

From: [March, Joseph H.](#)
Subject: Release: American Legion says VA must 'hold true to its mission'
Date: Monday, March 30, 2015 8:45:36 AM

FOR IMMEDIATE RELEASE

American Legion says VA must 'hold true to its mission'

WASHINGTON (March 30, 2015) – The American Legion's national commander, Michael D. Helm, admonished the Department of Veterans Affairs for eliminating its informal claims process, which has been used in roughly half of all such claims filed by veterans.

"VA needs to hold true to its mission, which is to serve America's veterans and not penalize them," Helm said. "Why on earth would (VA) Secretary McDonald approve a regulation change that invalidates about half of all disability claims being filed?" The new rule went into effect March 25.

On March 20, The American Legion, joined by several other veterans service organizations, filed a lawsuit against VA to have a new rule eliminating the informal claims process to be declared unlawful. The case will be heard by the U.S. Court of Appeals for the Federal Circuit.

According to the Federal Register, informal claims account for about half of all VA claims filed. The American Legion has repeatedly requested such data, but VA has yet to provide it.

Helm said that hundreds of thousands of veterans and family members will be harmed by VA's new ruling. "It seems to me that VA is trying to reduce its claims backlog by denying veterans their right to file for benefits via any written communication available to them. Forcing men and women – especially those with serious mental conditions -- to use a standardized form in order to get their benefits is a cold-hearted decision that betrays VA's mission."

In a March 25 Stars & Stripes article, VA spokesperson Walinda West justified the elimination of informal claims by arguing that disabled veterans should be able to fill out a 2-4 page form and to state otherwise "is an unfair characterization."

Helm said West's argument was a logical fallacy that trivialized VA's mission. "She didn't respond to criticism of VA's action. Instead, Ms. West cast doubt upon anyone who may challenge that action. It is no stretch of reality to say a veteran suffering from severe PTSD might have trouble filling out a form put together by bureaucrats."

The rule issued by VA also allows it to ignore the awarding of benefits for service-related conditions that are not specifically identified in a claim. For example, if a veteran's medical record clearly indicates treatment for PTSD – yet that condition is not specified in the claim – VA is under no obligation to award benefits to the veteran.

"VA is trying to shirk its duty to veterans," Helm said, "and we are going to court to stop them."

-30-

Contact: Marty Callaghan: 202-263-5758/202-341-8900, mcallaghan@legion.org. A high resolution photo of Nat. Cmdr. Helm is available at www.legion.org.