

HEARING TO CONSIDER PENDING NOMINATIONS

HEARING
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS
SECOND SESSION

JUNE 3, 2026

Printed for the use of the Committee on Veterans' Affairs



Available via the World Wide Web: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

63-995 PDF

WASHINGTON : 2026

SENATE COMMITTEE ON VETERANS' AFFAIRS

JERRY MORAN, Kansas, *Chairman*

JOHN BOOZMAN, Arkansas

BILL CASSIDY, Louisiana

THOM TILLIS, North Carolina

DAN SULLIVAN, Alaska

MARSHA BLACKBURN, Tennessee

KEVIN CRAMER, North Dakota

TOMMY TUBERVILLE, Alabama

JIM BANKS, Indiana

TIM SHEEHY, Montana

RICHARD BLUMENTHAL, Connecticut, *Ranking Member*

PATTY MURRAY, Washington

BERNARD SANDERS, Vermont

MAZIE K. HIRONO, Hawaii

MARGARET WOOD HASSAN, New Hampshire

ANGUS S. KING, Jr., Maine

TAMMY DUCKWORTH, Illinois

RUBEN GALLEG0, Arizona

ELISSA SLOTKIN, Michigan

DAVID SHEARMAN, *Staff Director*

TONY MCCLAIN, *Democratic Staff Director*

C O N T E N T S

JUNE 3, 2026

SENATORS

	Page
Hon. Jerry Moran, Chairman, U.S. Senator from Kansas	1
Hon. Richard Blumenthal, Ranking Member, U.S. Senator from Connecticut ..	2
Hon. Thom Tillis, U.S. Senator from North Carolina	8
Hon. Margaret Wood Hassan, U.S. Senator from New Hampshire	10
Hon. Tim Sheehy, U.S. Senator from Montana	12
Hon. Angus S. King, Jr., U.S. Senator from Maine	14

NOMINEES

Gary Shatswell, Nominee to be Secretary of Veteran Affairs for Information and Technology	3
Michael Tierney, Nominee to be Assistant Secretary of Veterans Affairs for the Office of Accountability and Whistleblower Protection	5

APPENDIX

OPENING STATEMENT

Hon. Richard Blumenthal	25
-------------------------------	----

NOMINATION MATERIAL

GARY SHATSWELL, Nominee

Prepared Statement	31
Response to Pre-Hearing Questions for the Record submitted by:	
Hon. Jerry Moran	34
Hon. Richard Blumenthal	41
Response to Questions for the Record submitted by:	
Hon. Richard Blumenthal	46
Hon. Thom Tillis	51
Questionnaire for Presidential Nominees	53
Addendum Questionnaire for Presidential Nominee	64

MICHAEL TIERNEY, Nominee

Prepared Statement	69
Response to Pre-Hearing Questions for the Record submitted by:	
Hon. Jerry Moran	72
Hon. Richard Blumenthal	79
Response to Questions for the Record submitted by:	
Hon. Richard Blumenthal	83
Hon. Thom Tillis	87
Hon. Angus S. King, Jr.	90
Questionnaire for Presidential Nominees	92
Addendum Questionnaire for Presidential Nominee	102

HEARING TO CONSIDER PENDING NOMINATIONS

WEDNESDAY, JUNE 3, 2026

U.S. SENATE,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 4:22 p.m., in Room SR-418, Russell Senate Office Building, Hon. Jerry Moran, Chairman of the Committee, presiding.

Present: Senators Moran, Tillis, Sheehy, Blumenthal, Hassan, and King.

OPENING STATEMENT OF HON. JERRY MORAN, CHAIRMAN, U.S. SENATOR FROM KANSAS

Chairman MORAN. The Committee will come to order, and I apologize to our two witnesses. I've apologized to my colleagues, and I'll apologize to all those who've been sitting in the room waiting for this hearing to start. I guess nothing is unavoidable, but it's been difficult to keep today's schedule on time. And I'll do my best to make it up to my colleagues in particular, and the witnesses still need our cooperation. So, I'm not too worried about the two of you being angry at me.

[Laughter.]

Senator BLUMENTHAL. Since none of us have ever been late before to a Committee meeting, we'll excuse you just this once.

Chairman MORAN. That's so kind of you. Such as proving that, we're sort of a bipartisan effort in this Committee. Look, we're here to hear the testimony and consider the nominations of two individuals. Gary Shatswell to be the Assistant Secretary of Veterans Affairs for Information and Technology and Michael Tierney to be the Assistant Secretary of Veterans Affairs for Accountability and Whistleblower Protection. I appreciate your willingness to serve.

There are important issues that come with your positions, and I look forward to the Committee asking the necessary questions to determine the qualifications and capabilities and the appropriateness of confirming your nomination. That's particularly true when there's the timing of the rollout of new electronic health records. It's back on track after a lengthy pause. And artificial intelligence is transforming every sector. It's critical that the VA to have a strong and qualified Chief Information Officer. I look forward to hearing from Mr. Shatswell, if he's confirmed, how he would lead that modernization effort, safeguard data, and effectively integrate

automation and AI in the Department to increase access to care, benefits to veterans, and their families to rely on.

Likewise, I look forward to hearing from Mr. Tierney about how, if confirmed, he would increase accountability, transparency and trust among veterans, caregivers, survivors, and the VA staff members, as well as taxpayers and the American public. The VA, as we know, supports millions of veterans and beneficiaries, employs hundreds of thousands of employees, and operates medical facilities and regional offices and cemeteries around the globe with a budget that has totaled more than \$500 billion in fiscal year 2027. Accountability is not an option, and it's essential. I'm grateful to both of you for being here and for your willingness, your eagerness, perhaps, to take on the challenges that I just described and all those other challenges that we may not even recognize today.

And with that, I yield to the Ranking Member, Senator Blumenthal.

**HON. RICHARD BLUMENTHAL,
RANKING MEMBER, U.S. SENATOR FROM CONNECTICUT**

Senator BLUMENTHAL. Thank you, Mr. Chairman. These are two critical positions. Whistleblowers play a critical role in bringing fraud, waste, and abuse to light, and they can actually save lives. In the fiscal year 2025, there were more than 4,300 complaints, but only 32 disciplinary recommendations. The GAO found last year that, VA is unable to track corrective actions taken in whistleblower cases, and does not have accurate data about settlement agreements. This year's budget proposal fails to keep pace with inflation and keeps staffing levels stagnant.

The request doesn't account for additional manpower needed for tracking cases, as recommended by the GAO. It certainly doesn't account for the 31 percent increase in complaints and disclosures during the fiscal year 2025. And the budget request wouldn't support the Department's intent to expand the office's authority to proactively investigate unreported whistleblower retaliation, which would increase the workload immensely. This is a recipe for continued failure.

And if confirmed, Mr. Tierney, you will have to demonstrate the backbone, stand up to this Administration and to the President of the United States and say, we need to protect whistleblowers. We need to do more and invest more, and provide the tools and authority that are needed to effectively do this job. We owe it to our veterans.

Likewise, Mr. Shatswell, if you're confirmed, you'll be responsible for managing a technology system that have been in the Senate for close to 16 years, like Senator Moran, has been a classic story of government failure, and it is ongoing. And I'm not going to go into all the details. I'm going to ask that my full statement be put in the record.

Chairman MORAN. Without objection.

[The opening statement of Senator Blumenthal appears on pages 25–27 of the Appendix.]

Senator BLUMENTHAL. But plainly, this system has suffered from massive cost overruns. It still is failing to work as intended 15 or

more years ago, and the Congress is going to need your commitment to ensure that there are appropriate guardrails and transparency in how the VA uses AI and automation now, features that couldn't have been envisioned 15 years ago.

So, I look forward to hearing more from you about your plans for the future. And I hope that they will allay some of the concerns that I think we have and should have, about whether you will be independent sufficiently to say to the Administration, in effect, this ain't working for our veterans, because we need that independence. Thank you, Mr. Chairman.

Chairman MORAN. Senator Blumenthal, thank you. Mr. Shatswell and Mr. Tierney, before being recognized for your opening statement, would you please stand and raise your right hand? Hands.

[Both stand with right hand raised.]

Do you solemnly swear or affirm that the testimony you're about to give before the U.S. Senate Committee on Veterans' Affairs will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHATSWELL. I do.

Mr. TIERNEY. I do.

Chairman MORAN. If so, please respond affirmatively, and you have. The record should note both have done so. Thank you very much. Please be seated. And, Mr. Shatswell, you are now recognized for your opening statement.

STATEMENT OF GARY SHATSWELL, NOMINEE TO BE SECRETARY OF VETERANS AFFAIRS FOR INFORMATION AND TECHNOLOGY

Mr. SHATSWELL. Chairman Moran, Ranking Member Blumenthal, and distinguished Members of the Committee, thank you for the opportunity to appear before you today as the nominee to serve as the Assistant Secretary for Information and Technology and Chief Information Officer for the Department of Veterans Affairs. I am deeply grateful to the President, President Donald J. Trump, for this honor and for his confidence in me. And I'm thankful to Secretary Douglas A. Collins for his trust.

I sit before you a man who loves God, my family, and my country. So, I begin with God. I am filled with gratitude to my Lord and Savior, Jesus Christ, whose words have guided my life. In John 15, he says "There is no greater love than to lay down one's life for a friend." Those words describe the ethos of every man and woman who has worn this Nation's uniform. Placing something larger than themselves above their own comfort, safety and, in some cases, their lives. If confirmed, honoring their sacrifice and service, will be a guiding light.

To my family, I want to acknowledge my three amazing children who are watching online; Julia, Elizabeth, and Garrison. I love you more than words, and I'm so proud of who you are and how it shows up in your faith, service, and work. My family name, though uncommon, has deep roots. John Shatswell built his first home in Ipswich in 1635. Thomas Shatswell was a drummer boy for the Patriots in the Revolutionary War. Colonel Nathaniel Shatswell fought for the Union in the Civil War. Of the eight boys in my fa-

ther's family, six served, including my father. My uncle, Kenny, returned from Vietnam wearing a Purple Heart. I have cousins, nieces, and nephews that have served. Before my father passed, I took him regularly to the VA in Tacoma, Washington and saw firsthand what the VA means to those who served and those who love them.

Finally, to my country, I was raised in an extraordinary family that formed my love for America. We traveled extensively singing gospel music. When I was 10 years old, we toured Europe, including Behind the Iron Curtain. I remember feeling the oppression as we crossed those borders. And I remember how the next time I recited the Pledge of Allegiance, tears ran down my face. American freedom became real to me.

Since joining the VA as a senior advisor to Secretary Collins on December 1 of 2025, I've met with senior leaders in the central office, medical centers, clinics, and cemeteries around the country. I sat with many veterans and heard their stories. That time of listening was invaluable. From my industry experience, I began asking: what if? What if we connected with service members when they enlisted and stayed present through active duty, transition, and the rest of their lives? No one left behind.

What if we eliminated repeatedly asking veterans the same questions and the same information? What if, rather than digitizing old paper processes, we re-imagined them in digitally native ways. It has been a blessing to witness the breadth of support this country provides its veterans. But frankly, we can and must do better when it comes to information technology.

My conversations with leadership and individual contributors have revealed a few common themes. We need a culture of transparency and accountability achievable through agile program management, which will also accelerate mission delivery. We must go faster.

Regarding artificial intelligence, we need clear, bright-lined guardrails of security and privacy, enabling a green light to drive productivity and human decision-making. We need to leverage our enterprise data as a strategic asset, strengthening security and unlocking benefits we cannot yet fully envision.

My résumé highlights 30 years of executive leadership, hyper-growth, turnaround management, yet there are countless untold stories. For example, I created and taught the first web development course at Microsoft in the mid-90s. I ask hard questions and I do hard work. I've had the privilege of meeting with several of you, and in those conversations about improving service to our veterans that has deepened my commitment. If confirmed, I will support the Secretary and this Committee, to prioritize, execute, and deliver.

In loving God, my family, and this country, the threat of service is in my DNA. Mr. Chairman and Members of this Committee, thank you for the opportunity to appear before you and to be considered for this position. I look forward to answering your questions.

[The prepared statement of Mr. Shatswell appears on pages 31–33 of the Appendix.]

Chairman MORAN. Mr. Shatswell, thank you for your statement. Now, Mr. Tierney.

STATEMENT OF MICHAEL TIERNEY, NOMINEE TO BE ASSISTANT SECRETARY OF VETERANS AFFAIRS FOR THE OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION

Mr. TIERNEY. Chairman Moran, Ranking Member Blumenthal, and Members of this Committee, thank you for the opportunity to appear before you today. It is a genuine honor.

I want to begin by acknowledging my family members who are here with me today, my wife of 26 years, Margaret, and two of my children. My son Michael, a rising second-class midshipman at the United States Naval Academy, and my younger daughter, Caroline, a rising freshman at the University of California, Berkeley. My older daughter, Madeleine, is preparing for her graduation at the University of Chicago, where she is a business economics major. Thank you also to President Trump and Secretary Collins for their confidence in me.

There is a quote often attributed to Sir Thomas More, the English lawyer and philosopher that has relevance today: "In matters of law, morality aside, one must remember that the law itself is the foundation of justice, and all who practice it must not evade it." In the practice of being a lawyer, I was reminded daily of the importance of the principle, to simply follow the law.

My legal career spans 30 years, first as a litigator, then as a corporate attorney and senior partner at a Philadelphia law firm, then as in-house counsel to the Federal Government. I've led large teams through complex, high stakes matters. In one of my larger engagements, I managed a team of 40 lawyers through my client's successful \$560 million acquisition of Philadelphia's two major daily newspapers.

I also represented the Delaware River Port Authority for more than 15 years, serving as senior outside counsel. Most recently, I've served as deputy legal adviser at the U.S. Department of State and previously as acting general counsel at the U.S. Agency for International Development. These legal roles, both in private practice and as an in-house attorney, have shaped my evolution as a lawyer.

The Office of Accountability and Whistleblower Protection (OAWP) holds a statutorily mandated leadership and oversight role under the VA Accountability and Whistleblower Protection Act of 2017. Besides oversight and policy guidance to VA's distinct administrations, the office, which I hope to lead, is responsible for defined procedures for handling whistleblower disclosures and senior leader misconduct.

Running an organization with over 400,000 employees delivering direct services to some 9 million veterans involves one of the Federal Government's most demanding missions. Yet, despite the unique challenges the VA faces, veterans, taxpayers, and VA staff alike all deserve an accountability office that functions with integrity, independence, and genuine commitment to their interests.

President Trump and Congress created this office in a bipartisan fashion to protect veterans. As the President said at the time, with the creation of this office, we are sending a strong message. Those

who fail our veterans will be held for the first time, accountable. I undertake this pursuit with great respect for OAWP's history of conducting investigations and protecting whistleblowers. This opportunity represents something more than a career step. It is something very personal. My father and two oldest brothers were veterans, and as I mentioned, my son will one day be a veteran. For this reason alone, if confirmed, I commit to this Committee, to all veterans and to all VA employees, that I will work relentlessly and independently to continue to improve efficiency within OAWP's operations and processes.

As President Lincoln stated in his second inaugural address near the end of the Civil War, "the country's duty is to care for him who shall have borne the battle and for his widow and his orphan." These words are inscribed near the entrance to VA headquarters. They are not a suggestion. They are a promise—one that every function of this department, including OAWP, exists to keep. I will pursue that mission zealously and professionally.

Finally, if confirmed, I will work in conjunction with this Committee to continue to improve efficiency within OAWP's operations and processes, and address all matters independently with a commitment to accountability and transparency. Serving and respecting our veterans is our country's most sacred obligation. I'm grateful for this opportunity to appear before you, and I welcome your questions.

[The prepared statement of Mr. Tierney appears on pages 69–71 of the Appendix.]

Chairman MORAN. Thank you, Mr. Tierney. In order to compensate for my tardiness, I'll forego my questioning for later and recognize Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman. Thank you both for being here. Thank you to your families, your spouses, and each of you, I think, has three children. And they may be here or watching. Let me begin, Mr. Tierney, do you have any experience at the VA?

Mr. TIERNEY. Thank you for that question, Senator. No, I don't.

Senator BLUMENTHAL. The answer was no. Do you have any experience working on behalf of whistleblowers?

Mr. TIERNEY. I have worked with whistleblowers before, Senator. Yes.

Senator BLUMENTHAL. In what way?

Mr. TIERNEY. In my practice at a law firm, I had clients who had whistleblower issues, who had much personnel misconduct issues that had to be addressed.

Senator BLUMENTHAL. Did you represent the whistleblowers or the company?

Mr. TIERNEY. I represented the company.

Senator BLUMENTHAL. So, you were against the whistleblowers?

Mr. TIERNEY. We worked to support the whistleblowers, sir.

Senator BLUMENTHAL. You worked to support the whistleblowers?

Mr. TIERNEY. To make sure that they weren't retaliated against by other senior employees.

Senator BLUMENTHAL. But you've never represented whistleblowers, correct?

Mr. TIERNEY. Only protecting them through my client's representation.

Senator BLUMENTHAL. I note that you have served most recently as deputy legal adviser at the Department of State. You were also deputy acting general counsel at the U.S. Agency for International Development, known as USAID. Was that during the time that it was dismantled?

Mr. TIERNEY. Thank you, Senator, for the question. I was not involved in the changes at USAID as far as its size and any—

Senator BLUMENTHAL. Did you serve in the agency during the time that it was dismantled?

Mr. TIERNEY. So, yes, that was a gradual long-term process, but I—my role had nothing to do with dismantling USAID or letting go any personnel or changing any policy.

Senator BLUMENTHAL. How did you feel about it being dismantled?

Mr. TIERNEY. You know, Senator, it wasn't part of my role. I was just there really as managing partner of a small law firm, making sure all the lawyers—

Senator BLUMENTHAL. You have no opinion.

Mr. TIERNEY. It wasn't part of my role, Senator.

Senator BLUMENTHAL. Mr. Shatswell, let me ask you: you have been at the VA for a period of time as a special advisor, correct?

Mr. SHATSWELL. Yes, sir.

Senator BLUMENTHAL. Are you aware that the VA has lost, whether firing or otherwise, 1,300 IT employees since the Administration took office?

Mr. SHATSWELL. I am aware that there were some exiting employees, but that happened before I came, and I'm not into the details of what happened.

Senator BLUMENTHAL. Well, you've been there since December of last year, correct?

Mr. SHATSWELL. Yes, sir. December 1st.

Senator BLUMENTHAL. And you're saying no IT employees have left in the last 7 months.

Mr. SHATSWELL. Not that I'm aware of. I have not been involved in any of the dismissal or—

Senator BLUMENTHAL. What were your duties there?

Mr. SHATSWELL. I was an assistant special senior advisor, excuse me, to the Secretary.

Senator BLUMENTHAL. Okay. But what was your area of responsibility? What did you do?

Mr. SHATSWELL. Thank you, Senator. It was a time of learning. I visited hospitals, I visited clinics, cemeteries. I met with senior leadership. Spent a good deal of time understanding the different departments so that I could understand the way that government works and the way that the VA—

Senator BLUMENTHAL. Did you make any recommendations on IT?

