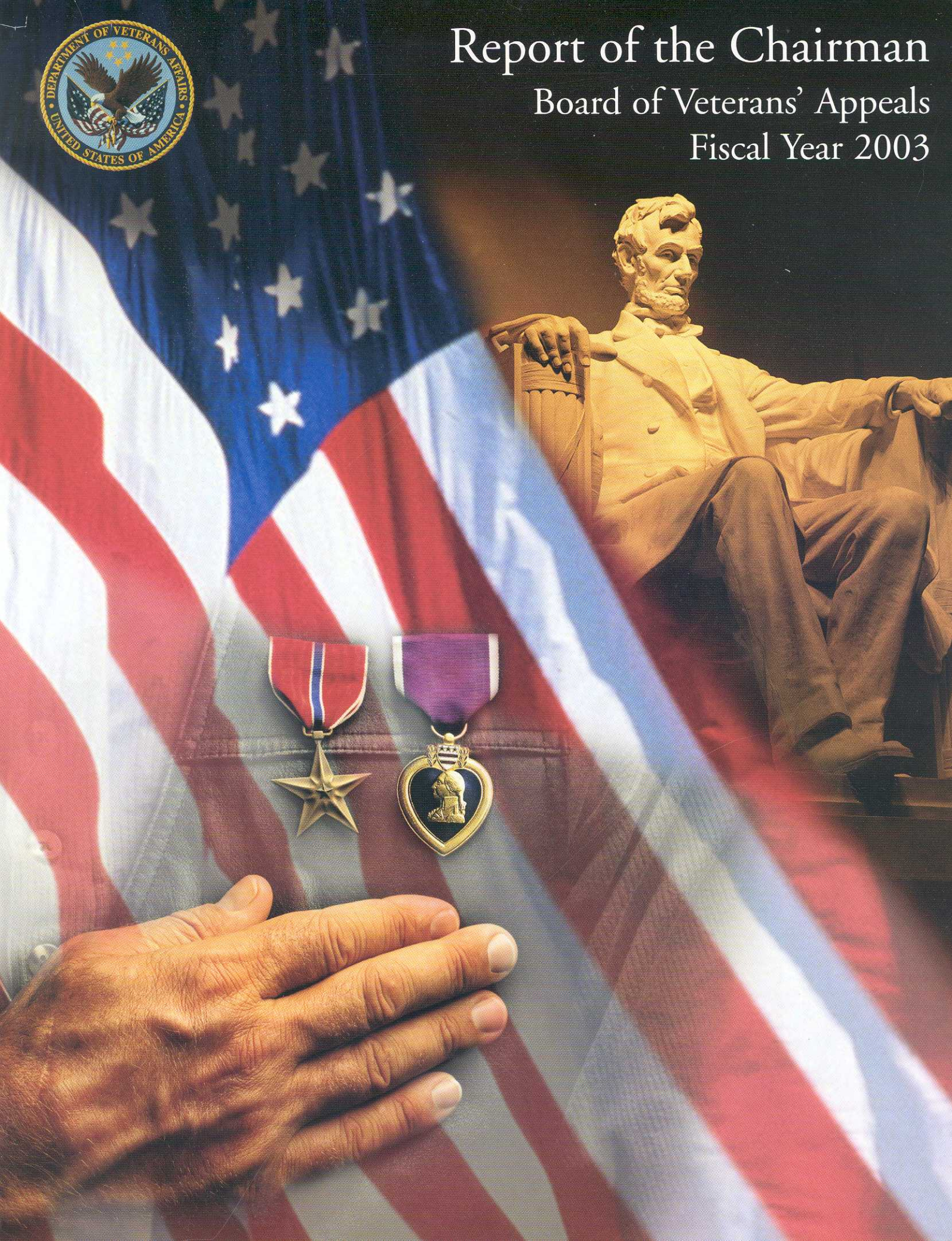


Report of the Chairman

Board of Veterans' Appeals

Fiscal Year 2003





DEPARTMENT OF VETERANS AFFAIRS
Chairman, Board of Veterans' Appeals
Washington DC 20420

January 15, 2004

The Honorable Anthony J. Principi
Secretary of Veterans Affairs
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, DC 20420

Dear Mr. Secretary:

I am pleased to present the Fiscal Year 2003 Report of the Chairman, Board of Veterans' Appeals, for inclusion in your submission to Congress. Information on the activities of the Board during fiscal year 2003 and the projected activities of the Board for fiscal year 2004, as required by 38 U.S.C. §7101(d)(1), are provided in Parts I and II.

Fiscal year 2003 presented two unusually difficult challenges for the Board. Following a decision by the Federal Circuit Court of Appeals, the Board was required to place on hold its efforts to complete the development of evidence necessary to render decisions on more than 9,000 cases on appeal to the Board. Ultimately, the Board was required to remand those cases to the Veterans Benefits Administration for completion of all necessary development and for adjudication of the issues raised in those claims.

Subsequently, the Federal Circuit Court of Appeals concluded that VA was not complying with the notice requirements of VCAA, a decision with the potential to impact tens of thousands of appeals within the system.

Notwithstanding, the employees of the Board did not lose sight of our goal to produce timely, quality decisions for the veterans we serve. Nor did they lose sight of our obligation to treat veterans and their families with care and compassion.

I believe the enclosed report will provide you, the Congress, and the veterans we serve with an accurate and meaningful perspective on the Board's activities of fiscal year 2003.

Very respectfully,

A handwritten signature in black ink, appearing to read "E. D. Clark".

