



VETERANS CLAIMS EDUCATION · FREE GUIDE

Gathering Evidence for Your Claim

A checklist for VA disability claims · First claims, increases, secondary conditions and presumptive claims · Free records · Statements · Medical opinions · Before, during and after your claim · Worksheets

Before you start: we are a free education resource. We are not VA, a VSO, an attorney or an accredited claims agent, and we don't assist with or file claims. Only VA decides. Examples are made up to show how the rules work. Describe your own experience truthfully; false statements to VA can have serious consequences.

The key idea: every claim needs three things

A current diagnosis, an event or exposure in service, and a link between them. Some rules fill in the link for you: presumptive conditions, secondary conditions and combat rules. Gather what proves each piece, and file an Intent to File first to protect your start date.

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SECTION 1

Do this first

1. File an Intent to File online, by phone (800-827-1000) or on [VA Form 21-0966](#). It protects your start date for up to 1 year while you gather evidence.
2. List every condition you want to claim, including ones caused by other conditions or their treatment (Worksheet 1).
3. Pick the path for each:

Path	When it fits	Rule
Direct	It started in service, or something in service caused it	38 CFR § 3.303
Presumptive	You served in a certain place or time, or a chronic disease showed up soon after discharge; VA presumes the link	§ 3.307 · § 3.309
Secondary	A service-connected condition, or its treatment, caused or worsened it	§ 3.310
Aggravation	You had it before service, and service made it permanently worse	§ 3.306
Combat	Your own statement can prove what happened in combat if it fits the circumstances of your service	38 U.S.C. § 1154(b)

EXAMPLE

Protecting the date first

Maria decides to file for her back and knees but needs months to get her records.

She files an Intent to File online the same day. When she files her full claim 8 months later, her pay can start from the Intent to File date if VA grants it.

Official sources: [VA Form 21-0966](#) · [38 CFR § 3.155 \(Intent to File\)](#)

2 · CORE DOCUMENTS

- ☐ DD-214 and other separation papers
- ☐ Service treatment records (STRs): sick call, profiles, injuries, entrance and separation exams, hearing tests
- ☐ Personnel records: assignments, deployments, evaluations, awards, training, line-of-duty reports
- ☐ Your information: Social Security number, VA file number if you have one, dependents' information, bank details for direct deposit

3 · MEDICAL EVIDENCE

- ☐ A current diagnosis for every condition you claim
- ☐ VA treatment records (VA can get these itself; name the facility)
- ☐ Private records, or [VA Form 21-4142](#) so VA can request them
- ☐ Test results: X-rays, MRIs, sleep studies, hearing tests, breathing tests, labs
- ☐ A current medication list, including side effects
- ☐ For an increase: records showing the condition has gotten worse

EXAMPLE

An increase claim

Ray's knee is rated 10%, but it now gives out and he was prescribed a brace.

He sends his recent orthopedic notes, the brace prescription and his symptom log. Evidence of worsening is what an increase claim needs.

Official sources: [38 CFR § 3.159](#) · [VA Form 21-4142](#)

4 · EVENT AND EXPOSURE EVIDENCE

- ☐ Deployment and unit records showing where and when you served
- ☐ Pay records showing combat, hazardous duty or imminent danger pay
- ☐ Incident, accident or line-of-duty reports
- ☐ Records about conditions where you were stationed (contaminated water, burn pits, noise, chemicals)
- ☐ Ship deck logs and command histories for sea service
- ☐ Photos, letters home, emails and journals from the time

For toxic exposures, where and when you served is often the key evidence. See Section 16 and our free PACT Act Claim Guide.

5 · STATEMENTS

- ☐ Your own statement on [VA Form 21-4138](#)
- ☐ Buddy or witness statements on [VA Form 21-10210](#)
- ☐ Statements from family, coworkers, clergy, or police or medical reports from the time

Strong statements are plain, specific and dated: *"I saw my husband come home from his shift limping. Since 2019 he has needed help putting on his socks two or three mornings a week."*

EXAMPLE

A buddy who saw it

Tom hurt his shoulder in a training fall that never made it into his records.

His squad leader writes a statement on VA Form 21-10210 describing the fall, the date and place, and that Tom couldn't lift his rifle for weeks.

Official sources: [VA Form 21-4138](#) · [VA Form 21-10210](#) · [38 CFR § 3.159\(a\)\(2\)](#)

6 · WORK AND DAILY LIFE

- ☐ Missed work, leave used, job changes, accommodations, or losing a job because of your condition
- ☐ A symptom log: how often, how long, what you can't do, flare-ups
- ☐ Help you need at home: dressing, bathing, cooking, driving, managing medicine

EXAMPLE

Showing the impact

Lisa's migraines force her to leave work early.