Mr. SHATSWELL. I had one presentation where, after some time of envisioning and reviewing the technology, reviewing the way

that things operated. I had one briefing with Secretary Collins. Yes, sir.

Senator BLUMENTHAL. Would you say that it's important to restore the skilled and dedicated IT employees and their positions that have left?

Mr. SHATSWELL. Senator, I am not privy to the details of the skill level or the staff details. My review was at a very high level functional, like departmental review, but not at a detail employee. So, I'm not aware of the individual job skills that are needed.

Senator BLUMENTHAL. Well, but in general, wouldn't you agree that it's important to provide more staffing to make IT work better?

Mr. SHATSWELL. Senator, thank you. I've met a lot of the staff across the country. The IT staff and a good amount of them are actual veterans that have transitioned into the VA. That has been an amazing experience because the nature of these people are dedicated, loyal, and they love serving. I do believe that there is room for a pipeline of young fresh out of college, hotshot smart kids that we can ramp into the VA, give them an opportunity to serve their country and build the skill level within the VA OIT.

Senator BLUMENTHAL. Well, may I suggest that, I would have welcomed a response to the effect, yes, we need the skilled staff that we have lost because the OIT function can't be improved without it and we need to improve it. So, I hope that will be an approach that you take, if and when you are confirmed.

My time has expired. I thank the Chairman for letting me go ahead. And I apologize, I have another, as we often do, another commitment that I'm going to have to attend. Thank you. Thanks, Mr. Chairman.

Chairman MORAN. Thank you, Senator Blumenthal. Senator Tillis.

**HON. THOM TILLIS,
U.S. SENATOR FROM NORTH CAROLINA**

Senator TILLIS. Thank you, Mr. Chair. Gentlemen, thank you for being here, and congratulations on your nomination. I intend to support your nominations or your confirmation. Mr. Shatswell, am I pronouncing that right?

Mr. SHATSWELL. Yes, Senator.

Senator TILLIS. I come from an IT experience. If you've done any prep for this hearing, you know, my beef is the bipartisan failure to really modernize the VA. I've been on this Committee for going into my 12th year. I've seen very capable secretaries of the VA, and I've seen some fairly capable leaders in IT make an attempt, but they haven't made discernible progress. What are we going to do? I mean, and if you look at it from my perspective, having done enterprise IT implementations, there's no way on earth that the scheduling system should have taken the time and cost, what its cost, as one example.

And I think a part of that has to do with a lack of a rationalization of what this organization looks like, needs to look like. You've mentioned things about best practices. I've heard all that word salad for 12 years here. What are you going to try and do in your first 90 days, to prove to somebody like me that you used to work

in the same space, that you're going to do something different, you're going to hold people accountable?

I've had discussions, for example, of why don't you get a program office that includes Members on this Committee? They're seeing the progress every day so that you've got champions here behind an IT modernization effort. I've never really seen a viable program office come out. They've had good consultants. What's going to be different about you versus what has been promised to me by Democrat and Republican nominees in the past? What's the secret sauce? What are you bringing to the effort?

Mr. SHATSWELL. Thank you, Senator, for the question. There's a lot in what you just asked. So let me start with, I think, to the point of a PMO office, a Program Management Office, it is a necessary piece that does not exist at the leadership level of OIT. That is a massive challenge, and I understand that there have been attempts to implement that in the past, and in those attempts, there has not been the requisite tooling to ensure that the visibility and the process was actually managed and the visibility was there through dashboarding and those kinds of things. One of the first tasks that I will be going after will be to implement a program management office, if confirmed.

Senator TILLIS. Okay. Now, again, I think it would be helpful for us to help you because that is roughly approximately the answer I've gotten on five or six occasions before this Committee. And I think the message here, I believe that you have the capabilities to do it, but you have to have executive sponsorship and the Secretary has to say, no, I'm going to be the first Secretary in 12 years, who's actually followed through on a viable program office that does the sort of work to try and prioritize IT platforms initiatives, is held accountable for the initial estimate, and for the end estimate, on due dates, on resources, on deliverables.

It is amazing how much money we are leaving on the floor by doing this, in a bush league way, with one of the most large consequential organizations in U.S. Government. So count me in the remaining 214 days of my tenure, to help you stand up that office. But I will tell you in this Committee, the thing I like about this Committee and I will miss about it, is we're largely bipartisan, and I think you're missing the opportunity by not engaging Members on this Committee to be a part of that program office so that they can report back to the Chair the good work you're doing, and they can identify the obstacles that need to be removed so that you can achieve the goals. I've made that same commitment to Democratic and Republican people coming into your position.

I hope you'll be the first one to take me up on it, because then I think you may end up being the first head of IT that will actually make a discernible difference versus just barely treading water and making progress around the edges. But, you know, quite honestly, I've got to give them third quartile results aggregate over the last 12 years. If you know anything about the Gartner Magic Quadrant, on a good day, they're there in quadrant number three. They're never going to get to upper right, if we don't have good leadership there and buy in.

And Mr. Tierney, I appreciate you. I know you've had a very distinguished career. You've got to be doing this because your heart's

in it and you want to serve. It's certainly not because the money's great. I look forward to supporting your confirmation, too. Just very quickly, just tell me how you're going to make whistleblowing something that is great, that people should do to keep everybody at every level of the organization accountable, very quickly. I know I've just gone over time.

Mr. TIERNEY. Sure. Thank you, Senator, for your question. Whistleblowing is clearly the primary role and point of this role. And I think as a first step, employees must feel comfortable and secure in reporting on bad conduct or misconduct. Without the report, there's no investigation to monitor and control.

How I would do that is, some of the current things going on. I know there's education, there's training, there's mandatory internet training. But I think messaging is very important. And coming down from leadership, if confirmed, I would work with other senior leaders at VA, career leaders, and learn and educate myself about how's the process working? How do we know people are comfortable reporting?

I noticed over the last several years the reports have doubled approximately. You could say that's a good thing because maybe more people are feeling comfortable reporting. You could also say maybe it's not a good thing if there's more bad conduct going on. So that's something I would want to educate myself on and learn more about. If confirmed to be in there, to be able to learn about some information that obviously was, is confidential. At this point, I don't have access to.

Senator TILLIS. Thank you.

Chairman MORAN. Senator Hassan.

**HON. MARGARET WOOD HASSAN,
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator HASSAN. Senator. Thank you, Mr. Chair, and good afternoon to you both. Congratulations to you and your families for your nominations, and for your willingness to serve. I'm going to start with a question to both of you that I ask now of all nominees. If directed by the President to take action that would break the law, would you follow the law or the President's directive, Mr. Shatswell?

Mr. SHATSWELL. I don't believe the President would do that, ma'am. But, yes, I would follow the law.

Senator HASSAN. Mr. Tierney?

Mr. TIERNEY. Thank you, Senator, for that question. I similarly don't expect the President to give such a directive, but if he did, I will 100 percent always follow the law and ethics.

Senator HASSAN. Well, I appreciate your commitment to the law. I will say that we are in a war that was illegally initiated by this President, and he has refused to follow the law in that regard. He has just appointed somebody as Acting DNI who has no intelligence experience, even though the law clearly says that the DNI has to have such a superior experience. And on the symbolic front, the law is very clear that he did not have the right to put his name up on the Kennedy Center. And a court has just ruled that he broke the law in doing that. So, I am concerned that you all, start-

ed your answer with saying that you don't expect the President, this President, to break the law.

Now, Mr. Tierney, if you're confirmed, you will be responsible for, among other things, investigating allegations of whistleblower retaliation as well as receiving and investigating allegations of misconduct, retaliation or poor performance involving senior VA employees. The Trump administration has retaliated against federal employees it has disagreed with. These are well publicized events, and you've been working, as, in your own words, an in-house attorney for this Administration. So on the one hand, you've been working for this Administration while it has actively and publicly retaliated against whistleblowers.

So, if you're confirmed, how are you going to ensure that allegations brought to your office are properly investigated, and the VA employees are protected from retaliation, and that people have the confidence that if they bring a complaint to your office, that they will not be retaliated against?

Mr. TIERNEY. Thank you, Senator, that's a great question. If confirmed, I would do everything I can to make sure that all VA employees feel comfortable and secure in reporting bad conduct. Without the report, we cannot conduct an investigation and even analyze the benefits or not of the investigation or the quality of investigation. So how do we do that? I know currently there are different programs like education, training, mandatory tests, but I would do more than that. And really the messaging I think is important that it comes down from leadership that, this is our role, right?

Senator HASSAN. I appreciate and understand that as I appreciated your answer to Senator Tillis. But, look, the leader in chief retaliates against people all the time, is very public that he sees his role as President or that he has the option as President of the United States for retaliating against people, including whistleblowers. So, given that he is the leader here who sends the most dominating message, how are you going to counteract that?

Mr. TIERNEY. Well, Senator, you know, I believe or understand that I report to the Secretary and to this Committee. And again, the role, by definition, is to make sure employees feel comfortable whistleblowing, reporting on bad conduct and safe that they're not going to be retaliated against. And I would do everything to make sure that messaging is loud and clear and that is what employees are hearing.

Senator HASSAN. Well, I hope you will consider just what the counter messaging from the top is like, and really be thoughtful about how, within the VA, you can really support whistleblowers. New Hampshire and its Manchester VA had a series of whistleblower events now about a decade ago, and they were very, very difficult for the whistleblowers involved. The whistleblowers actually, their actions, I think, made the Manchester VA a better place ultimately because they reported things that really needed to be reported. But you are going to have your work cut out for you, given the messaging from the White House.

Mr. Shatswell, if you're confirmed, you'll be in charge of information and technology at the VA. One area that I've been interested in is updating the VA's scheduling capabilities. I think you know

a little bit about the bill, especially the technology behind those capabilities. Right now, veterans, for instance, can't do all their scheduling all at once on one platform. So, it's phone calls, or internet access to scheduling platforms kind of one at a time. And by the time you schedule one visit with one specialist, and then you get to the next one that day may have, you know, similar appointments on the same day, may no longer be available.

So, Senator Boozman and I have a bill that would require the VA to create a self-service scheduling platform that would allow veterans to book their VA appointments, all in one easy location. Our bill passed the Senate last year, and we're working to hopefully get it passed through the House and signed into law. If our bill becomes law, will you commit to working with my office to implement it and set up an easy, reliable platform that veterans can use to schedule all their VA appointments?

Mr. SHATSWELL. Yes.

Senator HASSAN. Thank you. Thank you, Mr. Chair.

Chairman MORAN. I'm going to call on Senator Sheehy next. But, Senator King, you are ineligible to speak about technology until you learn how to turn off your phone.

[Laughter.]

**HON. TIM SHEEHY,
U.S. SENATOR FROM MONTANA**

Senator SHEEHY. Well, Good afternoon, guys. Congratulations on your appointments. And so, Mr. Shatswell, you have a lot of IT experience, obviously. And, you know, we've been looking at ways that, our care access, whether it's community care or direct clinical care, can be provided more rapidly. And make sure that when those diagnoses are made and when those appointments are referred, it happens in a timely manner, doesn't turn into weeks and months of waiting and kind of that administrative do loop that happens.

So, is there a technological reason why the VA could not assess at the time that the veterans request for care or specialty referral is entered in the system, that a VA facility can't provide the requested care within the typical access standard and frankly, abide by the law, which requires, you know, that treatment to be given in a certain period of time?

Mr. SHATSWELL. Thank you, Senator, for the question. The answer to that is not a fast answer, but I'll take a swing at it. When you look at the data that the VA has, it starts with the DoW, and the data flows into the VA a little before transition, with some after transition. That data is one way. Then that data goes into systems and there are literally hundreds of databases. Those hundreds of databases make a very complex environment where data is enriched all over the place, with one way data feeds that makes it extremely difficult to find the connections and do what you're asking about.

One of the areas of modernizing the VA that I believe we need to focus on, I spoke with you, Senator King, about this, is we need an enterprise data platform. We need an enterprise data exchange where there's one place for the Warfighter Golden Record, where all of that data is contained. And it's the one system of record that

everything points to. So, that those kinds of moments, like scheduling, as Senator Hassan said, becomes simple. It becomes an easy problem to solve. Right now, we have 14 scheduling solutions that I'm aware of. That's just unacceptable.

Senator SHEEHY. Yes. And I mean, from the health record perspective, I mean, that should become part of discharge. Like, we can't discharge a person from active duty until their health records have been transferred and received by VHA. So that's happened in addition to the disability benefits exam. But I think more specifically there, like if a referral enters the system on day one.

So, we're not talking active-duty transition. Someone's out there, a veteran. They go into their CBOC to get their specialty care. The referral happens on day one. Is there a reason why in the current system that we have or system of systems, why when that referral happens, it can take days, weeks, or months for that referral to make its way through the system?

I mean, is this a community care access problem? Is this an administrative issue or is this a technology issue with our IT systems that these referrals get lost in the ones and zero land forever? And sometimes, it's weeks or months before referrals approved?

Mr. SHATSWELL. Thank you, Senator. I think that the root of the issue is that there isn't one system. There are many systems, and they don't talk to each other. So, there is a lot of work to build those bridges and to make the data flow. That problem has to be solved in order to make what you're asking for a reality.

Senator SHEEHY. Yes. Well, it's going to be, I would hope it becomes a reductionist enterprise instead of adding more layers. Because what government does is when we want to solve a problem, we add more layers on top, and what we need to do is reduce that. We need to distill the system down to a minimal amount, hopefully one singular system that actually works instead of just layering more, you know, repaving over the same road over and over again. And we're not actually fixing the pothole; we're just paving over it.

Mr. SHATSWELL. Yes, sir. One of my favorite things is turning things off. So, my goal would be to turn off as many things as possible and reduce the complexity. You also have a significant risk with a large cybersecurity and privacy perimeter. When you have hundreds of databases, if you can reduce them to a single one or reduce the number, it's much, much easier to protect. So, there's a lot of reasons, saving money, there's a lot of reasons why it makes sense for us to do that, sir.

Senator SHEEHY. Mr. Tierney, your community care. So, I'm a huge advocate for community care, it hasn't always been the most popular with the staff at the VA. But I think especially in a state like Montana where we're a huge state with not many people, some veterans could have a 7-hour drive to the VA clinic. So, community care is a key part of the fabric of VA care in Montana. We need to make sure those open lines of communication so that when community care is not being utilized, community care is being intentionally sidelined nationally. You know, those complaints, those reports are rapidly collated and acted on.

And, you know, what can you do to assure me that as those whistleblower complaints or those reports come in, you know, they're not getting sidelined? They're getting prioritized and acted on be-

cause community care, as we see a provider shortage in all categories around American community care, it's going to be critical here for our veterans.

Mr. TIERNEY. Thank you, Senator. And if I may briefly, I recognize your Naval Academy attendance. My son behind me is a rising second-class midshipman. And former superintendent Tom Lynch is here with me today, too, and I thank him for that.

Senator SHEEHY. There he is. I see him right there. Yes. Hey, Tom. How are you, Admiral?

Mr. TIERNEY. Community care is very important, and I've been researching and planning for this potential role, if confirmed. I have heard that from others as well. Obviously, some states are much more rural than others. And if confirmed, I would talk to the people who are responsible for those areas and educate myself as to what's happening and how can we make it better. Things like distance, the service level of care. So, I would definitely look into that and talk to the people who know how it works. Talk to this Committee and see what can we do better and different? But 100 percent independence is the key to this role, and I'll be completely independent and non-partisan on all issues and I appreciate you bringing that one up.

Senator SHEEHY. Great. Well, thanks for your time today, gentlemen. It's a key time for the VA to modernize and fix a lot of problems that have been alluded to that have been bothering us for a long time. So let's stop kicking the can and get it done. Thanks.

Chairman MORAN. Senator King.

**HON. ANGUS S. KING, JR.,
U.S. SENATOR FROM MAINE**

Senator KING. Thank you, Mr. Chairman. I apologize to everyone for the phone ringing. That's—I can think of worse times to have that happen, but not right offhand, in a hearing is pretty bad. Mr. Shatswell, just to be clear, your remit does not include the electronic medical records project. Is that correct?

Mr. SHATSWELL. Yes, that is correct. Senator King.

Senator KING. Has that got its own office and own leadership? Is that the way it's set up?

Mr. SHATSWELL. Yes. I believe the confusion is that currently, Deputy Secretary Lawrence, is wearing two hats as the deputy and the acting CIO. So, it's gotten a little conflated. And when, if confirmed, I step into that role of the CIO, yes, it stays with him.

Senator KING. Electronic medical records is somebody else's problem—

Mr. SHATSWELL. Dr. Neil Evans, correct.

Senator KING. Thank you. I'm going to charge you with making your job even more complicated. And that's dealing with the Grand Canyon between the Defense Department and the VA and how to coordinate systems in that way so that the veteran doesn't get lost, doesn't get dropped. Is that a project that is worth pursuing in your mind?

Mr. SHATSWELL. One hundred percent. I believe that there is a lot that we can do there to improve service to active duty and veterans. Yes.

Senator KING. And I would hope that you would learn who your counterparts were in the department so that, that kind of activity could begin.

Mr. SHATSWELL. Yes, sir. As well as Senators like yourself that can help to bridge the gaps.

Senator KING. I'll do what I can. Mr. Tierney, I'm worried about sort of counter currents going on here. One is whistleblower protection, which you've talked about, and investigating claims and protecting whistleblowers. And yet at the same time last year, it was reported that the VA was requiring their employees to sign a Non-Disclosure Agreement (NDA) that did not include the legally required exclusion language for whistleblowers. Are you aware of that situation?

Mr. TIERNEY. Thank you. Senator, I have read reports about that.

Senator KING. Well, I would hope that if there's another—the OPM, just in the last week or so has talked about new whistleblower, I'm sorry, new non-disclosure agreements throughout the Federal Government. Have you reviewed the language that's being proposed?

Mr. TIERNEY. I have not, Senator King, but I will 100 percent say that NDAs and whistleblower activity have no role together. People, employees must feel 100 percent comfortable that they are not going to be restricted in reporting on bad conduct.

Senator KING. Well, I would hope as the legal counsel in this situation, that you would inform whoever's setting up these NDAs that that language must be in there that says, this does not include whistleblower complaints and the protections are left intact. Will you commit to me that you'll do that?

Mr. TIERNEY. Yes, Senator. And it's also on OAWP's website. It's very clear that any whistleblower statute overrides any type of NDA language, and I agree with that. There's no role for NDAs and whistleblower.

Senator KING. I agree, thank you. I'm a little concerned. You were general counsel to USAID in the State Department? Was that your job title?

Mr. TIERNEY. I was acting general counsel at USAID. I'm deputy legal advisor at State, which is another way to say deputy general counsel.

Senator KING. And just to clarify, were you in that position when Elon Musk fed USAID into the wood chipper?

Mr. TIERNEY. No, sir, I was not.

Senator KING. You were not there during that period?

Mr. TIERNEY. I was not.

Senator KING. Is it legal for the Executive to abolish a statutorily established agency unilaterally?

Mr. TIERNEY. Senator, I appreciate the question, but I really have not researched that legal issue, and I really wouldn't be able to comment on that.

