

VA Office of Inspector General

OFFICE OF AUDITS AND EVALUATIONS



# Veterans Benefits Administration

*Review of  
Alleged Mismanagement  
of Mail for Unemployability  
Benefits at VA Regional Office  
Seattle, Washington*

September 30, 2015  
15-02745-522

# ACRONYMS

IPC	Intake Processing Center
IU	Individual Unemployability
OIG	Office of Inspector General
VA	Department of Veterans Affairs
VARO	VA Regional Office
VSO	Veterans Service Officer

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## EXECUTIVE SUMMARY

On March 6, 2015, the Office of Inspector General (OIG) received allegations from a complainant that the Seattle VA Regional Office (VARO) staff stored more than 1,000 pieces of unprocessed mail, primarily Employment Questionnaires needed to continue individual unemployability (IU) benefits, in a yellow bucket for several months. The complainant alleged the mismanagement of Employment Questionnaires resulted in hundreds of unnecessary notifications that proposed to discontinue individual unemployability benefits. The complainant also alleged VARO management took several weeks before taking any action to process the unprocessed mail.

We substantiated that VARO staff mismanaged unprocessed mail relating to IU benefits and unnecessarily proposed to discontinue IU benefits for 27 (20 percent) of the 132 employment questionnaires we reviewed. VARO staff notified these 27 veterans of VA's intent to discontinue IU benefits because they did not return the employment questionnaires by the due date—despite receiving the questionnaires on average 66 days earlier. We could not determine if VARO staff stored more than 1,000 pieces of unprocessed mail in a yellow bucket or if hundreds of proposed benefits reductions occurred because of the mismanaged mail—reportedly, staff had processed the mail prior to our arrival on April 7, 2015. We also did not substantiate the allegation that VARO management delayed taking corrective actions to address unprocessed mail being stored in a yellow bucket—rather, the Director instructed staff to take immediate action to process the mail once he learned of the situation.

Recommendations for improvement included convening administrative investigation boards to determine why VARO management was unaware that unprocessed mail had been stored within the Intake Processing Center (IPC); and to determine why IPC staff did not seek assistance for processing employment questionnaires for several months. We also recommended refresher training for staff with oversight and functional responsibility for mail processing.

Beginning in fiscal year 2014, we initiated several reviews at multiple VAROs addressing allegations of mismanagement and data manipulation. We are concerned these actions appear to be indicators of a systemic trend, motivated to enhance reported performance metrics at VAROs. From an oversight perspective, many of the conditions we reported on lacked audit trails that adequately detailed the corrective actions taken to ensure accountability. As such, we recommended that the Under Secretary for Benefits ensure audit trails coexist with corrective action plans in all instances of mismanagement or data manipulation.

A handwritten signature in black ink that reads "Gary K. Abe".

**GARY K. ABE**  
Acting Assistant Inspector General  
For Audits and Evaluations

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## INTRODUCTION

### ***Purpose of the Review***

We performed this review in response to allegations received through the VA Office of Inspector General (OIG) Hotline on March 6, 2015. This review assessed the merits of allegations that an employee at the Seattle VA Regional Office (VARO) mismanaged more than 1,000 pieces of unprocessed mail, primarily Employment Questionnaires needed to continue individual unemployability benefits, by storing them in a yellow bucket for several months. Allegedly, the VARO's mismanagement of returned Employment Questionnaires resulted in veterans receiving hundreds of unnecessary notifications that incorrectly proposed to discontinue individual unemployability benefits. The complainant also alleged that once informed VARO management took several weeks before taking any action to process the unprocessed mail.

