**Department of Veterans Affairs** **M21-1, Part IV, Subpart ii**

**Veterans Benefits Administration August 7, 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 IV, “Compensation, DIC, and Death Compensation Benefits,” Subpart ii, “Compensation.”***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
* clarify block labels and/or block text
* 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
* update section and topic titles to more accurately reflect their content, and
* bring the documents into conformance with M21-1 standards.
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| Reasons for the Changes | Citation |
| To revise the section so that it only contains exposure guidance for claims based on herbicide exposure as development guidance related to other exposure types will now be located in M21-1, Part IV, Subpart ii, Chapter 1, Section I (IV.ii.1.I). | IV.ii.1.H |
| To delete old IV.ii.1.H.26, which contained content about service connection (SC) for positive tuberculin reactions which has how been relocated to new IV.ii.1.I. | -- |
| To create new Topic 1, *Developing Claims Based on Herbicide Exposure in the Republic of Vietnam*. | IV.ii.1.H.1 |
| To create new Block a explaining the requirement for RVN service to establish SC under 38 CFR 3.307(a)(6) and 38 CFR 3.309(e). | IV.ii.1.H.1.a |
| * To create new Block b with information related to the time period during which herbicide exposure may be presumed from previous location of old IV.ii.1.H.28.b.
* To add a cross-reference to the location for primary information on the time period during which exposure to herbicides in the RVN may be presumed at IV.ii.2.C.3.d.
 | IV.ii.1.H.1.b |
| To create new Block c with information related to considering qualifying length of service in the RVN from previous location of old IV.ii.1.H.28.c. | IV.ii.1.H.1.c |
| * To add a new Block d providing guidance on reviewing the claims folder for proof of RVN service.
* To provide information on using Army Post Office (APO) numbers to verify service in the RVN.
* To provide information that the Vietnam Cross of Gallantry is not acceptable proof of RVN service and include information on the Vietnam Service Medal.
* To add a cross-reference to VAOPGCPREC 7-93 to court case related to RVN service in regards to Veterans who flew military missions over RVN.
 | IV.ii.1.H.1.d |
| * To add a new Block e with information on developing for proof of RVN service to include guidance on the proper Personnel Information Exchange System (PIES) request codes to use.
* To relocate information on using PIES O39 request code if a Veteran claims temporary duty (TDY) to the RVN during the early period of the Southeast Asian conflict from January 9, 1962, to August 5, 1964, and requirement to develop for records prior to denial, which was originally contained at old IV.ii.1.H.28.d.
 | IV.ii.1.H.1.e |
| * To create new Block f with information previously located at old IV.ii.1.H.28.e.
* To add a cross-reference to the location for information on diseases for which SC may be presumed under the Agent Orange Act of 1991 at IV.ii.2.C.3.i.
 | IV.ii.1.H.1.f |
| To create new Block g with guidance on informing the Veteran about the Agent Orange Registry program. | IV.ii.1.H.1.g |
| To create new Block h providing guidance on necessary actions when the Veteran claims herbicide exposure but does not claim a disability, which was previously located at old IV.ii.1.H.28.g. | IV.ii.1.H.1.h |
| To delete old IV.ii.1.H.27 which contained information about SC for chronic or tropical diseases and has been relocated to IV.ii.1.I. | -- |
| To create new Topic 2, *Developing Claims Based on Service* *Aboard Ships Offshore of the RVN or on Inland Waterways*. | IV.ii.1.H.2 |
| To add a new Block a with a definition of inland waterways. | IV.ii.1.H.2.a |
| To add a new Block b providing information on conducting a review of the military service personnel records to verify service on ships offshore of the RVN or on inland waterways. | IV.ii.1.H.2.b |
| To create new Block c providing guidance on presumptive SC for Veterans who served aboard ships operating on inland waterways. | IV.ii.1.H.2.c |
| * To create new Block d providing guidance on developing claims based on exposure to herbicides during service aboard ships that operated on the offshore waters of the RVN, which was previously located at old IV.ii.1.H.28.h.
* To add a cross-reference to IV.ii.2.C.3.m for the distinction between blue water and brown water Veterans.
 | IV.ii.1.H.2.d |
| To add a new Block e providing guidance on requesting verification of service from National Personnel Records Center (NPRC) for claims related to being aboard ships offshore the RVN or on inland waterways. | IV.ii.1.H.2.e |
| To add new Block f with information related to requesting verification of service on ships offshore RVN or on inland waterways from U.S. Army and Joint Services Records Research Center (JSRRC), which was previously located at old IV.ii.1.H.28.j. | IV.ii.1.H.2.f |
| To add new Block g with information about processing claims based on the transportation, storage or use of herbicides on board U.S. Navy and Coast Guard ships. | IV.ii.1.H.2.g |