Senator KING. You've read the Constitution. You know, the law that Congress establishes the Executive branch agencies. You don't have an opinion on whether the Executive can just say, well, we don't—we no longer believe we need a USAID, or a Department of

Labor, or whatever. You don't think that you don't have an opinion on that?

Mr. TIERNEY. Thank you, Senator. Yes. I just am not familiar with the laws governing that type of issue. I've never had to research it. I never have. So—

Senator KING. And finally, you mentioned the word "independently" several times. What do you mean by the use of that term?

Mr. TIERNEY. Well, sir, Senator, some of the questions from both Committees have centered on, you know, if there's any influence or improper influence. And I just want to be clear that that's not acceptable. It's not appropriate in this role. This role is about independence, transparency, and quality of an investigation and responsiveness and timeliness.

Senator KING. So you would act independently, even if the whistleblower complaint was uncomfortable to the Secretary or to the President. Is that correct?

Mr. TIERNEY. I would give the Secretary my recommendation regardless of what his response may be. I—that's my job is to report to him what our investigation finds.

Senator KING. Well, I just I appreciate those answers. The whistleblower function is very important in counterintuitive that we're enabling people to bring complaints against their superiors in many cases. And that's why the position that you have is so important, not only to protect those individuals, but to make the government function better. That's the whole idea here. So, I take you at your word that independence is going to be part of your job, and that you're going to protect those whistleblowers, even if their activities have displeased their superiors and perhaps your superiors.

Mr. TIERNEY. Senator, no role is above accountability, in my opinion. Whether, regardless of how senior that role is. OAWP is here to protect all veterans, regardless of the seniority level of the subject at the time.

Senator KING. Thank you, Mr. Chairman.

Chairman MORAN. Thank you. Mr. Shatswell, since assuming the senior advisor role in December, have you used that opportunity to assess the circumstances, the current state of affairs at the Office of Information and Technology?

Mr. SHATSWELL. To some degree, I would say very opaquely. From a senior leadership level, I have reviewed the structure of the organization. I have had the opportunity to travel and to see some of the technology working in the different locations, the VISNs, the Sim lab down in Orlando. So, I've had the opportunity to assess it from that level. Yes.

Chairman MORAN. I would think it might be a circumstance in which you get the legal pad out and yellow pages, and you just start writing one, two, three, four, five, six, seven, eight. These are the problems and these are my ideas. Have you analyzed what your first step, day one and thereafter, would be in this role?

Mr. SHATSWELL. Yes, sir. As you can imagine, it's a target-rich environment. There's a lot to fix. There's a lot that can be very distracting, and so as I have had the opportunity and this time of envisioning, I've kind of broken it up into two categories. One, we'll call it organizational and the other more on the technical side. On the organizational side, there is a significant need for a proper pro-

gram management office. I call it a program or portfolio value office, because at the end of the day, we need to be driving the right value to the veterans. And that's the focus of everything that we should be doing at OIT.

So how do we do that? Getting into an agile scrum process, which is a process management style, that we will properly tool and train throughout the org., if confirmed. That will drive accountability at the individual worker level. It will drive visibility at the stakeholder level so that everyone knows what's going on and what's the status and the priority of their piece within the work that OIT is doing. So, eyes wide open, anybody can see it. It's not a mystery. That's what we would be driving toward.

Chairman MORAN. Have you yet talked to people within the OIT that work there today, work with you at the VA today and ask them their views on what's missing? Senator Tillis and Senator Sheehy both indicated the magnitude of the problems. We've heard them for a long time. Senator Tillis, in particular, talked about nothing seems to change. So, I'm looking for this. I'm the guy who's going to make things change. And here's what I know that needs to be done and I'm going to hit the ground running. Can you assure me that you have done that and are that person?

Mr. SHATSWELL. One thousand percent Senator. That has been my career experience for the last 30 plus years of executive technology management. That's what I do. I fix problems. I love the gnarly ones, the ones that are really hard, the ones that are really tough. I love the puzzles because I like to effect change.

Chairman MORAN. If that's true, you're going to love this job.

[Laughter.]

Mr. SHATSWELL. Yes, sir.

Chairman MORAN. Let me ask Mr. Shatswell. Again, I'm intrigued by you being a senior adviser to the Secretary. I'm intrigued not because of you personally, but it's been the role that so many people have been in who come before our Committee seeking their—they've received a nomination seeking our agreement with that nomination and confirmation. How many people are senior advisors to the Secretary of the Department of Veterans Affairs?

Mr. SHATSWELL. Sir, I'm sorry, I don't have a number. I don't know the number.

Chairman MORAN. Is it two, or three, or is it dozens?

Mr. SHATSWELL. No, I don't believe it's dozens. It's a handful, I believe.

Chairman MORAN. How did you become a senior advisor?

Mr. SHATSWELL. I was—I was working for Unilever. I was approached with the opportunity to come and be a senior advisor within, I believe it was three weeks. I was here—

Chairman MORAN. Approached by the Secretary?

Mr. SHATSWELL. No, from the White House. White House liaison.

Chairman MORAN. And was that the suggestion that if you became a senior advisor that there might be a role for you to play at the VA beyond being a senior advisor?

Mr. SHATSWELL. That was a possibility, sir.

Chairman MORAN. And is that the Administration's, does it seem to you that's the Administration's training ground for individuals

that they may want to place within the Department? Come, be the senior advisor let us evaluate you and make a determination whether there's a role for you to play in a more permanent way at the VA?

Mr. SHATSWELL. I can tell you my experience that was the way that it was. Beyond that, I don't have the experience to know what that would look like for other folks.

Chairman MORAN. And as a senior adviser at the Department of Veterans Affairs, do you advise the Secretary like daily, weekly, monthly? Is it an ongoing thing or you're really there learning about the Department of Veterans Affairs and preparing for a future position?

Mr. SHATSWELL. A little bit of both. I was absolutely there, meeting with the Secretary on a couple of occasions to provide advice and suggestions into what I was learning and the ideations from that, with the opportunity to sit in on meetings and meet the senior leadership and understand the way that the VA works.

Chairman MORAN. And the advice that you were asked to provide to the Secretary was related to the job that you're now being considered for?

Mr. SHATSWELL. No, sir. It was a broader. Looking at—my background, Senator Moran is, I've been over marketing, I've been over finance, I've been over renovation, I've been in technology, so the breadth of my background was bringing all of that into play, to evaluate everything that was going on. And with my lens coming in as an industry person, not as a government person, gives a unique perspective to the problems that often, I would say, suffer from shortsightedness because often decisions are made from a political standpoint and not a long-term true North plan. And so, from my perspective, I'm working to develop what would be that long-term plan so that we have a true North over multiple administrations in the future.

Chairman MORAN. I'll now turn to Mr. Tierney. OAWP is responsible for tracking the VA's compliance with recommendations from the inspector general, the VA's medical inspector, the Office of Special Counsel and the GAO, the Government Accounting Office. So that's in addition to the whistleblower aspect that we've mostly been talking about today. Do you have a view about the role that those entities play in improving the services and capabilities, the quality of work performed at the Department of Veterans Affairs?

Mr. TIERNEY. Thank you, Senator Moran, for that question. Yes, you know, I've read and understand that OAWP, OSC, and OIG have an interplay between the three groups as far as handling misconduct and, as far as doing these reports, as you say. And I would work cooperatively with both of those other sub-agencies on making sure that all of our reporting is accurate, timely, and in the right hands of the right person.

Chairman MORAN. Mr. Tierney, I would indicate that while I can only speak for myself, but I have enough experience with the Members of this Committee to have a sense, and it's certainly my sense that this Committee pays a lot of attention to the Inspector General, the GAO. We consider their reports serious and significant. We expect them to be abided by, and if not, we expect an expla-

nation for why what they're recommending is not accomplishable or shouldn't be accomplished; they're making a mistake.

I don't know that there's a question in that, but I want you, if confirmed, to take—maybe the question is, I want you to confirm that you will take those recommendations by those other agencies seriously, and with an understanding that there is an expectation, at least on my part, and I think most, if not all Members of this Committee, that we would see decisions made at the VA that reflect what the, what those agencies, what those entities have recommended. Anything that troubles you with that circumstance?

Mr. TIERNEY. No, Senator, not at all. I completely agree. That's a key role of the Assistant Secretary responsibility.

Chairman MORAN. And I would tell you that they're not always followed quickly and not always followed, period. And, I would indicate to you that in communicating with, particularly the staff of this Committee, but the members as well, it would be useful for us to know that you find an objection to a recommendation by the IG or the GAO, particularly the IG, that you ought to let us know. And, I assume that's compatible with the way you operate.

Mr. TIERNEY. Yes, sir.

Chairman MORAN. Along that line, let me ask you to commit to providing this Committee with briefings on a quarterly basis on OAWP's trends, your accomplishments, the ongoing priorities, including case processing times and disciplinary actions taken. Is that satisfactory?

Mr. TIERNEY. Yes, Senator. Absolutely.

Chairman MORAN. And I would ask you, Mr. Shatswell, a really similar question to that. I'd like for you to commit to providing the Committee with briefings on a quarterly basis, at least, on OIT trends, accomplishments, ongoing priorities to include workforce changes, cybersecurity threats, and major modernization projects. Is that acceptable to you?

Mr. SHATSWELL. Yes, Senator. I would hope it would be much more frequent than that.

Chairman MORAN. While Senator Tillis volunteered to serve on a committee to give you advice on how to fix the department, I would stay, I would refrain from me volunteering to join you in that effort, but I want to know what you're doing and how it's going and what help you need from us. And what's the missing link in finally accomplishing the things that Members around this table have indicated are important to get the VA quote "once and for all" in a position that needs to be in regard to IT.

Mr. SHATSWELL. You have my commitment to that, sir.

Chairman MORAN. Senator King.

Senator KING. A quick follow up. Mr. Tierney, during the nomination process, did anyone indicate to you that there was an intention to weaken or eliminate OAWP?

Mr. TIERNEY. No, Senator.

Senator KING. No, no discussion of that?

Mr. TIERNEY. Not at all.

Senator KING. Would you resist and support the office, as its director, if there were efforts made to cut staff or reduce the efficacy of the office?

Mr. TIERNEY. Senator King, I believe the office has an important role in within VA. As far as staff, obviously, I don't have visibility into the function yet, but if confirmed, I would analyze that and see if we need more people, need less people. I just don't have an eye into that yet, sir.

Senator KING. Thank you. Thank you, Mr. Chairman.

Chairman MORAN. Senator Sheehy, anything?

Senator SHEEHY. [Off-mic].

Chairman MORAN. Thank you both for being here today. We're going to conclude this hearing. And there may be questions that we, this Committee, that staff want to ask you. They'll be submitted to you in writing, and we would expect a timely response from you. We have the leverage of holding your confirmation until we get the answers to our questions.

Chairman MORAN. But let me ask either one of you, which is my usual practice, is there something that you said that you wish you hadn't or that you would like to say that you weren't given the opportunity to say, having heard our questions and now see the totality of the hearing? Are you satisfied with where you are?

Mr. TIERNEY. I am, Senator.

Chairman MORAN. Thank you.

Mr. SHATSWELL. Yes, Senator. Thank you.

Chairman MORAN. Thank you both very much. With that, the hearing is adjourned.

[Whereupon, at 5:22 p.m., the hearing was adjourned.]

A P P E N D I X

Opening Statement

**Opening Statement of
Ranking Member Richard Blumenthal
Senate Veterans' Affairs Committee
Hearing to Consider Pending Nominations
June 3, 2026**

- Mr. Tierney and Mr. Shatswell, welcome to you and your families. Thank you for your willingness to serve.
- Mr. Tierney, if confirmed, you would be responsible for the Office of Accountability and Whistleblower Protection – an office designed to hold VA senior executives accountable through unbiased investigation of whistleblower concerns.
- Whistleblowers play a critical role in bringing fraud, waste and abuse to light. And they save lives by exposing negligence and misconduct in medical care.
- Unfortunately – and particularly under the Trump Administration – they have faced increased retaliation.
- In fiscal year 2025, OAWP received more than 4,300 complaints but only issued 32 disciplinary recommendations.
- In addition, GAO found last year that VA is unable to track corrective actions taken in whistleblower cases and does not have accurate data about settlement agreements.
- In this year's Budget Request, funding for OAWP does not keep pace with inflation and keeps staffing levels stagnant.
- The request does not account for additional manpower needed for tracking cases as recommended by GAO. It certainly does not account for the 31% increase in complaints and disclosures to OAWP during fiscal year 2025.

- And the Budget Request would not support the Department's intent to expand OAWP's authority to proactively investigate unreported whistleblower retaliation, which would increase OAWP's workload immensely.
- Mr. Tierney, if confirmed, I have serious concerns about whether you will have the tools or authority you need to effectively do your job.
- Mr. Shatswell, if you are confirmed, you will be responsible for managing all VA information technology matters.
- That includes keeping veterans' healthcare records secure and patient care seamless, and modernizing claims processing for compensation and pension and education benefits.
- However, I am extremely concerned OIT will not have the resources necessary to perform these critical functions.
- In the midst of rolling out several large-scale technology modernization efforts, VA has lost at least 1,300 members of its IT workforce since this Administration took office.
- 86% of those employees were retirement eligible – creating a critical loss of institutional knowledge and talent.
- In addition, this year's budget request for OIT is relatively flat. And last year, VA repurposed more than \$89 million of its OIT budget to pay for other priorities.
- Amid workforce cuts and funding constraints, I have serious concerns about OIT's ability to execute the Department's ambitious modernization efforts.
- While Deputy Secretary Lawrence leads the Electronic Health Record Modernization project, we cannot ignore that VA's latest life-cycle estimate for EHRM has ballooned to \$56 billion.
- This is a \$39.8 billion increase over the original congressional mandate of \$16.138 billion.

- Given these massive cost overruns, I need your commitment to provide Congress with full budget transparency on all other OIT modernization efforts, which includes updated life cycle cost estimates.
- I will also need your commitment to ensure there are appropriate guardrails and transparency in how VA uses AI and automation.
- Veterans deserve to know their private information is secure and their care and benefits decisions are fair and accurate.
- I look forward to hearing more from both of you about your vision for leadership and how you will address the significant challenges you will face in these vital roles.

**Nomination Material for
GARY SHATSWELL**

Statement of Gary Shatswell
Nominee for
Assistant Secretary for Information and Technology and Chief Information Officer
Department of Veterans Affairs (VA)
before the
Committee on Veterans' Affairs
United States Senate

Chairman Moran, Ranking Member Blumenthal, and distinguished Members of the Committee. Thank you for the opportunity to appear before you today as the nominee to serve as the Assistant Secretary for Information and Technology and Chief Information Officer for the Department of Veterans Affairs. I am deeply grateful to President Donald J. Trump for this honor and for his confidence in me and am thankful to Secretary Douglas A. Collins for his trust.

I sit before you, a man who loves God, my family, and my country. So, I begin with God. I am filled with gratitude to my Lord and Savior, Jesus Christ, whose words have guided my life. In John 15, He says, "There is no greater love than to lay down one's life for one's friends."

Those words describe the ethos of every man and woman who has worn this Nation's uniform, placing something larger than themselves above their own comfort, safety, and in some cases, their lives. If confirmed, honoring their service and sacrifice will be a guiding light.

To my family, I want to acknowledge my three amazing children who are watching online. Julia, Elizabeth, and Garrison, I love you more than words and am so proud of who you are and how it shows up in your faith, service, and work.

My family name, though uncommon, has deep roots. John Shatswell built a home in Ipswich in 1635. Thomas Shatswell was a drummer for the patriots in the Revolutionary War. Colonel Nathaniel Shatswell fought for the Union in the Civil War. Of the eight boys in my father's family, six served, including my father. My Uncle Kenny returned from Vietnam wearing a Purple Heart. I have cousins, nieces, and nephews who have served.

Before my father passed, I took him regularly to the VA in Tacoma, Washington, and saw firsthand what the VA means to those who served and those who love them.

Finally, to my country. I was raised in an extraordinary family that formed my love for America. We traveled extensively, singing Gospel music. When I was 10 years old, we toured Europe, including behind the "iron curtain." I remember feeling the oppression as we crossed those borders, and I remember how the next time I recited the Pledge of Allegiance, tears ran down my face. American freedom became real to me.

Since joining VA as Senior Advisor to Secretary Collins on December 1, 2025, I've met with senior leadership in the Central Office, medical centers, clinics, and cemeteries around the country. I sat with many Veterans and heard their stories. That time of listening was invaluable. From my industry experience, I began asking, "What if?"

- WHAT IF we connected with Service members when they enlist and stayed present through active duty, transition, and the rest of their lives? No one left behind.
- WHAT IF we eliminated repeatedly asking Veterans for the same information?
- WHAT IF rather than digitizing old paper processes, we reimaged them as digitally native?

It has been a blessing to witness the breadth of support this country provides our Veterans, but frankly, we can and must do better when it comes to information technology.

My conversations with leadership and individual contributors have revealed a few common themes:

- We need a culture of transparency and accountability, achievable through agile program management, which will also accelerate mission delivery. We must go faster.
- Regarding artificial intelligence, we need clear, bright-lined guardrails of security and privacy, enabling a green light to drive productivity and human decision making.
- We need to leverage our enterprise data as a strategic asset, strengthening security and unlocking benefits we cannot yet fully envision.

My résumé highlights 30 years of executive leadership, hypergrowth, and turnaround management. Yet, there are countless untold stories; for example, I created and taught the first web development course at Microsoft. I ask hard questions and do hard work. I've had the privilege of meeting with several of you, and those conversations about improving service to our Veterans have deepened my commitment. If confirmed, I will support the Secretary and this Committee to prioritize, execute, and deliver.

In loving God, my family, and this country the thread of service is in my DNA.

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear today, and to be considered for this position. I look forward to answering your questions.

Pre-Hearing Questions for Gary Shatswell
Nominee for Assistant Secretary for Information and Technology
U.S. Department of Veterans' Affairs
From Senator Jerry Moran
Chairman, Senate Committee on Veterans' Affairs

1. Please detail the professional and personal experiences that you believe have prepared you to lead the Department of Veterans Affairs (VA) Office of Information and Technology (OIT).

Response: My career of more than 30 years as a CIO has been defined by turnaround management — walking into complex, underperforming technology organizations and rebuilding them into high-functioning ones. At companies including Unilever, Getty Images, and Compaq, I have led large-scale transformations at global scale, managing teams of hundreds across enterprise systems, cybersecurity, data, AI, and technology operations. At Paula's Choice, I led a transformation that grew revenue from \$65 million to over \$350 million in four years. What distinguishes my approach is that I am equally a right-brain and left-brain problem solver — combining deep technical acumen with creativity and human insight. The hardest technology challenges are never purely technical. They are organizational and cultural, and solving them requires both sides of that equation. Personally, my father and uncles are veterans. I came to Washington because I believe this work can meaningfully ease the transition from military service to Veteran status and deliver better outcomes for those who served, and I am committed to getting it right.

2. What do you think are the most significant challenges facing VA? If confirmed, what would your highest priorities be and how would they help to address those challenges?

