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VA Secretary Presses for Accountability Legislation in Wake of Federal Appeals Ruling

Today, the [U.S. Court of Appeals for the Federal Circuit in *Helman v. Department of Veterans Affairs*](#) (VA) ruled that the expedited Senior Executive Service (SES) removal and appeals authority provided by the [Veterans Access, Choice, and Accountability Act of 2014](#) is unconstitutional.

As a result of this ruling, the Merit Systems Protection Board (MSPB) has been directed to review the administrative judge's decision upholding VA's November 2014 removal of the director of the Phoenix VA Healthcare System. The former director's removal remains in effect at this time.

Commenting on the ruling, Veterans Affairs Secretary Dr. David J. Shulkin said, "Today's ruling underscores yet again the need for swift congressional action to afford the Secretary effective and defensible authority to take timely and meaningful action against VA employees whose conduct or performance undermines Veterans' trust in VA care or services.

"We appreciate the House passing H.R. 1259, [VA Accountability First Act of 2017](#) as a vital step toward providing the tools necessary to address misconduct while ensuring due process. Just as importantly, we look forward to the Senate taking up the legislation and helping to ensure passage as soon as possible."

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