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

**Veterans Benefits Administration June 29, 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), 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
* renumber each topic based on the standard that the first topic in each section is Topic 1
* 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 delete language unrelated to the purpose of a substantive appeal. | M21-1, Part I, Chapter 5, Section E, Topic 1, Block a (I.5.E.1.a) |
| * To add language to clarify the requirements necessary to constitute a substantive appeal.
* To add an exception to the requirements when a substantive appeal contests whether new and material evidence has been submitted.
* To add a reference for more information on statements of the case (SOCs) and supplemental statements of the case (SSOCs).
 | I.5.E.1.b |
| * To add language to the block label and box to clarify instructions for processing incomplete substantive appeals.
* To add language to the table to clarify the processing of incomplete substantive appeals.
* To add a note on processing substantive appeals when an SOC or SSOC addresses multiple issues and the appellant files a timely appeal and states all issues are under appeal.
 | I.5.E.1.c |
| To add language and an example to the table clarifying that VA must provide a 60 day period in which to file a substantive appeal after issuing an SOC or SSOC. | I.5.E.1.d |
| * To add a note regarding computing the substantive appeal time limit when an SOC or SSOC is remailed due to an incorrect address.
* To add a reference for substantive appeal time limits.
 | I.5.E.1.e |
| To update Block a regarding guidance about updating Veterans Appeals Control and Locator System (VACOLS) upon receipt of a timely substantive appeal. | I.5.E.2.a |
| To add new Block b and table describing how to process additional evidence submitted with or after a substantive appeal is filed. | I.5.E.2.b |
| To add new Block c describing the steps to take when an SOC or SSOC is not sent to the correct address. | I.5.E.2.c |
| To add language describing how to process a substantive appeal that is not filed within the time limits. | I.5.E.2.d |
| * To add language clarifying that an appellant’s representative may request a hearing.
* To add language clarifying that VA cannot reimburse an appellant for expenses incurred to attend a hearing.
 | I.5.E.2.e |
| To add language describing how to process new issues raised on a substantive appeal. | I.5.E.3.a |
| To add language to clarify processing new notice of disagreements (NODs) inextricably intertwined with the original appeal. | I.5.E.3.b |
| * To add language clarifying processing new NODs not inextricably intertwined with original appeals.
* To add a note clarifying actions to take when an appellant alleges issues are inextricably intertwined but a determination is made that they are not.
 | I.5.E.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, DirectorCompensation Service |

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