Response: The most foundational challenge facing VA OIT from my limited vantage point is the state of the Department's data foundations. Fragmented, inconsistent data across systems directly causes longer wait times, interrupted care, and delayed benefits. Solving this is the infrastructure upon which better Veteran outcomes are built. Achieving this will also require meaningful progress on interoperability between the Department of Defense and the VA. Seamless data sharing across the military-to-Veteran transition is not a technical nicety, it is essential to ensuring that no Veteran falls through the cracks when they need us most. If confirmed, I look forward to gaining perspective from and working closely with this Committee to prioritize and pursue this goal on behalf of the Veterans we serve.

3. What do you think are the most significant challenges facing OIT? If confirmed, what would your highest priorities be and how would they help to address those challenges?

Response: The most significant challenge facing OIT is a deficit of transparency and accountability in how technology programs are planned, executed, and reported. When visibility is low and accountability is diffused, problems compound and Veterans pay the price. If confirmed, I will address this by implementing a disciplined agile program management framework, clear ownership, honest reporting, and a culture where problems are surfaced and solved early. The second priority is harnessing AI responsibly to modernize OIT and drive efficiencies. With the right guardrails, AI accelerates delivery, reduces technical debt, and frees our people for higher-value work. Both are cultural transformations as much as technical ones. I look forward to working with this Committee to make them a reality.

4. What do you think is the appropriate role of VA in an average veteran's life and, if confirmed, how would you work to improve outcomes among the veterans, caregivers, survivors, and others who use VA health care, benefits, and services?

Response: We need to flip the script. Too many Veterans have fought for this country only to find themselves fighting the VA to access benefits they earned. That is unacceptable. The VA's role should be that of a guide, proactive, personal, and present at every stage of a Veteran's life. Rather than an opaque repository of benefits Veterans must navigate alone, imagine a VA that greets every transitioning servicemember with a simple message: "A grateful nation says thank you. Here are the benefits you have earned." Technology makes that vision possible. The data foundations, interoperability, and AI capabilities I have described are the infrastructure that enables us to reach Veterans rather than waiting for them to find us. If confirmed, that proactive vision will be the North Star guiding every technology priority I pursue, and I look forward to working with this Committee to make it a reality.

5. What do you think is the appropriate role of OIT for VA and for veterans, and, if confirmed, how would you work to improve employee productivity and veteran satisfaction?

Response: OIT's role is to be a mission accelerant. While we are certainly a support function, we are also, and must be, a strategic thought partner at the leadership table, present when hard problems are being defined and equipped to help untangle the challenges that stand between Veterans and the services they have earned. The right model brings OIT into the room early, as a creative and analytically rigorous partner that helps design solutions that are both mission-driven and technically sound. For VA employees that means technology that reduces burden and lets the employees focus on serving Veterans. For Veterans it means faster access to care and systems that feel designed with them in mind. If confirmed, I will work to position OIT as that trusted partner across the Department and look forward to working with this Committee to keep technology always in service of the mission.

6. What do you see as the role of this Committee, specifically, and Congressional oversight, in general?

Response: Congressional oversight is a necessary function that makes government work better, and this Committee is a critical partner in that mission. The members of this Committee represent the voice of Veterans and their families in the legislative process, and that voice deserves to be heard and responded to honestly. I see this Committee as a partner. When OIT is performing well, this Committee should be able to see it clearly in the data and reporting we provide. When OIT is struggling, this Committee should hear it from us first, not from GAO or OIG. That proactive transparency is the standard I will hold myself to, and I welcome the accountability this Committee provides on behalf of the Veterans we both serve.

7. If confirmed, will you commit to leveraging your position to increase the timeliness and accuracy of VA's responses to Congressional inquiries? If so, how? If not, why not?

Response: Yes, without reservation. The same agile program management discipline I will implement across OIT — with clear ownership, regular reporting cadences, and honest visibility into program

health — will directly improve the timeliness and accuracy of Congressional responses. When data is reliable and program status is known, responding to oversight requests is a natural output of a well-run organization, not a scramble. That is the standard I will hold OIT to.

8. If confirmed, will you commit to holding regular briefings, no less than quarterly, with Committee staff to provide updates on OIT efforts and actions?

Response: Yes. Quarterly briefings with Committee staff are not only a commitment I will honor, they are consistent with the transparency and accountability standards I have described throughout this questionnaire. Regular, structured engagement is how we build the trust that effective oversight requires, and I welcome it.

9. If the Secretary, the White House, the Office of Management and Budget, the Office of Personnel Management, or other official entities are working on or issue a directive or guidance that you believe violates the law or could have an adverse impact on services and benefits for veterans, caregivers, and survivors, what would you do?

Response: I will follow the law — unconditionally and regardless of the source of a directive. If I believed a directive violated the law or would materially harm Veterans, caregivers, or survivors, I would raise that concern directly and through the appropriate channels. Caring for Veterans and their families is the mission, and the Veterans who depend on this Department have already given enough. They deserve leaders who will stand up for them.

10. Please describe your understanding of the purpose of OIT. Do you anticipate making any changes to that purpose? If so, how and why? If not, why not?

Response: OIT's purpose is to deliver the technology infrastructure and capabilities that enable VA to fulfill its mission, providing world-class care and benefits to the 9 million Veterans who have earned them. I do not anticipate changing that purpose. What I anticipate changing is how OIT pursues it, elevating it from a technology service provider to a true mission accelerant and strategic thought partner at the leadership table. That is not a change in purpose. It is a raising of the standard to which we hold ourselves in fulfilling it.

11. Please describe your understanding of the current organizational structure of OIT. Do you anticipate making any changes to the structure? If so, how and why? If not, why not? If confirmed, how would you leverage OIT's organization structure to deliver services more efficiently through process improvement?

Response: I currently have only a high-level view of OIT's organizational structure, and prescribing specific changes before completing a thorough evaluation would not be responsible. What I can share is the lens I will apply if confirmed: structure should follow mission and strategy. I would assess with particular attention to whether AI, Cybersecurity, Privacy, Compliance and Risk, Data, and Program Management are sufficiently elevated, because these disciplines determine whether every other

technology initiative succeeds or fails. Beyond structure, I would focus the organization on technology excellence and disciplined delivery in service of the mission.

12. If confirmed, you would be coming to this role with minimal prior federal government experience. VA operates in a uniquely complex environment involving congressional oversight, inter-agency coordination, long-tenured career employees, and entrenched processes. How do you anticipate navigating these political, cultural, and structural hurdles that differ significantly from the commercial sector, and what early steps would you take to build credibility, forge alliances, and drive meaningful change?

Response: I will not pretend the federal environment is identical to the private sector, it is not, and I respect the complexity of what I am stepping into. But the most transferable skill I bring is not technical. It is the ability to walk into a complex, unfamiliar organization, listen before acting, and build the coalitions necessary to drive meaningful change. I believe business is personal. Relationships are the foundation of everything that gets done in large, complex organizations, and building them quickly will be among my first priorities. That means engaging genuinely with career OIT employees whose institutional knowledge I cannot replicate, with VA leadership across administrations, with this Committee, and with inter-agency partners. I also intend to reach out to past VA CIOs early. Their experience navigating this unique environment will accelerate my effectiveness in ways no briefing document can. I do not underestimate the challenge. But the Veterans depending on us deserve a leader willing to do the hard work of navigating it.

13. If confirmed, what specific lessons, strategies, or best practices from Unilever Prestige do you plan to bring to VA to improve IT delivery, enhance veteran services, and support the overall success of the organization?

Response: Without a deeper understanding of VA OIT's current state, prescribing specific practices would be premature. If confirmed, I commit to returning to this Committee with a more complete plan once that assessment is done. That said, three disciplines from Unilever Prestige are broadly applicable regardless of what that assessment reveals: shared service models that deliver capabilities efficiently at scale and reduce cost; responsible AI adoption within a governance framework that protects sensitive data; and disciplined program management with clear accountability and transparent reporting. These are the same priorities I have described throughout this questionnaire, and I am confident they are the right starting point.

14. You have extensive experience in IT modernization efforts, which, if confirmed, you could leverage as VA prioritizes more automation improvements. If confirmed, how would you lead OIT and work with Congress and the Office of Management and Budget to modernize outdated systems? In addition, how would you prioritize the consideration of innovative and off-the-shelf solutions as an alternative to building tools in-house to modernize current IT infrastructure? Finally, how would you utilize the Technology Modernization Fund, which gives federal agencies a source of capital to retire costly legacy systems, to accelerate VA IT modernization?

Response: My governing philosophy is simple: insource the specialized, outsource the commoditized. VA OIT should only build internally what represents true "special sauce" unique to our mission. Everything else should be sourced commercially, reducing cost and freeing our talent to focus on what only we can do. On legacy modernization, I love turning off old technology. Every dollar spent maintaining outdated systems is a dollar not invested in Veterans. The Technology Modernization Fund is an important tool to accelerate exactly this, and if confirmed I will evaluate how VA OIT can best leverage it. Recognizing the approximately two and a half years remaining in this administration, I will operate on two parallel tracks: driving the highest-priority modernization initiatives now, while building the agile delivery culture and long-range roadmap that gives the next administration a clear, executable path forward. If confirmed, I look forward to working with this Committee and OMB to resource and execute that agenda responsibly.

15. In your prior roles, you supported organizations in strengthening cybersecurity, information privacy, and regulatory compliance to reduce enterprise risk. How do you plan to apply those leadership experiences in this role as Chief Information Officer?

Response: Throughout my career I have treated cybersecurity, privacy, compliance, and enterprise risk as strategic disciplines that belong at the leadership table. At Unilever Prestige I built these capabilities across 40-plus countries, establishing frameworks that protected sensitive data and reduced enterprise risk at scale. The lesson I carry is that these functions are most effective when elevated and treated as partners rather than adversaries. When risk management has a genuine seat at the table, it identifies problems early, when they are still correctable, and helps design better solutions from the start. If confirmed, I will work to elevate all four of these disciplines within OIT's leadership structure, embedding risk awareness into how we work rather than bolting it on at the end.

16. In terms of integrating generative Artificial Intelligence (AI), what is your position on using technology already deployed by VA to sustain and modernize systems that support every aspect of veteran healthcare, such as the VistA system?

Response: I am not yet sufficiently read into VistA or VA's existing portfolio to offer a detailed position on generative AI integration. If confirmed, that will be an early priority. What I can say clearly is that I would not discard an existing solution simply because it is old. The right question is not how long a system has been in place; it is whether it continues to serve the mission effectively and what the risk profile looks like..

17. If confirmed, how would you invest in human capital to make certain that OIT is aligned to effectively deliver the most significant outcomes?

Response: I do not yet have sufficient visibility into OIT's current workforce to prescribe a detailed human capital strategy, but I can speak to the approach I would bring. I believe OIT should operate with the mindset of a service organization, actively recruiting young talent from universities who want to serve their country, gain experience at extraordinary scale, and build a career foundation before moving into industry. Many universities already have veteran-focused programs that dovetail perfectly with this model, and these pipelines are an underutilized asset that if confirmed, I would prioritize building. The

mission of serving Veterans is one of the most compelling recruiting tools we have. We simply need to tell that story.

18. To what extent are the IT initiatives led by OIT intended to reduce reliance on manual, human-driven processes by increasing automation and technology-enabled workflows, and do you believe this shift ultimately decreases the need for manual operations across the Department?

Response: This is exactly the right question, and it goes to the heart of what a modern technology organization should be driving. I am a strong proponent of automation. Every manual, repetitive process represents a cost, in time, accuracy, and the opportunity cost of talented people doing work technology should be doing for them. When we automate effectively, we do not diminish the workforce, we elevate it, freeing people to focus on higher-value, human-centered work that technology cannot replace. I do not yet have sufficient line of sight into OIT's current automation initiatives to speak with precision. If confirmed, I will be a relentless advocate for driving automation at scale, not as a cost-cutting exercise, but as a mission accelerant that delivers better outcomes to Veterans faster.

19. The FY2027 budget request modestly increases funding to expand IT capabilities while maintaining reduced staffing levels from the prior year. If confirmed, how would you implement this approach and which parts of the OIT workforce would you anticipate being impacted by it?

Response: I do not yet have sufficient visibility into OIT's budget or workforce to speak with precision, but I can offer an observation from visiting VA Medical Centers. Endpoint device management is being handled inconsistently across facilities, a solved problem in industry where vendor drop-ship and zero-touch provisioning deliver pre-configured laptops directly to end users, eliminating manual build processes entirely. This is one example of what I believe is a target-rich environment for automation, AI, and process optimization across OIT. When we automate commodity processes, we redeploy human capacity toward higher-value work rather than simply cutting headcount, the right framework for operating within budget constraints.

20. Although there are potential opportunities to improve healthcare with the use of AI, there are also significant concerns. If confirmed, how would you make certain that OIT is equipped with a highly skilled technical workforce to ensure adequate scalability of AI applications, safeguards from improper use, and protection of veteran, staff, and government data?

Response: Responsible AI adoption requires two things working in parallel: clear governance and an empowered workforce. On governance, the most important thing we can do is draw bright, clear lines, specific, function-level guidance that gives people a genuine green light to use approved AI tools. Ambiguity is the enemy of adoption. When people are unsure what is permitted, they default to inaction, and we lose the mission benefits AI can deliver. On workforce, I would invest in function-specific AI training so teams can self-serve with approved tools rather than waiting on a small group of specialists. Underpinning both is a dedicated cybersecurity and data privacy team, not adversaries to innovation, but partners who make adoption safer and faster by defining boundaries and monitoring for violations.

21. Preventing veteran suicide remains a top priority for this Committee. I believe technology, including AI, can play a meaningful role in strengthening prevention efforts, particularly in support of the REACH VET model. If confirmed, how would you work across the Department to leverage technology capabilities, including AI, to build on and expand the success of this program and VA's myriad other suicide prevention efforts.

Response: This question is deeply personal to me, it is the clearest expression of why I left industry to be considered for this role. Programs like REACH VET represent exactly the right instinct: using data to identify Veterans at risk before a crisis occurs. The foundation that makes this possible at scale is an enterprise data warehouse, a unified, well-governed repository that lets the data speak. Today, Veteran data is fragmented across systems that do not communicate. That fragmentation costs us the patterns that matter most, signals that, identified early, could prompt an outreach call or care adjustment before a Veteran reaches a breaking point. If confirmed, I will make it a personal mission to build that data foundation and apply AI to surface the patterns that can drive better outcomes, in close partnership with clinical leadership and this Committee.

**Pre-Hearing Questions for the Record
Nomination Hearing of Gary Shatswell to be
Assistant Secretary for Information and Technology
Department of Veterans Affairs
From Ranking Member Richard Blumenthal**

1. Describe your background and qualifications to be Assistant Secretary for Information and Technology at the Department of Veterans Affairs (VA) and why you seek this position.

Response: I bring more than 30 years of executive technology leadership defined by transforming complex, underperforming systems into high-functioning organizations. My experience spans startups to Fortune 500 enterprises (Unilever, Getty Images, Compaq) where I served repeatedly as the CIO brought in to solve hard problems. My expertise is turnaround management. At Paula's Choice, I led a transformation that fueled growth from \$65M to \$350M in four years. At Getty Images, I consolidated 30 acquisitions across 80 disparate systems into three global regions, reducing IT costs by 83%. At Z-Corp, I restructured a stalled development organization and drove a 10x revenue increase. My motivation is personal as well as professional. My father and uncles served with honor. The men and women who sacrificed in uniform deserve a VA that works. If confirmed, I am committed to applying the same urgency and results-oriented leadership to VA OIT that I have delivered throughout my career.

2. Have you spoken to Secretary Collins about his expectation of what your role would be within his team? Please summarize your discussion and understanding of that role.

Response: No.

3. Have you spoken to anyone at the White House about what your role would be within the Administration? If so, describe what was discussed.

Response: No.

4. Since joining VA as a Senior Advisor in 2025:
 - a. Please list each office, Administration or policy portfolio where you have served as the designated Senior Advisor and the time periods when you were assigned that portfolio.
 - b. For each office, Administration, or portfolio you were assigned, describe the initiatives you worked on during your period as Senior Advisor for that area of responsibility.
 - c. Describe any involvement you had in reviewing and approving Congressional inquiries, including Requests for Information, requests for briefings, requests for site visits to VA facilities, and VA officials' testimony in Congressional hearings.
 - d. Describe any involvement you had in personnel decisions.
 - e. Describe any involvement you had in contracting decisions.
 - f. Describe any access you had to VA data and information systems.

Response: Since joining the Department on December 1, 2025, I have served exclusively within the Office of the Secretary as a Senior Advisor, with no formal designation to any other Administration, office, or policy portfolio. My primary focus has been orientation and immersion, developing a thorough understanding of VA's organizational structure and workforce. I have not been assigned to lead specific initiatives. I have had no involvement in Congressional inquiries, personnel decisions, or contracting decisions. My system access has been limited to standard onboarding tools used for mandatory training and standard productivity applications. I have had no access to VA operational systems, Veterans' records, or any sensitive or restricted data.

5. Describe your management style and previous management experience, including the number of employees you supervised, and how it has prepared you to succeed in this position.

Response: My management philosophy is rooted in servant leadership, removing obstacles, empowering teams, and holding people to high standards of accountability with clear ownership and transparent progress. Throughout my career I have directly led the full spectrum of IT functions, software development, infrastructure, cybersecurity, data and analytics, enterprise systems, AI, and technology operations, at organizations ranging from dozens to several hundred employees. That experience translates directly to the demands of VA OIT, one of the largest and most complex IT enterprises in the federal government.

6. Describe any prior professional experience related to large-scale IT change management projects, in particular, any projects focused on health-care delivery or electronic health records.

Response: Large-scale technology transformation is the throughline of my career, spanning ERP replacements, data center migrations, cloud migrations, and full infrastructure rebuilds, always while sustaining core operations without interruption. At Getty Images, I consolidated 30 acquisitions across 80 disparate systems while maintaining 24/7 high-availability operations. At Unilever Prestige, I modernized enterprise platforms across 40-plus countries. At Compaq, I led more than 200 engineers supporting Microsoft's global infrastructure through the commercial launch of MSN and the Y2K transition. If confirmed, deepening my understanding of VA's specific clinical and EHR environment will be a foundational early priority.

7. If confirmed, what lessons can you bring from your experience inside and outside of government to help VA better organize and prioritize its IT needs? How can VA articulate those needs to Congress clearly, so all parts of VA have the IT resources and staff needed to deliver IT projects to veterans and VA employees?

Response: The most important lesson from 30 years leading technology organizations: visibility and accountability are not byproducts of good management, they are the engine of it. If confirmed, I would implement a disciplined, agile program management methodology across OIT with structured prioritization, regular delivery cadences, and real-time visibility into program health. For Congress: IT investment requests tied directly to Veteran outcomes, measurable progress against prior funding, and forthright communication when programs are underperforming. Trust is built through consistency between what we say we will deliver and what we actually deliver.

