

Veterans Benefits Manual M21-1, Part III, "Authorization and Clerical Procedures," is changed as follows:

The entire chapter 4 is revised to provide information about the Personnel Information Exchange System (PIES) and to update all other contact information.

Paragraphs 4.24e (1) and (2): These paragraphs are amended to clarify that "service in Vietnam" for the purpose of presumption of exposure to herbicides cannot be conceded based on receipt of the Vietnam Service Medal, because the presumption of exposure applies to land exposure only. The awarding of this medal was not limited to armed forces members whose service involved duty or visitation on land in Vietnam.

Paragraph 4.28b EXAMPLE: The Example is amended to provide language for a negative final response to a request for service records from NPRC.

Rescissions:

Change 41 dated July 12, 1995
Change 46 dated October 16, 1995
Change 48 dated January 16, 1996
Change 52 dated March 19, 1996
Change 54 dated April 11, 1996
Change 63 dated April 2, 1997
Change 66 dated May 18, 1998
Change 76 dated June 1, 1998.

By Direction of the Under Secretary for Benefits

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Compensation and Pension Service

Distribution: RPC: 2068
FD: EX: ASO and AR (included in RPC 2068)

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the service department using request code O99 *only* if a claim for DIC or death pension is received and it has been determined that death was not in line of duty or was the result of willful misconduct.

(1) In the free text section, enter the statement: "Please verify 2 years honorable active service on enlistment prior to death."

(2) Request verification of service using request code S01 for any prior period of service, if not already of record, to determine if qualifying service existed prior to the serviceperson's final enlistment.

d. **Insanity.** If insanity is an issue (part IV, para., 11.05), develop the case by obtaining all service medical records that are in any way pertinent. Obtain complete transcripts of any court-martial or board proceedings that may be relevant. Use the free text request O99 and enter the following statement: "The issue of insanity has been raised."

e. **Verifying Vietnam Service for Claims Involving Exposure to Herbicide Agents.**

(1) It may be necessary to determine if a veteran had "service in Vietnam" in connection with claims based on exposure to herbicide agents. A veteran must have actually served on land within the Republic of Vietnam (RVN) to qualify for the presumption of exposure to herbicides. 38 CFR Sec. 3.307(a)(6). The fact that a veteran has been awarded the Vietnam Service Medal *does not* prove that he or she was "in country." Service members who were stationed on ships off shore, or who flew missions over Vietnam, but never set foot in-country, were sometimes awarded the Vietnam Service Medal. To verify service in RVN, you should review the veteran's DD-214 to determine if it shows such service (e.g., "Foreign Service: Republic of Vietnam"). If not, you may need to obtain and review the veteran's other personnel records (e.g., Department of the Army Form 20 or equivalent). (VAOPGCPREC 7-93.)

(2) If a veteran claims service connection for exposure to herbicide agents, and alleges service on a ship in the waters offshore of Vietnam, review the record for evidence that the ship was in the waters off Vietnam and that the veteran's service involved duty or visitation on land. If the veteran cannot produce evidence of this, request verification from the Navy:

Naval Historical Center
Ships' History Branch
Washington Navy Yard
901 M St., SE
Washington, DC 20374-5060

Furnish the name and number of the ship (e.g., USS Galveston (CLG 3)), and the dates that it is alleged to have been in the waters offshore of Vietnam. Follow-up telephone calls may be made after 30 days to (202) 433-3643.

f. **Verification of Service of Affiants (Buddy Statements).** If it is necessary to verify the evidence of an affiant who alleges personal knowledge of certain occurrences while in active service with the veteran, submit the PIES request with the original veteran's information on Page 1 of the PIES request and the affiant's name and service information on Page 2. Use request code O99 and state:

"Do the records of the department indicate that (name of affiant), (rank, organization and service number, if available), was present with his or her organization at or near (place) on or about (date)? Do the records of (name of hospital, vessel, dressing station, etc.) indicate that (name of veteran) (rank and organization) was receiving treatment for (disease or injury) on or about (date)?"