



Duckworth Calls for Independent Investigation of Effort to Manipulate & Subvert VA Rulemaking Process

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– U.S. Senator and combat Veteran Tammy Duckworth (D-IL) asked for an independent investigation into potential manipulation of the public comment submission process regarding a proposed rule change that could determine when Veterans may seek healthcare outside the U.S. Department of Veterans Affairs (VA). Duckworth wrote today to the U.S. National Archives and Records Administration (NARA) Office of Inspector General (OIG) asking them to initiate an investigation after more than 21,000 suspicious, identical public comments were submitted, accounting for roughly 90 percent of the over 23,000 total comments submitted on the proposed rule to amend VA's access standards regulations for the Veterans Community Care Program.

“Any effort to manipulate or subvert the integrity of the federal rulemaking process is alarming and may involve potential statutory, regulatory, policy and ethics violations,” Duckworth wrote. **“Worst of all, if automated entities are spamming the public comment process, this not only wastes taxpayer dollars in the form of hours spent sifting through bot-generated messages, but it also threatens to drown out the voices of real Veterans, Veterans Service Organizations and other legitimate advocates.”**

The comments were submitted in a short period of time and are completely identical, raising the suspicion of a potential spam campaign initiated by partisan groups. Duckworth also raised concerns of possible identity theft since at least nine individuals who had a letter submitted in their name contacted VA and requested their comments be withdrawn.

Duckworth [previously wrote](#) to the VA Office of Inspector General (OIG) several weeks ago asking for investigation of the potential manipulation and ensure the integrity of the rulemaking process, prompting the VA OIG to recommend Duckworth ask the NARA

OIG to launch an investigation since the comments to VA's proposed rulemaking were submitted through Regulations.gov, a website NARA operates.

“I did not vote for the VA MISSION Act for it to be fraudulently hijacked by a small group of ideologues claiming to represent Veterans,” Duckworth wrote at the time. “I use VA for my own healthcare, and I talk to Veterans in Illinois as well as around the country on a regular basis. When care outside VA is necessary, Veterans must have access to it—but we cannot allow funding to be unnecessarily diverted to the private sector when VA can better provide that care. VA must not use invalid or spam comments when determining how to implement the VA MISSION Act.”

The full text of the letter is available below and a copy is available [here](#).

Dear Inspector General Springs:

I write to request that the U.S. National Archives and Records Administration (NARA) Office of Inspector General (OIG) initiate an investigation into the potential manipulation of the public comment submission process for an ongoing U.S. Department of Veterans Affairs (VA) rulemaking. Preliminary reports and observed suspicious activity indicate an unusually high volume of over 21,000 identical public comments were submitted for the VA proposed rule to amend its access standards regulations for the Veterans Community Care Program.

I sent a letter to the VA OIG on March 27, 2019 requesting a similar investigation into this public comment submission process. VA confirmed that a substantial number of the 23,000 comments it received were electronically submitted in the form of an identical letter. Additionally, at least nine individuals who had such a letter submitted in their name had contacted VA and requested their comments be withdrawn. VA OIG counsel recommended that NARA OIG was in the best position to investigate and address concerns with potential manipulative or improper conduct in the public comment submission process, because the electronic comments were submitted through Regulations.gov, a NARA operated website.

Any effort to manipulate or subvert the integrity of the Federal rulemaking process is alarming and may involve potential statutory, regulatory and policy violations. Worst of all, if automated entities are spamming the public comment process, this not only wastes taxpayer dollars in the form of hours spent sifting through bot-generated messages, but it also threatens to drown out the voices of real Veterans, Veterans Service Organizations and other advocates. Thank you in advance for your consideration of my request.

Sincerely,

Tammy Duckworth

United States Senator