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Court: Government Must Pay for Offshore Agent Orange Exposure
Friday, August 18, 2006
<http://www.foxnews.com/story/0,2933,209407,00.html>

WASHINGTON — Veterans who patrolled the waters off Vietnam can claim [disability benefits](#) for exposure to Agent Orange under an appeals court ruling that opens the door for thousands of servicemen to seek medical coverage.

The ruling was handed down this week by the U.S. Court of Appeals for Veterans Claims in the case of a former sailor who served on an ammunition ship during the Vietnam War but never stepped foot on land.

It reverses the Veterans Affairs Department's denial of benefits for Jonathan L. Haas, who blamed his diabetes, nerve damage and loss of eyesight on exposure to [Agent Orange](#).

Haas argued that clouds of the toxic defoliate, which the U.S. sprayed on Vietnamese jungles, drifted out to sea, engulfing his ship and landing on his skin.

Veterans officials said that to qualify for coverage, Haas was required to have docked in Vietnam and come ashore.

The three-judge panel said in the ruling Wednesday that regulations governing the benefits were unclear. The court said it made no sense for veterans who patrolled Vietnam's inland waterways and those simply passing through the country to receive medical coverage while those serving at sea do not.

"Veterans serving on vessels in close proximity to land would have the same risk of exposure to the herbicide Agent Orange as veterans serving on adjacent land, or an even greater risk than that borne by those veterans who may have visited and set foot on the land of the Republic of Vietnam only briefly," Judge William A. Moorman wrote.

The Veterans Affairs Department said Friday that it was reviewing the opinion and was not sure how many veterans would be affected or how much the added coverage would cost.

Most Vietnam combat veterans receive some medical benefits, but if their illnesses are related to their service, they could receive full coverage and their families might be eligible for benefits.

David Houppert, director of veteran's benefits for the Vietnam Veterans of America, said the ruling could allow thousands of veterans to seek coverage for service-related illnesses. Most are Navy veterans, he said, but some Marines and Army veterans could be affected.

Houppert said the group was encouraging these veterans to seek coverage quickly because the ruling left it up to government officials whether to change federal regulations in a way that could deny coverage

Subject: GREAT NEWS for the BLUE WATER NAVY

Date: Thu, 17 Aug 2006 15:54:34 -0400

Yesterday the Court of Appeals for Veterans Claims (CAVC) made a ruling that all Veterans that served aboard U.S. Naval ships during the Vietnam War are eligible to claim Diseases associated with exposure to Agent Orange/Dixon.

If you have been denied Service Connection (SC) for any one of the 12 conditions associated with AO/D then you must re-file. If you are a vet who had his/her SC Comp pulled away from you that will be re-instated with retro. Whether or not those who filed claims and were denied is unclear at this time whether or not retro will apply?

You MUST have a diagnoses from a Medical Doctor whether it be a Civilian or VA Doctor for the condition/s applied for.

Get yourself somebody to represent you! DO NOT GO IT ALONE!!!!!!!!!!

I think VVA has the best people working for the benefit of Veterans, but there other Veteran Service Organizations out there. HuH? VFW, A. Legion, AmVets, Purple Heart, and quite a few others. To find a list of Vets Organization, (VSO) that are authorized to file claims for vets go to www.va.gov/forms type in the number 21-22 That is the form that is used to appoint an Veterans Service Org to represent you scroll down to the second page and you'll find a list of organizations that can represent you.

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