending our democracy. We, as a nation, have a responsibility to pay tribute to them and preserve the memory of their service in our history and in our hearts and minds.

Just as this nation has a responsibility not to leave our soldiers behind on the battlefield, we also must not forget our veterans when they return home. In many respects, our soldiers need our help even more when they receive their discharge papers and return to civilian life.

Last month, the unemployment rate for veterans who fought in Iraq and Afghanistan was 12.1 percent versus 9.1 percent for the U.S. overall. The youngest of veterans, age 18 to 24, had a 30.4 percent unemployment rate in October, an increase from 18.4 percent a year earlier. Among black veterans age 18 to 24, the jobless rate is a striking 48 percent. These numbers are unacceptable.

H.R. 674 allows us to honor our veterans by ensuring they have the resources and tools they need to find suitable and sustainable employment.

This wide-ranging legislation combines key components of President Obama's American Jobs Act, Chairman MILLER's Veterans Opportunity to Work Act, and the Hiring Heroes Act. I sponsored the bipartisan Hiring Heroes Act in the House and Senator PATTY MURRAY introduced the measure in the Senate.

The bipartisan Hiring Heroes Act provisions included in this legislation will ensure that all service members transitioning to civilian life receive the job training skills they need to find a job. This legislation allows service members to begin the federal employment process prior to separation in order to facilitate a smooth transition from the military to jobs at the Departments of Veterans Affairs, Homeland Security, and other federal agencies in need of our veterans.

This bill also makes the Transition Assistance Program—an interagency workshop coordinated by the Departments of Defense, Labor and Veterans Affairs—mandatory for service members moving on to civilian life.

This initiative helps veterans secure 21st Century jobs by providing resume writing workshops, job search techniques, interview tips, and career counseling.

Other provisions in the VOW to Hire Heroes Act will provide nearly 100,000 unemployed veterans with up to one-year of additional Montgomery GI Bill benefits to qualify for jobs in high demand sectors. In addition, the legislation provides tax incentives of up to \$5,600 for hiring veterans, and up to \$9,600 for hiring disabled veterans, if the veteran has been looking for work for six months or longer.

Madam Speaker, we have an obligation to ensure our veterans land on their feet when they come home and help them find good paying jobs to support their families. These heroes have risked the most for our country. They shouldn't be coming home to unemployment checks. That's why providing this support to our nation's veterans is simply the right thing to do, and I look forward to voting in favor of this comprehensive veterans' employment initiative.

I urge my colleagues to support H.R. 674 and to provide our nation's veterans with the employment assistance opportunities that they need and so rightly deserve.

Mr. HERGER. I continue to reserve the balance of my time.

Mr. LEVIN. Madam Speaker, I yield myself the balance of my time.

It can be stated very briefly.

The unemployment rate for veterans is beyond acceptance, and these bills hopefully will help. We need to pass more comprehensive legislation so that everybody has a chance at a job. For those who are unemployed and looking for work, we need to act so that, by next February, 2 million people will not be left without unemployment insurance.

But again, these provisions added by the Senate, provisions that were part of the President's bill, will help to address this simply inappropriate, unacceptable, unsatisfactory rate of employment and reemployment for people who have served our country so loyally and so well. So I support this bill and urge its passage.

I yield back the balance of my time.

Mr. HERGER. Madam Speaker, I yield myself such time as I may consume.

Today we have an opportunity to encourage job creation by repealing a tax that's looming over small businesses and also to improve economic opportunities for the men and women who have risked their lives and limbs to serve our country in the Armed Forces.

I urge a strong bipartisan vote for this legislation, and I yield back the balance of my time.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, November 14, 2011.

TO THE MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million members and organizations of every size, sector, and region, strongly urges you to support H.R. 674 as amended, which would fully repeal the burdensome 3% Withholding Tax mandate enacted in Section 511 of the Tax Increase Pre-

vention and Reconciliation Act of 2005 (P.L. 109-222).

H.R. 674 was approved with overwhelming bipartisan support in the U.S. Senate last week. The Senate passed bill adds language to make a technical clarification regarding the existing federal levy program in order to conform to congressional intent and directly address tax delinquency. H.R. 674 originally passed in the U.S. House of Representatives by a vote of 405 to 16 and is supported by the Administration. Given the substantial bipartisan, bicameral support for repealing the 3% withholding tax mandate, the Chamber urges the House to expeditiously approve H.R. 674 as amended to give greater certainty to those impacted.

