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

**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 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
* 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 remove the requirement that an appellant must file a substantive appeal on *VA Form 9, Appeal to Board of Veterans’ Appeals*.
* To clarify that the requirement for a substantive appeal apply to all requests for a hearing before the Board of Veterans’ Appeals (BVA).
 | M21-1, Part I, Chapter 5, Section H, Topic 1, Block a(I.5.H.1.a) |
| * To ensure readers understand the distinction between a BVA Travel Board hearing and a BVA video hearing.
* To inform readers that Compensation Service sends the hearing acknowledgement letter (containing the text shown in I.5.H.4) on a quarterly basis to appellants awaiting a Travel Board hearing to remind them of their option to request a video hearing, which can usually be held sooner than a Travel Board hearing.
 | I.5.H.1.b |
| * To add detail to existing instructions for updating the Veterans Appeals Control and Locator System (VACOLS).
* To state that BVA is responsible for determining the date(s) it will hold Travel Board and video hearings, while ROs are responsible for scheduling individual hearings on the date(s) BVA selects.
 | I.5.H.1.c |
| To add detail to existing instructions for updating VACOLS. | I.5.H.1.d |
| To add detail to existing instructions for determining which Travel Board hearing requests should be scheduled when the Travel Board visits an RO. | I.5.H.2.c |
| To state that notification of a scheduled hearing must include the date, time, and location of the hearing. | I.5.H.2.f |
| To provide the conditions under which an RO may certify an appeal in order to fill a vacancy in a hearing schedule. | I.5.H.2.h |
| To add instructions for flashing a claims folder that is entirely paperless. | I.5.H.2.i |
| To delete instructions that duplicate those found in I.5.H.2.g. | I.5.H.3.a |
| To describe how accredited representatives and appellants may view documents maintained in an eFolder. | I.5.H.3.b |
| * To add a block that describes RO responsibilities with regard to Travel Board hearings.
* To relocate the instructions contained in (old) I.5.H.39.b to a more logical location.
 | I.5.H.3.c |
| To replace “audio hearing tape” with “digital audio recording of the hearing.” | I.5.H.3.d |
| * To add text regarding eBenefits to the notification letter.
* To update instructions in the notification letter for contacting VA.
* To add a sentence to the notification letter that informs appellants VA has sent a copy of the notification letter to the appellant’s representative (if applicable).
* To provide information about letter generation using Letter Creator.
 | I.5.H.4.a |
| To add a block to display the enclosure titled *Where to Send Your Written Correspondence*, which ROs must include in correspondence with appellants. (This enclosure is necessary now that Centralized Mail is fully deployed.) | I.5.H.4.b |
| * To add the requirement that ROs include the enclosure displayed in I.5.H.4.b with notification letters to appellants.
* To add text regarding eBenefits to the notification letter.
* To update instructions in the notification letter for contacting VA.
* To add a sentence to the notification letter that informs appellants VA has sent a copy of the notification letter to the appellant’s representative (if applicable).
 | I.5.H.5.a |
| * To add the requirement that ROs include the enclosure displayed in I.5.H.4.b with notification letters to appellants.
* To add text regarding eBenefits to the notification letter.
* To update instructions in the notification letter for contacting VA.
* To add a sentence to the notification letter that informs appellants VA has sent a copy of the notification letter to the appellant’s representative (if applicable).
 | I.5.H.6.a |
| * To provide information about letter generation using Letter Creator.
* To add the requirement that ROs include the enclosure displayed in I.5.H.4.b with notification letters to appellants.
* To add text regarding eBenefits to the notification letter.
* To update instructions in the notification letter for contacting VA.
* To add a sentence to the notification letter that informs appellants VA has sent a copy of the notification letter to the appellant’s representative (if applicable).
 | I.5.H.7.a |
| To delete (old) I.5.H.37.d because it contains instructions that no longer apply because of the deployment of Centralized Mail. | --- |
| To delete (old) I.5.H.38.b because it was replaced with a reference (in I.5.H.2.b) to the definition of “trailing docket” in I.5.A.1.n. | --- |

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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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