

## United States Senate

December 1, 2015

The Honorable Robert McDonald  
Secretary  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, D.C. 20420

Dear Secretary McDonald:

I write to you today regarding the Department of Veterans' Affairs (VA) failure to review all whistleblower complaints and a lack of accountability of VA employees who commit wrongdoings. I am deeply disturbed regarding testimony provided by the VA Deputy Inspector General on the low number of whistleblower complaints actually reviewed by the VA Office of Inspector General, and a report to Congress by the U.S. Office of Special Council on a failure of accountability at the Department.

Unfortunately, it is apparent the Department is failing to seriously take into account reports submitted by those who report wrongdoing at VA. Regardless of the volume, veterans who bravely served our nation deserve a Department that reviews every claim of wrongdoing by those who are dedicated to restoring Americans' trust in the VA.

In a September 2015 hearing before the Senate Homeland Security and Governmental Affairs Committee, Deputy Inspector General Linda Halliday said that her office shelved 36,000 complaints it received this year<sup>i</sup>. This means that approximately only 10% of the total number of claims reported by whistleblowers are being reviewed by the Department. This is simply unacceptable considering the extensive challenges at VA and the risks whistleblowers take to come forward with complaints at VA.

While the VA must review all claims submitted by whistleblowers, the Department must also hold accountable every VA employee who has committed a violation which negatively impacts our veterans. This year, the Office of the Special Counsel took in over 2,000 whistleblower claims from the VA. In a September 17, 2015, letter to the White House and Congress, the Office of the Special Counsel disclosed that VA failed to adequately discipline employees for endangering the health and safety of veterans. In addition, Special Counsel Carolyn Lerner stated in the letter, "The failure to take appropriate disciplinary action, when presented with clear evidence of misconduct, can undermine accountability, impede progress, and discourage whistleblowers from coming forward."<sup>ii</sup>

As a Member of the Senate, it is my duty to ensure our nation lives up to the promises it has made to our veterans. I urge you to ensure the Department examine all whistleblower claims, or if the

Department is unable to examine all whistleblower claims, seek further assistance to ensure due diligence of these whistleblower claims.

Thank you for your attention to this matter, I look forward to your response.

Sincerely,



Joni K. Ernst  
United States Senator

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<sup>i</sup> "VA Watchdog Shelves 36,000 Complaints: *USA Today*, September 23, 2015

<http://www.usatoday.com/story/news/nation/2015/09/22/va-watchdog-shelves-36000-complaints-draws-ire-whistleblowers/72643182/>

<sup>ii</sup> "VA Needs to Improve Internal Accountability in Whistleblower Cases" *US Office of Special Counsel*, September 17, 2015.  
<https://osc.gov/News/pr15-19.pdf>