

**Department of
Veterans Affairs**

MEMORANDUM

Date: April 29, 2020

From: Beth Murphy, Executive Director, Compensation Service (CS)
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To: All Veterans Benefits Administration (VBA) Regional Offices (ROs) and Centers

Subj: Temporary Guidance on Delayed Processing of Requests to the National Personnel Records Center (NPRC)

Background Information

Due to the ongoing COVID-19 pandemic, NPRC has reduced operations to an extremely limited capacity. NPRC will continue to process records requests related to burial benefits and emergency cases, but other requests will be delayed. VBA is issuing temporary guidance to ensure that the needs of Veterans are met in a timely manner while mitigating risk and preserving program integrity.

Purpose

This memorandum provides guidance to ROs to ensure VA can meet the needs of claimants *whose claims depend on service records held by NPRC*, throughout the temporary processing delays. Effective immediately and until further notice:

- ROs will accept uncertified service verification documents, such as DD-214s, as valid proof of service unless reasonable evidence of fraud or forgery exists, and
- ROs will proceed in taking claim actions (including examination requests and, where appropriate, favorable adjudication of service connection) based on service information documented on uncertified DD Forms 214. Remaining issues dependent on the receipt and review of service records shall be deferred, and the end product (EP) kept in open status.
- In all cases, ROs must submit the PIES request (for service verification and/or records) and create a tracked item for the request. When no development other than that for NPRC response/records is possible, ROs will add a separate special issue indicator so the claim can be held by NWQ (Station 499) until NPRC resumes regular operations.
- If a PIES requests is pending, no follow up to the PIES request should be made

Instructions for Development of Claims During NPRC Delay

Claims processors must check the appropriate alternate sources for verified service and/or certified service records (such as the Joint Legacy Viewer, Veterans Information Solution, and VA/DoD Identity Repository). If service can be appropriately verified through any method other than through the NPRC, utilize that method. If not, use the table below to determine appropriate actions to take in connection with the applicable development scenario.

If the uncertified discharge document(s) do not suggest forgery or fraud and ...	Then ...
no additional records from NPRC are required	<ul style="list-style-type: none"> • submit a PIES request for service verification (if one is not already pending) • create a tracked item for the PIES request (if the tracked item is not already pending) • add <i>NPRC Delay Service Verification</i> as the document SUBJECT for the relevant service document(s) in the eFolder • add the <i>Claimant Service Verification Accepted</i> special issue indicator to any claimed contention, and • mark the service as verified in VBMS, as discussed in M21-1, Part III, Subpart ii, 3.C.7.a. <p>Notes:</p> <ul style="list-style-type: none"> • The uncertified service documents will suffice as interim proof of verified service for the purposes of <ul style="list-style-type: none"> – requesting other relevant records – ordering examinations, and/or – adjudicating the claim. • If the claim can be fully adjudicated, the underlying EP will be cleared.
additional service records from NPRC are required, <i>but</i> additional claim actions can be taken	<ul style="list-style-type: none"> • submit a PIES request for the service records (if the request is not already pending) • create a tracked item for the PIES request (if the tracked item is not already pending) • add <i>NPRC Delay Service Verification</i> as the document SUBJECT for the relevant service document(s) in the eFolder • add the <i>Claimant Service Verification Accepted</i> special issue indicator to any claimed contention, and • mark the service as verified in VBMS, as discussed in M21-1, Part III, Subpart ii, 3.C.7.a.

