### Section E. Unique Claims and Situations That Require Special Handling

#### Overview

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| In This Section | This section contains the following topics: |

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| Topic | Topic Name |
| 1 | Records Destroyed by Fire at the National Personnel Records Center (NPRC) |
| 2 | Evidence That Supplements or Substitutes for Service Treatment Records (STRs) |
| 3 | Extracts From Army Surgeon General’s Office (SGO) Records |
| 4 | Records of Treatment of a Dependent at a Military Facility |
| 5 | Alternative Means of Verifying Service |
| 6 | Alternative Sources of Evidence and Records |
| 7 | Obtaining Service Information for Claims Involving Exposure to Contaminated Water at Camp Lejeune |
| 8 | Verifying Republic of Vietnam (RVN) Service in Connection With Claims Involving Exposure to Herbicides |
| 9 | Verifying Philippine Service in the United States Armed Forces |
| 10 | Obtaining Service Information in Other Special Situations |

#### 1. Records Destroyed by Fire at the National Personnel Records Center (NPRC)

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| Introduction | This topic contains information about the impact of the fire at the NPRC on claims processing, including   * records destroyed in the fire at NPRC * requesting reconstruction of a Veteran’s records * action to take when a claimant fails to return a completed *NA Form 13055*, *Request for Information Needed to Reconstruct Medical Data*, and * handling negative replies to Personnel Information Exchange System (PIES) requests submitted under request codes M05 and M05-V. |

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| a. Records Destroyed in the Fire at NPRC | On July 12, 1973, a fire at the National Personnel Records Center (NPRC) in St. Louis destroyed approximately   * 80 percent of the records NPRC held for Veterans who were discharged from the Army between * November 1, 1912, and * January 1, 1960, and * 75 percent of the records NPRC held for Veterans * with surnames beginning (alphabetically) with *Hubbard* and running through the end of the alphabet, and * who were discharged from the Air Force between * September 25, 1947, and * January 1, 1964.   ***Exceptions***: Records for retirees and reservists who were alive on July 12, 1973, were not involved in the fire. |

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| b. Requesting Reconstruction of a Veteran’s Records | Follow the instructions in the table below if it appears the fire at NPRC might have destroyed medical records pertinent to a pending claim. |

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| Step | Action |
| 1 | Submit a request for the Veteran’s service treatment records (STRs) to NPRC through the Personnel Information Exchange System (PIES), using the request codes identified in the table below.   |  |  | | --- | --- | | If the pending claim ... | Then use request code ... | | will be processed in the Veterans Benefits Management System (VBMS) | O50.  ***Exception***: Disregard the instructions in this step if, at some point in the past, VA submitted and received a response to a PIES request under request code O50. | | will ***not*** be processed in VBMS | M01. | |
| 2 | Send a letter to the claimant, asking him/her to   * complete *NA Form 13055, Request for Information Needed to Reconstruct Medical Data*, and * return the form within 30 days.   ***Rationale***: If NPRC responds to the request by stating that fire destroyed the Veteran’s records, the regional office (RO) uses information from the completed *NA Form 13055* to submit a request to NPRC through PIES for reconstruction of the Veteran’s records, using request code   * M05-V (if the corresponding claim is being processed in VBMS), or * M05 (if the corresponding claim is ***not*** being processed in VBMS).   ***Important***: When asking a claimant to complete *NA Form 13055*, avoid giving the impression the Department of Veterans Affairs (VA) is less likely to grant his/her claim because the fire at NPRC destroyed his/her records. |

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| ***Exception***: If the information NPRC requires to process a request under request code M05 or M05-V is already of record in the Veteran’s claims folder, submit the request *without* taking the actions described in steps 1 and 2.  ***References***: For more information about   * PIES and the request codes associated with it, see * *the* [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip)*, and* * M21-1, Part III, Subpart iii, 2.D, and * evidence VA may use to substitute for missing STRs, see M21-1, Part III, Subpart iii, 2.E.2. |

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| c. Action to Take When a Claimant Fails to Return a Completed NA Form 13055 | Follow the instructions in the table below if a claimant   * returns an incomplete *NA Form 13055*, or * fails to return *NA Form 13055*. |

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| If ... | Then ... |
| * the claimant furnishes an incomplete *NA Form 13055,* and * there is insufficient information of record to complete the fields in PIES for submission of a request for reconstruction of the Veteran’s record (under request code M05 or M05-V) | attempt to contact the claimant by telephone to obtain the missing information.   * If attempts to obtain the missing information by telephone are unsuccessful, * send a written request to the claimant for the missing information, and * give the claimant 30 days to respond. * Refer the claim to the rating activity for a decision based on the evidence of record if * development action is otherwise complete, and * the claimant * is unable to provide the missing information, or * fails to respond to the written request within 30 days.   ***Note***: Document telephone contact with the claimant on *VA Form 27-0820, Report of General Information*. |
| the claimant fails to return *NA Form 13055* within 30 days | refer the claim to the rating activity for a decision based on the evidence of record if development action is otherwise complete. |

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| ***Notes***:   * If the rating activity is unable to grant a claim because the claimant failed to return a completed *NA Form 13055*, * include information regarding how to obtain *NA Form 13055* in the rating decision narrative and decision notice, and * explain to the claimant that further attempts to obtain the missing records cannot be undertaken without the completed form. * If the evidence of record indicates there is a legal bar to benefits, such as a dishonorable discharge, * deny the claim on that basis, and * do not * ask the claimant to complete *NA Form 13055*, or * prepare a memorandum of service record unavailability.   ***Reference***: For information on legal bars to benefits, see M21-1, Part III, Subpart v, 1.B. |

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| d. Handling Negative Replies to PIES Requests Submitted Under Request Code M05 and M05-V | Ask the locally designated Military Records Specialist (MRS) to take the actions described in M21-1, Part III, Subpart iii, 2.I.5.a if   * a claimant returns a completed *NA Form 13055* * VA uses information from the form to submit a PIES request under request code * M05-V (if the corresponding claim is being processed in VBMS), or * M05 (if the corresponding claim is ***not*** being processed in VBMS), and * NPRC provides a negative response to the request.   Unless the claimant responds to the MRS’s actions by providing the missing records or providing information that justifies the undertaking of additional development to obtain them, decide his/her claim based on the evidence of record as soon as all other development actions are complete. |

