

EXAMINING VA.GOV

HEARING

BEFORE THE

SUBCOMMITTEE ON TECHNOLOGY MODERNIZATION

OF THE

COMMITTEE ON VETERANS' AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

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EXAMINING VA.GOV

TUESDAY, SEPTEMBER 26, 2023

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON TECHNOLOGY MODERNIZATION,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 3:19 p.m., in room 360, Cannon House Office Building, Hon. Matt Rosendale (chairman of the subcommittee) presiding.

Present: Representatives Rosendale, Mace, Self, and Cherfilus-McCormick.

Also present: Representative Luttrell.

OPENING STATEMENT OF MATTHEW M. ROSENDALE, CHAIRMAN

Mr. ROSENDALE. Good afternoon. The subcommittee will come to order. Thank you so much for your patience. As you all are aware, we all have many tasks that we have to take care of through the course of the day, so many times they double schedule.

We are here today to examine a pattern of problems with the VA.gov affecting veterans' benefit claims. The VA aggressively built out VA.gov over the past 5 years. Today, it is more than a website. It is a self-service platform for veterans to access the care and benefits that they have earned.

I absolutely agree that veterans should be able to manage their healthcare and benefits online rather than waiting on hold with a call center to do everything. To perform all those functions VA.gov now interfaces with most of the systems we have discussed in previous hearings. Those systems and interfaces have significant bugs and some of them are simply obsolete.

VA.gov has gaps and veterans are falling into those gaps. Nearly 100,000 veterans that we know of have been struggling with the VA.gov bugs to access their benefits. In some cases, these problems have been happening for years, but VA officials only recently discovered and disclosed them.

In January, VA notified the committee that about 32,000 veterans' disability compensation claims submitted through the website had been rejected. This had been happening since 2018. The website did not alert the veterans that an error had happened, so they thought that everything was normal. This is unbelievable. They just chalked it up to VA being slow on the delivery of their benefits. They never even called, inquired, or complained about it. That is how bad VA's reputation is.

The website did not alert the veterans that an error had happened, so, again, they thought everything was normal. It took the VA 7 months to send letters to notify them.

Then last month, as the intent to file (ITF) deadline under the The Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act was approaching, about 5,600 veterans received error messages when they tried to submit on the website. The VA initially had no idea what was even happening or that it was happening.

On top of that, more than 56,000 veterans' requests to add or remove dependents on the VA.gov and its predecessor were not processed, causing them to be overpaid or underpaid. This has been happening all the way back to 2011. The 56,000 is just an estimate and the Department is still trying to come up with a plan on how to address the situation.

Each of these four incidents was somewhat different, but they indicate a troubling pattern. We are going to get to the bottom of what happened and whether the glitches extend beyond the benefits functions of VA.gov and into other areas. This is the situation where the VA is badly in need of independent oversight. The veterans need to know that our witnesses have thoroughly investigated the extent of the problems, and this is not just the tip of the iceberg.

The impacted veterans also need to hear from VA much more quickly. Months and years is completely unacceptable. Seven months to mail letters to the veterans whose claims were rejected is unacceptable and the veterans whose dependent updates were not processed deserve immediate help. When the VA Central Office gets around to it is not an acceptable response.

VA.gov is vital and we need to make sure it is built on a solid foundation.

I appreciate our witnesses joining us today to discuss how we are going to do just that. With that, I would yield to Ranking Member Cherfilus-McCormick for your opening statement.

**OPENING STATEMENT OF SHEILA CHERFILUS-MCCORMICK,
RANKING MEMBER**

Ms. CHERFILUS-MCCORMICK. Thank you, Mr. Chairman, and thank you to the witnesses for being here today.

VA.gov is veterans' primary portal to access the care and benefits they have earned through their service to our country. It is concerning when we hear that there is an issue with this website, especially when Congress learns of three major issues in less than 1 month.

In August, VA.gov failed to keep up with what we all knew was going to be a massive influx of disability claims. Veterans had until 11:59 p.m. on August 9 to submit their claims or an intent to file a claim associated with the PACT Act to have any potential benefits backdated to when the bill was signed in August 2022. The VA received so many submissions that it broke the website's ability to process them. Veterans began receiving error messages that caused confusion about whether their claim had been received or not.

Then earlier this month, we learned that over 56,000 veterans were potentially negatively impacted by the website's failure to

process veterans' dependent status updates and that it took VA over a decade to recognize and fix this issue. As I understand it, VA still does not have a full understanding of the impacts of this issue on veterans and which veterans were affected.

In the same notification we also learned that there is an issue with the VA.gov that has been preventing veterans from being able to appeal their claims decision, which is their right. I understand that the VA claims that these issues affect a small percentage of veterans, but we owe it to our veterans to ensure that they have access to functional and reliable technology to access their care and benefits.

I do want to say a thank you to Assistant Secretary DelBene and Undersecretary Jacobs for the level of transparency they have provided on the recent issues with the VA.gov. I am not an IT expert, so I will not pretend that I fully understand the technological aspects of the issue, but I do understand how they are impacting veterans. I appreciate the VA's Office of Information and Technology (OIT) seems to be hyper focused on not only getting these identified issues fixed, but establishing a process to ensure that any future issues are identified and fixed more quickly. I am happy to hear this and we will work with the chairman to ensure that we hold you to it.

While we are talking about VA.gov, I do want to talk about another issue with the website. Compliance with section 508 of the Rehabilitation Act of 1973 continues to be an issue with VA's website and IT solutions. We have raised this issue repeatedly with VA, and yet we continue to hear that VA.gov fails to meet the needs of blind and low-vision veterans. This is disappointing, especially as many of these veterans lost their vision due to conditions attributed to their military service. We owe them the same level of access as their sighted colleagues. I hope to hear from today's witnesses about a plan to ensure that this resource is available to all veterans equally.

I look forward to today's testimony, and I yield back. Thank you.

Mr. ROSENDALE. Thank you. Ranking Member Cherfilus-McCormick.

Before we proceed, I ask unanimous consent that Mr. Luttrell and any other members of the Disability Assistance and Memorial Affairs (DAMA) Subcommittee be permitted to participate in this hearing. Without objection, so ordered.

I will now introduce the Veterans' Affairs witnesses on our first and only panel today. First we have Assistant Secretary for Information and Technology Kurt DelBene. We also have Chief Technology Officer (CTO) Charles Worthington. Finally, we have Mr. Ray Tellez, the Executive Director of the Office of Business Integration in the Veterans Benefits Administration (VBA).

I ask the witnesses to please stand and raise your right hands.
[Witnesses sworn.]

Mr. ROSENDALE. Let the record reflect that all the witnesses have answered in the affirmative.

Mr. DelBene, you are now recognized for 5 minutes to deliver your opening statement on behalf of the panel.

STATEMENT OF KURT DELBENE

Mr. DELBENE. Good afternoon, Chairman Rosendale, Ranking Member Cherfilus-McCormick, and members of the subcommittee. Thank you for the opportunity to testify about the Department of Veterans Affairs VA.gov website. I am accompanied today, as you noted, by Mr. Charles Worthington, VA's chief technology officer, and Mr. Ray Tellez, Executive Director of the Office of Business Integration from the Veterans Benefits Administration.

