

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 117-33**  
**OFFERED BY \_\_\_\_\_**

Page 21, strike lines 5 through 7 and insert the following:

1       “(4)(A) Except as provided by subparagraph (B),  
2 each member of the Committee shall be appointed for a  
3 two-year term, and may serve not more than three succes-  
4 sive terms.

5       “(B) With respect to the five members who are ini-  
6 tially appointed by the Secretary under subparagraph  
7 (A)(i), the Secretary shall determine the length of the  
8 term of each such member in a manner that ensures the  
9 expiration of the terms on a staggered basis.”.

Page 33, after line 6, insert the following new sub-  
section:

10       (c) **RULE OF CONSTRUCTION.**—Nothing in section  
11 1172(a)(2)(A) of title 38, United States Code, as added  
12 by subsection (a), shall be construed so as to require the  
13 advice and consent of the Senate in the appointment of  
14 members of the Formal Advisory Committee on Toxic Ex-  
15 posure.

Page 41, line 8, insert **“OR THULE, GREENLAND,”** after **“SPAIN,”**.

Page 41, line 13, insert “or Thule” after “Palomares”.

Page 41, line 14, insert “OR THULE” after “PALOMARES”.

Page 41, line 16, strike “clause” and insert “clauses”.

Page 41, after line 23, add the following new clause:

1                   “(vii) Onsite participation in the re-  
2                   sponse effort following the on-board fire  
3                   and crash of a United States Air Force B-  
4                   52 bomber that caused the release of four  
5                   thermonuclear weapons in the vicinity of  
6                   Thule Air Force Base, Greenland, during  
7                   the period beginning January 21, 1968,  
8                   and ending September 25, 1968.”.

Add at the end of title VII the following new sections:

9 **SEC. 7 \_\_\_\_ . VETERANS TOXIC EXPOSURES FUND.**

10 Chapter 3 is amended by adding at the end the fol-  
11 lowing new section:

1 **“§ 324. Veterans Toxic Exposures Fund**

2       “(a) ESTABLISHMENT.—There is hereby established  
3 in the Treasury of the United States an account to be  
4 known as the “Veterans Toxic Exposures Fund” (the  
5 “Fund”), to be administered through the Department of  
6 Veterans Affairs, to provide for investment in the delivery  
7 of veterans’ health care, research, and benefits associated  
8 with hazardous exposure in service.

9       “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to the Fund for fiscal  
11 year 2023 and each subsequent fiscal year such sums as  
12 are necessary to increase funding, over the fiscal year  
13 2021 level for the Veterans Health Administration of the  
14 Department of Veterans Affairs, for any expenses incident  
15 to the delivery of veterans’ health care and benefits associ-  
16 ated with exposure to environmental hazards in service,  
17 including administrative expenses, such as claims proc-  
18 essing and appeals, and for medical research related to  
19 hazardous exposures. Amounts appropriated to the Fund  
20 pursuant to this subsection shall be counted as direct  
21 spending under the Congressional Budget and Impound-  
22 ment Control Act of 1974 and any other Act.

23       “(c) ESTIMATES FOR CONGRESSIONAL CONSIDER-  
24 ATION.—The Secretary shall include in documents sub-  
25 mitted to Congress in support of the President’s budget  
26 submitted pursuant to section 1105 of title 31, United

1 States Code, detailed estimates of the sums described in  
2 subsection (b) for the applicable fiscal year.

3 “(d) PROCEDURES FOR ESTIMATES.—The Secretary,  
4 after consultation with the Committees on Appropriations  
5 of the House of Representatives and the Senate, may es-  
6 tablish policies and procedures for developing the annual  
7 detailed estimates required in subsection (c).”.

8 **SEC. 7\_\_\_ . AUTHORIZATION OF ELECTRONIC NOTICE IN**  
9 **CLAIMS UNDER LAWS ADMINISTERED BY THE**  
10 **SECRETARY OF VETERANS AFFAIRS.**

11 Title 38, United States Code, is amended as follows:

12 (1) By striking section 5100 and inserting the  
13 following:

14 **“§ 5100. Definitions**

15 “In this chapter:

16 “(1) The term ‘claimant’ means any individual  
17 applying for, or submitting a claim for, any benefit  
18 under the laws administered by the Secretary.

19 “(2) The term ‘notice’ means a communication  
20 issued through means (including electronic means)  
21 prescribed by the Secretary.”.

22 (2) In section 5104, by adding at the end the  
23 following new subsection:

24 “(c) The Secretary may provide notice under sub-  
25 section (a) electronically if a claimant (or the claimant’s

1 representative) elects to receive such notice electronically.  
2 A claimant (or the claimant’s representative) may revoke  
3 such an election at any time, by means prescribed by the  
4 Secretary.

5 “(d) The Secretary shall annually—

6 “(1) solicit recommendations from stakeholders  
7 on how to improve notice under this section; and

8 “(2) publish such recommendations on a pub-  
9 licly available website of the Department.”.

10 (3) In section 5104B(c), in the matter pre-  
11 ceding paragraph (1) by striking “in writing” and  
12 inserting “to the claimant (and any representative of  
13 such claimant)”.

14 (4) In section 7104—

15 (A) in the heading, by adding “; **deci-**  
16 **sions; notice**” at the end; and

17 (B) by striking subsection (e) and insert-  
18 ing the following:

19 “(e) After reaching a decision on an appeal, the  
20 Board shall promptly issue notice (as that term is defined  
21 in section 5100 of this title) of such decision to the fol-  
22 lowing:

23 “(1) The appellant.

24 “(2) Any other party with a right to notice of  
25 such decision.

1           “(3) Any authorized representative of the appel-  
2           lant or party described in paragraph (2).

3           “(f) The Secretary may provide notice under sub-  
4           section (e) electronically if a claimant (or the claimant’s  
5           representative) elects to receive such notice electronically.  
6           A claimant (or the claimant’s representative) may revoke  
7           such an election at any time, by means prescribed by the  
8           Secretary.”.

9           (5) In section 7105(b)(1)(A), by striking “mail-  
10          ing” and inserting “issuance”.

11          (6) In section 7105A(a), by striking “mailed”  
12          and inserting “issued”.

13          (7) In section 7266(a), by striking “mailed”  
14          and inserting “issued”.

15 **SEC. 7 \_\_\_\_ . AUTHORIZATION OF APPROPRIATIONS FOR EX-**  
16 **PANSION OF CLAIMS AUTOMATION.**

17          There is authorized to be appropriated to the Sec-  
18          retary of Veterans Affairs \$30,000,000 for fiscal year  
19          2023 to support expected increased claims processing for  
20          newly eligible veterans pursuant to this Act and the  
21          amendments made by this Act by—

22                 (1) supporting the automation of processing  
23                 claims by the Veterans Benefits Administration of  
24                 the Department of Veterans Affairs;

- 1           (2) adding self-service features to the system by
- 2           which individuals file claims;
- 3           (3) removing duplicative efforts regarding the
- 4           processing of claims; and
- 5           (4) reducing the dependency of the Department
- 6           on the legacy claim system.

