NINETY-EIGHTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Cincinnati, Ohio
August 30, 31, September 1, 2016

Resolution No. 369: Restore VA's Informal Claims and Appeals Process
Origin: Convention Committee on Veterans Affairs & Rehabilitation
Submitted by: Convention Committee on Veterans Affairs & Rehabilitation
(Consolidated with Resolution No. 376 (Convention Committee on Veterans Affairs & Rehabilitation))

WHEREAS, The American Legion is a national organization of veterans who have dedicated themselves to the service of their community, state and nation; and

WHEREAS, Since the Department of Veterans Affairs (VA) first started processing claims it has always accepted any written correspondence from a veteran or claimant as an informal claim, as long as the correspondence was signed, the benefit sought stated or implied and the veteran's name was identifiable; and

WHEREAS, Once this informal claim was received, the VA allowed the claimant one entire year to finalize the claim by using the appropriate claim form; and

WHEREAS, With this procedure in place our veterans and claimants have become used to simply sending in letters stating they want an increase in their benefits or wish to appeal a VA decision and the VA would accept these letters and establish an official "date of claim" or "notice of disagreement"; and

WHEREAS, In March and April of 2015 the VA changed its procedures and has issued two new forms which the veteran or claimant must now use; and

WHEREAS, These forms are a 21-0966 "Intent to file a Claim for Compensation and/or Pension, or Survivors Pension and /or DIC" and a 21-0958 "Notice of disagreement"; and

WHEREAS, If these forms are not used the VA will not accept any other correspondence as an informal claim or appeal; and

WHEREAS, Because of this many of our veterans and claimants may lose valuable months of possible entitlement or not have their appeals received in a timely manner; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Cincinnati, Ohio, August 30, 31, September 1, 2016, That The American Legion shall urge the Department of Veterans Affairs to modify its current procedures to return to the previous acceptance of any written correspondence from our veterans or claimants as an "informal claim or appeal" allowing them one year to finalize this action.