

FAQs on COVID-19 Procedures at the DoD, Board of Veterans' Appeals & CAVC (Current as of June 19, 2020)

To help facilitate navigation of U.S. Department of Defense (DoD), Board of Veterans Appeals (BVA), and U.S. Court of Appeals for Veterans Claims (CAVC) procedures during the COVID-19 pandemic, we have prepared this report categorized by institution. Our findings are presented in a Q&A format.

We contacted various institutions during the COVID-19 pandemic to collect important information about any changes in their procedures. This report is current as of the above-noted date. Information presented here may change as agency responses to the COVID-19 pandemic evolve.

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Department of Defense Boards

Army Board for Correction of Military Records

How is the Army Board for Correction of Military Records currently operating?

The Board is operating under normal procedures and teleworking during the pandemic. However, due to an increase in volume and influx of complex cases, it can take up to 18 months or more for cases to be completed.

Is the Army Board for Correction of Military Records accepting online applications?

No, the Board is not accepting online applications. Applications should be submitted by mail with all required signatures and powers of attorney.

Does the Army Board for Correction of Military Records accept electronic signatures?

No, the Board does not accept electronic signatures.

Can I make a personal appearance before the Army Board for Correction of Military Records?

Yes, the Board is rescheduling personal appearances as necessary.

Where can I find additional information?

For additional information please use the following:

- Website: <u>https://arba.army.pentagon.mil/abcmr-overview.html</u>
- Email: <u>usarmy.pentagon.hqda-arba.mbx.i@mail.mil</u>

Point(s) of Contact:

- Telephone, (800) 414-8417
- Email, <u>usarmy.pentagon.hqda-arba.mbx.i@mail.mil</u>

Army Discharge Review Board

How is the Army Discharge Review Board currently operating?

The Board is processing applications in largely the same manner as before the COVID-19 pandemic, however, there is a delay in processing new mail.

Is the Army Discharge Review Board holding hearings?

Yes, hearings are being held and rescheduled as necessary.

Does the Army Discharge Review Board accept electronic signatures?

Yes, electronic signatures are accepted from secure sources, which are electronic means that protect personally-identifiable information from being accessed by unauthorized individuals.

Where can I find additional information?

For additional information please visit <u>https://arba.army.pentagon.mil/adrb-overview.html</u>

Point(s) of Contact:

• Telephone, (800) 414-8417

Air Force Board for Correction of Military Records

*We are still working to collect information from the Air Force Board for Correction of Military Records.

Point(s) of Contact:

- Telephone, (240) 612-5379
- Email, <u>AFPC.PA.Task@us.af.mil</u>
- Website, <u>https://www.afpc.af.mil/Career-Management/Military-Personnel-Records/</u>
 - Website provides general information but nothing addresses operations or procedures in view of the COVID-19 pandemic.

Air Force Discharge Review Board

What are the Air Force Discharge Review Board's current operations?

The Board's operations are close to normal and operations have not stopped due to the COVID-19 pandemic.

Is the Air Force Discharge Review Board accepting new applications?

Yes, the Board is accepting new applications and case are still being processed.

What is the preferred method for new applications to be submitted?

The Board prefers the electronic submission of applications, and a completed and signed DD Form 293 can be submitted by email to <u>usaf.pentagon.saf-mr.mbx.saf-</u> <u>mrbc@mail.mil</u>.

The Board also accepts mailed applications, and a completed and signed DD Form 293 may be mailed to:

Air Force Discharge Review Board 3351 Celmers Lane Joint Base Andrews, MD 20762-6435

Does the Air Force Discharge Review Board accept electronic signatures?

Yes, the Board prefers the electronic submission of applications and accepts electronic signatures.

What is the timeline for newly submitted applications?

The timeline for most cases is between 10 and 12 months from submission to completion.

Where can I find additional information?

Please visit <u>https://www.afjag.af.mil/Contact-Us/JAJA/Upgrading-Discharge/</u> and <u>https://www.afpc.af.mil/Support/Frequently-Asked-Questions/</u>

Point(s) of Contact:

• Email, <u>usaf.pentagon.saf-mr.mbx.saf-mrbc@mail.mil</u>

Board for Correction of Naval Records

What are the Board for Correction of Naval Records' current operations?

