

119TH CONGRESS
1ST SESSION

H. R. 3834

To amend title 38, United States Code, to clarify the jurisdiction and certain rules of evidence of the Board of Veterans' Appeals.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2025

Mr. BOST introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to clarify the jurisdiction and certain rules of evidence of the Board of Veterans' Appeals.

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 “Protecting Veteran’s
5 Claim Options Act”.

6 **SEC. 2. BOARD OF VETERANS’ APPEALS: JURISDICTION;**
7 **EVIDENCE IN CERTAIN CASES.**

8 (a) JURISDICTION OVER A SUPPLEMENTAL CLAIM.—

9 Section 7104 of title 38, United States Code, is amended,
10 in subsection (a)—

1 (1) by inserting “(1)” before “All questions”;
2 and

3 (2) by adding at the end the following new
4 paragraph:

5 “(2) In an appeal of a decision under section 5108
6 of this title regarding a supplemental claim under section
7 5104C(a)(1)(B) of this title, the Board may not deny re-
8 lief (including by denying review of the merits of the
9 claim) solely on the basis that the appellant did not
10 present or secure new and relevant evidence with respect
11 to such supplemental claim.”.

12 (b) EVIDENCE IN CASES REMANDED TO THE BOARD
13 BY THE COURT OF APPEALS FOR VETERANS CLAIMS.—
14 Section 7113 of title 38, United States Code, is amended
15 by adding at the end the following new subsection:

16 “(d) CASES REMANDED BY THE COURT OF APPEALS
17 FOR VETERANS CLAIMS.—(1) Except as provided in para-
18 graph (2), for cases remanded to the Board by the Court
19 of Appeals for Veterans Claims, the evidentiary record be-
20 fore the Board shall be limited to the evidence previously
21 considered by the Board in such case.

22 “(2) The evidentiary record before the Board for
23 cases described in paragraph (1) shall include evidence
24 submitted by the appellant and his or her representative,

- 1 if any, within 90 days following such remand, which the
- 2 Board shall consider in the first instance.”.

