

Orissa, Hindus and Christians clashed in a village this week, and 157 of the 250 Christian homes were burned down, state officials say.

The officials said they presumed that Hindus set the fires on Tuesday, but have no solid evidence. Christian villagers interviewed by television reporters blamed Hindus, who they said shouted "Victory to Lord Ram," a Hindu god, as they set the fires. Thirteen people were wounded, three by gunfire, and the police have arrested more than 40 people, officials said.

The tensions in the village—Ranaloi, in southern Orissa—developed after someone painted a trident, symbol of the Hindu god Shiva, over a Christian cross on a boulder about a mile outside the village.

The violence is part of a growing number of attacks on Christians in India in the last year. Church officials and opposition political parties say the problem has worsened since the Hindu nationalist Bharatiya Janata Party became the head of a national coalition Government a year ago. Party leaders say they oppose the violence.

It is not clear who was responsible for the violence in Orissa, which is governed by the Congress Party. The state's Chief Minister, J.B. Patnaik, resigned after the killing of the missionary, Graham Staines, and his sons, Timothy, 10, and Philip, 6.

D.P. Wadhwa, the Indian Supreme Court Justice who was named by the Government to head an inquiry into the Staines killings, harshly criticized the central Government for failing to provide resources to investigate. The commission of inquiry, which was set up six weeks ago, is due to issue its findings in two weeks but has yet to field a team of independent investigators or to be given functional offices to work from.

The state police blamed a mob that they said was led by a man from the Bajrang Dal, a Hindu nationalist youth group that belongs to the same family of Hindu nationalist organizations as the Bharatiya Janata Party.

Leaders of the Bajrang Dal denied involvement, and said the violence was a backlash against what they called the Christians' deceitful efforts to convert impoverished, illiterate Indians.

INTRODUCTION OF H.R. 1214—DEPARTMENT OF VETERANS AFFAIRS VETERANS' CLAIMS ADJUDICATION IMPROVEMENT ACT OF 1999

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Mr. EVANS. Mr. Speaker, for years our Nation's veterans who submitted a claim to the Department of Veterans Affairs (VA) for benefits associated with their military service, particularly service-connected disability compensation, have been forced to contend with a VA claims adjudication process which has been both too slow and too inaccurate. Too often the adjudication of a veterans' claim has taken not days, not weeks, not months, but years.

Recent information suggests that after waiting years for a decision, one out of three veterans may find that the decision made by VA was wrong. Untimely and inaccurate decision-making by the VA, and particularly the Vet-

erans Benefits Administration (VBA), have been twin problems which have plagued veterans, veterans service organizations and Members of Congress who have sought to assist their veterans constituents.

While experience clearly indicated otherwise, VBA consistently reported that the quality of its work was nearly error free as measured by VBA. Between 1993 and 1997, VA was reporting an accuracy rate of 97%. This was unfortunately like the fox not only guarding the hen house, but also keeping the inventory of hens.

To his credit, the Under Secretary of Veterans Benefits, Mr. Joe Thompson instituted, on a trial basis, a new system for measuring the quality of the claims adjudication work performed by VBA. This new quality measure, the Strategic Technical Accuracy Review (STAR) was tested and used operationally in 1998.

STAR use has been focused on claims submitted by veterans which require the VA to rate the claim, make a determination as to whether a medical disability is service-connected or non-service-connected and determine the degree of disability manifest. Using the STAR methodology, the accuracy of various actions taken during the adjudication process are used to determine if the case was correctly or incorrectly decided. A case is either all right or all wrong. Using STAR, the accuracy rate was 64%—less than two out of three claims were correctly decided.

While STAR has provided a more realistic assessment of the quality of VA claims adjudication, STAR does not currently meet generally accepted governmental standards for independence and separation of duties. Reviews of regional office decisions are made by persons who are also decision makers. There is not sufficient staff provided for reviewing enough cases to make statistically valid accuracy determinations at the regional office level. In order to pinpoint errors, it is important to be able to identify regional offices which have specific high or low accuracy rates and to ascertain the reasons for discrepancies between regional offices.

In addition to the problems documented by the STAR report, VBA is facing the impending retirement of experienced senior staff and several years of staff reductions which have impeded VBA's ability to resolve increasingly complex cases in a timely and accurate manner.

One measure of quality, the percentage of decisions appealed to the Board of Veterans Appeals (the Board) which are either reversed or remanded back to the regional offices for further work, is particularly disturbing. During fiscal year 1998, 17.2% of the appealed decisions were reversed outright by the Board. An additional 41.2% of the appeals were remanded for further action by the regional offices. Another measure of accuracy is the integrity of data relied upon by the VBA. During 1998, the VA Inspector General issued a report finding that data entered into the VBA computer system was being manipulated to make it appear that claims were processed more efficiently than was actually occurring.