### ***Background and Criteria***

Individual unemployability may be established when a veteran is unable to secure or retain employment by reason of a service-connected disability or disabilities. A veteran may be unemployed or unemployable for a variety of reasons. When VARO staff deem a veteran is unemployable due to service related disabilities, the veteran is entitled to Individual Unemployability (IU) benefits. In such cases, disability compensation payments are elevated to the 100 percent rate even if the medical condition(s) are evaluated as less than 100 percent disabling. In order to continue disability payments at the 100 percent rate based on IU, veterans must confirm annually that he/she continued to be unemployed in the past 12 months by returning an Employment Questionnaire to the VARO within 60 days.<sup>1</sup>

If veterans do not return employment questionnaires within the allotted time, VBA policy requires staff to prepare a rating decision that proposes discontinuing IU benefits—generally resulting in a reduction in benefits. In such cases, VBA policy requires VARO staff to notify veterans of proposed reductions and to provide a 60-day due process period. If, after the due process period expires, VARO staff does not receive a completed employment questionnaire, a final rating decision is prepared to discontinue the IU benefits.

Strict compliance with VBA policies on controlling mail is important to ensure accurate dates of veterans' entitlement for benefits, tracking of claims processing timeliness, and for monitoring internal workflow. To ensure adequate controls over mail processing, VBA policy requires staff to open, date stamp, and route beneficiary mail to the appropriate location within 6 hours of receipt.

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<sup>1</sup> VA Form 21-4140-1, Employment Questionnaire

## RESULTS AND RECOMMENDATIONS

### **Allegation 1 Seattle VA Regional Office Staff Mismanaged More Than 1,000 Pieces of Unprocessed Mail, Resulting in Proposals to Discontinue Individual Unemployability Benefits**

We substantiated that VARO staff mismanaged unprocessed mail relating to IU benefits and unnecessarily proposed to discontinue IU benefits for 27 (20 percent) of the 132 employment questionnaires we reviewed. Mismanaged mail relating to IU benefits resulted from inadequate oversight of mail processing actions while transitioning to VBA's Centralized Mail Initiative. Consequently, 27 veterans were notified to resubmit evidence they had previously provided the VARO or risk reductions in benefits resulting in undue stress or angst. Additionally, the untimely processing of employment questionnaires resulted in inefficient use of VARO resources, resulting in unnecessary work and rework for claims processing staff.

We could not determine if VARO staff stored more than 1,000 pieces of unprocessed mail in a yellow bin or if hundreds of proposed benefits reductions occurred due to the untimely processing of employment questionnaires. According to VARO management and staff, all unprocessed mail associated with the Yellow Bucket Project had been processed prior to our arrival.

#### ***What We Did***

On April 7, 2015, we conducted an unannounced review of the Seattle VARO to assess the merits of the allegations. We interviewed VARO management responsible for oversight of incoming mail to determine whether adequate controls were in place to ensure staff processed mail according to VBA policy. We also interviewed VARO staff responsible for processing incoming mail as well as staff who reviewed mail found in the yellow bucket—referred to as the “Yellow Bucket Project.” We also obtained a listing from VARO staff assigned to review unprocessed mail from the Yellow Bucket Project. The listing contained claim numbers for 132 veterans whose employment questionnaires and documents were stored in the bucket. We reviewed claim-processing actions associated with the 132 claim numbers to determine if any adverse actions resulted from the untimely processing of mail.

#### ***Inadequate Oversight of Mail Processing***

We determined VARO management lacked adequate controls over mail processing because it was unaware that IPC staff stored unprocessed mail within the IPC team beginning sometime around July 2014, until December 2014, when a newly assigned manager informed the VARO Director about the unprocessed mail. Reportedly, VARO staff were uncertain about how to process the returned employment questionnaires but

also did not seek assistance or guidance from any member of management. Generally, staff indicated confusion related to the transition of responsibility for VARO workload; for example, when VBA entered into a professional services contract to address the dependency claims backlog, it was rumored by several staff members that the non-rating teams were no longer processing IU employment questionnaires. Rather, as the best course of action, IPC staff decided to store the unprocessed employment questionnaires within the IPC for several months without action, beginning sometime around July 2014. Because staff had poor recollection and multiple versions of events, we could not determine who in the IPC team made this decision or how many team members contributed to the unprocessed mail backlog.

