

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
October 6-7, 2021
Indianapolis, Indiana**

**Resolution No. 22: Classified Incidents for Department of Veterans Affairs Claims Purposes
Origin: Veterans Affairs & Rehabilitation Commission
Submitted by: Veterans Affairs & Rehabilitation Commission**

WHEREAS, The term “classified information” means any information or material that has been determined by an official of the United States pursuant to law, and executive order, or regulation to require protection against unauthorized disclosure for reasons of national security; and

WHEREAS, The Department of Defense (DoD) currently does not share information with the Department of Veterans Affairs (VA) that involves special operations, sensitive units or other classified missions and activities; and

WHEREAS, Many veterans seeking VA disability benefits have served in special operations with the U.S. Army’s Special Forces (Green Berets), U.S. Navy sea, air, and land teams (SEALs), U.S. Air Force Special Tactics Squadrons, U.S. Marine Corps Raiders, U.S. Army Rangers, the 169th Special Operations Aviation Regiment, as well as other units conducting classified missions and activities; and

WHEREAS, To make a favorable decision on a veteran’s disability claim, VA must be able to verify an in-service incident related to a claimed disability; and

WHEREAS, Veterans whose military service includes classified information, and who are obligated to safeguard the secrecy of such information, should not be penalized for their service by the needless denial of VA benefits; and

WHEREAS, In the past, many of America’s veterans were denied VA benefits because of the classified nature of their military activities; and

WHEREAS, DoD could confirm for VA an in-service injury, exposure, or other event without revealing classified information, e.g., confirming that the event/injury did, in fact, occur without reference to date, location, mission or unit(s) involved; and

WHEREAS, DoD and VA already have mechanisms in place for the sharing of information, such as requests made to the Joint Services Records Research Center (JSRRC), which assists VA in verifying “the causal incident described by a veteran in a disability claim for compensation”; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 6-7, 2021, That The American Legion urges the Department of Defense to confirm incidents, without disclosing their classified nature, including injuries, illnesses, toxic exposures, and other activities claimed by veterans in Department of Veterans Affairs (VA) disability claims; and, be it finally

RESOLVED, That the American Legion urges the VA to aggressively request such confirmations, as part of its duty to assist veterans and their dependents, through the Joint Services Records Research Center and other agencies as required.