As this committee is aware from our numerous meetings since my confirmation, VA is committed to providing exceptional care, services, and a seamless unified experience to our veterans. VA's Office of Information and Technology collaborates with VBA and various other VA offices to achieve this mission through the delivery of state-of-the-art technology, including VA.gov, a modernized website and VA's digital front door. Nearly 14 million unique veterans and others use VA.gov each month to access information about the services and benefits provided by the Department. In August alone, we had over 19 million unique users.

In the healthcare space in particular, we are an industry leader in our veterans' usage of our healthcare portal. The website is designed with a clear and intuitive navigation menu, enabling users to quickly find the information that they are seeking.

The VA.gov project is one of the Department's most important initiatives. For the first time in the VA's history gives a comprehensive digital experience that provides veterans a single online location to learn about, apply for, use, and manage their VA healthcare and benefits. Since its relaunch in 2018, VA.gov has seen dramatic growth both in usage and in the breadth of services offered on the platform. VA has added numerous features to VA.gov during its high-growth period. For example, veterans can now apply for caregiver benefits, digitally submit appeals, request a debt waiver, and view their debt and copayment balances, request and schedule healthcare appointments, and even check in for those appointments on their day of service.

Integrating the various legacy systems into VA.gov has not been without challenges. As we proactively notified you on September 5, VA recently uncovered several technical issues impacting a small percentage of the website's traffic, which we are working very hard to address. I want to be very clear that despite the limited scope of these issues, we view these problems as unacceptable, and we at the VA deeply apologize to the impacted veterans. We are working relentlessly to ensure no veteran is negatively impacted by these technical issues, by ensuring veterans receive effective dates that respect their original submission timelines and forgiving any overpayment debts that may have been created due to the VA's technical mistake.

Moving forward, the Department is taking immediate steps to prevent these issues or issues like this from happening in the future. VA will resolve these issues, prevent them from happening again, address them more quickly when needed, and, most importantly, make sure that all impacted veterans get the benefits and services that they deserve as quickly as possible.

Chairman Rosendale, Ranking Member Cherfilus-McCormick, and members of the subcommittee, thank you for the opportunity

to appear before you today. As I mentioned, VA.gov is one of the Department's most important initiatives and we have made a great deal of progress and amid tremendous growth in capability and capacity. We look forward to continuing to work with the subcommittee to address our greatest priorities and the challenges we face in our digital transformation. We value your steadfast commitment and support for our veterans.

This concludes my testimony, and we look forward to answering your questions.

[THE PREPARED STATEMENT OF KURT DELBENE APPEARS IN THE APPENDIX]

Mr. ROSENDALE. Thank you, Mr. DelBene. The written statement of Mr. DelBene will be entered into the hearing record.

We will now proceed to questioning and I will recognize myself for 5 minutes.

Mr. DelBene, at least 94,500 veterans' benefits have been delayed or disrupted because of the VA.gov problems. I understand that you are very proud of the website and millions of veterans that use it, but this is 94,500 veterans and their families whose personal finances may be disrupted or who may be waiting for months or even years, as we have heard in the record already, for disability compensation.

Mr. DelBene, do you believe there is an acceptable error rate in VA.gov? If so, what would you define as an acceptable error rate?

Mr. DELBENE. Thank you for the question. I do not believe that it is acceptable for us to have errors that occur on the website that are not processed in a way that benefits the veterans and assures their intent. By that, in one of the places where I think we had challenges we were working on is when an error occurs in the system, make sure it gets passed off to a human being who can do the right thing in those cases. In that sense, I do not think there is an acceptable error rate. More particularly, I think every error that does occur—because in software errors will occur—we need to, one, fix those errors and, two, we need to make sure that the veteran is handled in the appropriate way.

Mr. ROSENDALE. Mr. DelBene, what concerns me the most about the VA.gov IT errors is that it took the VA years to notice them. I want to hear more about your internal review of the causes, but first and foremost, how are you going to improve your ability to detect and solve these problems in real time?

Mr. DELBENE. Thanks for the question. I am actually going to pass this one to Charles Worthington, our CTO, and have him take that one on.

Mr. WORTHINGTON. Thank you for the question. We are working right now urgently to create a comprehensive review of each of the products that VA.gov offers so we can get a real-time sense of the error rates with all of the downstream services that VA.gov integrates with to deliver that feature. Something that we learned as a result of this incident is that we did not have a fast enough ability to identify these issues as they occurred. That is what we are really focused on with this first priority of getting better monitoring and observability set up.

We have made a lot of progress on that goal since we announced that to you all. All of the benefit application forms are now in this

dashboard with a great sense of what the success rate of each of those downstream transactions are.

We view that, as you said, the time that it took the VA to identify these problems proactively was really unacceptable. We are working hard to make sure that that does not happen again.

Mr. ROSENDALE. Mr. Worthington, as you are answering these questions, let me ask you, we have identified four areas that have extensive problems and delays. Which ones are you addressing first and exactly how are you working? How many people do you have focused on those tasks?

Mr. WORTHINGTON. This is a top priority of our VA.gov team to get better sense of the health of each of those products. We have got a daily stand-up with probably a dozen or more folks talking about the progress in increasing the monitoring of those systems.

I think, as I mentioned, the benefits applications forms are all already monitored. We are also paying a lot of attention to the health enrollment form, which has the upcoming deadline of September 30 for the special enrollment period. We are seeing really positive results with that.

I think that, as Mr. DeBene said, the ability to know with confidence that once a veteran has hit submit on an application on VA.gov that that transaction is going to be honored, even if there is a downstream error, we are paying particular attention to those because we know that those are the source of the two issues that led to a potential delay.

Mr. ROSENDALE. Okay. Mr. Tellez, what do you think is a reasonable turnaround time for a disability compensation claim? Let me preface that with assuming that all the proper documentation is turned in. Okay. All the proper documentation is turned in. What do you think is the reasonable time for a disability claim?

Mr. TELLEZ. Thank you, Congressman, for your question.

Right now we define it as under 125 days. In the world that I live in, we are trying to get those processed as quickly as possible because that is the expectation that veterans have in the real world. I would say that would be the answer, as quick as we can. I know we have had different programs to do that. I hope that answered your question.

Mr. ROSENDALE. Mr. Worthington, have you determined the extent of the benefits-related VA.gov problems and whether they extend into the other functions of the website, like healthcare?

Mr. WORTHINGTON. We are looking very closely at that exact question to identify if there were any similar problems, such as the dependency claim or the 526 claim errors. At this point, we have not identified anything on that scale, but that is something we are looking at very intently.

Mr. ROSENDALE. Very good.

Okay, I am down to it. I recognize Ranking Member Cherfilus-McCormick for 5 minutes for your questions.

Ms. CHERFILUS-McCORMICK. Thank you, Mr. Chairman.

I wanted to get back to the timeliness issue that you touched upon. I want to be clear, why did it take you so long to become aware of the issues?

