



VETERANS CLAIMS EDUCATION · FREE GUIDE

Evidence & Records Guide

Get your C-file, military, VA and civilian records · Use your own words as evidence · Get symptoms written down · Fix mistakes · What to do when records are missing or burned

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 decide what applies to you. Only VA decides. Examples are made up to show how the rules work.

The key idea: **if it's not in your records, VA can't count it**

The rater reads your file, not your memory. Get copies of what VA has, fill the gaps with civilian records and statements, and get your symptoms written down at every visit.

Don't wait for records to file. File an Intent to File now to protect your date. You can send evidence later.

KEY CONTACTS

VA records requests (Privacy Act / FOIA)	department.va.gov/foia · VA Form 20-10206 online: va.gov/forms/20-10206
National Personnel Records Center	866-272-6272 · 1 Archives Drive, St. Louis, MO 63138 · archives.gov/veterans/military-service-records
VA benefits hotline	800-827-1000 (TTY: 711)
FOIA mediation (OGIS)	archives.gov/ogis
Your member of Congress	Ask for a caseworker if a request is stuck
Veterans Crisis Line	Dial 988, then press 1 · Text 838255

WHAT'S INSIDE

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SECTION 1

The records that matter

Record	What it shows	How to get it
VA claims file (C-file)	Everything VA used to decide your claims: exams, opinions, decisions, code sheets	Privacy Act request, VA Form 20-10206 online
C&P exam reports	What the examiner wrote, and any opinion	In your C-file. VA-hospital exams may also show in My HealtheVet
DD-214 and personnel file	Service dates, units, deployments, awards, discharge	milConnect, or the National Archives
Service treatment records	Sick call, injuries, profiles, separation exam	VA requests them for you; get your own copy too
VA medical records	Diagnoses, treatment, your words at each visit	My HealtheVet on VA.gov, or VA Form 10-5345a
Civilian medical records	Diagnosis, treatment, how long it's gone on	Your provider, or VA Forms 21-4142 / 21-4142a
Unit records, morning reports, ship logs	That an event happened	National Archives, service branch history offices
Statements	What happened and how it affects you	VA Forms 21-4138 and 21-10210

Filed a VA claim before? Get your C-file first. It shows what VA already has, what it's missing, and why it decided what it did.

EXAMPLE

Where to start

Carlos is filing for his knee and back. He had a back claim denied years ago.

He requests his C-file first, downloads his VA notes, and lists his civilian orthopedist on VA Form 21-4142. Then he knows what's missing before he files.

Get your C-file: the FOIA / Privacy Act request

Your claims file holds the evidence VA used to decide your claims. You have a legal right to see and get copies of VA records about you ([5 U.S.C. § 552a\(d\)](#)).

Use VA's records page and the Privacy Act. VA redesigned its records request page with a box for each type of record; pick the box and it opens the right form. Since the redesign, requests sent to the wrong office dropped by 90%. For records about yourself, choose a Privacy Act request, not a general FOIA request.

Privacy Act request

For records about you: your C-file, exams, decisions. VA says to use the Privacy Act for your own records; a general FOIA request can slow things down.

FOIA request

For records not about you, or about a veteran who has died (Privacy Act rights end at death), like a survivor requesting a late spouse's file. Same form, same online request.

1. Go to department.va.gov/foia and pick Veterans Benefits Administration records, or go straight to VA Form 20-10206 online (va.gov/forms/20-10206).
2. Choose Privacy Act request, since you're asking for your own records.
3. Check "Claims File (C-File)" in the records section. If it's blank, the request may be handled as something else.
4. List exactly what you want using the wording below.
5. Double-check your details: full name, SSN or VA file number, date of birth, current address.
6. Sign it. A missing signature is one of the most common reasons a request stalls.
7. Submit online and save your confirmation. Write down the date.

Don't send it through your claim. Don't upload the form as claim evidence or mail it with a claim; that puts it in claims mail and can slow it down. Don't email it. Use VA's online request.