Unless repealed before it takes effect on January 1, 2013, the 3% Withholding Tax will have a dramatic, negative impact on millions of honest taxpaying businesses as well as state and local governments. Under this provision, the Internal Revenue Service (IRS) was given new broad sweeping authority to hold hostage 3% of nearly every transaction between the public and private sector—giving the federal government an interest free loan on the backs of many honest taxpayers. This mandate is also anti-stimulus in the sense that it removes money from local economies and sends it to the IRS.

Additionally, the profit margin for many businesses is often less than 3%, meaning that the withholding tax will create significant cash flow problems for day-to-day operations as well as draining capital that could be used for job creation and business expansion. The 3% Withholding Tax will also drive opportunities away from small businesses as governments look to consolidate their purchasing with larger companies to make it less onerous to comply with the mandate. During these difficult economic times, Congress should be pursuing policies that encourage, not hamper, business growth and job creation in the private sector.

The U.S. Chamber of Commerce strongly supports H.R. 674 as amended, to fully repeal the 3% Withholding Tax, and urges you to approve this important legislation and send it to the President for his signature.

Sincerely,

R. BRUCE JOSTEN.

GOVERNMENT WITHHOLDING
RELIEF COALITION,

Washington, DC, November 14, 2011.

TO THE MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES: The Government Withholding Relief Coalition and its member organizations strongly urge you to vote for H.R. 674 as amended, bipartisan legislation to fully repeal the burdensome 3% Withholding Tax mandate enacted in Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222).

On November 10, 2011, the U.S. Senate emphatically endorsed repeal by approving H.R. 674 as amended by a vote of 95 to 0. The Senate amendment clarifies the existing federal levy program in order to conform to congressional intent and directly address tax delinquency. The Government Withholding Relief Coalition supports this targeted approach that, unlike the 3% Withholding Tax, will not negatively affect honest taxpayers and state and local governments. The underlying bill to repeal the 3% Withholding Tax mandate passed in the U.S. House of Representatives by a vote of 405 to 16 last month. The Administration has endorsed repealing this onerous burden as well. Given the overwhelming bipartisan, bicameral support and the endorsement of the Administration, we call on the House to act expeditiously to approve H.R. 674 as amended to give certainty to those impacted—businesses, doctors,

farmers, state and local governments and colleges and universities.

Unless repealed before it takes effect on January 1, 2013, the 3% Withholding Tax will have a dramatic, negative impact on millions of honest taxpaying businesses as well as state and local governments, health care providers, farmers and colleges and universities. The profit margin for many businesses is often less than 3%, meaning that the withholding tax will create significant cash flow problems for day-to-day operations as well as draining capital that could be used for job creation and business expansion. This mandate is also anti-stimulus in the sense that it removes money from local economies and sends it to the IRS.

The mandate is already proving costly and will increase exponentially as the implementation deadline moves closer. If this mandate is not repealed, it will cost companies and governments at all levels substantial amounts of money just to prepare to comply with this unnecessary and unfortunate tax provision. These exorbitant expenditures will be at the expense of hiring new employees, expanding businesses, and providing government services at a time when neither the public nor private sector can afford such unnecessary costs.

The Government Withholding Relief Coalition, which represents all sectors of the economy, believes it is imperative that the 3% Withholding Tax be fully repealed to limit the damaging impacts to our economy. We appreciate bipartisan efforts to repeal it and strongly encourage you to vote for H.R. 674 as amended, to fully repeal the 3% Withholding Tax once and for all.

Sincerely,

Government Withholding Relief Coalition.

Aeronautical Repair Station Association; Aerospace Industries Association; Air Conditioning Contractors of America; Air Transport Association; Airports Council International-North America; America's Health Insurance Plans; American Ambulance Association; American Bankers Association; American Bus Association; American Clinical Laboratory Association; American Concrete Pressure Pipe Association; American Congress on Surveying and Mapping; American Council of Engineering Companies; American Dental Association; American Gas Association; American Health Care Association; American Institute of Architects; American Institute of Certified Public Accountants; American Logistics Association; American Medical Association.

American Moving and Storage Association; American Nursery and Landscape Association; American Road & Transportation Builders Association; American Society of Civil Engineers; American Society of Landscape Architects; American Subcontractors Association; American Supply Association; American Traffic Safety Services Association; American Trucking Associations; Armed Forces Marketing Council; Associated Builders and Contractors; Associated Equipment Distributors; Associated General Contractors of America; Association of Management Consulting Firms; Association of National Account Executives; Association of School Business Officials International; Baltimore Washington Corridor Chamber; Biotechnology Industry Organization; Business and Institutional Furniture Manufacturers Association; CTIA-The Wireless Association™; California Association of Public Purchasing Officers.