Mr. DELBENE. If I may, thank you for the question, that you have to separate that into which particular issue we are talking about.

In the case of, for instance, dependency application to change, early on in 2021, there was an identification of an issue because the rules that were processing those as having failure cases. At that point there was actually a processing that was put in place. There is actually a rules processing error sheet that came out, a report that came out, and those were all manually handled by people to make sure the right thing happened.

We thought at that point that that was the extent of the problem until we started hearing from veterans and Veterans Service Organizations (VSOs) that there were other issues coming up. That was actually toward the end of 2022, the very beginning of 2023. For that longer period of time, we actually did not think there was a broader problem.

Once a broader problem was identified, we set up a cross-functional team to actually go tackle that issue and solve the bug that we did then determine existed. In that case, that kind of explains why the gap.

In other cases, it was very rapid to find the issue. For instance, the claims application, that was actually found quite rapidly and resolved quite rapidly. The issue we had in August of the website having errors, we fixed that one very quickly as well. It really depends upon the particular instance you are talking about.

Ms. CHERFILUS-McCORMICK. Well, we were talking about the issues that were identified in September 5 in the congressional notification which you touched upon.

I also wanted to know, can I get your commitment that any veteran who missed out on the benefits because of the dependent status issue will be made whole and that they will receive those backdated benefits?

Mr. DELBENE. If I may, I will have Ray handle that one.

Mr. TELLEZ. Thank you, Congresswoman. Yes, you have our commitment. We are currently in the process of assessing those, but our goal will be to make those veterans whole and make sure that they get the benefit that they have earned and deserved.

Ms. CHERFILUS-McCORMICK. That no veteran will receive a debt because the IT system failed?

Mr. TELLEZ. That is the process that we are working from is not to create a debt because of the issue with the error that may have caused the debt.

Ms. CHERFILUS-McCORMICK. Mr. DelBene, I am sure that you are aware that we hold a series of VSO hearings every year in the spring. Every year we hear pleas from the Blinded Veterans Association for better oversight of VA's section 508 compliance. They have raised concerns about not only VA.gov, but also with the IT system that veterans use, both as recipients of care and benefits and as employees of VA.

Why has the VA not met the mandate of section 508 compliance, specifically the VA.gov portal that veterans rely on to access their care and benefits?

Mr. DELBENE. Well, we take 508 compliance very seriously. I personally think it is a commitment that we need to honor and ac-

tually amp up our work there. Let me break that into a couple of different parts.

The first thing is the VA.gov has a lot of content on it. That content can be separated into web pages or a lot of PDFs. We have been making steady progress in actually identifying the most used web pages and the most used PDFs and making sure that they are compliant with 508.

If you then take the VA.gov, the functional part of it, it actually was built from the beginning to have a framework that actually makes it accessible to the blind. As we move more and more functionality onto VA.gov, we will inherit that accessibility.

The one pivot we have made in the change is to actually target the things that are most used, whether it is documentation or whether it is functionality as well. I think we are doing pretty well there. There is more for us to do, but know that we take the commitment to 508 incredibly seriously.

Ms. CHERFILUS-McCORMICK. What is your timeline for full implementation or even substantial completion?

Mr. DELBENE. Well, I think that the effort toward 508 is going to be an ongoing effort. I think we are, if you take web pages, for instance, we are in the 90 percent compliance in terms of the number of hits that happen or, you know, essentially going from the most popular pages on down. Some of the thornier issues are in application spaces where there is custom logic, and those are the ones that I think are going to take a while, but I meet with the team every month to review our progress on this.

Ms. CHERFILUS-McCORMICK. Do you have a goal date arranged that we can actually be able to follow up on?

Mr. DELBENE. It is a good question. You know what I would love to do is get into a regular dialog with you, so I can show you our progress. I think we actually have an update for staffing on the 508 progress on the 27th. If there are specific questions, we would love to talk to you about those and walk you through it. I would love a regular engagement on that.

Ms. CHERFILUS-McCORMICK. Thank you, Mr. Chairman. I yield back.

Mr. ROSENDALE. Thank you, Ranking Member Cherfilus-McCormick.

I will now recognize Representative Self for 5 minutes of questioning.

Mr. SELF. Thank you, Mr. Chairman.

I want to go back to the 56,000. When did you first discover this issue? Did I hear you say early 2021?

Mr. DELBENE. Mr. Tellez, do you want to take the chronology on that one?

Mr. TELLEZ. Yes. Thank you, Congressman.

We first heard about it, I believe, in August—November 2021 of that error issue, was brought to us by IT. October 2022, when we discovered the 32,000 veterans.

Mr. SELF. No, I am talking about the 57,000—

Mr. TELLEZ. Oh, the dependencies, my apologies.

Mr. SELF [continuing]. dependencies that goes back to 2011.

Mr. TELLEZ. Yes, so we discovered that in August 2021, is when we discovered there was a number of dependency claims that were

being rejected from the system. We worked with IT to set up an Integrated Product Team (IPT) to investigate what that issue was. It was not until January 2023 when we discovered there was maybe a different problem, a bigger problem, when we got feedback from our call centers, from veterans who were having challenges—

Mr. SELF. Right.

Mr. TELLEZ [continuing]. with dependency that were not on the list that we had. That is when we discovered there was maybe a different issue with that.

Mr. SELF. Mr. DelBene, what is the Quality Assurance (QA) on VA—on this website? What is the quality assurance? What are your checks? We have an issue from 2018 that you finally started addressing in August 2023. We have an issue from 2011 that you determined—you finally found it in August 2021, a decade later.

What is your quality assurance on your website? There are people, and my point is this, there are people behind every IT system. We are talking about IT systems here as though they are autonomous systems. They are not.

What is your quality assurance for veterans? As the chairman pointed out, they just did not follow up and nobody caught it. Where are the people in this system?

Mr. DELBENE. That—in the typical scenario, software will get developed by developers, it will be passed to a full QA test in a preproduction environment.

Mr. SELF. I am not talking about the preproduction. I am talking about once you get it up and running, who is doing the quality checks, the percentage check, a 10 percent check, whatever? Who is doing that? That may be a question for Mr. Worthington, but who is doing that check?

Mr. DELBENE. No, it is—

Mr. SELF. It should not have taken a decade for us to find this if you had a QA process in place.

Mr. DELBENE. Let me start and then I will definitely pass it to Charles for more elaboration on it. Any of the systems that we run are monitored and have telemetry on them, so that they are checking for any error conditions that occur. In the particular cases we are talking about here, these are places where those error conditions actually were not caught by monitoring.

We meet every single day of the year and walk through any issues that occur. One of the questions I ask most often is, was that error caused by or check caught by monitoring or not? We need to do more monitoring of situations like this and we are constantly adding to that monitoring. In these particular cases, it was a missed error check and we just have to admit that. We constantly improve it, but there is more for us to do.

Mr. SELF. You had the error check in place, it just did not work?

Mr. DELBENE. It did not hit these particular circumstances. Charles?

Mr. WORTHINGTON. Yes. I would just add that I think the challenge that we encountered with the dependency claim issue is that the traceability of a transaction from the VA.gov website into the downstream systems, many of which are quite old, we do not have good traceability at this time of those transactions. That is one of

the things we are working to address as a part of this systematic review.