8. What are your top three specific and measurable goals if confirmed in this position and how would you achieve them?

Response: I do not yet have full visibility into OIT's active initiatives and performance baselines. If confirmed, a thorough portfolio review in close partnership with this Committee will be an early priority. That said, three foundational goals will be essential regardless: First, establish a disciplined, agile program management culture with clear ownership, regular delivery cadences, and transparent reporting. Second, establish a responsible AI framework with guardrails to protect Veteran data while enabling OIT to accelerate delivery and reduce technical debt. Third, build consistent, plain-language reporting on IT investments tied directly to Veteran impact. I commit to returning to this Committee early in my tenure with a fully developed set of specific, measurable priorities.

9. VA OIT has an important role in VA's Electronic Health Record Modernization (EHRM) program. As you may know, that program has had significant challenges. What can VA do to strengthen implementation of this program?

Response: I am aware the Department has achieved meaningful recent progress, including successful rollouts to four VA Medical Centers, a foundation to build on. The disciplines required to strengthen any large-scale technology program apply here: clear program governance, honest reporting of progress and risk, disciplined change management with clinical staff and patients at the center of every decision, and the courage to surface problems early and act on them quickly. If confirmed, a thorough firsthand assessment of EHRM will be among my earliest priorities, and I look forward to providing regular, candid updates to this Committee.

10. While VA is attempting to deploy the Oracle EHR, VA must maintain and continue to improve the Veterans Health Information Systems and Technology Architecture (VistA) system that VA medical and other personnel across the country rely on daily to deliver care and perform various critical activities. VistA can't be left without improvements for the five or more years until EHRM's scheduled completion. If confirmed, do I have your commitment to advocate for continued smart development and maintenance of VistA?

Response: Yes. You have my commitment. Veterans are receiving care today through VistA, and clinical staff depend on it daily. No transition strategy can be allowed to degrade systems Veterans and caregivers are actively relying on. The transition to a new EHR and responsible stewardship of VistA must be managed in parallel. If confirmed, I will advocate for the resources necessary to honor both commitments.

11. An essential component of EHRM implementation is upgrading VA facilities infrastructure. What role should OIT play in VA's capital asset program management?

Response: Technology and physical facility infrastructure are inseparable in EHRM deployment. A facility that is not network-ready cannot successfully absorb a new EHR. OIT must have a seat at the table in any capital planning process where technology deployment is a dependency. If confirmed, evaluating OIT's current role in capital planning will be an early priority, and I welcome this Committee's guidance.

12. The Government Accountability Office (GAO) has repeatedly identified VA IT modernization as high risk. What specific governance or accountability changes will you implement to ensure major IT programs meet cost, schedule, and performance goals? Will you standardize program management frameworks, and how will you enforce compliance?

Response: GAO's repeated identification of VA IT modernization as high risk is a serious matter I take personally. If confirmed, establishing a standardized, agile-based program management framework across OIT will be an early and non-negotiable priority, with clear program ownership, transparent reporting against defined baselines, and an expectation that problems are surfaced and acted on decisively. Accountability will be modeled from the top down. I commit to regular, candid progress updates to this Committee.

13. GAO has noted that staffing shortages and skills gaps hinder VA IT performance. How will you assess, recruit, retain, and upskill the workforce needed to execute complex IT modernization efforts?

Response: If confirmed, ensuring VA OIT has the right people in the right roles will begin with an honest assessment of current gaps. I am committed to two underutilized recruiting pipelines: transitioning servicemembers and veterans, who are disciplined and mission-driven; and university partnerships for early-career technology talent. Talented people stay where they have meaningful work and clear growth paths. The mission of serving 9 million Veterans through world-class technology is one of the most powerful recruiting tools in public service, and if confirmed, I will ensure that message reaches the right audiences.

14. Recent VA Office of Inspector General (OIG) reports have identified persistent cybersecurity control deficiencies across VA systems. What is your plan to address longstanding issues such as access controls, patch management, and system monitoring?

Response: Persistent cybersecurity deficiencies in an organization managing the sensitive data of 9 million Veterans demand focused leadership attention. If confirmed, a thorough cybersecurity assessment will be among my earliest priorities. At Unilever Prestige, I built a cybersecurity framework for a global organization across 40-plus countries. I will apply the same approach: map current deficiencies, define the organization's risk appetite, and sequence remediation based on greatest exposure. I commit to working transparently with this Committee on findings.

15. GAO has found that VA has struggled with providing reliable IT program data. How will you improve data accuracy and transparency so Congress can effectively oversee IT investments?

Response: Unreliable program data is a governance problem. When programs have clear ownership, defined baselines, and structured reporting built into how work gets done, accurate data is a natural output. If confirmed, implementing agile program management across OIT will directly address this. My commitment to Congress is plain-language, consistent reporting on VA IT investments, what was funded, what was delivered, what it cost, and what outcomes it produced for Veterans.

16. Both GAO and OIG have raised concerns about weak contractor oversight and unclear performance metrics. What steps will you take to improve contractor accountability and ensure taxpayer value?

Response: The most effective place to establish contractor accountability is before work begins, in the contract itself. Performance metrics, milestones, and consequences for non-performance must be defined explicitly. Vague statements of work invite the failures GAO and OIG have repeatedly identified. Beyond the contract, contractors perform to the level of scrutiny they operate under. If confirmed, building active oversight capability within OIT's program management culture will be as important as the contract language itself.

17. Protection of veterans' Protected Health Information (PHI) should be a top priority. How will you strengthen oversight of contractors and vendors who have access to VA systems to prevent unauthorized use or exposure of veteran data?

Response: Protection of Veteran PHI is a sacred obligation and, if confirmed, a non-negotiable priority across every vendor relationship. Data handling requirements, access limitations, breach notification obligations, audit rights, and consequences for non-compliance must be defined explicitly in every contract. A strict least-privilege access standard must apply to all third-party system access, granted at the minimum level required, monitored continuously, and revoked immediately when no longer needed. If confirmed, I am committed to evaluating and closing any gaps in VA OIT's current posture.

18. Are you aware of any efforts by DOGE personnel or any other person or organization to access, store, or sell veterans' PHI or contact information? Are there any circumstances in which you would allow a person or organization to access this type of information for non-clinical purposes?

Response: I am not aware of any such efforts. My answer to the second question is unequivocal: I would follow the law. No person, organization, or institutional interest creates a circumstance in which I would authorize access to Veteran PHI outside the established legal framework. If confirmed, any request falling outside established legal authority would be refused and referred to the appropriate oversight authorities.

19. As VA adopts artificial intelligence (AI) tools, how will you ensure that these technologies comply with privacy standards and do not inadvertently expose or misuse veteran data?

Response: Avoiding AI does not make VA safer, it means tools are being used without guardrails. The right approach is to embrace AI deliberately within a governance framework with clear standards for approved use, defined data access limits, and privacy compliance built in from the start. If confirmed, establishing that framework will be an early priority, grounded in least-privilege access, HIPAA and Privacy Act compliance, continuous monitoring, and clear accountability. Protecting Veteran data and harnessing AI are not competing goals; with the right guardrails, they are entirely compatible.

20. If confirmed, how will your office ensure full compliance with federal procurement laws and regulations—such as the Federal Acquisition Regulation (FAR)—when awarding and managing IT contracts, and do you commit to ensuring specific oversight mechanisms are in place to detect and address any deviations or violations?

Response: You have my unequivocal commitment. Compliance with federal procurement law is not optional. If confirmed, I will ensure OIT's procurement activities are conducted in strict accordance with applicable law, that oversight mechanisms detect deviations early, and that any violations are addressed swiftly and reported to the appropriate authorities.

21. GAO has emphasized ongoing challenges with interoperability between VA and Department of Defense systems. What concrete milestones will you set to ensure seamless data sharing for service members transitioning to veteran status?

Response: I am not yet sufficiently read in to responsibly commit to specific milestones. What I can be clear about: when records don't transfer and care is interrupted during the military-to-Veteran transition, the consequences can be devastating, and I believe technology failures in this transition contribute to the Veteran suicide crisis. Seamless DoD-VA data sharing is a life-safety problem. If confirmed, it will be among my most focused areas of personal attention, and I look forward to working with this Committee to define meaningful milestones with appropriate urgency.

22. If confirmed, do you agree to supply the Committee with such non-privileged information, materials, and documents as may be requested by the Committee in its oversight and legislative capacities?

Response: Yes, without reservation. If confirmed, I commit to responding to the Committee's requests fully, honestly, and in a manner that supports its oversight and legislative responsibilities.

23. Describe the purpose and main business of the following organizations and the work you have done for them: Humblefish, Inc, and its subsidiary LLCs; Z-Corp; God's Right Brain.

Response: Humblefish, Inc. is a personal initiative I founded to support nonprofits through technology and collaboration, paused when I joined the Department in December 2025 to focus fully on my federal role. Humble Fish Holdings, LLC is a holding structure for personal investments and liabilities. Z-Corp, Inc. was a consumer internet company I joined as CIO in 2005, operating subscription-based genealogy services; I restructured a stalled development process and drove a 10x revenue increase. God's Right Brain was an early-stage startup I founded in 2003 to transform music copyright reporting into a real-time SaaS platform; it did not achieve commercial viability and was wound down in 2005.

Ranking Member Blumenthal
Questions for the Record
Senate Veterans' Affairs Committee
"Hearing to Consider Pending Nominations"
Wednesday, June 3, 2026

Questions for Gary Shatswell, Nominee to be Assistant Secretary of Veterans Affairs for the Office of Information and Technology:

1. While Deputy Secretary Lawrence leads the Electronic Health Record Modernization project, we cannot ignore that VA's latest life-cycle estimate for EHRM has ballooned to \$56 billion. This is a \$39.8 billion increase over the original congressional mandate of \$16.138 billion. Given these massive cost overruns, will you commit to providing Congress with full budget transparency on all other OIT modernization efforts, which includes updated life cycle cost estimates on all projects currently tracking to cost over \$1 billion?
 - a. In addition, the EHRM program is ramping up to deploy the new system to 26 sites in 2027, which is double the already accelerated pace this year. The rest of the deployments are estimated to be completed by 2031. Under your leadership, what will you do to ensure that OIT is positioned to deliver the infrastructure upgrades and support VA medical facilities' needs to make the deployment successful?

Response: Yes. Budget transparency on significant OIT modernization efforts is a critical element of the job. Congress should not learn about cost overruns from the press; I view the effort to keep the Congress continually informed to be an important responsibility, especially with updated lifecycle cost estimates on all programs tracking above \$1 billion. On EHRM infrastructure readiness, I understand that OIT's upgrades are currently tracking ahead of the deployment schedule, a hard-won position under the Secretary's leadership. If confirmed, I will work to ensure through proper program management that we maintain that lead and strive for further acceleration.

2. Having lost nearly 1,300 IT employees since this Administration took office, VA faces a significant deficit in institutional knowledge. Given these staffing challenges, what progress has been made toward achieving the milestones outlined in the *5-Year IT Modernization Plan*?
 - a. What contingency plans will you put in place if staffing shortages delay implementation timelines or create cybersecurity vulnerabilities within legacy systems VA is attempting to modernize?

Response: If given the responsibility to lead VA OIT, assessing workforce readiness will be among my top priorities. I will welcome the chance to report findings back to this Committee as soon as possible. A rigorous enterprise risk registry will surface where staffing gaps create the greatest program and cybersecurity exposure, driving honest prioritization. Where internal capacity is insufficient, strategic use of contractors and managed services can fill critical gaps, governed with the same accountability standards I have committed to across all vendor relationships. I look forward to working with this Committee to develop an accurate assessment of where OIT stands.

3. VA has increasingly explored the use of artificial intelligence tools to support health care delivery, benefits processing, cybersecurity, and administrative operations. What role do you believe AI should play at VA, and what guardrails are necessary to ensure these systems are reliable, transparent, and safe for veterans?

- a. Will you commit to ensuring appropriate human oversight remains in place for decisions that could affect veterans' health care, disability claims, or access to benefits?

Response: AI's role at VA should be to accelerate human decisioning, not replace it. The advent of this technology can improve services when judiciously implemented. Human oversight is critical in almost all service areas. I will work to ensure appropriate human oversight remains in place for decisions that could affect veterans' health care, disability claims, or access to benefits. The most critical guardrail is data containment. Veteran data must be kept in walled gardens; private, tightly governed environments that cannot feed public AI models. With those guardrails, AI is a powerful accelerant, surfacing signals in claims files, clinical records, and crisis data, and getting that information to the right human faster. AI finds the pattern. The human makes the decision. That is the framework OIT will pursue if I am confirmed.

4. Currently, VBA uses automation and AI enabled decision support tools to improve and expedite claims adjudication. Some veterans and VSOs have raised concerns about AI making claims decisions. During the previous Administration, several EO and guidance was issued—Executive Order 13960 which talks about the promotion of trustworthy AI in government; Executive Order 14110, Safe, Secure, and Trustworthy Development and Use of AI; and OMB M-24-10, Advancing Governance, Innovation, and Risk Management for Agency Use of AI. These have been replaced by new EOs and OMB guidance.
- Does the current governance structure promote responsible use of AI in claims as well as other areas? If so, how?
 - How does OIT protect veterans from inappropriate or unsafe application of AI?
 - What is VA's process for validating AI enabled decision support tools before or after deployment? Do they rely solely on the standard quality control system or is there some additional review process? Specifically, is OIT validating/publicly releasing results from their Smart Rating recommendation system in pre-deployment?

Response: Assessing VA's AI governance framework, deployed tools, and validation processes will be an early priority for me, if confirmed. I look forward to reporting findings back to this Committee, including on pre-deployment validation and public transparency for systems like Smart Rating.

5. Based on VA OIG's Federal Information Security Modernization Act reviews, the Department's maturity rating for incident response activities has declined over the last 5 years and the Department's information security program has been rated as "not effective." What assurance do you have that the Department can effectively respond to security incidents?
- What plans do you have for improving the Department's overall information security program?
 - Based on VA OIG FISMA reviews, the department's maturity rating for incident response activities has declined over the last 5 years. What assurance do you have that the department can effectively respond to security incidents?

Response: A five-year declining FISMA maturity trajectory in an organization managing the data of 9 million Veterans requires focused attention. The threat environment has only grown more dangerous, as AI is expanding, giving adversaries increasingly sophisticated tools to exploit it. Based on my professional experience building a comprehensive enterprise risk registry needs to be foundational to reversing this trend. A risk registry does more than document vulnerabilities, it forces honest prioritization by mapping every known deficiency against its potential mission and security impact,

creating a sequenced, defensible remediation roadmap rather than a reactive scramble. It also creates the visibility necessary for this Committee to hold OIT accountable to measurable progress over time. If confirmed, I commit to reporting on findings and working with this Committee on a plan to restore and exceed the effectiveness standard VA's information security program should be meeting.

6. In January 2025, GAO identified that one of the federal government's major IT acquisition and management challenges is strengthening oversight and management of IT portfolios (GAO-25-107852). GAO also identified critical actions agencies should take to address this challenge, including (1) enhancing agency efforts to strategically plan for and manage portfolios of IT systems, applications, and software licenses, and (2) improving the monitoring of, and transparency into, the performance of IT investments, among other things. What do you plan to do to implement these two critical actions at VA?

Response: In communicating with this Committee, I have championed a disciplined program management capability across OIT. As OIT head, I would formalize this as a Portfolio Value Office, or PVO, responsible for ensuring every OIT activity has the transparency, and accountability GAO has called for. The PVO would maintain a comprehensive, living view of OIT's entire portfolio, active projects, budgets, underlying systems, and performance against defined outcomes, directly addressing both of GAO's critical actions. The name matters. A Portfolio Value Office signals that this is not a compliance function, it is a value-creation engine with a direct line to serving our Veterans. Every dollar invested in OIT should be traceable to a mission outcome, and the PVO is the mechanism that makes that traceability real. If confirmed, establishing it will be an early priority.

7. In January 2025, GAO also reported that it is critical for agencies to improve their implementation of leading IT acquisition and development practices to effectively plan and manage IT project costs, schedules, risks, requirements, and testing (GAO-25-107852). What, if any, IT acquisition and governance reforms do you plan to implement across VA to improve the department's acquisition of IT systems and services?
- In your view, how should the VA balance the use of standardized, government-wide procurement frameworks against the use of agency-specific acquisition vehicles designed to deliver IT services to veterans more quickly and at lower cost? When these two approaches come into tension, what principle should guide the decision?
 - If reliance on a government-wide procurement vehicle were to delay the deployment of a critical healthcare or benefits IT capability by six months or more, how would you weigh the costs of that delay to veterans against the administrative convenience of using a government-wide schedule?

Response: Our mission is to deliver for the Veteran, and every acquisition decision should be evaluated based on that simple goal. The Portfolio Value Office I have described will provide the governance discipline GAO has identified as missing, tying every IT investment to a defined outcome, realistic cost, clear schedule, and accountable ownership from award through delivery. On balancing procurement frameworks, the guiding principle is simple: what delivers the best value to the Veteran, fastest, within the bounds of the law. Government-wide vehicles offer compliance assurance; agency-specific vehicles can offer speed. Neither is inherently superior; mission impact drives the choice. On a six-month delay, administrative convenience does not outweigh Veteran impact. If confirmed, I will identify every legal pathway to accelerate delivery and advocate loudly when procurement processes become the obstacle rather than the enabler.

8. Can you explain your current understanding of the T4NG2 contract vehicle — its purpose, scope, and the role it was designed to play in the VA's IT acquisition strategy?

- a. Are you aware of any policy or administrative requirements currently governing the execution of task orders under T4NG2 that may be affecting the Department's ability to use the vehicle as intended?
- b. T4NG2 was specifically designed to eliminate the administrative lead time associated with open-market procurements while providing pre-negotiated labor rates tailored to VA systems. From an operational standpoint, what justification exists for incurring the additional fees and longer timelines associated with government-wide schedules when a purpose-built, pre-competed vehicle is available?
- c. If confirmed, will you commit to reviewing the Department's current T4NG2 utilization rate and to working with the Office of Acquisition, Logistics, and Construction to ensure that T4NG2 is being used to its fullest extent for IT service procurements for which it was designed?
- d. The VA has a statutory obligation to prioritize Service-Disabled Veteran-Owned Small Businesses in its contracting activities. T4NG2 awardees include a significant number of SDVOSBs who competed for and earned their positions through a rigorous procurement process. How do you plan to ensure that the Department's IT acquisition decisions in FY2027 honor that obligation, and what steps will you take to prevent SDVOSB-inclusive vehicles from being bypassed in favor of procurement mechanisms with fewer veteran-owned small business protections?

Response: My understanding is that T4NG2 is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract designed to support the VA's specific IT service needs and overall mission. Executive Order 14240, "Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement," requires federal agencies to evaluate and streamline their use of IT contracts. If confirmed, I will ensure the Department consistently selects the most effective and efficient contract vehicles to best serve Veterans and taxpayers. I also recognize the VA's statutory responsibility to prioritize Service-Disabled Veteran-Owned Small Businesses, and I am committed to upholding those obligations.

9. VA's fiscal year 2026 budget had reflected a range of planned reforms, including reducing IT expenditures by about \$500 million to retire outdated legacy systems and reassess IT initiatives. Are there any current IT initiatives at VA that you think need to be changed or stopped, and what new IT initiatives do you plan to implement?

