Appendix AK:

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|  | **«RO Address or Outbased Office Address»****Fugitive Felon** **Due Process Letter** |

Fugitive Felon Sample Letters

|  |  |
| --- | --- |
| «FullName» | In Reply Refer to Both: |
| «MailingAddress» | «ROStationNumber»/28VA File/Payee Number |

Dear «LastName»:

This is to inform you that we propose to stop your Vocational Rehabilitation and Employment (VR&E) benefits. (option if payee is felon: The Department of Veterans Affairs (VA) can’t pay vocational rehabilitation benefits to an individual who is the subject of an outstanding felony (sometimes known as “high misdemeanor”) criminal warrant.) (option when parent or spouse is a felon: The Department of Veterans Affairs (VA) can’t pay VR&E benefits to a dependent of a Veteran who is the subject of an outstanding felony (sometimes known as “high misdemeanor”) criminal warrant.) This letter tells you what information we received and explains what you need to do.

**What Information We Received**

We received notice from (fill in name of agency) that (If first option inn first paragraph is selected: The Veteran, (insert Veteran’s name) has been identified as the subject of an outstanding felony criminal warrant.

Law Enforcement Agency that Submitted Warrant

 Warrant Agency: Name of agency that issued warrant)

 Street address of agency

 City, state, zip code of agency

 Telephone: Telephone number of agency

 POC at agency: Name of person contacted at the agency (if known)

 Email Address: Contact’s email address (if known)

Specific Information about the warrant follows:

FullName VAFile/PayeeNumber

 Warrant Number: (XXXXXXXXXXXXXXXXXXXXXXXX)

 Warrant Date: (Month-dd-yyyy)

**What You Need to Do**

You need to contact (insert warrant agency from above) to determine what must be done to clear this warrant. When the warrant is cleared, send us a document from:

* The court having jurisdiction over the warrant, or
* (insert warrant agency from above), or
* Another government official

The document must show the warrant number, (xxxxxxxxxxxxxxxxxx), dated (month-dd-yyyy) and the date the warrant was cleared. The document should be on official form or stationary. Be sure to write your VA file number on all documents you send to us. If you can’t get this information, you should send us the name, title, phone number and email address of an official who can give us information about the clearing of this warrant. .

**What We Will Do**

If we don’t receive evidence that the warrant has been cleared within 60 days of the date of this letter, we must stop your vocational rehabilitation benefits effective (option if effective date is the date of the warrant: (drop in warrant date from earlier in the letter), the date of the warrant, (option if date is effective date of law: December 27, 2012, the effective date of the law. However, even if you do send evidence, please be aware that we still won’t be able to pay you for the period that the warrant is outstanding.

We may resume your benefits as of the date the warrant is cleared. However, we can’t pay you for any time before the warrant is cleared. You must notify us when the warrant is cleared.

**Your Right to a Hearing**

You have the right to a personal hearing to present evidence showing why we shouldn’t take this action. However, keep in mind your benefits may still be stopped unless we receive an official notice that the warrant has been cleared. VA will provide the place of the hearing and hearing officials. VA can’t pay any other expenses of the hearing.

If, within 30 days from the date of this letter, you request a hearing, payments (if you are receiving payments) will continue at the present rate until the heard is held and the

FullName VAFile/PayeeNumber

testimony is given. This could continue to create a larger overpayment. If you request a hearing but desire to prevent any additional overpayment, we may, with your permission, suspend your benefits immediately. Please let us know.

**Questions/Need Assistance**

If you have any questions about this letter or need additional verification of VA benefits, please contact me at (VR&E Officer’s phone number here), or call 1-800-827-1000. If you use the Telecommunications Device for the Deaf (TDD), the federal number is 711. Send electronic inquiries to <https://iris.va.gov/>.

Sincerely,

«VR&E Officer Name»

«Vocational Rehabilitation and Employment Officer»

Enclosure: VA Form 4107

cc: POAName

**How can eBenefits assist you?**

eBenefits is a joint VA/DoD web portal that provides resources and self-service capabilities to Veterans, Servicemembers, and their families to research, access and manage their VA and military benefits and personal information. eBenefits uses secure credentials to allow access to personal information and gives users the ability to perform numerous self-service functions. It also provides a list of links to other sites that provide information about military and Veteran benefits. It is an essential way for Veterans, Servicemembers, and their families to receive access to services. To access eBenefits go to [www.ebenefits.va.gov](file://www.ebenefits.va.gov/).