Problems are not confined to the Compensation and Pension Service. In reviewing VA's compliance with statutory financial requirements, the General Accounting Office

(GAO) noted that VA's home loan program was unable to perform routine accounting functions and had lost control over a number of loans which were transferred to an outside loan company for continued loan servicing. VA was not able to obtain an unqualified audit opinion as a result of these deficiencies. On February 24, 1999, VA's Inspector General reported that the \$400 million vocational rehabilitation program was placed at high risk after the Quality Assurance Program for that services was discontinued in 1995.

Because of the fundamental importance of accurate and effective claims processing and adjudication by VA regional offices, and the need for effective oversight of regional office claims processing and adjudication by the Veterans' Benefits Administration, in July of 1997, I requested the GAO to review the quality assurance policies and practices of the VBA. On March 1, 1999, GAO issued its report which determined that further improvement is needed in claims-processing accuracy. In particular, GAO has determined that VBA's quality assurance activities do not meet the standards for independence and internal control.

To assure that VBA's internal quality assurance activities meet the recognized appropriate governmental standards for independence, I have introduced H.R. 1214, which provides for the establishment within VBA of a quality assurance division which comports with generally accepted government standards for performance audits. In addition, my Additional and Dissenting Views and Estimates submitted to the Budget Committee for VA's fiscal year 2000 budget requests additional funding for 250 full time employees for VBA. It is my intention that if additional staff funding is provided, some of the additional staff be used to adequately staff this program.

While VBA has made some improvements by developing an accuracy measurement which focuses on VA's core benefit work—rating claims for benefits—further improvements are needed in claims processing. Currently, there is no formal division within VBA devoted to providing the policy and program oversight necessary to assure quality and accuracy of claims processing. The possible consequences of this for both veterans and taxpayers is troubling.

In fiscal year 2000, the VA will pay over \$22 billion dollars in monetary benefits to veterans. Yet only nine full-time employees are allocated to STAR to oversee the quality of the claims adjudication process. Without a mandated program of quality assurance, which meets generally accepted governmental auditing standards for program performance audits, impartial and independent oversight of the quality of claims adjudication decisions will not be assured.

With the establishment of independent oversight of the quality of claims adjudication decisions, veterans can have more confidence in the decisions made by VA and the number of claims which are remanded because of the poor quality of claims adjudication will be reduced. With better initial decisions and fewer remands for re-adjudication, veterans will receive a quicker and a more accurate response. More claims will be adjudicated correctly the first time. This will not occur overnight, but without an independent oversight of

the quality of claims adjudication decisions it may never exist.

The "Veterans' Claims Adjudication Improvement Act of 1999", H.R. 1214, will help address these problems. It changes the way decisions concerning claims for compensation and pension, education, vocational rehabilitation and counseling, home loan and insurance benefits will be reviewed and evaluated. Employees who are independent of decision makers will be devoted to identifying problems in the decision-making process. By identifying the kinds of errors made by VA personnel, VBA managers will be able to take appropriate action. Hopefully, remand rates can be significantly reduced and veterans will find that VA makes the right decision the first time the claim is presented.

We cannot expect any improvement in the timeliness of claims adjudication unless the barriers to quality decision making are identified and addressed in a systemic fashion. Our nation's veterans deserve to have their claims for VA benefits decided right the first time. By enacting H.R. 1214, Congress can help put the VA claims adjudication process on the right track. Our veterans deserve no less. I strongly urge my colleagues to support the "Veterans' Claims Adjudication Improvement Act of 1999" and for Congress to give this measure quick and favorable consideration.

SEARCHING FOR SANITY ON SANCTIONS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Mr. CONYERS. Mr. Speaker, I have been urging a solution to the Iraqi crisis which does not depend on the suffering of thousands of vulnerable and innocent people. To this end I support the easing of the economic sanctions on Iraq while simultaneously tightening the military embargo. The cost of our containment policy does not have to be the death of 5000 children a month, and in fact the American role in the embargo that causes such devastation undermines any containment we hope to achieve.

I would like to enter into the RECORD an excellent article from *The Nation* magazine which provides a fresh look at our Iraq policy. The article by Joy Gordon, "Sanctions as Siege Warfare," presents a critique of the recent escalation in the use of sanctions to solve diplomatic crises. By detailing the latest statistics regarding suffering in Iraq, it contends that the imposition of sanctions conflicts with the United Nation's historic mission to alleviate worldwide suffering. It presents the case that the "Iraqi experiment" has in fact failed and that such a comprehensive sanctions regime is both unviable and beyond the administrative capabilities of the UN. The unwieldy, inefficient and inconsistent bureaucracy of the Oil-for-Food program has ensured that the UN can not even fulfill its own acknowledged prerogative to deliver urgent humanitarian aid. The program was intended as a transition, emergency operation, not a sustained effort to feed 23 million people over

decades. This program is in addition to restrictions placed on "dual use goods" (a label which includes pencils and other items needed for schools), which the nation needs to rebuild its sanitation, health and agricultural infrastructures. Even after some limited reform, Oil-for-Food is still unable to meet the most basic needs of the people of Iraq. Some in Congress disagree with that, but I ask them where is their evidence? The World Health Organization, the United Nations Food and Agricultural Organization, UNICEF, and the Secretary General of the UN have all found otherwise.

