

Vietnam Veterans of America: Applauds DoD's progress on bad- paper policy; renews call for presidential action

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(Washington, D.C.)—"Years after Vietnam Veterans of America and Yale's Veterans Legal Services Clinic sued the Pentagon for its mistreatment of veterans with bad-paper, we're finally beginning to see specifics on how they're planning to make things right for some veterans with bad-paper," said John Rowan, President of Vietnam Veterans of America. "Words matter, and for a long time, veterans and the military review board agencies have been unsure of what 'liberal consideration' actually means."

On September 3, 2014, then-Secretary of Defense Chuck Hagel [issued a memorandum](#) to the Secretaries of the Army, Navy, and Air Force as a response to VVA and Yale's class-action lawsuit, [Monk v. Mabus](#). The memo directs the Boards to give "liberal consideration" to applications that raise PTSD and to various types of evidence related to PTSD. However, advocates have found that the "liberal consideration" policy has been applied unevenly across the services, as well as to veterans of different generations.

"This clarification is a step in the right direction, establishing rules that should be used now and in the future, but it's nowhere near enough," continued Rowan. "Countless veterans who have suffered from PTSD, TBI, and MST have been issued bad-paper and unfairly denied access to critical services and benefits. For too many, this has caused their symptoms to fester and become worse — and it's caused more suicides than we'll ever know." [Veterans with bad-paper discharges are more likely](#) to struggle from untreated physical and mental illnesses, be without employment, to struggle with substance-abuse disorders, to have interactions with the criminal justice system, and to die by suicide.

"We can't afford to keep forcing veterans into a discharge upgrade process that takes years to navigate through when they're desperate for immediate help. That's why VVA is renewing our [request to President Trump that he immediately issue pardons re](#) to veterans who have been unfairly denied critical veterans benefits without having the due process rights of courts martial. We hope that President Trump will be the first Commander-in-Chief in modern history who doesn't ignore these often-forgotten veterans."

"The danger is that this memo, like past guidance, will fail to alter the historic hostility of the military's review boards toward veterans with bad paper," said Michael Wishnie, a professor at Yale Law School who, with his students, has represented VVA in several recent lawsuits on behalf of veterans with bad paper. "The key now is meaningful outreach to veterans and rigorous oversight of board implementation, or better still, an immediate pardon by the President."

"If Sheriff Joe Arpaio deserves a pardon, then why not wounded warriors who are suffering from PTSD, TBI, or sexual violence?" said Michael Wishnie, a professor at Yale Law School who with his students has represented VVA in several recent lawsuits on behalf of veterans with bad paper.