Her time-off records and a headache log showing two prostrating attacks a week help VA see how severe they are.

7 · THE LINK (NEXUS)

- ☐ A medical opinion that it's "at least as likely as not" connected, with reasons
- ☐ A Disability Benefits Questionnaire (DBQ) from your own provider
- ☐ For secondary conditions: an opinion that the service-connected condition caused or worsened the new one
- ☐ Presumptive claims don't need a link opinion: your qualifying service and diagnosis are enough

Sample opinion: "I reviewed the veteran's service and treatment records. It is at least as likely as not that his lumbar strain was caused by, or alternatively aggravated by, his service-connected right knee condition, because favoring that knee shifts load to the lower back."

Official sources: [38 CFR § 3.310](#) · [§ 3.307](#) · [VA: Public DBQs](#)

8 · GETTING YOUR RECORDS FREE

Record	Where to get it	How
DD-214 and personnel file	milConnect, or the National Archives	Online, or Standard Form 180
Service treatment records	The National Archives or your service branch; VA requests them for your claim	Ask VA, or request with SF 180
VA medical records	Your VA facility or My HealtheVet	Online or the facility's release of information office
Private medical records	Your doctors and hospitals	Ask them, or let VA request them (VA Form 21-4142)
Your VA claims file (C-file)	VA	Privacy Act request on VA Form 20-10206 ; it can take months, so ask early
Unit records, deck logs	The National Archives and service history offices	Online catalog or request

These records are free. Anyone charging you for your DD-214, VA records or C-file is selling something you can get yourself.

9 · RECORDS LOST IN THE 1973 FIRE

1. Say it by name. Tell VA your records may have been lost in the 1973 National Personnel Records Center fire.
2. Help rebuild them with [NA Form 13055](#): units, dates, places and where you were treated.
3. Send other proof: buddy statements, letters, photos, awards, unit records and early civilian medical records.

When records were lost while in government hands, VA has a heightened duty to help and to explain how it weighed your evidence (O'Hare v. Derwinski, 1991).

More: [Evidence & Records guide](#)

Official sources: [National Archives: Military service records](#) · [VA Form 20-10206](#) · [38 CFR § 3.159](#)

10 · WHAT VA MUST DO

- ☐ Get your federal records: service records, VA records and other government records
- ☐ Make reasonable efforts to get private records you identify
- ☐ Tell you what's missing and what it couldn't get
- ☐ Give you an exam when the law requires one
- ☐ Give you the benefit of the doubt: when evidence for and against is about equal, VA must decide in your favor

Official sources: [38 CFR § 3.159 \(duty to assist\)](#) · [§ 3.102 \(benefit of the doubt\)](#)

11 · BEFORE YOU FILE

- ☐ Filed an Intent to File
- ☐ Listed every condition on [VA Form 21-526EZ](#)
- ☐ Considered the Fully Developed Claim option if you have all your evidence ready
- ☐ Checked priority processing ([VA Form 20-10207](#)) if you're homeless, facing financial hardship, terminally ill, 85 or older, a former prisoner of war, or in another listed group
- ☐ Kept copies of everything you send
- ☐ Talked with a free accredited VSO if you want help

12 · WHILE YOU WAIT

- ☐ Check your claim status on VA.gov or the VA app
- ☐ Answer VA letters quickly. Letters often ask for 30 days; you generally have up to 1 year, but VA may decide sooner if you don't respond
- ☐ Go to every exam and appointment
- ☐ Keep your address, phone and direct deposit up to date
- ☐ Report changes in dependents
- ☐ Don't file the same claim twice while it's pending

Official sources: [38 CFR § 3.159\(b\)](#) · [VA Form 20-10207](#) · [VA: Check claim status](#)

Your C&P exam

- ☐ Go, or reschedule in writing before the date if you truly can't
- ☐ Describe your typical and worst days, and how often flare-ups happen
- ☐ Bring your symptom log and medication list
- ☐ Request the exam report afterward, and check it for errors

More: [C&P Exams guide](#) and our free C&P Exam Guide and Trackers.

