

Comment from Max Swiatek on VA-2025-VACO-0001-0119

I write in support of the Board of Veterans' Appeals and Department of Veterans Affairs proposed collection of information and revision of VA form 10182. The board specifically asked for comments on: 1) whether collection of certain information is necessary for the Board's functions and whether the information has any practical utility; 2) the accuracy of the Board's estimate of the burden of the collection of information; 3) ways to enhance quality, utility, and clarity of the information to be collected; 4) ways to minimize burden of the collection of information on respondents.

1)Utility and Necessity

The proposed addition of a check box that allows the Board to issue a decision as soon as possible is both practical and necessary to the Board's function to issue timely resolution of appeals. In *Williams v. McDonough*, the Board was prevented from issuing a decision until the period to request to change Board review options elapsed. This check box would allow the Board to discard unnecessary procedural delay. Through my own experience in filing an appeal, I added little extra evidence, did not request a hearing, and still had to wait ~8 months to get a decision on my appeal. This proposal is practical because it will provide appellants, like myself, to get clarity on their appeals process more quickly instead of waiting in limbo because of a procedural delay.

2)Accuracy of Estimated Burden on Collection

The Board estimates that there will be no added burden on respondents because they are simply adding and removing one check box. I agree with these statements and the Board's estimation that they might decrease the overall administrative burden by not having to send letters of clarification and delay issuance of appeals that are ready for adjudication. Adding one check box and removing another does not increase completion time or add cognitive burden. As someone who used this process, even though the wait times are spelled out, it is still stressful to wait for a decision, and this proposal may have the effect of eliminating that stress if the option is available to get a decision as soon as possible instead of waiting for a procedural delay.

3)Quality, Utility, and Clarity of Information

The proposed language is clear and spells out the consequences of selecting earlier adjudication. The change to add "may" to the portion about extending time for a particular option is more useful to the purpose of an accurate appeals process. When I made my appeal under the other language, I specifically did not choose the hearing option because it made it clear that the extension of time needed for the hearing was further than I was willing to wait. The addition of "may" will have the added benefit of not discouraging those who might benefit from a hearing from choosing a different option solely because they do not have the patience to wait for long periods of time while still reserving their right to

change review options within the allotted time.

4)Minimization of Respondent's Burden

The checkbox is already a low burden on the respondents with no changes to technological systems or the need to learn a new process. To further reduce these burdens with technology and to ensure that people fully understand the consequences of checking this box, there could be an electronic pop up notice fully explaining the impact and consequences of checking the box both when the box is initially checked and when the respondent hits submit on the form.