The Board's operations remain largely normal since the COVID-19 pandemic, however, there may be some delays in processing application that will occur without notice.

Is the Board for Correction of Naval Records accepting new applications?

Yes, the Board is currently accepting new applications.

What is the preferred method to submit new applications to the Board for Correction of Naval Records?

The Board accepts applications via email, fax or mail, and email sent to <u>BCNR Application@navy.mil</u> is the preferred method.

Does the Board for Correction of Naval Records accept electronic signatures?

No, the Board does not accept electronic signatures, applications should be printed and signed.

Where can I find more information?

Please visit <u>https://www.secnav.navy.mil/mra/bcnr/Pages/default.aspx.</u>

Point(s) of Contact:

- Email, <u>BCNR_Application@navy.mil</u>
- Website, <u>https://www.secnav.navy.mil/mra/bcnr/Pages/default.aspx</u>

Naval Discharge Review Board

What are the Naval Discharge Review Board's current operations?

The Board currently follows a maximum telework policy, and cases are being digitized and submitted to board members for review.

Has the Naval Discharge Review Board's timeline for processing new applications changed?

Yes, timelines have increased for hearing requests since certain applicants are opposed to conducting telephonic hearings.

Is the Naval Discharge Review Board accepting new applications?

Yes, the Board is accepting new applications; incoming mail shipments have slowed considerably since March creating a delay in our acceptance process.

What is the preferred method for submitting new applications to the Naval Discharge Review Board?

The preferred method for submission is hard copy applications, as the Board's email server will block attachments are over 10MB and attachments that may contain personally-identifiable information. The Board also accepts the submission of applications by fax to (202) 685-6577. The Board is working to develop an online submission portal and have recently received funding but the projected completion is over a year away.

Is the board accepting electronic signatures on applications?

Yes, the Board accepts electronic signatures

Where can I find additional information?

Please visit https://www.secnav.navy.mil/mra/CORB/Pages/NDRB/default.aspx

Point(s) of Contact:

• Email, <u>ndrb@navy.mil</u>

Physical Disability Board of Review

Is the Physical Disability Board of Review currently accepting applications?

Yes, the Board is still accepting applications. Applications can be filed electronically or by mail.

Can I make a personal appearance before the Physical Disability Board of Review?

No, personal appearances are not part of the Board's process.

Has the Physical Disability Board of Review's operating procedure changed since the COVID-19 pandemic?

No, the Board's process remains the same now as it was prior to the pandemic. However, the process may move a little slower now that many of the staff are teleworking. Where can I find additional information?

Please visit <u>https://health.mil/Military-Health-Topics/Conditions-and-</u> <u>Treatments/Physical-Disability/Disability-Evaluation/Physical-Disability-Board-of-</u> <u>Review.</u>

Does the Physical Disability Board of Review accept electronic signatures?

No, the Board does not accept electronic signatures.

Point(s) of Contact:

• Email, <u>usaf.pentagon.saf-mr.mbx.PDBRPA@mail.mil</u>

Combat Related Special Compensation Boards

What are the Combat Related Special Compensation Boards current operations?

The Boards' operations are continuing however there are some processing delays.

Is the Combat Related Special Compensation Boards accepting new applications?

Yes, the Boards are currently accepting new applications. New applicants should complete Form 2860, and applicants reapplying for new disabilities should request a reconsideration application from their branch of service.

What is the preferred method to submit new applications to the Combat Related Special Compensation Boards?

New applications should be mailed or faxed submitted to the respective branch of service.

For Army:

Department of the Army U.S. Army Human Resources Command ATTN: CRSC Division 1600 Spearhead Division Avenue Fort Knox, KY 40122

For Navy and Marine Corps:

Department of Navy Secretary of the Navy Council of Review Boards Combat Related Special Compensation 720 Kennon Street SE, Suite 309 Washington Navy Yard, DC 20374-5023

For Air Force:

United States Air Force Personnel Center Disability Division (CRSC) 550 C Street West, Suite 6 Randolph AFB, TX 78150-4708

What is the preferred method to request reconsideration applications for the Combat Related Special Compensation Boards?

