

## As created by Honoring Our PACT Act

### **38 U.S.C. § 1167. Reevaluation of compensation determinations pursuant to changes in presumptions of service connection**

(a) REEVALUATION.—Except as provided in subsection (b), whenever a law, including through a regulation or Federal court decision, establishes or modifies a presumption of service connection, the Secretary shall—

(1) identify all claims for compensation under this chapter that—

(A) were submitted to the Secretary;

(B) were evaluated and denied by the Secretary before the date on which such provision of law went into effect; and

(C) might have been evaluated differently had the establishment or modification been applicable to the claim;

(2) allow for the reevaluation of such claims at the election of the veteran; and

(3) with respect to claims approved pursuant to such reevaluation, provide compensation under this chapter effective as if the establishment or modification of the presumption of service connection had been in effect on the date of the submission of the original claim described in paragraph (1).

(b) OUTREACH.—With respect to each claim identified under subsection (a), the Secretary shall conduct outreach to inform relevant veterans that they may elect to have a claim be reevaluated in light of the establishment or modification of a presumption of service connection described in such subsection. Such outreach shall include the following:

(1) The Secretary shall publish on the internet website of the Department a notice that such veterans may elect to have a claim so reevaluated.

(2) The Secretary shall notify, in writing or by electronic means, veterans service organizations of the ability of such veterans to elect to have a claim so reevaluated.

(c) RELATION TO OTHER LAWS.—The Secretary shall carry out subsection (a) to the degree that doing so does not conflict with any other provision of law.