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COMMITTEE ON VETERANS' AFFAIRS

ONE HUNDRED EIGHTEENTH CONGRESS

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September 6, 2023

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

Dear Secretary McDonough:

Early yesterday evening, the Committee was notified that the Department of Veterans Affairs (VA) had uncovered two technical problems with VA.gov that prevented veterans from submitting important, necessary information related to their disability claims.

Most troubling, the first error could have occurred as early as 2011, and VA estimates that approximately 56,000 veterans who attempted to file requests to update their dependency status in VA.gov (or its predecessor, eBenefits) were impacted. The error resulted in VA failing to add or remove a dependent from those veterans' profiles in a timely manner, which in turn may have caused over- or under-payments in monthly disability compensation checks to tens of thousands of veterans. It is unacceptable that VA failed to notice and fix this systemic error for over a decade.

The second error began on July 27, 2023, after a software update to VA.gov, and it prevented approximately 900 veterans from accessing the "Notice of Disagreement" form that would have allowed them to appeal an unfavorable decision for veteran disability compensation. VA has yet to identify the exact number of veterans impacted by this problem.

These two glitches are just the latest in a string of electronic filing issues that continue to plague your Department, which I will note has a multibillion-dollar IT budget. The most recent of which occurred just a month ago when approximately 5,600 veterans encountered an error when attempting to submit their "Intent to File" on VA.gov before the one-year deadline for backdated benefits as authorized by the PACT Act. I am incredibly frustrated with this pattern of technical problems in VA.gov and associated systems. Particularly because tens of thousands of veterans and their families have been directly affected by these mishaps, and millions of

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veterans, their families, their caregivers, their dependents, and their survivors rely on the VA website, which is supposed to be a pillar of a more modern, user-friendly VA.

I request an immediate staff-level briefing on these two problems that will include answers to the following questions:

- What were the root causes of the failure of VA.gov to receive and process veterans' dependency status updates and to allow access to the "Notice of Disagreement" form?
- If VA first began investigating the dependency status issue in August 2021, why has it taken over two years to inform Congress or impacted veterans?
- How did VA arrive at the estimate of 56,000 veterans impacted by the dependency status issue? How many more veterans could have been affected by the error in VA.gov and eBenefits?
- What is VA's plan for handling overpayments and underpayments to veterans who attempted to change their dependency status?
- How will VA ensure that every veteran who was prevented from submitting a "Notice of Disagreement" will have their appeal processed?
- Do these situations have any connection to the failure of VA.gov to establish claims filed by approximately 32,000 veterans? VA began processing those lost claims in August 2023, over half a year after VA notified Congress of that issue. Will VA similarly delay in processing veterans' dependency status updates and "Notices of Disagreement"?
- Who are the individuals who are responsible for keeping track of the failures of these systems and what steps are being taken to ensure accountability for these repeated failures?

I appreciate your cooperation in this matter, and I look forward to hearing VA's responses as to how it intends to remedy these technical problems in a way that holds veterans harmless and upholds their confidence in your Department's ability to deliver them the level of service they have earned.

Sincerely,



MIKE BOST

Chairman

cc: The Honorable Mark Takano, Ranking Member