E. D. Clark

Enclosure

TABLE OF CONTENTS

Introduction	1
Part I Activities of the Board of Veterans' Appeals Fiscal Year 2003	2
Board Development	3
Process Improvement	3
Termination of Board Development	3
Aftermath of the Federal Circuit Decision	3
Veterans Claims Assistance Act	4
Assistance to VBA Regional Offices	4
Travel Boards	4
Site Visits	4
Mail-In SOC Program	5
BVA Reorganization	5
Decision Teams	5
Part II Statistical Data	8
Projections for Fiscal Year 2004 and 2005	11
Additional Information	12

INTRODUCTION

The law requires that the Chairman of the Board of Veterans' Appeals report the activities of the Board at the conclusion of each fiscal year. This report includes two parts. Part I provides a discussion of BVA activities during fiscal year 2003. Part II provides statistical information related to our activities during fiscal year 2003 and projected activities for 2004.

The Board of Veterans' Appeals (BVA or Board) makes the final decisions on behalf of the Secretary for appeals from decisions from local Department of Veterans Affairs (VA) offices. The Board reviews all appeals for entitlement to veterans' benefits, including claims for service connection, increased disability ratings, total disability ratings, pension, insurance benefits, educational benefits, home loan guaranties, vocational rehabilitation, dependency and indemnity compensation, and health care delivery.

The Board's mission, as set forth in 38 U.S.C. §7101(a), is "to conduct hearings and dispose of appeals properly before the Board in a timely manner." The Board's goal is to issue quality decisions in compliance with the requirements of the law, including the precedential decisions of the United States Court of Appeals for Veterans Claims.



PART I

ACTIVITIES OF THE BOARD OF VETERANS' APPEALS

FISCAL YEAR 2003

Fiscal Year (FY) 2003 marked the 70th anniversary of the Board of Veterans' Appeals. We observed this milestone event with a ceremony attended by all present Board personnel, as well as a substantial number of former Board personnel. In his address, the Secretary noted the Board's history of service and asked us to rededicate ourselves to our mission of providing timely and appropriate appellate decisions for the veterans we serve.

Like most of those preceding 70 years, FY 2003 presented unique challenges and opportunities. Fiscal Year 2003 was singularly unique, however, in the number of legal issues decided by the courts within a very short period of time that had a significant impact on the veterans benefits claim system. It was extremely difficult to steer a straight course to our goal of timely and appropriate decisions in the constantly shifting legal seas.

The United States Court of Appeals for the Federal Circuit (Federal Circuit) invalidated, as contrary to governing statutes, the Department's February 2002 regulations that allowed the Board to develop evidence and correct procedural defects without remanding before deciding a claim. The court held that, if the Board obtained new evidence for cases on appeal and rendered a decision on the basis of such evidence without obtaining a waiver from the claimant, such action would deprive the claimant of the statutory right of "one review on appeal" of the additional evidence.

In reviewing the Department's regulations implementing the Veterans Claims Assistance Act of 2000 (VCAA), the Federal Circuit invalidated a provision that permitted VA to decide a claim before the expiration of one year from the date of a VCAA duty to notify was provided by VA.

These two Federal Circuit decisions invalidated measures intended to improve the adjudication process and the actions resulted in a disruption of the adjudication process that likely will extend the average time to resolve a claim by many months.

Through a string of single-judge decisions, the Court of Appeals for Veterans Claims (CAVC) established that the notice and development requirements of the Veterans Claims Assistance Act of 2000 (VCAA), must be fully satisfied and the requirements cannot be waived. Thus, the CAVC remanded any case containing insufficient notice of development requirements by the Veterans Benefits Administration (VBA) to correct the defective notice requirements. These CAVC remands brought about numerous appeals to the Federal Circuit and, ultimately, resulted in the enactment of remedial legislation to prevent the claims adjudication process from grinding to a halt.

Process Improvement – The Department of Veterans Affairs (Department) amended its regulations to permit the Board to develop the evidence needed to make a final decision on an appeal because of the concern for the growing backlog of appeals at the Regional Offices (ROs). On February 22, 2002, the Board established the Evidence Development Unit (EDU). The EDU developed evidence necessary for a final decision or corrected procedural errors. This reduced the number of Board remands to the ROs from a historic average of approximately 45% to less than 15% within a matter of months.

Board development improved processing in a number of areas. First, the time to provide a final decision to the veteran on an appeal was dramatically reduced. The average time for a final decision in cases developed by the Board was 375 days for the 2,225 cases completed during FY 2003. By way of comparison, the average time for a final decision in cases remanded by the Board to the ROs, developed by the ROs and returned to the Board, was 853 days for the 7,224 cases completed during FY 2003.

Second, since the Board was doing the development, the ROs did not have to divert resources from initial adjudications to remands. This allowed the ROs to further reduce their average processing times for initial adjudications.

Finally, Board development virtually eliminated multiple remands to the ROs. Many cases had to be remanded two or more times because the RO did not obtain the missing evidence that caused the remand in the first instance, or events occurred during or after the first remand to necessitate additional development. While not quantifiable, we believe significant time and effort was saved because there was no chance of miscommunication or misunderstanding between the Board and VBA, and the time interval was sufficiently shortened to preclude intervening events.

Termination of Board Development – On May 1, 2003, The Federal Circuit held that the Board could not (except in certain statutorily authorized exceptions) decide appeals in those cases in which it had developed evidence. The impact of this decision on the Board was substantial.

The Board ceased directing development and resumed issuing remand decisions in those cases where development had been completed. Additionally, the EDU stopped new development for cases it had already received from the Veterans Law Judges. Consequently, the number of cases pending development rose sharply.

Aftermath of the Federal Circuit Decision – Experience established that centralized evidentiary development was the most efficient way to handle Board remands. The Board's efforts for the 15 months it developed evidence and decided cases had demonstrated that significant time and effort could be saved using centralization. Accordingly, a centralized Appeals Management Center (AMC) was established in Washington, D.C., within the Veterans Benefits Administration, to take over the development and adjudication work performed by the Board. Most of the personnel in the Board's Evidence Development Unit were transferred to VBA, in increments, between June and September of FY 2003 to form the nucleus of the AMC.

