

**Written Testimony of
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**Before the
U.S. House Committee on Veterans Affairs
Subcommittee on Oversight and Investigations**

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Legislative Hearing to Consider:

- **H.R. 4278, Restore Department of Veterans Affairs Accountability Act;**
- **H.R. 196, Expediting Temporary Ratings for Veterans Act;**
- **H.R. XXX, Modernizing Department of Veteran Affairs Disability Benefit Questionnaires Act;**
- **H.R. 3504, VA Medical Center Security Report Act;**
- **H.R. 2733, Department of Veterans Affairs Office of Inspector General Training Act;**
- **H.R. 4225, VA Acquisition Review Board Act**

Chairwoman Kiggans, Ranking Member Mrvan, and Members of the Subcommittee – thank you for the invitation to testify before you today.

I'm here today on behalf of America's Warrior Partnership, where I am serving as an Emeritus Member of the Board. And while that may be my official position, I am really here to fulfill my duty. It's the same responsibility I had when I served in the military – and that is to look out for those who I served with. Those who are on your right and left. While our nation has a sacred obligation to help those 18 million veterans who serve, that same small cohort of the nation's warrior class has a special bond to each other. And I am here for them.

For those who served in the military, you are given tasks and held responsible for completing them. And you are held responsible and accountable if things are not done right. The reason is simple – discipline means lives. You are trained to do the right thing, the right way – because lives depend on it. And you are held accountable, because in the future you may need to be depended upon when your friend's lives are at stake.

The VA should be no different. Period.

Every single person at the VA needs to be trained to an exact standard. And be held responsible when things are not going right. Discipline is important. Because lives are at stake. And those working at the VA must be depended upon – and not risk the lives of veterans.

This has not been the case. There are countless stories and problems.

- Whether it was wait-lists in Phoenix in 2014 – where senior management collected bonuses and veterans died while waiting for care –
- Or the Atlanta VA employee who punched an elderly veteran in the face
- Or the West Virginia VA employee who murdered her patients

These are only a few examples. The question for these isn't "why can't we just get rid of these employees?" Instead, it must focus on "What happened in these workplaces to create an environment that allows these things to happen?"

When discipline is gone, and a culture of responsibility and accountability is not enforced, training standards disappear. Then problems happen.

This has a devastating ripple effect. First, on morale in the VA. The great employees in the VA see what is happening around them, and either give up on trying to do their best – or leave the system. The brain drain on talent can crush an organization. Next – it causes a loss of trust for our nation’s veterans. For those who went to the VA for help and weren’t treated well, or weren’t seen, or couldn’t be heard – they find that the VA is no longer dependable. And we are seeing the results of that – as the community care program grows exponentially with veterans fleeing the ailing system.

And finally, when you develop a reputation for a lack of discipline and accountability – you have a hard time bringing in good people to replace those that are leaving. I’ve spoken with many individuals at the VA, and they all say the same thing: “The hardest things to do at the VA is hire and fire.” They cannot find good talent to join the system. And when they do, they are mired in paperwork for months, sometimes losing the qualified applicant. Conversely, it is nearly impossible to fire bad employees.

If bad employees are tough to discipline and nearly impossible to remove, how can the VA expect to change its culture?

Working for the federal government, on behalf of the American people, to help our veterans is an honor. And it is also a privilege that should be revoked for not meeting standards or expectations.

Thankfully, Congress has acted in the past, and passed the VA Accountability Act. It was the hope of many veterans, and a bipartisan groundswell of support in Congress – that the measure could help fix some of the many issues about holding federal VA employees accountable.

In fact, following the passage of the VA Accountability Act, trust in the VA increased:

- Employee satisfaction with senior leaders’ honesty and integrity increased from 45% in 2016 to 59% in 2020.

- Veterans' VA-Wide trust scores increased from 59% in 2016 to 80% in 2020.

However, despite clearly putting forward the intent of Congress and the Executive Branch into law – the VA has misused, misapplied, and now discarded the law.

Putting aside how a federal agency can unilaterally decide to not follow the law, or how a small employee protection board created by Congress can claim to overrule a popular bill signed by the President, why would anyone be opposed to an accountability bill in the first place?

The answer, sadly, is that money and jobs are at stake. Some see the VA as a major job provider and taxpayer-funded cash machine – with a budget that continues to soar. And those same individuals are most concerned with ensuring that the VA is a jobs-program, rather than an agency that is tasked with helping our nation's veterans.

This must stop. The VA cannot focus on protecting jobs AND focus on helping veterans. And the unions and Merit System Protection Board (MSPB) and others must choose. The VA must focus on one, and I firmly believe the VA's sole mission and directive from this government is to take care of those who served our nation.

Accordingly, I am thankful for this Committee's efforts, and the efforts of your colleagues in the Senate, to strengthen the VA Accountability Act. I am proud to fully support H.R. 4278, the Restore Department of Veterans Affairs Accountability Act.

Importantly, this legislation empowers the VA to make a decision without worry of the MSPB interfering. It also makes it clear that these actions are supreme over any collective bargaining agreement. These employees are working for veterans and the American people, not the other way around. Accordingly, the accountability sections will also now apply to supervisors and managers, just as they did with the SES employees previously.

In fact, Mission Roll Call did a recent poll of veterans, with nearly 16,000 respondents. The poll asked about the VA discontinuing the VA Accountability Act, and if veterans thought the VA should continue to follow the law. The results:

- Over 14,200 (89%) said YES, the VA should continue to follow the law and use the VA Accountability Act authorities.
- Roughly 1,700 (11%) said NO, the VA should scrap the law and wait for Congress.

In March of this year, [I co-authored an article](#) that highlighted the need for oversight and reform at the VA, since the same issues plaguing the VA have been around for decades. This Committee has been working diligently to help the VA, only to have employee accountability, wait for health care, VA claims backlog, etc – continue to be persistent problems. Things need to change, and holding VA to account for the lack of progress is a good beginning.

This legislation passed by wide margins previously and is still the law of the land. It is my hope that all Members of this Committee and this Congress can support these common-sense fixes and send this to the President for his signature soon.

Again, thank you to everyone on the Committee for your invaluable work. We look forward to working with you all and stand by to assist. Thank you, and I look forward to your questions.