

**NINETY-SIXTH NATIONAL CONVENTION  
OF  
THE AMERICAN LEGION  
Charlotte, North Carolina  
August 26, 27, 28, 2014**

**Resolution No. 19: Extend the Filing Period of an Appeal Notice to the Court of Veteran Appeals for Veterans Claims**

**Origin: Georgia**

**Submitted by: Convention Committee on Veterans Affairs & Rehabilitation  
(Consolidated with Resolution No. 253 (IL))**

WHEREAS, Claimants have up to one year from notice of a Department of Veterans Affairs rating decision to file an appeal with any or all adjudicated issues to the Board of Veterans' Appeals (BVA); and

WHEREAS, Notice of Appeal of a final denied claim by the Board of Veterans' Appeals must be filed with the United States Court of Appeals for Veterans Claims (CAVC) within 120 days of the denial by the BVA; and

WHEREAS, The CAVC lacks statutory authority to waive the 120 day period for filing Notice of Appeal; and

WHEREAS, Veterans or their surviving spouses can become discouraged, or are not effectively represented, or may require more time to perfect their appeal to the CAVC; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Charlotte, North Carolina, August 25, 26, 27, 2014, That The American Legion shall support legislation to extend the Court of Appeals for Veterans Claims Notice of Appeal filing period to one year following Board of Veterans' Appeals final denial of an appeal.**