What we would like to have is an ability to check for sure that every transaction that is received on VA.gov has made it either into the downstream system that it is intended to do so it can be automatically processed, or, if for whatever reason there is some failure, that there is a backup sort of manual process that puts those in place.

Mr. SELF. Okay. Who was responsible for missing the quality checks and was there action taken against the person responsible for that? Are we holding anyone accountable for these errors?

Mr. DELBENE. I think there is multiple aspects to the answer there. First, I think Charles and I would both say we hold ourselves accountable for this and it is our responsibility at the end of the day. If there are errors like this, one, we work hard to make sure they are right, but at the end, you have to hold us accountable.

The second area is I think that we have tried very hard in the team since I have started of creating an environment which I coined the phrase "embrace the red". You cannot have teams where they come into these status meetings fearful for their jobs if they come clean on an issue that occurs. I have encouraged the exact—

Mr. SELF. My time is out. I appreciate your response, but I think that people need to be held accountable. Holding someone accountable is not just saying you are accountable. It is sanctions against someone that missed this, because in this case, 56,000 veterans are paying the price.

Chairman, I yield back.

Mr. ROSENDALE. Thank you very much, Representative Self.

I will now recognize Representative Luttrell for 5 minutes of questioning.

Mr. LUTTRELL. Thank you, Mr. Chairman. To follow on, Mr. Worthington and Mr. DelBene, did anything happen to either one of you for this I would say egregious act against 56,000 veterans? You were ultimately to be held responsible. I heard you say that, sir.

Mr. DELBENE. Right. I would certainly if somebody came to me and said, we want to take action, that, you know, obviously I have an—

Mr. LUTTRELL. I am just trying to get clarification for myself and for Mr. Self. Nobody above you came down into your level and said, because of these errors that were made on 56,000 veterans who served our country—and by the way, that is 2011. That is right as the Iraqi war was drawn down. I am just curious. Nobody has approached either one of you saying that this was a problem?

Mr. DELBENE. Oh, they have definitely approached us and said this is a problem.

Mr. LUTTRELL. But no actions were taken whatsoever?

Mr. DELBENE. Have they taken employment action against me—

Mr. LUTTRELL. That is one of the problems with the VA system. I greatly appreciate what the VA does as a whole, but when you get down to the granular level, I think we have a problem with addressing the major issues in leadership and not being held account-

able for things that they do or do not do, and uphold their fiduciary responsibilities to veterans like myself, like this gentleman here, and like that gentleman over there.

Mr. DELBENE. If I may respectfully, the environment and the culture that I have seen among the senior leadership under Secretary McDonough has been one of pushing for excellence in terms of execution, a support of our system.

Mr. LUTTRELL. I agree. I think Mr. McDonough is doing a fantastic job, but that is not the question I am asking. The question I am asking is my concern is that nobody is holding you responsible for this. You said you were in charge of it, but I will move on.

Mr. DELBENE. If I may, just one. I think this is true for Mr. Worthington as well. We are our own worst critics in cases like this. We hold ourselves to an incredible standard.

Mr. LUTTRELL. When I go home and talk to the veterans in my community who may or may not have been affected by this, and I look them in the face and say—and they ask me who is being held responsible, am I supposed to say the VA?

Mr. DELBENE. I think you are supposed to say the VA and the people in my team.

Mr. LUTTRELL. Okay. What happened to you? Nothing. Zero. You are sitting here in front of me telling me that. That is the problem that we are trying to get past. That is the problem that we have to go back to our base and say, we are doing everything that we can to streamline this process.

Mr. Tellez, 120 days. Are you a veteran, sir? Forgive me.

Mr. TELLEZ. I am not.

Mr. LUTTRELL. Okay. If I go back to my base and I say 120 days, they will lose their minds. That is just something that we have to do right now, because I am asking you the questions and the answer that you give me to my question is 120 days. Now, if I go tell a veteran that who is in dire straits, I am the one that has to answer that question and I do not even work for the VA. You see the frustrations here?

Mr. DELBENE. Who is that to?

Mr. LUTTRELL. That is rhetorical. Do not answer it. I will move on.

Mr. Tellez, there are probably a lot of veterans who are concerned that the VA might have lost their claims and filings over the past decade because of this VA—I am sorry, the VA.gov website, the User Experience/User Interface (UX/UI) experience. What do my veterans, what do our veterans need to do in order to course correct if there is an issue?

Mr. TELLEZ. Thank you, Congressman, for your question.

I think right now if they are concerned that they did file a claim and they do not see it when they check the status of their claim on VA.gov, then they can call. Well, they could check VA.gov. They do not see it there, then they could call the call center and we will certainly address that question there.

Mr. LUTTRELL. I have to go back to my veterans and tell them the VA possibly made a mistake, so you, the veteran, need to re-engage instead of the VA reaching out to the veteran and saying, hey, we made a mistake and we want to fix this, it was not your fault?

Mr. TELLEZ. We have done some outreach, sending letters. We are sending letters when we take actions on those claims as well. That is both for the 526 issue for disability claims and for the dependency claims as well. We will send out correspondence.

Mr. LUTTRELL. Which specific department in the VA is handling that issue? Is that you directly?

Mr. TELLEZ. It is not me directly, but it is VBA that is handling that and for that—

Mr. LUTTRELL. It would not be the VBA as a whole. There would be a little contingent in there somewhere.

Mr. TELLEZ. It is probably a combination of our field operations and our policy and oversight division.

Mr. LUTTRELL. Who would be leading that? I need a name.

Mr. TELLEZ. I can get you a name.

Mr. LUTTRELL. I will be looking for it by tomorrow, if you do not mind.

Mr. TELLEZ. No, I do not mind at all.

Mr. LUTTRELL. Okay. Mr. Worthington, back to the IT situation, if you will. You stated that there has been a lot of progress. I am pretty savvy when it comes to the UX/UI, the Internet of Things (IoT) space. Now, what do you mean by that?

Mr. WORTHINGTON. Sure. The website itself every year is seeing an increasing amount of usage. For example, this past year we have had 64 million times where somebody has signed into the website, which is up over 50 percent from the previous year. That same platform that we use to build VA.gov has enabled us recently to launch the VA flagship mobile app, the Health and Benefits mobile app. That is been downloaded 1.8 million times and has a 4.8 star rating in the Apple App store, which is on par with USAA and Bank of America. That is sort of what we aspire to do, is to give veterans an experience that will match what they are getting in the private sector and we feel we are making progress at that goal, although these issues obviously are our top priority.

Mr. LUTTRELL. Thank you. Mr. Chairman, I yield back.

Mr. ROSENDALE. Thank you very much, Representative Luttrell.

Just for disclosure purposes, I am not a veteran, so I appreciate your confidence in the work that I am doing here. I want to make sure everybody knows that everything that I do here is focused on making sure that we do deliver those benefits to the veterans that they have earned. Okay? This is not a gift. This is something that they have earned and they are supposed to get them.