Beginning in June 2003, the Board began remanding the 9,000 appeals that were in some stage of development by the Board, but could not be fully granted. That process was nearly complete by the end of Calendar Year 2003.

Veterans Claims Assistance Act

The Veterans Claims Assistance Act of 2000 was signed into law in November 2000. Among other things, it requires the Department to notify a veteran claimant of the additional evidence required from him or her, and to advise him or her of what additional evidence the Department would seek to obtain. It also expands the Department's duty to assist veterans in obtaining evidence.

In a series of decisions, the CAVC remanded most of its docket because of insufficient or absent VCAA notification letters from the ROs. The CAVC remanded despite veteran appellants and their legal representatives pleading the absence of any further evidence, waiving notification rights under the VCAA, and pleading for a decision on the merits of the case. The government and veterans service organizations appealed a substantial number of those decisions to the Federal Circuit on the basis of harmless error, and veterans' service organizations have appealed a number of decisions to the Federal Circuit on the basis of waiver.

On September 18, 2003, the Federal Circuit held, in a case where there was no waiver and no showing that the deficiency in the notification was harmless, that the government had failed to meet the notification requirements of the VCAA.

The impact on the Department's adjudication processes as a result of the Federal Court decisions has been negated since Congress passed a legislative remedy that is effective from the date of the enactment of the VCAA, November 9, 2000. However, the CAVC cases appealed by the government to the Federal Circuit on the basis of harmless error have not yet been decided. The outcome of those cases could have significant long-term impact on the claims process.

Assistance to VBA Regional Offices

The Board continued its efforts to help VBA Regional Offices (ROs) reduce their backlog of cases on appeal through three distinct programs.

Travel Boards – For most travel boards an attorney travels with each Veterans Law Judge to assist him or her in reviewing the claims files prior to the hearings on the appeals. An average of more than 40 hearings are scheduled each week with hearings beginning on the first day of the week. By mid-week the cases scheduled for hearings have been briefed, and the attorneys are free to assist the RO for the remainder of the visit.

In FY 2003, 39 attorneys provided assistance to 29 ROs while on travel board assignments. The attorneys prepared 171 Statements of the Case/Supplemental Statements of the Case (SOCs/SSOCs), drafted 34 development memos, drafted 15 memorandums recommending grants, and conducted training for adjudication personnel at 22 of the 29 ROs. Additionally the attorneys, on request, provided non-binding legal advice to adjudicators in numerous cases that were informally reviewed.

Site Visits – VBA Central Office identified a number of ROs that needed additional assistance with their appeals caseload. The Board provided 22 attorneys who made seven assist visits to six of those ROs.

The attorneys prescreened 275 appeals, prepared deferred rating sheets for 320 appeals, prepared development memos for 108 appeals, drafted SOCs/SSOCs for 364 appeals, and drafted rating decisions for two

appeals. The attorneys recommended that the appeal be granted, in whole or in part, in 61 of the 1,069 cases they reviewed, based on the evidence already of record in the file.

Mail-In SOC Program – To minimize the costs involved in assisting ROs, the Board established the Mail-In SOC Program. ROs identified by VBA Central Office mailed claims files for cases awaiting SOC review to the Board. The Board configured a room and provided computers with specially adapted software to interface with the software on RO computers. Fifteen Board attorneys participated in the program throughout the year. All Board attorneys were volunteers, working on an overtime basis.

In FY 2003, the Board received 94 shipments of claims files from ROs, and Board attorneys reviewed 5,386 cases. The attorneys prepared development memos for 701 appeals, recommended that the appeal be granted on one or more issues in 307 of those cases based on the evidence already of record in the file. Additionally, the attorneys drafted SOC/SSOCs for 4,378 appeals.

BOARD OF VETERANS' APPEALS REGIONAL OFFICES ASSISTANCE PROGRAM FY 2003									
	Regional Offices Assisted	SOC/ SSOC	Prescreened	Recommended Grant	Development Memo	Rating Decision	Deferred Rating	TOTAL	Training
Assist Visits	7	364	275	61	108	2	320	1130	1
Travel Boards	29	171		15	34			220	22
Mail-In SOC Program	94	4378		307	701			5386	
TOTAL	130	4913	275	383	843	2	320	6736	23

BVA Reorganization

Decision Teams – In FY 2003, the Board met or exceeded every goal in our business plan. Attorneys exceeded their target of a 20% increase in productivity over the five-year historical average, and Veterans Law Judges exceeded their target of a 25% increase in productivity over the same historical average.

The creation of two Senior Counsel positions on every decision team - who act as Veterans Law Judges, Team Leaders, and attorneys as needed - provided the necessary flexibility to get the work done despite short-term personnel shortages. Moreover, Senior Counsels have proven particularly adept at mentoring and evaluating newly hired attorneys and more senior attorneys in need of special attention and assistance.

We are now at our business plan strength of 56 Veterans Law Judges. The business plan contemplates that the Senior Counsel positions will be training grounds for future Veterans Law Judges. Of the nine new Veterans Law Judges selected in FY 2003, five were selected from the Senior Counsel positions.

