

## HR 2288

Veterans Appeals Improvement and Modernization Act of 2017

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Armed Forces and National Security

**Introduced:** May 2, 2017

**Current Status:** Became Public Law No: 115-55.

**Latest Action:** Became Public Law No: 115-55. (Aug 23, 2017)

**Law:** 115-55 (Enacted Aug 23, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/2288>

### Sponsor

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**Name:** Rep. Bost, Mike [R-IL-12]

**Party:** Republican • **State:** IL • **Chamber:** House

Cosponsors (26 total)

Cosponsor	Party / State	Role	Date Joined
Del. Radewagen, Aumua Amata Coleman [R-AS-At Large]	R · AS		May 2, 2017
Del. Sablan, Gregorio Kilili Camacho [D-MP-At Large]	D · MP		May 2, 2017
Rep. Arrington, Jodey C. [R-TX-19]	R · TX		May 2, 2017
Rep. Banks, Jim [R-IN-3]	R · IN		May 2, 2017
Rep. Bergman, Jack [R-MI-1]	R · MI		May 2, 2017
Rep. Bilirakis, Gus M. [R-FL-12]	R · FL		May 2, 2017
Rep. Brownley, Julia [D-CA-26]	D · CA		May 2, 2017
Rep. Coffman, Mike [R-CO-6]	R · CO		May 2, 2017
Rep. Correa, J. Luis [D-CA-46]	D · CA		May 2, 2017
Rep. Dunn, Neal P. [R-FL-2]	R · FL		May 2, 2017
Rep. Esty, Elizabeth H. [D-CT-5]	D · CT		May 2, 2017
Rep. Higgins, Clay [R-LA-3]	R · LA		May 2, 2017
Rep. Kuster, Ann M. [D-NH-2]	D · NH		May 2, 2017
Rep. O'Rourke, Beto [D-TX-16]	D · TX		May 2, 2017
Rep. Peters, Scott H. [D-CA-52]	D · CA		May 2, 2017
Rep. Poliquin, Bruce [R-ME-2]	R · ME		May 2, 2017
Rep. Rice, Kathleen M. [D-NY-4]	D · NY		May 2, 2017
Rep. Roe, David P. [R-TN-1]	R · TN		May 2, 2017
Rep. Rutherford, John H. [R-FL-4]	R · FL		May 2, 2017
Rep. Takano, Mark [D-CA-41]	D · CA		May 2, 2017
Rep. Titus, Dina [D-NV-1]	D · NV		May 2, 2017
Rep. Walz, Timothy J. [D-MN-1]	D · MN		May 2, 2017
Rep. Wenstrup, Brad R. [R-OH-2]	R · OH		May 2, 2017
Resident Commissioner González-Colón, Jenniffer [R-PR-At Large]	R · PR		May 2, 2017
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		May 16, 2017
Rep. Costello, Ryan A. [R-PA-6]	R · PA		May 16, 2017

Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	House	Reported By	May 19, 2017
Veterans' Affairs Committee	Senate	Discharged From	Aug 1, 2017

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
115 S 1024	Related bill	<b>Jul 10, 2017:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 166.

## **Veterans Appeals Improvement and Modernization Act of 2017**

This bill revises the Department of Veterans Affairs (VA) disability claims appeals system.

(Sec. 2) Specifically, the bill requires the VA to assist with a claim or supplemental claim up until a veteran claimant is provided notice of a decision. Additionally, the VA must assist a veteran during a higher-level review if an adjudicator identifies an error on the part of the agency of original jurisdiction.

The bill also requires the VA to provide a notice of decision to veterans regarding decisions affecting the provision of benefits that includes specific information, such as a summary of the applicable laws and an explanation of how to obtain evidence used in making the decision.

Under the bill, findings that are favorable to the veteran are considered binding unless clear and convincing evidence is shown to rebut the findings.

