



# Compensation & Pension Service Bulletin

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## INSIDE THIS ISSUE

### 1 Policy (211)

- Requesting Navy Deck Logs for Evidence of Herbicide Exposure
- Claims Based on Service at Naval Air Facility Atsugi, Japan

### Procedures (212)

- Army Aircraft Crew Member Badge (renamed Basic Aviation Badge)
- 3 ● Fast Letter (FL) 09-17, *Filipino Veterans Equity Compensation Claims Clarification*
- Nashville Month of Death (MOD) Team Retroactive Claims
- Rebuilding Missing Claims Folders
- M21-1MR Changes Released on September 22, 2008
- 4 ● Former Prisoner of War Verification
- Defense Personnel Records Retrieval Information System (DPRIS) and Joint Services Records Research Center (JSRRC) Requests
- Use of VA Form 21-0845, *Authorization to Disclose Personal Beneficiary/Claimant Information to a Third Party*
- 5 ● Request for SSA Information
- Updating the Extracts and Transfer Directory

### Training & Contract Exams (213)

- Centralized Challenge Training, Session 2010-1
- Skill Certification Test Information
- 6 ● VSR TPSS Dependency Benefits Module 2

### Quality Assurance (214)

- LexisNexis Migration
- Rating Quality Call
- Use of VA Forms 21-0820 and 21-0820a-f

### 7 Business Management (215)

- VR&E Motivational Controls
- Fast Letter (FL) 09-39, *Sequential End Products (EPs) and Third-Digit Modifiers*

### Veteran Services (216)

- Reporting Violations of the Brady Handgun Violence Prevention Act
- Increased Threshold for Pre-Approval of Single Expenditures by a Fiduciary

### Policy (211)

#### Requesting Navy Deck Logs for Evidence of Herbicide Exposure

In disability claims based on herbicide exposure from blue water Navy Veterans who served

aboard ships operating on the offshore waters of Vietnam, the presumption of exposure may be extended if the Veteran's ship docked to the shore or traveled on the inland waterways of Vietnam. In such cases, when the Veteran has identified a 60-day time frame for docking or inland waterway travel, VA regional offices were previously instructed to develop for evidence through the Army and Joint Services Records Research Center (JSRRC). The evidence provided was often deck log from the Veteran's ship that JSRRC obtained from the National Archives and Records Administration (NARA).

However, JSRRC has informed Compensation and Pension Service that it no longer has the ability to obtain deck logs from NARA on behalf of regional offices. As a result, regional office personnel must now request deck logs directly from NARA. The procedures for this are outlined in M21-1MR at Part IV, Subpart ii, Chapter 1, Section D.14.g. For claims from Veterans of the Vietnam Era, NARA inquiries should be sent to:

Modern Military Branch  
National Archives  
8601 Adelphi Road  
College Park, MD 20740

#### **Claims based on service at Naval Air Facility Atsugi, Japan**

Regional office personnel should be aware of the following information in preparation for any disability claims received from Veterans based on service at the Naval Air Facility (NAF) Atsugi, Japan. Official documents show that during the years between 1985 and 2001, personnel at NAF Atsugi were exposed to environmental contaminants. The source was an off-base waste incinerator business owned and operated by a private Japanese company. Known as the Jinkanpo or Shinkampo Incinerator Complex, the operation consisted of a combustion waste disposal complex equipped with four incinerators burning up to 90 tons of

industrial and medical waste daily. The complex was located approximately 100 yards south of the NAF Atsugi perimeter and during the spring and summer months the prevailing winds would blow the incinerators' emissions over the NAF. Environmental assessment reports conducted during the years of incinerator operations stated that there was significant degradation of air quality at the sites sampled and identified the sources as incomplete burning of wastes in uncontrolled incinerators and evaporation of solvents poured onto outdoor waste piles prior to incineration. The identified chemicals of potential concern included: chloroform; 1,2-dichloroethane; methylene chloride; trichloroethylene; chromium; dioxins and furans; and other particulate matter.

Compensation and Pension (C&P) Service has only recently acquired knowledge of NAF Atsugi and its potential health effects on Veterans, as well as Department of the Navy efforts to inform personnel who were stationed there of possible long term health risks. C&P Service will keep regional offices informed of any additional information obtained on the NAF Atsugi situation. In the meantime, all related claims should be evaluated on a case-by-case basis with evidentiary weight given to medical examinations and opinions from both private and VA physicians. In all cases, the benefit of doubt should be provided to the Veteran.

#### **Procedures (212)**

##### **Army Aircraft Crew Member Badge (renamed Basic Aviation Badge)**

Under certain circumstances receipt of the Army Aircraft Crew Member Badge may indicate participation in combat with the enemy as specified in 38 USC 1154(b) or 38 CFR 3.304 (d) and (f)(2).