The horror of this situation was brought to my attention most eloquently by Denis Halliday, who recently quit his job as the Assistant Secretary General of the United Nations and the director of Humanitarian Affairs in Iraq over this precise issue. The work that Halliday has undertaken along with Phyllis Bennis of the Institute for Policy Studies, has made an important contribution to bringing the indescribable human crisis in Iraq to America's attention. (I single out the United States because much of the world already knew how bad the situation in Iraq was.)

Gordon's article describes the centrality of the United States' role in perpetuating sanctions, and most significantly, the misguided justifications which underpin US policy. The US, in its self-declared role as "world policeman," is turning increasingly to sanctions as a "non-violent" alternative to bombing campaigns. We should not allow starvation to become an alternative to diplomacy. In the long term, the implications for the general populace can be devastating. In Iraq, the interior had already been destroyed by nine years of conflict (nineteen, if one counts the Iran-Iraq war). The weak and young have suffered the most whilst those in power continue to live comfortably.

The supreme aim in Iraq, to remove Saddam Hussein, is itself unviable whilst the dictator remains bolstered by such powerful cadres and the people remain divided, mutually hostile and depoliticized. Gordon's article alludes to the fact that sanctions can only help achieve political objectives when tangible opposition movements and the apparatus for dissent already exist. This is why sanctions against South Africa were an effective tool for ending Apartheid; the African national Congress was an organized, credible, internal, popular democratic opposition. When such institutions do not exist, sanctions can be counter-productive as they have been in Iraq, perpetuating the state of crisis upon which dictatorships depend and fostering a legacy of bitterness towards the west.

It has often been said that you cannot achieve democracy by undemocratic means. I would add as a corollary that you also cannot inspire respect for human rights by undermining them. The article below shows how the sanctions on Iraq have been as war-like as war itself, and I hope it helps to establish new criteria that will make our policy both more humane and more effective.

[From the Nation, Mar. 22, 1999]

SANCTIONS AS SIEGE WARFARE

(By Joy Gordon)

As the case of Iraq has shown, there's more than one way to destroy a nation.

The continuing American bombing of Iraq has drawn attention away from the inter-

national debate over economic sanctions against Baghdad and their toll on the Iraqi people. Yet the crisis these policies have engendered in Iraq raises crucial questions about the United Nations' growing reliance on sanctions as a device of international governance. Can this modern-day equivalent of siege warfare be justified in ethical or political terms? It is a question that goes to the very heart of the UN's dual commitment to both peacekeeping and humanitarian principles.

The role of the UN in the Iraqi sanctions regime has been convoluted and contradictory from the start. Articles 41 and 42 of the UN Charter empower the Security Council to use economic tactics to keep international peace (although before sanctions were imposed on Iraq in 1990, the UN had imposed them only twice, against South Africa and Rhodesia). At the same time, the UN has an explicit commitment to the Universal Declaration of Human Rights and to the many other documents that espouse the right of every person to health, food, drinking water, education, shelter and safety. Indeed, the UN has a decades-long history of humanitarian work by its many agencies—the World Health Organization, UNICEF, UNESCO, the Food and Agriculture Organization, HABITAT and others. Thus the UN has found itself in the awkward position of authorizing a sanctions regime that is causing massive human suffering among those least responsible for Iraqi policy, while at the same time trying to meet humanitarian needs and protect those populations most harmed by sanctions—women, children, the poor, the elderly and the sick.

Although there is controversy over the precise extent of human damage, all sources agree that it is severe. Voices in the Wilderness, an antisanctions activist group based in Chicago, has used the figure of 1 million children dead from the sanctions; the Iraqi government claims 4,000-5,000 deaths per month of children under 5. Even US Secretary of State Madeleine Albright does not contest how great the human damage has been, but has said, "It's worth the price." Richard Garfield, an epidemiologist at Columbia University who analyzes the health consequences of economic embargoes, calculates that 225,000 Iraqi children under 5 have died since 1990 because of these policies—a figure based on the best data available from UN agencies and other international sources. The Red Cross World Disasters Report says underweight births have gone from 4 percent in 1990 to 25 percent in 1998. While it is harder to calculate the impact of the economic devastation on adults, it is quite acute, particularly for women. In 1997 the Food and Agriculture Organization estimated that chronic malnutrition in the general Iraqi population was as high as 27 percent, with 16 percent of adult women under 26 undernourished and 70 percent of women anemic.

The Iraqi crisis shows how peculiarly unsuited the UN is to manage a sanctions regime. This is partly because it had imposed sanctions so rarely before and partly because of its longstanding commitment to alleviating poverty rather than causing it. The fact that the sanctions against Iraq are so extensive and so novel has forced the UN to generate from scratch an extraordinarily elaborate set of mechanisms to manage them, through which it attempts to reconcile its conflicting commitments.

From the beginning, the UN both predicted an impending humanitarian disaster and made moves to alleviate it. The UN began assessing the human damage immediately