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DENIED TILL THEY DIE

Many veterans who served their country during the Vietnam War are being denied health benefits because of one small detail: They never had boots on the ground.

By Jennifer Peters

Joe Faietta spent 25 years in the Navy, which included multiple tours of duty to Vietnam in the late sixties and early seventies. In 1970 and 1971, he spent time onboard a ship docked a quarter-mile off the coast of Vietnam. Faietta is part of what is referred to as the Blue Water Navy: those who served aboard ships that were anchored in the blue ocean, as opposed to the brown-water boats that were located in river outlets and canals that were physically within the borders of Vietnam.

The distinction between blue- and brown-water vets is a huge issue when it comes to benefits for exposure to Agent Orange and its primary ingredient, dioxin. Those in the blue-water group have little recourse

when they begin suffering the effects of dioxin poisoning. But, as Faietta points out, the toxic chemicals didn't differentiate between those on land and those at sea. "My ship got hit with Agent Orange," he says. "We didn't know what it was at first, but we were covered with it."

And it isn't only sailors who suffer. Conrad Dupre served in the Air Force for 30 years, including a year during the Vietnam War. His job was to load and off-load planes in Da Nang, and he received three medals for his service, one of which, he says, you can be eligible for only if you had "boots on the ground." But when Dupre applied for VA benefits in 2011, believing his deteriorating health was due to Agent Orange exposure, he was denied because the VA could not find proof that

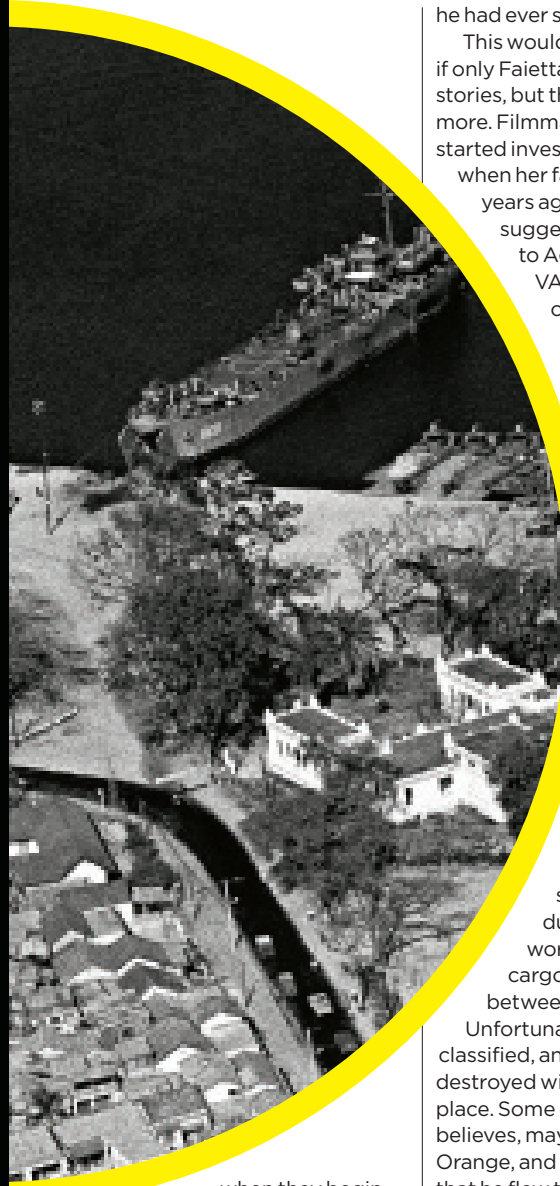
he had ever spent time in Vietnam.

This would be heartbreaking even if only Faietta and Dupre had such stories, but there are many, many more. Filmmaker Tracee Beebe started investigating the problem when her father got sick a few years ago and his neurologist suggested it might be related to Agent Orange. When the VA turned down her father's claim for benefits, saying they had no record of him serving in Vietnam, Beebe began looking into other cases. "It's an epidemic," Beebe says. "I found so many guys who were in worse shape than my dad, and it lit a fire in me." She used her rage to begin work on a documentary, *The Unremembered*, about vets who are in her father's shoes because they can't prove they had their boots on the ground. Beebe's father was stationed in Hawaii during the war, but he'd worked in Vietnam, flying cargo planes back and forth between the Pacific islands.

Unfortunately, his flights were classified, and all records were destroyed within weeks of taking place. Some of the cargo, Beebe believes, may have been Agent Orange, and she thinks it's possible that he flew through clouds of the herbicide while making deliveries.

