

# United States Senate

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January 7, 2011

The Honorable Eric Shinseki  
Secretary of Veterans Affairs  
U.S. Department of Veterans Affairs  
810 Vermont Ave, NW

Dear Secretary Shinseki:

I appreciate your leadership and commitment to our nation's veterans. Your efforts to lead the Department of Veterans Affairs (VA) during this challenging time are commendable. I am writing today to follow up on the report your Inspector General (IG) conducted in response to legislation I sponsored in the Consolidated Appropriations Act of 2010 (P.L 111-117) that directed an assessment of the VA's capacity to address combat stress in female veterans.

As you well know, the conflicts in Iraq and Afghanistan are different than previous wars, and have changed our traditional definitions of "combat" and exactly what constitutes a "military front." Improvised Explosive Devices (IED's) and other hostile tactics have demonstrated that battle lines have become blurred. When our troops serve in theater there are no more front lines or "safe zones." Multiple deployments also significantly contribute to increased risk of Post Traumatic Stress Disorder (PTSD), and an important fact given many troops are now on their fourth or fifth deployment.

These factors and others have contributed to a dramatic increase in the number of women combat veterans who suffer from a variety of combat stresses including PTSD and Traumatic Brain Injury (TBI). The VA has reported that almost 20,000 female military veterans from both wars have been diagnosed with some form of mental disorder, including nearly 8,500 women diagnosed with PTSD.

The Inspector General considered these factors and others during this year-long study and found that female combat veterans are much more likely to have difficulty transitioning to civilian life after combat service. These difficulties include higher rates of major depression and chronic adjustment disorders, which often result in major life stressors including marriage problems, divorce and depression, often accompanied by a more challenging time integrating back into society than their male counterparts.

The report also found that female veterans' claims for PTSD were denied at a higher rate (50% versus 37%) than their male counterparts. During a review of 750 veterans' claims files, the Inspector general concluded that one of the primary reasons that more male veterans than female veterans were granted disability compensation for PTSD was due to a regulation that a

pre-condition to award service connected PTSD benefits was a combat badge or ribbon. The difficulty with this guidance is that the standards for combat decorations vary from service to service and in some cases, unit to unit. Combat Infantry Badges, for example, are only awarded to Army Infantry and Special Operations units, excluding all other military branches and specialties. The Combat Action Badge, also an Army award, is only awarded when the necessary paperwork is processed therefore, not all soldiers who have engaged or been engaged by the enemy, receive the award. Specifically, the report found that:

The Veterans Benefits Administration (VBA) often “presumed that the veteran experienced a combat-related stressor resulting in PTSD when it granted service connection to 47% of the male veterans included in our sample of disability compensation for PTSD, as compared to only 5% of female veterans. This difference could potentially be explained by DoD’s direct ground combat exclusion policy that requires women be excluded from assignment to units whose primary mission is to engage in direct ground combat. As a result, more men than women are assigned to combat units where they are more likely to be awarded combat-related decorations.” (VA OIG Report No. 10-01640-45, p.64-65)

I am pleased to see that, during the course of the study, the VBA eliminated this regulation that effectively blocked many veterans from being considered for PTSD benefits. The new standard simplifies and streamlines the process by defining initial eligibility as combat stressors relating to “hostile military or terrorist activity and is consistent with the places, types, and circumstances of service.” This long-overdue change will acknowledge that many non-infantry personnel have experienced PTSD through hostile action including soldiers involved in convoy operations, truck drivers, military police, linguistics, translators, and other specialties that are regularly exposed to hostile actions.

The Inspector General also concluded that there is insufficient notification at many VA facilities that have Women Veterans Coordinators on site to assist with issues unique to female soldiers. In fact, over 85% of the VA facilities lacked any type of signage to indicate services were offered. Many of the Women’s Veterans Coordinators also reported that they felt “unprepared to communicate effectively with veterans who may be distressed or emotional” during difficult discussions concerning their claims. I ask that you conduct a thorough assessment of your notification and training standards for Women Veteran Coordinators and services within each VA facility.

The report documented that the VA must continue its initiative to modernize the Rating Board Automation Data System and develop reporting capabilities to record and capture data on veterans’ claims. The current system does not provide this information and the Inspector General’s team found it nearly impossible to conduct computer searches to determine why claims were denied, because VBA personnel frequently overwrite the veterans’ computer files, effectively erasing many computer-based records. I ask the VA to evaluate their criteria, based on the Office of the Inspector General’s experience, for data collection and storage.

Finally, it is conceivable that thousands of combat veterans have been denied PTSD claims due to the old standard, which likely excluded many troops that were exposed to hostile combat action. I strongly urge you to take significant action to provide broader notification of this change in policy and alert veterans, especially female veterans and those previously denied claims, that the standard has changed and they now may apply for service-connected PTSD and other combat stress claims. I would appreciate a response within 30 days on what the VA's plans are to address the issues I have identified in this letter.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Mark R. Warner". The signature is written in a cursive, flowing style.

MARK R. WARNER  
United States Senator