

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the Secretary of Veterans Affairs to submit to Congress a plan to reduce the current backlog of veterans claims.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

S. 3254

To authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by

Viz:

1 At the end of subtitle H of title X, add the following:

2 **SEC. 1084. PLAN TO PARTNER WITH STATE AND LOCAL EN-**

3 **TITIES TO ADDRESS VETERANS CLAIMS**

4 **BACKLOG.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The Department of Veterans Affairs defines

8 any claim for benefits under laws administered by

1 the Secretary of Veterans Affairs as backlogged if
2 the claim has been pending for 125 days or more.

3 (2) According to the Department, as of Novem-
4 ber 24, 2012, there were 899,540 pending claims,
5 with 604,583 (67.2 percent) of those considered
6 backlogged.

7 (3) The Department's data further shows that,
8 on November 22, 2010, there were 749,934 claims
9 pending, with only 244,129 (32.6 percent) of those
10 considered backlogged.

11 (4) During the past two years, both the overall
12 number of backlogged claims and the percentage of
13 all pending claims that are backlogged have doubled.

14 (5) In order to reduce the claims backlog at re-
15 gional offices of the Department of Veterans Affairs
16 located in Texas, the Texas Veterans Commission
17 announced two initiatives on July 19, 2012, to part-
18 ner with the Department of Veterans Affairs—

19 (A) to assist veterans whose claims are al-
20 ready backlogged to complete development of
21 those claims; and

22 (B) to help veterans who are filing new
23 claims to fully develop those claims prior to fil-
24 ing them, shortening the processing time re-
25 quired.

1 (6) The common goal of the two initiatives of
2 the Texas Veterans Commission, called the “Texas
3 State Strike Force Team” and the “Fully Developed
4 Claims Team Initiative”, is to reduce the backlog of
5 claims pending in Texas by 17,000 within one year.

6 (7) During the first two months of these new
7 initiatives, the Texas Veterans Commission helped
8 veterans complete development of more than 2,500
9 backlogged claims and assisted veterans with the
10 submission of more than 800 fully developed claims.

11 (8) In testimony before the Subcommittee on
12 Disability Assistance and Memorial Affairs of the
13 Committee on Veterans’ Affairs of the House of
14 Representatives on September 21, 2012, Diana
15 Rubens, Deputy Under Secretary for Field Oper-
16 ations of the Veterans Benefits Administration, indi-
17 cated that the Department of Veterans Affairs has
18 experienced positive outcomes in projects with the
19 Texas Veterans Commission, stating that both Vet-
20 erans Service Organizations “and state and county
21 service officers . . . are important partners in
22 VBA’s transformation to better serve Veterans.”.

23 (9) At the same hearing, Mr. John Limpose, di-
24 rector of the regional office of the Department of
25 Veterans Affairs in Waco, Texas, testified that the

1 “TVC is working very, very well” with regional of-
2 fices of the Department in Texas, calling the Texas
3 Veterans Commission a “very positive story that we
4 can branch out into . . . all of our stakeholders.”.

5 (b) REPORT.—

6 (1) IN GENERAL.—Not later than 60 days after
7 the date of the enactment of this Act, the Secretary
8 of Veterans Affairs shall submit to Congress a plan
9 to reduce the current backlog of pending claims for
10 benefits under laws administered by the Secretary
11 and more efficiently process claims for such benefits
12 in the future.

13 (2) CONTENTS.—The report required by para-
14 graph (1) shall include the following:

15 (A) A summary of all steps the Secretary
16 has taken thus far to partner with non-Federal
17 entities in support of efforts to reduce the back-
18 log described in paragraph (1) and more effi-
19 ciently process claims described in such para-
20 graph in the future.

21 (B) A plan for the Secretary to partner
22 with non-Federal entities, and when appro-
23 priate, provide financial support to non-Federal
24 entities, to support efforts to reduce such back-

1 log and more efficiently process such claims in
2 the future, including the following:

3 (i) State and local agencies relating to
4 veterans affairs.

5 (ii) Organizations recognized by the
6 Secretary for the representation of vet-
7 erans under section 5902 of title 38,
8 United States Code.

9 (iii) Such other relevant government
10 and non-government entities as the Sec-
11 retary considers appropriate.

12 (C) A description of how the Secretary in-
13 tends to leverage partnerships with non-Federal
14 entities described in subparagraph (B) to elimi-
15 nate such backlog, including through increasing
16 the percentage of claims that are fully devel-
17 oped prior to submittal to the Secretary and en-
18 suring that new claims are fully developed prior
19 to their submittal.

20 (D) A description of what steps the Sec-
21 retary has taken and will take—

22 (i) to expedite the processing of claims
23 that are already fully developed at the time
24 of submittal; and

1 (ii) to support initiatives by non-Fed-
2 eral entities described in subparagraph (B)
3 to help claimants gather and submit nec-
4 essary evidence for claims that were pre-
5 viously filed but require further develop-
6 ment.