

# Office of Administrative Review

## Processing Legacy Appeal Grants and Remands under PACT ACT



### Purpose

This Job Aid provides general instructions, information, and references for effectuating legacy appeal Board of Veterans Appeals (Board) grants and remands processing under Public Law (PL) 117-168, Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, or PACT Act.



### Audience

All claims processors responsible for processing legacy appeal Board grants and remands.



### References

- [PL 117-168 \(PACT Act\)](#)
- [38 C.F.R. §3.2600, Legacy review of benefit claims decisions](#)
- [M21-5, Chapter 6, Section A, Veterans Appeals Control and Locator System \(VACOLS\)](#)
- [M21-5 Chapter 7, Legacy Appeal Procedures](#)
- [PACT Act Standard Operating Procedure \(SOP\), Topic 7](#)

### Instructions

Check and add, if needed, the **PACT** special issue to any PACT Act-related contention.



- All contentions, including PACT Act-related issues, for the appeal record should remain under the EP 070
  - This includes legacy Board decisions that separate the issue of entitlement on a presumptive basis and simultaneously remanding on a direct basis for the same issue.
- All remanded issues in Veterans Appeals Control and Locator System (VACOLS) that are not granted must be decided concurrently so that recertification to the Board may occur.

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### Important Reminders



- Affix the **PACT** special issue on any PACT Act related contention.
- Follow the guidance for use of Individual Longitudinal Exposure Record (ILER) found in the [ILER Guidance](#).
- Review claims for non-presumptive disabilities to determine whether an explicit or implicit Toxic Exposure Risk Activity (TERA) claim applies.

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### Other Resources



- [PACT Act Information Page](#)
- [PACT Act Pension and Fiduciary Service Information Page](#)
- [PACT Act Implementation Training Resources](#)
- [OAR Job Aid: PACT Act Resource Guide](#)