

**RESPONSE OF DEPARTMENT OF VETERANS AFFAIRS
TO JULY 11, 2023 MEMORANDUM OF SVAC MINORITY STAFF
ABOUT NOMINEE TANYA BRADSHER AND VIEWS SYSTEM**

1. The SVAC Minority staff memorandum gives the impression that the VIEWS system was rife with security issues. This is incorrect.

The VIEWS system has been used at VA since 2018. The VIEWS system has controls in place to protect personal and sensitive data, with only specific designated team members permitted to access sensitive cases. Any other user lacking permission who attempts to access a sensitive case cannot see the case information or attachments relating to the sensitive matter. VIEWS runs on a secure platform called Salesforce Government Cloud Plus, which has been approved by more than 40 federal agencies. The system is regularly checked by VA's Privacy Officer and Information System Security Officer to ensure the safety of sensitive information. These officials have issued annual Privacy Threshold Analysis (PTA) and Privacy Impact Assessment (PIA) reports affirming that VIEWS is appropriate for sensitive information, including most recently after an extensive audit in Fall 2022. VIEWS has been FedRAMP certified with an authorization date of November 2, 2020.

2. The SVAC Minority staff memorandum argues that Ms. Bradsher did not act to address the VIEWS issues. This also is incorrect.

Since allegations regarding VIEWS were brought to her attention in Summer 2022, Ms. Bradsher has worked to further strengthen protections of private and sensitive information in VIEWS. *At her direction, VA has undertaken a number of measures including security enhancements, limiting access, and improved training.* Among the steps taken were:

- In October 2022, the VIEWS training course was updated to highlight the handling of sensitive information and emphasizing that users should mark a case as sensitive if it contains private or other confidential information.
- In November 2022, several system enhancements and updates related to application privacy and security initiatives were implemented, including changes to the security features dealing with access and visibility of sensitive cases and case tasks. This release also included revisions to the banner messages displayed for sensitive cases and case tasks.
- On December 2022, new policies were adopted to limit the number of VIEWS Office Coordinators (VOCS) in each program office and administration and to remind them of the importance of proper handling sensitive cases/information in VIEWS. VOCs also were informed that employee accounts with no activity after 90 days would be deactivated, and they were also provided a new additional step for reactivating an account after it is deactivated due to inactivity.

- In June 2023, new policies further restricted access with employee accounts deactivated after 45 days of inactivity (versus 90 days) and Program Office's or Administration's Chief of Staff approval required for reactivation
- Beginning in July 2023, potential new users requesting a VIEWS account must meet three role-based criteria and their first-line supervisor must approve the new account request.

Upon being alerted to this potential issues, Ms. Bradsher also had VA provide a briefing to Congress on the issue and respond to RFIs. It also is noteworthy that while Sen. Grassley's office apparently was in contact with the individuals raising concerns about VIEWS from early on, the Senator's office never contacted VA or Committee staff until the day before the SVAC hearing on Ms. Bradsher's nomination.

3. The SVAC Minority staff memorandum implies that Ms. Bradsher failed to follow up with the individuals who contacted her office expressing concerns about the confidentiality of VIEWS files. This, too, is wrong.

When Ms. Bradsher's office was contacted by individuals who expressed concerns about the confidentiality of their files in VIEWS, her Deputy reached out on several occasions to understand their concerns. At her direction, VA had the Office of Information Technology (OIT) run a search of files relating to that individual and had all files located designated as sensitive.

However, within weeks of Ms. Bradsher first being informed of the concerns raised about VIEWS, VA received the Office of Special Counsel (OSC) letter which addressed the same issues. In accordance with that letter, VA designated OIT to conduct an investigation into the allegations raised by these individuals. Ms. Bradsher then deferred to that OIT/OSC investigation. In doing so, she adhered to the principle that members= have often espoused that senior leaders should not interfere in government investigations.

As Mr. Bradsher explained to the SVAC Minority staff, she fully expected the OIT investigators to be in regular contact with those employees who had raised the allegations. She correctly did not want to be perceived as influencing or impairing the OIT/OSC investigation, which was interacting with the individuals who had raised concerns.

4. The SVAC Minority staff memorandum concludes, based on the demonstration of the VIEWS system provided by VA, that “thousands” of VIEWS files are not being treated as sensitive files. In fact, the demonstration to the staffers showed no such thing.

According to the staff memorandum, during the VIEWS demonstration on July 7, 2023, “a search for the term ‘whistleblower’ revealed countless case files containing highly sensitive information—including the names of whistleblowers—not currently designated as ‘sensitive’ in the system.” Staff Mem. pp. 2, 6. It is true that the demonstration showed that the “whistleblower” search showed numerous files that were not marked as sensitive. However, *these documents marked as non-sensitive contained only generic information about whistleblowers and did not contain individual whistleblower information.* For example, these files identified in the search contained memorandum and directives relating to the general procedures for handling whistleblower complaints, drafts of general reports relating to the performance of the Office of Accountability and Whistleblower Protection, comments on whistleblower legislation, and the like. *Nothing in this search showed that files with the names of whistleblowers were not treated as sensitive.*

The staff memorandum’s conclusion that thousands of VIEWS files are not being properly treated as sensitive is misguided. The OIT/OSC investigation has been reviewing this very issue about the confidentiality and security of VIEWS. This investigation already has acknowledged in its extension requests that VA has recently implemented actions to protect Veterans’ private information and whistleblowers. As Ms. Bradsher has recognized, the investigation is the proper forum to review these VIEWS issues. And she has committed to carefully considering the results of the OIT/OSC review and taking whatever steps are necessary to ensure that the confidentiality of whistleblower and Veteran sensitive information is properly protected.

* * *

Ms. Bradsher takes the privacy of the Veterans, families, caregivers, and survivors that the Department serves extremely seriously—especially as a VA user, combat Veteran and military spouse herself. She has acted appropriately and effectively in addressing the issues that were brought to her attention about the VIEWS system. The Senate Minority staff memorandum distorts the facts and the record in arguing that the VIEWS issue should serve as a basis to oppose her nomination to the position of Deputy Secretary.