#### Department of Veterans Affairs M21-1, Part I, Chapter 1

**Veterans Benefits Administration July 27, 2015**

**Washington, DC 20420**

#### Transmittal Sheet

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| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Manual M21-1, Part I, “Claimants Rights and Responsibilities,” Chapter 1, “Duty to Assist.” ***Notes***: * The term “regional office” (RO) also includes pension management center (PMC), where appropriate, and
* Minor editorial changes have also been made to
* update incorrect or obsolete references
* update the term “VCAA notice” to “Section 5103 notice”
* update obsolete terminology, where appropriate
* reassign alphabetical designations to individual blocks, where necessary, to account for new and/or deleted blocks within a topic
* update section and topic titles to more accurately reflect their content
* clarify block labels and/or block text, and
* bring the document into conformance with M21-1 standards.
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| Reason(s) for the Change | Citation |
| To add a new Block 1.a regarding VA's duty to notify claimants of necessary information or evidence and that Public Law 112-154 provides more flexibility in how and when VA delivers the Section 5103 notice. | M21-1, Part I, Chapter 1, Section B, Topic 1, Block a (I.1.B.1.a) |
| * To clarify that a Section 5103 notice is not required for claims which are not substantially complete.
* To add a note with a reminder that all claims submitted after March 24, 2015 must be submitted on a standard form.
 | I.1.B.1.b |
| To delete *old* Block 1.c regarding *Dingess/Hartman v. Nicholson* notification requirements pertaining to specific evaluations and effective dates, which was overturned by *Wilson v. Mansfield* and current requirements are noted in *new* Block 1.c. | I.1.B.1.c (old) |
| To create a new and separate Block 1.c for notification requirements for a *complete* application replacing *old* Block 1.b, which contained notification requirements for *both* complete and incomplete applications. | I.1.B.1.c |
| To add new block on rare cases that require issuance of a standard Section 5103 notice letter | I.1.B.1.d |
| To create a new and separate Block 1.e for notification requirements for an *incomplete* application replacing *old* Block 1.b, which contained notification requirements for *both* complete and incomplete applications. | I.1.B.1.e |
| To add a new Block 1.f regarding notification requirements for a request for application or an intent to file a claim | I.1.B.1.f |
| To delete duplicate information in *old* Block 1.f on information about developing substantially complete applications which is being incorporated into I.1.B.1.c and III.iii.1.C.3.d | I.1.B.1.f (old) |
| To add a new Block 1.g regarding notification requirements for claims that are inherently incredible or lack merit. | I.1.B.1.g |
| To delete old Block 1.g regarding claimant’s duty to identify and locate records which is being incorporated into I.1.C. | I.1.B.1.g (old) |
| To delete and consolidate old Block 1.d into Block 1.h (old 1.e) regarding responding to a request for an earlier effective date. | I.1.B.1.h |
| To delete old Block 1.h regarding the definition of relevant records, which is being relocated to I.A.3.a. | I.1.B.1.h (old) |
| To delete old Block 1.i regarding the handling of VA Form 21-4142, which is being relocated to III.iii.1.C.3. | I.1.B.1.i (old) |
| To add new example of when a Section 5103 notice would not be required | I.1.B.1.i (old block k) |
| To add a new Block 1.j regarding Section 5103 notice requirements for subsequent claims | I.1.B.1.j |
| To delete old Block 1.j regarding claimants’ duty to authorize release of existing records, which is being relocated into I.1.C and III.iii.1.C. | I.1.B.1.j (old) |
| To delete old Block 2.a regarding the definition of a reopened claim, which is being relocated to I.1.A.3.i. | I.1.B.2.a (old) |
| * To add text indicating that language specific to a previous denial is no longer required to be sent in addition to Section 5103 notice and the obligation is satisfied by EZ forms
* To add example, and
* To add references for EZ forms and requests for reconsideration.
 | I.1.B.2.a |

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| Rescissions | None |

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| Authority | By Direction of the Under Secretary for Benefits |

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| Signature | Thomas J. Murphy, DirectorCompensation Service |

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