

Congress of the United States
House of Representatives
Washington, DC 20515

Statement for the Record
Veterans Affairs Subcommittee on Oversight and Investigations
Wednesday, May 19, 2021

Thank you, Chairman Pappas and Ranking Member Mann for holding this hearing today.

The issue of whistleblower protection has a tremendous impact on government employees. As we are all aware, those who have the courage to publicly report misdeeds within any government agency do so knowing that their actions entail tremendous risk. Despite this, they expose malfeasance and unethical or illegal actions because their ultimate commitment is to good governance and ensuring accountability for those who abuse the public trust.

With these risks for whistleblowers in mind, we have an obligation to do all we can in Congress and across all federal agencies to support these individuals, given the obvious opportunities for retaliation from former colleagues and supervisors that exist following a whistleblower publicly coming forward.

If we fail to provide adequate protection, it sends a clear message to prospective whistleblowers that should they choose to come forward in the future, they will be punished rather than protected for their efforts. Such an outcome would fatally compromise our ability to rely on future government employees to come forward to expose wrongdoing that they see with their own eyes, which in turn impedes the goal of openness and transparency in government so that the public can have confidence in their public institutions.

It is with these thoughts in mind that I highlight the situation of Kristen Ruell, a VA employee and constituent who resides in my district in Philadelphia. Ms. Ruell has worked at the Department of Veterans Affairs for well over a decade, and in that time has been wholly committed to serving her country and the veterans that depend on the VA for their care. By all accounts she has performed her job throughout that time with complete dedication, and yet today she is contending with difficult circumstances that appear to have been entirely preventable and are indicative of a failure within the VA to adequately support Ms. Ruell and other whistleblowers like her.

Ms. Ruell made the difficult and life altering decision to come forward several years ago to help expose to the public that employees at the Philadelphia VA Medical Center had been altering records, among other issues of mismanagement at that facility. Her efforts included testifying before the House Veterans Affairs Committee to detail what she had seen, as well as speaking to national media outlets about the wrongdoing she had witnessed to shed light on these issues.

And while her efforts helped expose wrongdoing within the VA and helped hold some officials accountable, this came at tremendous personal cost to Ms. Ruell. She had to negotiate an agreement with the VA in order to assume a new position in another part of the agency so as to be protected from

retaliation from former colleagues she had reported while in her former position.

For several years, this arrangement appeared to function and Ms. Ruell performed her job with distinction. However, last year her previously negotiated settlement agreement with the VA was unilaterally disregarded by some of her superiors without justification. As a result of this development, she was effectively forced to return to work at the Philadelphia VA Medical Center, including being compelled to interact with former supervisors and staff who were implicated in her previous public reporting of wrongdoing at the Philadelphia VAMC.

Since then, Ms. Ruell has been in a state of limbo, unsure of her status and on the receiving end of a series of excuses from VA supervisors and staff about why her former agreement is no longer valid and where she will ultimately wind up.

My office has been working with Ms. Ruell since September of 2020 to try and make sense of her situation and to arrive at a satisfactory resolution to this matter. However, my staff's interactions with the Department of Veterans Affairs, including multiple letters over the past 10 months, have resulted in little to no substantive response from the VA in terms of working to resolve Ms. Ruell's situation.

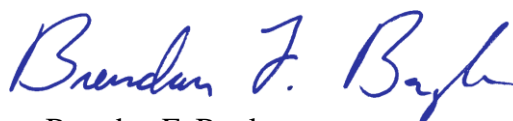
My staff's extensive interactions with Ms. Ruell and her descriptions of her interactions with VA staff to resolve this matter strongly suggests that despite her status as a former whistleblower and the total lack of justification for the disregarding of her previous agreement, the Office of Accountability and Whistleblower Protection and other VA officials have utterly failed to provide any kind of support for Ms. Ruell in this matter.

This lack of urgency and support for Ms. Ruell by the VA has caused her and her family incalculable stress. Given the facts of her case, there seems to be no reason why the VA cannot arrive at a resolution that allows Ms. Ruell to simply do what she has always wanted: to serve veterans by performing her job to the best of her ability without fear of retaliation.

I hope that today's hearing and these words will provide the impetus for VA staff to address both Ms. Ruell's situation, as well as the issues within the VA that have allowed a culture to persist that fails to protect and adequately support those who choose to publicly expose wrongdoing. We owe Ms. Ruell and other whistleblowers nothing less, and the VA must do more to make show that it prioritizes protecting whistleblowers.

Thank you, Mr. Chairman, for your and your staff's continued efforts on these issues, and for the opportunity to speak today. I look forward to continuing to work with your staff and VA representatives on behalf of Ms. Ruell to address the issues outlined above.

Sincerely,



Brendan F. Boyle
Member of Congress