#### 2. Evidence That Supplements or Substitutes for Service Treatment Records (STRs)

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| Introduction | This topic contains information about evidence that supplements or substitutes for STRs, including   * reasons VA does not rely exclusively on STRs to decide claims, and * types of evidence VA may use to supplement or as a substitute for STRs. |

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| Change Date | February 6, 2012 |

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| a. Reasons VA Does Not Rely Exclusively on STRs to Decide Claims | For reasons that include the following, VA does not rely exclusively on STRs when deciding a Veteran’s claim:   * the loss of many Veterans’ STRs in a fire at the NPRC in 1973, and * the absence of documentation in most STRs of treatment by private health care providers during service or shortly after separation.   ***Reference***: For information about service records that the fire at NPRC destroyed, see M21-1, Part III, Subpart iii, 2.E.1. |

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| b. Types of Evidence VA May Use To Supplement or as a Substitute for STRs | The various types of evidence VA may use to supplement or as a substitute for STRs include but are not limited to   * statements from service medical personnel * certified “buddy” statements or affidavits * accident and police reports * employment-related examination reports * medical evidence from civilian/private hospitals, clinics, and physicians that treated the Veteran during service or shortly after separation * letters written during service * photographs taken during service * pharmacy prescription records, and/or * insurance-related examination reports.   ***Note***: Photocopies of STRs are acceptable for rating purposes if examination of the copies confirms they are genuine and free from alteration.  ***References***: For more information on   * certified statements and affidavits, see M21-1, Part III, Subpart iii, 1.B.7, or * buddy statements, see M21-1, Part III, Subpart iii, 2.E.5.b. |

**3. Extracts From Army SGO Records**

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| Introduction | This topic contains information on extracts from SGO records, including   * origin of the extracts from SGO records * Veterans for whom an SGO extract may exist * limitations and use of extracts from SGO records * details contained in SGO extracts * determining whether NPRC previously searched for SGO extracts for a specific Veteran * when to submit a request for copies of extracts * associating extracts with the proper Veteran * when to submit a supplemental request for copies of extracts * claims denied prior to May 18, 1990, for which SGO extracts might exist, and * *Not Found* entries in SGO extracts. |

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| a. Origin of the Extracts From SGO Records | In 1988, the National Research Council (NRC), a private research organization, provided NPRC with extracts from approximately ten million military hospital admission records in the custody of the Army Surgeon General's Office (SGO). Numerical data in the extracts required decoding, which NPRC completed May 18, 1990. |

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| b. Veterans For Whom an SGO Extract May Exist | Extracts from SGO records primarily contain information about the hospitalization of active-duty Army and Air Corps personnel at Army facilities for combat-related injuries sustained during   * World War II (primarily 1942 to 1945), and * the Korean Conflict (primarily 1950 to 1954).   A small percentage of the extracts contains information about the treatment of personnel   * from other branches of service, to include military cadets (during the Korean Conflict *only*), and * at Air Force, Navy, and civilian facilities. |

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| c. Limitations and Use of Extracts From SGO Records | Extracts from SGO records contain very little detail. VA primarily uses them only when the STRs of a Veteran with service during World War II or the Korean Conflict   * are obviously incomplete, or * were destroyed by the fire at NPRC in 1973.   ***Reference***: For more information about service records destroyed by the fire at NPRC, see M21-1. Part III, Subpart iii, 2.E.1. |

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| d. Details Contained in SGO Extracts | Extracts from SGO records contain the following information:   * up to three diagnoses for the period of hospitalization * area or part of the body affected * operative procedure, if undertaken, for each diagnosis * total number of days hospitalized * type of facility where treatment took place * month and year of admission and discharge, and * disposition of the service member following discharge from the hospital.   ***Important***: Extracts from records dated 1944 and 1945 also contain the following:   * circumstances leading to hospitalization, and * line-of-duty determinations. |

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| e. Determining Whether NPRC Previously Searched for SGO Extracts for a Specific Veteran | If NPRC responded to a VA request for STRs   * *after* May 18, 1990, assume NPRC included copies of any existing extracts in its response, or * *prior* to May 18, 1990, and the fire in 1973 at NPRC might have destroyed the Veteran’s service records, submit a new PIES request using request code * M06-V (if the corresponding claim is being processed in VBMS), or * M06 (if the corresponding claim is ***not*** being processed in VBMS).   ***Note***: May 18, 1990, represents the date NPRC finished decoding information contained in the extracts.  ***References***: For more information about   * service records that the fire at NPRC destroyed, see M21-1, Part III, Subpart iii, 2.E.1, and * PIES, see * *the* [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D. |

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| f. When to Submit a Request for Copies of Extracts | Submit a request to NPRC through PIES for copies of extracts from SGO records if the evidence of record suggests the Veteran was hospitalized during service   * as early as 1940, or * as late as 1958.   ***Important***: Extracts from SGO records are identified by the patient’s service number rather than the patient’s name. It is for this reason that requests for copies of extracts from NPRC *must* include the Veteran’s service number.  ***Note***: NPRC will search for any extracts under the Veteran’s service number, regardless of the date VA indicates the Veteran was treated.  ***References***: For information about controlling and following up on requests for records from NPRC, see M21-1, Part III, Subpart iii, 2.I. |

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| g. Associating Extracts With the Proper Veteran | Extracts contain the following information that ROs must compare against information in a Veteran’s claims folder and/or corporate record to ensure they are associating extracts with the proper Veteran:   * service number * rank * branch of service * age * race * years of service, and * facility where admitted. |

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| h. When to Submit a Supplemental Request for Copies of Extracts | Submit a supplemental request to NPRC for extracts from SGO records if   * VA is unable to make a favorable decision on a pending claim based on the evidence of record * VA has not submitted a request to NPRC for the Veteran’s STRs since May 18, 1990 * the Veteran’s service number is of record, and * the evidence of record suggests the Veteran was hospitalized during service between * 1942 and 1945, or * 1950 and 1954. |

