

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE A. BATKIN, STAFF DIRECTOR
KEITH B. ASHDOWN, MINORITY STAFF DIRECTOR

June 19, 2014

The Honorable Carolyn Lerner
Special Counsel
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505

Dear Ms. Lerner:

I understand that the Office of Special Counsel (OSC) is currently investigating at least 37 cases of whistleblower retaliation by Veterans Affairs (VA) employees who allege that they were reprimanded for reporting lengthy waiting times, abusive scheduling practices, and substandard patient care.¹ As you know, the federal government relies on whistleblowers to report government waste, fraud, abuse, and the mismanagement of taxpayer dollars. Their protection is not only mandated by law but also necessary to ensure the successful oversight of government affairs. I therefore request that you take prompt action in investigating and adjudicating these cases, including working with the VA to provide interim relief, and that you keep me apprised of any developments that might arise.

In addition, to assist the Subcommittee in its oversight of the VA, I request that you provide the following information:

- (1) The total number of whistleblower retaliation complaints brought to OSC by VA employees related to reports of lengthy waiting times, abusive scheduling practices, or practices which may have risked the health of patients;
- (2) A breakdown of the number of complaints by worksite location;
- (3) The number of managerial employees who are implicated by multiple complainants;
- (4) The number of Senior Executive Service employees that are accused of whistleblower retaliation;
- (5) The number of complaints where the wrongdoing reported by the complainant has been confirmed, and the actions taken with respect to the individual(s) involved in the wrongdoing;

¹ See Office of Special Counsel, *Press Release: OSC Investigating 37 Claims of Whistleblower Reprisal at the VA* (June 5, 2014).

The Honorable Carolyn Lerner
June 19, 2014
Page 2

- (6) The number of complaints of retaliation that have been resolved and the actions taken with respect to the complainant and the employee against whom retaliation was alleged; and
- (7) The number of complainants who have disclosed to OSC that the complainant had asked the VA Office of Inspector General to investigate either the reported wrongdoing or the alleged retaliation prior to making an official complaint to OSC.

I request that you provide the information that you are able to share at this time in a briefing for Subcommittee staff as soon as possible, but no later than **Thursday, July 3, 2014**. I also request that you update this information as you are able on a rolling basis going forward.

The jurisdiction of the Subcommittee on Financial and Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 64 (113th Congress).

I appreciate your assistance. Please contact Charlie Moskowitz with the Subcommittee at (202) 224-6814 with any questions. Please send any official correspondence relating to this request to Kelsey_Stroud@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Chairman
Subcommittee on Financial and Contracting
Oversight

cc: Ron Johnson
Ranking Member
Subcommittee on Financial and Contracting Oversight