	<p>Notes:</p> <ul style="list-style-type: none"> • The uncertified service documents will suffice as interim proof of verified service for the purposes of <ul style="list-style-type: none"> – requesting other relevant records – ordering examinations, and/or – favorably adjudicating individual issues associated with the claim. • For claims that have one or more, but not all, issues being favorably adjudicated, do not place <i>the Fed Record Delay – No Further Dev</i> special issue indicator on a contention until after the award is promulgated. This will prevent un-promulgated awards from being prematurely recalled to NWQ. <p>Important: Unfavorable decisions on issues must wait (and underlying EPs must continue to pend) until all evidence from NPRC is of record.</p>
<p>all remaining claim actions are reliant upon a response or records from NPRC</p>	<ul style="list-style-type: none"> • submit a PIES request for the purposes of obtaining service verification and/or service records (if one is not already pending) • create a tracked item for the PIES request (if the tracked item is not already pending), and • add the <i>Fed Record Delay – No Further Dev</i> special issue indicator to any claimed contention. <p>Notes:</p> <ul style="list-style-type: none"> • Application of the special issue indicator will recall the EP into NWQ (Station 499) until NPRC resumes regular operations. • For claims that have one or more, but not all, issues being favorably adjudicated, do not place <i>the Fed Record Delay – No Further Dev</i> special issue indicator on a contention until after the award is promulgated. This will prevent un-promulgated awards from being prematurely recalled to NWQ.

Development for Uncertified Discharge Documents

If the evidentiary record contains *no* (even uncertified) discharge or service documentation sufficient to consider service verified under this guidance, follow the steps in the table below:

Step	Action
1	Submit a PIES request for the purpose of obtaining service verification and/or service records (if one is not already pending).

2	Create a 30-day tracked item for the PIES request (if the tracked item is not already pending).
3	Initiate all other required development actions.
4	Send a development letter to the claimant, including at least the following: <ul style="list-style-type: none"> • the <i>Proof of service (DD214, etc.)</i> paragraph in VBMS/MAP-D, or the <i>Need Proof of Service</i> paragraph in MAP-D, and • the following paragraph: <ul style="list-style-type: none"> – <i>Due to local conditions caused by COVID-19, the National Personnel Records Center (NPRC) is currently operating at reduced capacity. As a result, official records are not currently able to be obtained from their archives. Please note that while uncertified copies of service verification documents may be accepted, a subsequent verification of service may occur once official documentation is received from NPRC. If you are unable to provide the documentation requested in this letter, VA may not be able to decide your pending claim until the NPRC resumes normal operations and provides your records to VA.</i>
5	After development actions mature and the claim is re-assigned by NWQ, review the eFolder to determine if service verification documentation has been received from either NPRC or the claimant. <ul style="list-style-type: none"> • If service verification documentation is received, refer to the Instructions for Development of Claims During NPRC Delay table above. • If no documentation is received and no further development is required other than service verification, go to the next step.
6	Add the <i>Fed Record Delay - No Further Dev</i> special issue to any contention. <p>Note: Application of the special issue indicator will recall the EP into NWQ (Station 499) until NPRC resumes regular operations.</p>
7	Upon receipt of the discharge document(s) from the claimant, remove the <i>Fed Record Delay - No Further Dev</i> special issue indicator from the contention to allow NWQ to assign the claim for review.

Continuing the EP After Favorable Decisions

The EP must remain open for all remaining claimed issues that could not be decided under the temporary guidance outlined above. If all claimed issues are favorably decided, and only outstanding matter pending development is a PIES request for service verification, the EP will be cleared.

Subsequent Review

Claims decided under the terms of this interim guidance while outstanding NPRC requests remain pending will be subject to subsequent award verification review.

If, during the period of NPRC capacity reduction, mail is received that that results in closure of the PIES request tracked item, the *Fed Record Delay - No Further Dev* special issue classification will be removed from the claim. Similarly, if, during the NPRC capacity reduction, the records are later determined to be unnecessary to adjudicate the claim, the special issue *Fed Record Delay - No Further Dev* should be removed to ensure the claim can be reassigned to an RO for processing.

Questions

Questions concerning compensation procedures can be directed to the CS corporate mailbox VAVBAWAS/CO/M21-1.

Questions concerning pension and fiduciary procedures can be directed to the P&F corporate mailbox VAVBAWAS/CO/P&F POL & PROC.

Questions concerning legacy appeals and higher-level reviews can be directed to the AMO corporate mailbox VAVBAWAS/AMO/Appeals Admin.

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