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United States Senate

COMMITTEE ON VETERANS' AFFAIRS
WASHINGTON, DC 20510

August 9, 2018

Chairman Cheryl Mason
Board of Veterans' Appeals
425 I St NW
Washington, DC 20001

Dear Chairman Mason:

As you work to implement the Veteran Appeals Improvement and Modernization Act of 2017, we write to ask that the Board of Veterans' Appeals (the Board) give special consideration towards expanding access to hearings for rural veterans. The option to pursue a hearing before the Board is an invaluable part of the appeals process for veterans who seek to have their voices heard. Unfortunately, not all veterans have the ability to travel and appear at the Board in person when they believe that a detrimental mistake has been made on their claim. In these cases, Congress has worked to ensure that veterans have the ability to utilize remote options, including video hearings. Unfortunately, in many rural states, like Montana and South Dakota, veterans are still forced to drive a considerable distance to a qualified location for these video hearings, such as a VA Regional Office. Traveling a great distance for a video hearing or a greater distance for an in person hearing are not acceptable options when it comes to veterans' right to a fair and speedy appeal.

The Appeals legislation passed by Congress last year allows for video hearings to be held at any facility of the VA where the Secretary has "provided suitable facilities and equipment." While this certainly includes the Regional Offices that have traditionally been used to conduct video hearings, these offices are often hundreds of miles away from the veteran's home. It is unreasonable and unjust for a veteran to be forced to drive hundreds of miles to the closest location equipped to conduct these hearings.

Therefore, it is vital that the Board work closely together with the Veterans Health Administration and the Veterans Benefits Administration to identify other VA facilities that offer a more accessible option for rural veterans who are simply pursuing the Board hearing to which they are entitled. VA must assess the staffing and technology requirements that are needed to appropriately resource eligible Community-Based Outpatient Clinics, Vet Centers, field offices, or other appropriate locations that could be used to conduct video hearings for the Board. The Department has a duty to dedicate considerable effort to finding solutions to this issue that will better serve the needs of rural veterans.

Resolving this issue will have a meaningful impact on the ability of all veterans to fight for the benefits that they have earned, regardless of where they live.

Thank you in advance for your attention and work on behalf of rural veterans in Montana, South Dakota, and across the country. We encourage you to be in close contact with our staff if we can be of any assistance and ask that you provide updates on your efforts to resolve this issue.

Sincerely,



Jon Tester
United States Senator



M. Michael Rounds
United States Senator