



## AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

**Joseph P. Flynn**  
*National Secretary-Treasurer*

**J. David Cox, Sr.**  
*National President*

**Augusta Y. Thomas**  
*NVP for Women & Fair Practices*

April 10, 2018

Chairman Johnny Isakson  
U.S. Senate Committee on Veterans' Affairs  
412 Russell Senate Office Building  
Washington, D.C. 20510-6050

Ranking Member Jon Tester  
U.S. Senate Committee on Veterans' Affairs  
825A Hart Senate Office Building  
Washington, D.C. 20510-6050

Dear Chairman Isakson and Ranking Member Tester:

I write to you today on the matter of Paul R. Lawrence's nomination as Under Secretary for Benefits in the Department of Veterans Affairs. The American Federation of Government Employees, AFL-CIO (AFGE) and its National VA Council (AFGE) represent more than 700,000 employees in the federal and D.C. government including 250,000 front line employees at the Department of Veterans Affairs, who provide vital care and services for our veterans.

AFGE does not take a position on Mr. Lawrence's nomination as the Under Secretary for VBA. However, AFGE is deeply concerned about the future of VBA and the direction Mr. Lawrence would take the agency, particularly in the areas of privatization, staffing, performance standards for its employees, and management of the National Work Queue.

In relation to privatization, AFGE is concerned that the department is moving VBA towards shifting the work of serving our nation's veterans from career civil servants, over half of whom are veterans themselves, to private contractors whose priority is profit over providing services to those who have served. As a veteran himself, AFGE believes Mr. Lawrence is committed to serve our nation's warriors. Additionally, while we know he has made a successful career working for private consulting firms, AFGE hopes he heeds the advice he gave on the "Government Matters" program on December 27, 2016 when he advised future political appointees to rely more on career staff, noting that "Careers [employees] were invaluable help and were a lot smarter than everyone had told me and more helpful."<sup>1</sup>

Staffing continues to be a top concern for AFGE. Adequate staffing levels are essential to effectively serving veterans in everything from the processing of claims to vocational rehabilitation and employment services. AFGE would like to know Mr. Lawrence's opinion of the Independent Budget's (IB)<sup>2</sup> recommendation that in FY 2019 the VBA add 900 new full time equivalent employees (FTEs), including 500 FTEs to "address the pending and future appeals workload" and 350 FTEs to "address the backlog of dependency claims and other non-rating

<sup>1</sup> *Government Matters* (ABC 7 television broadcast Dec. 27, 2016), available at <https://govmatters.tv/advice-for-incoming-political-appointees/>.

<sup>2</sup> *Independent Budget for the Dept. of Veterans Affairs: Fiscal Years 2019 and 2020*, Feb. 2018.



related work.”<sup>3,4</sup> Additionally, AFGE would like to know how Mr. Lawrence plans to handle the Rapid Appeals Modernization Program (RAMP) created by the Veterans Appeals Improvement and Modernization Act of 2017. In particular, does Mr. Lawrence plan to hire new staff to manage this program, or will he only divert current VBA staff to work on RAMP without backfilling the original positions, which would only exacerbate this problem?

Additionally, AFGE would like to know Mr. Lawrence’s position on unreasonable and counterproductive performance standards that have been applied to employees processing and rating of claims at VBA, as well as Board of Veterans’ Appeals attorneys handling appeals. These standards harm veterans by grossly valuing quantity over quality and do not accurately measure employee performance. These standards force employees to treat Veterans like widgets instead of the warriors they are. Congress has mandated time and motion studies for VBA in the past to determine the proper workload for VBA staff, including those contained in the “Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016” (Pub. L. 114-315, Sec. 106(b)(1)(A)) and the “Veterans’ Benefits Improvement Act of 2008” (Pub. L. 110-389, Sec. 226). Therefore, we would ask Mr. Lawrence his plan for conducting these mandated studies and working with AFGE in good faith to implement standards that best serve veterans and allow VBA staff to thrive.

Lastly, AFGE would like to know Mr. Lawrence’s position on ways to reform the National Work Queue (NWQ). The NWQ was billed as a way to reduce the backlog of Veterans’ claims in VBA. While well intentioned, the NWQ has left a lot to be desired in the effort to ensure efficient and accurate process of claims. By making some small and discrete changes to the NWQ, including requiring claims to be processed by Veteran Service Representatives (VSRs) and Rating Service Representatives (RVSRs) in the same regional office, VSRs and RVSRs would be better able to process claims in a collaborative work setting, and it would allow veterans and their advocates to more easily track the progress of their claims. AFGE is curious what proposals Mr. Lawrence has for reforming this tool that impacts all claims and claims backlogs, and his willingness to work with AFGE to incorporate frontline workers input to improve the VBA’s service to veterans.

I respectfully request that this letter be submitted for the record.

Sincerely,



Thomas S. Kahn

Director, Legislative Affairs

American Federation of Government Employees, AFL-CIO

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<sup>3</sup> *Id.* at 10.

<sup>4</sup> *Id.*