What to write: "Under the Privacy Act, 5 U.S.C. § 552a, I request a complete copy of my VBA claims file (C-file), including: all C&P exam reports, DBQs, medical opinions and addendums; all rating decisions and rating code sheets; my service treatment records and personnel records; all VA and private treatment records VA received; all letters and notices VA sent me, with the addresses they were mailed to; and the date VA received each document. Please send the records electronically (on a CD/DVD) if available."

Instead of

"Send me my file."

Try asking

"A complete copy of my VBA claims file (C-file), including all C&P exams, opinions, rating decisions and code sheets."

"Why did VA deny me?"

Ask for records, not answers. A records request won't explain documents.

EXAMPLE

What Jake found

Jake's back claim was denied: "less likely than not related to service." His C-file showed the examiner wrote there was "no record of a back injury," but the file had a sick-call note for a back strain.

He now knows what to fix: a Higher-Level Review pointing to the overlooked note, or a Supplemental Claim with a doctor's opinion that addresses it.

EXAMPLE

A survivor's request

Kathy's husband, a veteran, died with claims in his file. She wants to see what VA decided and where letters were mailed.

She files a FOIA request for his records on VA Form 20-10206 (Privacy Act rights end at death), marks the claims file, includes his full name, SSN or file number and dates of service, and attaches his death certificate and proof she's his spouse.

Faster ways to see your file: a VSO or accredited representative with your power of attorney can often view your electronic claims file directly. Ask them for the exam and decision you need while your request is pending.



What the law says about timing

20 working days

FOIA requires a decision on a records request within 20 working days. That's a decision, not always the files in hand; a big C-file can take longer to send (5 U.S.C. § 552(a)(6)(A)).

10 more working days

In unusual circumstances, VA can extend that by 10 working days, but it must tell you in writing (§ 552(a)(6)(B)).

An estimated date

You have a right to ask for an estimated date when your request will be completed (§ 552(a)(7)(B)).

Fees

For your own records, the first 2 hours of search and 100 pages are free. Copies beyond that are 15 cents a page. Ask in writing for a fee waiver if needed.

Urgent need

Ask in writing for expedited processing and explain why. VA's rules set who qualifies, and a claim deadline alone may not.

Denied or withheld

Appeal in writing within 90 days of the denial letter to VA's Office of General Counsel: ogcfoiaappeals@va.gov, or OGC (024), 810 Vermont Ave. NW, Washington, DC 20420. Include your request, the denial and why it's wrong.

ID

VA may ask you to verify your identity, such as with a copy of a signed, government-issued ID.

EXAMPLE

Counting 20 working days

Ray submits his request online on a Monday, March 2.

Twenty working days, skipping weekends and federal holidays, lands around March 30. If he has no decision or extension notice by then, he follows up in writing.

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When your request **takes too long**

When	What to do
Day 1	Save your proof: confirmation number, date sent, a copy of the request.
After 20 working days	Follow up in writing. Ask for the status and your request number.
Still waiting	Ask for an estimated completion date. FOIA gives you that right.
No answer	Ask for VA's FOIA Public Liaison. Every federal agency has one to help with delays and disputes.
Still stuck	Ask the Office of Government Information Services (OGIS) at the National Archives for free mediation: archives.gov/ogis .
Anytime	Ask your member of Congress for a caseworker.
Denied	Appeal within 90 days to VA's Office of General Counsel.

Sample follow-up: "On [date], I submitted a Privacy Act request for a complete copy of my VBA claims file (confirmation [number]). More than 20 working days have passed. Please tell me the status of my request, its tracking number, and the estimated date it will be completed. [Name, VA file number, signature, date]."

Deadlines don't wait for your records. A pending records request doesn't pause the one-year deadline to ask for a review, or your Intent to File. File on time with what you have, then add evidence later.

EXAMPLE

Maya's stalled request

Maya submitted her request online. After 6 weeks with no word, she sent the follow-up above and asked for an estimated completion date.

She also asked her VSO to pull the one exam she needed from her electronic file, and filed her Supplemental Claim on time. When the full C-file arrived, she sent more evidence.