BOARD MEMBERS

Eligah Dane Clark

Chairman

Ron H. Garvin

Vice Chairman

Steven L. Keller

Senior Deputy Vice Chairman

Joaquin Aguayo-Pereles

Deputy Vice Chairman, Decision Team 1

Mark W. Greenstreet

Chief Member

Contance B. Tobias

Chief Member

Charles E. Hogeboom

Deputy Vice Chairman, Decision Team 2

Steven L. Cohn

Chief Member

Robert E. Sullivan

Chief Member

Nancy R. Robin

Deputy Vice Chairman, Decision Team 3

David C. Spickler

Chief Member

Lawrence M. Sullivan

Chief Member

Mary M. Sabulsky

Deputy Vice Chairman, Decision Team 4

Wayne M. Braeuer

Chief Member

Holly E. Moehlmann

Chief Member

VETERANS LAW JUDGES

Keith W. Allen
Marjorie A. Auer
Barry F. Bohan
Ronald R. Bosch
Derek R. Brown
Anna M. Bryant
Bettina S. Callaway
Barbara B. Copeland
Thomas J. Dannaher
Jonathan E. Day
Paula M. Dilorenzo
Shane A. Durkin
Frank J. Flowers
Mary Gallagher
Gary Gick
Mark F. Halsey
Mark D. Hindin
Vicky L. Jordan
Susan L. Kennedy

Michael D. Lyon
James L. March
Jeffrey J. Martin
Jacqueline Monroe
Andrew J. Mullen
John E. Ormond
Alan S. Peevy
Renee M. Pelletier
Ursula R. Powell
Robert P. Regan
Warren W. Rice
Craig P. Russell
Howard N. Schwartz
George R. Senyk
Gordon H. Shufelt
Deborah W. Singleton
Charles W. Symanski
Leo W. Tobin
Stephen L. Wilkins
Richard F. Williams



Current Board Members / Veterans Law Judges

PART II

STATISTICAL DATA

Fiscal Year 2003 Information

The following information is required by 38 U.S.C. §7101 (d)(2):

38 U.S.C. §7101 (d)(2)(A)

Number of cases received at the Board during 2003: **39,969**

Number of cases added to BVA docket during 2003: **41,164**

38 U.S.C. §7101 (d)(2)(B)

Cases pending before the Board at the start of fiscal year 2003: **18,658**

Cases pending before the Board at the end of fiscal year 2003: **27,230***

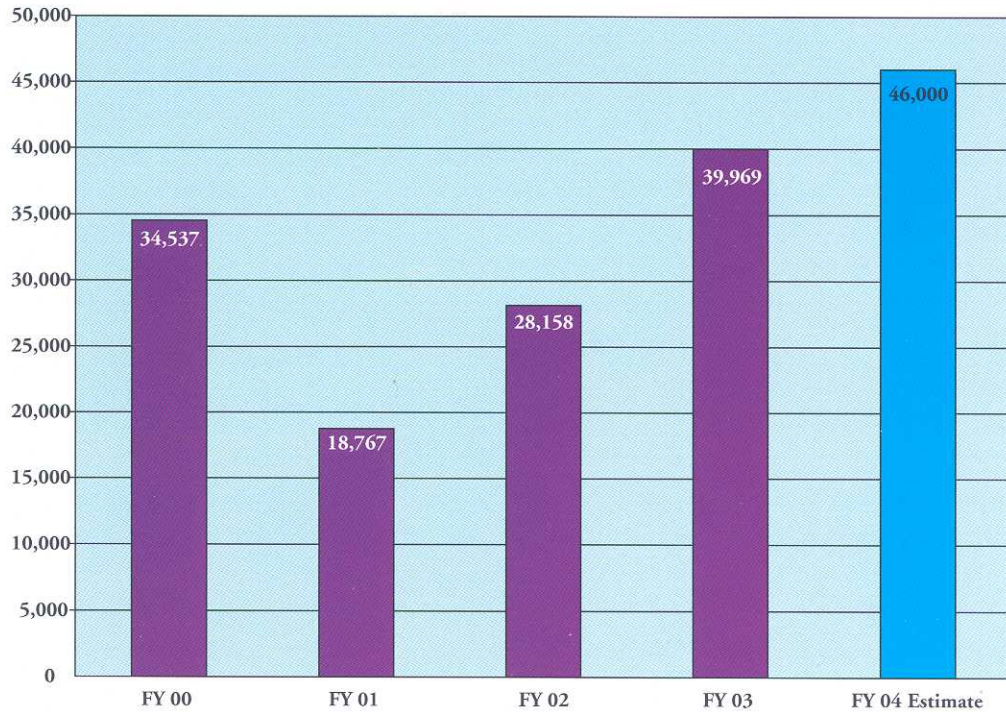
*Includes certified appeals pending in the field awaiting hearings, as well as cases pending at BVA.

