

# United States Senate

WASHINGTON, DC 20510

December 14, 2015

The Honorable Robert McDonald  
Secretary  
Department of Veterans Affairs  
810 Vermont Avenue  
Washington, DC 20420

Dear Secretary McDonald,

Last year, the Department of Veterans Affairs (VA) created the Office of Accountability Review (OAR) to independently review allegations of misconduct relating to veteran-patient care that could damage the trust and confidence veterans have in the VA, including but not limited to whistleblower retaliation. The creation of this office appeared to indicate a recognition that retaliation of any kind by managers at the VA against whistleblowers alleging waste, fraud or abuse was intolerable. Retaliation against whistleblowers undermines confidence of VA employees, veterans, and their families that change has occurred at the VA. Such actions run counter to the VA's mission to care for our veterans. We were troubled to learn that this appears not to be the case according to documents from the OAR.

While preparing for today's Senate Veterans Affairs Committee's field hearing in Arizona, we were very troubled to learn that your Office of Accountability Review (OAR) conclusively found that whistleblower retaliation occurred at the Phoenix VA Health Care System and that the OAR recommended that personnel actions be taken against the manager who retaliated. However, this manager remains in a senior leadership position and does not appear to have had any disciplinary action taken in response to the OAR report.

To continue restoring the trust that was broken at the Phoenix VA Health Care System and to demonstrate that retaliation against whistleblowers at the VA will not be tolerated, we believe that you must expeditiously consider removal of this official from his current senior leadership position.

Further, the VA will provide the Senate Veterans Affairs Committee and our offices with the names of all VA officials who reviewed the OAR report on this matter and either took no action or recommended that no action be taken. Separately, by January 20, 2016, please provide our offices with a list of all similar cases where OAR affirmatively found whistleblower retaliation but no adverse action was taken against the manager who was found to have retaliated against those complainants. For each of those cases, please succinctly summarize what decisions were made regarding those complainant-whistleblowers regarding continued employment within the VA and where within the VA these managers currently work within the agency.

Thank you for your prompt attention to this serious matter.



John McCain  
United States Senator



Jeff Flake  
United States Senator