Coalition for Government Procurement; Coalition of Higher Education Assistance Organizations; Colorado Motor Carriers Association; Computing Technology Industry Association; Construction CPAs/Consultants Association (CICPAC); Construction Contractors Association; Construction Employers' Association of California; Construction

Financial Management Association; Construction Industry Round Table; Construction Management Association of America; Design Professionals Coalition; Edison Electric Institute; Electronic Security Association; Engineering & Utility Contractors Association; Federation of American Hospitals; Financial Executives International; Finishing Contractors Association; Gold Coast Hispanic Chamber of Commerce; Government Finance Officers Association; Hawaii Transportation Association.

Heating, Airconditioning & Refrigeration Distributors International; IPC—Association Connecting Electronics Industries; Independent Electrical Contractors, Inc; International City/County Management Association; International Council of Employers of Bricklayers and Allied Craftworkers; International Foodservice Distributors Association; International Municipal Lawyers Association; Large Public Power Council; Management Association for Private Photogrammetric Surveyors; Mason Contractors Association of America; Massachusetts Motor Transportation Association; Mechanical Contractors Association of America; Medical Group Management Association; Messenger Courier Association of the Americas; Miami Dade County; Mississippi Trucking Association; Modular Building Institute; Motor Transport Association of Connecticut; Munitions Industrial Base Task Force; National Asphalt Pavement Association.

National Association for Self-Employed; National Association of College & University Business Officers; National Association of Counties; National Association of Credit Management; National Association of Educational Procurement; National Association of Energy Services Companies; National Association of Government Contractors; National Association of Manufacturers; National Association of Minority Contractors; National Association of State Auditors, Comptrollers and Treasurers; National Association of State Chief Information Officers; National Association of State Procurement Officials; National Association of Surety Bond Producers; National Association of Water Companies; National Association of Wholesaler-Distributors; National Automobile Dealers Association; National Beer Wholesalers Association; National Corn Growers Association; National Council for Public Procurement and Contracting; National Defense Industrial Association.

National Electrical Contractors Association; National Electrical Manufacturers Association; National Emergency Equipment Dealers Association; National Federation of Independent Business; National Institute of Governmental Purchasing; National Italian-American Business Association; National League of Cities; National Mining Association; National Precast Concrete Association; National Propane Gas Association; National Office Products Alliance; National Railroad Construction & Maintenance Association; National Ready Mixed Concrete Association; National Roofing Contractors Association; National School Transportation Association; National Small Business Association; National Society of Professional Engineers; National Society of Professional Surveyors; National Utility Contractors Association; National Wooden Pallet and Container Association.

New Jersey Chamber of Commerce; North-American Association of Uniform Manufacturers & Distributors; North Coast Builders Exchange; Office Furniture Dealers Alliance; Oregon Trucking Association; Owner Operator Independent Drivers Association; Petroleum Marketers Association of America; Plumbing-Heating-Cooling Contractors—National Association; Printing Industries of America; Professional Services Council; Re-

gional Legislative Alliance of Ventura and Santa Barbara Counties; Retail Energy Supply Association; Santa Rosa Chamber of Commerce; Security Industry Association; Service Disabled Veteran Owned Small Business Council; Sheet Metal and Air Conditioning Contractors National Association, Inc.; Shipbuilders Council of America; Small Business & Entrepreneurship Council; Small Business Legislative Council.

South Carolina Trucking Association; TechAmerica; Tennessee Trucking Association; Textile Rental Services Association of America; The Association of Union Constructors; The Distilled Spirits Council of the U.S.; The Financial Services Roundtable; U.S. Chamber of Commerce; United States Telecom Association; Utah Trucking Association; Veterans Business Institute; Veterans Entrepreneurship Task Force; Water and Wastewater Equipment Manufacturers Association; Women Construction Owners & Executives; Women Impacting Public Policy.

Mr. KIND. Madam Speaker, I rise today in support of H.R. 674, the Three Percent Withholding Repeal and Job Creation Act.

The Three Percent Withholding Repeal and Job Creation Act repeals a burdensome tax law that President Bush and Congressional Republicans passed in 2006. Fortunately, the law has never gone into effect because Democrats have fought it for years, and the Senate was successful in voting to repeal it last week. Estimates project that the tax actually costs more to implement than it raises in new revenue. Thus, it only hurts our local businesses, especially in an underperforming economy, by restricting cash flow and causing administrative headaches. Eliminating such a barrier will allow our businesses to better use their assets to grow and hire, which is exactly what our economy needs right now.

