

117TH CONGRESS
1ST SESSION

H. R. 6131

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to send electronic notice to claimants under laws administered by the Secretary.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 2, 2021

Mrs. LURIA (for herself and Mr. NEHLS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to send electronic notice to claimants under laws administered by the Secretary.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Disability
5 Claims Notification Improvement Act of 2021”.

1 **SEC. 2. AUTHORIZATION OF ELECTRONIC NOTICE IN**
2 **CLAIMS UNDER LAWS ADMINISTERED BY THE**
3 **SECRETARY OF VETERANS AFFAIRS.**

4 (a) AUTHORIZATION.—Title 38, United States Code,
5 is amended as follows:

6 (1) By striking section 5100 and inserting the
7 following:

8 **“§ 5100. Definitions**

9 “In this chapter:

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

13 “(2) The term ‘notice’ means a communication
14 issued through means (including electronic means)
15 prescribed by the Secretary.”.

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

18 “(c) The Secretary may provide notice under sub-
19 section (a) electronically if a claimant (or the claimant’s
20 representative) elects to receive such notice electronically.
21 A claimant (or the claimant’s representative) may revoke
22 such an election at any time, by means prescribed by the
23 Secretary.

24 “(d) The Secretary shall annually—

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

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

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

7 (4) In section 7104—

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

10 (B) by striking subsection (e) and insert-
11 ing the following:

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

16 “(1) The appellant.

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

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

21 “(f) The Secretary may provide notice under sub-
22 section (e) electronically if a claimant (or the claimant’s
23 representative) elects to receive such notice electronically.
24 A claimant (or the claimant’s representative) may revoke

1 such an election at any time, by means prescribed by the
2 Secretary.”.

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

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

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

9 (b) CLERICAL AMENDMENTS.—

10 (1) CHAPTER 51.—The table of sections at the
11 beginning of chapter 51 of such title is amended by
12 striking the item relating to section 5100 and insert-
13 ing the following:

“5100. Definitions.”.

14 (2) CHAPTER 71.—The table of sections at the
15 beginning of chapter 71 of such title is amended by
16 striking the item relating to section 7104 and insert-
17 ing the following:

“7104. Jurisdiction of the Board; decisions; notice.”.

