

Section D. Claims for Service Connection (SC) for Posttraumatic Stress Disorder (PTSD)

Overview

In This Section This section contains the following topics:

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| 2 | Development to the Veteran for Stressor Information and Development for Evidence of In-Service Mental Health Treatment |
| 3 | Requesting Corroboration of an In-Service Stressor |
| 4 | Completion of a Formal Finding of a Lack of Information Required to Document the Claimed Stressor(s) |
| 5 | Developing Claims for SC for PTSD Based on Personal Trauma |

1. General Information on Developing Claims for SC for PTSD

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| Introduction | <p>This topic contains general information on developing claims for SC for PTSD, including</p> <ul style="list-style-type: none"> • SC for PTSD due to in-service stressors • when a Veteran’s lay testimony alone may establish an in-service stressor • definitions of <ul style="list-style-type: none"> – engaging in combat with the enemy, and – fear of hostile military or terrorist activity • individual decorations as evidence of combat participation • action to take if a Veteran received a combat decoration but does not state the nature of the stressor • establishing a stressor related to fear of hostile military or terrorist activity and when to schedule an examination • establishing a stressor related to drone aircraft crew member duties and when to schedule an examination • when in-service stressor corroboration is required • primary evidence to corroborate a claimed in-service stressor • secondary sources of evidence that may corroborate a claimed in-service stressor • accepting buddy statements of a fellow Veteran as corroboration of a claimed in-service stressor, and • in-service diagnosis of PTSD related to a pre-service stressor. |
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| a. SC for PTSD Due to In-Service Stressors | <p>Under 38 CFR 3.304(f), service connection (SC) for posttraumatic stress disorder (PTSD) associated with an in-service stressor requires</p> <ul style="list-style-type: none"> • credible supporting evidence that the claimed in-service stressor actually occurred • medical evidence diagnosing the condition in accordance with 38 CFR 4.125, and • a link, established by medical evidence, between current symptomatology and the claimed in-service stressor. |
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Reference: For more information on establishing SC for PTSD, see

- [38 CFR 3.304\(f\)](#), and
 - [38 U.S.C.1154\(b\)](#).
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| b. When a Veteran’s Lay | A Veteran’s lay testimony alone may, under specified circumstances, establish an in-service stressor for purposes of establishing SC for PTSD if |
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**Testimony
Alone May
Establish an In-
Service Stressor**

- PTSD is diagnosed in service, and the stressor is related to that service, or
- the stressor is related to the Veteran's
 - engagement in combat with the enemy
 - experience as a former prisoner of war (FPOW) as defined by [38 CFR 3.1\(y\)](#), or
 - the stressor is related to fear of hostile military or terrorist activity or duties as a drone aircraft crew member, if a Department of Veterans Affairs (VA) psychiatrist or psychologist, or contract equivalent, confirms
 - the claimed stressor is adequate to support a diagnosis of PTSD, and
 - the Veteran's symptoms are related to the claimed stressor.

Notes:

- For the Veteran's lay testimony alone to establish the occurrence of a claimed stressor
 - the stressor must be consistent with the
 - circumstances, conditions, or hardships of service for claims based on an in-service PTSD diagnosis or FPOW or combat service, or
 - places, types, and circumstances of service for claims based on a fear of hostile military or terrorist activity or duties as a drone aircraft crew member, and
 - there must be no clear and convincing evidence to the contrary.
- For claims decided prior to July 13, 2010, a Veteran's testimony alone could not establish the occurrence of a stressor that was related to the Veteran's fear of hostile military or terrorist activity.
- The July 13, 2010, amendment of [38 CFR 3.304\(f\)](#) is not considered a liberalizing rule under [38 CFR 3.114\(a\)](#).

References:

- For more information on evidence requirements for claims based on
 - a diagnosis of PTSD in service, see [38 CFR 3.304\(f\)\(1\)](#) and M21-1, Part III, Subpart iv, 4.H.2
 - combat service, see [38 CFR 3.304\(f\)\(2\)](#) and [VAOPGCPREC Opinion 12-99](#)
 - a fear of hostile military or terrorist activity, see [38 CFR 3.304\(f\)\(3\)](#)
 - FPOW service, see [38 CFR 3.304\(f\)\(4\)](#), and
 - when the Veteran's testimony alone may establish an in-service stressor, see M21-1, Part III, Subpart iv, 4.H.3.a.
 - For the definitions of
 - engaging in combat with the enemy, see M21-1, Part IV, Subpart ii, 1.D.1.c, and
 - fear of hostile military or terrorist activity, see M21-1, Part IV, Subpart ii, 1.D.1.d.
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**c. Definition:
Engaging in
Combat With
the Enemy**

Engaging in combat with the enemy means personal participation in events constituting an actual fight or encounter with a military foe or hostile unit or instrumentality. It includes presence during such events either as a

- combatant, or
 - service member performing duty in support of combatants, such as providing medical care to the wounded.
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**d. Definition:
Fear of Hostile
Military or
Terrorist
Activity**

Fear of hostile military or terrorist activity means

- the Veteran experienced, witnessed, or was confronted with an event or circumstance that involved
 - actual or threatened death or serious injury, or
 - a threat to the physical integrity of the Veteran or others, and
- the Veteran's response to the event or circumstances involved a psychological or psycho-physiological state of fear, helplessness, or horror.

Examples of exposure to hostile military or terrorist activity include presence at events involving

- actual or potential improvised explosive devices (IEDs)
 - vehicle-embedded explosive devices
 - incoming artillery, rocket, or mortar fire
 - small arms fire, including suspected sniper fire, or
 - attacks upon friendly aircraft.
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**e. Individual
Decorations as
Evidence of
Combat
Participation**

When a Veteran has received any of the combat decorations listed below, VA will presume that the Veteran engaged in combat with the enemy, unless there is clear and convincing evidence to the contrary

- Air Force Achievement Medal with "V" Device
- Air Force Combat Action Medal
- Air Force Commendation Medal with "V" Device
- Air Force Cross
- Air Medal with "V" Device
- Army Commendation Medal with "V" Device
- Bronze Star Medal with "V" Device
- Combat Action Badge (CAB)
- Combat Action Ribbon (CAR) (*Note:* Prior to February 1969, the Navy Achievement Medal with "V" Device was awarded.)
- Combat Aircrew Insignia
- Combat Infantry/Infantryman Badge (CIB)
- Combat Medical Badge
- Distinguished Flying Cross
- Distinguished Service Cross
- Fleet Marine Force (FMF) Combat Operations Insignia

- Joint Service Commendation Medal with “V” Device
- Medal of Honor
- Navy Commendation Medal with “V” Device
- Navy Cross
- Purple Heart, and/or
- Silver Star.

Important: Receipt of one of the decorations cited above is not the only acceptable evidence of engagement in combat.

f. Action to Take if a Veteran Received a Combat Decoration but Does Not State the Nature of the Stressor

If a Veteran received one of the combat decorations cited in M21-1, Part IV, Subpart ii, 1.D.1.e, but does not expressly state the nature of the stressor

- assume the stressor is combat-related
- order an examination, if necessary to decide the claim, and
- in the examination request
 - state that VA has verified the Veteran’s combat service, and
 - specify any details regarding the combat stressor contained in the record.

References: For more information on

- determining if an examination is necessary, see M21-1, Part I, 1.C.3
 - guidance not to exclude a claim for PTSD from the Fully Developed Claims (FDC) program due to non-receipt of *VA Form 21-0781, Statement in Support of Claim for Service Connection for Post-Traumatic Stress Disorder (PTSD)*, when a Veteran is in receipt of a recognized combat decoration, see M21-1, Part III, Subpart I, 3.B, and
 - scheduling examinations in PTSD cases, see M21-1, Part III, Subpart iv, 4.H.5.
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g. Establishing a Stressor Related to Fear of Hostile Military or Terrorist Activity and When to Schedule an Examination

Schedule an examination if there is evidence of a PTSD diagnosis or symptoms, *and* the Veteran’s *DD Form 214, Certificate of Release or Discharge From Active Duty*, or other service records, shows service in an area of potential hostile military or terrorist activity.