As I was sitting here listening to that exchange and about people saying I take accountability, I agree with my two representative friends over here. Saying that you take accountability and seeing the action for it are two dramatically different things.

I saw problems taking place in Fort Harrison Veterans Hospital in Helena, Montana, last year and worked with Secretary McDonough to have an extensive investigation and analysis done. You want me to tell you what accountability is? We changed the director. We had the director removed from Fort Harrison because she was not conducting the affairs properly. She was not a leader. She was allowing things to take place that should not have been taking place. Okay? That is accountability, gentlemen. That is accountability.

Mr. Tellez, I am really glad to hear that the 560 veterans whose intent to file under the PACT Act that were not received actually have been recognized and that has been resolved. They have been taken care of. I do want to make sure that each impacted veteran that is applying for anything is taken care of.

Will you consider every veteran's appeal timely who was unable to file the notice of disagreement (NOD)? When we start talking about the disability benefits and things like that, if it is not timely, are you going to recognize that?

Mr. TELLEZ. Clarifying question, Congressman. Are you talking about the NOD issue or the appeal for related to the ITF?

Mr. ROSENDALE. Quite frankly, any benefit whatsoever. If they have filed, okay, and they have filed within the timeframe that they were supposed to and they did not have recognition given back to them to even tell them that the system did not recognize that, are you going to consider all of those as timely filings? We have got 94,000 people that have made applications and somewhere along the line they were not recognized.

Mr. TELLEZ. Right. Well, I think the veteran always has a right to appeal a thing and we will absolutely consider these system errors as we consider that appeal and we adjudicate it. Absolutely, we will consider this as one of those factors.

Mr. ROSENDALE. Mr. DelBene, you have been making a distinction between VA.gov, which you believe is great, and the system's interfaces underneath VA.gov, which you acknowledge have widespread technical problems. Veterans who are trying to apply for benefits and getting error messages obviously are not interested in that distinction. They just know there is a problem. They do not know whether it is VA.gov or with the system that is underneath of it. A problem is a problem to them.

Does not any problem with any system that touches the website risk creating these errors?

Mr. DELBENE. I am not 100 percent I understand which direction you are heading, but I will say that any error that starts from the perspective of VA.gov, regardless of what system it descend into, yes, they will think of that as the same sort of error. We should not have to have our veterans understand the distinction between, for instance, Veterans Benefits Management System (VBMS) and VA.gov. I think I am agreeing with you.

Mr. ROSENDALE. Mr. Worthington, you have been working on a lot more of this distinction, it sounds like. Okay? Are you parsing out, if you will, where that problem actually is, whether it is on VA.gov or whether it is the system underneath or whether it is the interface, okay, the connection of the two?

Mr. WORTHINGTON. Yes. Obviously for our teams, it matters a lot where the specific problem is because we are trying to go solve it. For the veterans, to your point, we are not trying to explain to them where the system failure is. We just need to make a very clear, simple explanation for what has gone wrong in any given case, so that they do not have to understand the inner workings of the VA.

Mr. ROSENDALE. Mr. DelBene, you have clearly known for a while that VA.gov and other systems that it touches need a lot of work. Either you are just starting to understand how these dif-

ferent systems interact and create errors or you have known about it and you are just now getting serious about tackling it.

Can you break that down for me? What is going on?

Mr. DELBENE. Since I joined January of last year, I have done deep technical dives across the entire set of portfolio of the VA applications—over a thousand applications. These issues have come up along the way. For instance, we talked about the one that happened just last month with the increase in traffic that went to the VA.gov website. As the issues identify themselves, we are tackling those issues as quickly as humanly possible.

I have also been doing deep dives into the portfolio to try to proactively identify those places where there are vulnerabilities that could show up that have not yet.

I think, across the board, to your point, it shows that there is a lot of modernization that needs to happen across the entire estate that we take care of in OIT as part of the VA.

Mr. ROSENDALE. Thank you very much.

I will now recognize Ranking Member Cherfilus-McCormick for another round of questions.

Ms. CHERFILUS-McCORMICK. Thank you so much, Mr. Chairman.

My question is for Mr. DelBene. What is your plan to ensure that the IT system used by blind and low-vision VA employees are accessible and support them while they are doing their jobs? It is a follow-up question from the section 508 that we started on.

Mr. DELBENE. Thank you for the question. It is a good one.

As I said, there are multiple classes of content, so to speak, that blind and visually impaired folks need to be able to access. There are web pages, PDFs, and then there are the applications themselves. The applications are fairly thorny because of the complexity involved, and it is also not as objective in how you measure them. You actually have to take scenarios through it.

What we are doing is we are identifying the top most important applications that people need to use. We are then grading them based on a scale of from A to F as to how good they are at the present. Then we are setting criteria of must-fix issues before the application can get approved.

We have been doing this against the Electronic Health Record Modernization (EHRM) that we are working on with Cerner. We are going to tackle that across the entire fleet of applications.

To a point here, we actually recently delayed the launch of our new time sheet application just because the 508 compliance was not to where we thought it should be. You got to have teeth on this as well.

Ms. CHERFILUS-McCORMICK. What is your requirement for your software vendors?

Mr. DELBENE. Well, we need to push that. In a lot of cases, as you know, those applications are built by third parties, and so we need to set criteria and have established criteria. We define must-have scenarios that have to get fixed as part of the ship criteria.

Ms. CHERFILUS-McCORMICK. When will we be able to get those criterias that you will have set?

Mr. DELBENE. We can follow up with you. It would probably be better as a discussion than actually us kind of giving you a textual reply, but, in fact, it is probably a good question for the 27th.

Ms. CHERFILUS-McCORMICK. Okay. My concern is that we are not getting any real deadlines, and so, as we are anticipating when we will start seeing changes, I have not gotten any set goals or deadlines or even requirements in place. Making sure we can establish that is imperative, so we are not doing this over and over for years to come.

Mr. DELBENE. Yes. I do want to caution you, though, that getting to 508 compliance, because of the breadth of the portfolio is going to be more of a journey than us being able to tell you on such-and-such a date we are fully 508 compliant. We can talk to you about our progress, we can talk to you about our goals, et cetera, and I kind of welcome that conversation with you.

Ms. CHERFILUS-McCORMICK. Okay. Just as long as we are meeting those goals and setting those goals, that is what is important. Full compliance might be a stretch, but we should at least have points to meet substantial completion. We should have midterm points so we can get there as we are forecasting. Without those points, we are kind of just moving without a target in mind. We need to have those targets so we are not looking 10 years later wondering why it took us so much time. Those targets are very important.

My next questions are about readiness. Veterans who deployed to combat zones and left the military between September 11, 2001, and October 1, 2013, have until 11:59 p.m. this Saturday, September 30, to directly enroll in VA Healthcare, regardless of whether or not they have applied for the disability benefits.

Mr. DelBene, given the issues experienced with the backdated benefits deadline in August, how confident are you that the VA is prepared for an increase in applications before the healthcare access deadline?

Mr. DELBENE. Thank you for the question.

We have actually intensively scrubbed all aspects of what delivering that service means. Let me pass it over to Charles and he can talk to you about the website in particular and the backend systems it is connected to.

