

**Congress of the United States**  
**Washington, DC 20515**

July 19, 2023

The Honorable Denis McDonough  
Secretary  
U.S. Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420

Dear Secretary McDonough:

Thank you for your partial response to our April 10, 2023, letter, which asked two questions: (1) Does the U.S. Department of Veterans Affairs (VA) have the authority it needs to remove problematic employees like the Loma Linda VA Medical Center (VAMC) supervisory employee; and (2) would you work for this supervisory employee?

In your letter, you recount the legacy discipline process that led VA to keep employing a sub-par supervisory employee despite roughly 4,000 pages of evidence proving they were creating an undeniably hostile environment at Loma Linda VAMC. Our constituents, including dozens of veterans and Loma Linda VAMC employees, have reached out to us to make clear that this is unacceptable.

We were also dissatisfied with your response, which did not adequately address what we were asking, to our second question, "Would you work for this supervisory employee?" We hope you never have to work for a supervisory employee who allegedly leads by making racially charged statements, forcing subordinates to give him meals and rides, lying to his subordinates, bribing his subordinates, retaliating against subordinates by giving them the worst work assignments, and consistently failing to perform his job. Unfortunately, VA employees must continue working for this individual, and potentially others like him.

Two positive developments have come out of this otherwise terrible situation. First, we have met with dozens of excellent VA employees who have felt empowered to tell us their stories, and second, we have been working with our colleagues to introduce H.R. 4278, the Restore Department of Veterans Affairs Accountability Act, which is designed to ensure that you have the tools you need to hold employees like this supervisory employee accountable. In communicating with Loma Linda VAMC employees, we learned that many of them believe their leadership is failing them. We were glad to meet with Dr. Braverman and Mr. Arnette who seemed to be leading Loma Linda VAMC in a positive direction.

We are concerned with the recent news that problematic leaders are returning to positions of leadership within Loma Linda VAMC. Under the status quo, an Administrative Investigation Board (AIB) report, which includes roughly 4,000 pages and 57 hours of incriminating evidence is apparently not enough to appropriately discipline an obviously problematic employee. We are more confident than ever that the Restore Department of Veterans Affairs Accountability Act is needed to ensure that both veterans and good VA employees are protected.

A significant proportion of VA employees, including the ones we've met at Loma Linda VAMC, want nothing more than to serve veterans. We want to reiterate that these are employees we are lucky to have in the VA system, as they keep us all focused on delivering high quality, timely health care and benefits to veterans. That is why we are deeply concerned that employees like the supervisory employee and a few members of Loma Linda's senior leadership are driving away VA's most valued staff.

Failing to quickly and appropriately discipline employees in situations like the ones we see in Loma Linda is a disservice to both their peers and the veterans they serve. Creating a better work environment and a better VA for veterans must begin with more accountability, not less. The Restore Department of Veterans Affairs Accountability Act will give VA the authority it needs to get rid of the few VA employees who hold the VA back.

We ask that, no later than August 21, 2023, you respond to the following document request. Please provide unredacted copies of documents produced since January 1, 2023, related to any Administrative Investigations Board (AIB), fact findings, and any other administrative investigations related to any GS-15 or SES Loma Linda VAMC employees (or their equivalents). When producing documents, please do not alter them in any way, including but not limited to application of redactions or a watermark. Additionally, digital copies should be provided in a format that enables their printing and copying by the Committee. We thank you for your assistance with this matter and for working with us to improve the quality of health care for the veterans we both serve.

Sincerely,



**MIKE BOST**  
Chairman



**JAY OBERNOLTE**  
Member of Congress

Cc: The Honorable Mark Takano, Ranking Member