

VIA ELECTRONIC FILING

August 22, 2016

Hon. Gregory O. Block
Clerk of the Court
U.S. Court of Appeals for Veterans Claims
625 Indiana Avenue, N.W., Suite 900
Washington, DC 20004

Re: *Clifford H. Cox v. Robert A. McDonald, Secretary of Veterans Affairs*, No. 14-2779

Dear Mr. Block:

Pursuant to U.S. Vet. App. R. 30(b), Appellant Clifford H. Cox hereby advises the Court of additional pertinent and significant authority relevant to the above-referenced case.

The first additional authority is *Lefevre v. Secretary, Dep't of Veterans Affairs*, 66 F.3d 1191 (Fed. Cir. 1995). Pursuant to Rule 30(b), a copy of the decision is attached to this letter. This additional authority is relevant to this case because it addresses whether VA's choice as to whether to extend a legal presumption to an additional class of veterans constitutes a substantive rule. This is most relevant to page 12 of Appellant's initial brief and page 11 of his reply brief.

The other additional authorities are Board of Veterans' Appeals decisions in which the Board applied 38 U.S.C. § 1117 and 38 C.F.R. § 3.317 to veterans who served in Afghanistan. These Board decisions are relevant to Appellant's argument in Section III of his initial brief and Section II of his reply brief that the Secretary's interpretation of "Southwest Asia" as not including Afghanistan as expressed in the revised version of VA Training Letter 10-01 is arbitrary and capricious. Pursuant to Rule 30(b), copies of these decisions are attached to this letter. They may also be found at the following URLs:

www.va.gov/vetapp13/Files1/1301299.txt

www.va.gov/vetapp11/Files2/1119443.txt

www.va.gov/vetapp12/Files2/1211176.txt

www.va.gov/vetapp10/Files6/1042785.txt

www.va.gov/vetapp11/Files5/1140864.txt

www.va.gov/vetapp14/Files1/1410729.txt

www.va.gov/vetapp11/Files2/1113680.txt

www.va.gov/vetapp11/Files3/1127377.txt

www.va.gov/vetapp11/Files5/1145020.txt

www.va.gov/vetapp12/Files5/1231445.txt

www.va.gov/vetapp15/Files5/1545642.txt

www.va.gov/vetapp15/Files2/1512386.txt

www.va.gov/vetapp09/Files2/0917309.txt.

Respectfully submitted,

/s/ Katy S. Clemens

Katy S. Clemens