

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1414
OFFERED BY MS. TITUS OF NEVADA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pay As You Rate Act”.

3 **SEC. 2. INTERIM PAYMENTS OF COMPENSATION BENEFITS**

4 **UNDER LAWS ADMINISTERED BY THE SEC-**

5 **RETARY OF VETERANS AFFAIRS.**

6 (a) IN GENERAL.—Subchapter III of chapter 51 of
7 title 38, United States Code, is amended by adding at the
8 end the following new section:

9 **“§ 5127. Interim payments of compensation benefits**

10 “(a) IN GENERAL.—In the case of a claim described
11 in subsection (b), prior to adjudicating the claim, the Sec-
12 retary shall make interim payments of monetary benefits
13 to the claimant based on any disability for which the Sec-
14 retary has made a decision or, with respect to such a dis-
15 ability that is not compensable, notify the claimant of the
16 rating relating to such disability. Upon the adjudication
17 of the claim, the Secretary shall pay to the claimant any
18 monetary benefits awarded to the claimant for the period

1 of payment under section 5111 of this title less the
2 amount of such benefits paid to the claimant under this
3 section.

4 “(b) CLAIM DESCRIBED.—A claim described in this
5 subsection is a claim for disability compensation under
6 chapter 11 of this title (including a claim regarding an
7 increased rating)—

8 “(1) the adjudication of which requires the Sec-
9 retary to make decisions with respect to two or more
10 disabilities; and

11 “(2) for which, before completing the adjudica-
12 tion of the claim, the Secretary makes a decision
13 with respect to a disability that would result in the
14 payment of monetary benefits to the claimant upon
15 the adjudication of the claim.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by adding
18 at the end of the items relating to such subchapter the
19 following new item:

“5127. Interim payments of compensation benefits.”.

20 **SEC. 3. OBSERVANCE OF VETERANS DAY.**

21 (a) TWO MINUTES OF SILENCE.—Chapter 1 of title
22 36, United States Code, is amended by adding at the end
23 the following new section:

1 **“§ 145. Veterans Day**

2 “The President shall issue each year a proclamation
3 calling on the people of the United States to observe two
4 minutes of silence on Veterans Day in honor of the service
5 and sacrifice of veterans throughout the history of the Na-
6 tion, beginning at—

7 “(1) 3:11 p.m. Atlantic standard time;

8 “(2) 2:11 p.m. eastern standard time;

9 “(3) 1:11 p.m. central standard time;

10 “(4) 12:11 p.m. mountain standard time;

11 “(5) 11:11 a.m. Pacific standard time;

12 “(6) 10:11 a.m. Alaska standard time; and

13 “(7) 9:11 a.m. Hawaii-Aleutian standard
14 time.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for chapter 1 of title 36, United States Code, is amended
17 by adding at the end the following new item:

“145. Veterans Day.”.

18 **SEC. 4. CLAIMS PROCESSORS TRAINING.**

19 (a) ESTABLISHMENT.—The Secretary of Veterans
20 Affairs shall establish a training program to provide newly
21 hired claims processors of the Department of Veterans Af-
22 fairs with training for a period of not less than two years.
23 In carrying out such program, the Secretary shall identify
24 successful claims processors of the Department who can
25 assist in the training of newly hired claims processors.

1 (b) ABILITY TO PROCESS CLAIMS.—The Secretary
2 shall carry out the training program established under
3 subsection (a) without increasing the amount of time in
4 which claims are processed by the Department.

5 (c) EFFECTIVE DATE.—This section shall take effect
6 on the date that is one year after the date of the enact-
7 ment of this Act.

8 **SEC. 5. DEPARTMENT OF VETERANS AFFAIRS NOTICE OF**
9 **AVERAGE TIMES FOR PROCESSING CLAIMS**
10 **AND PERCENTAGE OF CLAIMS APPROVED.**

11 (a) PUBLIC NOTICE.—The Secretary of Veterans Af-
12 fairs shall post the information described in subsection

13 (c)—

14 (1) in a conspicuous place in each regional of-
15 fice and claims intake facilities of the Department of
16 Veterans Affairs; and

17 (2) on the Internet Web site of the Department.

18 (b) NOTICE TO APPLICANTS.—

19 (1) IN GENERAL.—The Secretary shall provide
20 to each person who submits a claim for benefits
21 under the laws administered by the Secretary before
22 the person submits such claim—

23 (A) notice of the information described in
24 subsection (c); and

1 (B) notice that the person is eligible to re-
2 ceive up to an extra year of benefits payments
3 if the person files a claim that is fully devel-
4 oped.

5 (2) ACKNOWLEDGMENT OF RECEIPT OF NO-
6 TICE.—Each person who submits a claim for bene-
7 fits under the laws administered by the Secretary
8 shall include in such application a signed form ac-
9 knowledging that the person received the informa-
10 tion described in subsection (c).

11 (c) INFORMATION DESCRIBED.—

12 (1) IN GENERAL.—The information described in
13 this subsection is the following:

14 (A) The average processing time of the
15 claims described in paragraph (2) and the per-
16 centage of such submitted claims for which ben-
17 efits are awarded.

18 (B) The percentage of each of the fol-
19 lowing types of submitted claims for benefits
20 under the laws administered by the Secretary of
21 Veterans Affairs for which benefits are award-
22 ed:

23 (i) Claims filed by veterans who au-
24 thorized a veterans service organization to

1 act on the veterans' behalf under a durable
2 power of attorney.

3 (ii) Claims filed by veterans who au-
4 thorized a person other than a veterans
5 service organization to act on the veterans'
6 behalf under a durable power of attorney.

7 (iii) Claims filed by veterans who did
8 not authorize a person to act on the vet-
9 erans' behalf under a durable power of at-
10 torney.

11 (2) CLAIMS DESCRIBED.—The claims described
12 in this paragraph are each of the following types of
13 claims for benefits under the laws administered by
14 the Secretary of Veterans Affairs:

15 (A) A fully developed claim that is sub-
16 mitted in standard electronic form.

17 (B) A fully developed claim that is sub-
18 mitted in standard paper form.

19 (C) A claim that is not fully developed that
20 is submitted in standard electronic form.

21 (D) A claim that is not fully developed
22 that is submitted in standard paper form.

23 (E) A claim that is not fully developed that
24 is submitted in non-standard paper form.

1 (3) UPDATE OF INFORMATION.—The informa-
2 tion described in this subsection shall be updated not
3 less frequently than once each fiscal quarter.