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| i. Claims Denied Prior to May 18, 1990, for Which SGO Extracts Might Exist | ROs must reopen a previously denied claim and request extracts from SGO records in support of it if, during routine review of a claims folder, an RO   * discovers a claim VA denied prior to May 18, 1990, and * determines extracts from SGO records might exist for the Veteran.   ***Example***: A claim from a Veteran   * who served in the Army during the Korean Conflict, and * whose claim for service connection for residuals of back surgery VA denied in 1985.   If NPRC ultimately furnishes copies of extracts for the Veteran, follow the steps in the table below. |

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| If the extracts ... | Then ... |
| contain evidence that supports the claim | * initiate development (if necessary), or * take award action (if entitlement exists). |
| do not contain evidence that supports the claim | * advise the claimant VA has * reviewed his/her claim, and * confirmed the prior denial, and * clear the appropriate end product. |

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| j. “Not Found” Entries in SGO Extracts | A *Not Found* entry in the *Explanation* column of an extract means NPRC was unable to interpret numerical data in the extract.  Use the table below to request additional information for SGO extracts from the NPRC.   |  |  |  | | --- | --- | --- | | **If …** | **And the corresponding claim …** | **Then use PIES request code …** | | * the entry for a diagnosis in an extract is *Not Found* * the diagnosis is critical in determining a claimant’s entitlement, and * NPRC last responded to a VA request for medical records prior to April 1992 | is being processed in VBMS | M06-V. | | is ***not*** being processed in VBMS | M06. |   If an NPRC response to the request referenced above does not include additional, relevant information, decide the claim based on the evidence of record.  ***Note***: Although it is possible NPRC may receive additional information in the future that would enable it to update *Not Found* entries, this rarely occurs. If and when NPRC does receive such information, it will notify VA.  ***Reference***: For more information about PIES, see the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip). |

#### 4. Records of Treatment of a Dependent at a Military Facility

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| Introduction | This topic contains information on medical records referring to the treatment of a service member’s dependent at a military facility, including   * primary purpose for obtaining a dependent’s treatment records * migration of a dependent’s treatment records * requesting a dependent’s treatment records through PIES * information ROs must provide in a PIES request for treatment records of a service member’s dependent, and * accessing a dependent’s treatment records through the Compensation and Pension Record Interchange (CAPRI). |

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| a. Primary Purpose for Obtaining a Dependent’s Treatment Records | Before granting service connection for a claimed disability, VA must determine whether the disability   * existed prior to service and, if so, * was aggravated beyond its normal progression during service.   In order to make this determination, VA may request and review relevant medical records dated prior to a Veteran’s service. These might include records associated with treatment the Veteran received at a military facility as a service member’s dependent. |

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| b. Migration of a Dependent’s Treatment Records | Medical records referring to the treatment of a service member’s dependent move with the service member and his/her dependent from duty station to duty station.  When the dependent has not received treatment at a military facility for a period of three years, the service member’s service department retires the dependent’s treatment records to NPRC. |

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| c. Requesting a Dependent’s Treatment Records Through PIES | Use the information in the following table to determine which PIES request code to use when requesting the treatment records of a Veteran’s dependent(s). |

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| If the request is for … | And the claim … | Then use PIES request code … |
| inpatient treatment records | will be processed in VBMS | C03-V |
|  | will ***not*** be processed in VBMS | C03 |
| outpatient treatment records | will be processed in VBMS | C04-V |
|  | will ***not*** be processed in VBMS | C04 |

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| ***Exception***: If the dependent received treatment after 2004, attempt to access his/her treatment records by following the instructions in M21-1, Part III, Subpart iii.2.E.4.e *before* submitting a request for the records through PIES.  ***Note***: In most cases, PIES automatically assigns the correct address code to each request it accepts, based on the request code a user enters. Therefore, the address codes shown below for obtaining dependents’ treatment records are primarily provided for informational purposes:   * address code 75 – treatment records from Army and Air Force facilities * address code 13 – treatment records from Navy and Marine Corps facilities.   ***References***: For more information about   * PIES, see * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D, and * PIES address codes, see M21-1, Part III, Subpart iii, 2.K.1. |

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| d. Information ROs Must Provide in a PIES Request for Treatment Records of a Service Member’s Dependent | The table below shows the information ROs must provide to NPRC when requesting the treatment records of a service member’s dependent through PIES: |

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| If the dependent received treatment as an ... | Then the RO must provide NPRC with the ... |
| inpatient | * year(s) of treatment, and * full name of the last facility to treat the dependent. |
| outpatient | * last year of treatment, and * full name of the facility that treated the dependent. |

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| ***Note***: NPRC may occasionally request additional information that an RO must provide in order for NPRC to continue searching for a dependent’s treatment records. |

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| e. Accessing a Dependent’s Treatment Records Through CAPRI | If a Veteran was treated in a military facility as a dependent after 2004, electronic copies of corresponding treatment records should be accessible under the VISTAWEB/DOD RECORDS tab in the Compensation and Pension Record Interchange (CAPRI).  ***Reference***: For information about accessing a dependent’s treatment records through CAPRI, see the [*CAPRI User Manual*](http://www.va.gov/vdl/application.asp?appid=133). |

#### 5. Alternative Means of Verifying Service

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| Introduction | This topic contains information on alternative means of verifying a Veteran’s service, including   * using Beneficiary Identification and Records Locator Subsystem (BIRLS) to verify service, and * alternative sources for evidence of service. |

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| Change Date | June 11, 2015 |

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| a. Using BIRLS to Verify Service | The Beneficiary Identification and Records Locator Subsystem (BIRLS) VETERANS IDENTIFICATION DATA (VID) screen contains basic information about a Veteran’s service, to include   * entrance and discharge dates * branch of service, and * character of service.   VA considers a Veteran’s service “verified” if the BIRLS VID screen contains the entries described in M21-1, Part III, Subpart ii, 6.6.b.  ***Reference***: For more information about BIRLS and the VID screen, see the [*Share User Guide*](http://css.vba.va.gov/SHARE/) or press the HELP button on the VBA READY SCREEN in Share. |