Notes:

- The receipt of military awards such as, but not limited to, the Vietnam Service or Campaign Medal, Kuwait Liberation Medal, Iraq Campaign Medal, and Afghanistan Campaign Medal is generally considered evidence of service in an area of potential hostile military or terrorist activity.
- The receipt of military awards such as the National Defense Service Medal, Armed Forces Service Medal, and Global War on Terrorism (GWOT) Service Medal generally does not indicate service in locations that involve exposure to hostile military or terrorist activity because these are general medals that do not denote service in a particular area or campaign. If the Veteran served in an area of potential hostile military or terrorist activity, he/she would have received a more specific medal for such service.

References: For more information on

- determining that an examination is necessary, see M21-1, Part I, 1.C.3, and
 - scheduling examinations in PTSD cases, see M21-1, Part III, Subpart iv, 4.H.5.
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h. Establishing a Stressor Related to Drone Aircraft Crew Member Duties and When to Schedule an Examination

The GWOT has seen expansive use of armed drone aircraft including but not limited to the Predator and Reaper. Schedule an examination if there is evidence of a PTSD diagnosis or symptoms, *and* the Veteran's *DD Form 214* or other service records shows service as an armed drone aircraft crew member.

i. When In-Service Stressor Corroboration Is Required

Develop to corroborate the details of a claimed in-service stressor only when the claimed stressor does not meet one of the criteria in M21-1, Part III, Subpart iv, 4.H.3.a.

Examples of claimed stressors that must be corroborated are

- a plane crash caused by severe weather
- a severe motor vehicle accident
- witnessing the death, injury, or threat to the physical being of another person caused by something other than hostile military or terrorist activity, and
- actual or threatened death or serious injury, or other threat to one's physical being, caused by something other than hostile military or terrorist activity.

Reference: For more information on processing claims for PTSD based on personal trauma, see

- M21-1, Part III, Subpart iv, 4.H.4
 - the [PTSD Personal Assault Information](#) site on the Compensation Service Intranet, and
 - [38 CFR 3.304\(f\)\(5\)](#).
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j. Primary Evidence to Corroborate a Claimed In-Service Stressor

Primary evidence is generally considered the most reliable source for corroborating in-service stressors and should be carefully reviewed when corroboration is required. It is typically obtained from the National Archives and Records Administration (NARA) or Department of Defense (DoD) entities, such as service departments, the U.S. Army and Joint Services Records Research Center (JSRRC), and the Marine Corps University Archives (MCUA).

Primary evidence includes

- service personnel records (SPRs) and pay records

M21-1, Part IV, Subpart ii, Chapter 1, Section D

- military occupation evidence (*Note*: A Veteran's military occupation may be specified on his/her *DD Form 214* or in SPRs.)
- hazard pay records (*Note*: This information may be requested from the Department of Defense Finance and Accounting Service (DFAS).)
- service treatment records (STRs)
- military performance reports (*Note*: This information may be requested via Personnel Information Exchange System (PIES).)
- verification that the Veteran received Combat/Imminent Danger/Hostile Fire Pay (*Note*: This information may be requested through the Veterans Information Solution (VIS).)
- unit and organizational histories
- daily staff journals
- operational reports-lessons learned (ORLLs)
- after action reports (AARs)
- radio logs, deck logs, and ship histories
- muster rolls
- command chronologies and war diaries, and
- monthly summaries and morning reports.

Notes:

- Many of the unit documents listed above are available on the Compensation Service Intranet site, [Stressor Verification](#).
- While confirmation of receipt of Combat/Imminent Danger/Hostile Fire Pay through the VIS alone does not constitute verification of a combat-related stressor, it may, in combination with other evidence, "tip the scales" in favor of the Veteran's assertion of his/her involvement in combat.

Reference: For more information on Combat/Imminent Danger/Hostile Fire Pay, see the [PTSD Rating Job Aid web site](#).

k. Secondary Sources of Evidence That May Corroborate a Claimed In-Service Stressor

Review the following secondary sources of evidence critically and carefully for information confirming participation in combat or to otherwise corroborate a claimed in-service stressor when corroboration is required

- buddy statements
- contemporaneous letters and diaries
- newspaper archives, and
- information from Veterans Benefits Administration (VBA)-sanctioned web sites, which may be accessed through the [PTSD Rating Job Aid web site](#).

Important:

- All sources of evidence obtained for purposes of stressor verification must be fully documented in the claims folder.
- It may not be necessary to corroborate the claimed stressor if it is
 - related to the Veteran's fear of hostile military or terrorist activity or drone aircraft crew member duties, and
 - consistent with the places, types, and circumstances of the Veteran's

service.

**l. Accepting
Buddy
Statements of a
Fellow Veteran
as
Corroboration
of a Claimed
In-Service
Stressor**

Accept a buddy statement from a fellow Veteran as corroboration of a claimed in-service stressor if the statement is consistent with the time, place, and circumstances of the service of both the Veteran and the fellow Veteran making the buddy statement.

If the evidence available calls into question the qualifications of the fellow Veteran to make the statement, ask the person to submit his/her *DD Form 214* or other evidence of service with the claimant.

Note: Upon receipt of a *DD Form 214* (or other document containing personally identifiable information) from a fellow Veteran

- place the document in a separate envelope in the claims folder, and
 - annotate on the envelope that the contents must not be
 - reproduced, or
 - reviewed by the Veteran to whom the claims folder pertains or his/her representative.
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**m. In-Service
Diagnosis of
PTSD Related
to a Pre-Service
Stressor**

If a Veteran is sound on enlistment and develops delayed or late-onset PTSD in service related to a pre-service stressor, SC may be established under [38 U.S.C. 1110](#), which contains the general criteria for establishing SC for a chronic disability.

Notes:

- The existence of a pre-service stressor does not rebut the presumption of soundness under [38 U.S.C. 1111](#).
- There is no statutory or regulatory requirement for credible supporting evidence of a pre-service stressor.
- In the rating decision, do not cite [38 CFR 3.304\(f\)](#) as the existing regulatory language only provides standards for establishing SC for PTSD due to in-service stressors. Also, do not cite [38 CFR 3.303\(a\)](#).

Reference: For more information, see M21-1, Part III, Subpart iv, 4.H.2.e.

2. Development to the Veteran for Stressor Information and Development for Evidence of In-Service Mental Health Treatment

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| Introduction | <p>This topic contains information on development to the Veteran for stressor information and development for evidence of in-service mental health treatment, including</p> <ul style="list-style-type: none"> • the location of in-service mental health treatment records • developing for service department records of in-service mental health treatment • developing for civilian records of in-service mental health treatment • obtaining PTSD treatment records from a Military Treatment Facility (MTF) • when to request evidence from the Veteran to establish an in-service stressor • the information to request from the Veteran to support an in-service stressor • the minimum information required from the Veteran related to an in-service stressor • the PIES request codes to use when submitting a records request involving PTSD • relevant forms related to personnel records in PTSD cases by branch of service • where to send requests for Navy deck logs, and • when to request hospital reports and clinical records. |
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| a. Location of In-Service Mental Health Treatment Records | <p>In-service mental health treatment records are <i>not</i> stored with the STRs.</p> <p>They are maintained with the records of</p> <ul style="list-style-type: none"> • a military treating facility, or • a civilian treating facility. <p>Note: The records are typically destroyed five years after the end of the year in which the case is closed.</p> <p>Reference: For more information on the STRs, see M21-1, Part III, Subpart iii, 2.A.1.</p> |
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| b. Developing for Service Department | Use the table below to determine the proper action to take when developing for service department records of in-service mental health treatment. |
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Records of In-Service Mental Health Treatment

| If the last claimed or indicated in-service mental health treatment was... | Then... |
|---|--|
| five years ago or less | submit a clinical records request for the treatment records through PIES/Defense Personnel Records Image Retrieval System (DPRIS). |
| greater than five years ago | <ul style="list-style-type: none"> • submit a clinical records request asking if the records still exist or whether they have been destroyed, and • obtain any existing mental health records. |

References: For more information on

- requesting records in the custody of a Federal department or agency, see
 - M21-1 Part I, 1.C.1, and
 - M21-1 Part III, Subpart iii, and
- clinical records programmed request codes, see M21-1 Part III, Subpart iii, 2.D.3.a.

c. Developing for Civilian Records of In-Service Mental Health Treatment

If a service member obtains treatment "off-base" at a civilian facility, any mental health records created during the course of treatment are not automatically associated with the service member's STRs. It is the responsibility of the patient and civilian provider to transfer records of care to the service department.