The bill permits a veteran to appeal a decision within one year by (1) requesting a review of the agency of original jurisdiction's decision by a higher-level adjudicator using the same evidentiary record; (2) filing a supplemental claim with a regional office that includes the opportunity to submit additional evidence and have a hearing; or (3) appealing directly to the Board of Veterans' Appeals, with the opportunity to select an expedited review to submit new evidence but without a hearing, or to select a review with the option to submit new evidence and request a hearing.

The bill authorizes veterans to retain the services of attorneys and accredited agents who charge a fee when the agency of original jurisdiction provides notice of the original decision.

The bill prescribes specific procedures on the filing of a notice of disagreement with the Board of Veterans' Appeals, including form and timing. If no notice of disagreement is filed, the decision becomes final except in certain circumstances.

The bill modifies the maintenance of dockets by the Board of Veterans' Appeals and the procedures for advancing the docket and holding hearings.

The bill sets forth the type of evidence that is permitted in the record for cases with a request for hearing, and also for cases with no request for a hearing. Additionally, the bill requires the Board of Veterans' Appeals to provide written notice to the appellant if the board does not review evidence that the veteran did not submit in time.

The bill requires the VA, prior to full implementation, to certify to Congress that it has sufficient resources and personnel to carry out the existing and updated appeals systems.

(Sec. 3) Under the bill, the VA must submit a comprehensive plan for resolving pending appeals, and implementing the updated appeals system.

(Sec. 4) The bill authorizes the VA to carry out various pilot programs to test the updated appeals system and alternative processes as long as it notifies Congress of such testing.

(Sec. 5) Lastly, the bill requires the VA to publish information on the VA's website regarding the processing of existing appeals and appeals in the updated system.

## Actions Timeline

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- **Aug 23, 2017:** Signed by President.
- **Aug 23, 2017:** Became Public Law No: 115-55.
- **Aug 11, 2017:** Mrs. Comstock asked unanimous consent to take from the Speaker's Table and agree to the Senate amendment.
- **Aug 11, 2017:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to without objection.(consideration: CR H6595-6601; text as House agreed to Senate amendment: CR H6595-6601)
- **Aug 11, 2017:** On motion that the House agree to the Senate amendment Agreed to without objection. (consideration: CR H6595-6601; text as House agreed to Senate amendment: CR H6595-6601)
- **Aug 11, 2017:** Motion to reconsider laid on the table Agreed to without objection.
- **Aug 11, 2017:** Presented to President.
- **Aug 2, 2017:** Message on Senate action sent to the House.
- **Aug 1, 2017:** Senate Committee on Veterans' Affairs discharged by Unanimous Consent.
- **Aug 1, 2017:** Measure laid before Senate by unanimous consent. (consideration: CR S4687)
- **Aug 1, 2017:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Aug 1, 2017:** Passed Senate with an amendment by Unanimous Consent.
- **May 24, 2017:** Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.
- **May 23, 2017:** Mr. Roe (TN) moved to suspend the rules and pass the bill, as amended.
- **May 23, 2017:** Considered under suspension of the rules. (consideration: CR H4457-4466)
- **May 23, 2017:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2288.
- **May 23, 2017:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **May 23, 2017:** Considered as unfinished business. (consideration: CR H4483)
- **May 23, 2017:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 418 - 0 (Roll no. 273).(text: CR H4457-4463)
- **May 23, 2017:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 418 - 0 (Roll no. 273). (text: CR H4457-4463)
- **May 23, 2017:** Motion to reconsider laid on the table Agreed to without objection.
- **May 19, 2017:** Reported by the Committee on Veterans' Affairs. H. Rept. 115-135.
- **May 19, 2017:** Placed on the Union Calendar, Calendar No. 84.
- **May 17, 2017:** Committee Consideration and Mark-up Session Held.
- **May 17, 2017:** Ordered to be Reported by Voice Vote.
- **May 2, 2017:** Introduced in House
- **May 2, 2017:** Referred to the House Committee on Veterans' Affairs.