Response: A comprehensive review of OIT's budget and full initiative portfolio is a necessary first step before we can responsibly identify what should be changed, stopped, or added. If confirmed, that review will be among my earliest priorities. I will approach it through the Portfolio Value Office framework, evaluating every active initiative against its mission value, cost trajectory, schedule, and risk. Programs delivering value will be supported. Programs underperforming or misaligned with the mission will be corrected or stopped. The \$500 million legacy retirement target reflects exactly the right discipline, turning off old technology frees resources for what actually moves the mission forward. I look forward to working with this Committee on those findings and ensuring OIT's portfolio is properly prioritized and accountable.

10. Shadow IT can result in network risks and inefficiencies. Do you plan any changes to how OIT identifies IT requirements and oversees IT investments across the department?

Response: Shadow IT is a symptom, not the root problem. When business partners go around OIT, it is because OIT has not been fast, attentive, or collaborative enough to meet their needs. The solution

requires both stronger enforcement and a better partnership. If OIT is viewed as a trusted, responsive thought partner that moves with urgency, the motivation to go around OIT largely disappears. Business partners do not want shadow IT. Based on past professional experience, I believe the Portfolio Value Office will create visibility into all IT activity across the Department, identifying unsanctioned investments early. But the more powerful solution is cultural: an OIT that earns trust through speed, transparency, and collaboration. Better partnering also means better security and privacy. When business needs flow through OIT, they are properly governed and secured. Relationships are the key.

11. It is estimated that approximately seven million veterans who are eligible for VA benefits and services do not currently access them, and that poor IT infrastructure — including fragmented data systems, difficult-to-navigate digital interfaces, and lack of interoperability across VA platforms — is a meaningful contributor to that gap. As the individual who would be responsible for the Department's information technology strategy, what is your assessment of the current state of VA's digital accessibility for veterans, and what specific steps would you prioritize to reduce the technology barriers that prevent eligible veterans from accessing the benefits and care they have earned?

Response: Data fragmentation sits at the heart of this problem. When Veteran data is siloed across disconnected systems, the VA cannot see the whole Veteran, and the Veteran cannot easily navigate what they have earned. As I have discussed with this Committee, an Enterprise Data Platform that unifies Veteran data across the Department is foundational. When the data is coherent, the digital experience becomes coherent, with simpler interfaces, proactive outreach, and a VA that meets Veterans where they are. There are many solutions in this space, and I look forward to presenting them in detail if confirmed.

12. VA holds veteran data across a complex web of legacy systems that do not always communicate effectively with one another, creating situations in which a veteran's records are incomplete, inaccessible, or inconsistent depending on which part of the Department is accessing them. This fragmentation directly affects the quality and speed of care and benefits decisions. What is your plan for improving data integration and interoperability across VA systems, and how will your procurement decisions — including the selection of contract vehicles and technology vendors — advance that goal?

Response: As I have discussed with this Committee, VA needs an Enterprise Data Platform, a unified, well-governed data foundation that eliminates the silos creating inconsistent and inaccessible Veteran records. This is the foundational investment that makes every other technology initiative more effective. Today's fragmentation is largely the product of decades of point solutions procured without sufficient attention to integration. The principle OIT will apply under my leadership will reverse that trend is one I have used throughout my career: outsourcing the commodity, insourcing the specialized. Consolidate onto best-in-class commercial platforms for commodity capabilities rather than maintaining bespoke solutions that add complexity without adding mission value. Procurement decisions will reflect this directly, evaluated not just on point capability, but on whether they reduce system sprawl and improve interoperability. Every procurement should leave VA's data landscape simpler and more integrated than it was before.

Senator Thom Tillis
Questions for the Record
Senate Veterans' Affairs Committee
Hearing to Consider Pending Nominations
June 3, 2026

Questions for Gary Shatswell, Nominee to be Assistant Secretary of Veterans Affairs for Information and Technology, U.S. Department of Veterans Affairs

1. In both your written responses and opening statement, you emphasized the importance of improving interoperability between the Department of Defense and VA and creating a more seamless transition from military service to veteran status. Too often, transitioning servicemembers must repeatedly provide the same information, navigate disconnected systems, and advocate for benefits they have already earned.

If confirmed, what specific steps would you take during your first year to improve data sharing between DoD and VA, and how would those improvements translate into a more effective Transition Assistance Program and a smoother transition experience for servicemembers entering the VA system?

Response: The core problem is structural. Today, servicemember and Veteran data lives in disconnected systems that must transfer information between departments, a process that is slow, error-prone, and requires the servicemember themselves to repeatedly fill the gaps. The solution is not a better transfer mechanism. It is eliminating the need to transfer at all. If confirmed, I would pursue the development of a shared Enterprise Data Platform (EDP), a unified, trusted System of Record (SOR) spanning both DoW and VA. Rather than data moving between departments, the data simply exists in one governed, secure place, accessible to authorized users on both sides. When a servicemember transitions to Veteran status, their records are already there. When they move between active duty, reserve, and back to active duty, as so many do, their continuity of record follows them seamlessly. This approach does more than speed up service delivery; it strengthens data security and privacy by reducing the number of transfer points where data is vulnerable. And it fundamentally changes the transition experience, from one where servicemembers must advocate for themselves through a fragmented system, to one where a grateful nation says, "your record is ready, your benefits are identified, and we are here to serve you." If confirmed, establishing the vision and beginning the stakeholder alignment necessary to pursue this with DoW will be a first-year priority. I also view working with this Committee as an important way to advance it.

2. A recent VA Office of Inspector General report found that 13 of 15 reviewed VA medical facilities lacked critical call performance data for nearly one million veteran call attempts, including calls to radiology and mental health clinics. The OIG further reported that VA's Office of Information and Technology acknowledged it does not currently have a system capable of capturing call performance metrics for specialty clinics using individual or shared phone lines.

As the nominee to lead OIT, what is your plan to address this gap, and by what timeline should Congress expect VA to have visibility into key performance metrics across all clinical phone lines?

Response: As the son of a Veteran, I have personally experienced the frustration of trying to help my father navigate VA phone systems to schedule care. When a Veteran calls the VA, that call attempt should be visible, measurable, and accountable. I am aware that meaningful work is already underway in this administration to consolidate and simplify VA's phone systems. I recognize this as a foundational service that requires the attention of OIT senior management and look forward to providing this committee with regular progress reports.

PART I: ALL OF THE INFORMATION IN THIS PART WILL BE MADE PUBLIC

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
<u>Assistant Secretary of Veterans Affairs for Information and Technology</u>	<u>April 21, 2026</u>

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Gary	Wayne	Shatswell	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 810 Vermont Ave NW, Suite 1015B		
City: Washington (Home – Auburn)	State: DC (WA)	Zip: 20005 (98001)	City: Washington	State: DC	Zip: 20420

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>Check if Maiden Name</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
None					Est ☐	Est ☐
					Est ☐	Est ☐

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day)	Place of Birth
1969	Santa Clara, CA

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
☐	☒	☐	☐	☐	☐

<i>Spouse's Name (current spouse only)</i>			
<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>
Sarah	Ruth	Shatswell	

<i>Spouse's Other Names Used (current spouse only)</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>Check if Maiden Name</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
Sarah	Ruth	Holt		X	December, 1974 Est ☐	July, 1995 Est ☐
					Est ☐	Est ☐

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Julia	LaRen	Shatswell	
Elizabeth	Grace	Shatswell	
Garrison	David	Shatswell	

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college/correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
Jimmy Swaggert Bible College	College	September, 1987 Est ☐	June, 1988 Est ☐ Present ☐		
Northwest University	University	September, 1988 Est ☐	2002 Est ☒ Present ☐		
Northwest University	University	August, 2023 Est ☐	October, 2023 Est ☐ Present ☐	BA, Interdisciplinary Studies	October, 2023
		Est ☐	Est ☐ Present ☐		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other federal employment, State Government (Non- federal Employment), Self- employment, Unemployment, Federal Contractor, Non- Government Employment (excluding self-employment), Other	<u>Name of Your Employer/ Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Other Federal Employment	U.S. Department of Veterans Affairs	Senior Advisor	Washingt on, DC	December, 2025 Est ☐	Est Present ☐ X
Non-Government Employment	Unilever Prestige, Paula's Choice Skincare	Group CIO	Seattle, WA	January, 2017 Est ☐	November, 2025 Est ☐
Non-Government Employment	Sur La Table	Vice President, Information Technology	Seattle, WA	July, 2015 Est ☐	January, 2017 Est ☐
Non-Government Employment	Sizzling Platter	Chief Information Officer and Vice President of Marketing	Murray, UT	August, 2008 Est ☐	June, 2015 Est ☐
Non-Government Employment	Z-Corp	Chief Information Officer	Springvil le, UT	July, 2005 Est ☐	August, 2008 Est ☐
Self-Employment	God's Right Brain	Founder & CEO	Bothell, WA	July, 2003	June, 2005
Non-Government Employment	Getty Images	Senior Director, Technology Operations Services	Seattle, WA	January, 2001	November, 2003
Non-Government Employment	Compaq Computer Corporation	Service Delivery Director	Bellevue, WA	January, 1998	January, 2001
Non-Government Employment	Rho Company, Comforce	CIO & Information Services Director	Redmon d, WA	February, 1996	January, 1998
Non-Government Employment	TriForté	Training Manager	Kirkland, WA	July, 1995	January, 1996

Non-Government Employment	Safeco Insurance	Claims Agent	Redmond, WA	1994	Est X	July, 1995	
Self-Employment	Missionary	Missionary	Belgrade, Serbia	1993	Est X	1994	Est X
Non-Government Employment	Safeco Insurance	Claims Agent	Redmond, WA	1991	Est X	1993	Est X

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
None		Est ☐	Est ☐ Present ☐
		Est ☐	Est ☐ Present ☐
		Est ☐	Est ☐ Present ☐

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

None.

5. Memberships

List all memberships held in professional, social, business, fraternal, scholarly, civic, charitable, or other organizations in the last ten years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax-deductible donation of \$1,000 or less, Parent-Teacher Associations, or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate)	<u>Position(s) Held</u>
E4 Ministry Network Assemblies of God International Fellowship	~1997 to Present	Ordained Minister

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service</u> (if applicable)
None.			

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
None.			

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Tiffany Smiley	\$500.00	2024

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles or blog posts published on the Internet.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
GaryShatswell.com Several Articles	Self	April, 2014 – November, 2016
TheShatswells.net	Self	~2011

8. Public Statements

(A) List any testimony, official statements or other communications, including those made on the Internet including on social media or other digital content sites, relating to matters of public policy that you have issued or provided or that others presented on your behalf to public bodies or officials.

None.

(B) List any speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the dates and places where such speeches or talks were given.

None other than those on garyshatswell.com

(C) List all interviews you have given to newspapers, magazines or other publications, and radio or television stations (including the dates of such interviews).

Those on garyshatswell.com

While at Sizzling Platter (2008-2015), as VP of Marketing I was interviewed on the news several times representing our brands and events we were promoting.

While living in Belgrade, Serbia, I was briefly the Anchor for the English version of the news on the Belgrade Evening Report.

As a child through my early 20's, I was on the local TV station, KCSO in Modesto California performing as a singer in various groups.

9. Agreements or Arrangements

X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for:
(1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred

compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

10. Lobbying

Have you ever registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

No.

11. Testifying Before the Congress

(A) Do you agree to appear and testify before any duly constituted committee of the Congress upon the request of such Committee?

Yes.

(B) Do you agree to provide such information as is requested by such a committee in a timely and accurate manner?

Yes.

UNITED STATES SENATE
COMMITTEE ON VETERANS' AFFAIRS

ROOM 412 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
Telephone: (202) 224-9126

ADDENDUM
QUESTIONNAIRE
FOR PRESIDENTIAL NOMINEE
GARY SHATSWELL

The Rules of the U.S. Senate Committee on Veterans' Affairs require that a Presidential nominee whose nomination is referred to the Committee submit, on a form approved by the Committee, a sworn statement concerning his or her background and financial interests, including the financial interests of the nominee's spouse and children living in the nominee's household. The Committee form is in two parts:

- (A) Information concerning the employment, education, and relevant background of the nominee, which is made public; and
- (B) Information concerning the financial and other background of the nominee, which is made public only when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits this form unless the Chairman, with the concurrence of the Ranking Minority Member, waives the waiting period.

In order to assist the Committee in its consideration of nominations, the Committee requests that each nominee complete the attached Questionnaire for Presidential Nominees. The notarized original and any supplemental information should be delivered to:

Committee on Veterans' Affairs
United States Senate
Room 412, Russell Senate Office Building
Washington, D.C. 20510
Attention: Chief Clerk

1. ADDITIONAL COMMITTEE QUESTIONS

1. In the education section of Mr. Shatswell's questionnaire, he lists Northwest University twice. There is one entry displaying attendance from 1988-2002 and one entry displaying attendance from August, 2023 to October, 2023. The 2023 stint suggests it led to a BA while the first entry does not. On his LinkedIn profile, he has Northwest University listed once from 1987-1992.
 - Can he clarify the discrepancy, and if necessary, send in a corrected questionnaire?
 - I want to flag two corrections that have been made:
 - The 2002 date on the SVAC Questionnaire was a typographical error and should read 1992.
 - My LinkedIn profile reflected an incorrect year, which has been updated to 1988.
 - Some brief context may be helpful: The simplified format of a LinkedIn profile does not readily accommodate the full context of the timeline. I graduated high school in 1987 and initially attended college the following year, though that institution is not listed on my profile. I subsequently transferred to Northwest University; however, during my first year there, I began experiencing serious medical complications — spontaneous pneumothorax (collapsed lungs) — that resulted in six surgeries and eighteen collapses over five years, requiring me to withdraw from my studies on multiple occasions. I was ultimately unable to complete my degree at that time. I returned to my studies in 2023 and completed the remaining required coursework to earn my degree.
2. In Mr. Shatswell's financial disclosure paperwork, a President role at a non-profit is discussed. That role does not appear in the employment history addendum that he recently submitted.
 - Can he clarify the discrepancy, and if necessary, send in a corrected addendum?
 - I would like to clarify the nature of Humblefish, Inc. It is not a non-profit organization, but rather a startup venture focused on serving non-profits and their constituencies. I had been developing this project prior to joining the V/A and placed it on pause when I began my position on December 1, 2025. Because it generated no revenue and functioned as a side project during my tenure at Unilever Prestige, I inadvertently omitted it from the SVAC Questionnaire. I want to ensure full transparency and am happy to provide any additional information as needed.

**Nomination Material for
MICHAEL TIERNEY**

Statement of Michael Tierney
Nominee for
Assistant Secretary for Accountability and Whistleblower Protection
Department of Veterans Affairs (VA)
before the
Committee of Veterans' Affairs
United States Senate

Chairman Moran, Ranking Member Blumenthal, and Members of the Committee — thank you for the opportunity to appear before you today. It is a genuine honor. I want to begin by acknowledging my family members who are here with me today. My wife of 26 years, Margaret, and two of my children: my son Michael, a rising second class midshipman at the United States Naval Academy, and my younger daughter Caroline, a rising freshman at the University of California, Berkeley. My older daughter Madeleine is preparing for her graduation at The University of Chicago where she is a business economics major.

Thanks, also, to President Donald J. Trump and Secretary Douglas A. Collins for their confidence in me.

There is a quote often attributed to Sir Thomas More, the English lawyer and philosopher, that has relevance today: "In matters of law, morality aside, one must remember that the law itself is the foundation of justice, and all who practice it must not evade it." In the practice of being a lawyer, I was reminded daily of the importance of the principle to simply follow the law.

My legal career spans 30 years — first as a litigator, then as a corporate attorney and senior partner at a Philadelphia law firm, then as in-house counsel to the Federal Government. I have led large teams through complex, high-stakes matters. In one of my larger engagements, I managed a team of 40 lawyers through my client's successful \$560 million acquisition of Philadelphia's two major newspapers. I also represented the Delaware River Port Authority for more than 15 years, serving as senior outside counsel. Most recently, I have served as Deputy Legal Adviser at the U.S. Department

of State, and previously, as Acting General Counsel at the U.S. Agency for International Development. These legal roles – both in private practice and as an in-house attorney – have shaped my evolution as a lawyer.

The Office of Accountability and Whistleblower Protection (OAWP) holds a statutorily mandated leadership and oversight role under the VA Accountability and Whistleblower Protection Act of 2017. Besides oversight and policy guidance to VA's distinct Administrations, the office which I hope to lead is responsible for following defined procedures for handling whistleblower disclosures and senior leader misconduct.

Running an organization with over 400,000 employees delivering direct services to some 9 million Veterans involves one of the Federal Government's most demanding missions. Yet, despite the unique challenges VA faces, Veterans, taxpayers, and VA staff alike all deserve an accountability office that functions with integrity, independence, and genuine commitment to their interests. President Trump and Congress created this office in a bipartisan fashion to protect Veterans. As the President said at the time, "With the creation of this office, we are sending a strong message: Those who fail our Veterans will be held, for the first time, accountable. At the same time, we will reward and retain the many VA employees who do a fantastic job."

I undertake this pursuit with great respect for OAWP's history of conducting investigations and protecting whistleblowers. This opportunity represents something more than a career step – it is something very personal. My father and two oldest brothers were Veterans, and as I mentioned, my son will one day be a Veteran.

For this reason alone, if confirmed, I commit to this Committee, to all Veterans, and to all VA employees, that I will work relentlessly to continue to improve efficiency within OAWP's operations and processes. As President Lincoln stated in his second inaugural address near the end of the Civil War, the country's duty is "To care for him who shall have borne the battle, and for his widow, and his orphan." These words are inscribed near the entrance to VA headquarters. They are not a suggestion. They are a promise – one that every function of this Department, including OAWP, exists to keep. I will pursue that mission zealously and professionally.

Finally, if confirmed, I will work – in conjunction with this Committee – to continue to improve efficiency within OAWP's operations and processes and address all matters independently, with a commitment to accountability and transparency. Serving and respecting our Veterans is our country's most sacred obligation. I am grateful for this opportunity to appear before you, and I welcome your questions.

**Pre-Hearing Questions for Michael Tierney
Nominee for Assistant Secretary for the Office of Accountability and
Whistleblower Protection at the
U.S. Department of Veterans' Affairs
From Senator Jerry Moran
Chairman, Senate Committee on Veterans' Affairs**

April 24, 2026

1. Please detail the professional and personal experiences that you believe have prepared you to lead the Department of Veterans Affairs (VA) Office of Accountability and Whistleblower Protection (OAWP).

Response: Personally, I have developed a deep respect for the sacrifices that veterans and their families make, and I understand the importance of maintaining public confidence in the institutions designed to serve them. My father (WW II) and two brothers (Vietnam) are veterans and my son, a youngster (second year) at the U.S. Naval Academy, will one day be a veteran. Leading OAWP requires both operational discipline and commitment to fairness. I believe my experience balancing accountability with organizational improvement and effective communication has prepared me to strengthen trust within VA while ensuring whistleblowers are protected and misconduct is addressed.

My professional background has centered on leadership, accountability, oversight, and mission-focused public service. Throughout my career, I have worked in environments where trust, transparency, and ethical decision-making were essential to organizational success. I have experience navigating complex institutions, managing competing priorities, and ensuring that policies are implemented fairly and consistently.