Currently, many contractors and small businesses are strapped for cash and doing everything they can to keep their doors open. In addition to repealing a burdensome tax, the Three Percent Withholding Repeal and Job Creation Act also provides incentives to grow our stagnant economy by helping businesses all over the country hire unemployed veterans. Because veterans returning from Iraq and Afghanistan are facing 12.1 percent unemployment, the Three Percent Withholding Repeal and Job Creation Act contains critical veterans' jobs initiatives that will not only incentivize hiring, but will spur economic growth by putting veterans back to work and investing in small businesses that are struggling in this stagnant economy.

In a fiscally responsible way, the Three Percent Withholding Repeal and Job Creation Act provides meaningful tax incentives to hire 45,000 unemployed veterans in 2012 and 54,000 each in 2013 and 2014. It not only helps veterans who have been unemployed for more than six months, but also those who have been unemployed for over four weeks. Businesses are further incentivized to hire veterans returning to the workforce with service-connected disabilities after six months of looking for a job.

In addition to providing incentives to hire veterans, the Three Percent Withholding Repeal and Job Creation Act provides transition assistance through a mandatory program for servicemembers returning to civilian life. Such a vital program will assist returning servicemembers in securing 21st Century jobs through career counseling and resume-writing workshops.

By helping our veterans transition back to civilian life and by creating opportunities for them to obtain meaningful employment, we show our thanks for their selfless service to our country. Furthermore, we instill faith in our local businesses to grow and hire by providing them support and resources to get through this tough economic time.

This bill is one small but important step in upholding our commitment to support the troops that have proudly defended our Nation. I'm proud to support this legislation for our veterans and our small businesses and government contractors.

Mr. DINGELL. Madam Speaker, today the House is considering legislation that will repeal the onerous requirement that federal, state, and local government entities withhold three percent of payments to government contractors. H.R. 674 will also take the first step in passing a piece of the President's American Jobs Act, by providing tax credits for businesses that hire unemployed or disabled veterans, and will help provide servicemembers who are leaving the service with job training and other skills necessary for starting a career outside of the military.

While I support these initiatives, I am disappointed that my friends in the House and Senate are pairing two bipartisan pieces of legislation with legislation that will change the intent of the Affordable Care Act and roll back eligibility for middle-class Americans to qualify for tax credits in the new Health Insurance Exchanges or Medicaid and CHIP.

As a veteran myself, I want nothing more than to help veterans to find gainful employment after the military and I believe that as we draw near the end of our engagement in Iraq and Afghanistan the need for this assistance is paramount. I will also gladly help my colleagues on the other side of the aisle to repeal their own three percent withholding requirement which we have delayed year after year. What I do not support is how we will pay for this repeal—on the backs of middle class Americans who as a result may find themselves paying more for their health care.

This legislation will add Social Security income back into the calculation of the Modified Adjusted Gross Income or MAGI for purposes of determining eligibility for the premium tax credits in the exchange and for Medicaid and CHIP. Some have suggested that excluding nontaxable Social Security benefits in the MAGI definition was a glitch. This is not so. The Affordable Care Act used the definition of MAGI that excluded nontaxable Social Security benefits because it is typical when determining eligibility for tax benefits.

Changing the MAGI definition to add Social Security income back in will make 500,000 to 1 million people ineligible for Medicaid and CHIP and ineligible for premium tax credits. This will impose high costs for health care on low-income and middle-income families, early retirees and the disabled, and consequently could shift them out of Medicaid coverage or require increased out-of-pocket costs for health coverage. This goes against the very intent of the Affordable Care Act.

Madam Speaker, I oppose the sort of legislation that is before us today as I believe each chamber should be allowed to work its will on separate items, rather than be forced to accept bad policy sandwiched between pieces of bipartisan legislation. This goes against the pledge to openness and transparency my Republican colleagues have claimed to support.

While I will lend my support to the legislation before us, I cannot continue to accept such abuses of procedure.

Mr. BRADY of Texas. Madam Speaker, I rise in support of H.R. 674, repealing the requirement that all levels of government withhold 3 percent of payments owed to their contractors throughout the United States.

If not repealed, small businesses operating on the slimmest of margins would see their operating budgets once again taking a hit from the Federal Government.

It is important to remember that our neighbors and friends work at these businesses.

Their jobs depend on these businesses having the necessary cash flow to pay their wages so they can raise their families and pay their bills.

And we, as a country, are depending on these same businesses to create new jobs which will help our unemployed friends and neighbors, and move our economy forward.

I am also supportive of simplifying the process for employers to hire our unemployed and disabled veterans through the Work Opportunity Tax Credit program. The one-year extension and simplification will help bring more certainty to the hiring process for our job creators looking to hire veterans who have more than proven their worth to anyone looking for productive employees.

