

Blue Water Navy Vietnam Veterans Act of 2019

VFW's Concerns:

The U.S. government sprayed toxic herbicides, including Agent Orange, on its own service members during the Vietnam War. Vietnam veterans now suffer from debilitating health conditions that have been scientifically found to be associated with exposure to Agent Orange. The Department of Veterans Affairs (VA) has conceded that veterans who served on ground or the inland waterways of Vietnam during the war were exposed to Agent Orange, and grants them presumptive disability benefits if they suffer from any of the 14 conditions associated with Agent Orange exposure. In 2002, VA unjustly and arbitrarily revoked such benefits for veterans who served in the offshore waters of Vietnam. A recent U.S. Court of Appeals for the Federal Circuit case, *Procopio v. Wilkie*, ruled that VA must provide Blue Water Navy veterans benefits for health conditions related to Agent Orange. While the VFW welcomes the decision, VA has appealed, and it may be overturned in the future. Blue Water Navy veterans should not have to worry about their benefits being taken away, again.

From 1967 to 1969, the U.S. government also used Agent Orange along the Korean demilitarized zone (DMZ). In 2003, Congress authorized VA to establish presumptive disability compensation benefits for veterans who served along the Korean DMZ between September 1, 1967, and August 31, 1971, which incorporates the earliest use of toxic herbicides along the Korean DMZ, and accounts for the half-life of such toxins. However, VA unjustly elected to begin the presumptive date on April 1, 1968 — seven months after Congress suggested. In so doing, VA requires veterans who served along the Korean DMZ between September 1967 and April 1968 to provide evidence of individual exposure, which is nearly impossible to do more than 50 years after the incident.

Agent Orange was also sprayed at Royal Thai bases during the Vietnam War, where U.S. service members were stationed in support of operations in Vietnam. Research has determined that veterans who were exposed to Agent Orange are more likely than the general population and non-exposed veterans to have a child born with spina bifida. VA administers the Spina Bifida Health Care Benefits Program, which provides a stipend and health care services for the children, who are born with spina bifida, of certain Vietnam War and Korean DMZ veterans. However, the children of veterans who were exposed to Agent Orange in Thailand are excluded.

The VFW calls on Congress to pass H.R. 299, the *Blue Water Navy Vietnam Veterans Act of 2019*, which would:

- Restore benefits for Blue Water Navy veterans.
- Correct the presumptive disability compensation dates for Korean DMZ veterans.
- Provide spina bifida benefits to the children of veterans exposed to Agent Orange in Thailand.