Mr. WORTHINGTON. We are monitoring very closely the flow for what we call it the 10-10EZ, the healthcare enrollment form. We have seen a big increase in applications. I was just looking this up and saw that in the past 30 days we have processed over 30,000 healthcare enrollments on VA.gov. That compares to 12,000 in June and around 13,000 in July.

We are seeing a big increase and so far the systems are holding up very well. We are obviously monitoring it very intently as we approach that Saturday deadline, but that is something we are watching very closely and we will continue to monitor until the end of the deadline.

Ms. CHERFILUS-McCORMICK. So, specifically, your confidence level is high?

Mr. WORTHINGTON. At this time, I would say it is high, yes.

Ms. CHERFILUS-McCORMICK. Thank you so much. I yield back.

Mr. ROSENDALE. Thank you, Ranking Member Cherfilus-McCormick.

I will now recognize Representative Self.

Mr. SELF. Thank you, Mr. Chairman. I want to go back to the 56,000 veterans.

Mr. Tellez, I want to address three different categories of veterans that we might see. Are you going to force veterans to pay back overpayments?

Mr. TELLEZ. Thank you for your question, sir.

No, we will adjudicate those claims and where we had undue debts recovered from them, no.

Mr. SELF. Okay. How about veterans that have been underpaid, will you make them whole?

Mr. TELLEZ. Yes, yes.

Mr. SELF. Okay. Veterans that have already paid back erroneous overpayments?

Mr. TELLEZ. We are looking at that, the authority that we have to do that, to reclaim that money, absolutely, as a result of this defect error.

Mr. SELF. So, you are planning to reclaim it if you have the authority?

Mr. TELLEZ. I believe so, yes. Oh, reclaim? I think where veterans have already paid back some of their debt, I think is maybe what I did not hear then—

Mr. SELF. Correct.

Mr. TELLEZ [continuing]. then I think what we are looking to is who are those veterans and how can we do that? Yes.

Mr. SELF. They have already been forced to pay back their overpayments. Okay. What are you going to do with them?

Mr. TELLEZ. I think as a result of this error, that is what we are looking at to how do we provide that relief back to them?

Mr. SELF. How many do you think have done that?

Mr. TELLEZ. We are doing that assessment right now of the 56,000, so I do not have that data for you today.

Mr. SELF. I may have misspoken. We are talking about erroneous debts here. Okay? That they have been forced to pay back erroneous debts already. How many would that be?

Mr. TELLEZ. I do not have that assessment for you yet, but we will work on getting that. I know we are working on assessing that 56,000 population and I am sure by October be able to tell you a little bit more in detail what those different populations look like.

Mr. SELF. Okay. We have been talking a lot about process here, which kind of frustrates me because I would love to talk about results as opposed to just process. Let me give you another process that we have been dealing with here in Congress and that is the appeals process.

The Appeals Board, for a long time, has not been able to do its job in a timely manner. We have actually put in a bill to add two judges to the Appeals Court because the board will not act in an expeditious manner. The process that we are discussing here gets a little frustrating to me because we cannot seem to have results that we are trying to get at here.

With that, Mr. Chairman, I yield.

Mr. ROSENDALE. Thank you very much, Representative Self. I recognize Representative Luttrell.

Mr. LUTTRELL. Thank you, sir.

Mr. Tellez, the 32,000 veterans whose claims were lost and then found in January, that ring a bell? Where were they found?

Mr. TELLEZ. I think that is probably going to have to turn that to Charles.

Mr. WORTHINGTON. Yes. So, the——

Mr. LUTTRELL. Mr. Worthington.

Mr. WORTHINGTON [continuing]. the specific issue that occurred was between VA.gov and the downstream system that processes those claims.

Mr. LUTTRELL. Can you do me a favor and elaborate what you mean on “downstream,” please?

Mr. WORTHINGTON. Sure. When a claim is, ultimately, is going to be processed by the claims processor using a system called VBMS, and there is a couple of interfaces between VA.gov and VBMS to get that set up correctly. What we found in these cases was that——

Mr. LUTTRELL. These——

Mr. WORTHINGTON [continuing]. these 32,000——

Mr. LUTTRELL [continuing]. 32,000.

Mr. WORTHINGTON [continuing]. in these cases there was an error in the establishment of the claim. It was submitted on VA.gov.

Mr. LUTTRELL. Same one on all 32,000?

Mr. WORTHINGTON. Similar type of error that led to the claim not being accepted by one of those downstream systems. The data associated with the claim——

Mr. LUTTRELL. Which downstream system did not pick it up? If they are similar, say it out loud.

Mr. WORTHINGTON. The exact nature of the errors, there was probably a category of them. For an example, there might have been a character in one of the fields submitted that was not accepted. You know, it had an accent on it.

Mr. LUTTRELL. Or a slash and it did not pick it up.

Mr. WORTHINGTON. As an example, right. What we have found, though, is that the actual original data is still maintained in the VA.gov system, which we have been able to use to recreate the full claim and that is what we are now being able to use for processing. That original claim did not make it into the VBMS system so that it could begin the processing due to these technical errors.

Mr. LUTTRELL. We have to rework multiple systems in order for it to be able to be read by VA.gov?

Mr. WORTHINGTON. What we have now developed in this case is basically a backup process. If this type of problem were to happen again, rather than take the automated digital path, we are going to create a PDF version of the claim as if a veteran had mailed it and work it as if it was a paper claim.

Mr. LUTTRELL. One person is doing that or the team?

Mr. WORTHINGTON. The team. This system will automatically now send the claim into our central mail portal where it would get picked up just like any other claim submitted via paper, if it were to hit this this error case again, as a backup to the automated process.

Mr. LUTTRELL. These 32,000 claims are being added on to all the other claims that are sitting in that silo, correct?

Mr. WORTHINGTON. I would defer to Ray on that, but, yes, they would be added.

Mr. LUTTRELL. It is another add-on?

Mr. WORTHINGTON. Added to the queue to be worked, yes.

Mr. DELBENE. Just to be clear there, it is not—the intake portal actually has a finite number of things awaiting processing. This is not—we are not talking about the large set of claims that are in working—being worked. A small set that are—

Mr. LUTTRELL. This is a particular portion of the—it is a totality, correct?

Mr. DELBENE. Right, exactly.

Mr. LUTTRELL. So, it is. We need to address this. Yes? That sounds like a pretty fair assessment.

Mr. TELLEZ. Just to pick up from Charles going to my mail portal. We are processing mail in about 6 hours. Should there be an error and that paper form is created, it gets inserted into the mail portal, we will process that in under 6 hours. Then that goes into the normal work queue for National Work Queue (NWQ).

Of that 32,000, we are already working on those right now. In fact, we have established about 25,000 of those and of those already we have made decisions on, I do not have the number in front of me, about 14,000. We are taking action on those now. We are reviewing them. From our perspective, these are claims that veterans probably have already doubled. The expectation is we have touched it once and really at this point we just need to make sure that what was previously missed it matches what we have and then make an administrative action or we adjudicate for the areas that there is differences. We are already working those 32,000 claims right now.

