

Congress of the United States

Washington, DC 20515

February 4, 2021

Mr. Dat Tran
Acting Secretary
U.S. Department of Veterans Affairs
810 Vermont Ave., NW
Washington, DC 20420

Dear Acting Secretary Tran,

We want to thank you for your willingness to step in as Acting Secretary during the early days of President Biden's administration. Leading the Department of Veterans Affairs (VA) is an enormously important job, and the seamless transition of power from the previous administration to this one, under your guidance, is imperative to the success of our nation's veterans and their families. That being said, and with an open mind to learn new facts if more resources are required, we write to you seeking a detailed explanation regarding the Biden administration's proposal to provide VA with an additional \$17 billion to respond to the effects of the COVID-19 pandemic.

As you know, the COVID-19 pandemic presented unprecedented challenges for VA as it ravaged the nation and the world. Since the onset of the pandemic, our committees have worked with VA to ensure it has the resources necessary to adequately care for and protect veterans, VA employees, and others outside VA's system. To assist the department in its COVID-19 response, Congress provided VA with \$19.6 billion in the CARES Act and equipped it with the flexibility to shift money among its appropriations accounts to ensure the areas with greatest need received funding. Notwithstanding the infusion of resources and flexibility, the department has only obligated \$8.8 billion as of January 27, 2021, leaving it with nearly \$10 billion to meet additional needs going forward across the enterprise. Further, these remaining emergency funds are in addition to the historic \$243 billion fiscal year 2021 appropriation provided to VA just over a month ago.

During multiple Senate and House Veterans' Affairs Committee hearings last year, we and other members of the committee asked VA officials if the department needed additional funding or authorities to combat COVID-19. The bipartisan membership of our committees wanted to make certain that the department had adequate funding and resources to limit veteran exposure, enable diagnosis and treatment, and facilitate expedited vaccine distribution. We were repeatedly told that between the CARES Act and the fiscal year 2021 request, VA expected to have enough funding to carry out its mission. This position on funding was further echoed during regular calls with Secretary Wilkie and Veterans Health Administration Executive-in-Charge Richard Stone's weekly COVID calls with committee staff throughout the year. In fact, Dr. Stone testified before the Senate committee on December 9, 2020, that it was his belief that the remaining emergency funds would be expended "through the remainder of this fiscal year."

In addition, Congress also provided tools for VA to assist veterans with their disability benefits. We applaud VA's work and partnership with contract vendors to make available telehealth medical disability exams and acceptable clinical evidence exams (ACE) whenever possible for veterans. Those efforts helped to ensure that the disability exams and claims backlog did not reach unacceptably high levels due to the pause of in-person exams. To further assist the department with navigating the backlog, Congress worked with VA to pass legislation to provide temporary expanded license portability authorities for contract examiners. While we understand that some level of backlog was inevitable during these unprecedented times, VA's leadership consistently told our committees last year that it had the resources it needed to serve veterans and adjudicate their claims as VA eventually returned to a more stable operational environment. Last spring Congress also worked with the department to pass two COVID-relief packages for GI Bill recipients who were negatively impacted by school closures and shifts from in-person to distance learning. It is important to note that the only additional request from the department to implement these changes was for flexibility to reprogram funds provided in CARES to the IT systems which administer these GI Bill benefits, a request Congress granted with enactment of the "*Consolidated Appropriations Act*" in December. We're told VA deployed these needed IT functionality enhancements as of January 9, 2021.

As you can see, Congress and VA have worked collaboratively on needed funding, flexibility, and other tools veterans needed from the onset of the pandemic. That is why the \$17 billion request is so perplexing. Even more confusing is the effort to rush it through Congress without knowing any material facts relative to the unobligated emergency funds mentioned above; the disconnect the request has with previous statements made by VA officials last year; and the fiscal year 2021 appropriation levels and policy authorizations already provided. While we stand committed to providing VA with the resources it needs to assist veterans and employees throughout the pandemic, as Ranking Members of the Senate and House Veterans' Affairs Committees, it is our duty to conduct oversight to ensure accountability and protect veterans and taxpayers, alike. Therefore, we request in your response to this letter a detailed explanation of the proposal to be accompanied by a briefing for our staffs by Friday, February 5, to discuss this pressing matter and what funding shortfalls this new request would address.

Thank you for your commitment to serving our nation's veterans. We look forward to our continued partnership.

Sincerely,



Jerry Moran
Ranking Member
Senate Committee on Veterans' Affairs



Mike Bost
Ranking Member
House Committee on Veterans' Affairs