VARO management and IPC staff reported the majority of the mail found in the yellow bucket was related to returned employment questionnaires. The VARO's workload management plan indicates VSC employees are accountable for assigned work and management is responsible for achieving the goals specified by VBA; however, IPC staff did not place the unprocessed employment questionnaires under electronic work controls within 7 days as required by VBA policy.

VARO managers we interviewed told us they were unaware that IPC staff had been storing unprocessed mail until December 2014. The newly assigned supervisor reported seeking guidance on processing the employment questionnaires from the VSC manager, the Assistant VSC manager, and a team coach. However, none of the VARO managers we interviewed recalled another manager asking for guidance or assistance related to the questionnaires. Reportedly, the incoming Director became aware of the unprocessed employment questionnaires when staff questioned if this mail should be worked prior to being sent to the scanning facility. The VARO Director instructed staff to prioritize the processing of the mail to avoid further delays.

*Proposals To  
Discontinue  
Unemployability  
Benefits*

We determined 27 (20 percent) of the 132 veterans identified as having unprocessed mail stored in a yellow bucket received erroneous notices that IU benefits would be discontinued. On average, the 27 employment questionnaires had been received 66 days prior to the notifications to veterans that proposed to discontinue IU benefits. The notification letters advised the veterans that IU benefits would be discontinued because required employment questionnaires had not been received by the due date. However, in all 27 cases, the completed questionnaires had been received. The oldest VARO date stamp observed for an unprocessed employment questionnaire was July 15, 2014. We did not find any instance in the 27 cases we reviewed in which veterans' benefits had actually been reduced.

## **Conclusion**

We substantiated that VARO staff mismanaged unprocessed mail relating to IU benefits and unnecessarily proposed to discontinue IU benefits for 27 (20 percent) of the 132 cases we reviewed. Mismanaged mail relating to IU benefits resulted from inadequate oversight of mail processing actions while preparing to transition or transitioning to VBA's Centralized Mail Initiative. Consequently, 27 veterans were required to resubmit evidence they had already provided the VARO or risk reductions in benefits payment—potentially resulting in undue stress or angst.

## **Recommendations**

1. We recommended that the Pacific District Director convene an administrative investigation board to determine why VA Regional Office management was unaware that Intake Processing Center staff had stored unprocessed mail for several months without action.
2. We recommended the Pacific District Director convene an administrative investigation board to determine why staff responsible for managing mail did not seek assistance for processing employment questionnaires for several months.
3. We recommended the VA Regional Office Director conduct refresher training for staff responsible for processing mail with emphasis on processing employment questionnaires.

## **Management Comments**

The Pacific District Director concurred in principle with our first two recommendations but proposed an alternative to administrative investigation boards. District management determined a fact-finding review related to the backlog of mail at the Seattle VARO would be more in line with the Secretary's vision of "MyVA"—where VA employees and management collaborate to address deficiencies.

Results of the District's September 2015 fact-finding review indicated the delay in processing employment questionnaires related to insufficient staffing and unclear guidance during a period when the VARO was transitioning to VBA's Centralized Mail processing model. Further, during the District's fact-finding review, interviews with VARO management suggested the confusion in transitioning responsibility for VARO workload was likely surrounding the transition from a paper-based to the paperless centralized mail portal and as with any major transition, procedural guidance underwent significant revision during the transition period.

Actions taken to correct the processing deficiencies included hiring 12 claims assistants in April 2015 to staff the IPC, implementation of a mail tracking report to monitor the backlog and reduction of unprocessed paper mail, and refresher training for mail processing staff that reflects current practices.

**OIG  
Response**

Results from the District's September 2015 fact-finding review are responsive to the recommendations and is an acceptable alternative to an administrative investigation board. We will follow-up with the VARO Director for evidence supporting the additional staffing within the IPC, monitoring of paper-based mail, and that refresher training occurred.