Records retained by a civilian provider are not records in the custody of a Federal department or agency. They are not forwarded for long-term storage to the National Personnel Records Center (NPRC) and cannot be obtained through PIES/DPRIS.

To obtain identified civilian treatment records, follow procedures for requesting non-Federal or private records.

References: For more information on

- requesting private treatment records, see
 - M21-1, Part I, 1.C.2, and
 - M21-1, Part III, Subpart iii, 1.C.3, and
- STRs including records of "off base" civilian treatment, see M21-1 Part III, Subpart iii, 2.A.1.b.

d. Obtaining PTSD Treatment Records From an MTF

Obtain any adequately identified records from a Military Treatment Facility (MTF) that are relevant to a claim for SC for PTSD. If a service member obtains treatment at a military facility, it will be necessary to request all records associated with that treatment by completion of *VA Form 21-8359, Information Regarding a Veteran in Uniformed Services Hospital or*

Dispensary.

When completing the *VA Form 21-8359*

- Complete the first page (*Request by VA-1*) of *VA Form 21-8359*, by
 - filling in all of the blocks in *Part I*
 - placing a check mark in the boxes to the left side of the following items in *Part II*:
 - *Hospital Report*
 - *21-Day Certificate*, and
 - *Notice of Discharge*, and
 - dating and signing the form (on behalf of the Veterans Service Center Manager (VSCM)).
- Send the first, second (*21-Day Certificate-2*), and third (*Notice of Discharge-3*) pages of *VA Form 21-8359* to the appropriate uniformed services hospital on a date that ensures the hospital will receive it on or after the twenty-first day of the Veteran’s hospitalization.
- Retain the fourth page (*VA Control Copy-4*) of *VA Form 21-8359* in the claims folder.
- Take no further action.

Note: MTFs do not furnish hospital reports until *after* the Veteran’s discharge from the hospital when a Veteran has been admitted for treatment.

References: For more information on

- the duty to assist in obtaining relevant records of a Federal department or agency, see M21-1, Part I, 1.C.1, and
- policies and procedures for development for mental health records from an MTF, see M21-1, Part III, Subpart iii, 1.C.8.

e. When to Request Evidence From the Veteran to Establish an In-Service Stressor

Request the Veteran provide credible supporting evidence to establish that an in-service stressor occurred unless the evidence of record shows that

- PTSD was diagnosed in service, and the claimed stressor is related to that service, or
- the claimed stressor is related to the Veteran’s
 - verified combat or FPOW service and consistent with the circumstances, conditions, or hardships of such service, or
 - fear of hostile military or terrorist activity or Veteran served as a drone aircraft crew member, and exposure to such activity is consistent with the places, types, and circumstances of the Veteran’s service.

f. Information to Request From the Veteran to Support an In-

Use the PTSD development letter in the Veterans Benefits Management System (VBMS) to request information from the Veteran.

Enclose *VA Form 21-0781* to solicit specific details of the in-service stressor, such as the

Service Stressor

- date of the incident
- place of the incident
- unit of assignment at the time of the incident
- detailed description of the event
- medals or citations received as a result of the incident, and
- name and other identifying information concerning any other individuals involved in the event, if appropriate.

Important:

- Do *not* unnecessarily delay an examination or claim by asking the Veteran for specific details or send the Veteran VA Form 21-0781 in any case in which there is credible supporting evidence that demonstrates the claimed in-service stressor occurred, such as evidence of
 - internment as an FPOW
 - fear of hostile military or terrorist activity
 - receipt of one of the decorations listed in M21-1, Part IV, Subpart ii, 1.D.1.e, or
 - other instances in which the Veteran’s lay testimony alone may establish an in-service stressor as discussed in M21-1, Part IV, Subpart ii, 1.D.1.b.
- If the Veteran fails to respond to the initial stressor details request within 30 days, do *not* send a second development letter requesting stressor information.

Reference: For guidance on obtaining information from the Veteran in claims based on military sexual trauma (MST) or personal trauma and use of the VA Form 21-0781a, *Statement in Support of Claim for Service Connection for Post-Traumatic Stress Disorder (PTSD) Secondary to Personal Assault*, see M21-1, Part IV, Subpart ii, 1.D.5.k.

g. Minimum Information Required From the Veteran Related to an In-Service Stressor

At a minimum, the Veteran *must* provide the following

- a stressor that can be documented
- the location where the incident took place
- the approximate date (within a two-month period) of the incident, and
- the unit of assignment at the time the stressful event occurred.

Inform the Veteran that

- the information is necessary to obtain supportive evidence of each of the stressful events, and
- failure to respond or an incomplete response may result in denial of the claim.

Exception: There is no regulatory requirement for credible supporting evidence of a pre-service stressor resulting in delayed onset of PTSD in service. If a Veteran is sound on enlistment and develops delayed or late-

onset PTSD in service related to a pre-service stressor, SC may be established under [38 U.S.C. 1110](#), which contains the general criteria for establishing SC for a chronic disability.

Notes:

- Specific details of claimed stressful events may also be gathered from such sources as VA or private medical treatment reports and examination reports.
- Veterans Service Representatives (VSRs) may obtain the date and location of well-documented events, such as the Tet Offensive, from VBA-sanctioned web sites (available through the [PTSD Rating Job Aid web site](#)) and supply this information on the Veteran's behalf.

References: For information on

- the types of stressors that may be impossible to corroborate, see the [JSRRC Stressor Verification Guide, Section V](#), and
 - onset of PTSD in service due to a pre-service stressor, see M21-1, Part IV, Subpart ii, 1.D.1.m.
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h. PIES Request Codes to Use When Submitting a Records Request Involving PTSD

Use the following PIES request codes to request records required to process a claim for SC for PTSD

- Use PIES request code O18 if
 - the request is related to a claim that is *not* being processed in VBMS
 - the stressor is associated with an episode of personal assault or trauma, such as rape, or
 - the Veteran is claiming SC for PTSD as a result of both personal trauma and other types of stressors.
- Use PIES request code O50 if
 - the request is related to a claim that is being processed in VBMS
 - the stressor is associated with an episode of personal assault or trauma, such as rape, or
 - the Veteran is claiming service connection for PTSD as a result of both personal trauma and other types of stressors.
- Use PIES request code O19 for verification of all other types of stressors.

Notes:

- Only limited documents from the Veteran's personnel folder, including those listed under M21-1, Part IV, Subpart ii, 1.D.2.i, are provided in response to submission of a PIES request under request code O19.
- A copy of *all* documents within the personnel folder are provided in response to a PIES request submitted under request code O18 for claims processed outside of VBMS and O50 for claims processed in VBMS.
- Because of the time and cost involved in photocopying all documents within a personnel folder, do *not* submit a request to NPRC (address code 13) under request codes O18 or O50, as applicable, unless the claim involves personal trauma.
- If documents not routinely provided by NPRC in response to a request submitted under request code O19 are needed, identify the documents in a

customized request, using request code O99.