38 U.S.C. §7101 (d)(2)(C)

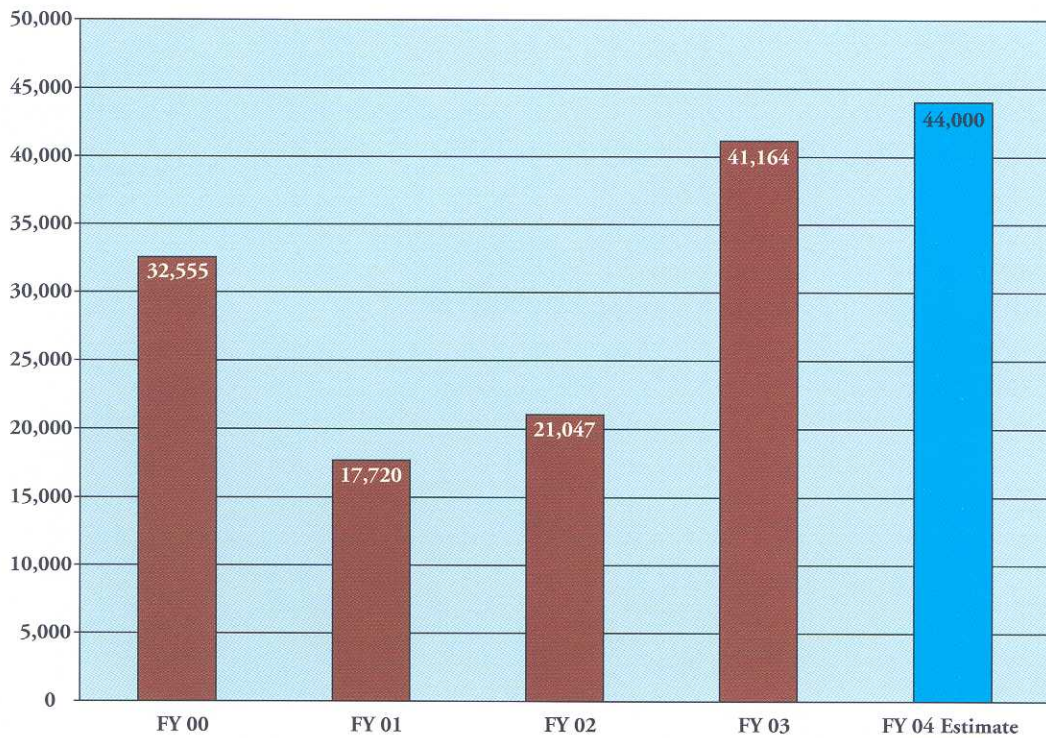
Number of cases that were filed during each of the 36 months preceding fiscal year 2003.

<u>Month</u>	<u>Cases Received at BVA</u>				<u>New Appeals (VA Form 9) Filed</u>			
	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>
October	2,945	2,622	1,392	4,024	2,447	2,287	1,236	3,040
November	3,265	1,629	688	2,726	2,450	2,095	1,275	2,720
December	2,839	1,570	1,620	3,037	2,446	1,635	1,821	2,634
January	2,587	1,780	1,620	4,294	2,576	1,727	2,026	3,185
February	3,383	1,396	1,867	4,008	2,761	1,481	2,132	2,906
March	3,501	1,155	3,040	4,325	3,266	1,486	2,181	3,605
April	2,612	1,315	1,930	3,676	2,807	1,264	2,474	3,717
May	3,364	1,827	3,544	2,175	3,051	1,328	2,348	3,675
June	3,265	971	2,643	3,728	2,939	1,167	2,514	3,797
July	2,675	1,737	3,620	2,956	2,489	1,168	1,102	3,719
August	3,560	1,669	3,441	2,103	2,938	1,139	993	3,661
September	2,504	1,096	2,753	2,917	2,385	943	945	4,505
FY Total	36,500	18,767	28,158	39,969	32,555	17,720	21,047	41,164

Cases Received at BVA FY 00 - FY 03



New Appeals (VA Form 9) Filed FY 00 - FY 03



38 U.S.C. §7101 (d)(2)(D)

The average length of time a case was before the Board between the time of the filing of an appeal and the disposition during the preceding fiscal year:

Time Interval	Responsible Party	Average Elapsed Processing Time
Notice of Disagreement Receipt to Statement of The Case	Field Station	140 days
Statement of the Case Issuance to Substantive Appeal Receipt	Appellant	57 days
Substantive Appeal Receipt To Certification of Appeal to BVA	Field Station	704 days
Receipt of Certified Appeal To Issuance of BVA Decision	BVA	186 days
Average Remand Time Factor	Field Station	196 days

38 U.S.C. §7101 (d)(2)(E)

The number of members of the Board at the end of FY 2003: **52 members**

The Number of Professional, Administrative, Clerical, Stenographic, and Other Personnel employed by the Board at the end of FY 2003: **404 employees not including 52 members above**

38 U.S.C. §7101 (d)(2)(F)

Number of acting members of the Board during FY 2003: **89**

Number of cases in which such members participated: **1,787**

38 U.S.C. §7101 (c)(2)

Number of acting members of the Board in terms of full-time employee equivalents: **4.9**

Projections for Fiscal Year 2004 and 2005

The following information is required by 38 U.S.C. §7101 (d)(3):

38 U.S.C. §7101 (d)(3)(A)

Estimated number of cases that will be appealed to BVA:

Fiscal Year 2004:	Cases received at BVA:	46,000
	Cases added to BVA Docket:	44,000
Fiscal Year 2005:	Cases received at BVA:	46,000
	Cases added to BVA Docket:	44,000

38 U.S.C. §7101 (d)(3)(B)

Evaluation of the ability of the Board (based on existing and projected personnel levels) to ensure timely disposition of such appeals as required by 38 U.S.C. §7101(a):

Background on BVA Timeliness Projections

The indicator used by the BVA to forecast its future timeliness of service delivery is BVA “response time” on appeals. By taking into account the Board’s most recent appeals processing rate and the number of appeals that are currently pending before the Board, BVA response time projects the average time that will be required to render decisions on that group of pending appeals. For response time computation, the term “appeals pending before the Board” includes appeals at the Board and those that have been certified for BVA review but are held in the field pending BVA Travel Board or videoconference hearings.

BVA response time is computed by first determining the Board’s average daily appeals processing rate for the previous year. The number of appeals pending before the Board is then divided by the average daily appeals processing rate. BVA estimated response time for fiscal year 2004 is computed as follows:

Estimated 34,656 decisions in fiscal year 2004 divided by 365 days equals 94.95 decisions per day.

38,574 Appeals Pending before the BVA (end of FY 2004) divided by 94.95 Decision per Day equals 406 Days Response Time on Appeals (end of FY 2004).

BVA Response Time Projections

Based upon existing and projected levels of resources, the estimate of BVA response time is 406 days for fiscal year 2004. This response time projection is contingent upon BVA’s original appeal receipts estimates for fiscal year 2003 and fiscal year 2004 shown in part (A) above.