## **Allegation 2 VARO Management Delayed Corrective Actions Processing the Unprocessed Mail**

We did not substantiate that VARO management delayed taking corrective actions to address unprocessed mail being stored in a yellow bucket. VARO management agreed that once the incoming Director became aware of the unprocessed employment questionnaires that he instructed staff to prioritize the processing of the mail.

### *Prior OIG Reports*

Beginning in FY 2014, we initiated several reviews at multiple VAROs addressing allegations of mismanagement and data manipulation. Generally, we substantiated the allegations or observed other areas requiring the attention by VARO or VBA management.<sup>2</sup> Following are summaries of data manipulation and mismanagement at six VAROs.

- A supervisor at the Baltimore VARO stockpiled about 8,000 documents and claims folders for 80 veterans in an office and desk audits revealed about 1,500 documents containing personally identifiable information were inappropriately stored in employees' individual workspaces.
- At the Boston VARO, a Veterans Service Officer (VSO) manipulated or attempted to manipulate dates of claims by circumventing internal controls related to accessing date-stamping equipment. The VSO would then obtain date stamps on blank sheets of paper, which he would then photocopy and attach to claims belonging to other beneficiaries. Reportedly, the VSO took these actions to hide the untimely submission of claims.
- A supervisor at the Honolulu VARO inappropriately changed controls related to additional benefits paid to veterans for dependents such as a spouse or child. In another instance, the supervisor advised VARO staff to disregard VBA's policy for recouping separation pay.
- On two separate occasions, employees at the Houston VARO inappropriately removed electronic controls in VBA's system of records needed to track and identify benefits claims but did not take required actions to process the claims.

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<sup>2</sup> *Review of Alleged Mail Mismanagement at the Baltimore VA Regional Office, Maryland* (Report No. 14-03644-225, July 14, 2014); *Review of Alleged Data Manipulation at VA Regional Office, Boston, Massachusetts* (Report No. 15-01332-121, April 15, 2015); *Review of Alleged Data Manipulation at VA Regional Office Honolulu, Hawaii* (Report No. 15-00880-157, March 26, 2015); *Review of Alleged Data Manipulation at the VA Regional Office Houston, Texas* (Report No. 14-04003-298, September 30, 2014); *Review of Second Instance of Employee Manipulation at the Houston VA Regional Office* (Report No. 15-02354-220, June 15, 2015); *Review of Alleged Mismanagement of Informal Claims Processing at VA Regional Office Oakland, California* (Report No. 14-03981-119, February 18, 2014); *Review of Alleged Data Manipulation and Mismanagement at the VA Regional Office Philadelphia, Pennsylvania* (Report No. 14-03651-203, April 15, 2015)

- We determined Oakland VARO management did not process a significant number of informal requests for benefits dating back many years; but could not confirm that informal claims totaled more than 13,000 because management did not keep good records.
- At the Philadelphia VARO, we identified serious issues involving mismanagement resulting in compromised data integrity, lack of financial stewardship, and lack of confidence in management's ability to manage the workload effectively, to include mail management and safeguarding documents containing personally identifiable information.

While OIG and VBA have addressed these allegations of manipulation and mismanagement, we are concerned these actions appear to be indicators of a systemic trend, motivated to enhance reported performance metrics at VAROs. From an oversight perspective, many of the conditions we reported lacked audit trails that adequately detailed the corrective actions taken.

Similarly, Seattle VARO management became aware that staff did not process employment questionnaires according to VBA policy and directed staff to take corrective actions to process the mail. However, the corrective actions taken lacked an audit trail.

### **Conclusion**

We did not substantiate that VARO management delayed taking corrective actions to address unprocessed mail being stored within the IPC workspace. Although the VARO Director instructed staff to take immediate action to process the mail, the instructions did not require staff to do so in a way that created an audit trail. As such, neither VBA nor OIG can identify the number of veterans who had unprocessed mail stored in the yellow bin or determine the number of instances that these conditions affected veterans' benefits. Consequently, we could not determine how long the unprocessed mail sat in the IPC workspace or to what extent VARO resources were used inefficiently.