- Records related to in-service mental health treatment cannot be requested through PIES because they are
 - maintained by the military or civilian treating facility, and
 - not stored by the DoD with the traditional STRs.

i. Relevant Forms Related to Personnel Records in PTSD Cases by Branch of Service

The table below identifies the forms that contain information about the Veteran’s unit(s) of assignment, military occupation, and service locations.

Note: These forms are among the documents that will be provided in response to PIES requests submitted under request code O19.

| Branch of Service | Name(s) of Forms |
|-------------------|---|
| Army | <p><i>DA Form 2-1, Personnel Qualification Record</i></p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> • <i>DA Form 2-1</i> <ul style="list-style-type: none"> – is used for both officers and enlisted personnel, and – first came into use in January 1973. • Prior to January 1973, <i>DA Form 20, Enlisted Qualification Record</i> and <i>DA Form 66, Officer Qualification Record</i> were used. |
| Navy | <ul style="list-style-type: none"> • enlisted record of <i>Transfer and Receipts</i>, pages <ul style="list-style-type: none"> – 12 – 32, and – 33 • enlisted record <i>Administrative Remarks</i>, pages <ul style="list-style-type: none"> – 4 through 9 – 13, and – 34, and • officer record, <i>NAVPERS 1301/51, Officer Data Card</i>, page 35. <p><i>Note:</i> <i>DD Form 214</i> and enlistment contracts are usually included.</p> |
| Air Force | <ul style="list-style-type: none"> • enlisted record, <i>AF Form 7, Airman Military Record</i>, pages 36 through 39 • officer record, <i>AF Form 11, Officer Military Record</i>, pages 39 and 40, and • performance reports for both enlisted personnel and officers. |

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| Marine Corps | <ul style="list-style-type: none"> • enlistment contracts • discharge papers • <i>MABMC-11 (Discharge Order)</i>, and • service records, pages <ul style="list-style-type: none"> – 3 – 5 through 6 – 8 through 9 – 12 through 13, and – 17. |
| Coast Guard | <ul style="list-style-type: none"> • enlisted record • <i>Endorsement on Order Sheet, (DoT Form CG 3312B)</i> • officer record • <i>Service Records Card</i> • <i>DoT Form CG CG 3301</i> • <i>DoT Form CG CG 3303</i> • <i>DoT Form CG CG 3305</i>, pages 3, 5, 6-7 • <i>DD Form 214</i>, and • the enlistment contract. |

j. Where to Send Requests for Navy Deck Logs

Use the table below to determine the address to use when requesting Navy deck logs.

| If the Navy deck logs ... | Then send the request to ... |
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| are dated 1940 or earlier | Old Military and Civil Records National Archives and Records Administration 700 Pennsylvania Ave., NW Washington, DC 20408 |
| are dated between 1941 and 30 years prior to the current date | Modern Military Branch National Archives and Records Administration 8601 Adelphi Rd. College Park, MD 20740 |
| are less than 30 years old | Department of the Navy Naval Historical Center 805 Kidder Breese, SE Washington Navy Yard Washington, DC 20374-5060 |

Reference: For more information on Navy deck logs and how to obtain them, see <http://www.history.navy.mil/research/archives/deck-logs.html>.

k. When to Request

Request hospital reports and clinical records if the Veteran indicates pertinent

**Hospital
Reports and
Clinical
Records**

treatment in a VA facility, Vet Center, or elsewhere.

3. Requesting Corroboration of an In-Service Stressor

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| Introduction | <p>This topic contains information on requesting corroboration of an in-service stressor, including</p> <ul style="list-style-type: none"> • when to request corroboration of an in-service stressor • where to send a request for corroboration of an in-service stressor • format of requests for stressor corroboration to JSRRC • the information to include in requests for stressor corroboration to JSRRC (formerly the U.S. Armed Services Center for Unit Records Research (CURR)) • refraining from submitting duplicate requests to JSRRC • circumstances in which JSRRC requests may be expedited • sending requests for research of Marine Corps unit records to NARA • accessing Korean Conflict and Vietnam Era Marine Corps unit records through Virtual VA • use of Army post office (APO) mailbox information to verify Republic of Vietnam service • requesting stressor corroboration from Marine Corps records dated after the Vietnam Era • the responsibilities of the Marine Corps Archives and Special Collections (MCASC) • information to include in record requests to MCASC related to a claimed in-service stressor • sample e-mail to MCASC for a determination as to the availability of records required to corroborate a stressor • the duties of the JSRRC Coordinator • invalid or incomplete research requests to JSRRC, MCASC, or NARA • denying SC because of an unconfirmed stressor • handling requests for more information from JSRRC, MCASC, or NARA, and • the failure of a Veteran to provide sufficient information about a claimed in-service stressor. |
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| a. When to Request Corroboration of an In-Service Stressor | <p>Submit a request for corroboration of an in-service stressor if</p> <ul style="list-style-type: none"> • the evidence does not corroborate the Veteran's claim that he/she engaged in combat, served as an FPOW, was exposed to hostile military or terrorist activity, served as a drone aircraft crew member, or experienced other in-service stressor(s) • the in-service stressor claimed is capable of being documented • the Veteran's records contain <ul style="list-style-type: none"> – evidence of a diagnosis of PTSD, such as outpatient treatment records |
|---|---|

- showing treatment for PTSD, *or*
- competent lay evidence of persistent or recurrent symptoms of PTSD, such as the Veteran’s description of symptoms indicative of PTSD, and
- development is complete in every respect except for
 - corroboration of the in-service stressor, and
 - a confirmed diagnosis of PTSD.

Important:

- Do *not* schedule a VA examination before receiving corroboration of the claimed in-service stressor.
- A diagnosis of PTSD is not a prerequisite for initiating the stressor verification process.
- Some stressors are clearly impossible to document and should not be referred to the JSRRC (formerly the U.S. Armed Services Center for Unit Records Research (CURR)), NARA, or the Marine Corps. If, after requesting/obtaining pertinent facts from the Veteran it is obvious that corroboration simply is not feasible, the claim should be decided based on the evidence of record.

References: For information on

- where to send a request for corroboration of an in-service stressor, see M21-1, Part IV, Subpart ii, 1.D.3.b, and
- the types of stressors that may be impossible to corroborate, see the [JSRRC Stressor Verification Guide, Section V](#).

b. Where to Send a Request for Corroboration of an In-Service Stressor

Use the table below to determine where to send a request for corroboration of an in-service stressor.

| If the stressor occurred during service in the... | Send the request to... |
|--|--|
| <ul style="list-style-type: none"> • Army • Navy • Air Force, or • Coast Guard | JSRRC (address code 55) via DPRIS under request code <ul style="list-style-type: none"> • O40 - first (or only) stressor • O41 - second stressor (if more than one is claimed), or • O42 - third stressor (if more than two are claimed). |

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|---|---|
| <p>Marine Corps, during the Vietnam Era or earlier</p> | <p>Address: National Archives and Records Administration Attention: Modern Military Records 8601 Adelphi Road College Park, MD 20740-6001</p> <p>Exceptions: Do <i>not</i> submit a request for stressor corroboration to this address if the claimed stressor</p> <ul style="list-style-type: none"> • can be corroborated through review of Marine Corps unit records in Virtual VA • occurred during assignment aboard a Navy ship, or • occurred after Vietnam Era service. <p>Note: Most unit records covering the Korean Conflict and Vietnam Era are available in Virtual VA.</p> |
| <p>Marine Corps, after the Vietnam Era</p> | <p>Send an e-mail to Nancy K. Whitfield, Archives Technician, Marine Corps Archives and Special Collections (MCASC), at the following address:</p> <p>Nancy.Whitfield@usmcu.edu</p> <p>Telephone number: (703) 784-4685</p> <p>Reference: For more information on what information to include in the e-mail to MCASC for verifying claimed in-service stressors, see M21-1, Part IV, Subpart ii, 1.D.3.I.</p> <p>Exceptions: Do <i>not</i> submit a request for stressor corroboration to this e-mail address if the claimed stressor</p> <ul style="list-style-type: none"> • can be corroborated through review of Marine Corps unit records in Virtual VA • occurred during assignment aboard a Navy ship, or • occurred during Vietnam Era service or earlier. |
| <p>Marine Corps, during assignment aboard a Navy ship</p> | <p>Address: U.S. Army and Joint Services Records Research Center 7701 Telegraph Road Kingman Building, Room 2C08 Alexandria, VA 22315-3852</p> |

c. Format of Requests for Stressor Corroboration to JSRRC

When submitting a request for stressor corroboration to JSRRC, submit all requests using the DPRIS web application. If, due to an exceptional circumstance, the need arises to submit a written (paper) request, send correspondence to the PIES mailbox at VAVBAWAS/CO/PIES (PIES.VBACO@va.gov) advising of the reason for the exception.

