

August 10, 2023

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

Dear Secretary McDonough:

Today marks one year since the *Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2021* (P.L. 117-168) became law. Thanks to bipartisan support in Congress, the PACT Act cut the red tape and over the past year, thousands of veterans have been able to receive the benefits they deserve. The PACT Act also demonstrated to the brave men and women who put their lives on the line for their country that we will keep our promise to take care of them when they come home.

It is clear that the PACT Act is one of the largest expansions of the U.S. Department of Veterans Affairs' (VA) health care and benefits that our country has ever seen. The latest statistics from the VA show the impact the law has had so far. As of August 4, 2023, veterans and survivors have submitted 801,983 PACT Act related claims to the VA, and almost 111,000 veterans have enrolled in VA health care.<sup>1</sup> In the Sunshine State alone, nearly 65,000 Floridians have filed for claims under the PACT Act – representing almost 9 percent of the total PACT Act related claims the VA received as of July 21, 2023.<sup>2</sup> Additionally, 26,198 veterans in Florida have enrolled in VA healthcare since August 10, 2022. These statistics are the result of the immense outreach efforts the VA has undertaken over the past several months encouraging those individuals who are eligible to apply for health care and benefits.

As we look ahead, it is essential that the VA builds on the current momentum and ensure that all veterans remain informed about benefits afforded to them under the new law. It is also imperative that their claims are decided in a timely manner, an issue that I have written about to you previously. Recently, there has been troubling reports indicating the current backlog of 266,000 claims is expected to balloon to 730,000 by next year.<sup>3</sup> I am committed to working with the VA to ensure you have the resources necessary to address this backlog, and I urge you to prioritize both hiring and IT infrastructure needs.

It is also necessary that the VA provide adequate training for employees so that they can better serve veterans and more accurately adjudicate PACT Act claims. I have heard from

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<sup>1</sup> [https://www.accessstocare.va.gov/pdf/VA\\_PACTActDashboard\\_Issue12\\_080423\\_508.pdf](https://www.accessstocare.va.gov/pdf/VA_PACTActDashboard_Issue12_080423_508.pdf)

<sup>2</sup> [https://www.accessstocare.va.gov/pdf/VA\\_PACTActDashboard\\_Issue11\\_072123\\_508.pdf](https://www.accessstocare.va.gov/pdf/VA_PACTActDashboard_Issue11_072123_508.pdf)

<sup>3</sup> <https://apnews.com/article/veterans-toxic-materials-burn-pits-pact-act-79c806d5383464dc1154d6c101a456bd>

constituents who have called their local VA asking about receiving a toxic exposure screening receive incorrect information. I implore the VA to take steps to further educate employees – especially those who are directly interacting with veterans, provide additional training opportunities on the PACT Act, and take steps to provide clear and transparent guidance for all individuals involved in the PACT Act claims process.

As Congress continues to conduct oversight over the VA's implementation of the PACT Act, I wish to know the following:

1. What is the VA's plan to address the expected backlog of claims, and ensure that the backlog of claims does not continue to grow?
2. Has the VA met its planned hiring goals to address the expected backlog?
3. What is the VA doing to improve training for VA employees, including front desk receptionists and those who answer the phones, in order to better educate them about the PACT Act?
4. Has the VA identified any shortfalls in outreach efforts to veterans and survivors?
5. What challenges does the VA face in communicating details of PACT Act implementation to VA employees, veterans, and survivors?

Congressional efforts, in addition to the tireless work of veterans and advocates, to get this law across the finish line was just the beginning of this important and overdue undertaking. As the VA continues to implement the PACT Act, it must continue to put veterans and survivors first, address staffing challenges, and proactively get ahead of the backlog of claims that have plagued the department for many years. We owe it to our nation's warriors, and their families, to deliver on the promises and allow all who have sacrificed so much to seamlessly access the healthcare and benefits that they selflessly earned and now need.

Thank you for your attention to this important matter.

Sincerely,



Marco Rubio  
U.S. Senator