

107TH CONGRESS  
1ST SESSION

# S. 1656

To provide for the improvement of the processing of claims for veterans compensation and pension, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2001

Mr. FEINGOLD (for himself and Mr. HATCH) introduced the following bill;  
which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To provide for the improvement of the processing of claims  
for veterans compensation and pension, 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.**

4       This Act may be cited as the “Veterans Benefits Ad-  
5       ministration Improvement Act of 2001”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) The Veterans Benefits Administration of  
9       the Department of Veterans Affairs is responsible

1 for the timely and accurate processing of claims for  
2 veterans compensation and pension.

3 (2) The accuracy of claims processing within  
4 the Veterans Benefits Administration has been a  
5 subject of concern to veterans, Congress, and the  
6 Department of Veterans Affairs.

7 (3) While the Veterans Benefits Administration  
8 has reported in the past a 95 percent accuracy rate  
9 in processing claims, a new accuracy measurement  
10 system known as the Systematic Technical Accuracy  
11 Review found that, in 1998 and again in 2000, ini-  
12 tial reviews of veterans claims were accurate only 64  
13 percent of the time.

14 (4) The Veterans Benefits Administration could  
15 lose up to 30 percent of its workforce to retirement  
16 by 2003, making adequate training for claims adju-  
17 dicators even more necessary to ensure veterans  
18 claims are processed efficiently.

19 (5) The Veterans Benefits Administration needs  
20 to take more aggressive steps to ensure that vet-  
21 erans claims are processed in an accurate and timely  
22 fashion so as to avoid unnecessary delays in pro-  
23 viding veterans with compensation and pension bene-  
24 fits.

1           (6) In 2001 the expected appeals processing  
2           time for a claim from notice of disagreement to final  
3           decision is 621 days.

4           (7) As of September 2001, the Veterans Bene-  
5           fits Administration backlog of pending work was  
6           533,029 claims.

7   **SEC. 3. IMPROVEMENT OF PROCESSING OF VETERANS BEN-**  
8                           **EFITS CLAIMS.**

9           (a) PLAN REQUIRED.—Not later than 90 days after  
10          the date of enactment of this Act, the Secretary of Vet-  
11          erans Affairs shall submit to the Committees on Veterans'  
12          Affairs of the Senate and the House of Representatives,  
13          the Majority Leader of the Senate, and the Speaker of  
14          the House of Representatives a comprehensive plan for the  
15          improvement of the processing of claims for veterans com-  
16          pensation and pension.

17          (b) ELEMENTS.—The plan under subsection (a) shall  
18          include the following:

19               (1) Mechanisms for the improvement of train-  
20               ing of claims adjudicators and for the enhancement  
21               of employee accountability standards in order to en-  
22               sure that initial reviews of claims are accurate and  
23               that unnecessary appeals of benefit decisions and  
24               delays in benefit payments are avoided.

1           (2) Mechanisms for strengthening the ability of  
2           the Veterans Benefits Administration to identify re-  
3           curring errors in claims adjudications by improving  
4           data collection and management relating to—

5                   (A) the human body and impairments com-  
6                   mon in disability and pension claims; and

7                   (B) recurring deficiencies in medical evi-  
8                   dence and examinations.

9           (3) Mechanisms for implementing a system for  
10          reviewing claims processing accuracy that meets the  
11          internal control standard of the Federal Government  
12          on separation of duties and the program perform-  
13          ance audit standard of the Federal Government on  
14          organizational independence.

15          (4) Mechanisms for evaluating the impact of  
16          the Training and Performance Support System on  
17          the accuracy and consistency of claims processing.

18          (5) Quantifiable goals for each of the mecha-  
19          nisms developed under paragraphs (1) through (4).

20          (c) CONSULTATION.—In developing the plan under  
21          subsection (a), the Secretary shall consult with and obtain  
22          the views of veterans organizations, county veteran service  
23          associations, and other interested parties.

24          (d) IMPLEMENTATION.—The Secretary shall imple-  
25          ment the plan under subsection (a) commencing 60 days

1 after the date of the submittal of the plan under that sub-  
2 section.

3 (e) MODIFICATION.—(1) The Secretary may modify  
4 the plan submitted under subsection (a).

5 (2) Any modification under paragraph (1) shall not  
6 take effect until 30 days after the date on which the Sec-  
7 retary submits to the Committees on Veterans' Affairs of  
8 the Senate and the House of Representatives, the Majority  
9 Leader of the Senate, and the Speaker of the House of  
10 Representatives a notice regarding such modification.

11 (f) REPORTS.—Not later than January 1, 2003, and  
12 every six months thereafter, the Secretary shall submit to  
13 the Committees on Veterans' Affairs of the Senate and  
14 the House of Representatives, the Majority Leader of the  
15 Senate, and the Speaker of the House of Representatives  
16 a report assessing implementation of the plan under sub-  
17 section (a) during the preceding 6 months, including an  
18 assessment of whether the goals set forth under subsection  
19 (b)(5) are being achieved.

20 (g) FUNDING.—The Secretary shall carry out the  
21 plan under this section in any fiscal year using amounts  
22 appropriated or otherwise made available for the Veterans  
23 Benefits Administration for that fiscal year.

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