

VA**U.S. Department
of Veterans Affairs**

News Release

Office of Public Affairs
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March 1, 2016**VA Takes Accountability Actions against Board of Veteran Appeals Personnel***Actions Proposed Against Three Attorneys, Two Judges Referred
to Merit Systems Protection Board*

WASHINGTON - The Department of Veterans Affairs (VA) today announced it proposed disciplinary action against three Board of Veterans' Appeals (Board) attorneys, and has filed a Complaint against two Board Veterans Law Judges. Accountability actions against the Board judges have been referred to the Merit Systems Protection Board (MSPB), which has direct jurisdiction over cases concerning administrative law judges.

Deputy Secretary of Veterans Affairs Sloan D. Gibson filed a Complaint against two Board Veterans Law Judges with the MSPB and VA proposed actions against three board attorneys for reasons of misconduct based on information received as part of an Office of Inspector General (OIG) investigation that revealed a pattern of inappropriate emails that were racist and sexist in tone. The OIG proactively brought the information to VA early in their investigation and VA acted immediately by assigning the Board employees to non-adjudicative duties pending the disciplinary actions that have now been taken to protect Veterans appellate rights.

"These actions are reprehensible and completely counter to our values," said Gibson. "It undermines the trust the American people place in the VA to serve our Veterans and has no place in this Department. We will not tolerate it. Taking action as quickly as we did was simply the right thing to do."

VA proposed disciplinary actions in mid-January against two attorneys. One attorney retired, and one resigned from Federal service while the actions were pending. VA proposed a lesser administrative penalty against one attorney.

VA is conducting a review of appeals handled by these individuals while also examining comparative statistical data from internal quality review processes and appeals of Board decisions to the federal courts. At this time, we have no indication that any Veterans' appeal was unjustly influenced by their conduct.

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