### **Recommendation**

4. We recommended the Under Secretary for Benefits implement a plan that requires audit trails coexist with corrective action plans when areas of mismanagement or data manipulation are identified at VA Regional Offices.

### **Management Comments**

The Under Secretary for Benefits concurred with the recommendation. On September 18, 2015, the Office of Field Operations directed VARO directors to establish appropriate tracking mechanisms should issues of confirmed mismanagement or data manipulation arise. Directors were instructed to ensure the tracking mechanisms are thorough, include sufficient veteran information for identification, and be maintained such that findings and

results can be independently verified. VBA requested closure of this recommendation.

**OIG  
Response**

The Under Secretary for Benefits response fully addressed the recommendation. The Under Secretary provided evidence requiring VARO directors to establish audit trails in cases of confirmed mismanagement or data manipulation, as such, the recommendation is considered closed.

**Government  
Standards**

We conducted this review in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

## Appendix A District and VARO Management Comments

### Department of Veterans Affairs

### Memorandum

**Date:** September 11, 2015

**From:** Director, VA Regional Benefits Office Seattle, Washington  
Director, VBA Pacific District

**Subj:** Review of Alleged Mail Mismanagement Relating to Unemployability Benefits,  
VA Regional Office Seattle, Washington

**To:** Assistant Inspector General for Audits and Evaluations

1. The Seattle VARO's comments, Pacific District comments, and Office of the Undersecretary for Benefits (USB) comments are attached on the OIG Draft Report: *Review of Alleged Mismanagement of Mail at the Seattle VA Regional Office (VARO), Washington.*
2. Please refer questions to:
  - Pritz Navaratnasingam, (206) 341-8560
  - Jon Skelly, (602) 627-2746

*(original signed by:)*

Pritz Navaratnasingam  
Director, Seattle Regional Office

*(original signed by:)*

Jon Skelly  
Director, Pacific District Office

Attachment

### **Pacific District Response**

**Recommendation #1:** We recommended that the Pacific District Director convene an administrative investigation board to determine why VA Regional Office management was unaware that Intake Processing Center staff had stored unprocessed mail for several months without action.

**District Response:** The Pacific District concurs in principle. However, it is the District's assessment that an administrative investigative board (AIB) is not the appropriate response, as the events at the Seattle Regional Office (RO) do not rise to the level for which an AIB would be warranted. Further, an AIB could engender a culture of fear of reprisal among employees, counterproductive to the Secretary's vision of "MyVA" in which employees and management collaborate to address deficiencies and improve the Veteran experience. The District proposes as an alternate response the fact-finding that was completed upon receipt of this report.

The Pacific District interviewed local management officials on September 9, 2015. Management officials provided the following information:

- While unaware of a specific "yellow bucket" used to store mail, RO management was acutely aware of a backlog of unprocessed mail in the RO.
- Management reports that they were forthright with this information when interviewed by OIG.
- The backlog of unprocessed mail was due to insufficient resources in the RO's Intake Processing Center (IPC).
- Steps were taken to appropriately staff the IPC, and 12 Claims Assistants were hired by April 2015.
- Additionally, management implemented a mail tracking report to monitor the reduction in the backlog of unprocessed paper mail and to facilitate the transition into the electronic Centralized Mail portal.

This fact-finding shows that management was aware of the issue identified by OIG, but differing language may have conveyed to OIG investigators the impression that they were unaware. What the report identifies as the IPC "storing unprocessed mail," management identified as a backlog of mail existing due to insufficient resources. The steps taken by management to appropriately staff the IPC further corroborates awareness of processing deficiencies, demonstrates that steps were taken locally to address these deficiencies, and illustrates an awareness of the issue and intent to correct deficiencies. The Pacific District Director requests closure of this recommendation.

**Recommendation #2:** We recommended the Pacific District Director convene an administrative investigation board to determine why staff responsible for managing mail did not seek assistance for processing employment questionnaires for several months.

