#### Department of Veterans Affairs M21-1, Part I, Chapter 5

**Veterans Benefits Administration May 28, 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 5, “Appeals.”  ***Notes***:   * The term “regional office” (RO) also includes pension management center (PMC) and Appeals Management Center (AMC), where appropriate. * Unless otherwise noted, the term “claims folder” refers to the official, numbered, Department of Veterans Affairs (VA) repository – whether paper or electronic – for all documentation relating to claims that a Veteran and/or his/her survivors file with VA. * Minor editorial changes have also been made to * update incorrect or obsolete references * update obsolete terminology, where appropriate * reassign alphabetical designations to individual blocks, where necessary, to account for new and/or deleted blocks within a topic * 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 topic addressing the definitions of common appeals terminology. | M21-1, Part 1, Chapter 5, Section A, Topic 1 (I.5.A.1) |
| To add a new Block a to define appellant. | I.5.A.1.a |
| To add a new Block b to define claimant. | I.5.A.1.b |
| To add a new Block c to define decision review officer (DRO). | I.5.A.1.c |
| To add a new Block d to define notice of disagreement (NOD). | I.5.A.1.d |
| To add a new Block e to define *de novo* review. | I.5.A.1.e |
| To add a new Block f to define downstream issue. | I.5.A.1.f |
| To add a new Block g to define inextricably intertwined. | I.5.A.1.g |
| To add a new Block h to define full grant. | I.5.A.1.h |
| To add a new block i to define partial grant. | I.5.A.1.i |
| To add a new Block j to define informal conference. | I.5.A.1.j |
| To add a new Block k to define statement of the case (SOC). | I.5.A.1.k |
| To add a new Block l to define supplemental statement of the case (SSOC). | I.5.A.1.l |
| To add a new Block m to define remanded appeal. | I.5.A.1.m |
| To add a new Block n to define trailing docket. | I.5.A.1.n |
| To add a new Block o to define administrative appeal. | I.5.A.1.o |
| * To add references in the table regarding the appeal process, including processing an NOD, establishing records in Veterans Appeal Control and Locator System (VACOLS), automatic waiver of DRO review of additional evidence, and transferring claims folders to the Board of Veterans’ Appeals (BVA). * To clarify in the table that when an appellant elects the DRO process by telephone, the election must be documented in writing. * To clarify in the table that the appeals rating activity is responsible for conducting the DRO review process, the traditional appellate review process, and sending an SSOC. * To clarify in the table what actions are taken by the appeals rating activity based on whether a change to a decision on appeal is warranted. * To add language regarding the automatic waiver of jurisdiction when the appellant submits additional evidence. * To clarify in the table which development actions to take upon receipt of a BVA remand. | I.5.A.2.b |
| To clarify the requirement that requests to withdraw an NOD or an appeal must be made in writing, including the exception to this requirement. | I.5.A.3.a |
| To clarify which representatives may withdraw an NOD or an appeal on behalf of an appellant without his/her written consent. | I.5.A.3.b |
| * To clarify the requirements for requests to reinstate an NOD or an appeal after it has been withdrawn. * To add a reference for the requirements for reinstating an NOD or appeal. | I.5.A.3.c |

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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, Director  Compensation Service |

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