

Congress of the United States

Washington, DC 20515

February 24, 2026

The Honorable Doug Collins
Secretary of Veterans Affairs
U.S. Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Dear Secretary Collins,

We write to request the immediate rescission of the Department of Veterans Affairs (VA) interim final rule entitled “Evaluative Rating: Impact of Medication” (RIN: 2900-AS49). Though halting enforcement of the rule was a necessary acknowledgment of the widespread concern about its implications, the change made by the interim final rule is current law and remains in the Code of Federal Regulations. Without a complete and permanent rescission, veterans across the country will have to confront the unnecessary dilemma of continuing life-improving treatment for their conditions even though it could lead to a reduction in the benefits they have earned and desperately need.

This rule is a short-sighted and ill-timed reaction to the *Ingram v. Collins* decision. The appeal of that case is still pending, and VA’s attempt to circumvent the judicial process by publishing this rule is troubling, as is the fact that there is little evidence to support issuing an interim final rule rather than pursuing formal rulemaking. We agree with the court’s holding in *Ingram* and believe VA must discount the beneficial impact of medication when rating disability compensation claims. Veterans and Veteran Service Organizations have also made it clear that veterans should not be penalized for complying with treatment. Veteran Service Organizations have made their voices heard in the wake of this rule, but have repeatedly not been included in the conversations leading up to VA policy changes. This is a troubling trend, as it signals a desire to cut veteran voices out of the system designed to provide for them.

Medications help improve function and mask symptoms, but they do not eliminate the impacts of living with musculoskeletal disability, mental health conditions, spinal cord injuries, and other health conditions.

This rule forces veterans into an impossible choice: follow their prescribed treatment plan or risk losing their benefits. As one of the more than 18,000 comments opposing this rule indicates: *“I am a currently serving active duty soldier and my wife is a disabled veteran. Without medication, she cannot survive. This policy change essentially will pay disabled veterans less for taking medication, and creates a situation where disabled veterans have to choose between forgoing necessary medications or forgoing desperately needed compensation. My wife will never be in that situation because she cannot make that choice; without medication, she cannot survive. She sacrificed significant mobility in both arms, damage to her hips, and her sanity (she has severe PTSD), and is in constant pain every day. I myself am still serving, and am still ready to lay down my life in a heartbeat for this country. Sometimes, we question if serving was worth it. Rulings like these make us question that even more.”*

We also have serious concerns that VA provided no advance notice to or consultation with veterans, VSOs, or Congress, despite the interim final rule’s significant impact and estimated \$23 billion cost savings. The lack of transparency and lack of communication before its roll-out indicates this rule is a political maneuver aimed at cutting costs by abdicating VA’s obligation to service-disabled veterans.

Given the widespread alarm this interim final rule has created and the significant harm it will cause, we request the following information not later than March 2, 2026:

- A description of the steps VA has taken to suspend implementation of the interim final rule and a timeline for its rescission or replacement.
- A review and accounting of VA's compliance with federal rulemaking procedures, to include VA's determination that there was good cause under section 553(b)(B) of title 5, United States Code, that "providing advance notice and prior opportunity for public comment was impractical and contrary to the public interest."
- A description of any action VA is planning regarding its appeal of the *Ingram v. Collins* decision.
- Information regarding any systematic review conducted by VA, or any other entity, of service-connected conditions and medication impacts, and which conditions and diagnoses are meant to be targeted by this rule, and the number of veterans impacted. If such information exists, please provide it to the Committees. If such information does not exist, please explain how this rulemaking was conducted without evidence to support its need and impact.

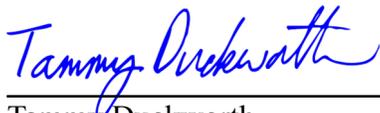
Further, be advised that this letter is a formal request to VA and the National Archives and Records Administration to preserve all stored communications, data, records, documents, reports, memoranda, correspondence, audio recordings, call logs, activity logs, audit trails, audit logs, notes from meetings, written agreements or other communication or any portion of any such communication, created, edited, modified, saved, or received by any former or current employee or contractor of VA regarding all matters pertaining to the development and issuance of this interim final rule. This request includes, but is not limited to, all stored communications, data, records, documents, reports, memoranda, correspondence, audio recordings, call logs, activity logs, audit trails, audit logs, notes from meetings, written agreements or other communication or any portion of any such communication, created, edited, modified, saved, or received by any current or former employee or contractor of the Office of the Secretary, Office of the Executive Secretary, Veterans Benefits Administration, Office of General Counsel, Office of Congressional and Legislative Affairs, and Office of Regulatory Policy and Management.

Millions of veterans continue to suffer from their service-connected disabilities despite taking medications or other interventions to manage symptoms. To discount that fact in the name of political expediency and cost-cutting on the backs of our nation's brave veterans is unconscionable. As President Trump said at Arlington National Cemetery just last year on Veterans' Day, "*Because of what every veteran has done today, the flame of liberty shines bright. The people of our nation sleep safe, the American dream surges forward, and our magnificent destiny stands more splendid and glorious than ever before.*" In that vein, we look forward to working with you to ensure those veterans receive the benefits they need and deserve to cope with the real, long-lasting impacts of their military service, and on repealing this misguided rulemaking.

Sincerely,


Richard Blumenthal
United States Senator


Mark Takano
Ranking Member
House Committee on Veterans'
Affairs



Tammy Duckworth
United States Senator



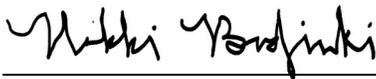
Timothy M. Kennedy
Member of Congress



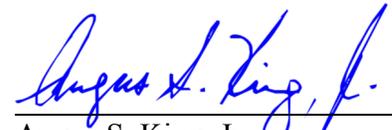
Chris Deluzio
Member of Congress



Delia C. Ramirez
Member of Congress



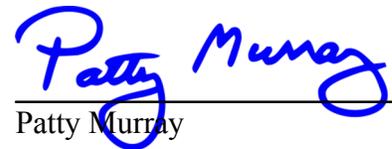
Nikki Budzinski
Member of Congress



Angus S. King, Jr.
United States Senator



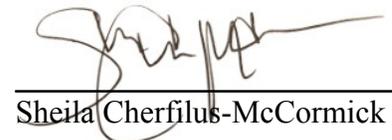
Herbert C. Conaway, Jr.
Member of Congress



Patty Murray
United States Senator



Bernard Sanders
United States Senator



Sheila Cherfilus-McCormick
Member of Congress



Chris Pappas
Member of Congress



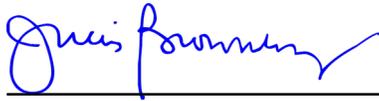
Kelly Morrison
Member of Congress



Morgan McGarvey
Member of Congress



Maxine Dexter
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Julia Brownley
Member of Congress



Margaret Wood Hassan
United States Senator



Mazie K. Hirono
United States Senator



Elissa Slotkin
United States Senator



Ruben Gallego
United States Senator

cc: James Byron,
Senior Advisor to the Archivist
National Archives and Records Administration