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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To require the Secretary of Veterans Affairs to establish, build, and operate a technology platform to modernize the disability claims process in accordance with the plan submitted by the Secretary under the Honoring our PACT Act of 2022 for the modernization of information technology systems of the Veterans Benefits Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BARRETT introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Secretary of Veterans Affairs to establish, build, and operate a technology platform to modernize the disability claims process in accordance with the plan submitted by the Secretary under the Honoring our PACT Act of 2022 for the modernization of information technology systems of the Veterans Benefits Administration, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “VA Claims AI Ac-
3 countability Act”.

4 **SEC. 2. MODERNIZATION OF INFORMATION TECHNOLOGY**
5 **SYSTEMS OF THE VETERANS BENEFITS AD-**
6 **MINISTRATION.**

7 (a) PROGRAM REQUIRED.—To fulfill the moderniza-
8 tion objectives of section 701(b) of the Honoring our
9 PACT Act of 2022 (Public Law 117–168; 38 U.S.C. 324
10 note), and subject to the requirements and limitations of
11 this Act, the Secretary of Veterans Affairs, acting through
12 the responsible official described in subsection (b), shall
13 establish a program to design, build, implement, and oper-
14 ate a technology platform, leveraging existing agreements
15 where practicable, to modernize the disability claims proc-
16 ess of the Department of Veterans Affairs in a manner
17 that reduces operational waste and strengthens internal
18 accountability.

19 (b) RESPONSIBLE OFFICIAL.—The responsible offi-
20 cial described in this subsection is the Assistant Secretary
21 for Information and Technology (serving as the Chief In-
22 formation Officer of the Department as described in sec-
23 tion 5723(b) of title 38, United States Code), in consulta-
24 tion with the Under Secretary for Benefits and the Chief
25 Acquisition Officer of the Department.

1 (c) OBJECTIVES.—The program established under
2 subsection (a) shall focus on the following objectives:

3 (1) Improving the overall veteran experience.

4 (2) Increasing efficiency and accuracy in the
5 claims processing workflow.

6 (3) Improving system architecture and resil-
7 iency.

8 (4) Improving data infrastructure and inter-
9 operability.

10 (5) Improving employee efficiency and user ex-
11 perience.

12 (d) REQUIREMENTS RELATING TO AUTOMATION AND
13 HUMAN DECISION-MAKING.—The Secretary shall ensure
14 that the program established under subsection (a) is car-
15 ried out, and the technology platform is designed and
16 built, in a manner that ensures that—

17 (1) automation of any claims analysis or deter-
18 mination process includes human review of indi-
19 vidual conditions claimed for benefits; and

20 (2) employees of the Department continue to
21 make all final decisions with respect to the approval
22 of claims and the granting of benefits.

23 (e) DATA RIGHTS.—The Secretary shall ensure that
24 the Department retains unlimited rights in technical data,
25 as described in section 2302 of title 41, United States

1 Code, in connection with the program and technology plat-
2 form, including information, source datasets, application
3 programming interfaces, and derivative technological out-
4 puts generated under the technology platform.

5 (f) DATA INTEROPERABILITY.—The Secretary shall
6 ensure that the technology platform establishes and main-
7 tains direct, automated data interoperability between and
8 among the Veterans Health Administration, the Veterans
9 Benefits Administration, and the Department of Defense.

10 (g) FEDRAMP CATEGORIZATION.—The Secretary
11 shall ensure that the technology platform is categorized
12 under the Federal Risk and Authorization Program at the
13 “high impact” categorization level (or an equivalent cat-
14 egorization level, if the categorization levels are revised).

15 **SEC. 3. ARTIFICIAL INTELLIGENCE GOVERNANCE.**

16 (a) FRAMEWORK REQUIRED.—The Secretary of Vet-
17 erans Affairs shall establish a comprehensive framework
18 governing the use of artificial intelligence by the program
19 and technology platform required by section 2(a).

20 (b) FRAMEWORK REQUIREMENTS.—The framework
21 established under subsection (a) shall—

22 (1) advance the objectives set forth in section
23 2(c);

24 (2) ensure that the use of artificial intelligence
25 in disability claims processing does not reduce or in-

1 fringe upon the due process rights of any applicant
2 for benefits; and

3 (3) clearly define and establish the technical
4 and operational boundaries between standard auto-
5 mation (such as robotic process automation) and ar-
6 tificial intelligence (as such term is defined in sec-
7 tion 5002 of the National Artificial Intelligence Ini-
8 tiative Act of 2020 (15 U.S.C. 9401)); and

9 (c) RESPONSIBLE OFFICIAL.—The Secretary shall
10 designate the Chief Artificial Intelligence Officer of the
11 Department, in consultation with the Chief Information
12 Officer of the Department, as the primary official respon-
13 sible for approving and strictly enforcing compliance with
14 the framework.

15 **SEC. 4. CONGRESSIONAL OVERSIGHT.**

16 (a) REPORT.—Not later than one year after the date
17 of the enactment of this Act, the Secretary shall submit
18 to the appropriate congressional committees a report on
19 the program established under section 2(a). The report
20 shall include—

21 (1) a comprehensive, independent life-cycle cost
22 estimate for the program, in accordance with the
23 publication of the Government Accountability Office
24 titled “Cost Estimating and Assessment Guide: Best

1 Practices for Developing and Managing Program
2 Costs” and dated March 2020 (GAO–20–195G);

3 (2) a summary of the activities conducted pur-
4 suant to this Act;

5 (3) an assessment of the performance and effec-
6 tiveness of the program in meeting its operational
7 goals; and

8 (4) for each artificial intelligence agent that
9 provides responses used in disability claims proc-
10 essing, the average degree of confidence that the
11 agent has in the correctness of the responses it pro-
12 vides, as determined by—

13 (A) identifying, for each such response, the
14 degree of confidence (commonly referred to as
15 the “confidence score”) associated with such re-
16 sponse; and

17 (B) calculating the arithmetic mean of all
18 such confidence scores.

19 (b) BRIEFINGS.—The Secretary shall provide quar-
20 terly briefings to the appropriate congressional committees
21 on the program. The briefings shall include—

22 (1) the cost savings achieved by automation
23 under the program;

24 (2) updates made to the policies established
25 under the program; and

1 (3) measurable progress on the customization of
2 the technology platform.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this section, the term “appropriate congres-
5 sional committees” means the Committee on Veterans’ Af-
6 fairs of the House of Representatives and the Committee
7 on Veterans’ Affairs of the Senate.

8 **SEC. 5. INDEPENDENT EVALUATION BY THE COMP-**
9 **TROLLER GENERAL.**

10 (a) INDEPENDENT EVALUATION REQUIRED.—The
11 Comptroller General of the United States shall conduct
12 an independent evaluation of the program and submit to
13 the appropriate congressional committees a report on the
14 results of the evaluation. The report shall include—

15 (1) the performance metrics established by the
16 Secretary to evaluate the program established under
17 section 2; and

18 (2) the effectiveness of the program established
19 under section 2 in meeting the objectives described
20 in section 2(c).

21 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
22 DEFINED.—In this section, the term “appropriate con-
23 gressional committees” means the Committee on Vet-
24 erans’ Affairs of the House of Representatives and the
25 Committee on Veterans’ Affairs of the Senate.

1 **SEC. 6. TERMINATION.**

2 The program established under section 2, including
3 the authority to operate the technology platform, shall ter-
4minate on October 1, 2028.