2. What do you think are the most significant challenges facing VA? If confirmed, what would your highest priorities be and what would you intend to accomplish to help address those challenges?

Response: The most significant challenges facing VA include access to care, effective communication and outreach, timeliness, retention, modernization of systems, trust in institutional accountability, and ensuring consistent delivery of benefits across a large and complex organization. If confirmed, my priorities would include:

- Strengthening accountability structures to ensure veterans receive timely, high-quality healthcare and related services. Improving employee trust in reporting systems so concerns are surfaced early and efficiently
- Supporting coordination across VA offices to ensure problems are addressed quickly and professionally.
- Reducing unnecessary bureaucracy that slows decision-making and responsiveness.
- Finally, I would conduct field meetings to ensure that VA staff understand the role of OAWP and to gain their confidence with using OAWP as a resource.

Ultimately, the goal is to ensure veterans and their families receive the care, benefits, and support they earned without delays caused by internal inefficiencies.

3. What do you think are the most significant challenges facing OAWP? If confirmed, what would your highest priorities be and what would you intend to accomplish to help address those challenges?

Response: The most significant challenges facing OAWP are maintaining credibility, ensuring investigative independence, improving timeliness, and building trust among employees who may fear retaliation. If confirmed, my priorities would include:

- Ensuring investigations are conducted fairly, consistently, ~~and to the full scope of the law.~~
- Increasing transparency around OAWP processes and outcomes.
- Improving case-processing timelines to reduce delays.
- Strengthening whistleblower protections so employees feel safe reporting misconduct.
- Reinforcing OAWP's role as an independent accountability mechanism within VA.

A strong OAWP is essential not only for employee confidence but also for improving organizational performance across the Department.

4. What do you think is the appropriate role of VA in an average veteran's life and, if confirmed, how would you work to improve outcomes among the veterans, caregivers, survivors, and others who use VA health care, benefits, and services?

Response: VA should serve as a reliable partner in a veteran's life, particularly when veterans need access to healthcare, benefits, rehabilitation, mental health support, or long-term services. VA's role is not to replace personal independence but to ensure veterans receive the support they earned through service. If confirmed, I would work to

improve outcomes by supporting accountability systems that identify barriers that veterans face and ensuring concerns are addressed promptly. Accountability within VA ultimately translates into better care, faster services, and stronger trust from veterans their families and caregivers.

5. What do you think is the appropriate role of OAWP for VA employees and veterans, and, if confirmed, how would you work to improve employee satisfaction and productivity?

Response: OAWP should serve as both a safeguard and a trust-building mechanism. For employees, it should provide confidence that concerns can be raised without fear of retaliation. For veterans, OAWP should help ensure that misconduct or systemic failures affecting services are identified and corrected. If confirmed, I would focus on improving employee confidence in OAWP by emphasizing fairness, confidentiality, and consistency. A productive workforce depends on employees believing they can report concerns safely and that allegations will be reviewed objectively.

6. What do you see as the role of this Committee, specifically, and Congressional oversight, in general?

Response: Congressional oversight is essential to ensuring transparency, accountability, and responsible stewardship of taxpayer resources. This Committee plays a critical role in representing veterans' interests and ensuring that VA remains focused on its mission. Oversight should be viewed as a partnership that strengthens public trust. Open communication with Congress ensures that problems are identified early and corrective action is taken promptly.

7. If confirmed, will you commit to leveraging your position to increase the timeliness and accuracy of VA's responses to Congressional inquiries? If so, how? If not, why not?

Response: Yes. If confirmed, I would prioritize responsiveness to Congress by emphasizing clear internal timelines, coordination across offices, and accountability for meeting deadlines. I would also work to ensure responses are accurate, complete, and transparent so Congress can effectively conduct its oversight responsibilities.

8. If confirmed, will you commit to holding regular briefings, no less than quarterly, with Committee staff to provide updates on OAWP efforts and actions?

Response: Yes. Regular communication with Committee staff is important for maintaining transparency and ensuring Congress is informed about OAWP's work. If confirmed, I will support quarterly briefings to discuss trends, challenges, accomplishments, and ongoing priorities while strengthening collaboration between OAWP and the Committee.

9. If the Secretary, the White House, the Office of Management and Budget, the Office of Personnel Management, or other official entities are working on or issue a directive or guidance that you believe violates the law or could have an adverse impact on services and benefits for veterans, caregivers, and survivors, what would you do?

Response: I will follow the law.

10. Please describe your understanding of the purpose of OAWP. Do you anticipate making any changes to that purpose? If so, how and why? If not, why not?

Response: OAWP exists to promote accountability across VA while protecting employees who report wrongdoing. Its purpose is to investigate allegations of misconduct, particularly involving senior leaders, and ensure that whistleblowers are protected from retaliation. If confirmed, I do not anticipate changing OAWP's purpose. Instead, I would focus on strengthening execution of that mission by improving consistency, transparency, and confidence in its processes, as well as timely communication with this Committee.

11. Please describe your understanding of the current organizational structure of OAWP. Do you anticipate making any changes to the structure? If so, how and why? If not, why not?

Response: OAWP is designed to function as an independent accountability office within VA while coordinating with multiple oversight bodies, including the Office of Inspector General and Office of Special Counsel. Before considering structural changes, if confirmed, I would evaluate how the current framework is performing. My initial focus would be on improving efficiency, reducing duplication, and clarifying responsibilities.

12. The VA Accountability and Whistleblower Protection Act of 2017 (P.L. 115-41) requires reports to Congress in the event that the Secretary does not initiate a recommended disciplinary action made by OAWP. If confirmed, how will you work with the Secretary to ensure that law is consistently followed, and VA is fully transparent with Congress?

Response: If confirmed, I would ensure that OAWP has clear internal procedures to track disciplinary recommendations and document decisions made by the Secretary. Transparency with Congress is essential. I would work closely with VA leadership to ensure reporting requirements are consistently followed and that Congress receives timely, complete information.

13. How do you believe your work experience will correlate to your responsibilities, if confirmed, as the Assistant Secretary for OAWP?

Response: My experience has involved leadership, oversight, and managing accountability within complex organizations. I understand the importance of balancing fairness with decisive action. The Assistant Secretary role requires integrity, sound judgment, and the ability to foster trust across a large institution. My background has prepared me to lead with transparency and ensure accountability systems function effectively. As a partner at a large Philadelphia law firm, I managed many people – partners, associates, paralegals, and assistants. On one \$560 million matter, I managed a team of 40 attorneys to complete my client's acquisition.

14. VA employees should be confident they will not be retaliated against if they come forward with concerns or complaints about VA's senior leaders. If confirmed, what will you do to build VA employees' trust in the whistleblower process and guard against inappropriate disclosure and retaliation?

Response: Trust is built through consistency, confidentiality, and fairness. If confirmed, I would prioritize:

- Clear communication about reporting processes.
- Strong safeguards against retaliation.
- Training for managers and employees about whistleblower protections.
- Timely handling of complaints.
- Strict confidentiality standards.

Employees should feel confident that reporting concerns will not jeopardize their careers.

15. If confirmed, what strategies and policies would you put in place to promote proper engagement with the subjects of investigations to make certain that OAWP has the information needed to provide a fair disciplinary recommendation to the Secretary?

Response: Investigations must be objective, balanced, and thorough. Subjects of investigations should have opportunities to provide information, clarify facts, and respond to allegations. If confirmed, I would promote standardized procedures that ensure fairness while maintaining investigative independence. Strong investigative processes protect both whistleblowers and subjects of complaints.

16. The position you are nominated for is responsible for investigating senior leader misconduct, yet it also reports directly to the Secretary. That structure can create tension for employees reporting misconduct at the highest levels. What steps would you take, if confirmed, to maintain OAWP's independence throughout the investigative and decision-making process?

Response: Maintaining independence requires strong internal safeguards, professional integrity, and adherence to established investigative standards. If confirmed, I would ensure that investigative decisions are based on evidence and policy rather than external pressure. Transparency, documentation, and consistent procedures are critical to preserving credibility. I would also foster a culture where employees understand that OAWP's role is to follow facts wherever they lead.

17. OAWP is responsible for tracking and confirming the implementation of recommendations from audits and investigations carried out by VA's Office of Inspector General, VA's Office of the Medical Inspector, the Office of Special Counsel, and the U.S. Government Accountability Office. This is one of the most critical roles in the fulfillment of the Department's mission. What steps will you take to break through bureaucracy at the Department and facilitate the timely closure of open recommendations?

Response: The timely implementation of recommendations is critical to improving performance across VA. If confirmed, I would focus on:

- Establishing clear ownership and deadlines for corrective actions.
- Improving coordination across offices.

- Monitoring progress through regular reporting.
- Elevating unresolved issues to senior leadership when necessary.
- Encouraging a culture of accountability where recommendations are treated as priorities rather than administrative obligations.

Breaking through bureaucracy requires clear expectations, sustained follow-through, and leadership commitment.

**Pre-Hearing Questions for the Record
Nomination Hearing of Michael Tierney to be
Assistant Secretary for Accountability and Whistleblower Protection
Department of Veterans Affairs
From Ranking Member Richard Blumenthal
April 28, 2026**

1. Describe your background and qualifications to be Assistant Secretary for Accountability and Whistleblower Protection (OAWP) at the Department of Veterans Affairs (VA) and why you seek this position.

Response: My professional experience has centered on leadership, oversight, accountability, and mission-focused public service. Throughout my career, I have worked in environments where trust, transparency, and ethical decision-making were essential. I have experience navigating complex organizations, managing competing priorities, and ensuring that processes are implemented fairly and consistently. I seek this position because accountability and whistleblower protection are essential to maintaining trust within VA and ensuring that veterans receive the quality care and services they deserve. OAWP plays a critical role in protecting employees who raise concerns and ensuring misconduct is addressed appropriately.

2. Have you spoken to Secretary Collins about his expectation of what your role would be within his team? Please summarize your discussion and understanding of that role.

Response: Yes. My understanding from those discussions is that the Assistant Secretary for OAWP must serve as a leader focused on strengthening accountability, ensuring whistleblower protections are meaningful, and improving trust in internal oversight systems. I understand the role requires independence, professionalism, and close coordination with Department leadership while maintaining integrity in investigative and disciplinary processes.

3. Have you spoken to anyone at the White House about what your role would be within the Administration? If so, describe what was discussed.

Response: No.

4. Describe your management style and previous management experience, including the number of employees you supervised, and how it has prepared you to succeed in this position.

Response: My management style is collaborative, mission-driven, and grounded in accountability. I believe that strong leaders set clear expectations, encourage open communication, and create an environment where employees feel respected and empowered. In previous leadership roles, I have supervised teams, coordinated across organizations, and managed competing priorities. Those experiences reinforced the importance of fairness, transparency, and timely decision-making. As a law firm partner, I supervised associates, fellow partners, and paralegals. In one of my larger transactions, I supervised a team of 40 attorneys in a \$560 million acquisition.

5. Describe your interactions with whistleblowers in any of your previous professional employment positions and how that would inform your work leading OAWP.

Response: Throughout my career, I have understood the importance of individuals feeling safe in raising concerns. Employees who report wrongdoing play a critical role in identifying problems before they grow into larger failures. These experiences reinforced the importance of confidentiality, non-retaliation, and ensuring that employees trust reporting systems.

6. Describe your experience with investigating government agencies in any of your previous professional employment positions and how that would inform your work leading OAWP.

Response: My experience has included oversight, review of institutional processes, and evaluating compliance with standards and procedures. These responsibilities required careful fact-finding, objective analysis, and balancing accountability with fairness. Leading OAWP requires an evidence-based approach that focuses on process integrity and adherence to statutory responsibilities.

7. What are your top three specific and measurable goals if confirmed in this position and how would you achieve them?

Response: If confirmed my top three goals will be:

1. Reduce case-processing timelines by establishing clear performance metrics and accountability standards.
2. Improve employee trust in whistleblower protections through outreach, training, and transparency.
3. Strengthen coordination with oversight partners to ensure consistent handling of referrals and corrective actions.

These goals would be achieved through data tracking, process reviews, leadership engagement, and clear reporting mechanisms.

8. The Assistant Secretary for OAWP has a unique role as outlined in statute, performing certain enumerated functions assigned by the Secretary as well as being specifically distinct from VA's Office of General Counsel (OGC). Independence, from the Secretary, OGC, and other parts of VA in conducting the work of OAWP was clearly important for Congress when drafting this law. How will you approach ensuring that independence is maintained?

Response: Maintaining independence is essential to OAWP's credibility. If confirmed, I would ensure investigations are grounded in evidence, conducted according to established procedures, and insulated from improper influence. I would reinforce clear boundaries between OAWP and other VA entities, maintain transparent documentation, and prioritize statutory responsibilities over institutional pressure.

9. If confirmed, do you commit to communicating with this Committee if you believe your independence is being constrained, or your office is being interfered with, by any entity or individual inside or outside VA?

Response: Yes. If confirmed, I would remain committed to transparency with Congress. If I believed OAWP's independence was being improperly constrained or interfered with, I would take concerns seriously and communicate through appropriate channels consistent with all legal and ethical obligations.

10. What is your understanding of Non-Disclosure Agreements and when they may be appropriate for use by government agencies in unclassified settings?

Response: Non-Disclosure Agreements can be appropriate in limited circumstances to protect sensitive information, privacy, or ongoing investigative matters. However, NDAs should never be used to restrict lawful whistleblower disclosures, prevent employees from communicating with Congress, or discourage reporting misconduct. Government agencies must ensure any confidentiality agreements comply fully with whistleblower protection laws.

11. How do you anticipate building and maintaining a positive relationship with VA's Inspector General, who plays a key role in making sure taxpayer dollars are spent wisely and conducts a broad range of investigations into waste, fraud, and abuse?

Response: A strong working relationship with the Inspector General is critical to effective oversight. If confirmed, I would prioritize regular communication, clearly defined referral processes, and mutual respect for each office's statutory role. Collaboration should focus on reducing duplication, improving accountability, and ensuring investigations are handled by the appropriate authority.

12. A November 2025 Office of Inspector General (OIG) report highlighted 'significant deficiencies,' including OAWP's failure to refer serious criminal matters to OIG and OAWP's history of conducting investigations into matters it lacked authority to handle. What specific steps will you take to institutionalize a clear referral process and prevent the office from acting outside its statutory scope?

Response: If confirmed, I would establish clear written protocols defining when matters must be referred to OIG and ensure employees are trained on those requirements. I would also implement quality-control reviews and case-tracking systems to ensure referrals occur consistently and that OAWP remains within its statutory authority.

13. The same OIG report stated that OAWP failed to establish sufficient safeguards to prevent whistleblowers from being targets of retaliatory investigations and even cited an instance where OAWP itself initiated a retaliatory investigation. How will you change internal procedures to ensure OAWP is never used as a tool for retaliation by senior VA leaders?

Response: Preventing retaliation must be a core priority. If confirmed, I would implement safeguards requiring independent review before opening investigations involving whistleblowers, ensure documented justification for investigative actions, and strengthen oversight of case intake decisions. Employees must trust that OAWP exists to protect them—not expose them to additional risk.

14. How do you anticipate building and maintaining a positive relationship with the Office of Special Counsel (OSC), which assists in protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing?

Response: The Office of Special Counsel plays a critical role in protecting federal employees. If confirmed, I would prioritize collaboration through regular coordination, information sharing where appropriate, and clearly defined processes to ensure whistleblower cases are addressed consistently and efficiently. As an attorney, I am familiar and comfortable with the role of a special counsel. I have handled many employment-related matters for clients and was specially detailed to the State Department's HR office to assist and counsel on personnel matters.

15. A July 2025 Government Accountability Office (GAO) report found major discrepancies between OAWP and OSC data—for example, OSC records showed 90 settlements while OAWP records only showed 30 for the same period. If confirmed, how will you resolve these data gaps to ensure OAWP has an accurate and comprehensive view of whistleblower retaliation across the department?

Response: Reliable data is essential for accountability. If confirmed, I would prioritize reconciliation of existing reporting systems, establish shared definitions and reporting standards, and work closely with OSC to ensure data accuracy and consistency. A unified understanding of whistleblower activity is necessary for identifying trends and improving outcomes.

16. In that same report, the GAO found that VA reviews settlement agreements but does not monitor their actual implementation, such as whether back-pay was issued or a whistleblower was restored to their original position. How will you work with the Secretary to secure the authority and systems needed to ensure VA fulfills its legal obligations to whistleblowers?

Response: If confirmed, I would work to establish monitoring systems that track implementation of settlements beyond agreement signatures. This includes verifying actions such as back pay, reinstatement, or corrective measures to ensure VA fulfills its obligations to whistleblowers.

17. Describe any prior interactions with labor unions, whether public or private, and your experience in dealing with unions or employees who have collective bargaining rights. If confirmed, what will be your plan to work with employee unions?

Response: Throughout my career, I have understood the important role unions play in representing employees and promoting workplace fairness. If confirmed, I would maintain open communication with unions, engage respectfully, and recognize their role as important stakeholders in fostering a productive workforce.

18. If confirmed, how will you foster an environment that allows VA employees with concerns to feel comfortable expressing them to management and leadership?

Response: Employees must feel safe speaking up. If confirmed, I would focus on transparency, manager training, anti-retaliation protections, and visible leadership support for employees who raise concerns in good faith. Building trust requires consistent follow-through and demonstrating that reports lead to fair consideration.

19. Do you believe facility leadership can perform unbiased investigations into whistleblower complaints at their own facilities?

Response: No. Facility leadership may face challenges maintaining full objectivity when investigating matters within their own organizations. Whistleblower complaints often require independent review to ensure credibility, fairness, and employee trust in the process.

20. Do you agree that VA employees have an absolute right to petition or communicate with members of Congress and congressional staff about matters related to the Department and that right may not be interfered with or denied?

Response: Yes. Federal employees have the right to communicate with Congress regarding matters related to the Department, and that right should not be interfered with or restricted. Protecting that right is consistent with transparency, accountability, and whistleblower protections.

21. How do you plan to work with Congress in a bipartisan fashion, to ensure it is kept aware of challenges related to accountability and protecting whistleblowers in VA?

Response: If confirmed, I would approach Congress with openness, professionalism, and responsiveness regardless of party affiliation. Accountability and whistleblower protection are not partisan issues. Regular communication and transparency are essential to maintaining trust and ensuring Congress can effectively perform oversight.

22. If confirmed, do you agree to supply the Committee with such non-privileged information, materials, and documents as may be requested by the Committee in its oversight and legislative capacities?

Response: Yes. If confirmed, I would work to ensure the Committee receives appropriate non-privileged information, materials, and documents consistent with oversight responsibilities and applicable law.

**Ranking Member Blumenthal
Questions for the Record
Senate Veterans' Affairs Committee
"Hearing to Consider Pending Nominations"
Wednesday, June 3, 2026**

Questions for Michael Tierney, Nominee to be Assistant Secretary of Veterans Affairs for the Office of Accountability and Whistleblower Protection:

1. What criteria does someone have to meet to be an official, protected whistleblower of the Department of Veterans Affairs?

