



U.S. OFFICE OF SPECIAL COUNSEL

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September 23, 2009

The President
The White House
Washington, D.C. 20500

Re: OSC File No. DI-08-2370

Dear Mr. President:

The Office of Special Counsel (OSC) received disclosures from Mario Mancini, a whistleblower formerly employed at the Department of Veterans Affairs (VA), Dayton VA Medical Center (VAMC), Dayton, Ohio. Mr. Mancini, who consented to the release of his name, alleged that VA employees failed to follow proper procedures after being notified that a VA patient reported she was raped by another VA patient. He asserted that the actions of the employees constituted a violation of law, rule, or regulation and gross mismanagement.

In accordance with a referral pursuant to 5 U.S.C. § 1213(c) and (d), the Secretary of the VA was required to conduct an investigation into these disclosures. The Honorable James B. Peake, former Secretary of the VA, delegated authority to the Honorable Michael J. Kussman, former Under Secretary for Health, to address this matter. The VA submitted a report to this office and Mr. Mancini provided comments on the agency report pursuant to 5 U.S.C. § 1213(e)(1). As required by law, 5 U.S.C. § 1213(e)(3), I am now transmitting the report and Mr. Mancini's comments to you.

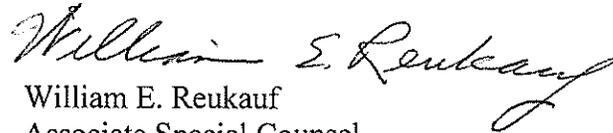
As discussed in the enclosed Analysis of Disclosures, the agency substantiated Mr. Mancini's allegation and concluded that VA employees, including Mr. Mancini, neglected to follow the reporting procedures. As a result of the investigation, the agency is pursuing disciplinary action against the employees deemed responsible, and is seeking to revise VA policy to help prevent these issues from arising again in the future.

Based on the representations made in the agency report and Mr. Mancini's comments, I have determined that the agency report contains all of the information required by statute and that the findings appear to be reasonable. As required by 5 U.S.C. § 1213(e)(3), I have sent a copy of the agency report, and Mr. Mancini's comments to the Chairman and Ranking Member of the Senate Committee on Veterans Affairs, and the Chairman and Ranking Member of the House Committee on Veterans Affairs. I have also filed redacted copies of the agency's report

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and Mr. Mancini's comments in our public file and closed the matter. OSC's public file is now available online at www.osc.gov.

Respectfully,


William E. Reukauf
Associate Special Counsel

Enclosures