Appeals modernization legislation picking up momentum in Congress

On May 23, just weeks after DAV National Service Director Jim Marszalek appeared before Congress to call for passage of appeals modernization legislation, the House of Representatives voted in favor of H.R. 2288—the Veterans Appeals Improvement and Modernization Act of 2017.

The appeals modernization proposal was developed last year by a working group comprised of DAV, other veterans service organizations (VSOs), the Veterans Benefits Administration (VBA) and the Board of Veterans Appeals. Although Congress was unable to enact appeals reform before the 114th Congress adjourned last December, the legislation was reintroduced this year and has now passed in the House and is on a fast track in the Senate, and has the full support of DAV.

“The new appeals framework developed last year by VA, the Board, VSOs and other stakeholders would protect the due process rights of veterans—while creating multiple options for them to receive their decisions in a more judicious manner,” Marszalek said in his testimony to the House committee. “The critical core of the new system provides veterans with multiple options to challenge unfavorable decisions, introduce new evidence at both VBA and the Board, and protect their earliest effective dates—without having to be locked into the current long and difficult appeals process.”

While the claims backlog has come down significantly over the past five years, the number of pending appeals has risen dramatically—to over 450,000—and an appeal today can take anywhere from three to five years before final resolution. Enactment of appeals modernization legislation, combined with
strong oversight and adequate funding, is expected to significantly reduce appeals delays while improving the accuracy of decisions.

“We are happy to see appeals reform legislation finally moving forward,” said DAV Washington Headquarters Executive Director Garry Augustine. “We have worked for years to improve both the appeals and claims process to ensure that veterans and their families are able to receive all of the benefits they have earned in a timely manner.”

You can view Marszalek’s full testimony from the May 2, 2017, House hearing here and find out more about DAV’s positions on appeals reform and other critical issues by visiting dav.org.