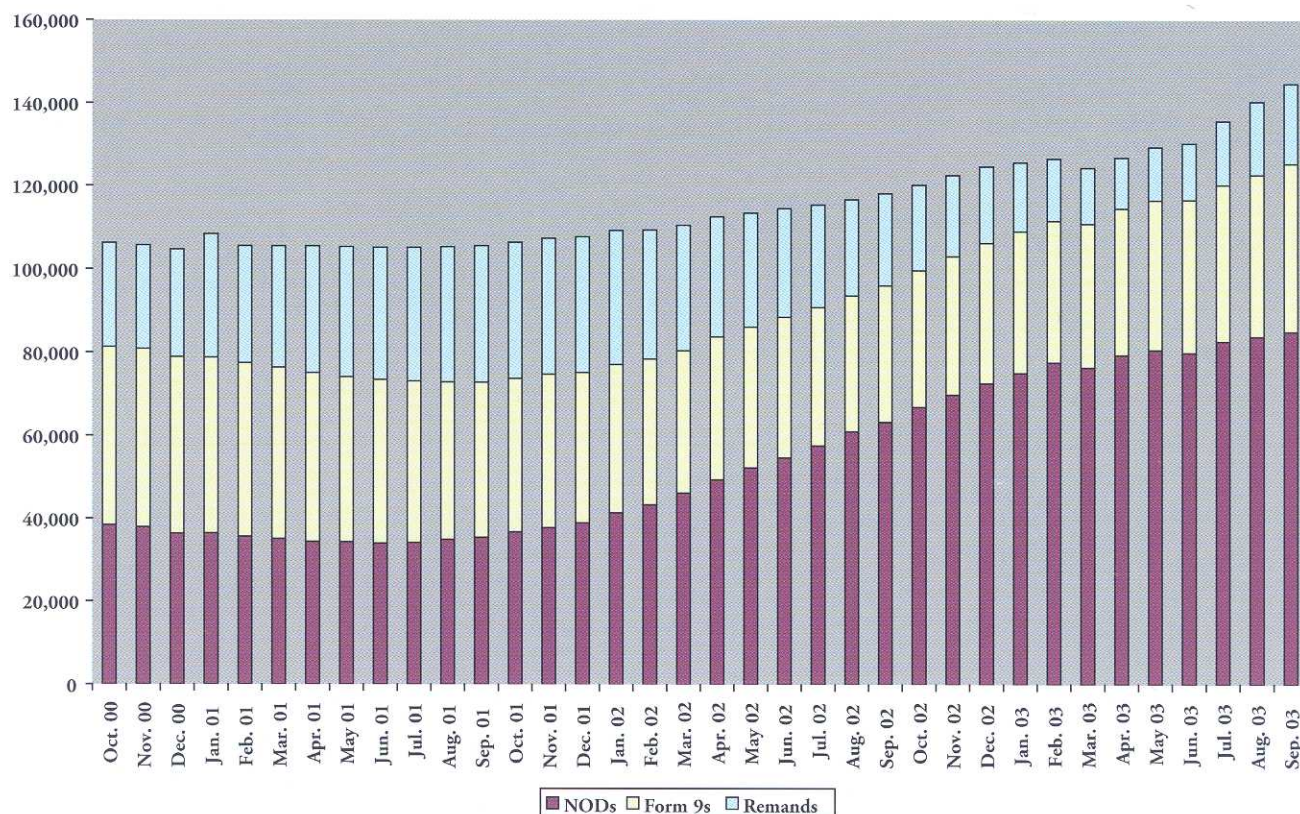
Estimate

Based on current and projected case receipts and projected FTE, we will develop a backlog of 10,000 to 12,000 appeals per year starting with fiscal year 2004.

