

FOIA and the VA

Through FOIA, we have learned about numerous persistent problems at the Department of Veterans Administration. FOIA-based coverage of the VA has also revealed the limits of the FOIA.

FOIA serves an essential tool to uncover problems in government. Following are only a few examples:

- **Training materials depicting a veteran seeking benefits as “Oscar the Grouch.”** (“VA ‘Oscar the Grouch’ training angers vets,” Philadelphia Inquirer, August 28, 2014; http://articles.philly.com/2014-08-28/news/53290072_1_va-office-veterans-affairs-philadelphia-va);
- **Hundreds of adverse events which “resulted in or [were] reasonably expected to result in death or serious injury,”** occurred in the 2013 fiscal year at VA hospitals. (“Over 500 Grievous Injuries or Deaths at VA Hospitals in 2013,” Washington Free Beacon, July 17, 2014; <http://freebeacon.com/issues/over-500-grievous-injuries-or-deaths-at-va-hospitals-in-2013/>);
- **Two years before long wait times at the VA came to public attention, the VA tried unsuccessfully to end the practice of keeping false wait-time statistics.** (“VA brass knew of false data for 2 years,” USA Today, June 24, 2014; <http://www.usatoday.com/story/news/nation/2014/06/22/va-brass-knew-of-false-data-for-2-years-/11224899/>);
- **Official VA data showing that in at least 3 of 5 cases the VA failed to meet its goal of treating patients within fourteen days.** (“Fraud may mask true wait times for vets seeking care,” USA Today, June 3, 2014; <http://www.usatoday.com/story/news/nation/2014/06/02/shinseki-wait-times-scandal-health-delay-veterans/9772575/>);
- **A Pittsburgh VA official advised against voluntarily disclosing information about a deadly outbreak of Legionnaires’ disease among veterans.** The agency was also slow to cooperate with the CDC in the matter (“VA official: Don’t tell until asked about Legionnaires’ outbreak among veterans,” Pittsburgh Tribune, May 11, 2014; <http://triblive.com/news/alleggheny/6069373-74/cdc-outbreak-cowgill#axzz31cRALiQH>);

But FOIA has its limits.

- **It took the VA a year to respond** to the FOIA request about the Legionnaires’ outbreak. (“VA records contradict testimony by agency leaders to Congress,” May 10, 2014; <http://triblive.com/news/alleggheny/5932378-74/pittsburgh-system-moreland#axzz3PNYxjy7R>);
- **The Miami Herald had to sue** for VA records revealing uneven disability payments (“Discharged and dishonored: Shortchanging America’s veterans,” March 6, 2005; <http://www.mcclatchydc.com/2005/03/02/11169/vas-red-tape-squelches-veterans.html>).