For Army, the reconsideration application and instructions for submission are available online at <u>https://www.hrc.army.mil/site/crsc/reconsiderations.html</u>.

For Navy, and Marine Corps, the reconsideration application and instructions for submission are available online at http://www.secnav.navy.mil/mra/CORB/Pages/CRSCB.

For Air Force, applicants for reconsideration should call 800-525-0102.

Does the Board for Correction of Naval Records accept electronic signatures?

Applications cannot be faxed or mailed and the Board does not accept electronic signatures.

Where can I find more information?

Please visit this website, https://www.dfas.mil/retiredmilitary/disability/applyforcrsc.html

For additional information related to the Army CRSC Board: Telephone: 866-281-3254 (toll free) E-mail: crsc.info@us.army.mil Internet: www.hrc.army.mil/tagd/crsc

For additional information related to the Navy and Marine Corps CRSC Board: Telephone: 877-366-2772 (toll free) Email: CRSC@navy.mil Internet: http://www.secnav.navy.mil/mra/CORB/Pages/CRSCB

This handout provides general legal information only, not legal advice. For legal advice, you should consult with an expert representative or attorney who knows the particulars of your case. Any use you make of the information in this memorandum is at your own risk.

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For additional information related to the Air Force CRSC Board: Telephone: 800-525-0102 Email: AFPC.DPPDC.AFCRSC@us.af.mil Internet: http://www.retirees.af.mil/

Point(s) of Contact:

- Website, <u>https://www.dfas.mil/retiredmilitary/disability/applyforcrsc.html</u>
- Telephone, 1-800-321-1080

Army Human Resources Command

*We are still working to collect information.

Point(s) of Contact:

- Email, <u>Crsc.info@us.army.mil</u>
- Telephone, 888-276-9424, 866-281-3254
- Website, <u>https://www.hrc.army.mil/content/CRSC%20Contact%20Us</u>

Navy and Marine Corps Combat Related Special Compensation Board

How is the Navy and Marine Corps Combat Related Special Compensation Board currently operating?

The board continues to review current applications. The timeline for review has not changed and remains approximately 30-60 days.

Is the Navy and Marine Corps Combat Related Special Compensation Board accepting new applications?

Yes, the Board is accepting new applications.

How should new applications be submitted to the Navy and Marine Corps Combat Related Special Compensation Board?

The preferred method for submitting applications is via email to <u>crsc@navy.mil</u>.

Paper applications may be mailed to:

Department of the Navy

Secretary of the Navy Council of Review Boards Attn: Combat-Related Special Compensation Board 720 Kennon Street SE, Suite 309 Washington Navy Yard, DC 20374-5023

Does the Navy and Marine Corps Combat Related Special Compensation Board accept electronic signatures?

The Board does not accept electronic signatures.

Where can I find more information?

Please visit this website, https://www.secnav.navy.mil/mra/CORB/Pages/CRSCB/default.aspx

Point(s) of Contact:

• Email, <u>crsc@navy.mil</u>

United States Air Force Personnel Center, Disability Division (CRSC)

*We are still working to collect information

Point(s) of Contact:

- Telephone, 1-800-525-0102
- Email, <u>AFPC.DPPDC.AFCRSC@us.af.mil</u>
- Website, <u>https://www.afpc.af.mil/Support/Frequently-Asked-Questions/</u>

Coast Guard Board for Correction of Military Records

Is the Coast Guard Board for Correction of Military Records still processing applications?

Yes, the Board is processing applications as normal. The Board's staff are working fulltime and following federal and state guidelines. No applications have been placed on hold due to the COVID-19 pandemic and the timetable for application review and resolution has not changed. Is the Coast Guard Board for Correction of Military Records accepting online applications?

Yes, the Board accepts applications in PDF format via email and paper applications by mail. Emailed applications should be sent to <u>cgbcmr@hq.dhs.gov</u>.

Does the Coast Guard Board for Correction of Military Records accept electronic signatures?

Yes, the Board accepts electronic signatures on emailed applications, and accept wet signatures on mailed applications.

Is the Coast Guard Board for Correction of Military Records conducting in-person hearings or virtual hearings?

If the Board grants a hearing, it will take place telephonically or by videoconference.

Has the Coast Guard Board for Correction of Military Records suspended any hearings?

