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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

October 23, 2015

The Honorable Beth Cobert  
Acting Director  
Office of Personnel Management  
1900 E St. NW  
Washington, DC 20415

Dear Acting Director Cobert:

A recently published Veterans Affairs (VA) Office of Inspector General (OIG) report<sup>1</sup> has alleged that senior VA employees acted improperly by orchestrating job openings, steering themselves into the new positions at higher salaries than their predecessors, and reaping large relocation payments to move to begin employment in these new jobs. These are serious allegations, which led to the VA OIG making criminal referrals to the U.S. Attorney's Office regarding the actions of two VA officials. We ask your assistance in understanding what procedures are in place to prevent the abuse of taxpayer dollars in both the federal employment and relocation process.

Specifically, according to the OIG report, Diana Rubens arranged her own re-assignment from her post as Deputy Under Secretary for Field Operations in Washington, D.C. to that of Director of the Philadelphia and Wilmington VA Regional Offices in June 2014. During her transition to her new position, Ms. Rubens allegedly billed the VA \$274,019 for her move to Philadelphia and to arrange for new housing. Additionally, the OIG found that Kimberly Graves, working in concert with Ms. Rubens, left her position as the Director of the Veterans Benefits Administration's Eastern Area Office in Philadelphia last October to become director of the St. Paul, Minn., VA regional office. She charged the VA \$129,467 for her moving expenses.

The OIG's allegations that these two VA officials orchestrated transfers as a means to bill the federal government hundreds of thousands of dollars of taxpayer dollars is deeply troubling. In addition, the House Committee on Veterans' Affairs just this week issued the first subpoena in the Committee's history to compel Ms. Rubens and Ms. Graves to testify on these issues.<sup>2</sup>

The VA OIG's report raises significant questions on how these types of situations are handled across the federal government. Accordingly, we ask:

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<sup>1</sup> U.S. Department of Veterans Affairs, Office of the Inspector General, Veterans Benefits Administration Administrative Investigation: Inappropriate Use of Position and Misuse of Relocation Program and Incentives, 15-02997-526, <http://www.va.gov/oig/pubs/VAOIG-15-02997-526.pdf>.

<sup>2</sup> *Business Meeting: Motion to issue subpoenas to employees of U.S. Department of Veterans Affairs, to compel them to appear and provide testimony to the House Committee on Veterans' Affairs on the Inspector General's final report, entitled "Inappropriate Use of Position and the Misuse of the Relocation Program and Incentives" Before the H. Comm. on Veterans' Affairs, 114th Cong. (2015).*

1. What safeguards are in place to prevent this type of manipulation of the federal employment process from occurring across the federal government?
  - a. In your best estimate, were they followed in the cases of Ms. Rubens and Ms. Graves? If not, why not?
  - b. What could have caused existing safeguards to fail in the VBA?
  - c. Are there additional processes and procedures that could be put into place government-wide to prevent abuses of the federal employment process like those uncovered by the VA OIG from occurring?
2. Is there a role for the Office of Personnel Management in providing oversight that could prevent these types of occurrences?
3. Understanding that the General Services Administration is charged with implementing federal policies regarding employee relocation and the reimbursement of relocation expenses, is there or should there be a role for OPM in setting reimbursement requirements?
4. Please describe what procedures exist at OPM or at other federal agencies to identify exorbitant relocation costs and prevent them from being reimbursed. Specifically:
  - a. What is done to recoup relocation overpayments deemed to be inappropriate?
  - b. Are there best practices OPM can recommend to help agencies prevent reimbursement of relocation overpayments and recoup fraudulent relocation overpayments?

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of the Government.”<sup>3</sup> Additionally, S. Res. 73 (114th Congress) authorizes the Committee to examine “the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.”<sup>4</sup>

If you have any questions about this request, please contact [REDACTED] of Chairman Johnson’s staff at [REDACTED] and [REDACTED] of Ranking Member Carper’s staff at [REDACTED].

Thank you for your attention to this matter. We look forward to receiving your response.

With best personal regards, we are

Sincerely yours,

  
Ron Johnson  
Chairman

  
Thomas R. Carper  
Ranking Member

<sup>3</sup> S. Rule XXV (k); *see also* S. Res. 445, 108th Cong. (2004).

<sup>4</sup> S. Res. 73 § 12, 114th Cong. (2015).