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| b. Alternative Sources for Evidence of Service | When the standard means of verifying a Veteran’s service, as set forth in M21-1, Part III, Subpart ii, 6.6, are unsuccessful, ROs should follow up with the claimant, encouraging him/her to search his/her personal effects for a copy of discharge documents or other evidence of service.  If a claimant is still unable to locate acceptable evidence of service, ROs should attempt to request this evidence from the following sources, where applicable:   * Social Security Administration * State unemployment offices * State historical commissions * Federal or State offices of personnel management (if the Veteran was employed by a Federal or State agency) * current or former employers (The Veteran may have provided an employer a copy of his/her discharge documents at the time of application or hiring.) * Railroad Retirement Board (if the Veteran was employed by the railroad) * county courthouses * State Adjutants General offices, and/or * rosters or registers published by some States that list Veterans who served in World War I, World War II, and the Korean Conflict. (These may contain complete service data for each Veteran listed.)   ***Note***: ROs must determine which sources of alternative records are most reliable and the weight to be given to any evidence acquired.  ***References***:   * For contact information for State Adjutants General offices, see M21-1, Part III, Subpart iii, 2.K.4. * For more information on acceptable forms of evidence for service verification, to include alternative evidence, see M21-1, Part III, Subpart ii, 6.6. |

#### 6. Alternative Sources of Evidence and Records

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| Introduction | This topic contains information on alternative sources of evidence and records, including   * VA’s obligation to assist claimants * buddy statements as secondary evidence of involvement in combat * handling claims with lost records, and * obtaining service academy records. |

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| a. VA’s Obligation to Assist Claimants | Blocks within this topic contain instructions for assisting claimants in obtaining replacement records and secondary evidence. VA has an obligation to assist claimants in obtaining these items when   * service records are not available from standard sources, such as * the Veteran’s service department (to include Reserve and Guard units) * PIES, or * Defense Personnel Records Image Retrieval System (DPRIS), and/or * a Veteran’s claims folder and/or records pertinent to a claim are lost.   ***References***: For information about requesting records through   * PIES, see * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D, and * DPRIS, select the HELP tab within the DPRIS application, which is accessible at [https://www.dpris.dod.mil](https://www.dpris.dod.mil/). (Registration is required.) |

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| b. “Buddy Statements” as Secondary Evidence of Involvement in Combat | Under circumstances described in [38 CFR 3.304(d)](http://www.ecfr.gov/cgi-bin/text-idx?SID=42f37df4e52f497d9fb5ed25cb141e56&node=se38.1.3_1304&rgn=div8), VA may grant service connection for a disability incurred or aggravated during combat based solely on a Veteran’s assertion of the circumstances surrounding its incurrence or aggravation.  If service records do not show the Veteran was involved in combat on the date the disability was incurred or aggravated, VA may use a credible statement from a fellow service member (often referred to as a “buddy statement”) to corroborate the Veteran’s claim.  VA considers a buddy statement “credible” if the evidence of record shows the fellow service member served in the same unit and at the same time as the Veteran claims he/she was injured in combat. This information is usually obtainable through review of the fellow service member’s *DD Form 214, Certificate of Release or Discharge from Active Duty,* or other evidence of service.  ***References***: For information on   * obtaining evidence to verify service information of the author of a buddy statement, see M21-1, Part III, Subpart iii, 2.E.10.b, and * the use of buddy statements to corroborate in-service stressors, see M21-1, Part III, Subpart iv, 4.H.3.i. |  |

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| c. Handling Claims With Lost Records | If there is any indication that a claim or records pertinent to a claim are lost, VA is obligated to assist the claimant in obtaining replacement records. When an RO attempts to obtain such records, it must notify the claimant of its actions.  A VA employee must   * provide a full description of the lost record(s) on *VA Form 27-0820* * request copies of any lost documents and records submitted by, or on behalf of the claimant, that the power of attorney (POA) or fiduciary has in its possession (as applicable), and * place the documents in the claims folder (or temporary folder, if the claims folder has been lost).   The table below describes situations involving lost records and the additional actions that must be taken in each situation. |

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| If ... | Then ... |
| a claims folder is lost | * print out screen shots of corporate records that show any * pending issue(s), and/or * running award * file the screen prints in a temporary claims folder, and * follow the instructions for handling lost or missing claims folders in M21-1, Part III, Subpart ii, 4.D. |
| a claim for VA benefits is lost | follow the instructions in M21-1, Part III, Subpart ii, 2.D.3.d. |

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| d. Obtaining Service Academy Records | Service academies have permanent custody of the records service members accumulate while attending an academy. Consequently, when an RO submits a request through normal channels for the service records of a Veteran who attended an academy, the records it receives may not include those pertaining to the period of time the Veteran was attending an academy.  Under these circumstances, the RO must use a locally generated letter to request copies of the Veteran’s service records from the appropriate service academy. The letter must contain the following:   * identifying information about the Veteran * inclusive dates of the Veteran’s attendance at the academy, and * a request for *all* available records, including academic, counseling, personnel, and medical records. (Otherwise the academy may furnish only academic records.)   The table below shows the addresses for each service academy: |

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| Service Academy | Address |
| Air Force Academy | HQ’s USAFA/DFRR  2354 Fairchild Dr  Suite 6D 106  USAF Academy, CO 80840-6210 |
| Naval Academy | Office of the Registrar  US Naval Academy  589 McNair Rd  Annapolis, MD 21402-5031 |
| United States Military Academy | United States Military Academy  Office of the Dean  Attn: Graduate Records  West Point, NY 10996-5000 |
| Coast Guard Academy | Registrar’s Office  15 Mohegan Ave  New London, CT 06320-4195 |

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| ***Important***: Do not confuse private academies, such as the Citadel or Virginia Military Academy, with Federal service academies. Disabilities incurred or aggravated as a result of attendance at a private academy are *not* subject to service connection. |

#### 7. Obtaining Service Information For Claims Involving Exposure to Contaminated Water at Camp Lejeune

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| Introduction | This topic contains basic information about claims involving exposure to contaminated water at Camp Lejeune, including   * background information about claims involving exposure to contaminated water at Camp Lejeune * service information VA requires to process claims involving exposure to contaminated water at Camp Lejeune, and * obtaining information about a Veteran’s service at Camp Lejeune. |

