

RON JOHNSON, WISCONSIN, CHAIRMAN

JOHN McCAIN, ARIZONA
ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY
JAMES LANKFORD, OKLAHOMA
MICHAEL B. ENZI, WYOMING
JOHN HOEVEN, NORTH DAKOTA
STEVE DAINES, MONTANA

CLAIRE McCASKILL, MISSOURI
THOMAS R. CARPER, DELAWARE
JON TESTER, MONTANA
HEIDI HEITKAMP, NORTH DAKOTA
GARY C. PETERS, MICHIGAN
MARGARET WOOD HASSAN, NEW HAMPSHIRE
KAMALA D. HARRIS, CALIFORNIA

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

July 21, 2017

Ms. Verna Jones
Executive Director
The American Legion
1608 K St. N.W.
Washington, D.C. 20006

Dear Ms. Jones:

I am writing to request information regarding The American Legion's experience working with veterans with diagnosed mental health conditions who are ineligible for VA benefits due to misconduct separations.

The Government Accountability Office (GAO) recently released a report titled "Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations." GAO's review of Department of Defense (DoD) data showed that 91,764 servicemembers were separated for misconduct from FY 2011-2015. Of those separated for misconduct, 62% were diagnosed with PTSD, TBI, or certain other conditions within two years prior to their separation.¹ GAO found that 13,283 servicemembers with these diagnoses received an "other than honorable" characterized discharge, likely barring them from VA benefits and services, including health care.²

In order to better understand The American Legion's familiarity and experience with misconduct separation issues, I would appreciate your input regarding the following questions:

1. Have the issues of misconduct separations and/or character of discharge determinations impacted the veterans you represent?
2. How many veterans does your organization represent? Approximately how many are directly affected by this issue?
3. For veterans in this category that your organization represents, approximately how many are partially or totally ineligible for VA benefits, including health care?

¹ Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

² Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

The American Legion

July 21, 2017

Page 2

4. Has your organization been successful in attempts to upgrade veterans' discharges or adjust veterans' character of discharge determinations?
5. Are you aware of other avenues for veterans to receive mental health services if they are ineligible for VA health benefits?
6. What changes, if any, should be made at DoD or VA to improve the processes for both misconduct separations and character of discharge determinations?

Thank you for your attention to this matter. Please have your staff contact Hannah Berner with my Committee staff at (202) 224-5065 with any questions. Please send any official correspondence relating to this request to Amanda_Trosen@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

July 21, 2017

CHRISTOPHER R. HIXON, STAFF DIRECTOR
MARGARET E. DAUM, MINORITY STAFF DIRECTOR

Mr. Paul Rieckhoff
Founder and CEO
Iraq and Afghanistan Veterans of America
777 North Capitol St. NE
Washington, D.C. 20002

Dear Mr. Rieckhoff:

I am writing to request information regarding Iraq and Afghanistan Veterans of America's experience working with veterans with diagnosed mental health conditions who are ineligible for VA benefits due to misconduct separations.

The Government Accountability Office (GAO) recently released a report titled "Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations." GAO's review of Department of Defense (DoD) data showed that 91,764 servicemembers were separated for misconduct from FY 2011-2015. Of those separated for misconduct, 62% were diagnosed with PTSD, TBI, or certain other conditions within two years prior to their separation.¹ GAO found that 13,283 servicemembers with these diagnoses received an "other than honorable" characterized discharge, likely barring them from VA benefits and services, including health care.²

In order to better understand Iraq and Afghanistan Veterans of America's familiarity and experience with misconduct separation issues, I would appreciate your input regarding the following questions:

1. Have the issues of misconduct separations and/or character of discharge determinations impacted the veterans you represent?
2. How many veterans does your organization represent? Approximately how many are directly affected by this issue?
3. For veterans in this category that your organization represents, approximately how many are partially or totally ineligible for VA benefits, including health care?

¹ Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

² Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

Iraq and Afghanistan Veterans of America

July 21, 2017

Page 2

4. Has your organization been successful in attempts to upgrade veterans' discharges or adjust veterans' character of discharge determinations?
5. Are you aware of other avenues for veterans to receive mental health services if they are ineligible for VA health benefits?
6. What changes, if any, should be made at DoD or VA to improve the processes for both misconduct separations and character of discharge determinations?

