

United States Senate
WASHINGTON, DC 20510

March 19, 2020

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

Dear Mr. Secretary,

With the rapid spread of the Coronavirus Disease 2019 (COVID-19) now infecting over 9,000 citizens in all fifty states and territories, we write with serious alarm that the Department of Veterans Affairs (VA) still has not aggressively activated its 'Fourth Mission' authorities to assist state, local, and tribal communities to respond to this global pandemic. We request that you immediately activate your authority under *38 U.S. Code § 1785 – 'Care and services during certain disasters and emergencies'* to provide hospital care and medical services to civilians and veterans not otherwise enrolled in the VA system to treat Americans infected with COVID-19. Now is the moment to expand the surge capacity in our health care system, *before* hospitals and other health care providers are overwhelmed.

The VA is the largest integrated health care system in the United States and is in a unique position to immediately provide surge capacity, with over 322,000 full-time employees, 1,255 health care facilities, and 13,000 acute care beds, including 1,800 Intensive Care Units. Since 1982, Congress has mandated that the VA serve as the critical back-up to our nation's private health care system in times of national emergency or crisis. The VA has a long history of activating federal resources at times of national tragedies, including hurricanes, floods, and even the Pulse Nightclub massacre in 2016. Title 38 of U.S. Code § 1785 allows the VA to open its doors to treat the broader civilian community if the National Disaster Medical System (NDMS) is activated by the Secretary of Health and Human Services (HHS) under the *Public Health Service Act*, or if the President declares a major disaster or emergency under the *Stafford Act*. Both of these conditions have been met; the first in January by HHS Secretary Azar in activating the NDMS, and the second six days ago by President Trump in issuing a proclamation of a national emergency under the *Stafford Act*.

We were concerned to see that beginning last Friday, the VA's Office of Emergency Management altered the Mission Statement on its website to remove any mention of its role to "support national, state, and local emergency management, public health, safety and homeland security efforts." Reports indicate that the Veterans Affairs webpage showing the mission statement including support to national, state and local support remained "nearly unchanged" from 2014 through late Friday afternoon. Why did the VA, in the middle of a global pandemic that threatens the very fabric of our nation, choose to disavow publicly its responsibility to support our state and local governments?

At this critical inflection point, the entire resources of our federal government must be activated against COVID-19 in order to halt the spread of the virus, treat the sick and infected, and heal our nation. We implore you to activate the vast resources at the VA's disposal immediately to provide aid to our state and local governments now, before they become overwhelmed.

Sincerely,



CHRISTOPHER S. MURPHY
United States Senator



RICHARD BLUMENTHAL
United States Senator



MICHAEL F. BENNET
United States Senator