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Military records

1. Recent veterans: sign in to milConnect (DoD) to download your DD-214 and personnel documents.
2. Any era: request online at archives.gov/veterans/military-service-records, or mail or fax Standard Form 180 to the NPRC.
3. Include: full name used in service, SSN or service number, branch, dates of service, date and place of birth. Sign it.
4. Ask for the full file: the complete personnel file (OMPF) and service treatment records, not just the DD-214. Ask for the complete DD-214 (Member 4 copy).
5. Next of kin can request a deceased veteran's records with proof of death.
6. Emergencies (like a burial or urgent medical need): say so clearly on the request.

Who can request: the veteran, next of kin of a deceased veteran with proof of death, or someone with the veteran's signed authorization. Requests are free.

Records 62 or more years after separation become archival records at the National Archives and are open to the public, sometimes for a copying fee.

EXAMPLE

Asking for the whole file

Dana requests only her DD-214, then learns VA needs proof of an injury during training.

She sends a second request for her complete personnel file and service treatment records, naming her unit and training dates.

6 · VA MEDICAL RECORDS

Online: My HealtheVet

Sign in on VA.gov to read visit notes and lab and test results, and download your records (va.gov/health-care/get-medical-records).

Full record: VA Form 10-5345a

For your complete VA health record, send VA Form 10-5345a to your facility's Release of Information office.

Under HIPAA, a health care provider, including VA, generally must act on your request for your own records within 30 days, with one 30-day extension if it tells you in writing ([45 CFR § 164.524](https://www.ecfr.gov/current/title-45/chapter-I/subchapter-B/part-164/subpart-E/section-164.524)).

Civilian records **count, too**

Records from private doctors, ERs, hospitals, pharmacies, physical therapy and counseling are evidence. They fill in the years your military records don't cover.

What they can show

- A current disability
- When it started, including the first year after discharge
- That it never went away
- How severe it is, against the rating criteria
- A medical link: a private doctor's adequate report can be accepted without a VA exam ([§ 3.326\(c\)](#))

Two ways to get them to VA

1. VA requests them: VA Forms 21-4142 and 21-4142a with each provider's name, address and treatment dates. VA makes a first request and at least one follow-up, and must tell you if it can't get them.
2. You send them: get a copy and upload it to your claim. Usually faster, and you see what VA sees.

You're ultimately responsible for private records. If VA can't get them, it must tell you, but it's up to you to get them in ([38 CFR § 3.159\(c\)\(1\), \(e\)](#)). Read them before you send them; VA reads every page.

Your rights with private providers: they must act on your records request within 30 days (one 30-day extension with written notice) and can charge only a reasonable, cost-based fee. You can ask them to fix errors; they must act within 60 days ([45 CFR § 164.526](#)).

Sample request to a provider: "Under HIPAA, 45 CFR § 164.524, I request a complete copy of my medical records from [dates], including office notes, test results, imaging reports and medication history. Please send them electronically if possible. [Name, date of birth, signature, date]."

EXAMPLE

Linda's ER visit

Linda went to a civilian ER for chest wall pain 7 months after discharge and never told VA.

She uploads the ER record. It shows the condition started within her first year out.

EXAMPLE

A slow provider

Ben's chiropractor hasn't sent records after 5 weeks.

He sends a written HIPAA request noting the 30-day rule, and lists the provider on VA Form 21-4142 so VA requests them too.

EDUCATION

Your own words are evidence

You can describe what you see and feel: pain, ringing ears, nightmares, a knee that gives out. VA must consider your statements, and can't reject them just because no medical record backs them up from that time ([38 U.S.C. § 1154\(a\)](#); *Buchanan v. Nicholson*, 2006).

Your statement

VA Form 21-4138: when it started, what happened, how often, what you can't do.

Buddy statements

VA Form 21-10210: from people who saw the event or see you now.

Write it with help

Our free Statement Writer at veteransclaimsedu.com/statement-writer.

A strong buddy statement: who they are and how they know you · what they saw, with dates and places · how you changed, in specifics · that it's true to the best of their knowledge · signature and date.

"I served with [name] in [unit] at [base] in [year]. On [date], I saw him fall from the back of a truck and land on his back. He went to sick call the next day. Since then I've seen him struggle to sit through a movie and stop playing ball with his kids."

