

Congress of the United States
Washington, DC 20515

August 27, 2018

The Honorable Dr. Paul R. Lawrence
Under Secretary for Benefits
U.S. Department of Veterans Affairs
810 Vermont Avenue NW
Washington, DC 20420

Dear Secretary Lawrence:

We were incredibly disturbed by the Veterans Affairs Office of Inspector General (VA OIG) report released on August 21, 2018 identifying the Veterans Benefits Administration (VBA) mishandling of benefit claims submitted by military sexual assault survivors. Our veterans have served their country honorably and faithfully and we must ensure that we provide them with the benefits and resources they deserve.

For the better part of a decade we have worked in a bipartisan manner, passing legislation to prevent sexual assault in the military and to provide victims with needed resources. We have seen some positive changes over that time, including in 2011, when the VBA released guidance stating it was going to take a “liberal approach” when examining evidence of military sexual trauma for veterans benefits claims. This change in approach was very important because it can take survivors of military sexual assault months, years, or even decades to come forward and report this significant trauma.

Given our previous work, we are deeply disturbed by the August VA OIG report which shows that VBA has not been following its own policy. The report estimates that the Veterans Benefits Administration incorrectly processed approximately 1,300 of the 2,700 claims that were denied between April and September 2017. The number of veterans potentially impacted is staggering and unacceptable.

We are deeply concerned that you are not fulfilling your obligation to our veterans. Accordingly, we request written responses on the following topics.

- Describe the military sexual trauma veterans’ benefit claims process and policies in effect, including the criteria for denial and process for appeal.
- Provide the timeline for when and how the VBA became aware that claims were not being processed according to policy. Was the VBA aware of any issues prior to the VA OIG review?
- Describe the internal oversight mechanism that will be put in place to ensure the military sexual assault claims are not process in violation of your own policies.
- What is your plan for reviewing military sexual assault trauma claims that were denied after the 2011 policy change to ensure these earlier cases were reviewed appropriately.

As co-chairs of the Military Sexual Assault Prevention Caucus, we request that you immediately provide us with a copy of your action plan to correct the deficiencies identified in the report and begin the review of claims that were denied. We expect that your administration is working diligently to correct these problems to ensure that veterans and survivors of sexual assault are provided the benefits and resources they deserve.

Sincerely,

Handwritten signature of Michael R. Turner in blue ink.

Michael R. Turner
Member of Congress

Handwritten signature of Niki Tsongas in blue ink.

Niki Tsongas
Member of Congress

cc: The Honorable Robert Wilkie, Secretary of Veterans Affairs