Official sources: [38 CFR § 3.655 \(missed exams\)](#) · [VA: Your VA claim exam](#)

14 · AFTER THE DECISION

Option	Use it when	Form
Supplemental Claim	You have new and relevant evidence	VA Form 20-0995
Higher-Level Review	VA made an error with the evidence it had	VA Form 20-0996
Board Appeal	You want a Veterans Law Judge to decide	VA Form 10182

- ☐ Read each rating and the reasons. Missing evidence is often named
- ☐ Check the effective date for each condition
- ☐ Choose a review within 1 year of the decision to keep your original effective date
- ☐ A 0% rating still means service-connected, and can be increased later

EXAMPLE

Reading the reasons

VA denied Dan's back because "no medical opinion links it to service."

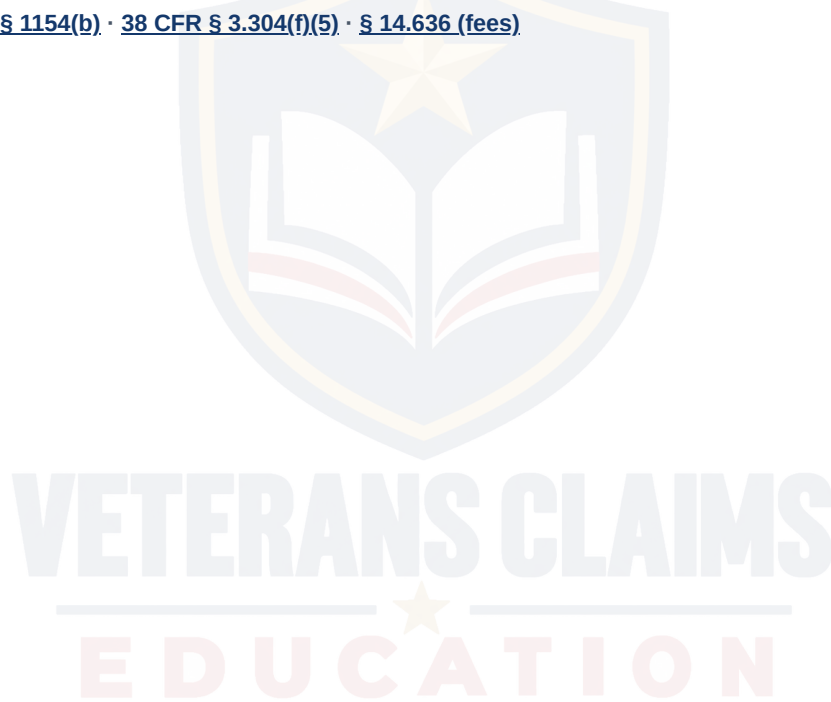
He gets an opinion from his doctor and files a Supplemental Claim with it.

Official sources: [38 CFR § 3.400 \(effective dates\)](#) · [§ 3.2500 \(review options\)](#) · [Reviews & Appeals guide](#)

15 · THINGS PEOPLE DON'T KNOW

- ☐ All of these records are free, including your DD-214, VA records and C-file.
- ☐ No one may charge you for an initial claim. VSO representatives never charge at all.
- ☐ You can file before you have everything. An Intent to File protects your date.
- ☐ Your own statement is evidence.
- ☐ For combat veterans, and in military sexual trauma or personal assault claims, VA accepts evidence from outside service records.
- ☐ Lay statements don't need to sound medical. Plain, specific, dated observations carry more weight than a guess at a diagnosis.
- ☐ Secondary conditions are often missed: depression from chronic pain, joint problems from an altered gait, medication side effects.
- ☐ Mention the 1973 fire by name if it applies. It changes how VA must weigh your evidence.
- ☐ Most veterans never read the exam their rating was based on. Ask for it.

Official sources: [38 U.S.C. § 1154\(b\)](#) · [38 CFR § 3.304\(f\)\(5\)](#) · [§ 14.636 \(fees\)](#)



Presumptive and toxic exposure claims

For these, VA presumes the link if you meet the service requirements and have a listed condition. Each has its own rules.

