#### Department of Veterans Affairs M21-1, Part III, Subpart iii

**Veterans Benefits Administration June 4, 2015**

**Washington, DC 20420**

#### Transmittal Sheet

|  |  |
| --- | --- |
| Changes Included in This Revision | The table below describes the changes included in this revision of Veterans Benefits Manual M21-1, Part III, “General Claims Process,” Subpart iii, “General Development and Dependency Issues.”  ***Notes***:   * The term regional office (RO) also includes pension management center (PMC), where appropriate. * Minor editorial changes have also been made to * update incorrect or obsolete hyperlink references * reorganize the alphabetical designations assigned to individual blocks to account for deleted or combined blocks * replace “factual dependency” with “financial dependency” * update obsolete terminology, where appropriate * update section and topic titles to more accurately reflect their content * clarify block labels and/or block text, and * bring the documents into conformance with M21-1 standards. |

|  |  |
| --- | --- |
| Reason(s) for the Change | Citation |
| * To clarify that a marriage (between members of the same or opposite sex) may be established when the marriage is valid under the law of the locality where at least one of the parties resided when the claimant filed a valid claim, became eligible for benefits, or was married. * To provide hyperlinks to the VA Office of General Counsel’s marriage webpage and VBA Letter 20-14-08, *Administration of Same-Sex Spousal Benefits.* | M21-1, Part III, Subpart iii, Chapter 5, Section B, Topic 1, Block a (III.iii.5.B.1.a) |
| To move the note located under the table in old III.iii.5.B.8.f to a more logical location. | III.iii.5.B.1.b |
| * To specify that a claimant’s entries regarding his/her dependents on one of the forms listed in III.iii.5.A.4.a. are accepted as credible if the form is complete and signed by the claimant. * To clarify that a claimant’s failure to provide the State in which a marriage took place on one of the forms listed in III.iii.5.A.4.a does not render the form incomplete as long as the city in which the marriage took place is well known. | III.iii.5.B.2.a |
| * To clarify when documentary evidence of marriage is required. * To move a reference for the definition of fraud from old III.iii.5.B.6.e to a more logical location. * To emphasize that the validity of a marriage should not be questioned based solely on the absence of information regarding where a claimant lived * when a marriage took place, or * when the claimant filed for benefits. * To provide references for questions regarding the administration of same-sex spousal benefits. | III.iii.5.B.2.b |
| * To remove instructions that are now provided in III.iii.5.B.3.c. * To clarify that if a claimant was not married in a State, then he/she must provide the name of the country where the marriage took place. | III.iii.5.B.2.c. |
| To add a new block that states claimants must submit a request to add a dependent to their award on a prescribed form. | III.iii.5.B.3.a |
| To clarify that if a claimant was not married in a State, then he/she must provide the name of the country where the marriage took place. | III.iii.5.B.3.b |
| To rewrite (old) III.iii.5.B.7.b, which was largely rendered obsolete by the new requirement that claimants submit their claims on prescribed forms. | III.iii.5.B.3.c |
| * To consolidate the content of old III.iii.5.B.8.a and b into a single block. * To remove instructions rendered obsolete by the requirement that claimants complete a prescribed form if they wish to add a dependent to their award. * To reword instructions to ensure RO employees do not overdevelop claims involving dependents. * To clarify that VA does not require beneficiaries to submit a prescribed form to request removal of a dependent from their award. | III.iii.5.B.4.a |
| To consolidate the content of old III.iii.5.B.8.c, d, and e into a single block. | III.iii.5.B.4.b |
| To rewrite content based on the requirement that claimants complete a prescribed form if they wish to add a dependent to their award. | III.iii.5.B.5.a |
| To replace “husband and wife” with “a married couple.” | III.iii.5.B.7.a and b |
| To delete old III.iii.5.B.6.b and c as the information contained therein is obsolete now that claimants are required to complete a prescribed form to add a dependent to an award. | --- |

|  |  |
| --- | --- |
| Rescissions | None |

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

|  |  |
| --- | --- |
| Signature | Thomas J. Murphy, Director  Compensation Service |

|  |  |
| --- | --- |
| Distribution | LOCAL REPRODUCTION AUTHORIZED |