

**NINETY-EIGHTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Cincinnati, Ohio
August 30, 31, September 1, 2016**

Resolution No. 252: Support Legislation to Pay Interest on Claims Granted by the Board of Veterans' Appeals

Origin: Illinois

Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

(As amended)

WHEREAS, The American Legion is a national organization of veterans who have dedicated themselves to the service of their community, state and nation; and

WHEREAS, Veterans who have filed compensation and pension claims with the Veterans Administration and disagree with the decisions of the Regional Offices of the Veterans Administration are entitled to appeal these decisions to the Board of Veterans' Appeals; and

WHEREAS, The average time from the filing of a notice of disagreement on a non-remanded case until the Department of Veterans Affairs sends the veterans' file to the Board of Veterans' Appeals is averaging over 350 days; and

WHEREAS, Although the Board of Veterans' Appeals has authority to complete the development of cases, it remands approximately 50% of cases appealed to it back to the Regional Offices for additional development, thereby further delaying consideration of the veteran's claim; and

WHEREAS, Another government agency, the Internal Revenue Service (I.R.S.), must pay interest on delayed refunds of more than 45 days from the due date of the return; and

WHEREAS, The rate of interest the I.R.S. uses changes every three months to reflect the prime interest rate then in effect; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Cincinnati, Ohio, August 30, 31, September 1, 2016, That The American Legion shall support any legislation to pay interest on claims that are favorably granted by the Board of Veterans' Appeals back to the original date of that claim and that this interest will be at the same rate as that used by the Internal Revenue Service when their refunds are delayed.