

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 677
OFFERED BY MR. RUIZ OF CALIFORNIA**

Strike section 5 and insert the following new section:

1 SEC. 5. EXPEDITED PAYMENT OF SURVIVOR'S BENEFITS.

2 (a) IN GENERAL.—Section 5101(a)(1) of title 38,
3 United States Code, is amended—

4 (1) by striking “A specific” and inserting “(A)
5 Except as provided in subparagraph (B), a specific”;
6 and

7 (2) by adding at the end the following new sub-
8 paragraph:

9 “(B)(i) The Secretary may pay benefits under chap-
10 ters 13 and 15 and sections 2302, 2307, and 5121 of this
11 title to a survivor of a veteran who has not filed a formal
12 claim if the Secretary determines that the record contains
13 sufficient evidence to establish the entitlement of the sur-
14 vivor to such benefits.

15 “(ii) For purposes of this subparagraph and section
16 5110 of this title, the earlier of the following dates shall
17 be treated as the date of the receipt of the survivor’s appli-
18 cation for benefits described in clause (i):

1 “(I) The date on which the survivor of a vet-
2 eran (or the representative of such a survivor) noti-
3 fies the Secretary of the death of the veteran
4 through a death certificate or other relevant medical
5 evidence indicating that the death was due to a serv-
6 ice-connected or compensable disability.

7 “(II) The head of any other department or
8 agency of the Federal Government notifies the Sec-
9 retary of the death of the veteran.

10 “(iii) In notifying the Secretary of the death of a vet-
11 eran as described in clause (ii)(I), the survivor (or the rep-
12 resentative of such a survivor) may submit to the Sec-
13 retary additional documents relating to such death without
14 being required to file a formal claim.”.

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than one year
17 after the date of the enactment of this Act, the Sec-
18 retary of Veterans Affairs shall submit to the Com-
19 mittee on Veterans’ Affairs of the Senate and the
20 Committee on Veterans’ Affairs of the House of
21 Representatives a report on benefits paid pursuant
22 to covered claims.

23 (2) CONTENTS.—The report under paragraph
24 (1) shall include the following:

1 (A) The number of covered claims adju-
2 dicated during the one-year period preceding
3 the date of the report, disaggregated by the fol-
4 lowing:

5 (i) Claims in which the claimant
6 claimed entitlement to compensation on the
7 basis of the claimant's status as the spouse
8 of a deceased veteran.

9 (ii) Claims in which the claimant
10 claimed entitlement to compensation on the
11 basis of the claimant's status as the child
12 of a deceased veteran.

13 (iii) Claims in which the claimant
14 claimed entitlement to compensation on the
15 basis of the claimant's status as the parent
16 of a deceased veteran.

17 (B) The number of covered claims that
18 were adjudicated during such period and for
19 which compensation was not awarded,
20 disaggregated by clauses (i) through (iii) of
21 subparagraph (A).

22 (C) A comparison of the accuracy and
23 timeliness of covered claims adjudicated during
24 such period with non-covered claims filed by
25 survivors of a veteran.

1 (D) The findings of the Secretary with re-
2 spect to adjudicating covered claims.

3 (E) Such recommendations as the Sec-
4 retary may have for legislative or administrative
5 action to improve the adjudication of claims
6 submitted to the Secretary for benefits under
7 chapters 13 and 15 and sections 2302, 2307,
8 and 5121 of title 38, United States Code.

9 (3) COVERED CLAIM DEFINED.—In this sub-
10 section, the term “covered claim” means a claim
11 covered by section 5101(a)(1)(B) of title 38, United
12 States Code, as added by subsection (a).

13 (c) EFFECTIVE DATE.—The amendments made by
14 subsection (a) shall apply with respect to claims for bene-
15 fits based on a death occurring on or after the date of
16 the enactment of this Act.