A strong personal statement: *"I hurt my right knee on a ruck march at [base] in [year] and went to sick call. Since then, my knee hurts every day and gives out on stairs about twice a week. I can't stand more than 20 minutes at work, and I use a brace."*

Combat veterans: for injuries in combat, VA must accept your account of what happened if it fits the circumstances of your service, even without official records ([§ 1154\(b\)](#)).



Get it written down

1. Say it up front: "Please document this in today's note."
2. Be specific: how often, how bad, and how it affects work and daily life.
3. Ask for key items: "Please note that I use a brace."
4. Follow up by secure message after the visit, listing what you reported. It becomes a dated part of your record.
5. Read your notes on My HealtheVet after every visit.
6. If they say no: "Please note in my record that I asked for [test or referral] and why it was declined." Then contact the Patient Advocate if needed.

Instead of	Try saying
"I'm fine."	"My knee gives out about 3 times a week, and I missed 4 days of work this month. Please document that."
"Okay." (after being told no)	"I understand you won't order the MRI. Please note that I asked for it and why it was declined."
Saying nothing after the visit	Secure message: "On [date] I reported [symptoms]. Please make sure this is in my record."

EXAMPLE

The secure message

Sam told his doctor about weekly migraines that make him lie down, but the note only says "headaches."

That night he sends a secure message: "Today I reported migraines about once a week that make me stop and lie down for 4 hours." Now the frequency and severity are in his record, with a date.

10 · FIX A WRONG NOTE

1. Write down the details: visit date, provider, the exact wrong words, what it should say.
2. Ask your provider first to add an addendum. Providers add dated corrections; they don't delete the original.
3. Still wrong? Send a written amendment request to your VA facility's Privacy Officer, or through My HealtheVet.
4. VA must acknowledge it within 10 working days, then fix it or tell you why not ([5 U.S.C. § 552a\(d\)\(2\)](#)).
5. If VA says no, the letter explains your appeal rights, and you can add a statement of disagreement to your record.

Sample amendment request: "Under the Privacy Act, I request an amendment to my VA health record. The [clinic] note dated [date] by [provider] states '[wrong text].' This is inaccurate. At that visit I reported [correct information]. Please amend the note or add an addendum."

EXAMPLE

Tina's note

Tina's note says "denies pain." She actually reported daily knee pain at 6 out of 10.

She messages her provider the same week. The provider adds an addendum, so the rater sees both.

VA's new health record

VA is moving its medical centers to a new Federal Electronic Health Record (EHR). It's designed to share records between VA sites and federal partners like the Defense Department, and to bring in private-sector health information.

Where it's live

VA restarted the rollout at four Michigan medical centers and planned more sites in Ohio, Kentucky, Indiana and Alaska, with the rest of VA to follow over the coming years. Ask your facility whether it uses the Federal EHR.

What it means for you

- You still use My HealtheVet on VA.gov for notes, messages and refills.
- Keep your contact information and legal name current in your VA.gov profile.
- After a switch, read your notes and medication list, and report anything wrong.

EXAMPLE

After the switch

Gail's VA medical center moves to the Federal EHR.

She checks her VA.gov profile beforehand, then reviews her medication list and recent notes in My HealtheVet afterward. One allergy is missing, so she sends a secure message to have it added.



The 1973 fire and missing records

On July 12, 1973, a fire at the National Personnel Records Center destroyed millions of files. Hardest hit: Army personnel discharged 1912–1960 (about 80% lost) and Air Force personnel discharged 1947–1964 with last names Hubbard through Z (about 75% lost).

1. Request your records anyway. NPRC will tell you if they were affected and may send NA Form 13075 asking about your service.
2. Help rebuild them: NA Form 13055 helps NPRC search other sources, like morning reports, pay records and hospital records. Give your unit, dates and places.
3. Gather other proof: letters home, photos, orders, awards, buddy statements, post-service records.
4. Ask VA for its formal finding that records are unavailable. VA must tell you what it couldn't get and what it tried.
5. File anyway. VA must consider other evidence and explain its decision carefully.

A higher duty: when government records were lost while in government hands, VA has a heightened duty to explain its findings and consider the benefit of the doubt (*O'Hare v. Derwinski*, 1991).