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| a. Background Information About Claims Involving Exposure to Contaminated Water at Camp Lejeune | Veterans who served at U.S. Marine Corps Base Camp Lejeune, North Carolina, between August 1953 and December 1987 were potentially exposed to contaminants present in the base’s water supply. Various scientific organizations have associated the contaminants found in the water with the possible development of certain chronic diseases. However, many unanswered questions remain regarding the   * extent of base water contamination * type and duration of exposure experienced by base personnel, and * likelihood that contaminant levels in the water supply were high enough to result in the development of a particular disease.   Until scientific evidence shows otherwise, it is VA’s policy to presume that any Veteran who served at Camp Lejeune was potentially exposed in some manner to the full range of chemicals known to have contaminated the base’s water supply. |

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| b. Service Information VA Requires to Process Claims Involving Exposure to Contaminated Water at Camp Lejeune | The service information VA requires to decide a claim for service connection for diseases resulting from a Veteran’s exposure to contaminated water at Camp Lejeune includes   * proof of service at Camp Lejeune, and * details about the Veteran’s service at the Marine Corps base, including * the length of time the Veteran worked at the base * the Veteran’s duties and the locations where he/she worked on base, and * whether the Veteran resided on base or off base.   ***Rationale***: Obtaining as much information as possible about the Veteran’s service at Camp Lejeune will assist medical examiners in determining the likelihood of a relationship between the Veteran’s exposure to contaminated water at the base and development of a chronic disease. |

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| c. Obtaining Information About a Veteran’s Service at Camp Lejeune | Follow the steps in the table below to obtain information about a Veteran’s service at Camp Lejeune. |

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| Step | Action |
| 1 | Send [Section 5103](http://www.law.cornell.edu/uscode/html/uscode38/usc_sec_38_00005103----000-.html) notice to the claimant and concurrently inform him/her that although VA will attempt to obtain the information described in M21-1, Part III, Subpart iii, 2.E.7.b, the claimant should immediately provide VA with any of this information in his/her possession. |
| 2 | Does VA already possess the Veteran’s service records (STRs *and* service personnel records)?   * If *yes*, proceed to Step 5. * If *no*, proceed to Step 3. |
| 3 | Request service records that are not already in VA’s possession through normal channels. The table below contains references to topics in M21-1 that provide information about   * where service records are maintained, and * whether they are obtainable through PIES or DPRIS.  |  |  | | --- | --- | | Branch of Service | M21-1 Reference | | Army | M21-1, Part III, Subpart iii, 2.B.4 | | Navy | M21-1, Part III, Subpart iii, 2.B.5 | | Air Force | M21-1, Part III, Subpart iii, 2.B.6 | | Marine Corp | M21-1, Part III, Subpart iii, 2.B.7 | | Coast Guard | M21-1, Part III, Subpart iii, 2.B.8 |   When *initially* requesting service personnel records through   * PIES, use request code * O50 (if the corresponding claim is being processed in VBMS), or * O19 (if the corresponding claim is ***not*** being processed in VBMS), or * DPRIS, select the records identified on the OMPF REQUEST FORM as * SC1 – DD-214/215 * SC6 – Disch/Sep/Ret * SC8 – Orders/Endorsements * PG2 – Commendatory Items, and * PH5 – Chron Assignment History. |
| 4 | Do service personnel records obtained through an initial request through PIES or DPRIS contain proof of the Veteran’s service at Camp Lejeune?   * If *yes*, proceed to the next step. * If *no*, follow the instructions in the table below.  |  |  | | --- | --- | | If ... | Then ... | | request code O50 was used in Step 3 | proceed to Step 5. | | request code O19 was used in Step 3 | use request code O18 to submit a second request for service personnel records through PIES. | | the request in Step 3 was made through DPRIS | select the remainder of the records on DPRIS’s OMPF REQUEST FORM that were not selected under Step 3. | |
| 5 | Do the Veteran’s service records contain the information described in M21-1, Part III, Subpart iii, 2.E.7.b?   * If *yes*, development action for service information is complete. * If *no*, and the claimant has ***not*** responded to the request made in Step 1 for service information, attempt to obtain the missing information from the claimant by telephone.   ***Note***: If attempts to contact the claimant by telephone are unsuccessful,   * send a follow-up request for the missing service information by letter, and * allow the claimant 30 days to respond. |
| 6 | Unless the claimant informs VA of records not already in its possession that contain the missing service information, consider development action for service information complete as soon as   * VA makes contact with the claimant, or * the 30-day response period given the claimant in Step 5 expires. |

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| ***Important***:   * The Louisville RO maintains primary jurisdiction of claims involving a Veteran’s exposure to contaminated drinking water at Camp Lejeune. * The following ROs are also authorized to process these claims: * for Veterans residing in foreign territories, Pittsburgh, and * for original pre-discharge claims, * Salt Lake City * Winston-Salem, and * disability rating activity sites (DRAS).   ***Exceptions***: Do ***not*** transfer claims   * where no disability is specifically claimed as a result of exposure, such as claims stating “Camp Lejeune” or “exposure at Camp Lejeune,” and * claims alleging disability of dependents, including birth defects, as VA has no statutory authority to compensate a Veteran’s dependents exposed to Camp Lejeune water contamination.   ***Reference***:   * For more information about * handling claims involving a Veteran’s exposure to contaminated drinking water at Camp Lejeune, see M21-1, Part IV, Subpart ii, 1.H.7 * processing claims for a Veteran’s dependents, see M21-1. * For information about requesting records through * PIES, see * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D, or * DPRIS, select the HELP tab within the DPRIS application, which is accessible at [https://www.dpris.dod.mil](https://www.dpris.dod.mil/). (Registration is required.) |