Mr. LUTTRELL. Mr. Worthington, let us just do the math on this. What else are we missing? There is going to be something that is going to pop up because of one little character or whatever that may be and it is going to be a substantial number, if I had to guess, given the amount of veterans that the VA has to deal with.

Are you directly in charge of the oversight of the system in order to find these faults?

Mr. WORTHINGTON. Yes, we are looking exactly at this category of bug that was sort of tied up in the 526 and the dependency claim issue across all of the VA.gov features right now to see if there are any other places where we could be missing something that could be similar. So far, we have not found any large number. Anything that we do find, we are going to identify and build both a better process, but also make sure that we have not had any similar types of cases where there is a claim or a form that has been submitted that should have been worked, but was not. We are looking very intently at that right now.

Mr. LUTTRELL. I will close with this following on Mrs. McCormick's statement about Mr. DelBene. The reason a timeline and dates makes sense, and it does for us and this is maybe another issue I have with the VA, they do not seem to ever want to put a timeline, a hard day on what we consider a success. I find that frustrating considering everything that we are having to deal with with the VA. I am talking out loud or I am not talking directly at you per se. Okay?

There is no accountability if we go swimming past that at 1,000 miles an hour. That is unfortunate because if you unpack this thing, it is a human being we are talking about. That is why dates are so important to us. That is why we want to know exactly when this is going to happen. Even if you do not make it, we got three-quarters of the way there, we fell short, we are going to keep going.

Mr. Chairman, I apologize, I went over. I yield back.

Mr. ROSENDALE. Thank you. Thank you very much, Representative Luttrell.

What we are going to do is a third shortened round, lightning round I would like to call it. I think several of us have a couple of short little questions we would like to wrap up with.

Mr. DelBene, let me ask you about the benefits IT modernization plan in the PACT Act. Speaking about quantifiable, measurable deadlines and accomplishments, that is exactly what I want to get to. You have over \$130 million of projects to upgrade the VA.gov in the plan. How much of that money have you spent so far and what can you show us that has been accomplished? What quantifiable, what measured success can you share with us?

Mr. DELBENE. In terms of the amount spent, I really should get back to you because I need to get with the team and get with our central finance organization to find out how much of it has been spent.

The process that we go through, we won in the 701B filing, we basically laid out everything that the investment is for. We laid out what the actual milestones are in terms of moving from the existing architecture to the new architecture. I can probably come back to you and say this is exactly where we are on the milestones if that would be—

Mr. ROSENDALE. That is exactly what I want.

Mr. DELBENE. Sure.

Mr. ROSENDALE. I would like to see that spreadsheet, okay, that says here is how much money we have spent out of this and here is the success rates and here is the marks that we have hit to accomplish whatever task that you have laid out for those funds.

Mr. DELBENE. Sure, let us take that away to figure out the best way to communicate to that so it addresses your questions.

Mr. ROSENDALE. Greatly appreciated.

Representative Self.

Mr. SELF. Thank you, Mr. Chairman.

The construction authority was taken away from the VA several years ago. Should Congress consider taking IT authority away from VA so that you can focus on healthcare? Would that be something to streamline VA's focus strictly on the veteran as opposed to this very complex IT problem?

Mr. DELBENE. When you say take it away, what did you have in mind to do with it?

Mr. SELF. Well, I do not know because the construction authority is my example. It was taken away and given to the Corps of Engineers because of construction missteps in the past by the VA. Taken away from the VA so that some other organization would be responsible for IT, so that VA could focus on healthcare.

How do we get VA focused on 100,000 people who have fallen through the cracks? How do we focus you? Would that do it?

Mr. DELBENE. I actually think that would be a mistake. The best software is built in tight cooperation between the stakeholders, the people using the software, and the people building the software.

Mr. SELF. Okay. I suspected that would be your answer.

My second real quick question, I am not an IT guy, so I will use the term. All of these things that seem to disappear, did you have a cache system or some—were they still there or did they disappear into the ethernet, some that we do not know about? Can you find everything eventually or are they gone?

Mr. WORTHINGTON. Yes, I could answer that, Representative. We have a very good log of all of the benefit forms that were submitted on VA.gov which has allowed us to basically reconstruct those claims.

Mr. SELF. Even the ones that were not—

Mr. WORTHINGTON. That is correct.

Mr. SELF [continuing]. dealt with?

Mr. WORTHINGTON. In the category of the claims that were delayed due to these technical issues, yes, we do have all of the data.

Mr. SELF. Okay. Thank you, Mr. Chairman. I yield back.

Mr. ROSENDALE. Okay. That seems as we are done. Thank you, all the witnesses, and you are excused from the witness table.

We expect more from VA.gov because in a few years' time it will go from a convenience that a minority of the veterans use to default option for most of the veterans very, very soon now. We have seen this in banking and insurance and so many other businesses and industries. Most Americans do not want to walk into a building or dial a call center to handle their routine transactions. Most folks, I mean, they are accustomed to doing it right from their phone, quite frankly. They expect to do these things on a website 24 hours a day, 7 days a week. They do expect the transactions to be accurate and efficient and recorded, quite frankly.

I absolutely agree that VA.gov is the front door of the Department of Veterans Affairs. It is the right priority to have because veterans need to have confidence in it. The committee's focus on this issue is going to continue. We need to see what has been accomplished and what is left to do at the end of the VA's 90-day review.

My colleagues and I understand very clearly that the systems that process VA benefits have historically been neglected. That is why we prioritized upgrading these systems in the PACT Act in anticipation of the flood of the additional claims that were going to be coming through before anyone at the Department ever said a word about the glitches and bugs that we have been hearing about here today. The VA must demonstrate that the funding Congress is providing for the benefits IT modernization plan is being put to good use. Our witnesses can expect to be called upon again as they work their way through the plan.

With that, I ask unanimous consent that all members have 5 legislative days to revise and extend the remarks.

Oh, excuse me, I invite Ranking Member Cherfilus-McCormick to make any closing statements.

Ms. CHERFILUS-McCORMICK. Thank you, Mr. Chairman. I appreciate the testimony and answers of our witnesses this afternoon. I

recognize that no IT solution is perfect. They are constantly evolving and changing and that evolution introduces risk.

I appreciate the fact that Assistant Secretary DelBene came in person today to discuss the shortcomings with VA.gov. It was important for us to hear from the leader accountable for these programs about the Department's plan to address past issues and mitigate future disturbances to ensure that the VA IT system does not prevent veterans from accessing their care and benefits that they have very hardly earned.

Thank you, Mr. Chairman. I yield back.

Mr. ROSENDALE. Thank you, Ranking Member Cherfilus-McCormick.

With that, I ask unanimous consent that all members have 5 legislative days to revise and extend the remarks and include extraneous material. With no objection., so ordered.

The hearing is adjourned.

[Whereupon, at 4:19 p.m., the subcommittee was adjourned.]