Important: JSRRC and VA have an agreement that JSRRC will research deck logs up to 60 days and, under certain circumstances, an additional 60 days, if needed. If additional deck logs are needed beyond the 120 days, VSRs should request additional deck logs from NARA College Park.

d. Information to Include in Requests for Stressor Corroboration to JSRRC (Formerly CURR)

Military records are organized by units. Unit records are further organized by date. When submitting a request for stressor corroboration to JSRRC (formerly CURR), provide

- a point of contact
- adequate identifying information, to include the Veteran's full name and Social Security number (SSN)
- a description of the claimed stressor(s). List only **one** stressor in the *PTSD Stressor* block per 040, 041, and 042. Do not submit requests with three or four stressors listed in the same block.
- the most specific date(s), at minimum the month and year, during which the stressful event occurred (JSRRC will research records dated 30 days before the date provided and 30 days after).
- the Veteran's complete tour dates related to the unit of assignment when the incident occurred
- the designation of the Veteran's unit of assignment at the time of the stressful event down to the lowest possible level, and
- the geographic location where the stressful event took place. In the UNIT LOCATION block, provide more concise locations such as Fallujah, Iraq, instead of Iraq, or Seoul, Korea, instead of just Korea.

Additional information identified by JSRRC as helpful in conducting research includes

- the medals or citations received by the Veteran, and
- the names of other soldiers or sailors involved in the stressful incident.

Important:

- For Army requests, provide the full unit designation to the company level, such as HHC, 1st Brigade, 2d Armored Division (instead of 2d Armored Division only), and Company C, 1st Battalion, 14th Infantry, 1st Brigade Combat Team, 4th Infantry Division.
- For Navy requests, provide the full unit designation and hull numbers for ships, such as USS Franklin D. Roosevelt (CVA-42) instead of USS Roosevelt only.
- For Air Force requests, at a minimum, provide squadron and group designations, such as 366th Field Maintenance Squadron, 366th Combat Support Group instead of 366th Tactical Fighter Wing only. Providing just the wing is insufficient because there are numerous units under a wing and various unit locations.

Notes:

- The telephone number for VA's Liaison Officer at JSRRC is (703) 428-

6870.

- When inputting electronic research requests for JSRRC, if it is not possible to read the *DA Form 20* or equivalent document listing to include unit of assignment, mail or fax the document to the VA Liaison Officer for assistance.

Reference: For a listing of the personnel documents containing information about the Veteran’s unit(s) of assignment and service locations, see M21-1, Part IV, Subpart ii, 1.D.2.i.

e. Refraining From Submitting Duplicate Requests to JSRRC

If you have already input a request and have not received a response, **do not** input a new request to JSRRC as a follow-up as this will delay the case if it is not finalized yet. Instead, for status of research requests already submitted to JSRRC, an inquiry may be sent to the following mailbox:
VAVBAWAS/CO/JSRRC.

f. Circumstances in Which JSRRC Requests May Be Expedited

JSRRC is able to expedite requests *only* under the following extraordinary circumstances

- terminal illness, or
- Congressional inquiry.

Note: It is JSRRC’s policy to research and complete all cases within 45 to 60 days.

g. Sending Requests for Research of Marine Corps Unit Records to NARA

Send a request for research of Marine Corps unit records to NARA when

- corroboration of a stressor is required, and
- the unit records cover the Vietnam Era or earlier.

Exception: Unit records covering the Korean Conflict or the Vietnam Era may be accessed through Virtual VA. For more information, see M21-1, Part IV, Subpart ii, 1.D.3.h

Use to table below to request stressor corroboration from NARA.

| Step | Action |
|------|--|
| 1 | Access the inquiry form at NARA’s web site address . |
| 2 | Select “Records created by the United States military” from the drop-down list of question topics. |

| | |
|---|---|
| 3 | <p>In the box provided</p> <ul style="list-style-type: none"> • identify yourself as a VBA employee, and • indicate the specific information you are seeking, as well as the Veteran's <ul style="list-style-type: none"> – name – rank – unit of assignment at the time of the stressful event, and – inclusive dates of service. |
| 4 | Furnish your contact information in the spaces provided. |

h. Accessing Korean Conflict and Vietnam Era Marine Corps Unit Records Through Virtual VA

Marine Corps unit records covering the Korean Conflict and Vietnam Era are available to VA personnel through Virtual VA.

Perform a thorough search of Virtual VA to obtain information needed to corroborate the claimed stressor(s) of a Korean Conflict or Vietnam Era Veteran.

Note: NARA maintains custodianship of the records in Virtual VA and is the ultimate authority on the content and organization of the records.

i. Use of APO Mailbox Information to Verify Republic of Vietnam Service

The listing of Army post office (APO) address numbers for the Asian Pacific Theater during the Vietnam Era contains APO numbers for all major Army and Air Force bases in Asia, including Vietnam, Korea, Thailand, Japan, Taiwan, Okinawa, Guam, and the Philippines. Review the record to include personnel and medical records for an APO number written or stamped in the records. As this is official evidence of the Veteran's presence at that location, the listing can assist with stressor corroboration in PTSD claims.

Note: The APO listing is available on the Compensation Service Intranet web site under the [Stressor Verification Site](#). To access the listing, open the General Information folder and click on "General 1942-2002 APO-FPO Files." Each APO number is shown along with the location it identifies and the previous number that it replaced. When successive locations are identified with the same APO number, the dates of use at each location are specified as well as the close-out date.

j. Requesting Stressor Corroboration From Marine Corps Records Dated After the Vietnam Era

Requests for stressor corroboration from Marine Corps for unit records dated after the Vietnam Era must be e-mailed directly to MCASC.

References: For information on

- MCASC's e-mail address, see M21-1, Part IV, Subpart ii, 1.D.3.b, and
- what information to include in an e-mail to MCASC for stressor verification, see M21-1, Part IV, Subpart ii, 1.D.3.1.

k. Responsibilities of the MCASC

MCASC is primarily responsible for

- identifying post-Vietnam Era record(s) required to document the stressors, or
- providing confirmation that the claimed stressor(s) cannot be corroborated using records in its custody.

Important: An RO cannot deny a claim for PTSD based solely on the absence of a verified stressor until MCASC or NARA has confirmed the RO's negative findings.

l. Information to Include in Record Requests to MCASC Related to a Claimed In-Service Stressor

The following information must be included in each e-mail request to MCASC for records needed to document a claimed stressor:

- the Veteran's last name
- designation of the Veteran's unit of assignment at the time of the stressful event down to the lowest possible level
- the most specific date(s), at minimum the month and year, during which the stressful event occurred
- geographical location where stressful event took place
- description of the stressful event, and
- the name and e-mail address of the VA Point of Contact.

