



CONGRESSIONAL TESTIMONY

STATEMENT FOR THE RECORD

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

PROVIDED TO THE

HOUSE COMMITTEE ON VETERANS' AFFAIRS

SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

HEARING ON

“PENDING LEGISLATION”

JUNE 24, 2025

Chairman Luttrell, Ranking Member McGarvey, and Members of the Subcommittee:

The American Federation of Government Employees, AFL-CIO (AFGE) and its National Veterans Affairs Council (NVAC) appreciate the opportunity to submit a statement for the record on today's hearing on "Pending Legislation." AFGE represents more than 750,000 federal and District of Columbia government employees, nearly 320,000 of whom are proud, dedicated Department of Veterans Affairs (VA) employees. These include front-line providers at the Veterans Health Administration (VHA) who provide exemplary specialized medical and mental health care to veterans, the Veterans Benefits Administration (VBA) workforce responsible for the processing veterans' claims, the Board of Veterans' Appeals (Board) employees who shepherd veterans' appeals, and the National Cemetery Administration employees (NCA) who honor the memory of the nation's fallen veterans every day.

With this firsthand and front-line perspective, we offer our observations on the following bills being considered at today's hearing:

H.R. 659, the "Veterans Law Judge Experience Act"

AFGE strongly supports Congresswoman Brownley's (D-CA) bill, the "Veterans Law Judge Experience Act." This legislation would require the Board to give priority to Veterans Law Judge (VLJ) candidates "with three or more years of legal professional experience in areas that pertain to the laws administered by the Secretary."

As AFGE Local President Doug Massey testified to the DAMA Subcommittee in November 2023, historically, VLJs were required to possess a minimum of seven years of experience in veterans' law, acknowledging the intricate nature of the work involving complex legal statutes, evolving caselaw, and nuanced medical terminology in VA disability claims. In February 2020, the longstanding seven-year requirement was abruptly eliminated from the VLJ hiring criteria, opening the door for appointments for those without any veterans' law experience.

This led to an influx of VLJ's who were ill-prepared for the job, who were slower to approve decisions and resulted in lowered output from the Board. In addition to fewer decisions,

attorneys complain that the inexperienced VLJs struggle with approving quality decisions, requiring that attorneys train the VLJs for whom they work. Similarly, many of the Board's experienced VLJs are now tasked with training their new inexperienced colleagues, which detracts from time they could devote to signing decisions. Furthermore, the hiring of inexperienced VLJs has demoralized attorneys because it has foreclosed promotion opportunities to these coveted positions. Some attorneys have indicated they plan on retiring earlier than expected.

Rep. Brownley's bill, prioritizing VLJ candidates who have three years' experience in veterans' law, would help reverse the Board's 2020 decision, and prioritize qualified candidates for VLJ positions, which would better serve veterans, their families, and BVA employees.

H.R. 3854, the "Modernizing All Veterans and Survivors Claims Processing Act"

AFGE opposes Congressman Valadao's (R-CA) bill, the "Modernizing All Veterans and Survivors Claims Processing Act." This bill would require the VA to produce a plan to implement an automation tool, to the "maximum extent possible" for a wide range of functions related to the preparation and production of claims.

AFGE understands the importance of utilizing technology to help with the assistance of carrying out VBA's mission reviewing claims and delivering benefits to veterans and their families. However, AFGE believes that technology should assist dedicated VBA workers, half of whom are veterans themselves, more accurately and efficiently perform their jobs. The scope of the tool proposed in this legislation is less about supporting VBA employees, and instead replacing them, without describing how VBA employees who do remain can ensure the automation tool in question is accurate.

Before VBA develops and overreliance on automation, VBA must ensure that the tool is carefully drafted, and will not, even with the best intentions, delay veterans receiving their benefits.

H.R. 3951, the “Rural Veterans’ Improved Access to Benefits Act of 2025”

AFGE opposes H.R. 3951, the “Rural Veterans’ Improved Access to Benefits Act of 2025.” AFGE has long advocated against the continued contracting out of VA disability exams, commonly referred to as Compensation and Pension Exams, and believes that VA employees, who are experts in veterans care, are better prepared and equipped to perform these exams for less expense, compared to less effective contractors who get paid by the exam, at a higher cost to taxpayers. This is particularly true for specialty exams with such as military sexual trauma, spinal cord issues, or traumatic brain injuries.

Despite this objection, if the committee proceeds with the consideration of this bill, it should pair it with “Medical Disability Exam Improvement Act.” This bill from 118th congress (S. 2718), contained a provision (Section 4) that would require VA to pay for all in-house disability exams from the VBA account, instead of the VHA account. Doing this would encourage VBA to reduce waste and control costs, which would in turn encourage bringing these exams in house, improving the quality of exams and reducing the cost to the VA. Veterans would be better served by bringing as many exams as possible, especially specialty exams, in-house, and this committee should not consider further expanding contract exams without also making this commonsense change.

H.R. 3983, the “Veterans Claims Quality Improvement Act of 2025”

AFGE supports the intention of H.R. 3983, the “Veterans Claims Quality Improvement Act of 2025” introduced by Chairman Luttrell (R-TX). This bill creates a multipronged approach that would attempt to address certain errors and avoidable deferrals at the Board of Veterans Appeals. AFGE particularly applauds Chairman Luttrell for the portion of the bill related to training of Veterans Law Judges and Board Attorneys, that incorporates the feedback

of Board Attorneys. AFGE still has technical questions on the bill that it hopes are addressed during today's hearing and prior to a subcommittee markup.

AFGE thanks the House Veterans' Affairs Committee Subcommittee on Disability Assistance and Memorial Affairs for the opportunity to submit a Statement for the Record for today's hearing. AFGE stands ready to work with the committee on this legislation and find solutions that will enable VA employees to better serve our nation's veterans.