

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

Resolution No. 5: Department of Veterans Affairs Appeals Process

Origin: Alaska

Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

WHEREAS, The Department of Veterans Affairs' (VA) Board of Veterans' Appeals (BVA) was established in July 1933 and was given the authority to hear appeals on benefit decisions; and

WHEREAS, Per Title 38, United States Code (USC), section 7101, members of BVA should conduct hearings and dispose of appeals properly before the Board in a timely manner; and

WHEREAS, BVA has witnessed a drastic increase of more than 56 percent of appealed claims from April 2010 to April 2015; and

WHEREAS, Veterans electing to appeal a decision rendered by the VA can expect to wait in excess of four years for a decision from BVA; and

WHEREAS, VA aims to adjudicate veterans' claims within 125 days with 98 percent accuracy, but did not account for appealed claims; 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 urge the Department of Veterans Affairs (VA) to address all claims, to include its growing inventory of appeals in an expeditious and accurate manner; and, be it finally

RESOLVED, That VA create no program that diminishes a veteran's due process rights.