

United States Senate

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION
FINANCE
JUDICIARY
VETERANS' AFFAIRS

January 17, 2024

VIA ELECTRONIC TRANSMISSION

Denis R. McDonough
Secretary of Veterans Affairs
810 Vermont Ave NW
Washington, DC 20420

Dear Secretary McDonough:

I write to express my deep concern regarding recent reports that the Department of Veterans Affairs is prioritizing medical care and veterans benefits for illegal immigrants at the expense of both American veterans and taxpayers. In fiscal year 2022 alone, taxpayers shouldered the cost for \$94.3 million worth of medical expenses for detained migrants, money that should have been used to support American veterans who bravely served this nation.¹ Additionally, in fiscal year 2021, Immigration and Customs Enforcement's (ICE) health care arm budgeted more than \$74 million for the VA's contractor to assist with outside referrals and medical claims processing.²

Yet at the same time, veterans and their families are rewarded for their sacrifice with months- and years-long waiting times for their claims to be processed. Currently, 1,048,765 veterans are waiting for staff to process their claims.³ The VA claims that the average wait time for a claim to be processed is about five months; yet the agency's own data shows that its backlog has increased and is expected to grow this year.⁴

¹ Ryan King, *VA ripped for helping pay migrant treatment as over 400K veterans, their families wait*, New York Post (Jan. 10, 2024), <https://nypost.com/2024/01/10/news/va-ripped-for-reimbursing-migrant-treatment-as-veterans-wait/>.

² *Id.*

³ U.S. Department of Veterans Affairs, Veterans Benefits Administration Reports, Claims Inventory, https://www.benefits.va.gov/reports/mmwr_va_claims_inventory.asp (last updated Jan. 16, 2024).

⁴ U.S. Department of Veterans Affairs, Claims Backlog, Claims Backlog, https://www.benefits.va.gov/reports/mmwr_va_claims_backlog.asp (last updated Jan. 16, 2024); VA Under Secretary for Benefits, 2023: End-of-year Veteran benefits update (Dec. 20, 2023), <https://news.va.gov/127378/2023-end-of-year-veteran-benefits-update/#:~:text=Although%20the%20backlog%20has%20increased,applications%20were%20nearly%20this%20high.>

The VA was created to support those who have served and protected this nation, and now senior VA officials have seemingly placed these veterans on a tier below the flood of illegal immigrants that are crossing our porous border. Since President Biden took office, more than 8.5 million illegal immigrants, including 1.7 million known “gotaways” have entered our country. Hundreds of individuals on the terror watchlist have been caught at our border, including 30 since the start of fiscal year 2024. This problem will continue to grow as Secretary Mayorkas continues to turn a willfully blind eye towards the crisis at our southern border.

It is unacceptable to see the VA redirect its resources away from those who defended this country in favor of those who flout its laws without remorse. As such, I ask that the VA immediately stop allocating its resources to the care and claims of illegal immigrants.

Additionally, please answer the following questions no later than Friday, January 26, 2024:

1. Which VA programs allow for participation by illegal immigrants? Do any VA programs verify citizenship information as part of their enrollment processes?
2. Does the VA verify citizenship status when processing veterans’ benefits claims? If so, do you deny benefits to those people who are found to be in the country illegally?
3. How much funding has the VA allocated specifically for the medical care or veterans’ benefits (including claims processing) for illegal immigrants, including but not limited to those in ICE detention facilities or those who were deported?
4. Please describe in detail your arrangement with ICE’s Health Service Corps that is referenced in the New York Post article titled “*VA ripped for helping pay migrant treatment as over 400K veterans, their families wait.*” A VA spokesperson is quoted as describing this relationship as “administrative in function.” What administrative roles is VA performing as part of this arrangement?
5. What laws, regulations, or directives give the VA the authority to provide medical care or veterans’ benefits to those who have entered the country unlawfully?
6. Have you received a specific directive from the Biden Administration to provide medical care or veterans’ benefits to illegal immigrants, including those in ICE detention facility or those who have been deported?

Sincerely,



Marsha Blackburn
United States Senator