#### 8. Verifying RVN Service in Connection With Claims Involving Exposure to Herbicides

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| Introduction | This topic contains information on verifying service in the RVN in connection with claims involving exposure to herbicides, including   * when to verify service in the RVN * reviewing personnel records for proof of service in the RVN * verifying temporary duty/visitation in the RVN * determining whether a Veteran who served on board a ship had service in the RVN * formal finding that VA lacks the information the U.S. Army and Joint Services Records Research Center (JSRRC) requires to determine whether a Veteran served in the RVN * requirements for a formal finding, and * template for documenting a formal finding. |

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| a. When to Verify Service in the RVN | Verify service in the Republic of Vietnam (RVN) upon receipt of a claim for service connection for a disability the claimant asserts is related to his/her (or a Veteran’s) exposure to herbicides during service in the RVN.  A Veteran must have had actual duty or visitation with the RVN or on its inland waterways to qualify for the presumption of exposure to herbicides under [38 CFR 3.307(a)(6)](http://www.ecfr.gov/cgi-bin/text-idx?SID=42f37df4e52f497d9fb5ed25cb141e56&node=se38.1.3_1307&rgn=div8).  ***Reference***: For information on verifying a Veteran’s exposure to herbicides in locations *other than* the RVN, see M21-1, Part IV, Subpart ii, 1.H.2,3,4,and 5. |

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| b. Reviewing Personnel Records for Proof of Service in the RVN | Consider entries such as *Foreign Service: Republic of Vietnam* on the Veteran's DD Form 214 as proof of service in the RVN.  If service in the RVN is not documented on the Veteran’s DD Form 214, look for other service personnel records, such as *Department of the Army Form 20* or equivalent, that show locations where the Veteran served. Unless these records are already in VA’s possession, submit a PIES request to NPRC for proof of service in the RVN under request code   * O50 (if the corresponding claim is being processed in VBMS), or * O34 (if the corresponding claim is ***not*** being processed in VBMS).   ***Exception***: Do ***not*** submit a PIES request under the circumstances described in this block if, at any point in the past, VA submitted a PIES request for service records under request code O50.  ***Important***: The fact that a Veteran received the Vietnam Service Medal does *not* prove he/she actually served in the RVN, since service members who never set foot in the RVN but were stationed on ships offshore, flew missions over the RVN, or served in Thailand, were sometimes awarded the Vietnam Service Medal.  ***References***: For more information about   * what constitutes “service in Vietnam,” see [VAOPGCPREC 7-93](http://www.va.gov/ogc/docs/1993/PRC07-93.DOC), and * PIES, see * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D. |

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| c. Verifying Temporary Duty/Visitation in the RVN | To verify temporary duty in or visit to the RVN when NPRC’s response to the PIES request submitted under request code 034 was negative, submit a new PIES request under code   * O50 (if the corresponding claim is being processed in VBMS), or * O39 (if the corresponding claim is ***not*** being processed in VBMS).   ***Exception***: Disregard the instructions in this block if VA has *ever* submitted a PIES request for service records under request code O50. |

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| d. Determining Whether a Veteran Who Served on Board a Ship Had Service in the RVN | A Veteran who served on board a ship meets the requirement for service in the RVN under [38 CFR 3.307(a)(6)](http://www.ecfr.gov/cgi-bin/text-idx?SID=42f37df4e52f497d9fb5ed25cb141e56&node=se38.1.3_1307&rgn=div8) only if he/she   * went ashore, or * served on board a ship as it operated on the inland waterways of the RVN.   Follow the steps in the table below to determine whether a Veteran who served on board a ship had service in the RVN for VA purposes.  ***Note***: It is unnecessary to attempt to verify service in the RVN if a claimant specifically states he/she (or the Veteran) neither went ashore nor served on board a ship as it operated on the inland waterways of the RVN.  ***Reference***:   * For a list of ships that docked on the shores of the RVN and/or operated on its inland waterways, see the document titled [*Navy and Coast Guard Ships Associated with Service in Vietnam and Exposure to Herbicide Agents*](http://vbaw.vba.va.gov/bl/21/rating/VENavyShip.htm). * For more information about verifying a Veteran’s exposure to herbicides while onboard a ship, see M21-1, Part IV. Subpart ii.2.C.3.f and M21-1, Part IV. Subpart ii, 1 H.2. |

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| Step | Action |
| 1 | Submit a request to NPRC for verification of the Veteran’s service in the RVN under request code   * O50 (if the corresponding claim is being processed in VBMS), or * O34 (if the corresponding claim is ***not*** being processed in VBMS).   ***Exception***: Disregard the instructions in this block if VA has *ever* submitted a PIES request for service records under request code O50.  ***References***: For more information about requesting records through PIES, see   * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D. |
| 2 | Proceed to the next step upon receipt of a response from NPRC ***unless*** one of the following circumstances exists.   * If the evidence of record confirms the Veteran served on board a ship that operated on the inland waterways of the RVN, proceed no further. The Veteran meets the requirement for service in the RVN. * If the claimant asserts he/she (or the Veteran) served on board a ship as it operated on the inland waterways of the RVN, but the evidence of record does ***not*** confirm it, proceed to Step 7. |
| 3 | Does the evidence of record confirm the Veteran served on board a ship as it operated in the waters offshore of the RVN?   * If *yes*, proceed to the next step. * If *no*, proceed no further. The Veteran does not meet the requirement for service in the RVN. |
| 4 | Does the evidence of record confirm the ship docked on the shore (or to a pier) of the RVN or sent crewmembers ashore?   * If *yes*, proceed to the next step. * If *no*, proceed to Step 7.   ***Reference***: For information about the difference between docking on the shore of the RVN and anchoring in an open, deep-water harbor, see M21-1, Part IV, Subpart ii, 2.C.3.kf. |
| 5 | Does the evidence of record show the Veteran was on board the ship when it docked or sent crewmembers ashore?   * If *yes*, proceed to the next step. * If *no*, proceed no further. The Veteran does not meet the requirement for service in the RVN. |
| 6 | Does the evidence of record show the Veteran went ashore?   * If *yes*, proceed no further. The Veteran meets the requirement for service in the RVN. * If *no*, proceed to Step 7.   ***Important***: Accept as proof of service in the RVN a signed statement from the Veteran attesting that he/she went ashore if the evidence of record confirms the Veteran served on board a ship that   * docked on the shore (or to a pier) of the RVN, or * sent crewmembers ashore. |
| 7 | Request verification of the Veteran’s service in the RVN from the U.S. Army and Joint Services Records Research Center (JSRRC).  If the Veteran was serving in the Navy, Air Force, or Army, submit the request through DPRIS, using request code O43 on the JSRRC REQUEST FORM.  ***Notes***:   * Requests to JSRRC for verification of a Veteran’s service in the RVN must include the * name and number of the ship, such as USS *Galveston* (CLG 3), and * dates during which the ship was in the waters offshore of the RVN. * JSRRC will research records covering multiple date ranges as long as the cumulative number of days does not exceed 60 per period. * If additional research is needed after the initial 60 day time period, JSRRC will research one more 60 day time period. * If the information JSRRC requires to perform its research is not of record, ask the claimant to provide it. If the claimant does not provide the information within 30 days of the date VA requests it, follow the instructions in M21-1, Part III, Subpart iii, 2.E.8.e, f, and g.   ***Reference***: For information about requesting records through DPRIS, select the HELP tab within the DPRIS application, which is accessible at [https://www.dpris.dod.mil](https://www.dpris.dod.mil/). (Registration is required.) |

