Department of Veterans Affairs
Office of General Counsel
Washington, DC 20420

June 24, 2020 In reply refer to: 027B

Mr. Gregory O. Block
Clerk of the Court
United States Court of Appeals
for Veterans Claims
625 Indiana Avenue, NW,
Suite 900
Washington, DC 20004

Re: *Welcome v. Wilkie*, U.S. Vet.App. No. 18-4601

Mr. Block:

Pursuant to U.S. Vet. App. Rule 30(b), the Secretary of Veterans Affairs, the appellee in the subject case, hereby provides this Court with notice of newly issued authority that is pertinent and significant with respect to the issues currently before the Court in the subject case.

On June 11, 2020, the United States Court of Appeals for the Federal Circuit (Federal Circuit) issued a decision in the matter of *Carr v. Wilkie*, Docket No. 2019-2441. In its decision, the Federal Circuit discussed provisions existing in various chapters of Title 38, U.S. Code, that speak to Congress's concern that educational benefits should not expire during a term of enrollment. Insofar as Appellant has characterized as arbitrary and capricious a similar concern on the part of the Secretary here (Appellant's Brief at 16-18), the Federal Circuit's discussion in *Carr* is pertinent and significant to the Court's consideration of the instant appeal.

Sincerely,

/s/ Mark D. Gore
Mark D. Gore
Attorney for the Appellee,
Secretary of Veterans Affairs