

Statement for the Record on the Department of Veterans Affairs Backlog
Senator Robert P. Casey, Jr.

The Department of Veterans Affairs (VA) is currently facing a disability claims backlog that has been a persistent and inexcusable problem. This backlog has been an issue for over twenty years as spikes in demands outpaced the VA's capacity. It is our duty to protect those who have protected this country. Our Nation's heroes shouldn't have to wait for months or more for their claims to be addressed. It is unacceptable that some veterans in Pennsylvania have waited a year or longer to get their disability claims processed. We must honor the valor of the men and women who served our country by acting to address this recurring issue. Our gratitude upon their return home must be reflected in our commitment to helping all those who have served, especially those who have suffered injuries of war. We currently have the resources to assist our veterans, however, too often we hear about the delay in the disability claims process. This is unacceptable.

We need a commonsense, bipartisan approach to bring all parties together to research and try and solve this national problem. That is why in July of 2013; Senator Heller and I established the bipartisan VA Backlog Working Group. Through this Working Group, we met with a variety of stakeholders to take a deeper look at this issue.

There are many things that can be done to assist the VA in addressing this issue. Secretary Shinseki and the employees at the VA have done an excellent job trying to bring down the backlog but we need to ensure they continue this progress. We must work to bring the VA benefits system into a 21st century delivery system.

By refining management practices in the Veterans Affairs Regional Offices and modifying current procedures, the VA can serve our veterans more quickly. We need to ensure that the VA has the adequate resources needed to implement these changes. In order to accomplish these goals, a greater demand for cooperation from federal agencies is required to obtain the necessary information and cooperation is needed from the VBA employees to quickly process information.

While the VA has done many commendable things to improve this backlog, we must continue to help them to serve our country's veterans as quickly as possible. My legislation with Senator Heller, will help to solve this problem. The 21st Century Veterans Benefits Delivery Act will ensure that all parts of this process, from the veteran to the government agencies, cooperate in providing benefits to the veterans who have earned them. Veterans deserve a comprehensive and permanent solution to this problem, and our hope is that this legislation will ensure we reach that goal.

***Statement of Senator Dean Heller before the
Senate Judiciary Committee's
Oversight, Federal Rights, and Agency Action Subcommittee
on "Access to Justice for Those Who Serve"
Thursday, March 27, 2014***

Thank you Chairman Blumenthal and Ranking Member Hatch for holding this hearing today.

One of our roles and responsibilities as Members of Congress is exerting oversight over federal agencies. An agency that I have focused on as a member of the Senate Veterans' Affairs Committee has been the Department of Veterans Affairs, and specifically, this agency's inability to process Veterans' claims in a timely manner.

This is an issue that impacts hundreds of thousands of our nation's Veterans, and I have been pleased to work with a bipartisan group of my Senate colleagues—Senators Casey, Moran, Heinrich, Vitter, and Tester—to address this problem.

In 2009, the VA committed to Veterans that they would receive a decision on their disability claim within 125 days; yet, nearly 400,000 Veterans nationwide, including 4,200 in my home state of Nevada, are waiting longer than the VA's 125-day deadline for their claim to be completed.

While it is easy to point fingers and place blame, I believe it is time for Congress to further engage on this issue beyond just oversight of the VA's efforts.

Seven months ago, Senator Casey (D-PA) and I established a VA Backlog Working Group to analyze the current problems facing the VA so that we could generate solutions that would help the VA reduce the claims backlog.

What became clear is that the backlog of claims is not new; it has been an issue plaguing the VA for two decades. Despite recommendations from numerous reports from the VA's Inspector General, the Government Accountability Office, and Blue Ribbon Commissions, the VA continues to face this problem because it is operating under a 1945 system in the 21st century.

Unless the claims process is overhauled, the VA will continue to see surges in claims that result in a backlog.

That is why I, along with Senators Casey, Moran, Heinrich, Vitter, and Tester, introduced the bipartisan 21st Century Veterans Benefits Delivery Act (S. 2091) and the VA Backlog Working

Group March 2014 Report to provide a full picture of the claims process and propose solutions to help the VA reach its goal of eliminating the backlog by 2015.

The 21st Century Veterans Benefits Delivery Act addresses three aspects of the claims process: claims submission, VA Regional Office (VARO) practices, and federal agency responses to VA requests.

First, Veterans must be given every tool to understand the claims process and what they can do to provide information that the Veterans Benefits Administration (VBA) needs by law to process the claim efficiently and accurately. To accomplish this, the legislation proposes improving education of the claims process and claims submission; increasing access to Veterans Service Organizations to assist the Veteran; and incentivizing and encouraging Veterans to submit fully developed claims.