A P P E N D I X

PREPARED STATEMENT OF WITNESS

Prepared Statement of Kurt DelBene

INTRODUCTION

Good afternoon, Chairman Rosendale, Ranking Member Cherfilus-McCormick and distinguished Members of the Subcommittee. Thank you for the opportunity to testify today about the Department of Veterans Affairs' (VA) VA.gov website. I am accompanied today by Mr. Charles Worthington, the Chief Technology Officer of VA and Mr. Ray Tellez, Executive Director, Office of Business Integration, Veterans Benefits Administration (VBA).

OVERVIEW

VA is committed to providing exceptional care, services and a seamless, unified experience to Veterans. VA's Office of Information and Technology (OIT) collaborates with VBA and various VA offices to achieve this mission through the delivery of state-of-the-art technology, including VA.gov, a modernized website and VA's digital front door. Nearly 14 million unique Veterans and others per month use VA.gov to access information about the services and benefits provided by the Department. In August we had over 19 million unique visits. The website is designed with a clear and intuitive navigation menu enabling users to quickly find the information they need.

The VA.gov project is one of the Department's most important initiatives, providing for the first time a single, comprehensive digital experience that provides Veterans a single online location to learn about, apply for, use and manage their VA health care and benefits. On VA.gov, Veterans can complete an assortment of actions from applying for health care, to updating a mailing address, to managing health care appointments, to checking on the status of an upcoming benefit payment.

Since its relaunch in 2018, VA.gov has seen dramatic growth, both in terms of usage and in the breadth of services offered on the platform. For example:

- Over the past year, VA processed 1.9 million digital benefit application form submissions, including health care enrollments, disability benefit applications, education benefit applications and more. These digital submissions were, up 9.1 percent from 2022 and a 95 percent increase from 2019, the first full year the platform was launched.
- Veterans viewed their claim status online over 30 million times, up over 37 percent from the prior year. And, for the first time ever Veterans can view their claim decision letter online instead of waiting for it to arrive in the mail—a feature that has already been used 3.8 million times since its launch in December 2022.
- Over FY 2023, VA.gov has seen over 700,000 digital disability claim submissions (out of 2.3 million total FY 2023 submissions), which is a 30 percent increase from fiscal year (FY) 2022 and a 152 percent increase from FY 2020. Online submission account for approximately 2928 percent of the total disability claims submission (2.4 million) received during FY 2023.

VA has added numerous features to VA.gov during this period of high growth. To name a few: Veterans can now apply online for caregiver benefits. They can digitally submit all three types of appeals under the new Appeals Modernization Act (higher level reviews, supplemental claims, Notices of Disagreement). They can request a debt waiver and view their debt and copayment balances. They can view, request and schedule health care appointments and check in for those appointments on the day of the appointment. And they can customize their digital notification preferences at a granular level.

Additionally, in 2021 VA launched the Health and Benefits flagship iPhone and Android mobile app, a companion product to VA.gov that leverages the same

backend infrastructure to provide Veterans an easy-to-use personalized experience in their pocket. This product has been one of VA's most successful digital experiences, with over 1.8 million downloads, 800,000 monthly users and a 4.8-star rating in the Apple app store (with over 95,000 ratings)—on par with our peers like USAA, Bank of America and even Amazon.

CHALLENGES

Integrating the various legacy systems into VA.gov has not come without challenges. We proactively notified you on September 5, 2023, that VA recently uncovered several technological issues, which we are working hard to address. Broadly, there have been the following two types of errors:

First are issues that prevent some Veterans from accessing some part of VA.gov's functionality. One such error briefly prevented some Veterans from completing a disability claim application during the high-traffic period leading up to the August submission deadline for the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 (PACT Act) while another prevented some Veterans from accessing the online "Notice of Disagreement" appeal form due to a software bug. Both issues have been resolved. All Veteran who submitted a claim or intent to file for PACT Act benefits received an outreach letter on August 14, 2023, assuring them that despite the error message, VA received their online submission. The Board of Veterans' Appeals has a complete list of Veterans potentially impacted by the Notice of Disagreement error, so we can ensure no one loses out on a potential benefit due to one of these errors. All Veterans impacted by these issues received an outreach letter on August 14, 2023, assuring them that despite the error message, VA received their online submission.

Second are issues that resulted in delays in processing some disability compensation and dependent claims submitted on VA.gov. In the case of the disability compensation claim submission issue, approximately 32,000 claims submitted on VA.gov were not appropriately created in the claims processing system, resulting in potential delays. VA has completed 12,490 claim reviews of these cases and is working urgently to review the remaining claims. In the case of the dependency claim issue, VA has determined 45,903 claims submitted on VA.gov since 2011 may have had a similar issue. VA is expeditiously reviewing these dependency claims, which may affect the total number of claimants impacted by this error. VA expects to validate the number of impacted Veterans by the end of October 2023. The resolution of potentially impacted dependency claims will depend on the volume of reviews needed.

VA remains committed that all underpaid Veterans will receive the full backdated benefits they deserve, and that no Veterans are negatively impacted by our error. These reviews could result in either no action (in cases where VA has already updated the dependency status) or adjustments to monthly benefits payments. VA is also determining the number of Veterans who may have an impacted VA.gov submission, but has already repaid a debt to VA. These Veteran records will be reviewed to determine if any undue debt was recovered and ensure any debts related to VA.gov submission delays are appropriately adjusted.

I want to be clear that we view these problems as unacceptable, and we at VA deeply apologize to all impacted Veterans. We are working hard to ensure no Veteran is negatively impacted due to one of these technical issues, by ensuring Veterans receive effective dates that respect their original submission timeline and forgiving any overpayment debts that may have been created due to VA's technical mistakes.

FUTURE STATE

While these issues have impacted only a small percentage of total VA.gov users and transactions, it is unacceptable for even one Veteran to be delayed due to technological issues. Moving forward, the Department is taking immediate steps to prevent issues like this from happening in the future—and to ensure that when issues do arise, they are identified and fixed quickly. These steps include the following:

- **Conducting a full review of all VA.gov processing systems.** VA will look at every place where Veterans submit applications, claims, or other forms to ensure that the process is working quickly and efficiently—and that no Veterans are being delayed as a result of technological errors.
- **Creating new system functionality to detect and alert OIT and VBA team members and leadership when submissions are not processed correctly,** so that these submissions can be addressed appropriately. Submissions that experienced errors will be routed to be processed manually with high priority, and OIT will trigger an analysis as to the cause of the error.

- **Investing in modernizing our claims processing infrastructure** to ensure a seamless, error-free experience for Veterans, their families, caregivers and survivors on VA.gov.

VA will resolve these issues, prevent them from happening in the future, address them more quickly when needed and—most importantly—make sure that all impacted Veterans get the benefits and services that they deserve as quickly as possible.

CONCLUSION

Chairman Rosendale, Ranking Member Cherfilus-McCormick and Members of the Subcommittee, thank you for the opportunity to appear before you today. As I mentioned, VA.gov is one of the Department's most important initiatives and we have made a great deal of progress amid the tremendous growth in capability and capacity. I look forward to continuing working with this Subcommittee and to address our greatest priorities and the challenges we face in our digital transformation. We value your continued commitment and support for our Veterans.

This concludes my testimony, and I look forward to answering your questions.