This badge was awarded for any of the following situations:

- Temporary badge for any crew member engaged in flight while on flight status

- Permanent badge for Army soldiers during the Vietnam Era who were on qualified fight status with crew member and aircraft related MOSs (military occupational specialties), including door gunner and medic, and who performed their duties for at least 12 months.
- Permanent badge if they were wounded by the enemy or injured in an aircraft accident while performing their flight duties, or participated in at least 15 combat missions under probable exposure to enemy fire while serving in their principal MOS.

Award of the badge in and of itself does not generally confirm combat participation. ROs should investigate all evidence of record including other badges, decorations, and military records, to make determinations.

**Fast Letter (FL) 09-17, Filipino Veterans Equity Compensation Claims Clarification**

On March 27, 2009, C&P Service released Fast Letter (FL) 09-17, Filipino Veterans Equity Compensation (FVEC) Claims, providing guidance for processing FVEC claims. The FL states the receipt of this one-time payment will not affect other existing Veterans benefits. To clarify, FVEC will not affect existing rights, under applicable laws and regulations, to VA benefits or other Federal benefit programs. Do not consider receipt of the FVEC one-time payment as countable income for entitlement to VA pension benefits.

**Nashville Month of Death (MOD) Team Retroactive Claims**

Regional Offices (ROs), Pension Management Centers (PMCs) and National Call Centers (NCCs) were instructed to forward inquiries

concerning entitlement to MOD benefits for Veterans who died prior to January 1, 2009, to the Nashville MOD team at the NASHMOD mailbox through IRIS.

If a written inquiry is received at the PMCs or ROs it must be entered into IRIS as an electronic inquiry. The employee entering the inquiry will check to see if an inquiry already exists. If one already exists in IRIS do not submit a duplicate inquiry.

All inquiries must contain the Veteran's identifying information in order for the inquiry to be resolved (i.e. Name, SSN, and/or File number). ROs, PMCs, and NCCs must obtain this information prior to submitting the inquiry.

**Rebuilding Missing Claims Folders**

We are revising the policy for rebuilding missing claims folders in response to a recent Office of Inspector General audit conducted to evaluate the Veterans Benefits Administration's control of claims folders. Effective immediately, regional office (RO) and Pension Management Center (PMC) personnel are required to initiate rebuilding missing claims folders with a pending claim no more than 60 days from the date the RO/PMC is notified of the claim.

We are amending M21-1MR, Part III, Subpart ii, 4.D, to reflect this new policy.

**M21-1MR Changes Released on September 22, 2008**

Recently, C&P Service released these changes to M21-1MR:

- M21-1MR, Part III, Subpart v, Chapter 7
- M21-1MR, Part III, Subpart vi, Chapter 1
- M21-1MR, Part IV, Subpart ii, Chapters 1 and 2

- M21-1MR, Part IV, Subpart iii, Chapters 1 – 3
- M21-1MR, Part V, Subpart i, Chapter 2
- M21-1MR, Part V, Subpart iii, Chapter 1
- M21-1MR, Part IX, Subpart i, Chapters, 1, 2, and 5
- M21-1MR, Part IX, Subpart ii, Chapter 2.

The changes primarily involve Dependency and Indemnity Compensation (DIC), but also include various changes related to authorization and notification, as well as Ancillary and Special benefits processing.

For a detailed list of all the changes made to these chapters, please refer to the Transmittal Sheet in the Changes by Part or Changes by Date link at the top of the MR main website.

### **Former Prisoner of War Verification**

As of this week, there is a Former Prisoner of War (FPOW) link on the Rating Job Aids website

<http://vbaw.vba.va.gov/bl/21/rating/rat00.htm>

under the “Other Resources” section. The FPOWs on this site are verified and the Veteran’s listed on this site can be granted FPOW status. However, if you cannot find the Veteran you are looking for, that does not mean he or she is not a FPOW. Do not deny any FPOW claim based on the name not being listed on this site. Additional development will be required. To access the website, click on the link. The link will take you to the Defense Prisoner of War/Missing Personnel Office’s (DPMO’s) website. Select the war period (i.e. Korea, Vietnam, or the Cold War) and search for the Veteran’s name and identifying information.

### **Defense Personnel Records Retrieval Information System (DPRIS) and Joint Services Records Research Center (JSRRC) Requests**

We are disconnecting the PIES-to-DPRIS interface. Any requests pending when it is disconnected will be lost. All regional offices were provided access to DPRIS Web. All super users were provided training on the application. In order to ensure no DPRIS or JSRRC requests are lost when VBA disconnects the PIES-to-DPRIS interface, all regional offices are directed to immediately stop submitting DPRIS and JSRRC requests via the PIES application. All DPRIS and JSRRC request must be submitted through the DPRIS Web application.

