

United States Senate

WASHINGTON, DC 20510

January 22, 2019

The Honorable Robert Wilkie
Secretary of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Secretary Wilkie,

On September 21, 2018, President Trump signed into law an appropriations bill funding the Department of Veterans Affairs (VA) for Fiscal Year 2019. Included in that bill was language directing the Department to begin centrally tracking debts to the Department that have been incurred by Veterans.

According to information provided by VA, nearly 2.5 million individual veterans owe money to the Department. However, these debts may be the result of actions taken – or not taken – by VA, including a significant delay in dependency status processing, the lack of an integrated records system, or other errors. While Congress considers the appropriateness of veterans losing future benefit payments so VA can recoup debt it created in the first place, it is important that we do so with accurate data.


In response to requests for information and technical assistance on various pieces of legislation, VA has briefed our staff about the lack of a centralized system to track all veteran debt in the Department, and the inability to determine whether that debt is the result of fraud or misinformation provided by the veteran, or a delay in the time it takes for the Department to process requested changes. Because VA is not currently able to provide Congress with the information we feel is necessary to conduct oversight into this issue and address concerns of veterans and Veteran Service Organizations, the following language was included in the legislation:

The Department is directed, within 180 days of enactment of this Act, to develop a means to track and monitor information on the age and amount of debts owed by individuals to the United States as a result of those individuals' participation in a VA-administered benefits program; whether such debts are the result of delays in VA processing of changes to beneficiary status or other VA actions; and whether such debts are disputed by those individuals. Further, VA is directed to submit a report describing the plan no later than 90 days after it is developed.

The Department has made clear that it currently lacks the ability to provide this type of information. That is precisely why we included language requiring VA to develop a means to track and monitor this information. On a briefing call 90 days into the 180 day timeline, VA representatives informed our staff that complying with this provision was not possible. As you know, legal requirements are not optional. We urge VA to determine what steps need to be taken in order to track this specific information moving forward, and to put these processes in place in a way that meets Congressional intent.

Our staffs remain available to provide additional clarifying information about this provision if necessary, as well as to support any staffing or funding needs required to execute this initiative. We look forward to receiving the report describing this tracking mechanism in June of this year.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

JON TESTER
Ranking Member
Senate Veterans' Affairs Committee

A handwritten signature in blue ink that reads "Brian Schatz". The signature is fluid and cursive, with a large, stylized "S" at the end.

BRIAN SCHATZ
Ranking Member
Senate Appropriations Subcommittee
on Military Construction, Veterans
Affairs and Related Agencies