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| e. Formal Findings That VA Lacks the Information JSRRC Requires to Determine Whether a Veteran Served in the RVN | If an RO is unable to take the action described in Step 7 of the table in M21-1, Part III, Subpart iii, 2.E.8.d because it lacks the information the JSRRC requires to determine whether a Veteran served in the RVN, the RO’s JSRRC Coordinator must prepare a formal finding that documents this fact.  *Before* preparing the formal finding, the JSRRC Coordinator must review the Veteran’s claims folder to confirm the RO   * gave the claimant an opportunity to provide the information JSRRC requires * properly followed established procedures for * verifying the Veteran’s service in the RVN, and * obtaining the information JSRRC requires, and * reviewed and considered all relevant evidence of record, to include service records, in an attempt to * verify the Veteran’s service in the RVN, and * obtain the information JSRRC requires. |

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| f. Requirements for a Formal Finding | The formal finding referenced in M21-1, Part III, Subpart iii, 2.E.8.e must   * state that VA does not possess the information JSRRC requires to research a claim that a Veteran served in the RVN * confirm the RO properly followed established procedures for obtaining the information * describe the actions the RO took to obtain the information * state that evidence of the RO’s efforts to obtain the information is of record in the claims folder, and * be signed by * the JSRRC Coordinator that prepared the formal finding, and * the RO’s Veterans Service Center Manager (VSCM) or his/her designee.   When preparation of the formal finding is complete, add it to the Veteran’s claims folder.  ***Note***: It is ***not*** necessary to contact the Veteran by telephone to   * advise him/her of the formal finding, or * allow additional time to submit the required information. |

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| g. Template for Documenting a Formal Finding | Use the template below to document a formal finding that VA lacks the information the JSRRC requires to determine whether a Veteran served in the RVN. |

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| Department of Veterans Affairs Memorandum  Date:  From:  RE: Private, John Q.  CSS 999 99 9999  Subj: Formal finding that the Department of Veterans Affairs (VA) lacks the information the U.S. Army and Joint Services Records Research Center (JSRRC) requires to verify service in the Republic of Vietnam (RVN).  To: File  1. We have determined that the VA lacks the information the JSRRC requires to verify the Veteran’s service in the RVN.  2. The RO has given the claimant the opportunity to provide the missing information and has properly followed all other established procedures for obtaining it.  3. The following efforts were made to obtain the information the JSRRC requires:  a.  b.  c.  4. Evidence of efforts the RO made to obtain the information is contained in the claims folder.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature of the JSRRC Coordinator  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature of the VSCM or Designee |

#### 9. Verifying Philippine Service in the United States Armed Forces

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| Introduction | This topic contains information on verifying Philippine service in the United States Armed Forces, including   * individuals who may be eligible for VA benefits based on Philippine service * verifying service as a Regular or Special Philippine Scout, and * verifying service in the Commonwealth Army of the Philippines or as a United States Armed Forces in the Far East (USAFFE) guerrilla. |

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| a. Individuals Who May Be Eligible for VA Benefits Based on Philippine Service | Individuals with Philippine service as a recognized member of one of the following may be eligible for VA benefits:   * Regular Philippine Scouts * Special Philippine Scouts * Commonwealth Army of the Philippines inducted into the United States Armed Forces, or * United States Armed Forces in the Far East (USAFFE) guerrillas.   ***References***: For information about   * the eligibility of Veterans and their dependents to VA benefits based on Philippine service, see M21-1, Part III, Subpart vi, 4.B, or * which ROs have jurisdiction over claims involving Philippine service, see M21-1, Part III, Subpart vi, 4.A.1.a. |

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| b. Verifying Service as a Regular or Special Philippine Scout | The United States Armed Forces provided Philippine Scouts discharge certificates similar to those issued to members of regular components of the United States Armed Forces.  In the absence of an original or certified copy of *DD Form 214*, obtain verification of an individual’s service as a Regular or Special Philippine Scout by submitting a request to NPRC through PIES. Use request code O50 on the ARMY tab of the PIES 3101 – PAGE 2 screen.  ***Exceptions***:   * Use request code S01 on the ARMY tab of the PIES 3101 – PAGE 2 screen if the corresponding claim cannot established, developed, and completed in VBMS. * Disregard the instructions in this block if VA has *ever* submitted a PIES request for service records under request code O50.   ***Notes***:   * The United States Armed Forces assigned Philippine Scouts service numbers indicative of an overseas enlistment in one of the following ranges of numbers: * 10,000,000-to-10,999,999, or * 30,000,000-to-30,999,999. * ROs may also request STRs for Regular and Special Philippine Scouts from NPRC through PIES.   ***Reference***: For more information about PIES, see   * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D |

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| c. Verifying Service in the Commonwealth Army of the Philippines or as a USAFFE Guerrilla | The United States Armed Forces did *not* provide separation or discharge documents to members of the Commonwealth Army of the Philippines or USAFFE guerrillas. To obtain verification of an individual’s service in either of these armed forces, follow the steps in the table below. |