Thank you for your attention to this matter. Please have your staff contact Hannah Berner with my Committee staff at (202) 224-5065 with any questions. Please send any official correspondence relating to this request to Amanda_Trosen@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

July 21, 2017

Mr. Robert E. Wallace
Executive Director
Veterans of Foreign Wars
200 Maryland Ave., N.E.
Washington, D.C. 20002

Dear Mr. Wallace:

I am writing to request information regarding Veterans of Foreign Wars' experience working with veterans with diagnosed mental health conditions who are ineligible for VA benefits due to misconduct separations.

The Government Accountability Office (GAO) recently released a report titled "Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations." GAO's review of Department of Defense (DoD) data showed that 91,764 servicemembers were separated for misconduct from FY 2011-2015. Of those separated for misconduct, 62% were diagnosed with PTSD, TBI, or certain other conditions within two years prior to their separation.¹ GAO found that 13,283 servicemembers with these diagnoses received an "other than honorable" characterized discharge, likely barring them from VA benefits and services, including health care.²

In order to better understand Veteran of Foreign Wars' familiarity and experience with misconduct separation issues, I would appreciate your input regarding the following questions:

1. Have the issues of misconduct separations and/or character of discharge determinations impacted the veterans you represent?
2. How many veterans does your organization represent? Approximately how many are directly affected by this issue?
3. For veterans in this category that your organization represents, approximately how many are partially or totally ineligible for VA benefits, including health care?

¹ Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

² Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

Veterans of Foreign Wars

July 21, 2017

Page 2

4. Has your organization been successful in attempts to upgrade veterans' discharges or adjust veterans' character of discharge determinations?
5. Are you aware of other avenues for veterans to receive mental health services if they are ineligible for VA health benefits?
6. What changes, if any, should be made at DoD or VA to improve the processes for both misconduct separations and character of discharge determinations?

Thank you for your attention to this matter. Please have your staff contact Hannah Berner with my Committee staff at (202) 224-5065 with any questions. Please send any official correspondence relating to this request to Amanda_Trosen@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

CHRISTOPHER R. HIXON, STAFF DIRECTOR
MARGARET E. DAUM, MINORITY STAFF DIRECTOR

July 21, 2017

Mr. John Rowan
National President
Vietnam Veterans of America
8719 Colesville Rd., Suite 100
Silver Spring, MD 20910

Dear Mr. Rowan:

I am writing to request information regarding Vietnam Veterans of America's experience working with veterans with diagnosed mental health conditions who are ineligible for VA benefits due to misconduct separations.

The Government Accountability Office (GAO) recently released a report titled "Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations." GAO's review of Department of Defense (DoD) data showed that 91,764 servicemembers were separated for misconduct from FY 2011-2015. Of those separated for misconduct, 62% were diagnosed with PTSD, TBI, or certain other conditions within two years prior to their separation.¹ GAO found that 13,283 servicemembers with these diagnoses received an "other than honorable" characterized discharge, likely barring them from VA benefits and services, including health care.²

In order to better understand Vietnam Veterans of America's familiarity and experience with misconduct separation issues, I would appreciate your input regarding the following questions:

1. Have the issues of misconduct separations and/or character of discharge determinations impacted the veterans you represent?
2. How many veterans does your organization represent? Approximately how many are directly affected by this issue?
3. For veterans in this category that your organization represents, approximately how many are partially or totally ineligible for VA benefits, including health care?

¹ Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

² Government Accountability Office, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260) (May 2017).

Vietnam Veterans of America

July 21, 2017

Page 2

4. Has your organization been successful in attempts to upgrade veterans' discharges or adjust veterans' character of discharge determinations?
5. Are you aware of other avenues for veterans to receive mental health services if they are ineligible for VA health benefits?
6. What changes, if any, should be made at DoD or VA to improve the processes for both misconduct separations and character of discharge determinations?

Thank you for your attention to this matter. Please have your staff contact Hannah Berner with my Committee staff at (202) 224-5065 with any questions. Please send any official correspondence relating to this request to Amanda_Trosen@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman