

# United States Senate

WASHINGTON, DC 20510

August 16, 2018

## VIA ELECTRONIC DELIVERY

The Honorable Michael J. Missal  
Inspector General  
U.S. Department of Veteran Affairs  
810 Vermont Avenue NW  
Washington, D.C. 20420

Dear Mr. Missal,

We have been frustrated and angered at the continuing reports of undue influence on policy makers at the Department of Veterans Affairs (VA) from political players outside the administration, and evidence of inappropriate use of political influence upon career employees who are dedicated to serving Veterans. We ask that you investigate these reports and allegations to determine whether there has been any violation of laws, policies, or ethics agreements.

Specifically, we ask you to investigate the following concerns:

- Sharing of procurement sensitive information: Reports based on whistleblower testimony indicate that VA officials may have shared procurement sensitive information with non-governmental employees with no legitimate need for the information. These discussions allegedly may have ultimately resulted in delay of contract award, costing the federal government additional money, simply due to the unnecessary perspectives of these unelected individuals. Further, these individuals are not government employees, and as such, may not have been explicitly told about the rules surrounding disclosure of information relating to government contracts. They further are not required to make the types of financial disclosures that senior federal employees make, and thus, may even have had financial interests in companies or competitors of the contracts being discussed.
- Use of taxpayer funds: There have been reports of multiple trips being taken by VA officials, with the sole stated purpose of meeting with non-elected political advisors. The use of taxpayer dollars to facilitate these trips is questionable, and we have further questions about the VA official's lodging while on these trips. Were hotel accommodations made based on access to certain political advisors, or were they made at the government rate at local hotels that were within the approved nightly rate? If, however, these trips or the lodging were not paid by taxpayers, and instead were gifts to VA senior leaders, that may have been undue influence, and would have been inappropriate for these individuals as well.

- Violation of the Federal Records Act: As you know, using personal email for official business is a violation of federal law. Given the evidence that senior political appointees provided their personal email addresses to individuals who were clearly providing direction and guidance, despite their unelected status, regarding VA policies and decisions, we believe that these emails could be in violation of federal law.
- Violation of Federal Civil Service Protections: Based on documents associated with the reporting, then-Chief of Staff Peter O'Rourke was communicating with private individuals regarding several VA civil servants and a contractor assigned to a VA project. The documents do not indicate the reason for a senior political appointee to be discussing the employment of civil service employees with a non-governmental individual. This suggests that some action could have been taken – or threatened – against employees that affected the terms and conditions of their employment with the Department in violation of civil service protections accorded to Government employees.

VA leaders should be focused on reserving taxpayer dollars for Veteran care and making decisions that benefit Veterans, not on pleasing unelected and unconfirmed political advisors. Any undue and unethical influence by these types of advisors on VA leaders should be subject to continued and careful scrutiny. We hope that your review of these concerns and other allegations will determine whether VA leadership has violated federal laws, or policies, or their ethical obligations to Veterans.

We would greatly appreciate your review of these allegations urgently.

Sincerely,



---

Tammy Duckworth  
United States Senator



---

Margaret Wood Hassan  
United States Senator