



8320-01

[Docket No. VA-2026-VACO-0001]**Notice of Exception to Date of Receipt Rule****AGENCY:** Department of Veterans Affairs.**ACTION:** Notice.

SUMMARY: Beginning November 15, 2024, a strike led by the Canadian Union of Postal Workers (CUPW) resulted in a delay of mail delivery from Canada Post. In response, the Veterans Benefits Administration (VBA) is establishing a temporary exception to the date of receipt provisions to ensure that veterans or claimants residing within the Canada Post mailing jurisdiction do not have an adverse effect to benefits. VBA recognizes the potential impact in the claim process resulting from the inability to send or receive mail. The strike ran from November 15, 2024, through December 17, 2024. On January 6, 2025, Canada Post returned to full-service levels, and the United States Postal Service (USPS) resumed acceptance of mail and packages to and from Canada.

FOR FURTHER INFORMATION CONTACT: Jadine Piper, Acting Assistant Director, Policy, Compensation Service, Veterans Benefits Administration, (202) 461-9700.

SUPPLEMENTARY INFORMATION:

On November 15, 2024, CUPW initiated a national strike affecting Canada's postal system, causing stoppages and significant delays in the processing and delivery of mail. On November 29, 2024, USPS announced an immediate suspension, temporarily halting mail acceptance to and from Canada, affecting the processing or delivery of mail services to millions of Canadian customers. On January 6, 2025, Canada Post reinstated full-service levels for domestic mail and accelerated processing for international mail. In conjunction, on January 6, 2025, USPS resumed the

acceptance of mail and packages to and from Canada.

Although Canada Post has resumed regular mail processing and delivery services, VBA understands the negative impact these disruptions may have caused certain veterans or claimants residing within the Canadian postal jurisdiction during the time of the strike. Potential impact includes preventing the timely filing of VBA claims submissions and claim-related evidence or receiving claim-related or other pertinent VBA benefit information. Therefore, VBA is instituting a temporary exception for determining acceptable dates of receipt for correspondence sent through postal or other mail processing services for veterans or claimants residing within the jurisdiction of Canada.

Ordinarily, “date of receipt” means the date on which a Department of Veterans Affairs (VA) office receives a claim, information, or evidence. Under 38 CFR 3.1(r), the Under Secretary for Benefits may establish exceptions to VA's rule on the date of receipt of claims, information, or evidence by publishing a notice in the Federal Register. Section 3.1(r) states that an exception may be established when a natural or man-made interference with the normal channels through which VBA ordinarily receives correspondence has resulted in one or more VBA regional offices experiencing extended delays in the receipt of claims, information, or evidence to an extent that, if not addressed, would adversely affect veterans and claimants through no fault of their own.

The CUPW national strike significantly disrupted mail services for millions of Canada Post customers. VBA acknowledges that veterans or claimants residing within a Canadian postal jurisdiction may have experienced unusual hardships in submitting correspondence containing a claim, evidence, or other information throughout the course of the strike. VBA further acknowledges that letters sent in the days before the strike may also have been impacted. Therefore, VA has established exceptions to the standard date of receipt rule for correspondence from veterans or claimants affected by

the CUPW strike. VA recognizes a disruption in mail services from November 11, 2024, the first business day of the week in which mail service disruptions commenced, through March 10, 2025, 60 calendar days from the date following full reinstatement of Canadian mail services.

Exceptions to Date of Receipt Rule for Claimants Affected by the Canadian Postal Strike

Under 38 CFR 3.109(b), if there is good cause, VA may provide claimants or beneficiaries an extension of time when submitting information applicable to the processing of a claim or a decision. This applies to veterans, claimants, or beneficiaries residing in a Canadian postal jurisdiction during the strike. The disruption in mail services provides good cause to support the need for extending time limits based on mail delays. VBA grants a time limit extension by establishing this exception.

VBA gives notice that, for purposes of determining entitlement to benefits, any correspondence received by VBA, during the period of November 11, 2024, through March 10, 2025, from a veteran or claimant residing within a Canadian postal jurisdiction that contains an impacted claim, information, or evidence, will be considered received on the postmark date or November 15, 2024, whichever is earlier.

In accordance with 38 CFR 3.110, computation of the extended timeframe for receipt of correspondence or other pertinent evidence excludes the first day of the affected period. This means VBA will make exceptions to the date of receipt rule beginning November 15, 2024, extending through March 10, 2025, the next succeeding workday following the 60-day period after full resumption of Canadian mail services.

If VBA solicited submission of information or evidence from a veteran or claimant residing within a Canadian postal jurisdiction any time on or after November 11, 2024, and the date for submission of such information or evidence expired between November 15, 2024, and March 10, 2025, receipt of such information or evidence will be

considered as timely if it is postmarked by March 10, 2025. In the event there is no mail postmark or date stamp by the USPS, VBA will consider any such solicited evidence or information as received no later than March 10, 2025, or the latest date on which a timely response to VBA's request for information could be received. For any decision notification letter sent during the impacted period of November 11, 2024, to March 10, 2025, VA will consider March 10, 2025, as the date of the decision notice for a subsequently submitted decision review option.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on March 11, 2026, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Gabriela DeCuir,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs

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