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To: All Legion Leadership
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Legion: 'Judicial Board Needs to Allow for VA Accountability'

WASHINGTON (February 9, 2016) – After yet another attempt to discipline a poor performing employee was reversed by the Merit Systems Protection Board, the head of the nation's largest veterans service organization added his voice to a growing legion of critics that unelected judges are making it impossible to bring accountability to the Department of Veterans Affairs.

"The burden of proof needed to discipline a VA employee, or any employee for that matter, should not be the same as what is required to send an accused murderer to death row," said American Legion National Commander Dale Barnett. "VA Deputy Secretary Sloan Gibson should be commended for attempting to remove the director of the Albany, N.Y., VA Medical Center because he felt that she created an environment that was unsafe for veterans. This is just a week after the MSPB ruled that two senior VA officials in Pennsylvania and Minnesota could not be demoted, even after the VA's own IG report found that they inappropriately manipulated the agency's relocation system for personal gain. President Obama and Congress have promised to restore accountability at the Department of Veterans Affairs. It is almost impossible to do that when VA's attempts to discipline poor performers are reversed at the end of the appeals process."

Barnett says that while The American Legion supports the right of any employee to receive a fair hearing, the burden of proof should not be greater than what most taxpayers would expect from their private sector jobs.

"VA employees have been entrusted with a huge responsibility, the health and well-being of our nation's veterans," Barnett said. "By tolerating bad behavior without even allowing a slap on the wrist, the MSPB is risking the lives of veterans. The American Legion is calling on Congress, the Department of Veterans Affairs and the MSPB to work together to reform the procedures needed to finally bring accountability to a department that desperately needs it."

With a current membership of 2.2 million wartime veterans, The American Legion was founded in 1919 on the four pillars of a strong national security, veterans affairs, Americanism, and youth programs. Legionnaires work for the betterment of their communities through nearly 14,000 posts across the nation.

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