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| --- | --- |
|  | **«RO Address or Outbased Office Address»****Fugitive Felon Notification****(No Current Payment – No Future Benefits)**  |

«CurrentDate»

|  |  |
| --- | --- |
| «FullName» | In Reply Refer to Both: |
| «MailingAddress» | «ROStationNumber»/28VA File/Payee Number |

Dear «LastName»:

This is to inform you that we propose not to pay you Vocational Rehabilitation and Employment (VR&E) benefits based on any future participation. (option if payee is felon: The Department of Veterans Affairs (VA) can’t pay VR&E benefits to an individual who is the subject of an outstanding felony (sometimes known as “high misdemeanor”) criminal warrant.) (option when parent or spouse is a felon: The Department of Veterans Affairs (VA) can’t pay VR&E benefits to a dependent of a Veteran who is the subject of an outstanding felony (sometimes known as “high misdemeanor”) criminal warrant.) This letter tells you what information we received and explains what you need to do.

**What Information We Received**

We received notice from (fill in name of agency) that (If first option inn first paragraph is selected: The Veteran, (insert Veteran’s name) has been identified as the subject of an outstanding felony criminal warrant.

Law Enforcement Agency that Submitted Warrant

 Warrant Agency: Name of agency that issued warrant)

 Street address of agency

 City, state, zip code of agency

 Telephone: Telephone number of agency

 POC at agency: Name of person contacted at the agency (if known)

 Email Address: Contact’s email address (if known)

Specific Information about the warrant follows:

 Warrant Number: (XXXXXXXXXXXXXXXXXXXXXXXX)

 Warrant Date: (Month-dd-yyyy)

**What You Need to Do**

You need to contact (insert warrant agency from above) to determine what must be done to clear this warrant. When the warrant is cleared, send us a document from:

* The court having jurisdiction over the warrant, or
* (insert warrant agency from above), or
* Another government official

The document must show the warrant number, (xxxxxxxxxxxxxxxxxx), dated (month-dd-yyyy) and the date the warrant was cleared. The document should be on official form or stationary. Be sure to write your VA file number on all documents you send to us. If you can’t get this information, you should send us the name, title, phone number and email address of an official who can give us information about the clearing of this warrant. .

**What We Have Done**

Until we receive evidence that the warrant has been cleared, we cannot pay you any additional vocational rehabilitation benefits based on participation in the future. You have the right to a personal hearing to present evidence showing why we shouldn’t take this action. VA will provide the place of the hearing and hearing officials. VA can’t pay any other expenses of the hearing. However, you do not qualify for additional vocational rehabilitation benefits unless we receive an official notice that the warrant has been cleared.

**Questions/Need Assistance**

If you have any questions about this letter or need additional verification of VA benefits, please contact me at (VR&E Officer’s phone number here), or call 1-800-827-1000. If you use the Telecommunications Device for the Deaf (TDD), the federal number is 711. Send electronic inquiries to <https://iris.va.gov/>.

Sincerely,

«VR&E Officer Name»

«Vocational Rehabilitation and Employment Officer»

FullName VAFile/PayeeNumber

Enclosure: VA Form 4107

cc: POAName

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|  |  |
| --- | --- |
|  | **«RO Address or Outbased Office Address»****Fugitive Felon Notification****STOP PAYMENT LETTER**  |

«CurrentDate»

|  |  |
| --- | --- |
| «FullName» | In Reply Refer to Both: |
| «MailingAddress» | «ROStationNumber»/28VA File/Payee Number |

Dear «LastName»:

We recently sent you a letter dated (month-dd-yyyy) telling you that we proposed to stop your benefits. We have now stopped your benefits on (month-dd-yyyy) because we haven’t received evidence that the warrant mentioned in that letter has been cleared.

VA vocational rehabilitation benefits can be resumed if this warrant is cleared. You should notify us when this warrant is cleared. In order for benefits to be payable from the earliest date possible, we must receive this notice within one year from the date the warrant is cleared.

**Questions/Need Assistance**

If you have any questions about this letter or need additional verification of VA benefits, please contact me at (VR&E Officer’s phone number here), or call 1-800-827-1000. If you use the Telecommunications Device for the Deaf (TDD), the federal number is 711. Send electronic inquiries to <https://iris.va.gov/>. If you disagree with us, you have the right to appeal our decision. You must write and tell us why you disagree. The enclosed VA Form 4107 explains your rights.

Sincerely,

«VR&E Officer Name»

«Vocational Rehabilitation and Employment Officer»

Enclosure: VA Form 4107

cc: POAName

FullName VAFile/PayeeNumber

**How can eBenefits assist you?**

eBenefits is a joint VA/DoD web portal that provides resources and self-service capabilities to Veterans, Servicemembers, and their families to research, access and manage their VA and military benefits and personal information. eBenefits uses secure credentials to allow access to personal information and gives users the ability to perform numerous self-service functions. It also provides a list of links to other sites that provide information about military and Veteran benefits. It is an essential way for Veterans, Servicemembers, and their families to receive access to services. To access eBenefits go to [www.ebenefits.va.gov](file://www.ebenefits.va.gov/).