### **Use of VA Form 21-0845, Authorization to Disclose Personal Beneficiary/Claimant Information to a Third Party**

The Office of Management and Budget (OMB) has approved the use of VA Form 21-0845, *Authorization to Disclose Personal Beneficiary/Claimant Information to a Third Party*. This form allows National Call Centers (NCCs) and Regional Offices (ROs) to release specified information normally protected under privacy provisions to family members or other designated persons who are not powers of attorney, agents, or fiduciaries. This information can be unlimited or limited (e.g., the status of claim, benefit, payment history, payment rate, debt owed VA, or any other information specified by the authorizer). The form also allows such designated individuals to provide certain information to VA (e.g., such as changes in address or direct deposit accounts). Designated persons must correctly answer a security question chosen by the claimant or beneficiary to confirm their authorization.

Upon receipt of VA Form 21-0845, an entry is required in MAP-D notes that states, *VA Form 21-0845 of record*. If beneficiary or claimant selected a limited time frame for the authorization, include in MAP-D notes, *VA Form 21-0845 expires on MM/DD/YYYY*. In

In addition, please fax the completed form to the St. Paul Capture Unit at 612-970-5488, which will upload the authorization form into Virtual VA (VVA). In VVA, the form is located under *Representation – Other*, and named *Authorization for Third Party Release*.

If you have any comments about compensation and pension forms, or questions about forms procedures, you may e-mail the Procedures Staff (212A) at [VAVBAWAS/CO/212A](mailto:VAVBAWAS/CO/212A).

**Request for SSA Information**

The Social Security Administration (SSA) has notified us of several issues regarding medical records. Some VA Regional Offices (VAROs) have not updated their fax requests to reflect the RO fax number. In addition, the fax requests do not contain the direct number to the employee submitting the request. In some cases, SSA will attempt to contact the employee who submitted the requests to verify certain information. Please follow the procedures as outlined in M21-MR, Chapter 3, Subpart iii, Section A.

**Updating the Extracts and Transfer Directory**

Compensation and Pension Service is requesting your help in updating the Extracts and Transfers directory at [http://10.220.1.4/bl/21/CapLists/Extracts/Et\\_Ind\\_ex.asp](http://10.220.1.4/bl/21/CapLists/Extracts/Et_Ind_ex.asp). The telephone numbers are used in requesting extracts from, and transfer of, claims folders in emergent cases.

Please furnish the information below for your station to [VAVBAWAS/CO/212A](mailto:VAVBAWAS/CO/212A) by COB Friday, 11-13-09. Please note "Transfers/Extracts XXX" (where XXX is your station identifier) in the e-mail's subject line. A response is required. If the information currently posted on the website is correct, simply state so.

You may also direct questions about these instructions to the same mailbox.

Station	Action (e.g. Transfer, Extract, or both)	Terminal Digits	Telephone Numbers

**Training & Contract Exams (213)**

**Centralized Challenge Training, Session 2010-1**

The upcoming Centralized Challenge Training Session 2010-1 will be held October 21, 2009, to November 5, 2009, with students traveling on October 20, 2009. Stations that are sending students to Challenge should ensure those students complete their prerequisite requirements prior to arriving at centralized training. Prerequisite schedules and requirements are posted to the [C&P Training Website Home Page](#).

Please note that beginning with Challenge Session 2010-1, the course will begin on a Wednesday.

**Skill Certification Test Information**

On November 5, 2009, the SVSR (Coach) Skills Certification Pilot test will be administered. The purpose of this test is to allow our field subject matter experts (SMEs) to take the test and give their opinion on its content and relativity towards evaluating the role of a coach. The field operational test is scheduled for January 13, 2010.

## **VSR TPSS Dependency Benefits Module 2**

The VSR TPSS Dependency Benefits - Module 2, recently underwent review and revision. The deployment of this module is scheduled for October 15, 2009. Regional Offices (ROs) should have already received printed copies of test materials. If you have not received your material, please contact the C&P Training Mailbox.

## **Quality Assurance (214)**

### **LexisNexis Migration**

The Choice Point tool, Debtor Discovery, is a web based address locator system that is used to process returned mail. A recent acquisition of Choice Point by LexisNexis requires a migration from the Debtor Discovery product to a new platform, Accurant for Government. The migration is expected to occur in a seamless and efficient manner without any service interruption.

The migration will take place in two phases; the first will take place on November 1, 2009, and will include the Western and Central Areas. The second will occur on December 1, 2009, and will include the Southern and Eastern Areas and VA Central Office. Mandatory training sessions, conducted by LexisNexis, will take place via LiveMeeting prior to the scheduled migrations. Training for the Western and Central Areas will take place on October 29, 2009 at 1:00 pm (EST). A make-up training session will occur on November 4, 2009 at 1:00 pm (EST). Training for Southern and Eastern Areas, as well as VA Central Office users will take place on November 30, 2009 at 11:00 am (EST) with a December 8, 2009 make-up session at 11:00 am (EST). Field offices will receive an email containing a list of current active users and will need to ensure that these active users attend one

training session. All current active users will be migrated to the new system and no new users will be added until after completion of the entire migration. Any questions or concerns should be directed to the [VAVBAWAS/CO/214A](mailto:VAVBAWAS/CO/214A) mailbox.

