

113TH CONGRESS
2D SESSION

S. 2296

To require the Secretary of Veterans Affairs to employ at least three decision review officers at each regional office of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2014

Mrs. SHAHEEN introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To require the Secretary of Veterans Affairs to employ at least three decision review officers at each regional office of the Department of Veterans Affairs, and for other purposes.

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 Appeals Im-
5 provement Act of 2014”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Section 7101(a) of title 38, United States
2 Code, requires that the Board of Veterans' Appeals
3 have such number of members and staff as may be
4 found necessary in order to conduct hearings and
5 dispose of appeals properly before the Board in a
6 timely manner.

7 (2) The supporting information submitted along
8 with the budget under section 1105 of title 31,
9 United States Code, for fiscal year 2015 for the De-
10 partment of Veterans Affairs states that appeals re-
11 ceived by the Board of Veterans' Appeals are ex-
12 pected to increase by 52 percent from the 47,763
13 appeals received in 2011 to 72,786 by the end of
14 2015.

15 (3) The annual report of the Board of Vet-
16 erans' Appeals for Fiscal Year 2012 indicates that
17 with 64 members, the Board was able to issue
18 44,300 decisions in that fiscal year.

19 (4) The Board also noted in such report that
20 there is a direct and proportional correlation be-
21 tween the number of members and staff of the
22 Board and the number of decisions they can issue.

1 **SEC. 3. MINIMUM NUMBER OF DECISION REVIEW OFFICERS**
2 **AT REGIONAL OFFICES OF DEPARTMENT OF**
3 **VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act, the Secretary of Vet-
6 erans Affairs shall ensure that not fewer than three deci-
7 sion review officers are employed by the Department of
8 Veterans Affairs at each regional office of the Depart-
9 ment.

10 (b) NOTICE.—

11 (1) IN GENERAL.—In any case in which the
12 number of decision review officers employed by the
13 Department at a regional office of the Department
14 declines to fewer than three after the date that is
15 one year after the date of the enactment of this Act,
16 the Secretary shall submit to the Committee on Vet-
17 erans' Affairs of the Senate and the Committee on
18 Veterans' Affairs of the House of Representatives
19 notice of such decline.

20 (2) CONTENTS.—Notice submitted under para-
21 graph (1) with respect to a regional office of the De-
22 partment shall include the following:

23 (A) The number of decision review officers
24 employed by the Department at such regional
25 office.

1 (B) A plan to increase the number of deci-
2 sion review officers at such regional office to at
3 least three, including an estimate of when at
4 least three decision review officers will be em-
5 ployed at such regional office.

6 (C) A description of the measures that the
7 Secretary plans to take to ensure that appeals
8 properly before the Board of Veterans' Appeals
9 that would normally be disposed of by decision
10 review officers at such regional office are dis-
11 posed of in a timely manner during the period
12 in which fewer than three decision review offi-
13 cers are employed at such regional office.

14 **SEC. 4. REPORT.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of Vet-
17 erans Affairs shall submit to the Committee on Veterans'
18 Affairs of the Senate and the Committee on Veterans' Af-
19 fairs of the House of Representatives a report on the abil-
20 ity of the Board of Veterans' Appeals to conduct hearings
21 and dispose of appeals properly before the Board in a
22 timely manner.

23 (b) CONTENTS.—The report required by subsection
24 (a) shall include the following:

1 (1) Whether the number of members of the
2 Board is sufficient to conduct hearings and dispose
3 of appeals properly before the Board in a timely
4 manner.

5 (2) An assessment of the feasibility and advis-
6 ability of increasing the number of decision review
7 officers by 10, 15, and 25 percent from the number
8 of review officers employed by the Department on
9 the day before the date of the enactment of this Act.

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