

Law Extends Benefits for Eligible Veterans

Public Law 116-23, (Blue Water Navy Vietnam Veterans Act 2019)

Public Law 116-23, (Blue Water Navy Vietnam Veterans Act 2019) was signed into law on June 25, 2019 and takes effect January 1, 2020. The law extends a presumption of herbicide exposure to Blue Water Navy Veterans who served in the Republic of Vietnam and the offshore waters. Blue Water Navy survivors, and certain dependents may be entitled to benefits if the Veteran was exposed.

Under the law, certain Veterans, who served in the offshore waters of the Republic of Vietnam and Cambodia, or who had service in the Korean Demilitarized zone (DMZ), may be entitled to disability compensation for conditions that are related to herbicide exposure. The law also provides benefits for children born with spina bifida whose parent was a Veteran with verified herbicide exposure in Thailand.

To be entitled to VA benefits, these Veterans must have served between January 9, 1962, and May 7, 1975, and have one or more of the conditions that are listed in section 3.309(e) of title 38, Code of Federal Regulations.

Conditions related to presumed herbicide exposure¹:

- » Amyloid light-chain (AL) amyloidosis
- » Chloracne, or other acneform disease consistent with chloracne
- » Chronic B-cell leukemias
- » Diabetes mellitus, Type 2
- » Ischemic heart disease
- » Hodgkin's lymphoma, formerly known as Hodgkin's disease
- » Non-Hodgkin's lymphoma
- » Multiple myeloma
- » Parkinson's disease
- » Peripheral neuropathy, early-onset
- » Porphyria cutanea tarda
- » Prostate cancer
- » Respiratory cancers (lung, bronchus, larynx or trachea)
- » Soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma, or mesothelioma).

¹ A Veteran who has experienced any of the conditions on this list may be eligible for presumptive service connection under 38 CFR 3.309(e). A Veteran may be entitled to service connection on a direct basis under 38 CFR 3.303, if herbicide exposure is established and scientific or medical evidence shows that the claimed condition is medically associated with the exposure.

How do I file a claim for disability compensation or survivor benefits?

- » Apply using the guidance at www.va.gov, www.va.gov/burials-memorials/dependency-indemnity-compensation **OR**
- » For initial compensation claims, submit a VA Form 21-526EZ; For initial DIC claims, submit a VA Form 21P-534EZ; For previously denied claims, submit a VA Form 20-0995 **OR**
- » VA-accredited Veterans Service Organization representative, attorney, or claims agent **OR**
- » Go to a VA regional office and have a VA employee assist you. You can find your regional office on our Facility Locator page at <https://www.benefits.va.gov/benefits/offices.asp>

What should be included when filing a claim?

- » State on your application that you are filing for one of the conditions related to presumed herbicide exposure such as Agent Orange.
- » Include any evidence you have of service in the offshore waters of the Republic of Vietnam during the required timeframe. Include the name(s) of the vessel(s) and the date(s) you served within 12 nautical miles of the Republic of Vietnam, if you have that information.
- » Provide medical evidence showing a diagnosis of a current condition related to exposure to herbicide such as Agent Orange or tell us where you are being treated.
- » For more information on how to apply and for tips on making sure your claim is ready to be processed by VA, visit our Disability Compensation web page at www.va.gov/disability/