



**U.S. OFFICE OF SPECIAL COUNSEL**

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**The Special Counsel**

May 9, 2016

The Honorable Johnny Isakson  
Chairman  
Committee on Veterans' Affairs  
United States Senate  
412 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Richard Blumenthal  
Ranking Member  
Committee on Veterans' Affairs  
United States Senate  
412 Russell Senate Office Building  
Washington, D.C. 20510

**Re: Veterans First Act and the Office of Accountability and Whistleblower Protection**

Dear Chairman Isakson and Ranking Member Blumenthal,

The Office of Special Counsel (OSC) has received thousands of whistleblower retaliation complaints and disclosures from Department of Veterans Affairs (VA) employees. Based on this experience, we support the Committee's decision, in the Veterans First Act, to establish the VA Office of Accountability and Whistleblower Protection (OAWP). We believe the OAWP will reinforce steps the VA has taken to elevate and address these critical issues. We look forward to working closely with OAWP as we continue our efforts to protect veterans and whistleblowers.

OSC's work with VA whistleblowers will benefit from having a permanent, high-level point of contact with the statutory authority to identify, correct, and prevent threats to patient care and to discipline those responsible for creating them. The establishment of similar offices at other agencies, including the Federal Aviation Administration, has significantly improved the whistleblower experience at those agencies. And OAWP, with a Senate-confirmed leader, will have the authority and a mandate to make a significant difference. Additionally, we support the Committee's decision to include whistleblower protection criteria in the performance plans of all VA supervisors and managers. This step, which we are in the process of implementing at OSC, will create additional incentives for supervisors to respond constructively to employees' concerns, helping to improve the culture at the VA.

We thank the Committee for the opportunity to provide these views, and for recognizing OSC's work and the contributions of VA whistleblowers.

Sincerely,

A handwritten signature in blue ink that reads "Carolyn N. Lerner".

Carolyn N. Lerner