### **Rating Quality Call**

The Monthly Rating Quality Call for October is scheduled for October 22, 2009, at 2:00 PM EST. Training will be conducted on allergic rhinitis ratings. Please ensure that your training coordinators and/or quality reviewers are on the call. The call-in information will be posted on the calendar page for October 22, 2009, and can be accessed through C&P's Home Page [Calendar](#) monthly. Questions may be directed to the 214B mailbox at [VAVBAWAS/CO/214B](mailto:VAVBAWAS/CO/214B)

### **Use of VA Forms 21-0820 and 21-0820a-f**

C&P Service has created VA Form 21-0820 and 21-0820a-f. These forms are reports of contact overprints that will be used to collect and document information received from contacts with the public.

The forms, which replace VA Form 119, have been approved by the Office of Management and Budget (OMB) and were added to the VA Intranet on September 24, 2009.

These new forms are available at: <http://vaww.va.gov/vaforms>. In addition, these forms will be available in Virtual VA in the near future.

An e-mail was sent from the Direct Services mailbox on October 8, 2009 detailing this information.

Effectively immediately, please discard or remove all previously distributed versions of VA Form 119 (including overprints) and begin using the new 21-0820 forms.

## **Business Management (215)**

### **VR&E Motivational Controls**

VBA Letter 20-09-40, VBA Policy Regarding Chapter 31 Motivation and Outreach Activities, has several technical inaccuracies. In section 2.a., it is indicated that “VSC will continue to provide information to Veterans following an initial or increased award for service-connected disability compensation but will now use diary code 810 in Share to track follow-up activities for Veterans classified as seriously disabled, as identified by the flash in Share.”

The actual process is that a user creates a 30-day diary under code 14. When this matures, an 810 series work item is then created. VOR should be reviewed for the 810 series work item. The entry in the “Note Txt” column will appear similar to this information, but will have varying dates in the second row:

Diary Due Date/Reason Legend  
20081101 14 VR&C Motivational Contact

It is also noted that users cannot establish any 800 series work item via a CEST command, as they are batch generated only. Diaries can be established in Awards if an award is generated or in Share using the Diary command. A revised letter is forthcoming.

### **Fast Letter (FL) 09-39, Sequential End Products (EPs) and Third- Digit Modifiers**

We have received many questions as to whether stations may associate multiple claims to an award to automatically clear the EPs, in lieu of separately PCLRing them in Share. For clarification, this is simply an alternate way of clearing the EP, so yes, this is permitted. This removes the additional step of having to manually clear the EP in Share. For the very

few awards processed in BDN, the Share PCLR of additional EPs is still required.

As a reminder, when the conditions from multiple EPs are addressed in the same rating, the rater also will need to associate the multiple EPs to the rating in RBA2000.

## **Veteran Services (216)**

### **Reporting Violations of the Brady Handgun Violence Prevention Act**

Fast Letter (FL) 09-38, *Reporting Violations of the Brady Handgun Violence Prevention Act*, was released September 29, 2009. The letter provides guidance to field personnel who may encounter violations of the Brady Handgun Violence Prevention Act (Brady Act). The Brady Act prohibits incompetent beneficiaries from possessing or receiving firearms or ammunition. The guidance was necessary based on an opinion from Office of General Counsel (OGC) dated April 15, 2009, which requires field examiners and other VA employees who encounter beneficiaries believed to be in violation of the Brady Act to report, through their supervisor, any alleged violation to the Bureau of Alcohol, Tobacco, and Firearms (ATF). Additional requirements include annotating the Principal Guardianship Folder (PGF) with documentation of the referral.

### **Increased Threshold for Pre-Approval of Single Expenditures by a Fiduciary**

We anticipate releasing a Fast Letter in the very near future addressing an increase in the threshold of those expenditures made by a fiduciary which require pre-approval. Previously, pre-approval was obtained by a fiduciary planning to spend more than \$500 on a single expenditure which had not been addressed by Fund Usage Agreement. New guidance will

require pre-approval of any single expenditure as noted above exceeding \$1000. The request for pre-approval will be addressed by the Fiduciary Activity having jurisdiction over the Principal Guardianship Folder (PGF), and documentation responsibilities will be outlined. The letter is intended to provide some relief to Fiduciary Activities, as fewer pre-approvals for expenditures will require review. However, the guidance is clear with regard to our responsibility to thoroughly review any expenditure, regardless of the amount, and to ensure those items purchased remain in the beneficiary's possession.