



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

June 26, 2002

The Honorable Lane Evans
Ranking Democratic Member
Committee on Veterans' Affairs
U.S. House of Representatives
Washington, DC 20515

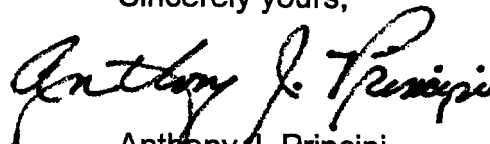
Dear Congressman Evans:

I am writing in response to your letter expressing concern about the Department of Veterans Affairs' (VA) handling of appeals remanded by the Board of Veterans' Appeals (BVA). Appeals are a component of VA's core responsibility, and I share your concern over this issue. The enclosed fact sheet responds directly to your request for information and provides detailed information about VA's efforts to comply with the provisions of Public Law 103-446, which mandates the expeditious handling of remands.

In recent months, VA has successfully reduced the number of pending appeals remanded by BVA. From February 27, 2002, to June 18, 2002, the number of pending appeals that had been remanded by BVA prior to October 1, 2000, dropped from 13,805 to 10,997, a decrease of 20 percent. I recognize that it is critical for VA to reduce the number of remanded appeals. Additional directives were recently issued to regional offices to support this effort. Additionally, initiatives recommended by the Claims Processing Task Force are being implemented that will further improve our efforts.

The Department is committed to addressing the claims backlog. I look forward to working with you to provide the best service possible to veterans and their dependents.

Sincerely yours,


Anthony J. Principi

Enclosures

Fact Sheet Regarding the Expeditious Handling of BVA Remands, in Accordance with Public Law 103-446

Requests 1 and 2: All currently in effect timetables which have been established for monitoring compliance with the expedited consideration mandate. All manual instructions, directives, or other guidance which have been provided to regional offices regarding the requirement for providing expedited consideration.

Response: Public Law 103-446 requires expedited treatment of remanded appeals. VBA manual instructions that support this requirement (M21-1, Part II, Paragraphs 7.02 and 7.03 and M21-1, Part IV, Paragraphs 8.43 and 38.02) are enclosed.

Also enclosed are copies of additional directives which were recently provided to regional offices related to reducing appeals, specifically focusing on BVA remands.

The Office of Field Operations (OFO) issued OFO Letter 201-02-38 dated February 20, 2002, which established monthly production targets for appellate actions. It doubled the number of certified appeals and cases previously remanded by BVA, that must be sent to BVA.

The Director of Compensation & Pension (C&P) Service issued C&P Fast Letter 02-09 dated April 9, 2002, that stressed the importance of appeals workload management and the expeditious processing of appeals. Regional offices were advised that they must devote sufficient staff to the appellate workload and pay greater attention to the individual processing stages for appeals. Service Center Management was also instructed to conduct a Systematic Analysis of Operations pertaining to appeals processing.

Request 3: Information concerning the person or persons responsible at each regional office for assuring compliance with the expedited consideration requirement.

Response: All regional office employees involved with remanded appeals are responsible for their timely processing. In particular, service center managers and directors are responsible for ensuring the expeditious processing of remanded appeals. To assist with appeals management, all regional offices are required to have a Veterans Appeals Control and Locator System (VACOLS) coordinator. A copy of Circular 20-99-5, which provides the names of the VACOLS coordinators at each facility, is enclosed. C&P Service and the Office of Field Operations are responsible for monitoring regional offices' effectiveness.

Request 4: Any special procedures instituted to implement the legal requirement.

Response: In response to recommendations by the VA Claims Processing Task Force, BVA and VBA have collaborated to reduce the pending appeals workload. BVA attorneys visited many regional offices and worked on 3,000 appeals remanded prior to 1998. In addition, since February 2002, BVA attorneys reviewed and provided development instructions on 1,000 cases through the "mail-in-program" (regional offices send their oldest cases to BVA).

Other initiatives to improve the timeliness of appeals processing are currently underway. In February 2002, BVA began performing the necessary additional development on appellants' claims, rather than remanding the claims to regional offices for development (Task Force recommendation S-7). VBA established an awards processing unit collocated within BVA to support this effort. The Claims Processing Improvement Model (Task Force recommendation S-8) will result in the establishment of an appeals team at each regional office. This will focus greater attention on the timely processing of appeals.

Request 5: Information concerning the methods used by the Veterans' Benefits Administration to assure compliance with the expedited consideration requirement and the effectiveness of such methods.

Response: Regional offices must assess their appeals workload and appeals processing timeliness using the COIN DOOR reports (which show the number of completed appeals under EPs 070 and 172) and the VACOLS reports (which show the age and amount of the pending appeals workload). C&P Service and the Office of Field Operations monitor these indicators on a monthly basis. Stations are expected to meet the production targets for appellate actions established in OFO letter 201-02-38. Overtime has been targeted for this purpose and is being made available one weekend per month for those stations successful in achieving their targets.

To help ensure compliance with the expedited consideration mandate, timely processing of remanded appeals has been made part of the Directors' Performance Standards. Station site visits conducted by C&P Service also help to enforce this mandate.

Full implementation of the Claims Processing Improvement Model, which all regional offices must complete by September 30, 2002, will increase the effectiveness of all current directives by requiring the establishment of a team devoted to appeals processing at all regional offices.

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