



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

September 17, 2010

The Honorable Daniel K. Akaka
Chairman
Committee on Veterans' Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This is a follow up to my letter of May 6, 2010, concerning the Department of Veterans Affairs (VA) processing of claims following the *Haas v. Peake* litigation.

Following the May 8, 2008, decision by the United States Court of Appeals for the Federal Circuit in the case of *Haas v. Peake*, VA regional offices were instructed to take final action on all claims affected by a stay imposed during the litigation. Such final action includes sending the appropriate Veterans Claims Assistance Act notice, developing for information or evidence as necessary, and rendering a final decision. VA conducted a focused review of 227 claims that were stayed and subsequently denied. Review findings showed a 93.4 percent accuracy rate.

Since the focused review identified a small percentage of cases that were incorrectly decided, an administrative review of all 16,830 cases affected by the stay is necessary and will be conducted to identify and correct any case that was improperly denied. Regional offices have been provided with instructions for conducting these reviews. All reviews are expected to be completed by December 31, 2010.

Thank you for your continuing support of our mission.

Sincerely,

A handwritten signature in blue ink, reading "Eric K. Shinseki", is positioned below the word "Sincerely,".

Eric K. Shinseki