

**DEPARTMENT OF  
VETERAN AFFAIRS**

**Memorandum**

**Date:** January 6, 2012

**From:** Director, Bay Pines Benefits Inspection Division (52BP)

**Subj:** Review of Alleged Unauthorized Destruction of Documents at the Atlanta VA Regional Office (Project # 2012-00456-BI-0039)

**To:** Director, Hotline Division (53E)

**Thru:** Deputy Assistant Inspector General for Audits and Evaluations (52B)

1. We did not substantiate an allegation that Atlanta VA Regional Office (VARO) employees improperly discarded evidence from a veteran's claims folder. During a hearing with the Board of Veterans Appeals in October 2011, the veteran reviewed her claims folder and believed approximately 60 pieces of evidence were missing. In her September 2011 complaint to the VA Office of Inspection General, she alleged that employees from the Atlanta VARO had discarded evidence that supported her Veterans Benefits Administration disability compensation claim.
2. To evaluate the allegation, we interviewed the complainant, inspected the Atlanta VARO files storage and mail-processing areas, reviewed the veteran's claim folder, and interviewed the veteran's designated Power of Attorney (POA), which is the American Red Cross. The veteran provided us descriptions of the evidence she had submitted, but would not provide us copies as she felt this would delay her appeal to the Board of Veterans Appeals. Without copies of the submitted documents for comparison, it was not possible to determine whether all evidence the veteran provided was in the claims folder.
3. Our inspection of the Atlanta VARO files storage and mail-processing areas showed that no duplicate claims folder or additional mail existed for this veteran. Further, the veteran's electronic record did not contain any entries showing employees at the Atlanta VARO had processed allegedly missing evidence. A review of the veteran's claims folder revealed some of the allegedly missing documents the veteran had described to us were actually located in the claims folder.
4. In December 2011, the veteran's POA informed us the veteran submitted copies of the allegedly missing evidence to his office. However, the POA did not think the packet submitted contained as many as 60 pieces of evidence. Further, the POA stated not all of the evidence the veteran provided his office for submission to the Atlanta VARO was included in the file because copies of the information already existed in the veteran's claims folder. The POA asked the veteran to resubmit the allegedly missing evidence for our review, but the veteran declined.

5. As a result, we could not substantiate that Atlanta VARO employees improperly discarded evidence submitted by the complainant. We determined the veteran's claims folder contained some of the allegedly missing evidence; however, without copies of the entire packet of evidence, we could not ascertain that other documents submitted by the veteran were not included. As such, we are making no recommendation in this regard.
6. If you have questions or wish to discuss the issues in this memorandum, please contact me at (b) (6). We appreciate the cooperation extended to us by your staff during this review.

*Original signed by:*

Brent Arronte  
Director – Bay Pines Benefits Inspection Division (52 BI)