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| Step | Action |
| 1 | Complete a hard-copy version of *VA Form 3101, Request for Information.* |
| 2 | Create a photocopy of the completed form. |
| 3 | Is VA processing the corresponding claim in a paperless environment?   * If *yes*, scan the photocopy of the completed *VA Form 3101* into VBMS. * If *no*, place the photocopy into the claimant’s claims folder. |
| 4 | Mail the original version of the form to:  NPRC-MPR  Philippine Army Section  9700 Page Avenue  St. Louis, MO 63132 |

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| ***Important***: The Armed Forces of the Philippines or the Philippine Veterans Affairs Office typically provides the Manila RO with documentation of an individual’s service in the Commonwealth Army of the Philippines or as a USAFFE guerrilla. However, the RO must still obtain verification of service from NPRC.  ***Notes***:   * The Commonwealth Army of the Philippines assigned service numbers to its members that normally contain six digits. * Many guerrillas do not have a service number. * STRs for members of the Commonwealth Army of the Philippines or USAFFE guerrillas may be requested from NPRC through PIES.   ***Reference***: For information about submitting a request for STRs through PIES, see   * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D. |

#### 10. Obtaining Service Information in Other Special Situations

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| Introduction | This topic contains information on verifying service information in other situations, including   * verifying whether a Veteran meets the minimum active-duty service requirement * verifying service information of the author of a buddy statement * verifying service information through morning reports, and * verifying service information required for other unique claims. |

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| a. Verifying Whether a Veteran Meets the Minimum Active-Duty Service Requirement | To obtain verification that a Veteran meets the minimum active-duty service requirement (24 months) set forth in [38 CFR 3.12a](http://www.ecfr.gov/cgi-bin/text-idx?SID=76b4e979c75bc6838f4538cb273e1450&node=se38.1.3_112a&rgn=div8), send a request to NPRC through PIES, using request code O99. In the free-text section of the request enter *Please verify two years of honorable active service*.  ***Note:*** If the corresponding claim is being processed in VBMS, submit request code O50. The PIES O50 request covers documentation needed to manually verify minimum active-duty service requirements.  ***Exception***: Service personnel records required to determine whether a Veteran meets the minimum active-duty service requirement are available *only* through DPRIS if the Veteran was discharged from the   * Army on or after October 1, 1994 * Navy on or after January 1, 1995 * Air Force on or after October 1, 2004, or * Marine Corps on or after January 1, 1999.   To request the relevant personnel records from DPRIS, select all records under SERVICE COMPUTATION GROUP on the OMPF REQUEST FORM.  ***References***: For more information about   * requesting records through * PIES, see * the [*PIES Participant Guide*](http://vbaw.vba.va.gov/bl/21/publicat/Users/Pies/PIESparticipantguide.zip), and * M21-1, Part III, Subpart iii, 2.D, or * DPRIS, select the HELP tab within the DPRIS application, which is accessible at [https://www.dpris.dod.mil](https://www.dpris.dod.mil/) (Registration is required.), or * the minimum active-duty service requirement, see M21-1, Part III, Subpart ii, 6.4. |

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| b. Verifying Service Information of the Author of a Buddy Statement | To obtain evidence to verify service information of the author of a buddy statement, submit a request through PIES, as follows:   * enter identifying information about the Veteran on the 3101 – PAGE 1 screen * enter identifying information about the author of the buddy statement on the 3101 – PAGE 2 screen * select request code * O38-V (if the corresponding claim is being processed in VBMS), or * O38 (if the corresponding claim is ***not*** being processed in VBMS) * enter the following in the free-text section of the request: * a description of the information or records required to determine the credibility of the buddy statement, and * the complete organizational structure of the unit to which the author of the buddy statement was assigned during the period of time he/she references in the statement, and * add a copy of the request to the Veteran’s claims folder.   ***Exception***: Service personnel records that may be useful in determining the credibility of a buddy statement are available *only* through DPRIS if the author of the buddy statement was discharged from the   * Army on or after October 1, 1994 * Navy on or after January 1, 1995 * Air Force on or after October 1, 2004, or * Marine Corps on or after January 1, 1999.   Depending on the content of the buddy statement, select those types of records on the OMPF REQUEST FORM that would likely contain information to confirm or refute the credibility of the buddy statement. |

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| c. Verifying Service Information Through Morning Reports | Morning reports show daily changes in the status of service members in a specific unit. They are useful to VA because they often contain information about service members who were sick or injured on any given day.  Only the Army and Air Force kept morning reports, and, then, only for a limited period of time.   * The Army kept morning reports from November 1, 1912, through 1974. (A few units continued using them until 1980.) * The Air Force kept morning reports from September 1947 through June 30, 1966.   Morning reports must be requested if the following criteria is met:   * If the evidence of record (to include STRs) does not confirm treatment for an injury or disease a claimant asserts was incurred or aggravated during service, and * the Veteran served in the Army or Air Force during the period of time each used morning reports.   Request morning reports from NPRC through PIES, using request code   * O20-V (if the corresponding claim is being processed in VBMS) or * O20 (if the corresponding claim is ***not*** being processed in VBMS).   The PIES request must include   * the approximate date of illness or injury, and * the name of the organization (company, battalion, wing, squadron, etc.) to which the Veteran was attached at the time of injury or illness.   ***Important***: NPRC will ***not*** search morning reports for a date range in excess of three months. |

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| d. Verifying Service Information Required for Other Unique Claims | Upon receipt of a claim for service connection for a disability or disease listed in the table below, ROs must verify service information that is unique to the claim.  The references cited in the table below show what service information ROs must verify and the means for requesting it. |

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| If the claim involves service connection for ... | Then follow the instructions in ... |
| a disability related to exposure to ionizing radiation | M21-1, Part IV, Subpart ii, 1.B and C. |
| a disability related to exposure to asbestos | M21-1, Part IV, Subpart ii, 1.H.5. |
| a disability incurred as a former prisoner of war | M21-1, Part IV, Subpart ii, 1.G. |
| a disability incurred as a result of participation in a classified or covert operation | M21-1, Part IV, Subpart ii, 1.H.6. |