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Whistleblowers Reveal Deficient VA Benefit Claims Processing in Oakland

FOR IMMEDIATE RELEASE

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In a [letter](#) sent to the White House and Congress today, the U.S. Office of Special Counsel (OSC) reported that the Veterans Affairs Regional Office (VARO) in Oakland, California, failed to process veterans' benefits claims accurately and in a timely manner. This delayed the accurate payment of benefits to veterans and their dependents, in some cases by years. Three Oakland VARO whistleblowers came to OSC with disclosures of the Oakland VARO's deficiencies, prompting an investigation. Those whistleblowers are Rustyann Brown, a former claims assistant, Roselyn Tolliver, a veterans service representative, and Lydia Cheney, a veterans service representative.

According to the Department of Veterans Affairs (VA) investigative [report](#) into the whistleblower allegations, Oakland VARO managers did not provide adequate oversight to ensure timely and accurate processing of informal benefit claims. The report noted that VARO employees did not process fifteen percent of files selected for an audit in an appropriate amount of time. Of the sixty files selected for the audit, nine featured significant delays in processing, ranging from five to more than seven years. While the nine affected veterans eventually received retroactive payments, they waited on average six and a half years for benefits. In the case with the most significant delay, VARO received an application in February 2006 from a veteran with Post-Traumatic Stress Disorder (PTSD), which was not correctly processed for seven years and eight months.

In addition, the Oakland VARO's recordkeeping was so poor that investigators could not find logs or spreadsheets tracking the number of unprocessed claims, thus hampering their ability to fully investigate the scope of the whistleblowers' allegations. However, another recent VA investigation confirmed that Oakland VARO staff had not processed a "substantial amount" of claims dating back to the mid-1990s.

While the VA has proposed more training and quality assurance reviews to remedy the problems uncovered, the VA's investigation did not recommend discipline against VARO managers. After reviewing the whistleblowers' comments, which called attention to the lack of management accountability, Special Counsel Carolyn Lerner found the VA's proposed corrective actions unreasonable (the comments for each whistleblower can be found at this [link](#), this [link](#), and this [link](#)). The VA's proposed actions do not go far enough to address the systemic problems discovered at this facility. The Special Counsel also urged the VA to expand on its audit of claim files.

"The whistleblowers performed a public service by bringing to light the severe delays in processing veterans benefit claims and deserve our gratitude," said Special Counsel Carolyn Lerner. "These delays are particularly disturbing since the applicants are disabled veterans and their dependents. No veteran should have to wait years before receiving the benefits they are owed for their service to this nation."

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.