

August 27, 2018

The Honorable David P. Roe, M.D.
Chairman
Committee on Veterans' Affairs
U.S. House of Representatives

Dear Mr. Chairman:

We read with serious concern the findings of the Department of Veterans Affairs' Office of Inspector General (IG) report titled, "Denied Posttraumatic Stress Disorder Claims Related to Military Sexual Trauma," (#17-05248-241).

We were dismayed to learn that 49% of Military Sexual Trauma related claims in the sample studied by the IG were improperly processed and therefore denied, which means that almost 50% of sampled servicemembers brave enough to acknowledge being sexually assaulted while in the military and who followed up with a credible claim for compensation, were told erroneously that these efforts are not enough and subsequently will not receive benefits and needed support services.

The IG report cites several shortcomings in the Veterans Benefits Administration's (VBA) handling of these claims and recommends corrective actions be taken including improved training, re-review of all denied MST-claims since the beginning of FY 2017, designating specialized claims processors at each RO, and providing an additional level of review for denied MST claims. VBA concurs with the findings and says it will implement remediation plans. But, in our opinion, this is not enough.

Liberalizing guidance was provided by VBA in 2011 for how MST claims should be handled, making it clear that a spotlight would be on accurate adjudication of these claims. The connection between MST and serious long term mental health issues was clear. MST victims needed their disability compensation ratings in order to access crucial mental healthcare services and Congress made it clear that in the years that followed 2011, victims who were brave enough to step forward would find the care and concern they need from VA. Fair and timely consideration of their claims by VA would encourage survivors to report and seek help.

We are writing you asking for a Full Committee hearing as soon as possible to follow-up on this report. We want to ensure that it is clear that the needs of MST survivors are a priority at VA and ensure key items are immediately addressed, including:

- An examination of VBA's specific plans and timelines to ensure that no future MST claims are improperly denied.
- Questioning of VA witnesses regarding a second, *de novo* review of all denied MST claims from September 2012 to the present and imparting upon VA officials that that

lessons taken from this effort must be incorporated in revised advisories to field staff processing MST claims.

- A determination of VBA's management of MST appeals in the RAMP process.
- An opportunity for VSOs to share with the Committee ways they have found most productive in helping MST victims prepare their claims and appeals and how the VBA can work with them to re-affirm the commitment both have to MST victims' wellbeing so as to encourage others to reach out for VA's help.

Getting this right for MST survivors is crucial. We know you agree and hope you will schedule a Full Committee hearing forthwith.

Thank you very much for your consideration of this request.

Sincerely,

ELIZABETH H. ESTY
MEMBER OF CONGRESS

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