EXAMPLE

Walt's burned records

Walt served in the Army in the 1950s. NPRC says his records burned.

He fills out NA Form 13055 with his unit and the months he was at the base hospital. NPRC finds morning reports showing he was on sick call. He adds letters home and a buddy statement, and VA grants his claim.



Can't find your records? Prove what happened and connect it

Records go missing for many reasons besides the fire: a lost file, a deployment where nothing was written down, care you never reported, or a Guard or Reserve file stuck at a unit. You need to prove two things another way: that it happened, and that your condition today is connected to it.

Where else to look

- Hospital stays in service are often filed separately by hospital and year. Name the hospital and dates.
- Guard and Reserve: your unit, or your state's adjutant general.
- VA may already have them. Check your C-file first.

Records about your unit

- Unit records, morning reports and ship logs at the National Archives and branch history offices.
- Stressors: VA can ask the Joint Services Records Research Center to check unit records. Give your unit, location and a 60-day window.
- Awards and orders describing what your unit did.

Ask VA for its formal finding. If VA can't get records, it must tell you which ones, what it tried, and what happens next ([38 CFR § 3.159\(e\)](#)). That shows the gap isn't your fault.

Step 1: Prove it happened

1. Your statement (21-4138): when, where, unit, what happened, who was there.
2. Buddy statements (21-10210) from witnesses or people who saw you change.
3. Anything from that time: letters, emails, photos, posts, journals, orders, awards.
4. Your earliest care records after service.
5. The special rules below, if they fit.

Step 2: Connect it

1. A current diagnosis.
2. Proof it never went away: treatment over the years, your and your family's statements. For chronic conditions like arthritis, ongoing symptoms since service can help ([§ 3.303\(b\)](#)).
3. A doctor's opinion based on your history, saying they considered your account.
4. At the VA exam, describe what happened. An examiner can't rely only on missing records and ignore your statements (*Dalton v. Nicholson*, 2007).

What a helpful doctor's opinion says: *"I reviewed Mr. Doe's statement that he injured his back falling from a truck in 2004, his buddy's statement, and his treatment records since 2006. It is at least as likely as not that his current lumbar condition is related to that injury, because the injury, the steady symptoms since, and today's findings fit together."*

Evidence	What it can prove
Your statement	What happened, when, and how it affects you now
Buddy and family statements	That it happened; how you changed; ongoing symptoms
Letters, photos, posts, orders, awards	Where you were and what you did
Early post-service medical records	When it was first treated, and that it continued
Unit records, morning reports, ship logs	That an event happened to your unit
A doctor's opinion	The link between the event and your condition

Special rules when records are thin

- Combat: your own account can prove a combat injury ([38 U.S.C. § 1154\(b\)](#)).

- PTSD: fear of hostile military or terrorist activity can be proved by your statement if a VA or VA-contracted psychiatrist or psychologist confirms it ([38 CFR § 3.304\(f\)](#)).
- Military sexual trauma: evidence outside service records, like behavior changes, transfer requests, or statements from friends, can prove it ([§ 3.304\(f\)\(5\)](#)).
- Presumptive conditions: you need proof of where and when you served, and a diagnosis, not a record of the event.

EXAMPLE

Rosa's lost Guard records

Rosa hurt her knee at annual training. NPRC has no treatment record, and VA says the records are unavailable.

She gets a line-of-duty report from her state's adjutant general, a statement from her squad leader, civilian orthopedic records starting the next year, and a doctor's opinion that considers her account. VA connects her knee.

EXAMPLE

A stressor with no paperwork

Mike's convoy was hit in Iraq. Nothing about it is in his file.

He gives VA his unit, base and a 60-day window. VA's research finds his unit's report of the attack, a VA psychologist confirms his PTSD, and his claim is granted.

14 · GETTING RATED WITHOUT RECORDS

1. File an Intent to File to protect your date.
2. Request your records, and start gathering other evidence at the same time.
3. Write your statement and get buddy statements.
4. Get current treatment and a diagnosis.
5. Ask a doctor for an opinion that explains the link, based on your statements and records.
6. File VA Form 21-526EZ and list every condition.
7. Tell VA about every record source, including ones that may be lost.
8. Go to every C&P exam and describe your worst days.
9. Read your decision. If VA didn't explain how it weighed your other evidence, consider a review.

