

United States Senate

WASHINGTON, DC 20510

March 15, 2013

COMMITTEES:
ENERGY AND NATURAL RESOURCES
COMMERCE, SCIENCE, AND
TRANSPORTATION
BANKING, HOUSING, AND
URBAN AFFAIRS
SPECIAL COMMITTEE ON AGING
VETERANS' AFFAIRS

The Honorable Allison A. Hickey
Under Secretary for Benefits
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Dear Under Secretary Hickey:

I am writing to you regarding your testimony given before the Senate Committee on Veterans' Affairs on March 13, 2013. I welcome the opportunity to follow up with you and would like to bring to your attention an issue raised during the hearing.

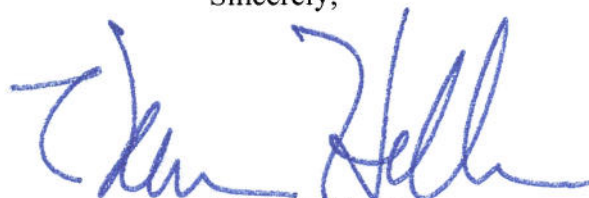
Like you, I am concerned about the claims backlog that is affecting thousands of veterans nationwide and more than 10,000 veterans in my home state of Nevada. As a member of the Senate Committee on Veterans' Affairs, I share your commitment to addressing this issue and hope that we can work together to solve the claims backlog.

During my line of questioning at the hearing, I asked you the following question: "When obtaining Social Security Administration records, VBA's policy manual instructs claims staff to fax a request for medical information and wait 60 working days to follow up if SSA does not reply. Then staff faxes a follow up request and waits another 30 days. Is that part of your manual or is that also by law?"

In your response, you stated that current statutory law requires or mandates the Department of Veterans Affairs (VA) wait 60 days for a response from other government agencies before it is permissible to follow up on a request for records. Per your testimony, I consulted the Veterans Benefits Administration (VBA) policy manual, as well as with the Congressional Research Service (CRS), who were been unable to locate where this law exists in U.S. code. I respectfully request that you provide my office with a copy of the statute that you cited in your response and the section of the VBA policy manual that contains the 60 day guidance.

As an outspoken advocate for veterans' issues, it is my intention to work this Congress to expedite the process of completing veterans' claims so that our wounded warriors receive the care and benefits they deserve in a timely manner. Please assist me in this endeavor by responding to this letter by March 25, 2013, so that I can continue working to address the claims backlog issue. Thank you again for the opportunity to contact you, and I look forward to your response.

Sincerely,



DEAN HELLER
U.S. Senator