Category	Presumptive?	What to know
Burn pits and other toxins (PACT Act)	Yes	Gulf War and post-9/11 locations, including the Persian Gulf, Red Sea, Gulf of Oman, Gulf of Aden and Arabian Sea. Respiratory illnesses and many cancers. No deadline to file.
Agent Orange and herbicides	Yes	Vietnam (including ships within 12 nautical miles), Korean DMZ, Thailand, Laos, Cambodia, Guam, American Samoa, Johnston Atoll, on set dates
Gulf War illness	Yes	Undiagnosed and chronic multisymptom illnesses; no deadline
Radiation	Yes, for listed activities	Nuclear tests, Hiroshima and Nagasaki, Enewetak, Palomares and Thule cleanups. Other radiation diseases can get a dose review
Camp Lejeune water	Yes	30+ days at Camp Lejeune or MCAS New River between Aug. 1, 1953, and Dec. 31, 1987; 8 conditions
Chronic diseases after discharge	Yes	Like arthritis, diabetes, hypertension, hearing loss and psychoses showing up to at least 10% within 1 year; ALS any time
Former prisoners of war	Yes	A separate list of conditions
Asbestos	No	File directly: your ships or jobs, diagnosis and a doctor's opinion
Noise, jet fuel, PFAS foam, Red Hill	No	File directly with exposure evidence, diagnosis and a doctor's opinion

Toxic exposure claim? Get our free PACT Act Claim Guide & Condition Checker at veteransclaimsedu.com/the-pact-act. Served on a ship? See the Sea Service Claim Kit at [/sea-toxic-exposure](#). Lists change, so check the website for the current versions.

- ☐ Denied before a new presumption was added? File a Supplemental Claim.
- ☐ Enrolled in VA health care? Ask for your free toxic exposure screening.

Official sources: [VA: Hazardous materials exposure](#) · [VA: PACT Act](#) · [38 CFR § 3.307](#) · [§ 3.309](#) · [§ 3.320](#) · [§ 3.317](#) · [§ 3.311](#)

My conditions

List every condition you want to claim, and the path for each.

Condition	Diagnosed (when, by whom)	Path	In-service event, exposure or linked condition	Opinion needed?
<i>Lower back strain</i>	<i>2022, Dr. Patel</i>	<i>Secondary</i>	<i>Right knee (service-connected)</i>	<i>Yes, requested</i>
<i>Tinnitus</i>	<i>2021, VA audiology</i>	<i>Direct</i>	<i>Flight line noise, 2005–2009</i>	<i>Statement + job</i>



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Path: direct · presumptive · secondary · aggravation · combat

WORKSHEET 2

Evidence tracker

For each condition, track what you have and what you still need.

Condition	Diagnosis	In-service proof	Statements	Medical opinion	Still need
Lower back strain	Have	Knee is SC	My statement	Requested	Opinion letter



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Records request tracker

Track every record you ask for so nothing gets lost.

Record	Requested from	Date requested	How (online, mail, form)	Received?	Follow-up
C-file	VA	—	VA Form 20-10206	Waiting	Call in 60 days



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Forms and official sources

Form	What it's for
VA Form 21-526EZ	Apply for disability compensation
VA Form 21-0966	Intent to File
VA Form 21-4138	Your statement in support of your claim
VA Form 21-10210	Lay/witness (buddy) statement
VA Form 21-4142	Lets VA get your private medical records
VA Form 20-10206	Request your records, including your C-file
VA Form 20-10207	Priority processing
VA Form 20-0995 · VA Form 20-0996 · VA Form 10182	Supplemental Claim · Higher-Level Review · Board Appeal
SF 180 · NA Form 13055	Request military records · Help rebuild records lost in the 1973 fire
• Regulations: 38 CFR § 3.102 · § 3.155 · § 3.159 · § 3.303 · § 3.304 · § 3.306 · § 3.307 · § 3.309 · § 3.310 · § 3.400 · § 3.655 · § 3.2500 • Laws: 38 U.S.C. § 1154 · § 5103A (duty to assist) · § 5107 (benefit of the doubt) • VA pages: How to file a claim · Your VA claim exam · Hazardous materials exposure · PACT Act · Find an accredited representative · VA benefits hotline: 800-827-1000 (TTY: 711) • Records: National Archives: Military service records · milConnect • More free guides: Start Here · Evidence & Records · Connecting Your Condition · C&P Exams · The PACT Act	

Stressed or struggling? You don't have to wait for a crisis. Dial 988, then press 1 · Text 838255 · Free, confidential, 24/7.

Disclaimer: This guide provides general educational information about gathering evidence for VA disability claims. It is not legal or medical advice, does not guarantee any outcome, and is not affiliated with or endorsed by the U.S. Department of Veterans Affairs. Veterans Claims Education is a free education resource; we don't assist with, prepare or file claims and never charge fees. Free help is available from accredited VSOs. Forms and presumptive lists change; check VA.gov and our website for the current versions. Examples are made up to show how the rules work. VA decides each claim on its evidence. AI-assisted. © Veterans Claims Education. All rights reserved.

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