ADDITIONAL INFORMATION

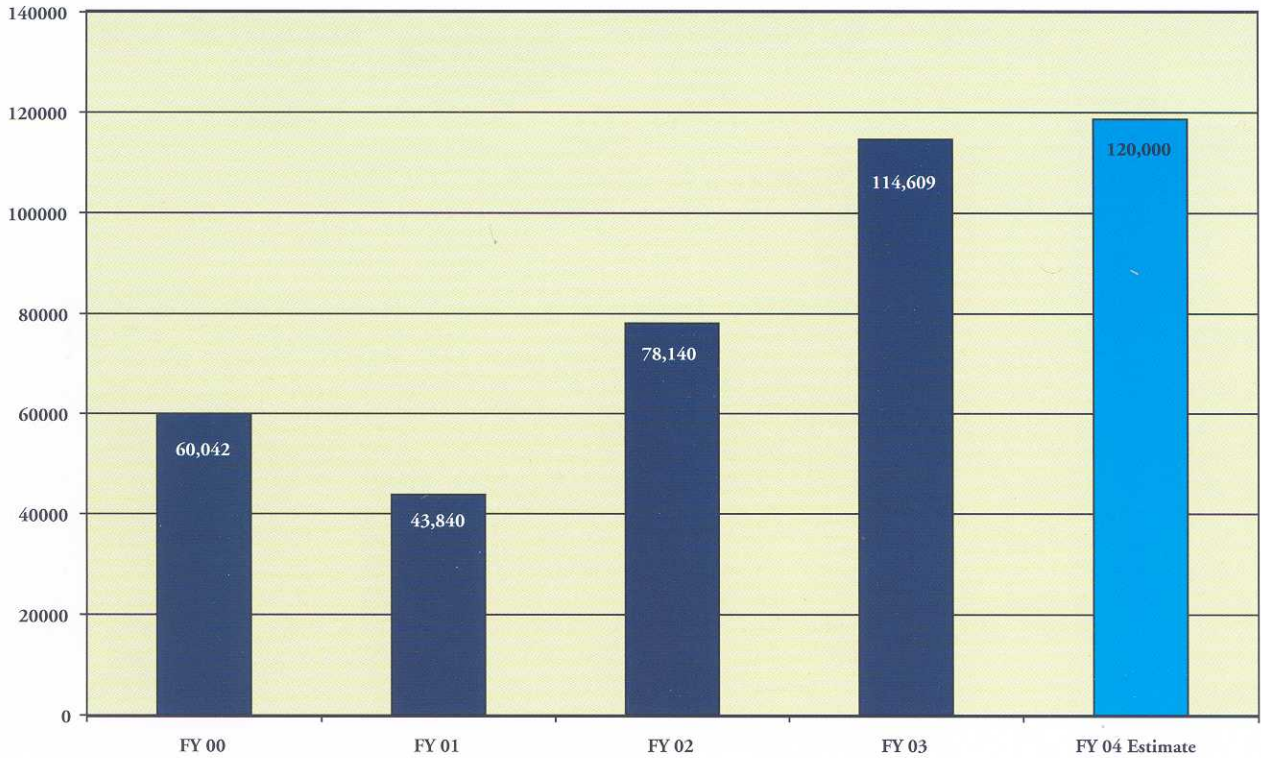
Potential BVA Workload

The following graph shows the number of new notices of disagreement (NODs) received by the regional offices, appeals (Form 9s) filed, and appeals remanded (remands) to the regional offices. This information is retrieved directly from the information contained in the Veterans Appeals Control and Locator System (VACOLS) at the end of the fiscal year.



<u>Estimated Number of New Notices of Disagreement Received in the Field</u>				
<u>Month</u>	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>
October	4,963	5,119	4,768	9,936
November	4,736	4,066	4,468	8,118
December	4,526	3,225	4,534	7,957
January	4,723	3,747	5,564	9,670
February	5,171	3,270	5,629	9,034
March	5,865	3,490	6,707	10,676
April	4,851	3,159	7,321	10,419
May	5,240	3,526	7,683	9,800
June	5,205	3,542	7,197	9,753
July	5,157	3,507	8,162	10,084
August	5,224	4,021	8,556	9,247
September	4,381	3,168	7,551	9,915
FY Total	60,042	43,840	78,140	114,609

NOTICES OF DISAGREEMENT RECEIVED FY 00 - 03



BVA Decisions

During fiscal year 2003, BVA issued 31,397 decisions. This total represents an 82.2 percent increase from fiscal year 2002 when we issued 17,231 decisions. This increase is primarily the result of an increase in the number of appeals received from the Veterans Benefits Administration (VBA) and a 25 percent increase in decision team productivity. The following charts are provided to give additional information about the Board’s decisions.

BOARD OF VETERANS' APPEALS BVA DISPOSITIONS BY VA PROGRAM FY 2003										
APPEAL PROGRAM	ALLOWED		REMANDED		DENIED		OTHER		TOTAL	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Burial Benefits	7	35.0%	3	15.0%	10	50.0%	0	0.0%	20	0.1%
Compensation	6,712	22.6%	12,734	42.9%	9,463	31.9%	770	2.6%	29,679	94.5%
Education	13	9.0%	55	38.2%	70	48.6%	6	4.2%	144	0.5%
Insurance	1	5.6%	4	22.2%	13	72.2%	0	0.0%	18	0.1%
Loan Guaranty	5	15.6%	15	46.9%	12	37.5%	0	0.0%	32	0.1%
Medical	9	5.2%	92	53.5%	61	35.5%	10	5.8%	172	0.5%
Pension	105	14.6%	235	32.8%	352	49.1%	25	3.5%	717	2.3%
VR&C	5	9.3%	32	59.3%	15	27.8%	2	3.7%	54	0.2%
Other Programs	3	15.8%	5	26.3%	11	57.9%	0	0.0%	19	0.1%
BVA Original Jurisdiction	12	10.0%	3	2.5%	74	61.7%	31	25.8%	120	0.4%
Multiple Program Areas	60	14.2%	207	49.1%	147	34.8%	8	1.9%	422	1.3%
GRAND TOTAL	6,932	22.1%	13,385	42.6%	10,228	32.6%	852	2.7%	31,397	100.0%

**BOARD OF VETERANS' APPEALS
BVA DISPOSITIONS BY REPRESENTATION
FY 2003**

REPRESENTATION	ALLOWED		REMANDED		DENIED		OTHER		TOTAL	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
American Legion	1,630	23.3%	2888	41.3%	2,316	33.1%	164	2.3%	6,998	22.3%
AMVETS	101	24.5%	147	35.6%	147	35.6%	18	4.4%	413	1.3%
American Red Cross	18	22.0%	35	42.7%	25	30.5%	4	4.9%	82	0.3%
Disabled American Veterans	2,129	22.8%	4017	43.0%	2,934	31.4%	256	2.7%	9,336	29.7%
Military Order of the Purple Heart	89	25.9%	144	42.0%	99	28.9%	11	3.2%	343	1.1%
Paralyzed Veterans of America	114	26.0%	182	41.5%	111	25.3%	32	7.3%	439	1.4%
Veterans of Foreign Wars	597	23.7%	1054	41.8%	799	31.7%	71	2.8%	2,521	8.0%
Vietnam Veterans of America	77	28.0%	146	53.1%	43	15.6%	9	3.3%	275	0.9%
State Service Organizations	961	21.1%	1922	42.1%	1,583	34.7%	96	2.1%	4,562	14.5%
Attorneys	576	20.5%	1402	49.9%	741	26.4%	89	3.2%	2,808	8.9%
Agents	8	26.7%	14	46.7%	8	26.7%	0	0.0%	30	0.1%
Other Representation	146	25.9%	223	39.5%	173	30.7%	22	3.9%	564	1.8%
No Representation	486	16.1%	1208	39.9%	963	31.8%	83	2.7%	3,026	9.6%
GRAND TOTAL	6,932	22.1%	13,382	42.6%	9,942	31.7%	855	2.7%	31,397	100.0%

