

Statement of Michael Tierney
Nominee for
Assistant Secretary for Accountability and Whistleblower Protection
Department of Veterans Affairs (VA)
before the
Committee of Veterans' Affairs
United States Senate

Chairman Moran, Ranking Member Blumenthal, and Members of the Committee — thank you for the opportunity to appear before you today. It is a genuine honor. I want to begin by acknowledging my family members who are here with me today. My wife of 26 years, Margaret, and two of my children: my son Michael, a rising second class midshipman at the United States Naval Academy, and my younger daughter Caroline, a rising freshman at the University of California, Berkeley. My older daughter Madeleine is preparing for her graduation at The University of Chicago where she is a business economics major.

Thanks, also, to President Donald J. Trump and Secretary Douglas A. Collins for their confidence in me.

There is a quote often attributed to Sir Thomas More, the English lawyer and philosopher, that has relevance today: “In matters of law, morality aside, one must remember that the law itself is the foundation of justice, and all who practice it must not evade it.” In the practice of being a lawyer, I was reminded daily of the importance of the principle to simply follow the law.

My legal career spans 30 years — first as a litigator, then as a corporate attorney and senior partner at a Philadelphia law firm, then as in-house counsel to the Federal Government. I have led large teams through complex, high-stakes matters. In one of my larger engagements, I managed a team of 40 lawyers through my client’s successful \$560 million acquisition of Philadelphia’s two major newspapers. I also represented the Delaware River Port Authority for more than 15 years, serving as senior outside counsel. Most recently, I have served as Deputy Legal Adviser at the U.S. Department

of State, and previously, as Acting General Counsel at the U.S. Agency for International Development. These legal roles – both in private practice and as an in-house attorney – have shaped my evolution as a lawyer.

The Office of Accountability and Whistleblower Protection (OAWP) holds a statutorily mandated leadership and oversight role under the VA Accountability and Whistleblower Protection Act of 2017. Besides oversight and policy guidance to VA's distinct Administrations, the office which I hope to lead is responsible for following defined procedures for handling whistleblower disclosures and senior leader misconduct.

Running an organization with over 400,000 employees delivering direct services to some 9 million Veterans involves one of the Federal Government's most demanding missions. Yet, despite the unique challenges VA faces, Veterans, taxpayers, and VA staff alike all deserve an accountability office that functions with integrity, independence, and genuine commitment to their interests. President Trump and Congress created this office in a bipartisan fashion to protect Veterans. As the President said at the time, "With the creation of this office, we are sending a strong message: Those who fail our Veterans will be held, for the first time, accountable. At the same time, we will reward and retain the many VA employees who do a fantastic job."

I undertake this pursuit with great respect for OAWP's history of conducting investigations and protecting whistleblowers. This opportunity represents something more than a career step – it is something very personal. My father and two oldest brothers were Veterans, and as I mentioned, my son will one day be a Veteran.

For this reason alone, if confirmed, I commit to this Committee, to all Veterans, and to all VA employees, that I will work relentlessly to continue to improve efficiency within OAWP's operations and processes. As President Lincoln stated in his second inaugural address near the end of the Civil War, the country's duty is "To care for him who shall have borne the battle, and for his widow, and his orphan." These words are inscribed near the entrance to VA headquarters. They are not a suggestion. They are a promise – one that every function of this Department, including OAWP, exists to keep. I will pursue that mission zealously and professionally.

Finally, if confirmed, I will work – in conjunction with this Committee – to continue to improve efficiency within OAWP’s operations and processes and address all matters independently, with a commitment to accountability and transparency. Serving and respecting our Veterans is our country’s most sacred obligation. I am grateful for this opportunity to appear before you, and I welcome your questions.