



DEPARTMENT OF VETERANS AFFAIRS  
**OFFICE OF INSPECTOR GENERAL**

*Office of Investigations*

VETERANS HEALTH ADMINISTRATION

Alleged Improper Use of  
Personal Email and Misuse  
of Travel Funds

Washington, DC



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The VA Office of Inspector General (OIG) Administrative Investigations Division investigated an allegation that an employee within the Veterans Health Administration National Center for Ethics in Health Care, Washington, DC, used personal email to conduct VA business for an extended period in disregard of federal law. In addition, the complainant alleged that the employee espoused the view that the government should pay for the employee's travel home to the Northeast, even though the employee's duty station was Washington, DC.

The OIG did not substantiate the allegations.

To assess the allegations, the OIG interviewed the employee and other VA employees with relevant knowledge or information. The OIG reviewed email, personnel records, and travel records as well as federal laws, regulations, and VA policy.

Federal regulations require the following when personal email is used for official purposes:

Any officer or employee of an executive level agency may not create or send an email message using a non-government official electronic email system unless either of the following conditions are met: (a) the email is immediately sent to another official government email account or; (b) the complete copy of the email is forwarded to a government email account within 20 days of the original creation or transmission of the email record. The intentional violation of this act shall be a basis for disciplinary action.<sup>1</sup>

Federal regulations further require the following for official travel:

Employees are eligible for payment of transportation expenses when performing official travel, including authorized transportation expenses incurred within the TDY [temporary duty] location.<sup>2</sup> However, the agency will not pay for excess costs resulting from circuitous routes, delays, luxury accommodations or services that are unnecessary or unjustified in the performance of official business.<sup>3</sup> An employee who travels by an indirect route for personal convenience is limited to reimbursement for the cost of travel by direct route or on an uninterrupted basis. The employee will be responsible for any additional costs.<sup>4</sup> Employees may not use government contract passenger transportation services for personal travel.<sup>5</sup>

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<sup>1</sup> *The Presidential and Federal Records Act Amendments of 2014*, Pub. L. No.113-187.

<sup>2</sup> 41 CFR 301-10.1.

<sup>3</sup> 41 CFR 301-2.4.

<sup>4</sup> 41 CFR 301-10.8.

<sup>5</sup> 41 CFR 301-10.110.

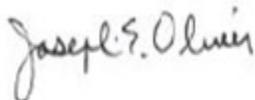
VA policy requires that specific procedures be followed in combining personal and official travel:

When preparing a travel authorization, employees are required to include the dates of both official and personal travel. In booking their personal flight, employees must make other travel arrangements using commercial means. Once these arrangements are made, employees must save the invoice to attach to the expense report. Reimbursement is limited to the direct one-way YCA fare—a highly discounted unrestricted fare. If the actual cost of the personal portion of the travel is less than the direct one-way YCA fare, the employee will be limited to reimbursement for this lower cost. For purposes of documenting and conducting a cost analysis, VA policy requires that employees use a Travel Cost Comparison Worksheet to compare official travel to official/personal travel.<sup>6</sup>

After applying the relevant regulations to the evidentiary record developed in the investigation, the OIG drew the following conclusions:

1. The employee used personal email on occasions when the employee did not have access to the VA network; however, the employee copied transmissions to the VA email account in accordance with federal law and never sent sensitive information in these emails.
2. The employee paid for travel from the employee's residence in the Northeast to the duty station in Washington, DC.
3. During official travel on 11 occasions, the employee ended travel in the city of residence instead of Washington, DC, the official duty location. In each instance the employee followed VA policy for combining official and personal travel by completing required cost comparisons, thereby ensuring that VA only reimbursed the employee for the cost of return travel to the official duty station.

Accordingly, the OIG did not substantiate the allegations, and the matter was deemed resolved with no recommendations for further action.



JOSEPH E. OLIVER  
Acting Assistant Inspector General  
for Investigations

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<sup>6</sup> VA Financial Policy, *Travel*, vol. XIV, chap. 1 (May 2013)

## OIG Contact and Staff Acknowledgments

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<b>Contact</b>	For more information about this report, please contact the Office of Inspector General at (202) 461-4720.
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<b>Investigation Team</b>	Linda Fournier, Director Leanne Watkins, Administrative Investigator
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