

AMENDMENT TO H.R. 4278
OFFERED BY MR. HARDER OF CALIFORNIA

Add after section 6 the following:

1 **SEC. 7. INDEPENDENT ASSESSMENT OF FORMS THAT THE**
2 **SECRETARY OF VETERANS AFFAIRS SENDS**
3 **TO CLAIMANTS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) As of November 2024, the Department of
6 Veterans Affairs reported 961,060 pending claims in
7 its claims inventory.

8 (2) Of the 961,060 pending claims in the claims
9 inventory, the Department of Veterans Affairs re-
10 ported having 231,192 claims in their backlog,
11 meaning that these cases have been pending for
12 more than 125 days since receipt.

13 (3) In addition to the claims backlog, the De-
14 partment of Veterans Affairs has a considerable
15 number of pending appeals. The Department of Vet-
16 erans Affairs reports having 202,717 appeals pend-
17 ing at the end of third quarter for 2024.

18 (4) Appeals represent an additional layer of
19 complexity and delays for veterans seeking benefits.
20 According to the Department of Veterans Affairs'

1 third quarter reports for 2024, the average time-
2 frame for an appeal to be considered complete is 866
3 days for direct review appeals, 1,056 days for evi-
4 dence submission appeals, and 1,089 days for hear-
5 ing-related appeals.

6 (b) AGREEMENT.—Not later than 30 days after the
7 date of the enactment of this Act, the Secretary of Vet-
8 erans Affairs shall seek to enter into an agreement with
9 an FFRDC for an assessment of forms that the Secretary
10 sends to claimants.

11 (c) ASSESSMENT.—An FFRDC that enters to an
12 agreement under subsection (b) shall submit to the Sec-
13 retary a written assessment, made in consultation with
14 covered entities, of such forms. The assessment shall in-
15 clude the recommendations of the FFRDC regarding how
16 the Secretary may make such forms clearer to claimants
17 and better organized.

18 (d) REPORT; IMPLEMENTATION.—Not later than 90
19 days after the Secretary receives the assessment under
20 subsection (c), the Secretary shall—

21 (1) submit to the Committees on Veterans' Af-
22 fairs of the Senate and House of Representatives a
23 copy of such assessment; and

1 (2) implement the recommendations in the as-
2 sessment that are in compliance with the laws ad-
3 ministered by the Secretary.

4 (e) DEADLINE FOR IMPLEMENTATION.—The Sec-
5 retary shall complete the implementation of such rec-
6 ommendations pursuant to subsection (d)(2) by not later
7 than two years after the date on which the Secretary com-
8 mences such implementation.

9 (f) ADDITIONAL REPORT.—Not later than 1 year
10 after the date the Secretary completes implementation of
11 such recommendations under subsection (e), the Secretary
12 shall submit, to Committees on Veterans’ Affairs of the
13 Senate and House of Representatives, a report containing
14 impact-focused data to corroborate the simplification and
15 improvement of the benefits claims experience. Such re-
16 port shall include, at a minimum, data on the average time
17 taken from claim submission to decision and a comparison
18 from before and after form simplification as a result of
19 such implementation.

20 (g) DEFINITIONS.—In this section—

21 (1) the term “claimant” has the meaning given
22 such term in section 5100 of title 38, United States
23 Code;

24 (2) the term “covered entities” includes—

25 (A) the Secretary of Veterans Affairs;

1 (B) an expert in laws administered by the
2 Secretary of Veterans Affairs;

3 (C) a veterans service organization recog-
4 nized under section 5902 of title 38, United
5 States Code; and

6 (D) an entity that advocates for veterans
7 and survivors of veterans; and

8 (3) the term “FFRDC” means a Federally
9 funded research and development center.