| To add new Block h with guidance for associating a copy of the mandatory JSRRC memorandum for the record with the claims folder for Veterans claiming herbicide exposure aboard a ship in offshore waters based on transportation, storage, or use of herbicides on board the ship. | IV.ii.1.H.2.h |
| To add a new Topic 3, *Developing Claims Based on Exposure to Agent Orange for Select Air Force Personnel Through Contact With Contaminated C-123 Aircraft Used in RVN as Part of Operation Ranch Hand (ORH)*. | IV.ii.1.H.3 |
| To create new Block a providing RO procedures for processing claims based on exposure to Agent Orange through contaminated C-123 aircraft as part of ORH.  | IV.ii.1.H.3.a |
| To delete old IV.ii.1.H.28 about developing claims based on herbicide exposure in RVN since that content has reorganized into topics in this section (IV.ii.1.H). | -- |
| To create new Topic 4, *Developing Claims Based on Herbicide Exposure in the Korean Demilitarized Zone (DMZ)*. | IV.ii.1.H.4 |
| To create new Block a with information on requirements for presumptive SC based on herbicide exposure in the Korean DMZ, which was previously located at old IV.ii.2.C.10.q. | IV.ii.1.H.4.a |
| To create new Block b providing a table of Department of Defense (DoD) units or other military entities that DoD has identified as operating in the Korean DMZ during the qualifying time period, which was previously located at old IV.ii.2.C.10.q.  | IV.ii.1.H.4.b |
| To create new Topic 5, *Developing Claims Based on* *Herbicide Exposure in Thailand During the Vietnam Era*. | IV.ii.1.H.5 |
| To add new Block a with information on special consideration for claims based on herbicide exposure in Thailand during the Vietnam Era, which was previously located at old IV.ii.2.C.10.r. | IV.ii.1.H.5.a |
| * To add new Block b with information on verifying exposure to herbicides in Thailand during the Vietnam Era, which was previously located at old IV.ii.2.C.10.r.
* To remove Don Muang from the list of Royal Thai Air Force Bases (RTAFBs).
* To specify that presumption is only available to security personnel and dog handlers with qualifying service and remove any reference to in or near the perimeter.
* To add a note not to request verification of exposure from the Department of the Air Force.
 | IV.ii.1.H.5.b |
| To delete old IV.ii.1.H.29 about developing claims for SC of asbestos-related diseases and move the content to IV.ii.1.I. | -- |
| To create new Topic 6, *Developing Claims Based on* *Herbicide Exposure on Johnston Island*. | IV.ii.1.H.6 |
| To add new Block a providing an overview of herbicide storage on Johnston Island and to provide reference for obtaining verification of exposure on a factual basis (relocated information from old IV.ii.2.C.10.t). | IV.ii.1.H.6.a |
| To add new Block b with the Johnston Island Fact Sheet. | IV.ii.1.H.6.b |
| To add new Topic 7, *Developing Claims Based on* *Herbicide Exposure in Other Locations*. | IV.ii.1.H.7 |
| To add a new Block a with information on verifying herbicide exposure on a factual basis in other locations, which was previously located at old IV.ii.2.C.10.p. | IV.ii.1.H.7.a |
| To delete old IV.ii.1.H.30 about developing claims for acquired immune deficiency syndrome (AIDS), and move the content to IV.ii.1.I. | -- |
| To add new Topic 8, *Claims for Benefits Based on Birth Defects Due to Herbicide Exposure*. | IV.ii.1.H.8 |
| To add a new Block a with information on considering claims for benefits based on birth defects, which was previously located at old IV.ii.1.H.28.l. | IV.ii.1.H.8.a |
| To add a new Topic 9, *Other Development Procedures for Claims Under the Nehmer Stipulation for Disabilities Resulting From Exposure to Herbicides*. | IV.ii.1.H.9 |
| To add a new Block a to provide information on items that may require development following *Nehmer* claims folder review. | IV.ii.1.H.9.a |
| * To add a new Block b to provide guidance on end product (EP) control of claims under the *Nehmer* stipulation
* To specify that any subsequent claims received after establishment of the appropriate *Nehmer* EP will be worked under a separate, appropriate EP, whether rating or non-rating
* To add cross-reference for more information on PN for *Nehmer* purposes at IV.ii.2.C.3.i.
 | IV.ii.1.H.9.b |
| To add a new Block c to provide guidance on information to include in development letters to the Veteran in *Nehmer* claims. | IV.ii.1.H.9.c |
| To add a new Block d to provide guidance on scheduling an examination for a *Nehmer* claim. | IV.ii.1.H.9.d |
| To add a new Block e to provide guidance on returned mail procedures for claims based on the *Nehmer* stipulation. | IV.ii.1.H.9.e |
| To delete old IV.ii.1.H.31 about developing claims based on participation in special operations and move the content to IV.ii.1.I.. | -- |
| To delete old IV.ii.1.H.32 about developing claims based on exposure to other specific environmental hazards and move the content to IV.ii.1.I.. | -- |

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| Rescissions |  |

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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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