



HOUSE COMMITTEE ON
VETERANS' AFFAIRS
Chairman Phil Roe, M.D.

S. 1094: The Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017

Background:

We've all heard stories about employees at the Department of Veterans Affairs (VA) who fail in their duty to serve veterans. While the vast majority of VA employees are hard-working and dedicated, because VA often fails to hold individuals who are not fulfilling their duties accountable for their actions, these bad actors taint the reputation of the department as a whole. In instances where VA has tried to take disciplinary action against an employee, the process is so administratively complex and lengthy that such action can take more than a year, often times being delayed indefinitely.

In the past several years, VA's arcane civil service rules have hampered the department's ability to dismiss an employee that engaged in an armed robbery; discipline a VA nurse that participated in a veteran's surgery while intoxicated; and hold employees accountable for the continued failures to manage several major construction projects, including the new hospital in Aurora, Colorado, that is now several years and a billion dollars over budget.

The Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 would create a new streamlined and efficient process to remove, demote or suspend any VA employee for poor performance or misconduct with a concrete shortened timeline, while still protecting employees' due process rights, and would provide them with the right to appeal the action. It would also provide expanded protections for whistleblowers and would specifically bar VA from using this removal authority if the employee has an open whistleblower complaint/case with the Office of Special Counsel.

The House passed H.R. 1259, the VA Accountability First Act of 2017 on March 16, 2017. The Senate passed S. 1094, the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 on June 6, 2017. The House will now consider the Senate's legislation.

The Message

- America's veterans deserve the highest quality medical care and most efficient delivery of benefits possible.
- The vast majority of employees at VA are honest and hardworking, and it's unfair to the good employees when VA refuses to or cannot hold bad actors accountable.
- This bill will ensure these bad actors are accountable while improving and keeping intact important whistleblower protections.