The Board has not suspended any hearings.

Where can I find additional information?

Please visit https://www.uscg.mil/Resources/legal/BCMR/

Point(s) of Contact:

• Email, <u>cgbcmr@hq.dhs.gov</u>

Coast Guard Discharge Review Board

Is the Coast Guard Discharge Review Board currently accepting applications?

Yes.

What is the Coast Guard Discharge Review Board's preferred method to submit applications?

Applications to the Coast Guard Discharge Review Board should be mailed. Please visit for more information.

Does the Coast Guard Discharge Review Board accept electronic signatures?

The determination whether the Board can accept electronic signatures on DD Form 293 for former Coast Guard personnel has not been made at this time.

Is the Coast Guard Discharge Review Board allowing extensions of filing deadlines or other similar relief?

Former members of the Coast Guard or Coast Guard Reserve discharged within the past 15 years who believe their separation was inequitable and/or lacking legal sufficiency may apply to the Coast Guard Discharge Review Board.

Are hearings being converted to telephonic hearings or are the hearings being suspended?

At this current time, former members of the Coast Guard can attend their hearing via telephonically.

How are voting panels making decisions on previously submitted applications, if at all?

The Coast Guard Discharge Review Board reviews the applications.

Where can I find more information?

Please visit this website, https://www.uscg.mil/Resources/legal/DRB/

Point(s) of Contact:

• Email, <u>DRB@uscg.mil</u>

Coast Guard Personnel Records Review Board

Is the Coast Guard Personnel Records Review Board accepting applications?

Yes. At this time, CGPRRB operations are continuing in accordance with COMDTINST 1070.1, Correcting Military Records. A copy of the instruction can be accessed using the following link: <u>https://media.defense.gov/2017/Mar/06/2001707437/-1/-</u> 1/0/CI_1070_1.PDF.

What is the Coast Guard Personnel Records Review Board's preferred method to submit applications (i.e., electronically or by regular mail)?

As per Section 7(c)(7)(e) of COMDTINST 1070.1, Correcting Military Records, completed applications should be mailed to:

Commandant (CG-12) Attn: Personnel Records Review Board U.S. Coast Guard 2100 2nd Street, SW Stop 7801

This handout provides general legal information only, not legal advice. For legal advice, you should consult with an expert representative or attorney who knows the particulars of your case. Any use you make of the information in this memorandum is at your own risk.

Washington, DC 20593-7801

Are electronic signatures now accepted?

As per Section 7(c)(7) of COMDTINST 1070.1, Correcting Military Records, applications should be submitted using the Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552, <u>DD Form 149</u>. Electronic signature is permissible on such form.

Is the Coast Guard Personnel Records Review Board allowing extensions of filing deadlines or other similar relief?

No. At this time, CGPRRB operations are continuing in accordance with COMDTINST 1070.1, Correcting Military Records. A copy of the instruction can be accessed using the following link: <u>https://media.defense.gov/2017/Mar/06/2001707437/-1/-</u>1/0/CI_1070_1.PDF.

Are hearings being converted to telephonic hearings or are the hearings being suspended?

CGPRRB does not conduct formal hearings. As per Section 7(c)(4)((b) of COMDTINST 1070.1, Correcting Military Records, "PRRB proceedings are administrative, nonadversarial, and informal. <u>The PRRB is not required to meet as a body to act on an</u> <u>application</u>, is not bound by the formal rules of evidence used in courts-martial or other court proceedings, and may consider any evidence having probative value concerning the application before the board. <u>Neither applicants nor their representatives may</u> <u>appear before the PRRB</u>. However, the PRRB may obtain additional information from the applicant, persons in the chain of command, or any other relevant source in order to ensure a proper and correct result. In keeping with sound judgment, <u>the president of the PRRB may determine the method to be used in reviewing and evaluating applications to ensure expeditious yet proper handling of each case.</u>

How are voting panels making decisions on previously submitted applications, if at all?

CGPRRB operations are continuing in accordance with COMDTINST 1070.1, Correcting Military Records. CGPRRB's composition and procedures are outlined in Section 7(c)(4). A copy of the instruction can be accessed using the following link: https://media.defense.gov/2017/Mar/06/2001707437/-1/-1/0/CI_1070_1.PDF.

