



# **CONGRESSIONAL TESTIMONY**

**STATEMENT FOR THE RECORD BY**

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**AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO**

**BEFORE**

**HOUSE COMMITTEE ON VETERANS' AFFAIRS**

**ON**

**APPEALS REFORM: WILL VA'S IMPLEMENTATION EFFECTIVELY SERVE VETERANS?**

**JANUARY 30, 2018**

Chairman Roe, Ranking Member Walz, and Members of the Committee:

American Federation of Government Employees, AFL-CIO (AFGE) and its National VA Council (NVAC) appreciate the opportunity to submit a statement for the record on the January 30, 2018 hearing titled, "Appeals Reform: Will VA's Implementation Effectively Serve Veterans?" AFGE represents more than 700,000 employees in the federal and D.C. government, including 250,000 front line employees at the Department of Veterans Affairs providing comprehensive benefits, health care, and other critical services for veterans.

Chief among our concerns with the implementation of the "Veterans Appeals Improvement and Modernization Act of 2017" has been its impact on the 800 front line attorneys represented by AFGE and NVAC who work at the Board of Veterans' Appeals, in particular the counterproductive performance standards that went into effect on October 16, 2017. As we stated in the attached letter sent to the Senate Veterans' Affairs Committee, AFGE and NVAC continue to question the reasonableness of the new standard. The 35% production increase in cases for each individual attorney and the replacement of a credit based system with a case based system have both had negative effects on attorneys meeting their quotas.

At Chairman Mason's October 4, 2017 confirmation hearing, in response to a question from Senator Hirono (D-HI) as to whether she was willing to work with AFGE representatives to address the impact and implementation of the new standards and their adverse impact on workload, she answered "absolutely." However, it appears that Chairman Mason has not done so since getting sworn in. Based on this answer, AFGE would like to know what steps the Chairman has taken to date to address problems with the current standard and the backlog of veterans' appeals.

Furthermore, in a response to a question from Senator Brown (D-OH), Chairman Mason indicated she was open to considering whether to assign cases to Board attorneys based on specialization to better utilize attorneys' expertise. However, to the best of our knowledge, no such considerations have been made, and the Board has not raised this issue with AFGE representatives since that hearing.

In conclusion, AFGE respectfully urges members of the Committee to ensure that Deputy Secretary Bowman, Chairman Mason, or a combination of the two address the issue of performance standards for Board attorneys during today's hearing, and the steps they plan to take to set reasonable production standards for Board attorneys, and best allow them to fulfill the mission of serving our nation's veterans.

I request that this statement and my attached letter to the Senate Veterans Affairs' Committee be submitted for the record.