Response: A protected whistleblower is a current or former VA employee, or an applicant for employment with VA, who has made a qualifying disclosure, meaning a disclosure the employee reasonably believes evidences a violation of law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety. The reasonable belief standard does not require the employee to be correct, only that a reasonable person in the same circumstances could reach the same conclusion. VA employees may file disclosures directly with OAWP, with the Office of Special Counsel, or with Congress, among other channels, and retain protections regardless of which avenue they choose.

2. How is VA's Office of Accountability and Whistleblower Protection (OAWP) different from and similar to the Office of Special Counsel?

Response: Both OAWP and OSC receive and investigate whistleblower retaliation complaints from VA employees, and both play a role in protecting federal employees who report wrongdoing. However, they differ in important ways.

OSC is an independent federal agency that enforces whistleblower protections and certain other actions for current and former federal employees and applicants for federal employment. OSC has the authority not only to investigate but also to seek corrective action through the Merit Systems Protection Board on behalf of an employee or former employee. OAWP, by contrast, receives, reviews, and investigates allegations made by VA employees and applicants for employment of whistleblower retaliation by VA supervisory employees and certain VA senior leaders, and has statutory authority to investigate such allegations and make recommendations to the Secretary for disciplinary action.

A key structural distinction is independence: OSC is external to VA and operates as an independent prosecutorial agency, while OAWP sits within VA and reports to the Secretary. Since VA employees can file retaliation complaints with either entity, some lawmakers and oversight bodies have noted the overlapping nature of these offices. If confirmed, I look forward to working with this committee and OSC to ensure the two offices complement each other.

- 3. If you received a report that a VA employee spoke out against the President in a wholly private capacity without any indication of their employment by the Department, how would you handle that report?**

Response: OAWP would assess the content of the communication to determine whether the employee disclosed any sensitive government information or breached any VA policy or confidentiality agreement. If the speech was entirely private and bore no nexus to the employee's VA role, there would be no basis for OAWP action, and the matter would be closed. OAWP's jurisdiction is limited to matters involving VA employment; purely private political speech by a citizen does not fall within that mandate.

If the content of the VA employee's speech constituted a threat to harm the President under federal law, specifically 18 U.S.C. § 871, it is a crime for any individual to knowingly and willfully make a threat against the President and this would be investigated by the U.S. Secret Service in coordination with the FBI and U.S. Attorney's Office.

- 4. In your time at the Department of State or the United States Agency for International Development, were you involved in any way with reduction in forces processes or court cases related to reductions in force?**

Response: No.

- 5. At any point in this nomination process have you been given the indication you were nominated as part of an effort to effectively dismantle OAWP?**

Response: No.

- a. In your opinion, are any of OAWP's responsibilities or authorities unnecessary or redundant?**

Response: While I have not yet had the opportunity to evaluate the office from inside VA, I believe OAWP is an essential part of ensuring accountability within the Department. I do not see that duty as unnecessary. However, if confirmed, I will complete a 60-to-90-day review of internal OAWP processes, and should I find any opportunities for improvement, I would be pleased to discuss this with this committee and the Office of the Secretary.

- 6. If a Congressional office received a report from a VA employee whistleblower and staff reached out to the Department to flag this issue for review, is that Congressional office obligated to provide the Department with the name or role of the employee?**

Response: No, and it could only do so with that employee's consent.

- a. Is it appropriate for the Department to ask the Congressional office for the name of the whistleblower?**

Response:

It depends on whether the employee has requested anonymity. Additionally, when safety concerns are raised, VA may seek clarifying information to ensure such concerns are swiftly addressed. A Congressional office could also voluntarily share information with the employee's consent in an effort to assist VA in understanding and addressing an underlying concern.

7. If VA has required an employee to sign a non-disclosure agreement (NDA), would that employee be violating such an agreement if they subsequently reported concerns about the Department through the proper whistleblower channels?

Response: No. By law, NDAs cannot be used to prevent an employee from making a protected whistleblower disclosure. The Whistleblower Protection Enhancement Act of 2012 requires that any non-disclosure agreement include language making clear that the NDA does not supersede, conflict with, or otherwise alter the employee's obligations, rights, or liabilities created by existing statute or Executive Order relating to, among other things, whistleblower protection (and if such language is not in the NDA, the statute instructs a presumption that it is). This is also reinforced on VA's public website. An employee who reports through proper whistleblower channels does not violate a valid NDA.

8. If the Secretary, President, or other official asked you to open an investigation against someone who had signed an NDA but then reported concerns to Congress, how would you handle that?

Response: I don't think anyone in the administration would ask for that, because reporting concerns to Congress through proper whistleblower channels is expressly protected by law and cannot be restricted by an NDA.

9. If you are asked by the Secretary or other executive branch or VA leadership to sign an NDA, will you?

Response: The content and subject matter of the NDA would be determinative. Any NDA would need to comply with the statutory requirements described above, including preserving my ability to communicate with Congress and to make protected disclosures.

10. If you received substantiated evidence that a Senate-confirmed appointee had harassed or retaliated against a whistleblower at the Department, how would you handle that report?

Response: I would ensure that the matter proceeds through the full OAWP investigatory process without interference, and that any recommendation resulting from a substantiated finding is transmitted directly to the Secretary as appropriate.

11. There are a number of open recommendations for OAWP from GAO; what is your plan and timeline to address them?

Response: If confirmed, I will review each open GAO recommendation and consult with appropriate VA leadership who have relevant expertise in those subject areas. I would aim to address as many matters as possible within 60-to-90 days of confirmation.

12. If confirmed, how will you measure whether whistleblower complaints are being resolved effectively and fairly? What metrics will you use?

Response: If confirmed, I intend to develop metrics that assess timeliness, outcomes, and consistency. Such metrics would include: 1) average time to resolution by complaint type; 2), the rate at which whistleblower complaints investigated by OAWP/VA result in substantiated findings; 3), the rate of substantiated findings with disciplinary recommendations and whether those recommendations are acted upon by the Secretary; 4), and whether corrective actions are implemented and tracked.

13. Do whistleblowers or individuals under investigation by OAWP have a right to request that a representative of their choosing be present during interviews or disciplinary proceedings? Will you uphold these rights?

Response: Yes, to both questions.

**Senator Thom Tillis
Questions for the Record
Senate Veterans' Affairs Committee
Hearing to Consider Pending Nominations
June 3, 2026**

Questions for Michael Tierney, Nominee to be Assistant Secretary of Veterans Affairs for Accountability and Whistleblower Protection, U.S. Department of Veterans Affairs

1. The Office of Accountability and Whistleblower Protection (OAWP) is responsible for investigating misconduct, protecting whistleblowers, and tracking implementation of recommendations from oversight entities across the Department.

From your perspective, what distinguishes an accountable organization from one that is merely compliant, and what steps would you take to ensure accountability becomes part of VA's culture rather than simply a response to oversight findings?

Response: The primary difference between an accountable organization and one that is merely compliant is orientation: a compliant organization responds to findings after problems are identified and documented; an accountable organization has built internal norms so that employees at every level feel both obligated and safe to surface problems before they become findings. Compliance is reactive. Accountability is proactive and cultural.

For OAWP specifically, this distinction is built into the statute. Under 38 U.S.C. § 323, OAWP is charged not only with investigating specific complaints but with conducting data analytics and identifying trends so that VA can proactively address areas of potential concern — a mandate for prevention, not just response. An office that only opens files when complaints arrive is doing compliance; an office that analyzes patterns, reports them to the Secretary, and drives corrective action before problems metastasize is exercising accountability.

If confirmed, a first step toward embedding accountability into VA's culture would be education — meeting with senior VA leadership across the country, including at facilities in more rural areas, to understand better how accountability is actually functioning day to day at the frontline level, not just as described in headquarters briefings. It is important to hear directly from employees who have considered reporting and did not and to understand why.

Beyond that listening phase, I would pursue several specific steps. First, the VA Accountability and Whistleblower Protection Act of 2017 requires VA to develop supervisory performance criteria that promote the protection of whistleblowers and improve how reported concerns are addressed and how whistleblowers are treated. I would examine whether or not those criteria are being meaningfully applied in performance evaluations or are being treated as checkbox language and push to make them substantive if necessary. A supervisor's actual record on whistleblower treatment should bear on their ratings and advancement. Second, I would seek to ensure OAWP is conducting regular Whistleblower Protection Reviews — the non-investigative reviews it is statutorily authorized to conduct — to evaluate the reporting culture at VA facilities and give employees a direct voice. These reviews evaluate the whistleblower reporting culture at VA facilities or offices, providing a voice for employees and feedback for leaders in order to promote a culture of trust, transparency, and accountability. Third, I would strive to use regular, plain-language messaging from OAWP and senior VA leadership to reinforce that reporting is expected, protected, and acted upon. In my professional experience, an organization's culture follows what leadership consistently signals, rewards, and enforces.

2. Accountability cannot be limited to investigating misconduct after problems occur. If confirmed, what specific steps would you take to ensure accountability is embedded throughout VA, from frontline employees to senior leaders, and how would you leverage technology and performance metrics to track whether the Department is becoming a more accountable organization?

Response:

Central to this question, in my view, is one of OAWP's most important and currently underdeveloped functions: using data to drive systemic improvement rather than simply counting cases.

My first step would be an honest assessment of what OAWP's data currently shows and, critically, what it cannot show. One cannot effectively manage what one does not measure; and, similarly, OAWP cannot successfully protect whistleblowers if the office does not know whether the corrective actions recommended were ever carried out.

If confirmed, I would prioritize the following: On data integrity, I would immediately engage VA's Office of Information and Technology to understand what systems OAWP currently uses, where data is lost or siloed, and what infrastructure investments are needed to close any gaps. I would also work to establish coordination with OSC so that settlement and outcome data is reconciled across both offices rather than tracked in parallel and incompatible systems.

Regarding metrics, the development of dashboard tracking system would be a valued management tool. Tracking actual time between procedural steps: time from complaint intake to closure, disaggregated by case type; rate of substantiated findings; the rate at which the Secretary accepts disciplinary recommendations and the rate at which recommended discipline is actually imposed; and post-closure follow-up confirming that corrective actions were implemented. OAWP is already statutorily required to track and confirm recommendations from the OIG, OMI, OSC, and GAO so that deficiencies do not recur — my goal would be to make that tracking function visible, rigorous, and reported regularly to this committee.

Regarding embedding accountability from frontline to senior leadership, my goal would be to ensure the supervisory performance criteria required under the 2017 Act are treated as meaningful rather than nominal, expand the use of OAWP's Whistleblower Protection Reviews at facilities across the country, and pursue training that reaches employees well before they find themselves in a situation where they must decide whether to report. Office-wide accountability requires that every VA employee — not just those at headquarters — understands what OAWP is, how to use it, and that the system will work for them when they do.

Senator King
Questions for the Record
Senate Veterans' Affairs Committee
Nominations Hearing
June 3, 2026

Questions for Michael Tierney

1. Mr. Tierney, can you please provide some additional clarification on your role at the US Agency for International Development (USAID). On January 20, 2025, President Trump issued an Executive Order to reevaluate and realign US foreign aid programs; four days later, a stop work order was issued for foreign assistance awards, though later limited waivers were issued for life-saving humanitarian assistance and PEPFAR. On January 27, a review of USAID began and, on that date, many senior career USAID staff were placed on leave and hundreds of other staff were let go. On February 2, the USAID website was taken offline, and on February 3, Secretary of State Marco Rubio was named Acting USAID Administrator and the physical office building in DC was closed. That same day, Secretary Rubio notified Congress of the official intent to review USAID. On February 20, at the Conservative Political Action Conference, Elon Musk stood on stage and waved a chainsaw, saying "This is the chainsaw for bureaucracy!" Many lawsuits followed, and on March 10, the administration announced the six-week review of USAID had been completed and that 83% of the programs had been terminated. On March 28, the administration notified Congress of their intent to fold some functions of USAID into the Department of State and discontinue the remaining functions—ending the agency as we knew it—and on the same day, notified the remaining staff they would be subject to a final reduction in force (RIF).
- a. On your employment history, you state you began working at USAID as a Deputy/Acting General Counsel in March 2025. What date exactly did you start this role?

Response: I started at USAID on March 10, 2025.

- b. Can you please describe in detail what your role entailed during your seven months at USAID? Were you involved in the RIFs or shutting down programs at USAID (as the lead decisionmaker or otherwise)?

Response: My role at USAID was to run its legal function and to manage its team of attorneys. I was not involved in any RIFs or the shutting down of any programs at USAID, either as lead decision-maker or otherwise.

c. During the hearing, I asked you if you were at the agency when Elon Musk fed USAID into the woodchipper, and you answered no; when I clarified, asking if you were there during the period of the dismantling, you said no again. But as detailed above, the official notification to Congress that the agency would be terminated came on March 28 and the doors officially closed in July—you stated you were employed at the agency starting in March through October.

i. Can you please reconcile your answer to me in the hearing and the facts as they appear? Were you at USAID during its dismantling?

Response: I began working at USAID on March 10, 2025, and I had no involvement with any RIFs or the shutting down of any USAID programs.

d. You stated you worked at USAID until October 2025, but on July 1, 2025, Secretary Rubio announced the agency was officially shut down—how were you working for an agency that didn't exist for another four months? Again, please detail what you worked on at USAID from July 1, 2025, until you left in October 2025?

Response: From March 10, 2025, to October 6, 2025, I had the same role at USAID, that is, to run its legal function and manage its attorneys.

PART I: ALL OF THE INFORMATION IN THIS PART WILL BE MADE PUBLIC

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
Assistant Secretary of Veterans Affairs for the Office of Accountability and Whistleblower Protection	April 13, 2026

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Michael	Joseph	Tierney	Sr.

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 2201 C Street, NW		
City: Berwyn	State: PA	Zip: 19312	City: Washington	State: DC	Zip: 20520

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>Check if Maiden Name</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
None					Est ☐	Est ☐
					Est ☐	Est ☐

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day)	Place of Birth
1967	Bryn Mawr, PA

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
☐	☒	☐	☐	☐	☐

<i>Spouse's Name (current spouse only)</i>			
Spouse's First Name	Spouse's Middle Name	Spouse's Last Name	Spouse's Suffix
Margaret	Keene	Tierney	

<i>Spouse's Other Names Used (current spouse only)</i>						
First Name	Middle Name	Last Name	Suffix	Check if Maiden Name	Name Used From (Month/Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
Margaret	LaSalle	Keene		☐	Est 5/72	Est 9/20
					Est ☐	Est ☐

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Madeleine	LaSalle	Tierney	
Michael	Joseph	Tierney	Jr.
Caroline	Grace	Tierney	

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college/correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
Delaware Law School	Law School	9/89 ☐ Est ☐	Present ☐ 5/93 Est ☐	JD	1993
Denison University	University	9/85	5/89	BA	1989
The Episcopal Academy	High School	5 ☐ Est 9/7	Est 5/85 ☐ Present ☐	HS degree	1985
		Est ☐	Est ☐ Present ☐		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other federal employment, State Government (Non-federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Federal government	U.S. Department of State	Deputy Legal Adviser	Washington D.C.	Est 10/2 ☐	Est Present ☐ present
Federal government	U.S. Agency for International Development	Deputy/Acting General Counsel	Washington D.C.	Est 3/25 ☐	Est 10/2 ☐
Private practice	Berwyn Group	CEO	Radnor, PA	Est 9/23 ☐	Est 3/25 ☐
State government	Commonwealth of PA	Deputy General Counsel	Harrisburg, PA	Est 5/23 ☐	Est 9/23 ☐
Law firm	Dilworth Paxson LLP	Partner	Philadelphia, PA	Est 9/05 ☐	Est 5/23 ☐

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
None		Est ☐	Est Present ☐ present
		Est ☐	Est Present ☐ present
		Est ☐	Est Present ☐ present

4. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

5. Memberships

List all memberships held in professional, social, business, fraternal, scholarly, civic, charitable, or other organizations in the last ten years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax-deductible donation of \$1,000 or less, Parent-Teacher Associations, or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate)	<u>Position(s) Held</u>
Naval Academy Club	9/24 - present	Member
The University of Chicago Quadrangle Club	9/23 - present	Member

6. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service</u> (if applicable)
No			

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
None			

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
None		

7. Publications

List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles or blog posts published on the Internet.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
None		

8. Public Statements

(A) List any testimony, official statements or other communications, including those made on the Internet including on social media or other digital content sites, relating to matters of public policy that you have issued or provided or that others presented on your behalf to public bodies or officials.

(B) List any speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the dates and places where such speeches or talks were given.

(C) List all interviews you have given to newspapers, magazines or other publications, and radio or television stations (including the dates of such interviews).

None

9. Agreements or Arrangements

☐X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

10. Lobbying

Have you ever registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).
No

11. Testifying Before the Congress

(A) Do you agree to appear and testify before any duly constituted committee of the Congress upon the request of such Committee? Yes

(B) Do you agree to provide such information as is requested by such a committee in a timely and accurate manner? Yes

UNITED STATES SENATE
COMMITTEE ON VETERANS' AFFAIRS

ROOM 412 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
Telephone: (202) 224-9126

ADDENDUM
QUESTIONNAIRE
FOR PRESIDENTIAL NOMINEE
MICHAEL TIERNEY

The Rules of the U.S. Senate Committee on Veterans' Affairs require that a Presidential nominee whose nomination is referred to the Committee submit, on a form approved by the Committee, a sworn statement concerning his or her background and financial interests, including the financial interests of the nominee's spouse and children living in the nominee's household. The Committee form is in two parts:

- (A) Information concerning the employment, education, and relevant background of the nominee, which is made public; and
- (B) Information concerning the financial and other background of the nominee, which is made public only when the Committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits this form unless the Chairman, with the concurrence of the Ranking Minority Member, waives the waiting period. In order to assist the Committee in its consideration of nominations, the Committee requests that each nominee complete the attached Questionnaire for Presidential Nominees. The notarized original and any supplemental information should be delivered to:

Committee on Veterans' Affairs
United States Senate
Room 412, Russell Senate Office Building
Washington, D.C. 20510
Attention: Chief Clerk

Revised January 2025

1. ADDITIONAL COMMITTEE QUESTIONS

- (A) List the type of employment, name of employer, most recent position title/rank, location, date employment began, and date employment ended for the following positions:

U.S. Department of State, Deputy Legal Adviser, Washington D.C., 10/25-present

U.S. Agency for International Development, Deputy General Counsel, Washington D.C., 3/25-10/25

Berwyn Group, CEO, Radnor, PA, 9/23-3/25

PA Department of Community and Economic Development, Deputy General Counsel, Harrisburg, PA, 5/23-9/23

Dilworth Paxson LLP, Philadelphia, PA, Partner, 9/05-5/23

Commerce Bank, Mt. Laurel, NJ, President of Commerce Bank Foundation, 9/02-9/05

Pepper Hamilton LLP (now Troutman Pepper Locke), Senior Associate, Philadelphia, PA, 9/99-9/02

Montgomery McCracken LLP, Associate, Philadelphia, PA, 9/95-9/99

U.S. District Court for the Eastern District of Pennsylvania, Law Clerk, Philadelphia, PA, 1/93-9/95