Point(s) of Contact:

• Email, <u>HQS-PolicyandStandards@uscg.mil</u>

DoD Agencies in Charge of Physical Evaluation Boards

Physical Disability Agency (Army)

Is the Physical Disability Agency (Army) still reviewing cases?

Yes, the Physical Disability Agency (Army) is continuing to process and adjudicate all cases. The Agency is in full operation absent delays due to in-person medical examinations not being conducted at this time.

How are Physical Evaluation Boards handling cases?

Physical Evaluation Boards are in full operation. Cases which were already in the pipeline are being processed and adjudicated. However, delays are eventually expected, as in-person Compensation and Pension Examinations have been postponed indefinitely since mid-March. Because most service members have at least one physical condition requiring in-person evaluation, most new cases will be held up until in-person Compensation and Pension Examinations start again.

Have scheduled Formal Physical Evaluation Board hearings been postponed or cancelled?

Scheduled Formal Physical Evaluation Board hearings are not being postponed or cancelled. Most cases are being heard telephonically (as allowed under DODI 1332.18). The first video teleconference took place on 5/12 and more will follow in the future.

Is the Physical Disability Agency (Army) allowing extensions of filing deadlines or other similar relief as a result of Covid?

No.

Does the Physical Disability Agency (Army) accept electronic signatures?

Yes, all Army forms can be electronically signed.

How are Compensation and Pension Examinations being handled?

In-person Compensation and Pension Examinations have been postponed indefinitely since mid-March. To the extent conditions may be examined telephonically, the same is being done telephonically.

How are Temporary Disability Retirement List examinations being handled?

Temporary Disability Retirement List cases are still being processed, but may be impacted since in-person medical examinations are not being conducted until further notice.

How are the Physical Evaluation Board locations being impacted?

As planned prior to the COVID-19 pandemic, the Agency will be closing down two of its three Physical Evaluation Board locations (i.e., the National Capital Region and Fort Lewis sites) and consolidating all locations to its Joint Base San Antonio location. The move is planned to be effective September 30, 2020. At this time, the National Capital Region (Arlington, VA) location is closed. The Fort Lewis (Tacoma, WA) site, however, may now stay open longer than September 30th.

Council of Review Boards (Navy/Marines)

*We are still working to collect information.

Point(s) of Contact:

- Telephone, (202) 685-6408
- Email, <u>secnav.webmaster@navy.mil</u>
- Website, <u>https://www.secnav.navy.mil/mra/CORB/Pages/default.aspx</u>
 - "Due to the Coronavirus (Covid-19) Public Health Emergency All Federal Records Centers are Closed for Routine Action. This closure may affect the timeliness of new applications received. All current requests continue to process to the maximum extent possible during this public health emergency."

Air Force Review Boards Agency

*We are still working to collect information from the Air Force Review Boards Agency.

Point(s) of Contact:

- Telephone, (703) 697-3039
- Email, afpc.pa.task@us.af.mil

Veterans Affairs Boards

Board of Veterans' Appeals

Is the Board of Veterans' Appeals conducting in-person hearings?

No, the Board has temporarily suspended all in-person (travel board, video and central office) hearings.

Is the Board of Veterans' Appeals conducting in-person hearings?

Yes, virtual hearings remain available. Veterans may request a virtual hearing the same way they would request other Board hearing options. Veterans should take the following steps to request a virtual hearing:

Step 1: When filling out the Board Appeals form (VA form 10182)/Notice of Disagreement, select choice "11C" under Part II of the form, "Hearing with a Veterans Law Judge..."

Step 2: Once the Notice of Disagreement is filed, the Veteran will receive a letter from the Board informing him/her of the available hearing options. In his/her response, the veteran can elect to have a virtual hearing.

The Board will schedule virtual hearings in the order in which they receive appeals.

When will the Board of Veterans' Appeals resume in-person hearings?

The Board continues to assess the situation and will resume in-person hearings as soon as possible.

Can hearings be changed or rescheduled?

Yes, veterans should work with their representatives to elect a virtual hearing or to reschedule hearings. Veterans who prefer to wait for in-person hearings to resume will receive top priority in hearing rescheduling.