A vote in support of H.R. 674 is a vote to remove impediments to American job creation and expand opportunities for our veterans. I urge my colleagues to support the bill.

Mr. VAN HOLLEN. Madam Speaker, three weeks ago, this House passed legislation to repeal the 3% withholding rule for contractors doing business with the federal government and an adjustment to the formula used to calculate Medicaid and tax credit eligibility under the Affordable Care Act.

Today's bill—sent back to us by the Senate—packages these two initiatives with the Veterans Hiring Tax Credit contained in the American Jobs Act and several other provisions designed to support veterans looking for work.

Madam Speaker, it's about time. Finally, if only in a small way, we are moving legislation to accelerate job creation in this Congress. With unemployment rates for today's returning veterans hovering above 12%, these steps are the least we can take to support our service members transitioning to civilian life. Frankly, I would go further and complete consideration of the rest of the American Jobs Act without further delay.

As regards the rest of the legislation, it is no secret that I would prefer savings from the adjustment to the Affordable Care Act formula be repurposed to other pressing health care needs. That being said, I support the adjustment and have long been a cosponsor of the bill to repeal the onerous 3% withholding requirement.

Accordingly, I will cast a "yes" vote for today's legislation.

Mr. HOLT. Madam Speaker, I rise today in support of H.R. 674. The provisions contained in this amended legislation are a long time coming and I am pleased to see this body finally consider a measure that will have a tangible effect for Americans who are unemployed and underemployed. More importantly, these measures will help a particular group of Americans who I think we all agree deserve our full support: our Nation's veterans. Right

now, men and women returning stateside from Iraq and Afghanistan face an unemployment rate of over 12 percent. Nearly a quarter of a million of recently returned veterans are jobless. This is unconscionable. If we can give our men and women the tools they need to succeed in combat, then certainly we must help them succeed when they return home. Moreover, veterans make excellent employees—I know because I have two working for me. Helping our veterans find jobs will put some of the finest men and women in the country into the American workforce. It's a win-win situation.

This measure provides tax credits for businesses who hire veterans—up to \$5,600 if the veteran has been out of a job for more than six months. It also provides a \$9,600 tax credit if the veteran has a service-connected disability. It expands Montgomery G.I. benefits for education and training opportunities for older veterans. And it includes provisions to encourage separating service members to seek employment in civilian federal service.

Madam Speaker, it is worth noting that many of these are measures that President Obama proposed in the American Jobs Act. I am pleased that we are considering these specific provisions today, but dozens of other provisions in the Jobs Act would help put an even greater number of veterans back to work: small business tax cuts, supporting teachers and first responders, rebuilding and expanding our infrastructure. We must do more, and by advancing the proposals currently idling in this body, we can do more.

I urge my colleagues to join me in supporting this measure to help put our Nation's veterans back to work.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 674.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HERGER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1340

NATIONAL RIGHT-TO-CARRY RECIPROCITY ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 822.

The SPEAKER pro tempore (Mr. FRANKS of Arizona). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 463 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 822.

□ 1341

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 822) to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Madam Chairwoman, I yield myself such time as I may consume.

H.R. 822, the National Right-to-Carry Reciprocity Act of 2011, was introduced by Mr. STEARNS of Florida and Mr. SHULER of North Carolina and is cosponsored by 245 Members of Congress on both sides of the aisle. This landmark legislation recognizes the importance of the Second Amendment and makes it easier for individuals with concealed carry permits to travel to other States. Forty-nine States now allow concealed carry permits, and 40 of these States also extend some degree of reciprocity to permit holders from other States.

This bill simply applies the States' reciprocal agreements nationwide. This legislation requires States that currently allow people to carry concealed firearms to recognize other States' valid concealed carry permits, much like States recognize driver's licenses issued by other States. The bill recognizes the right of States to determine eligibility requirements for their own residents.

State, local, and Federal laws and regulations regarding how, when, and where a concealed firearm can be carried that apply to a resident will apply equally to a nonresident. For example, many States bar individuals from carrying firearms in a bar, at a sporting event, or in a State park. Under this legislation, all of these restrictions will apply to nonresidents as well.

H.R. 822 also addresses concerns regarding the ability of law enforcement agencies to confirm the validity of an out-of-state concealed carry permit. The bill requires a person to show both a valid government-issued identification document, such as a license or passport, and a valid concealed carry license or permit.

State law enforcement agencies can verify the validity of an out-of-state concealed permit through the Nlets system. Nlets is available to law enforcement officials in all 50 States 24 hours a day, 7 days a week. Data from the FBI's annual Uniform Crime Report shows that right-to-carry States, or those that widely allow concealed