

OSC Urges VA to Remove Employee from Any Procurement Duties, Suitably Discipline All Employees for Serious Wrongdoing After Landscaping Materials Purchasing Misconduct Case

FOR IMMEDIATE RELEASE

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WASHINGTON, D.C./Jan. 25, 2018 – The Office of Special Counsel (OSC) today notified President Trump that it is urging the Department of Veterans Affairs (VA) to remove an employee from contact with her former division and any involvement in procurement matters at the Bedford, Mass., VA Medical Center. The employee kept her federal employment and was demoted only one pay grade, despite her significant role in steering government purchases to her brother's landscaping business and concealing her conduct. OSC also encouraged the VA to suitably discipline employees who have committed serious wrongdoing.

“By allowing an employee who engaged in this conduct to remain with the agency, the VA demonstrates a shocking degree of indifference to government ethical standards, procurement regulations, and public integrity,” Special Counsel Henry J. Kerner wrote to the President.

The landscaping scheme came to OSC from a persistent whistleblower who led investigators to nearly \$1 million in improperly spent or documented purchases at the Bedford VA. The whistleblower disclosed suspicious, frequent, and significant purchase orders for landscaping materials, such as rock salt, mulch, and crushed stone, and that the majority of these orders were never delivered to the facility, despite payment. Ultimately, the VA largely substantiated the whistleblower's allegations. The VA found that Dennis J. Garneau and his daughter, Heather Garneau-Harvey, as Bedford VA employees, steered snow removal and grounds keeping materials to a business owned by a family member, their son and brother. Ms. Garneau-Harvey denied knowledge of family ownership to criminal investigators. Emails later proved her knowledge.

Mr. Garneau directed the purchase of more than \$200,000 for snow removal and grounds keeping materials from a company owned by his son. Ms. Garneau-Harvey was directly involved in purchase orders made to the company. Helping the financial interest of a family member is a violation of VA and government ethics regulations.

The VA also found that Mr. Garneau directed purchases of more than \$750,000 in landscaping materials without appropriate verification of delivery, among other purchasing irregularities.

Ms. Garneau-Harvey was reassigned to another division at the Bedford VA hospital and demoted from a GS-12 to a GS-11, despite the VA's finding against her of a lack of candor and conduct unbecoming a VA employee. Mr. Garneau resigned from federal service. The VA Office

of Inspector General presented the matter to the Department of Justice for possible criminal prosecution, but prosecutors declined.

“In light of these facts, I strongly urge the VA to ensure that Ms. Garneau-Harvey is removed from any position where she could interact with the Engineering Service or participate in procurement matters,” Kerner wrote. “I further encourage the VA to take appropriate measures to ensure that conduct like this does not occur in the future, and to suitably discipline employees who have committed serious wrongdoing.”

The whistleblower, Kevin Cornellier, a tool and parts attendant, persisted for years in the face of rejection of his disclosures by local authorities before he came to OSC. “Mr. Cornellier persevered and was ultimately successful in stopping serious procurement fraud,” Kerner wrote. “He should be commended for his efforts.”

Kerner sent a copy of the [letter](#) to the President, redacted versions of the agency reports, and the whistleblower’s comments to the Chairmen and Ranking Members of the Senate and House Committees on Veterans’ Affairs. He also filed redacted copies of these documents in OSC’s [public file](#) at www.osc.gov.

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.