

HOUSE COMMITTEE ON VETERANS' AFFAIRS

CHAIRMAN MIKE BOST

H.R. 5870: The Veteran Appeals Transparency Act of 2023

Background:

The VA Board of Veterans' Appeals (Board) issues decisions on veterans' claims for VA benefits that are on appeal because those veterans disagreed with the Veterans Benefits Administration's (VBA) denial of their claim. Under current law, the Board publishes the average time it takes for the Board to issue decisions on veteran cases that are sitting in each of its dockets; however, those average times are misleading. As a result, VA does not provide veterans with an accurate sense of where they are in the appeals' queue.

The Veteran Appeals Transparency Act would require the Board to publish information about which appeals they are working on during a given week. As a result, veterans would be granted more transparency from the Board regarding how much longer they will have to wait for a decision on their appeal. This bill would also clarify how the VA appeals process has been streamlined. VA correctly interprets *the Veteran Appeals Improvement and Modernization Act of 2017 (AMA) (Pub L. 115-55)* as allowing veterans to submit a single appeal of the most recent unfavorable VA decision on their benefits claim. However, *the Veteran Appeals Transparency Act of 2023* follows congressional intent by building on the *AMA* efforts and clarifies for veterans and their advocates how the VA appeals system is supposed to work.

The Message:

- The VA Board of Veterans' Appeals provides veterans awaiting claims decisions with the average time it takes for the Board to issue decisions in each of its dockets, but those wait times are misleading and do not provide veterans with an accurate sense of how much longer they have to wait.
- *The Veteran Appeals Transparency Act* ensures that the VA Board of Veterans' Appeals is clear about how long veterans must wait for a decision on their appeal for VA benefits.
- This bill builds on current legislation that is already working effectively to simplify the VA appeals process, and it makes it easier for veterans and their advocates to navigate and understand the VA claims appeals process.