Notes:

- Do *not* include in the request any medical information or statement(s) from the Veteran.
- MCASC only researches unit command chronology. Therefore, personal identification information, such as SSN, service number, date of birth, and dates of service should not be included in the request.
- Submit a request to MCASC *only* after exhausting all efforts to document the claimed stressor(s) through other means, including Virtual VA and/or *official* military web sites.
- Include a copy of the e-mail request in the Veteran's claims folder.

References:

- For MCASC's e-mail address, see M21-1, Part IV, Subpart ii, 1.D.3.b.
 - For a sample of an e-mail request to MCASC for stressor verification, see M21-1, Part IV, Subpart ii, 1.D.3.m.
-

m. Sample E-mail to MCASC for Determination as to Availability of Records to Corroborate

Below is a sample of the text to include in the e-mail to MCASC for a determination as to the availability of records required to corroborate a stressor that occurred during service in the Marine Corps after the Vietnam Era.

To: Marine Corps Archives and Special Collections

From: XYZ Regional Office

Stressor

Subject: Request for Research of Records for In-Service Stressor(s)

This is a request for research of records in your possession for the purpose of verifying an in-service stressor. The following information is provided to assist your research:

- *Smith*
 - *3d Battalion, 12th Marines, Bravo Company, Unit XYZ, Camp Foster, Okinawa, Japan*
 - *January 2009*
 - *Norther Training Area, Okinawa, Japan*
 - *Collision of two helicopters that killed 10 people during a training exercise in the Northern Training Area of Okinawa.*
 - *John Doe, Veterans Service Representative*
E-mail address: John.Doe@va.gov.
-

n. Duties of the JSRRC Coordinator

The JSRRC Coordinator is the primary point of contact for all JSRRC-related issues within each RO and

- determines whether or not submission of a request for stressor verification is appropriate
 - serves as the MCASC and NARA point of contact for issues related to records requests
 - personally submits all of the RO's requests for stressor corroboration
 - notifies JSRRC, MCASC, or NARA when further action on a pending research request is no longer necessary, such as when evidence is received that verifies the claimed stressor or the claim is withdrawn altogether, and
 - forwards inquiries from the RO regarding JSRRC-related issues to the VA Central Office (VACO) JSRRC mailbox at VAVBAWAS/CO/JSRRC.
-

o. Invalid or Incomplete Research Requests to JSRRC, MCASC, or NARA

JSRRC, MCASC, or NARA will return to the appropriate RO any research request identified as invalid or incomplete, with an explanation of the deficiency(ies) identified. JSRRC, MCASC, or NARA then closes out the request; it must be resubmitted as a new request to receive further consideration.

Note: JSRRC, MCASC, and NARA process research requests on a first-come, first-served basis. Incomplete requests that are later resubmitted lose their original "place in line." For this reason, it is very important to provide correct and complete information to JSRRC, MCASC, and NARA at the time of the initial submission.

p. Denying SC Because of an Unconfirmed Stressor

Denying SC solely because of an unconfirmed stressor is improper unless the appropriate records custodian, such as JSRRC, MCASC, or NARA, has confirmed that the claimed stressor cannot be corroborated or

- the Veteran has failed to provide the basic information required to conduct research, *and*
- the JSRRC Coordinator has taken the actions described in M21-1, Part IV, Subpart ii.1.D.4.

q. Handling Requests for More Information From JSRRC, MCASC, or NARA

Occasionally, JSRRC, MCASC, or NARA requires additional information in order to conduct its research. When this occurs, the RO must take immediate action to comply with the request.

Notes:

- The JSRRC Coordinator may contact the Veteran by telephone to obtain the additional information needed to document the in-service stressor. The substance of the telephone call must be documented on a *VA Form 27-0820, Report of General Information*.
- Failure by the Veteran to respond substantively to the request for information is grounds for denial of the claim based on the absence of a verifiable stressor.

Reference: For more information on stressor corroboration and the additional evidence that may be required to conduct research, see the [JSRRC Stressor Verification Guide](#).

r. Failure of a Veteran to Provide Sufficient Information About a Claimed In-Service Stressor

Use the table below to determine what action to take when a Veteran fails to provide sufficient information about a claimed in-service stressor.

| If a Veteran... | Then... |
|-----------------|---------|
|-----------------|---------|

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| | |
|--|---|
| <p>fails to respond within 30 days to the request for information about a claimed stressor</p> | <p>refer the case to the JSRRC Coordinator to make a formal finding that sufficient information required to corroborate the claimed stressor(s) does not exist.</p> <p>Reference: For more information on action taken by the JSRRC Coordinator when a claimed in-service stressor cannot be corroborated, see</p> <ul style="list-style-type: none">• M21-1, Part IV, Subpart ii, 1.D.4.a, and• M21-1, Part IV, Subpart ii, 1.D.4.b. |
| <p>submits insufficient information in response to the initial request for information</p> | <p>send a 10-day follow-up letter explaining</p> <ul style="list-style-type: none">• what information is missing, and• why the information is needed. |
| <ul style="list-style-type: none">• fails to respond to the follow-up letter within 10 days, or• submits information in response to the follow-up letter that is still insufficient | <p>refer the case to the JSRRC Coordinator to make a formal finding that sufficient information required to corroborate the claimed stressor(s) does not exist.</p> |

4. Completion of a Formal Finding of a Lack of Information Required to Document the Claimed Stressor(s)

Introduction This topic contains information on completing a formal finding of a lack of information required to document the claimed stressor(s), including

- action by the JSRRC Coordinator when a claimed in-service stressor cannot be corroborated
- requirements for a formal finding, and
- a sample of a formal finding.

Change Date May 21, 2015

a. Action by the JSRRC Coordinator When a Claimed In-Service Stressor Cannot Be Corroborated When a claimed in-service stressor cannot be corroborated, the JSRRC Coordinator will make a formal finding regarding the lack of sufficient information in the claims folder to document the occurrence of the stressful event(s) and the Veteran's involvement in it.

To ensure that the information of record is insufficient, the JSRRC Coordinator should review the claims folder to confirm that

- the claimant was properly notified of the information required to document the stressor(s), and
- all relevant evidence, to include service records, has been considered in an attempt to confirm the occurrence of the stressful event.

Important: The determination that a claimed in-service stressor cannot be corroborated is to be made based on the objective evidence of record and not the JSRRC Coordinator's own personal feelings about the believability of the stressor.

b. Requirements for a Formal Finding The formal finding

- must be approved by the VSCM or his/her designee
- should be on a separate page to be filed in the claims folder, and
- should note
 - the actions taken to obtain the required information
 - that all procedures have been properly followed
 - that evidence of all efforts to obtain the records is in the claims folder
 - that all efforts to obtain the needed information have been exhausted
 - that further efforts would be futile, and
 - that the information required to document the stressful event(s) is unavailable.

