



September 7, 2018

The Honorable John Hardy Isakson  
Chairman  
Senate Committee on Veterans' Affairs  
412 Russell Senate Office Building  
Washington, DC 20510

The Honorable Jon Tester  
Ranking Member  
Senate Committee on Veterans' Affairs  
412 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman Isakson and Ranking Member Tester,

Women have served and fought in every conflict since the American Revolution, yet despite their critical contributions to our national security they continue to face barriers within the military and when accessing the Department of Veterans Affairs ("VA") benefits and services they have earned while serving our nation. Within this context, the Military Women's Coalition, comprised of organizations representing military women past and present write to express grave concern with the findings of the VA Office of Inspector General's report ("IG Report") that Military Sexual Trauma ("MST") claims are being improperly reviewed and denied at an alarming rate.<sup>1</sup>

Service members who are sexually assaulted are extremely reluctant to come forward and report their assault because they fear ostracism, damaging their career, retribution, and simply not being believed. It is estimated that less than half will report their assaults while serving. However, many of them will exhibit behaviors that indicate that a traumatic event has occurred and some will seek medical care while never formally reporting the assault. When they do come forward it is imperative that existing systems support them.

Unfortunately, the IG Report makes it clear that this is not happening and victims are being further harmed by having their claims denied.<sup>2</sup> Victims who were brave enough to come forward have been denied needed services, medical care and disability pensions due to VA staff failing to follow required procedures for processing claims. The impact on individuals is profound.

Despite the VA's implementation of rules in 2011 designed to ease requirements and afford liberal consideration to claims of MST, persistent issues remain. Of paramount concern is the discontinuation of MST claims reviewed through additional or special processes. As a

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<sup>1</sup> Department of Veterans Affairs' Office of Inspector General, "Denied Posttraumatic Stress Disorder Claims Related to Military Sexual Trauma," Report #17-05248-241 (Aug. 21, 2018) (hereinafter "IG Report"), available at <https://www.va.gov/oig/pubs/VAOIG-17-05248-241.pdf>.

<sup>2</sup> The Office of Inspector General estimated that Veterans Benefits Administration staff incorrectly processed approximately 1,300 of the 2,700 MST-related claims (or 49%) denied during the sample period. IG Report at ii.



result, the review team recognized the additional trauma faced by denied victims, as well as the potential for survivors to not report at all.

The IG Report calls for immediate action, to include reviewing all denied MST claims since 2017 and taking corrective action based on the results of the review.<sup>3</sup> In doing so, professionals trained to address these claims at each office are necessary and underscored by the report's recommendation for improved training and the creation of a special group to handle MST claims. Without question, timely action is needed.

The Coalition agrees with members of Congress who call for solutions including:

- An examination of the Veterans Benefits Administration's ("VBA") specific plans and timelines to ensure that no future MST claims are improperly denied;
- Plans for implementing a second review of all denied MST claims from September 2012 to the present, and imparting upon VA officials that the lessons taken from this effort must be incorporated into revised advisories to field staff processing MST claims;
- A determination of how current MST appeals, especially those in the Rapid Appeals Modernization Program (RAMP), will be processed;
- A reinstatement of MST-related claims into express lane review, putting MST-related claims before special operations teams for appropriate review and consideration; and
- A public report on what the agency has found most beneficial in helping MST victims prepare their claims and appeals, and how the VBA can work with veteran victims to re-affirm their commitment to the wellbeing of MST survivors so as to encourage others to reach out for VA help.

We look forward to an expeditious review and response to the IG's Report on the VBA's handling and care of MST claims. We ask that you schedule a hearing to examine the IG's Report on MST. Further, we willingly offer our assistance in developing a plan for meeting the overall needs of MST victims and encouraging other veterans to seek VA assistance.

Sincerely,

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<sup>3</sup> *Id.* at 23.



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