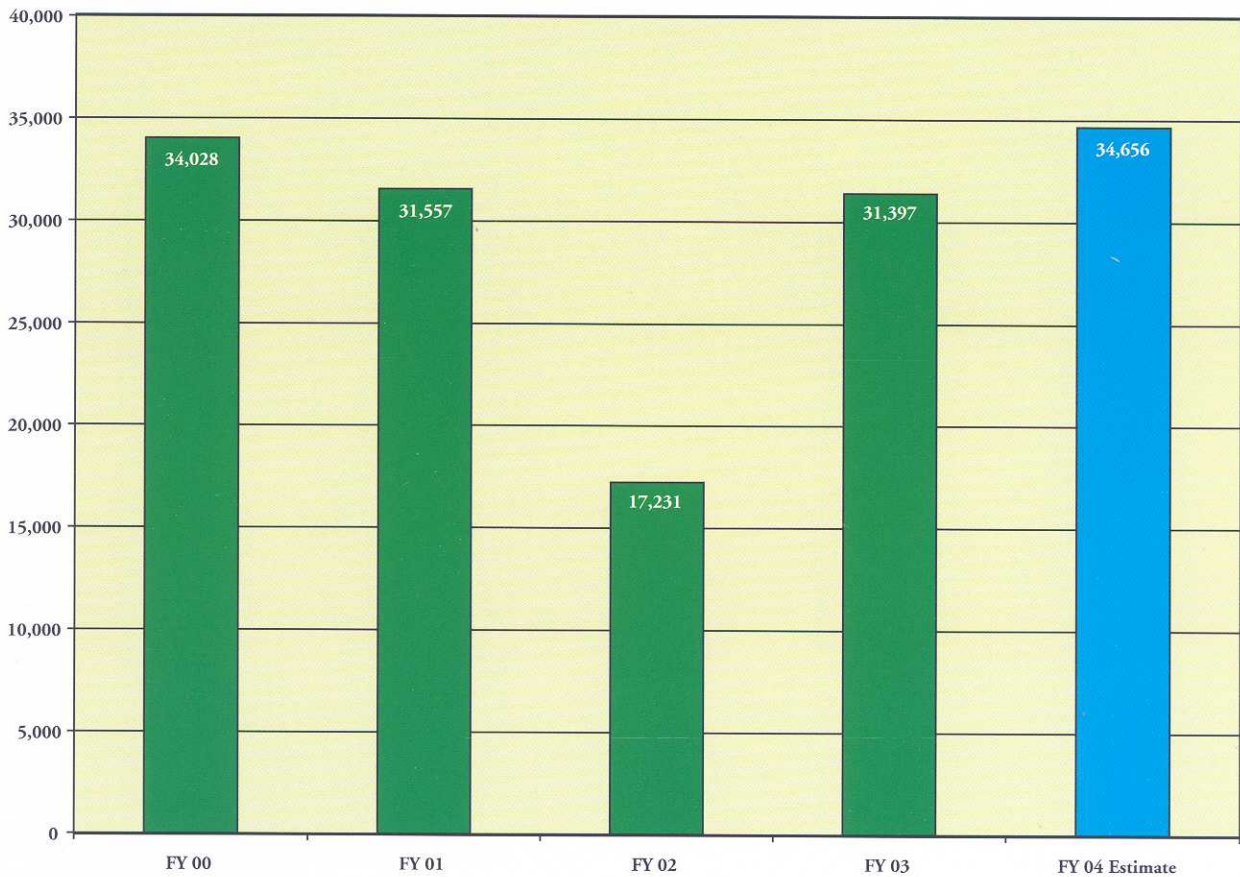
BVA DECISIONS

Fiscal Year	Decisions	Allowed*	Remanded**	Denied	Other
2000	34,028	26.3%	29.9%	41.4%	2.4%
2001	31,557	22.3%	48.8%	27.0%	1.9%
2002	17,231	27.7%	19.3%	49.9%	3.1%
2003	31,397	22.1%	42.6%	32.6%	2.7%

* BVA allowances do not necessarily connote regional office adjudicatory error since BVA reviews regional decisions on a de novo basis.

** A remand by BVA to a regional office does not necessarily connote regional office error.

BVA DECISIONS FY 00 - FY 03



BVA OPERATING STATISTICS

	FY00	FY01	FY02	FY03
Decisions	34,028	31,557	17,231	31,397
Case Receipts*				
Added to Docket	32,555	17,720	21,047	41,164
Received at BVA	34,537	18,767	28,158	39,969
Cases Pending* *	20,521	7,731	18,658	27,230
Hearings - VACO	599	916	470	650
Video	1,385	1,308	1,475	1,689
Field	2,505	3,336	2,556	3,707
Decisions per FTE	72.8	69.3	38.4	69.9
BVA FTE	468	455	448	451
BVA Cycle Time	N/A	N/A	86	135
Cost per Case	\$1,219	\$1,401	\$2,702	\$1,493

* Case Receipts composed of: (1) new cases added to BVA's docket; and (2) cases received at BVA, which consist of all cases physically received at the Board, including original appeals and cases returned to the Board's docket (i.e., cases returned following remand development, cases remanded by the Court, and cases received for reconsideration or vacate actions).

** Pending figures include certified appeals pending in the field awaiting BVA hearings, as well as cases pending at the Board.



Department of Veterans Affairs
Board of Veterans Appeals
Fiscal Year 2003