

DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Washington DC 20420

June 7, 2005

In Reply Refer To: 213B
Fast Letter 05-08

Director (00/21)
All VBA Regional Offices and Centers

SUBJ: Handling PTSD claims based on stressors experienced during service in the Marine Corps.

Purpose of This Letter

This letter provides instructions with regard to the handling of post-traumatic stress disorder (PTSD) claims that are based on stressors experienced during service in the Marine Corps.

Background Information

Approximately three years ago, the Marine Corps Historical Center (MCHC) digitized all unit records in its custody covering the Korean and Vietnam wars and copied them to compact discs (CD). The Compensation and Pension Service (C&P) collaborated to extract and upload the digitized unit records covering the Vietnam Era to Virtual VA where they became available in December 2004.

Discussion of PTSD Claims

The Department of Veterans Affairs (VA) is not the custodian of Marine Corps unit records, nor are regional office personnel recognized as experts in the field of records research. For these reasons, denials of service connection for PTSD, *based solely on VA's inability to verify a claimed stressor through research of these records*, may not be seen as sufficient in an appeal to the Board of Veterans Appeals or Court of Appeals for Veterans Claims. It is current VA policy that claims for service connection for PTSD, filed by veterans alleging exposure to stressful situations while serving in the Army, Navy, and Air Force, cannot be denied based solely on the absence of a verifiable stressor unless the Center for Unit Records Research (CURR) first confirms that the stressor cannot be verified. CURR, however, does not have sufficient staffing to provide this service for Marine Corps cases.

C&P Service recognizes the MCHC as the ultimate authority with regard to the content and organization of Marine Corps unit records. C&P Service submitted a formal request to MCHC management asking for its assistance in resolving this matter. They have agreed that if regional offices are unable to verify a claimed

stressor following a meaningful search of the records available through Virtual VA, MCHC will either identify the appropriate record(s) for the regional office or provide the required authoritative confirmation that the alleged stressor(s) cannot be verified using records in its custody.

If information available through Virtual VA or official military web sites confirms the occurrence of an in-service stressor, and all other requirements have been met, the establishment of service connection for PTSD is in order. If, on the other hand, the regional office is unable to verify the alleged stressor, the regional office must request confirmation of its negative findings from MCHC before denying service connection. This same policy would apply to claims requiring research of unit records dated after the Vietnam Era, since VA does not currently have access to these records.

How to Submit a Request to MCHC

Regional offices must follow the instructions below when submitting a request to MCHC for a determination as to whether or not it possesses records required to verify an alleged stressor:

1. Submit a one page request, using VA letterhead, containing the following:
 - a. veteran's name and VA file number;
 - b. name of the veteran's squadron/battalion (or higher echelon);
 - c. the date (month and year) the stressful event occurred (not to exceed a 60-day period of time);
 - d. a concise description of the stressful event;
 - e. identification of the unit records reviewed through Virtual VA;
 - f. the mailing address of the requesting regional office; and
 - g. a point of contact at the regional office.
1. Do not attach to the request any medical information or statement(s) from the veteran.
2. Requests prepared prior to September 1, 2005, may be faxed to (202) 433-7265 or mailed to the following address:
Headquarters United States Marine Corps
Marine Corps Historical Center
1254 Charles Morris St. SE
Washington Navy Yard
Washington, DC 20374-5040
3. Due to organizational changes within the Marine Corps, requests prepared on or after September 1, 2005, must be mailed to the following address:
Marine Corps University Archive
Gray Research Center
2040 Broadway Street
Quantico, VA 22134-5107
4. Per M21-1, Pt. III, 4.27, allow 60 days for a response before submitting a follow-up request.

A sample memorandum to MCHC for a determination as to the availability of records required to verify a claimed stressor is attached.

Important Points to Keep in Mind

Regional offices will reduce delays inherent in processing claims for service connection for PTSD filed by Marine Corps veterans by following this guidance:

- Send a request to MCHC only after exhausting all efforts to verify the alleged stressor(s) through other means, to include Virtual VA and official military web sites.
- CURR requires a minimum amount of information before it will attempt to verify in-service stressors. Regional offices must take the same approach when handling claims that may require research of Marine Corps unit records. Before expending time and resources to conduct research, the veteran is expected to submit, at a minimum,
 - the name of the unit in which he/she served when the stressful event occurred;
 - the location where the stressful event occurred; and
 - the date (month and year) the stressful event occurred (not to exceed a 60-day period of time).
- Only assigned military records specialists should release requests to this facility.
- M21-1, Pt. III, 5.14c(5) describes the action to take when a veteran fails to provide the minimum information CURR requires to conduct research. Regional offices should follow the same procedure when a Marine Corps veteran seeking service connection for PTSD fails to provide the minimum information described above.

Points of Contact

If you have any questions concerning information in this letter, please see either the Calendar Page for this date, on our Intranet Site at:

http://152.125.216.223/bl/21/calendar/cal_week.asp

Or the Fast Letter 2005 page at:

<http://152.124.238.193/bl/21/publicat/Letters/FL05List.htm>

/S/

Renée L. Szybala, Director
Compensation and Pension Service

**Sample Letter to MCHC for a Determination as to the Availability
Of Records Required to Verify a Claimed Stressor**

Headquarters, United States Marine Corps
Marine Corps Historical Center
1254 Charles Morris St. SE
Washington Navy Yard
Washington, DC 20374-5040

00/21
C 123-45-6789
JONES, John A.

Dear Sir/Madam:

This is a request for research of records in your possession for the purpose of verifying an in-service stressor claimed by a veteran seeking service connection for post-traumatic stress disorder. The alleged stressor occurred in *<name of country>*. I have already reviewed the following unit records that MCHC provided to VA on compact disc: *<List the unit records reviewed through Virtual VA, if applicable.>*

The following information is provided to assist you in your research:

Name of claimant: John A. Jones
VA File Number: 123-45-6789
Mailing Address: *<Mailing address of regional office.>*
Name of Unit: *<Name of the unit in which the veteran was serving when the stressful incident occurred.>*
Description of Stressful Event: The veteran alleges that he witnessed the collision of two helicopters that killed 25 – 30 people at Camp Radcliff between January and March of 1969. All the bodies were reportedly charred and fused together.
Point of Contact: If additional information is required, please contact *<regional office employee's name>* at ###-###-####.

Your assistance in this matter is appreciated.

Sincerely yours,

Veterans Service Center Manager