

**CORRESPONDENCE REQUIRING NO RESPONSE (NO REPLY)**

- 1. REASON FOR ISSUE:** This Veterans Health Administration (VHA) directive maintains standards for declaring certain correspondence exempt from the general requirement to provide a response.
- 2. SUMMARY OF MAJOR CHANGES:** Updates to this VHA directive include additional responsibilities for the VHA Chief of Staff, VHA Office of Field Operations and Support Office and the VA medical facility director (see paragraph 3.).
- 3. RELATED ISSUES:** VHA Directive 1216, Veterans Health Administration Correspondence Management, dated March 22, 2019.
- 4. RESPONSIBLE OFFICE:** The Director, Office of Executive Correspondence (10B1) is responsible for the content of this directive. Questions may be addressed to 202- 461 -7299.
- 5. RESCISSIONS:** VHA Directive 1112, Correspondence Requiring No Response (No Reply), dated May 12, 2005, is rescinded.
- 6. RECERTIFICATION:** This VHA directive is due for recertification on or before the last working day of September 2025. This VHA directive will continue to serve as national VHA policy until it is recertified or rescinded.

**BY DIRECTION OF THE OFFICE OF THE  
UNDER SECRETARY FOR HEALTH:**

/s/ Jon M. Jensen  
VHA Chief of Staff

**NOTE:** All references herein to Department of Veterans Affairs (VA) and VHA documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.

**DISTRIBUTION:** Emailed to the VHA Publications Distribution List on October 5, 2020.

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## CORRESPONDENCE REQUIRING NO RESPONSE (NO REPLY)

### 1. PURPOSE

This Veterans Health Administration (VHA) directive establishes standards for declaring certain correspondence exempt from the general requirement to provide a response. **AUTHORITY:** Title 38 United States Code (U.S.C.) § 7301(b).

### 2. POLICY

It is VHA policy that, when a person has been furnished a written response at least twice at the Department of Veterans Affairs (VA) medical facility Director's level or higher, and again writes on the same subject, the Deputy Under Secretary for Health or the Assistant Under Secretary for Health for Operations may authorize a "no reply" to that correspondence and to subsequent inquiries by that person on the same topic.

### 3. RESPONSIBILITIES

a. **Under Secretary for Health.** The Under Secretary for Health is responsible for ensuring overall VHA compliance with this directive.

b. **Deputy Under Secretary for Health.** The Deputy Under Secretary for Health is responsible for approving requests from VHA Central Office Program Office Directors for assigning a person's correspondence to a "no reply" status.

c. **Assistant Under Secretary for Health for Operations.** The Assistant Under Secretary for Health for Operations is responsible for:

(1) Communicating the contents of this directive to each of the Veterans Integrated Service Networks (VISNs).

(2) Providing assistance to VISN Directors to resolve implementation and compliance challenges in all VA medical facilities within that VISN.

(3) Providing oversight of VISNs to assure compliance with this directive, relevant standards and applicable regulations.

(4) Approving requests from VISN Directors, sent through VHA Office of Field Operations and Support, for assigning a person's correspondence to a "no reply" status.

d. **VHA Chief of Staff.** The VHA Chief of Staff is responsible for supporting the implementation and oversight of this directive across VHA.

e. **Office of Executive Correspondence Director.** The Office of Executive Correspondence Director is responsible for:

(1) Ensuring that the VHA Central File Station maintains a permanent, chronological file of approved and disapproved requests.

(2) Ensuring that the final, completed and approved package has all necessary background documents included prior to placing a person on the final “no reply” list.

(3) Providing oversight for the field’s compliance with this directive and ensuring corrective action is taken if non-compliance was identified.

f. **VHA Office of Field Operations and Support Director.** The VHA Office of Field Operations and Support Director is responsible for ensuring the Office of Field Operations staff sends “no reply” status requests to the Assistant Under Secretary for Health for Operations.

g. **Veterans Integrated Service Network Director.** The VISN Director is responsible for:

(1) Approving and sending requests from VA medical facility Directors for assigning a person’s correspondence to a “no reply” status to the VHA Office of Field Operations and Support.