Agent Orange benefits, however, are based on the VA's presumption of exposure rules. In 1991, Congress approved the Agent Orange Act, which gave the VA the authority to list certain conditions as presumptive of Agent Orange exposure. All veterans who'd served in Vietnam were eligible to receive benefits and treatment if they suffered from a host of approved ailments, including non-Hodgkin's lymphoma, soft-tissue sarcoma, and a number of other cancers. Over the years, more illnesses were added to the list, including respiratory diseases, type 2 diabetes, and peripheral neuropathy.

While this should have led to more vets qualifying for benefits, the opposite occurred. In 2002, the



VA began limiting coverage to those who'd served on land and in the inland waters. These changes redefined what a Vietnam vet is, says John Rossie, who heads the Blue Water Navy Vietnam Veterans Association. "Having had boots on the ground legitimizes someone's claim now," Rossie explains, "but those in the Navy and Marines don't have that luxury."

It's not just the boots-on-the-ground requirement that's stymieing sick and dying vets. Congress has also argued that a number of diseases linked to Agent Orange could be the side effects of old age, requiring vets to jump through even more hoops if they hope to receive benefits. There's also the difficulty of finding all the necessary paperwork. Most vets need just one piece of paper to get them over the hurdle, but that one sheet is buried somewhere in a warehouse amid thousands of others.

Of course, it's not only the changing rules that are keeping vets from the benefits they deserve. "It's problematic to prove that ship crews were exposed at all," says Jerry Manar, the deputy director of the National Veterans Service arm of Veterans of Foreign Wars. "It might be 10, 20, 40 years before there's a sufficient body of medical literature that says maybe all of these illnesses are service-connected."

In an effort to prove these connections, at least among Australian veterans of the Vietnam War, the Department of Veterans Affairs, Australia, commissioned a study to find out if members of the Royal Australian Navy were exposed, via their drinking water, to high levels of Agent Orange, dioxin, and related herbicides and pesticides used during the war. Australian ships used an evaporative distillation system to create potable water from the surrounding salt water where ships were stationed. Researchers found that even after distillation, contaminated source water led to contaminated drinking water—and, occasionally, the distillation process increased the concentration of dioxin. Those findings supported prior studies about the Australian vets' higher-than-expected mortality rate, as well as increases in birth defects among their children, both of which are typical of Agent Orange exposure.

Unfortunately, no similar study has been done on American ships that were used during the Vietnam War. "If you can show that there are sig-

nificant concentrations of dioxin in the fresh-water evaporation systems of Navy ships that were off the coast of Vietnam but were never put into port," Manar explains, "then I think that would force the VA or Congress to concede that out to 50 miles, 100 miles, whatever it is—those people were exposed to herbicides and should receive the presumptions."

A report from our country's Institute of Medicine discussed whether the Australian study was properly conducted—and it was—but still, no one has ponied up the cash to investigate the dioxin levels in mothballed American ships. "It wouldn't cost a lot, and you would need only two or three ships," says Manar, who's familiar with the Australian study. "The window of opportunity [for an American study] is decreasing." If Blue Water Navy boats aren't studied soon, the chance will be gone, Manar explains. Every year, some Navy ships are mothballed, but some are destroyed, too.

Veterans like Dupre and Faietta

"Vets are going to die before their illnesses are service-connected."

have a hard time understanding why so little is being done to help them. "I can't believe the government would do this to us," Dupre says. "There are so many of us, and we're all in the same boat. They want to support illegal immigrants and spend money on welfare, but they don't care about us. They just want to screw the vets."

"I'm disappointed in the way our government is treating us," Faietta says, agreeing with Dupre's assessment. "We served our country, we did what we were supposed to do, and now we've come home to be treated like crap."

Advocates aren't sitting silently, however. The Blue Water Navy Vietnam Veterans Act, which failed to pass in the House of Representatives or the Senate in 2013, will be introduced again in 2014. If passed, the bill would require the VA to extend benefits to members of the Blue Water

Navy whose ships were within territorial waters of Vietnam during the war. A lawsuit has also been filed against Secretary of Veterans Affairs Eric Shinseki for failing to provide benefits to members of the Blue Water Navy.

Folks like Beebe and Rossie, who feel a personal connection to these men and their stories, fear the VA will continue to deny benefits until it's too late, helping the government save some money. Manar is more hopeful, believing that at some point the VA will find the right balance between ensuring that vets are truly suffering from service-related ailments and granting benefits. "Everyone would like to find some reason for what happens to them, and sometimes that reason is elusive," he says. "Finding commonality among the veterans and doing research to draw a connection to their service takes time. It's tragic that a good number of vets are going to die before their illnesses are service-connected."^{OT}

