



THE DEPUTY SECRETARY OF VETERANS AFFAIRS
WASHINGTON

August 19, 2016

The Honorable Mike Coffman
Chairman
Subcommittee on Oversight and Investigations
Committee on Veterans' Affairs
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your July 7, 2016, letter to the Department of Veterans Affairs (VA) requesting material collected in the course of VA's Administrative Investigation Board (AIB) on the Aurora, Colorado Replacement Medical Center construction project. Specifically, you requested an unredacted copy of the entire investigative file, including interview transcripts and the unsubstantiated opinions of individual employees. I am responding on behalf of the Department.

Fully recognizing the significance of this matter to Veterans and the taxpayers, over the past two years, VA has provided the Committee thousands of pages of documents related to the Aurora construction project, including:

1. The unredacted copy of the final AIB report, which states the factual findings, conclusions and recommendations of the Aurora AIB (provided March 23, 2016).
2. Copies of the Denver Replacement Medical Center Fact Sheet on a monthly basis from 2013 to 2015.
3. Copies of the Congressionally mandated Denver Replacement Medical Center Quarterly Report from 2015 to the present.
4. The Sub-Contractor Settlement Summary (provided June 10, 2016).
5. A copy of the Interagency Agreement between VA and the U.S. Army Corps of Engineers (provided May 3, 2016).
6. A copy of the Blanket Purchase Agreement (BPA) VA 701-13-A-0003 with JWT and all modifications and task orders issued against it (provided February 23, 2016).
7. A copy of the bridge contract with Kiewit-Turner including its base award, all modifications, the justification and approval, and all invoices received as of September 17, 2015, (provided September 24, 2015) .
8. The transcript, meeting minutes, briefings, and action items from VA's May 16, 2012, Construction Review Council (CRC) meeting (provided June 15, 2015).
9. VA's CRC Final Report from November 2012 (provided most recently in June 15, 2015).

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10. VA's Plan for Completion of the Denver Replacement Medical Center (provided June 5, 2015).
11. April 21, 2015 Report on the Cost-Benefit Analysis of the Alternatives to Continuing Construction on New VA Medical Center in Denver, CO (provided June 5, 2015).
12. Breakdown of Denver Replacement Medical Center by Building (provided June 5, 2015).
13. Progress Fact Sheet (provided June 5, 2015).
14. Accountability Fact Sheet (provided June 5, 2015).
15. Photographs of the construction site (provided June 5, 2015).
16. A copy of the U.S. Army Corps of Engineers' report (provided June 5, 2015).

Furthermore, VA senior officials have briefed the Committee and the Colorado delegation numerous times since the release of the Civilian Board of Contract Appeals decision in December 2014.

Additionally, at multiple hearings in 2015, regardless of the topic, I testified regarding the Aurora construction project, answering numerous specific questions about what we have learned regarding the mismanagement of this project. I have personally discussed the details and lessons learned from this project with you and Chairman Miller on a regular basis. In short, VA has been forthcoming and transparent with the Committee about the reasons for the project challenges and missteps, the individuals who were responsible for mismanagement, actions we have taken to establish a new leadership and oversight structure, and details about how VA is moving forward to implement lessons learned.

The final unredacted AIB report sent to you on March 23, 2016, thoroughly describes the evidence collected and provides specific findings and recommendations based on that evidence. This AIB report in conjunction with the other multiple disclosures made to you and the Committee provide sufficient information to inform the Committee about how the AIB was conducted, the reasons for its conclusions, and rationale for corrective actions that the Department has taken to ensure that there is no repeat of the missteps made on this project.

Accordingly, as I explained during my recent site visit to Aurora on June 15, 2016, VA does not intend to release the underlying individual employee interview transcripts or the unsubstantiated comments and opinions of VA employees that were reviewed as a part of the AIB. The primary reason not to disclose these individual statements is to ensure the future efficacy of essential Executive Branch fact-finding processes, like the AIB, to bring to light wrongdoing in a Federal agency. In order to get to ground truth, those charged with interviewing Department witnesses must be able to

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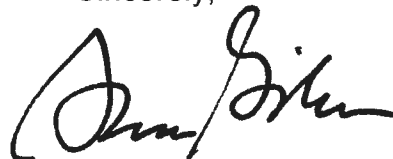
count on employee witnesses to be completely forthcoming and candid not just with the facts, but with their opinions, perceptions, and theories of what happened and why. The best way to ensure complete candor to the fact-finder is remove any fear that a witness may suffer adverse consequences for speaking up. For employees, especially the rank and file, to expect that opinions, insights, and concerns they provide to Executive Branch fact-finders, are going to be provided to, and potentially judged or second-guessed by the Legislative Branch, will chill our ability to get relevant information regarding the root causes of systemic process or leadership failures in the Department and risk creating the appearance of politicizing Executive Branch fact-finding functions

I am the accountable VA official on this matter. I have assessed all the available evidence, taken accountability actions to the extent supported by the evidence and permitted by law, and continue to work on making meaningful reforms to VA systems and processes and our leadership structure in order to remedy the mistakes and mismanagement of this project. I stand ready to continue our discussion of the reasons for my decisions and actions at your convenience.

Should you have any questions regarding the enclosed materials, please have a member of your staff contact Mr. Omar Boulware, Congressional Relations Officer, at (202) 461-6468 or by email at omara.Boulware@va.gov. A similar letter was sent to Congresswoman Kuster.

Thank you for your continued support of our mission.

Sincerely,

A handwritten signature in black ink, appearing to read "Sloan D. Gibson". The signature is fluid and cursive, with a large initial "S" and "G".

Sloan D. Gibson



THE DEPUTY SECRETARY OF VETERANS AFFAIRS
WASHINGTON

August 19, 2016

The Honorable Ann McClane Kuster
Ranking Member
Subcommittee on Oversight and Investigations
Committee on Veterans' Affairs
U.S. House of Representatives
Washington, DC 20515

Dear Congresswoman Kuster:

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