(2) Ensuring that all VA medical facilities within the VISN comply with this directive and informing leadership when barriers to compliance are identified.

h. **VA Medical Facility Director.** The VA medical facility Director is responsible for:

(1) Evaluating correspondence to determine whether an appropriate reply must be prepared and the "no reply" status should not be invoked.

(2) Submitting requests for assigning a person’s correspondence to a “no reply” status to the VISN Director.

(3) Ensuring overall VA medical facility compliance with this directive and appropriate corrective action is taken if non-compliance is identified.

(4) Drafting memoranda to send to the VISN Director assigning a person’s correspondence to a “No Reply” status.

(5) Reviewing incoming correspondence to determine if it constitutes a request or appeal under the Freedom of Information Act (FOIA) or the Privacy Act.

#### **4. NO-REPLY STATUS REQUEST OVERVIEW**

##### **a. Assigning a Person's Correspondence to a "No Reply" Status.**

(1) After at least two replies from the VA medical facility Director level or higher , VA medical facility Directors draft a memorandum (see sample at Appendix A) and send, along with all supporting correspondence, to the VISN Director for forwarding to the VHA Office of Field Operations and Support.

(2) The VHA Office of Field Operations and Support sends the memorandum and all supporting correspondence received from the VISN Director to the Assistant Under Secretary for Health for Operations for approval. Once approved, the final package is submitted to the VHA Office of Executive Correspondence.

(3) The memorandum must contain the following information:

(a) A brief description of previous attempts by VA to address the person's concerns.

(b) A statement requesting that the person's inquiry be placed in a "no reply" status.

(c) A statement that if the person presents new information, a response will be provided.

(d) Attachments containing the previous two VA replies to the person.

(4) A letter drafted by the VA medical facility Director (see Appendix B) must be sent to the Veteran and attached to the Veteran's file. The letter must contain the following information:

(a) An acknowledgement of the inquiry.

(b) A statement that the concern(s) has already been answered (if possible, enclose a copy of the previous answer).

(c) A statement that this letter is a final response on that subject.

(d) At no time should the acknowledgement letter state to the writer that the writer will be placed on the "no reply" list.

**b. Answering a Person Already in a "No Reply" Status.**

(1) A memorandum for the record from the VA medical facility director to the VISN Director must be sent through the Office of Field Operations and Support to the Office of Executive Correspondence.

(2) The memorandum for the record must contain the following information:

(a) A statement that the person's inquiry has been placed in a "no reply" status in VHA.

(b) A statement certifying that the inquiry has already been answered and that no new information has been provided.

(c) An attachment of the most recent reply (normally, this attachment would be the letter referenced in Appendix B).

(d) If the person requests or provides new information, then an appropriate reply must be prepared and the "no reply" status should not be invoked.

**c. Answering White House and Congressional Correspondence from a Person Already in a "No Reply" Status.**

(1) Using the appropriate VHA letterhead, a memorandum to the White House or Congressional Member who referred the correspondence must be prepared for the signature of the Chief Program Officer, VISN Director or the VA medical facility Director.

(2) The memorandum must contain the following information:

(a) A statement that VA has already responded to the person's inquiry and that no new information is requested or provided by the person.

(b) Enclosures of copies of previous replies by VA to the person. To have qualified for a "no reply" status, there must be at least two previous replies.

**d. Other.**

(1) The "no reply" status may not be invoked if the correspondence is on behalf of a person whose inquiry is in a "no reply" status; the originator of such correspondence must be provided an appropriate reply.

(2) The fact that a person's inquiry has been placed in a "no reply" status does not obviate the responsibility for VA employees to communicate tactfully and courteously with that person in a professional and empathetic manner.

(3) If correspondence is determined to be a request or appeal under the FOIA or the Privacy Act by the VA medical facility Director, such requests or appeals will generally be referred to the VHA FOIA Officer and must be responded to in accordance with the provisions of VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016.

(4) The "no reply" status may not be invoked if the incoming correspondence alleges that VA benefits have been denied, unless appeal rights have been provided. (See VHA Directive 1032, Health Benefits Appeals Processing, dated August 16, 2013).

**5. TRAINING**

There are no formal training requirements associated with this directive.

