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The Portland Press Herald

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July 11

Pingree: VA easing policy for sexual assault victims

By Jonathan Riskind jriskind@mainetoday.com
MaineToday Media Washington Bureau Chief

WASHINGTON — The Department of Veterans' Affairs is removing some of the hurdles veterans ailing from post-sexual assault trauma that occurred while in the military must overcome to obtain benefits, Rep. **Chellie Pingree** said today.

The change in policy at the VA accomplishes most of what the Maine Democrat wanted in a bill Pingree introduced in March. But the lawmaker thinks her bill is still needed to put the force of law behind the VA's new stance.

The VA maintains its policy about how to treat sexual assault trauma victims hasn't changed, but acknowledged in a statement today that it "is taking action to sensitize decision makers to the difficulties veterans have in establishing these claims."

A June 27 memo sent to VA employees by retired Air Force Gen. Allison Hickey, a new Undersecretary of Veterans Affairs, followed a meeting that month between the general and Pingree, according to Pingree's office.

At the meeting, Pingree argued that the VA needed to change its policies to make it easier for veterans to get disability benefits related to a sexual assault without having to provide documentation that the assault happened, according to Pingree's office.

The VA has indicated to Pingree that it believed the department had the basic rules in place to allow veterans suffering a sexual assault-related disability to obtain benefits without having to overcome burdensome evidence requirements, but has acknowledged that those rules weren't necessarily being followed in practice. That's why Hickey wrote her memo, Pingree says.

"General Hickey has served decades in the Air Force," Pingree said. "She understands the problem and acted quickly to improve VA practices for these victims."

Hickey's memo to VA employees stated that "employees should not expect to see evidence in most military sexual assault cases" since most victims don't file reports when the assault happens. Her memo was intended as "procedural guidance" to make sure that all VA employees are properly trained on how to handle claims of disabling trauma from a military sexual assault.

Hickey said that the VA does have a "longstanding practice of applying a liberal policy when adjudicating personal assault claims. In keeping with our standards of excellence, I am reiterating that all claims examiners must apply proper flexibility and sensitivity in evaluating evidence of service connection in these cases."

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Asked about Pingree's assertion that Hickey's memo shows the VA has changed its policy on how to handle disability claims for military sexual assault, the VA responded that while it is a requirement for disability benefits that there be evidence of some type of service-related injury or ailment and a "nexus" between a veteran's disability and what happened to the veteran while in service, "it can be difficult to establish MST in service in cases where it is not reported."

So based on discussions with Pingree, the VA is "providing heightened awareness of the existing requirements for processing claims, and directing that employees who process these claims have the training necessary to make good decisions."

While the VA will still look for evidence of what happened to a veteran while serving, it also will accept the veteran's statement about what happened, and "all reasonable doubt will be resolved in the veteran's favor," the VA said in its statement today.

Veterans who have been victims of a sexual assault but have been denied benefits might want to reapply now, Pingree says. Veterans can get assistance from her office by calling 207-774-5019.

Pingree, a member of the House Armed Services Committee, says she has spoken with a number of veterans in Maine and in Washington who have been having problems obtaining needed benefits in the wake of a sexual assault while in the military.

MaineToday Media interviewed a Maine woman and Navy veteran in May about Pingree's legislation and the VA's policies.

The Maine veteran had recently won a judgment from the VA that she is fully disabled as a result of the sexual assaults she suffered from in 1987, but said it shouldn't have taken her more than two decades to do so. She said her problems progressed to the point where she can't hold down a professional level job and has trouble just walking into a crowded store because of the noise and close proximity to people.

The Department of Defense has acknowledged that military sexual assault is a problem, but says progress at tackling it is being made.

The non-profit advocacy group Service Women's Action Network said it isn't satisfied with the VA's move, and agrees with Pingree that her legislation is still needed.

"We are disappointed that the VA chose not to support Rep. Pingree's bill to help sexual trauma survivors," said Anu Bhagwati, the network's executive director. "The memo from Undersecretary Hickey encourages a change in attitude and process ... but does not change policy. Promulgating additional guidance for individual VA claims officers does not guarantee that sexual trauma claims are evaluated fairly."

Also on the topic of military sexual assault, Sen. **Susan Collins**, R-Maine, a member of the Senate Armed Services Committee, introduced legislation in May with Democratic Sen. John Kerry of Massachusetts that arms the Pentagon with new tools to better prosecute sexual assault offenders and protect active duty victims.

And Rep. Mike Michaud, D-2nd, a member of the House Veterans' Affairs Committee, said in June that that too often, the VA itself fails to properly report a sexual assault at one of its facilities even after the agency has failed to prevent it occurring in the first place.

Michaud made those comments at a House hearing highlighting a federal report released that found nearly 300 sexual assault incidents, including 67 rapes, occurred in the VA network from 2007 to 2010, and that a majority of the alleged sexual assaults were not reported up the chain of command to VA leadership or the VA inspector general as required by law. The report was done by the Government Accountability Office, Congress' investigative arm.

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 J__D 3 months ago

My gosh, where are all the right wing wonders wanting to thank these victims for their service, apologize for their mistreatment and demand long jail sentences for the criminals?
 And to thank Ms. Pingree for pointing out that many who were denied proper counselling and assistance in the past can now get it.
 I guess you're too busy trying to balance the nation's budget on the backs of the poor, the ill, and the elderly. Which I'll admit is difficult as you've bled them pretty much dry over the years.

So, on behalf of everyone, thank you Ms. Pingree for raising awareness of this change in policy, and best wishes to the victims of very unjust and unconscionable behavior by those you thought were your comrades.

2 people liked this. Like Reply


 v0ice0freez0n 3 months ago in reply to J__D

Wowers,

“My Gosh”, “I Guess”, “I’ll admit”, “On behalf of”

They are likely staring at the computer screen aghast at how you can take a story like this and make it about you and your political leanings. It’s Detestable unless you are one of the victims. It is likely no one responded since they didn’t have any direct experience and didn’t want to be seen as talking out their...donkey. Nayyy, that didn’t stop you though by “gosh”.

Icy1 liked this Like Reply

 **v0ice0freez0n** 3 months ago

Removed, posted in the wrong spot

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Reactions

 **HadIt_com** 3 months ago


From  Twitter


Pingree: VA easing policy for sexual assault victims | The Portland Press Herald / Maine Sunday Telegram
<http://ow.ly/5Cbdt>

 **VeteranJournal** 3 months ago

From  Twitter

Pingree: VA easing policy for sexual assault victims: <http://ht.ly/5BSrk> #veterans #MST

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Pingree: VA changing policy on awarding benefits to vets who were victims of MST: <http://t.co/OqOwweB>

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VA easing policy for sexual assault victims <http://bit.ly/p9iilZ>

 **Forveteransnet** 3 months ago

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Pingree: VA easing policy for sexual assault victims: By Jonathan Riskind jriskind@mainetoday.com WASHINGTON — T... http://bit.ly/neYGZ7

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