Note: It is *not* necessary to contact the Veteran by telephone to

- advise him/her of the formal finding, or
- allow additional time to submit the needed information.

c. Sample of a Formal Finding

A sample of a formal finding of a lack of information required to document the claimed stressor(s) is shown below

| Department of Veterans Affairs | Memorandum |
|--|-------------------|
| Date: | |
| From: | |
| RE: Private, John Q. CSS 999 99 9999 | |
| Subj: Formal finding of a lack of information required to corroborate stressor(s) associated with a claim for service connection for PTSD. | |
| To: File | |
| <ol style="list-style-type: none">1. We have determined that the information required to corroborate the stressful events described by the Veteran is insufficient to send to the U.S. Army and Joint Services Records Research Center (JSRRC) and/or insufficient to allow for meaningful research of Marine Corps or National Archives and Records Administration (NARA) records.2. All procedures to obtain this information from the Veteran have been properly followed. Evidence of written and telephonic efforts to obtain this information is in the file. All efforts to obtain the needed information have been exhausted, and any further attempts would be futile.3. The following efforts were made in order to obtain the information necessary to corroborate stressful events for the PTSD claim:<ol style="list-style-type: none">1.2.3.4.5. | |
| Signature and position of preparer: _____ | |
| Signature of Veterans Service Center Manager or designee: _____ | |

5. Developing Claims for SC for PTSD Based on Personal Trauma

Introduction This topic contains information on developing claims for SC for PTSD based on personal trauma, including

- general information on personal trauma
 - the evidence required to establish SC based on in-service personal trauma
 - the process for obtaining information from the Veteran in claims based on in-service personal trauma
 - DoD's reporting procedures following MST incidents
 - the action VA takes upon receipt of a claim based on MST
 - the language to include in the section 5103 notice if the MST report is restricted
 - the language to include in the section 5103 notice if the MST report is unrestricted
 - developing with DoD in claims based on MST
 - a sample development letter to DoD in claims based on MST
 - a sample *Response to Request for DD Form 2910 or Other Similar Form*
 - the MAP-D or VBMS letters to use to obtain information from the Veteran in claims based on personal trauma
 - the process for obtaining service records in claims based on personal trauma
 - the problems associated with development in claims based on personal trauma
 - alternative sources for information in claims based on personal trauma
 - the process for obtaining police reports in claims based on personal trauma, and
 - contact information for DoD MST units by branch of service.
-

Change Date May 21, 2015

a. General Information on Personal Trauma

Personal trauma for the purpose of VA disability compensation claims based on PTSD refers broadly to stressor events involving harm perpetrated by a person who is not considered part of an enemy force.

Examples: Assault, battery, robbery, mugging, stalking, harassment.

Military sexual trauma is a subset of personal trauma and refers to sexual harassment, sexual assault, or rape that occurs in a military setting.

Reference: For more information on processing claims for PTSD based on personal trauma, see

- M21-1, Part III, Subpart iv, 4.H.4
- the [PTSD Personal Assault Information](#) site on the Compensation Service Intranet, and

- [38 CFR 3.304\(f\)\(5\)](#).
-

b. Evidence Required to Establish SC Based on In-Service Personal Trauma

To establish SC for PTSD based on in-service personal trauma, there *must* be credible evidence to support the Veteran’s assertion that the stressful event occurred.

This does *not* mean that the evidence actually proves that the incident occurred, but that there is at least an approximate balance of positive and negative evidence that the event did occur.

Note: Veterans whose stressor occurred during inactive duty for training (INACDUTRA) are eligible for SC in the same manner as those whose stressor occurred during active duty or active duty for training. VA Office of General Counsel concluded in [VAOPGCPREC 08-2001](#) that “PTSD resulting from sexual assault may be considered a disability resulting from an injury.”

References: For more information on

- applying the benefit-of-the-doubt rule, see
 - M21-1, Part III, Subpart iv, 2.B.3.g, and
 - M21-1, Part III, Subpart iv, 2.B.4.h
 - negative evidence, see
 - [Forshey v. Principi](#), 284 F.3d 1335 (Fed. Cir. 2002) (en banc), and
 - [Maxson v. Gober](#), 230 F.3d 1330 (Fed. Cir. 2000), and
 - guidance that the absence of a service record documenting an unreported sexual assault or failure to report an in-service sexual assault to military authorities may not be considered evidence that the sexual assault did not occur, see
 - M21-1, Part III, Subpart iv, 4.H.4.c, and
 - [AZ, AY v. Shinseki](#), 731 F.3d 1303 (Fed. Cir. 2013).
-

c. Process for Obtaining Information From the Veteran in Claims Based on In-Service Personal Trauma

Identifying possible sources of evidence to support the claim may require asking the Veteran for information concerning the traumatic incident. Make this request as compassionately as possible in order to avoid causing further trauma.

Although personal trauma is most often thought of as involving female Veterans, male Veterans may also be involved. Be sure requests for evidence/ information reflect the appropriate gender of the Veteran.

d. DoD’s Reporting Procedures Following MST Incidents

DoD offers two reporting options for MST, restricted and unrestricted. Restricted reporting allows a service member to file a report confidentially without initiating the investigative process.

Following an MST incident, a service member may elect one of these reporting options by completing *DD Form 2910, Victim Reporting Preference Statement*.

The service member may also elect an optional sexual assault forensic examination (SAFE), which is performed by a health care provider and is documented on *DD Form 2911, Forensic Medical Report: Sexual Assault Examination*.

Notes:

- DoD may have used other forms prior to the issuance of *DD Form 2910*. For example, the Department of the Navy used the form *NAVPERS 1752/1, Sexual Assault Incident Data Collection Report*.
- In restricted reporting cases, DoD stores the evidence, including results from the SAFE, for one year following the date of the victim’s report of sexual assault. If the victim does not claim the evidence or elect an unrestricted report within one year, DoD destroys it.

e. Action VA Takes Upon Receipt of Claim Based on MST

The table below shows the action VA takes upon receipt of a claim based on MST.

| Step | Action |
|------|--|
| 1 | <p>The RO’s MST Outreach Coordinator contacts the Veteran via telephone to ask if he/she completed <i>DD Form 2910, DD Form 2911</i>, or a similar form following the incident.</p> <p><i>Note:</i> If the MST Outreach Coordinator is unable to contact the Veteran by telephone on the first attempt, a second attempt is not necessary. Continue to develop for the evidence by letter using the restricted report paragraphs as shown in M21-1, Part IV, Subpart ii, 1.D.5.f.</p> |
| 2 | <p>Did the Veteran state he/she completed one of the forms?</p> <ul style="list-style-type: none"> • If <i>yes</i>, go to Step 3. • If <i>no</i>, follow the normal procedures for developing claims based on personal trauma shown in this topic. |
| 3 | <p>Ask the Veteran for the following information</p> <ul style="list-style-type: none"> • the name and location of the military base where the report was filed • copies of the <i>DD Form 2910, DD Form 2911</i>, or other evidence, and • whether the report was restricted or unrestricted. <p><i>Notes:</i></p> <ul style="list-style-type: none"> • Inform the Veteran that he/she will receive a letter documenting this request for information. • If the Veteran indicated that the report is unrestricted, develop |

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| | |
|---|---|
| | for the DoD records immediately by sending the development letter shown in M21-1, Part IV, Subpart ii, 1.D.5.i. |
| 4 | Document the telephone contact on <i>VA Form 27-0820</i> . Reference: For more information on documenting telephone contacts, see M21-1, Part I, 1.C.6. |
| 5 | Send the claimant the section 5103 notice, to include normal personal trauma development, such as <ul style="list-style-type: none"> • development for <i>VA Form 21-0781a</i>, and • the additional paragraph shown in <ul style="list-style-type: none"> – M21-1, Part IV, Subpart ii, 1.D.5.f (restricted report), or – M21-1, Part IV, Subpart ii, 1.D.5.g (unrestricted report). Note: <i>DD Form 2911</i> may be used in lieu of <i>VA Form 21-0781a</i> , as both forms contain the same information. Reference: For more information on using letters to obtain information in personal trauma claims, see M21-1, Part IV, Subpart ii, 1.D.5.k. |

f. Language to Include in the Section 5103 Notice if MST Report Is Restricted

Include the follow language in the section 5103 notice if the MST report is restricted.

If you have completed DD Form 2910, Victim Report Preference Statement, or similar form, following the personal assault, please provide us with a copy. If you don't have the form, you may obtain a copy of the form by contacting the Sexual Assault Prevention and Response Office (SAPRO) at the military base where you filed your report.

If you would like us to obtain the form on your behalf, please complete and return the enclosed VA Form 21-4142, Authorization and Consent to Release Information to the Department of Veterans Affairs (VA). Be sure to reference DD Form 2910, or similar form, on VA Form 21-4142.