VA's duty to help

Records	VA's duty
Federal records (service, VA, Social Security)	Keep trying until it gets them, or is reasonably certain they don't exist or more tries would be futile
Private records	A first request and at least one follow-up
Records it can't get	Tell you which ones, what it tried, and what happens next
Exams	Give you an exam when the evidence suggests your condition may be connected but there isn't enough to decide

If VA never got federal records it should have, that can be a duty-to-assist error. Within a year of the decision, a Higher-Level Review can send it back to be fixed.

The rules: [38 CFR § 3.159](#)

16 · MISTAKES TO AVOID

Mistake	The fix
Waiting for records before filing	File an Intent to File now; send evidence later.
Requesting only the DD-214	Ask for the full personnel file and service treatment records.
Filing a general FOIA request for your own records	Use a Privacy Act request on VA Form 20-10206.
Sending the records request with your claim, or by email	Submit it through VA's online request.
An unsigned or vague request	Sign it and list exactly what you want.
Saying "I'm fine" at appointments	Describe frequency, severity and how it limits you.
Letting a review deadline pass while waiting on records	File on time; add evidence later.
Sending records you haven't read	Read every page first. VA will.

Your checklist

- ☐ Filed an Intent to File so I don't lose my date while gathering records
- ☐ Requested my C-file online with a Privacy Act request (VA Form 20-10206); saved the confirmation
- ☐ Followed up in writing after 20 working days, and asked for an estimated completion date
- ☐ Requested my full personnel file and service treatment records, not just the DD-214
- ☐ Downloaded my VA notes from My HealtheVet, or sent VA Form 10-5345a
- ☐ Got copies of civilian records, or listed every provider on VA Forms 21-4142/4142a
- ☐ Wrote my own statement and got buddy statements
- ☐ Asked providers to document my symptoms, and followed up by secure message
- ☐ Asked for corrections to any wrong notes
- ☐ Records burned or missing? Filled out NA Form 13055 and asked VA for its formal finding
- ☐ Records can't be found? Checked hospital, Guard or Reserve, and unit records; gathered statements and a doctor's opinion
- ☐ Checked that my VA.gov profile is current before a Federal EHR switch
- ☐ Kept copies and logged every request, call and date



Records request tracker

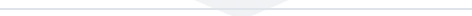
Date sent	Sent to	What I asked for	Confirmation #	Follow-up	Received
Mar. 2	VA (20-10206 online)	Complete C-file	#####	Mar. 30	

My service details (for every request)

Name used in service	_____	SSN / service number	_____
Branch · units	_____	Dates of service	_____
Bases · deployments	_____	VA file number	_____



What was said



Official sources

Every rule in this guide comes from these official sources. Click or type any link.

- VA records requests: [VA FOIA and records requests](#) · [VA Form 20-10206 \(online\)](#) · [VA News: Need a personal record from VA?](#) · [VA FOIA FAQ](#)
- VA medical and claim forms: [Get your medical records](#) · [VA Form 10-5345a](#) · [21-4142](#) · [21-4138](#) · [21-10210](#)
- Military records: [National Archives: military service records](#) · [The 1973 fire](#) · [OGIS \(FOIA mediation\)](#)
- Federal laws: [5 U.S.C. § 552 \(FOIA\)](#) · [5 U.S.C. § 552a \(Privacy Act\)](#) · [45 CFR § 164.524](#) · [45 CFR § 164.526](#)
- VA rules: [38 CFR § 3.159](#) duty to assist · [§ 3.303](#) · [§ 3.304](#) · [§ 3.326](#) · [38 U.S.C. § 1154](#)
- Federal EHR: [VA News: Federal EHR deployments](#) · [VA: Preparing for the Federal EHR](#)
- Court cases: [Buchanan v. Nicholson, 451 F.3d 1331 \(Fed. Cir. 2006\)](#) · [Dalton v. Nicholson, 21 Vet. App. 23 \(2007\)](#) · [O'Hare v. Derwinski, 1 Vet. App. 365 \(1991\)](#)

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

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