If Veterans are fully informed, they will be better equipped to provide the necessary information that will allow the VA to move the claim through the system faster.

Second, the VAROs must implement efficient processes so that claims can be quickly processed, particularly as the VBA transitions to an electronic claims processing environment. I believe the workforce at each VARO is capable of tackling this enormous task, provided they have the resources and guidance that is consistent throughout the VBA.

Improvements to the current practices include analyzing consistency and accountability of VARO management; implementing process changes that allow claims to move quickly through an electronic system; and improving the transparency of the size and scope of the current backlog.

Third, and lastly, other federal agencies must make VA records request a priority. Files at other departments within the VA or at outside agencies are targeted as a reason for delays in the claims process. The VA is trying to become a 21st Century benefits delivery service for our Veterans, but cannot award claims when they lack evidence. In order to obtain this evidence, the VA and outside agencies must establish efficient processes for transferring records and set deadlines for such transfers, as well as ensure VBA employees are processing this information it receives in a timely fashion.

While there is no silver bullet that is going to fix this problem overnight, implementing these bipartisan, common sense proposals will help improve the current system and reduce the number of days it takes the VA to process claims accurately.

As this Subcommittee considers Congressional accountability over and action by federal agencies, I hope you will also consider the role that Congress plays in assisting the VA in reaching a goal that I believe is shared by every Member of Congress, the VA, the Veterans Service Organizations, and Veterans.

Thank you again Chairman Blumenthal and Ranking Member Hatch. I look forward to working with you and the rest of my colleagues to address this issue critical to America's Veterans who volunteered to serve and sacrifice to protect our freedom.

United States Senate

WASHINGTON, DC 20510

April 29, 2013

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We are writing to request that you take direct action and involvement in ending the current Department of Veterans Affairs (VA) disability claims backlog.

After a decade of war, and despite the VA's efforts to modernize, more than 600,000 veterans are still stuck in the VA's disability claims backlog. While the average wait time for first time disability claims currently ranges between 316 and 327 days, veterans in certain parts of the country are waiting even longer – 681 days in Reno, 642 in New York, 625 in Pittsburgh, 619 in Los Angeles, 612 in Indianapolis, 586 in Houston, and 510 in Philadelphia. In the worst cases, veterans have waited and continue to wait 800 days, 900 days, and even more than 1000 days for a disability claims decision from the VA.

In the last four years, the number of claims pending for over a year has grown by over 2000%, despite a 40% increase in the VA's budget. As a reminder, during this same time period, Congress has given VA everything it has asked for in terms of more funding and more employees; however, this has not eliminated the backlog of claims. Solving this problem is critical for veterans of all generations. We need direct and public involvement from you to establish a clear plan to end the backlog once and for all.

This country must be grateful for the safe homecoming of every single man and woman who has served in harm's way. Our joy at their return must be reflected in our commitment to helping all who have served. We respectfully ask you and your administration to find a solution that ensures that no veterans are stuck in the VA backlog.

Thank you for your consideration of this matter.

Sincerely,

Bob Casey, Jr.

Tom Harkin

Mark R. Werner

Kirsten E. Gillibrand

Angus King

Elizabeth Warren

Joe Donnelly

Tom Harkin

Ron Paul

Janis P. Risch

John McCain

Lucretia Johnson

Pat Romney

Kay Hens

Jimmy Babbie

Sally Chaudhry

Michael B. Enzi

Jerry Moran

Jeff Sessions

Mitch McConnell

Paul Begala

James L. Boren

John Bozman

Jeffrey A. Mackley

Maria Cantwell
Diana Feinstein

Ma R

Chuck Grassley

Quinn Hatch

Pat Roberts

Frank R. Lautenberg
Peggy Stevenson

Tom Carper

Tim Wirth

Jeanne Shaheen
Clara Kim

Robert Menendez

Shirley

Jay Byrnes

Cara McCasill

John Cornyn

Ben Cardin

Bob Murray

Migui & Arino

Ted G

Paul Baker

Ron Wyder

Mike Crozer

Lyndy Wick

Mark Royce

John Stone

Kay L. Hagan

Susan Collins

Heidi Herkberg

Tom Hanki

Brian Schlegel

Bill Nelson

Steve Aulin

Lee Neuharth

Jon Tost

Richard Obman Ref

Lee Neuharth

Harry Reid

Frank

Rob Portman

Kelly A. Ayotte

Jim