Additionally, if you had a sexual assault forensic examination (SAFE) performed following the personal assault, please send us any copies of the examination that you have. If you would like us to obtain them for you, please indicate this on the VA Form 21-4142. If you are submitting copies of the SAFE, you do not need to complete VA Form 21-0781a, Statement in Support of Claim for Service Connection for Post-Traumatic Stress Disorder (PTSD) Secondary to Personal Assault.

g. Language to

Include the follow language in the section 5103 notice if the MST report is

**Include in the
Section 5103
Notice if MST
Report Is
Unrestricted**

unrestricted.

We have requested the following records from the Department of Defense:

- *DD Form 2910, Victim Report Preference Statement, or similar form, and/or*
- *sexual assault forensic examination (SAFE).*

If you have these records in your possession, please provide us with copies. If you don't have the records, you may obtain copies of them by contacting the Sexual Assault Prevention and Response Office (SAPRO) at the military base where you filed your report.

**h. Developing
With DoD in
Claims Based
on MST**

Initiate development to DoD immediately when the Veteran indicates the MST report was unrestricted or upon receipt of VA Form 21-4142.

Send the development letter shown in M21-1, Part IV, Subpart ii, 1.D.5.i, to the Sexual Assault Prevention and Response Office (SAPRO) at the base on which the assault is reported to have occurred.

Reference: For contact information for MST units in each branch of service, see M21-1, Part IV, Subpart ii, 1.D.5.p.

If no response is received within 30 days, send a follow-up letter to the appropriate base. Establish a 30-day control, notify the Veteran of the delay in obtaining the records, and ask the Veteran to submit any restricted or unrestricted records that he/she has in his/her possession.

If DoD indicates it cannot locate the documents, prepare a memorandum of unavailability per M21-1, Part III, Subpart iii, 2.I.4.a.

**i. Sample
Development
Letter to DoD
in Claims
Based on MST**

Below is a sample development letter requesting evidence from DoD in claims based on MST.

Reference: For a sample *Response to Request for DD Form 2910 or Other Similar Form*, see M21-1, Part IV, Subpart ii, 1.D.5.j.

Refer To:
[File Number]
[RO Unit Number]

[Name]
[Address]
[Veteran's Name]

Dear [name]:

[Veteran's name] has applied for disability benefits from VA. The Veteran states that he/she reported a sexual assault at your facility.

Please furnish copies of the following forms:

- *DD Form 2910, Victim Report Preference Statement*, or similar form, and
- *DD Form 2911, Forensic Medical Report: Sexual Assault Examination*, or similar form.

We have enclosed *VA Form 21-4142, Authorization and Consent to Release Information to the Department of Veterans Affairs (VA)*, signed by the Veteran permitting you to release this information to VA.

Please send these records within 30 days. Be sure to attach a copy of this letter with your response. If you do not have the records, please advise us of that fact. For your convenience, we have included a response sheet at the end of this letter. If you have any questions, you may call us at 1-800-827-1000. If you call, please have this letter available.

Sincerely yours,

Veterans Service Center Manager

Enclosures:

Response to Request for *DD Form 2910* or Other Similar Form
VA Form 21-4142, Authorization for Release of Information

**j. Sample
Response to
Request for DD
Form 2910 or
Other Similar
Form**

Below is a sample *Response to Request for DD Form 2910 or Other Similar Form*.

Note: Enclose this form with the sample development letter shown in M21-1, Part IV, Subpart ii, 1.D.5.i.

Response to Request for DD Form 2910 or Other Similar Form

We have enclosed the following forms:

DD Form 2910

DD Form 2911

Other Similar Form: _____

Other Evidence: _____

The Veteran filed a report; however, the documents were destroyed. The following information is provided to you:

| |
|---|
| Date Veteran Filed Report: _____ |
| Date Report was Destroyed: _____ |
| Type of Report: Restricted Unrestricted |
| [] We have no record that the Veteran filed a report. |
| Signature: _____ Date: _____ |
| Name: _____ Title: _____ |

k. MAP-D or VBMS Letters to Use to Obtain Information From the Veteran in Claims Based on Personal Trauma

When writing a letter to obtain information from the Veteran regarding a PTSD claim based on personal trauma, use MAP-D or VBMS and select the appropriate personal trauma special issue on the CONTENTIONS screen

- MST (claims for any conditions, mental or physical (including PTSD), resulting from MST)
- PTSD – Personal Trauma (claims for PTSD resulting from a non-sexual personal trauma), or
- Non-PTSD Personal Trauma (claims for any condition, mental or physical (other than PTSD), resulting from a non-sexual personal trauma).

Enclose *VA Form 21-0781a* to solicit details of the claim, and ensure the development letter includes the following contact information if the Veteran has questions about the claim, the RO's request for information, and a contact at the Veterans Health Administration (VHA) for questions concerning health care or counseling

If you have any questions concerning your claim or our request for information, please call us at 1-800-827-1000, or visit the following web site to locate the Military Sexual Trauma (MST) outreach coordinator for your area:

<http://www.benefits.va.gov/benefits/mstcoordinators.asp>.

If you have questions concerning health care or counseling, you should call [NAME], the Military Sexual Trauma (MST) outreach coordinator at the [CITY] VA Medical Center at [PHONE NUMBER].

Important:

- Locate the applicable VHA MST Coordinator's information using the MST Resource Sharepoint Page at https://vaww.portal.va.gov/sites/mst_community/section_pages/People-Finder/Find-MST-Coordiators.aspx.
- Letters used by ROs to solicit details concerning a combat stressful incident are inappropriate for PTSD claims based on personal trauma.

l. Process for Obtaining Service Records in Claims Based on Personal Trauma

Review the claim and all attached documents. Request STRs and the entire personnel folder from the appropriate records custodian, if necessary.

Note: VSRs must work closely with Rating Veterans Service Representatives (RVSRs) when developing personal trauma cases.

m. Problems Associated With Development in Claims Based on Personal Trauma

Because a personal trauma is an extremely personal and sensitive issue

- many incidents of personal trauma are not officially reported, and
- the victims of this type of in-service trauma may find it difficult to produce evidence to support the occurrence of the stressor.

It is often necessary to seek alternative evidence that may demonstrate the presence of markers. The term *marker* refers to evidentiary signs, events, or circumstances indicating a *possibility* that the claimed stressor occurred such as reports, lay statements, or behavioral changes that may be associated with the approximate timeframe of the claimed stressor.

References: For more information on

- alternative sources for information, see M21-1, Part IV, Subpart ii, 1.D.5.n, and
 - behavioral changes in claims based on personal trauma, see M21-1, Part III, Subpart iv, 4.H.4.d.
-

n. Alternative Sources for Information in Claims Based on Personal Trauma

Service records not normally requested may be needed to develop claims for SC for PTSD based on personal trauma, including MST. Responses to a request for information may identify alternative sources for information, such as

- a rape crisis center or center for domestic abuse
- a counseling facility or health clinic
- family members or roommates
- a faculty member
- civilian police reports
- medical reports from civilian physicians or caregivers who treated the Veteran immediately following the incident or sometime later
- a chaplain or clergy
- fellow service members, and
- personal diaries or journals.

Reference: For information on the duty-to-assist in seeking records pertaining to an individual other than the claimant, see M21-1, Part I, 1.C.

o. Process for Obtaining Police Reports in Claims Based on Personal Trauma

Obtain reports, as appropriate, from

- military police
- shore patrol
- a provost marshal's office, or
- other military law enforcement offices.

Note: Requests may be submitted via phone, fax, e-mail, or written correspondence, as long as the request is properly documented in the claims folder.

p. Contact Information for DoD MST Units by Branch of Service

Use the following link to search for the MST units at each branch of service.

<https://www.safehelpline.org/>

Utilize the search function located at the top of the web page and input the city or military installation to find the contact information for reporting authorities. The results provide unit and phone number. Telephone contact to the unit will be necessary to obtain addresses or fax information to send requests for information.
