

# EMPOWER OVERSIGHT

*Whistleblowers & Research*



January 29, 2025

Council of the Inspectors General on Integrity and Efficiency  
Attn: Integrity Committee  
Kimberly A, Howell, Chairperson  
1750 H Street, NW, Suite 400  
Washington, DC 20006

Dear Chair Howell:

## INTRODUCTION

Empower Oversight Whistleblowers & Research (“Empower Oversight”) is a nonpartisan, nonprofit educational organization, which is dedicated to enhancing independent oversight of government and corporate wrongdoing. It works to help insiders safely and legally report waste, fraud, abuse, corruption, and misconduct to the proper authorities, and seeks to hold those authorities accountable to act on such reports by, among other means, publishing information concerning the same.

This letter serves as a formal complaint against the Department of Veterans Affairs (VA) Office of Inspector General (OIG) for its failure to preserve critical investigative exhibits as required by federal law. This failure has undermined ongoing efforts to ensure accountability and transparency regarding serious allegations of misconduct.

## BACKGROUND

Since 2021, Empower Oversight and others have been actively working to address whistleblower complaints involving conflicts of interest at the VA. These complaints center on allegations of improper relationships between the VA and Veterans Education Success (VES), as well as the lack of cooperation from VES during the VA OIG’s investigation. The VA OIG’s March 24, 2022, report (Report No. 21-02076-119) detailed these conflicts and the refusal of three key witnesses to fully cooperate with its inquiry. The report outlined whistleblower allegations of conflicts of interest and revealed that Charmain Bogue, the senior VA official at the center of the probe, resigned before the OIG’s work was completed. This resignation shielded her from further questioning, as the OIG could not compel testimony from former employees at the time. The report also disclosed that Ms. Bogue’s husband, Barrett Bogue, who served as senior communications advisor to VES, and VES President Carrie Wofford, similarly refused to testify.

Despite these serious findings, efforts by Empower Oversight and others, including Senator Charles E. Grassley, to uncover the full extent of the misconduct have been obstructed for more than two years. Freedom of Information Act (FOIA) requests have exposed numerous communications involving senior VA officials, including then-Chief of Staff Tanya Bradsher, but no one has been held accountable. Meanwhile, the advocacy organization implicated in the unethical dealings continues to collaborate with the VA.

Further compounding these challenges, the VA OIG failed to retain or produce more than 800 critical investigative exhibits referenced in the investigation transcripts. These records are essential to uncovering the truth and vindicating whistleblowers. VA OIG had obligations under federal law to preserve or disclose them. Its refusal to follow the law obstructs ongoing FOIA litigation by members of the public. Gary Aguirre is an attorney representing one such FOIA requester. A letter from Mr. Aguirre to the VA OIG is attached to this complaint. It details the legal obligations to preserve these records and the significance of their absence in obstructing transparency and accountability.

### CONCLUSION

The OIG's actions raise serious concerns about its refusal to comply with federal statutes and regulations, including:

- **18 U.S.C. § 2071:** Willful concealment or destruction of federal records.
- **44 U.S.C. § 3101 & § 3106:** Obligations to preserve and notify the National Archives of potential record destruction.
- **36 C.F.R. § 1230.10 & § 1230.14:** Prohibitions against unauthorized destruction of records and requirements to report such destruction.

Accordingly, Empower Oversight respectfully requests that the CIGIE Integrity Committee conduct a thorough investigation into the VA OIG's failure to ensure compliance with federal laws and preserve investigative exhibits.

Cordially,

[/Tristan Leavitt/](#)  
Tristan Leavitt  
President

ENCLOSURE

CC: Senator Charles E. Grassley  
Attorney Gary Aguirre