Where can additional information on virtual hearings be found?

For more information on virtual hearings, please see the factsheet at https://www.bva.va.gov/docs/VirtualHearing_FactSheet.pdf

Can veterans with COVID-19 advance their appeals?

Yes, the Board will Advance on Docket (AOD) appeals for veterans who have been diagnosed with COVID-19.

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The Board must review appeals in docket order unless unusual hardship or "other sufficient cause" has been shown to advance a case on the docket. 38 U.S.C. § 7107(a) and 38 C.F.R. § 20.900(c). A COVID-19 diagnosis qualifies as unusual hardship or other sufficient cause.

To advance his/her case, the diagnosed veteran must submit brief, but complete, reasons to the Board for advancing his/her case. The veteran's submission must include a physician's statement as supporting documentation.

Motions for advancement on the docket, along with supporting documentation, should be submitted to the Board in writing at the below-listed address or fax number.

- By Mail: Board of Veterans' Appeals, P.O. Box 27063, Washington, DC 20038
- By Fax: 844-678-8979 (Toll Free)

Will the Board of Veterans' Appeals accept electronic signatures?

Yes, the Board will now accept typed signatures on AMA Notices of Disagreement (NOD) VA Form 10182 in lieu of a wet signature.

Will the Board of Veterans' Appeals extend filing deadlines?

The Board understands that the current situation may create challenges for many in meeting deadlines, and the Board will consider requests to extend timelines for good cause on a case by case basis. The veteran or representative can file an extension request in advance or explain it at the time of filing the notice of disagreement or substantive appeal.

How can I submit a request to the Board of Veterans' Appeals?

To mail or fax a written request to (i) reschedule, (ii) withdraw a Board hearing, or (iii) submit new evidence for the judge to review (within 90 days of the hearing), the veteran should use the below contact information:

- By mail: Board of Veterans' Appeals, PO Box 27063, Washington, DC 20038;
- By fax: (844) 678-8979.

Where can I find additional information?

For questions related to an already scheduled hearing, the veteran should contact the appropriate Regional Office hearing coordinator, please see www.bva.va.gov/docs/RO_Coordinator_Assignments.pdf

For general information please visit <u>https://www.bva.va.gov/</u>

Other Entities/Courts

Court of Appeals for Veterans Claims

Is the Court of Appeals for Veterans Claims currently operational?

Yes, the Court is continuing normal operations via established continuity of operations protocol. A notable exception, however, are the special provisions being made for teleconferenced oral arguments (discussed below).

Is the Court of Appeals for Veterans Claims currently hearing oral arguments?

The Court cancelled oral arguments scheduled through April 20. These hearings are subject to rescheduling by the Court as time permits.

The Court is currently hearing scheduled arguments via teleconference. Counsel and Judges will dial into a previously arranged conference, and recording of the argument will be posted to the Court's website. To the extent possible, the Court will make provisions for interested observers to join live in the conference with a muted connection.

Is the Court of Appeals for Veterans Claims extending filing deadlines?

The Court is not granting automatic extensions of filing deadlines under Rule 26(a). However, the Court will sympathetically consider requests for extensions or stays on a case by case basis in light of the challenges created by COVID-19.

How can I communicate with the Court of Appeals for Veterans Claims?

The Court encourages electronic communications, and the Court would like to fully utilize electronic forms of communication in light of the current national health emergency. The Notice of Appeal and Declaration of Financial Hardship forms have been updated to include more detailed instructions so that *pro se* appellants and petitioners take advantage of the fax and email options for submissions to the Court.

The Notice of Appeal and Declaration of Financial Hardship forms, as well as other pleadings, may be emailed and faxed to the Court using the following contact information:

- By email: <u>self-rep@uscourts.cavc.gov</u>
- By fax: (202) 501-5848

Can I receive email notifications from the Court of Appeals for Veterans Claims?

Yes, appellants and petitioners may receive email notifications of docket activity from the Court.

Will the Court of Appeals for Veterans Claims accept electronic signatures?

Yes, the Court will accept electronic signatures on forms, including the Notice of Appeal and Declaration of Financial Hardship

Where can I find additional information?

Please visit http://uscourts.cavc.gov/