**6. RECORDS MANAGEMENT**

All records regardless of format (e.g., paper, electronic, electronic systems) created by this directive shall be managed per the National Archives and Records Administration (NARA) approved records schedules found in VA Records Control Schedule 10-1. Questions regarding any aspect of records management should be addressed to the appropriate Records Manager or Records Liaison.

## 7. REFERENCES

- a. P.L. 104-231.
- b. 38 U.S.C. § 7301(b).
- c. VHA Directive 1032, Health Benefit Appeals Processing, dated August 16, 2013.
- d. VHA Directive 1216, Veterans Health Administration Correspondence Management, dated March 22, 2019.
- e. VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016.

**SAMPLE MEMORANDUM TO ASSIGN PERSON TO "NO REPLY" STATUS**

FROM: VISN Director (10N\_ \_)

SUBJECT: Request for Assignment to "no reply" Status re: John Doe

TO: Assistant Under Secretary for Health for Operations (10N)

1. This is a request to assign Mr. John R. Doe's repeated complaints of improper medications to a "no reply" status.
2. The Fort Howard, MD, Department of Veterans Affairs (VA) Medical Center has responded numerous times to Mr. Doe's allegation that he received improper medications 2 years ago. A copy of the VA medical facility's most recent letter to Mr. Doe is attached. Despite repeated assurances from all levels of VA medical facility management that his medications have been proper, Mr. Doe continues to allege otherwise. The VA medical facility Director has tried to assure Mr. Doe that his medications have been proper (see attached letter). Mr. Doe has again written with the same allegation as in his previous correspondence.
3. We understand that if Mr. Doe presents new or different information, his correspondence will be answered.
4. Accordingly, the VISN \_\_#\_\_ requests approval to assign Mr. John R. Doe's allegations of improper medications to a "no reply" status.

\_\_\_\_\_  
(Signature and Name of VISN Director)

Attachments

Approved	/	Disapproved	(Date)
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\_\_\_\_\_  
(Signature)  
Assistant Under Secretary for Health for Operations



September 30, 2020

VHA DIRECTIVE 1112  
APPENDIX B

**SAMPLE ACKNOWLEDGEMENT OF INQUIRY**

Mr. John R. Doe  
1000 Memory Lane  
Baltimore, MD 22468

Dear Mr. Doe:

This acknowledges your letter of August 6, 2009, to the Secretary of Veterans Affairs, regarding your medications from the Fort Howard Department of Veterans Affairs (VA) Medical Center.

Both the Director of the Fort Howard VA Medical Center and I have responded previously to your concerns about your medications. Enclosed for your convenience is a copy of my last letter to you. We feel we have addressed your concerns to the best of our ability and cannot provide any new information. Accordingly, this letter will be considered the final response to your inquiry about your medications.

Please be assured that we will continue to provide you the medical care for which you are eligible. Should you have further questions about your medical care, please feel free to consult Ms. Elizabeth Jones, Chief, Health Administration Service, Fort Howard VA Medical Center, Ft. Howard, MD, 21052. She can be reached at (301) 345-6789. She would be most pleased to assist you.

Sincerely,

Signature Block and Signature of the  
VISN Director

Enclosure

September 30, 2020

VHA DIRECTIVE 1112  
APPENDIX C

**SAMPLE MEMORANDUM TO WHITE HOUSE OR CONGRESSIONAL MEMBER**

MEMORANDUM FOR:

(Name and Title of White House or Congressional Member  
Staff Member who made the referral)  
The White House

This is in response to your referral of July 27, 2009, on behalf of Mr. John R. Doe who wrote to the President concerning his medications from the Fort Howard, MD, Department of Veterans Affairs (VA) Medical Center.

VA has thoroughly evaluated the concerns raised by Mr. Doe and has responded to his concerns about his medications on two occasions. We believe that his concerns have been adequately addressed and that further correspondence to Mr. Doe on this subject would not provide any new information. If VA learns of new evidence pertaining to Mr. Doe's issues, we would be willing to re-visit these issues.

Enclosed for your information are copies of our previous replies to Mr. Doe.

Sincerely,

Signature Block and Signature of the  
VISN Director

Enclosure