**District Response:** The Pacific District concurs in principle. However, it is the District's assessment that an administrative investigative board (AIB) is not the appropriate response, as the events at the Seattle Regional Office (RO) do not rise to the level for which an AIB would be warranted. Further, an AIB could engender a culture of fear of reprisal among employees, counterproductive to the Secretary's vision of "MyVA" in which employees and management collaborate to address deficiencies and improve the

Veteran experience. The District proposes as an alternate response the fact-finding that was completed upon receipt of this report.

The Pacific District interviewed local management officials on September 9, 2015. Management officials provided the following information:

- Staff did indeed seek assistance in processing employment questionnaires, but staff found that the guidance provided by local management was unclear as to how to process employment questionnaires during the transition to the Centralized Mail portal.
- The primary cause of the delay, however, was that the evidence mail inventory, to include employment questionnaires, was larger than could be processed timely by available IPC resources.
- Management took steps to provide additional resources to reduce this backlog and process all mail, to include employment questionnaires, in a timely manner.
- Any "confusion related to the transition of responsibility for VARO workload" was likely surrounding the transition from a paper-based to the paperless Centralized Mail portal. As with any major transition, procedural guidance underwent significant revision during this period. Employees were provided with guidance and best practices as the systems changed.

The fact-finding demonstrates that the delay in processing of employment questionnaires was not a matter of staff not seeking assistance, but of unclear guidance and insufficient staffing. RO leadership took appropriate steps to provide additional resources to address the mail backlog. The Pacific District Director requests closure of this recommendation.

### **Regional Office Response**

**Recommendation #3:** We recommended the VA Regional Office Director conduct refresher training for staff responsible for processing mail with emphasis on processing employment questionnaires.

**Regional Office Response:** Concur. Refresher training for the processing of mail with emphasis on all evidence mail and correspondence that has a potential impact of Veteran's benefits will be continually updated to reflect current practices and delivered to responsible staff annually. Training will be completed no later than December 31, 2015.

## Appendix B Under Secretary for Benefits Comments

### Department of Veterans Affairs

### Memorandum

**Date:** September 18, 2015  
**From:** Under Secretary for Benefits (20)  
**Subj:** OIG Draft Report—Review of Alleged Mail Mismanagement Relating to Unemployability Benefits, VA Regional Office Seattle, Washington, VAIQ 7634847  
**To:** Assistant Inspector General for Audits and Evaluations (52)

1. Attached is VBA's response to the OIG draft report: Review of Alleged Mail Mismanagement Relating to Unemployability Benefits, VA Regional Office Seattle, Washington.
2. Questions may be referred to Catherine Milano, Program Analyst, at 461-9216

*(original signed by:)*

Allison A. Hickey

Attachments

**Attachment**

**Veterans Benefits Administration (VBA)**

**Comments on OIG Draft Report**

**Review of Alleged Mail Mismanagement Relating to Unemployability Benefits, VA  
Regional Office Seattle, Washington**

**VBA concurs with OIG's findings in the draft report and provides the following  
comments in response to the recommendation:**

Recommendation 4: We recommended the Under Secretary for Benefits implement a plan that requires audit trails coexist with corrective action plans when areas of mismanagement or data manipulation are identified at VA Regional Offices.

VBA Response: Concur. On September 18, 2015, the Office of Field Operations directed Regional Office (RO) Directors to establish appropriate tracking mechanisms should issues of confirmed mismanagement or data manipulation arise (see Attachment A). RO Directors have been instructed to ensure these tracking mechanisms are thorough, including sufficient Veteran information for identification and be maintained such that findings and results can be independently verified. VBA requests closure of this recommendation.

## Appendix C **OIG Contact and Staff Acknowledgments**

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OIG Contact	For more information about this report, please contact the Office of Inspector General at (202) 461-4720.
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Acknowledgments	Nora Stokes, Director Karen Cobb Casey Crump Ramon Figueroa Kerri Leggiero-Yglesias
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## **Appendix D Report Distribution**

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