

117TH CONGRESS
1ST SESSION

S. 1071

To authorize the Secretary of Veterans Affairs to carry out a pilot program to provide pension claim enhancement assistance to individuals submitting claims for pension from the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 12, 2021

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

A BILL

To authorize the Secretary of Veterans Affairs to carry out a pilot program to provide pension claim enhancement assistance to individuals submitting claims for pension from 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 Application
5 Assistance Inefficiency Decrease Act of 2021” or the “VA
6 AID Act of 2021”.

1 **SEC. 2. PILOT PROGRAM TO PROVIDE CLAIM ENHANCE-**
2 **MENT ASSISTANCE TO INDIVIDUALS SUBMIT-**
3 **TING CLAIMS FOR DEPARTMENT OF VET-**
4 **ERANS AFFAIRS PENSION.**

5 (a) PILOT PROGRAM AUTHORIZED.—Not later than
6 180 days after the date of the enactment of this Act, the
7 Secretary of Veterans Affairs shall commence carrying out
8 a pilot program to assess the feasibility and advisability
9 of providing claim enhancement assistance to individuals
10 applying for pension under subchapter II or III of chapter
11 15 of title 38, United States Code, in order to reduce the
12 backlog of the Department of Veterans Affairs for claims
13 for pension under such chapter and to expedite claims
14 processing by—

15 (1) improving the efficiency of the claims sub-
16 mittal process; and

17 (2) proactively engaging claimants with claim
18 enhancement services prior to submission of their
19 claims.

20 (b) CLAIM ENHANCEMENT ASSISTANCE.—For pur-
21 poses of this subsection, claim enhancement assistance in-
22 cludes, with respect to submitting claims described in sub-
23 section (a), the following:

24 (1) Consultive services to assess and advise
25 claimants based upon a review of each claimant's
26 specific circumstances.

1 (2) Assistance in gathering all necessary sup-
2 porting documentation for the submission.

3 (3) The creation of a fully developed application
4 ready to be submitted to the Pension Management
5 Centers of the Department of Veterans Affairs with
6 postal tracking.

7 (4) Such other assistance and services as the
8 Secretary considers appropriate for purposes of the
9 pilot program.

10 (c) CONTRACT.—The Secretary shall carry out the
11 pilot program by entering into a contract with one eligible
12 entity to provide, as part of the pilot program, claim en-
13 hancement assistance to individuals and spouses applying
14 for pension under subchapter II or III of chapter 15 of
15 title 38, United State Code.

16 (d) ELIGIBLE ENTITIES.—For purposes of this sec-
17 tion, an eligible entity is any entity that—

18 (1) is not part of the Department of Veterans
19 Affairs;

20 (2) specializes in matters relating to one spe-
21 cific benefit exclusively for five or more years that
22 is provided under laws administered by the Sec-
23 retary, such as pension under chapter 15 of such
24 title;

1 (3) does not engage in the promotion or sale of
2 financial products of any type, including annuities;

3 (4) is not affiliated with any entity that is en-
4 gaged in promotion or sale described in paragraph
5 (3);

6 (5) does not manage the assets of veterans or
7 the survivors of veterans;

8 (6) is not a fiduciary (as defined in section
9 5506 of such title) for any person submitting a
10 claim for pension under chapter 15 of such title or
11 in receipt of pension under such chapter;

12 (7) is not a fiduciary under section 5502 of
13 such title;

14 (8) has at least one owner that is recognized by
15 the Secretary under section 5904 of such title as an
16 agent or attorney for the preparation, presentation,
17 and prosecution of claims under laws administered
18 by the Secretary;

19 (9) does not provide health care for a claimant
20 receiving claim enhancement assistance from the en-
21 tity as part of the pilot program; and

22 (10) demonstrates to the Secretary that it has
23 the ability to provide claim enhancement assistance
24 in sufficient volume by having current systems, proc-

1 esses, and procedures in place that are of sufficient
2 scale.

3 (e) DURATION.—The Secretary shall carry out the
4 pilot program during the three-year period beginning on
5 the date of the commencement of the pilot program.

6 (f) REVIEW, STUDY, AND REPORT BY COMPTROLLER
7 GENERAL OF THE UNITED STATES.—Not later than 90
8 days after the date of the completion of the pilot program,
9 the Comptroller General of the United States shall—

10 (1) complete a review of the pilot program;

11 (2) complete a study on the feasibility and ad-
12 visability of permanently extending claim enhance-
13 ment services to individuals and spouses applying for
14 pension under subchapter II or III of chapter 15 of
15 such title; and

16 (3) submit to Congress a report on the findings
17 of the Comptroller General with respect to the re-
18 view conducted under paragraph (1) and the study
19 conducted under paragraph (2).

20 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion shall be construed—

22 (1) to limit the right of a veteran to apply for
23 pension under chapter 15 of title 38, United States
24 Code; or

- 1 (2) to authorize the Secretary to limit such
2 right.

