

118TH CONGRESS
1ST SESSION

H. R. 1378

To amend title 38, United States Code, to establish an internship program within the Board of Veterans' Appeals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2023

Mr. CISCOMANI (for himself, Mr. MCGARVEY, Mrs. MILLER-MEEKS, Mrs. KIGGANS of Virginia, and Ms. BUDZINSKI) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish an internship program within the Board of Veterans' Appeals, 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; TABLE OF CONTENTS.**

4 This Act may be cited as the “Veterans’ Appeals
5 Backlog Improvement Act”.

1 **SEC. 2. BOARD OF VETERANS' APPEALS INTERNSHIP PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Chapter 71 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 7114. Internship program**

7 “The Secretary shall establish a competitive intern-
8 ship program within the Department for the purpose of
9 providing an opportunity for high-achieving students at
10 law schools accredited by the American Bar Association
11 to gain experience with the Board.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 71 of such title is amended
14 by adding at the end the following new item:

“7114. Internship program.”.

15 (c) DEADLINE.—The Secretary of Veterans Affairs
16 shall establish the internship program required by section
17 7114 of such title, as added by subsection (a), not later
18 than one year after the date of the enactment of this Act.

19 **SEC. 3. PILOT PROGRAM ON ESTABLISHMENT OF DEPART-**
20 **MENT OF VETERANS AFFAIRS HONORS PRO-**
21 **GRAM.**

22 (a) ESTABLISHMENT.—Not later than one year after
23 the date of the enactment of this Act, the Secretary of
24 Veterans Affairs shall establish a nine-year pilot program
25 under which the Secretary shall carry out a competitive

1 honors program within the Department of Veterans Af-
2 fairs for the purpose of recruiting high-achieving law
3 school students, recent law school graduates, and entry-
4 level attorneys for employment with the Department.

5 (b) QUALIFICATIONS.—To be eligible to participate
6 in the competitive honors program under the pilot pro-
7 gram, an individual shall have graduated from a law
8 school accredited by the American Bar Association and
9 shall be a member in good standing of the bar of a state,
10 territory, or the District of Columbia. The Secretary shall
11 give priority consideration in application for the honors
12 program to individuals who successfully complete the in-
13 ternship program established under section 7114 of title
14 38, United States Code, as added by section 2(a).

15 (c) STUDENT LOAN REPAYMENT BENEFITS.—

16 (1) IN GENERAL.—Subject to an agreement
17 under paragraph (2), the Secretary shall provide
18 student loan repayment benefits under section 5379
19 of title 5, United States Code, to each participant in
20 the pilot program who is eligible for student loan re-
21 payment benefits under such section.

22 (2) PARTICIPANT AGREEMENT.—The Secretary
23 shall enter into an agreement with each participant
24 in the pilot program who will receive benefits de-

1 scribed in paragraph (1), in accordance with such
2 section. Each such agreement shall specify that—

3 (A) the participant agrees to remain in the
4 service of the Department for a period of not
5 less than three years, unless involuntarily sepa-
6 rated, in accordance with subsection (c) of such
7 section; and

8 (B) if separated involuntarily on account
9 of misconduct, or voluntarily, before the end of
10 the period specified in the agreement, the par-
11 ticipant shall repay to the Government the
12 amount of any benefits received by the indi-
13 vidual from the Department in accordance with
14 subsection (c) of such section 5379.

15 (d) PROFESSIONAL DEVELOPMENT ACTIVITIES.—

16 (1) ASSIGNMENT OF MENTORS.—Not later than
17 90 days after the date on which an individual begins
18 participating in the pilot program established under
19 subsection (a), the Secretary shall assign the partici-
20 pant a mentor who is an employee of the Depart-
21 ment who is—

22 (A) to the extent practicable, a managerial
23 employee; and

24 (B) outside the participant's chain of com-
25 mand.

1 (2) ASSIGNMENTS TO OFFICE OF GENERAL
2 COUNSEL.—The Secretary shall provide each partici-
3 pant in the pilot program at least one assignment
4 within the Office of General Counsel of the Depart-
5 ment that includes full-time legal responsibilities in
6 order to further the professional development of the
7 participant. Such assignment shall be for a period of
8 not less than 120 days and not more than 180 days,
9 or longer at the discretion of the Secretary.

10 (3) OTHER ROTATIONAL ASSIGNMENTS.—The
11 Secretary may provide a participant in the pilot pro-
12 gram one or more other short-term rotational as-
13 signments. Such an assignment shall be for a period
14 of not less than 30 days and not more than 180
15 days, at the discretion of the Secretary.

16 (e) PERIODIC REPORTS.—

17 (1) REPORTS REQUIRED.—Not later than three
18 years after the date on which the Secretary first ac-
19 cepts a participant into the competitive honors pro-
20 gram carried out under the pilot program, and not
21 less frequently than once every three years there-
22 after for the duration of the pilot program, the Sec-
23 retary shall submit to the Committee on Veterans'
24 Affairs of the Senate and the Committee on Vet-
25 erans' Affairs of the House of Representatives a re-

1 port on the findings of the Secretary with respect to
2 the pilot program.

3 (2) CONTENTS.—Each report submitted under
4 paragraph (1) shall include the following:

5 (A) The findings of the Secretary with re-
6 spect to the feasibility and advisability of estab-
7 lishing a permanent competitive honors pro-
8 gram within the Department.

9 (B) Such recommendations as the Sec-
10 retary may have for legislative or administrative
11 action to improve recruitment and retention of
12 staff at the Department.

13 **SEC. 4. REPORT ON IMPROVING ACCESS TO BOARD OF VET-**
14 **ERANS' APPEALS TELEHEARINGS.**

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 improv-
20 ing access to hearings before the Board of Veterans' Ap-
21 peals held by picture and voice transmission.

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

24 (1) Recommendations on the feasibility and ad-
25 visability of reimbursing veterans for expenses in-

1 curred for travel from the home of a veteran to the
2 location at which a hearing before the Board of Vet-
3 erans' Appeals is held by picture and voice trans-
4 mission, if the Secretary determines that travel to
5 such location is reasonably necessary for such a
6 hearing.

7 (2) Recommendations on establishment of pilot
8 programs to assess the feasibility and advisability of
9 using other methods that could improve veteran ac-
10 cess to hearings before the Board of Veterans' Ap-
11 peals held by picture and voice transmission from a
12 veteran's home.

13 (3) Such other recommendations to improve ac-
14 cess to hearings before the Board of Veterans' Ap-
15 peals held by picture and voice transmission as the
16 Secretary may receive from stakeholders.

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