

AGENT ORANGE EXPOSURE AND VA DISABILITY ASSISTANCE

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Note: Depending on your software, you may need to press the “Ctrl” key while simultaneously clicking on the included links to connect to the associated websites.

What is Agent Orange?

Agent Orange (AO) was a tactical herbicide used to clear vegetation for U.S. military operations during the Viet Nam war, when 20 million gallons of AO were dispersed in Viet Nam, Cambodia and Laos that contaminated the air, soil, vegetation and waters throughout that region. Veterans who were exposed to Agent Orange may have experienced one or more exposure-related illnesses. (AO Presumptive Medical Conditions).

Why is this of concern to our class?

Many of our classmates and their families are suffering due to having a medical condition that could be caused by exposure to agent orange (AO). The VA has seems to be unable to learn how to address the fact we were Mids when exposed and have dragged their feet in approving our classmates' disability claims. The process to submit a disability claim is fraught with pitfalls, bureaucratic minutia, and draconian language. Some of our classmates have had to fight for years to finally get the benefits they earned through their service, all while fighting the ravages of these medical conditions. As a class we are determined to help others avoid these pitfalls and to obtain their benefits in a timely manner – we are determined to learn from the past and get “the gouge” out to our classmates. And whenever possible to get that gouge out to other alumni in other classes who may be having similar experiences.

What do you mean by “AO presumptive medical conditions”?

When sound medical and scientific evidence shows that an illness is caused by Agent Orange exposure, the VA adds it to their list of presumptive diseases.

If you've been diagnosed with one of these illnesses, you don't need to prove that it started during—or got worse because of—your military service. You only need to prove you served in a location that exposed you to Agent Orange. The VA calls this having a presumption of exposure.

2022 VA Agent Orange Presumptive Medical Conditions

- Bladder Cancer
- Chronic B-cell Leukemia
- Hodgkin's Disease
- Multiple Myeloma
- Non-Hodgkin's Lymphoma
- Prostate Cancer
- Respiratory Cancers (including lung cancer)
- Some Soft Tissue Sarcomas (other than Osteosarcoma, Chondrosarcoma, Kaposi's Sarcoma, or Mesothelioma)

- AL Amyloidosis
- Chloracne (or other types of similar acneiform diseases)
- Diabetes Mellitus Type 2
- Hypothyroidism
- Ischemic Heart Disease
- Parkinsonism
- Parkinson's Disease
- Peripheral Neuropathy, Early-Onset
- Porphyria Cutanea Tarda

What duty stations would have exposed me to AO?

For the purposes of our class effort, we are focusing on the following location criteria. You have a presumption of exposure if you meet at least one of these service requirements.

- Between January 9, 1962, and May 7, 1975, you must have served for any length of time in at least one of these locations:
- In the Republic of Vietnam, **(this would include the port visit to Da Nang during our third class cruise onboard the USS Cleveland and USS Vancouver)**
- Aboard a U.S. military vessel that operated in the inland waterways of Vietnam, or
- On a vessel operating not more than 12 nautical miles seaward from the demarcation line of the waters of Vietnam and Cambodia*, **(there may also be classmates meeting this criteria during their first class cruise or post-graduation onboard their first at-sea assignment).**

*Commonly referred to as the "Blue Water Navy" criteria.

There are other locations where it is presumed that you would have been exposed to AO. If you think you may have been exposed but you do not see your location listed above, you may research those additional locations at [Agent Orange Exposure | Veterans Affairs \(va.gov\)](#).

I have one of those conditions and I was on the third class cruise that stopped in Viet Nam – so what?

If you have experienced one or more of the AO Presumptive Medical Conditions, and served on board the USS Vancouver or USS Cleveland in July 1970 as part of our third class training cruises; or were assigned to one of the 'Blue Water Navy' ships off Viet Nam during First Class cruise; or were in Viet Nam or Viet Nam coastal waters any time prior to May 7, 1975, then you are likely eligible to receive VA disability compensation (a monthly tax-free payment) and VA healthcare coverage. Spouses may continue to receive monetary support from the VA after a disabled Veteran's death.

How do I determine if my ship was part of the “Blue Water Navy” criteria?
Where can I get copies of ship deck logs to show my ship was in Viet Nam or part of the Blue Water Navy?

Our class website has copies of the USS Vancouver and USS Cleveland deck logs related to the port visit to Da Nang. We also have other documentation supporting their presence in Vietnam that should be include as additional proof when you submit your claim.

You can download copies of other ships’ deck logs for free from the National Archives at [Logbooks of the US Navy at the National Archives | National Archives](#). You can expedite your search if you can remember the dates you think your ship may have been within the 12 mile limit. But this would still require that you read through days of log book entries to find your proof.

Or

The Blue Water Navy Association has been developing a master list of all ships that entered the 12-mile limit and has compiled a list of those ships, the days they were within the limit and downloaded copies of the deck logs for those days. They have even correlated ships that reported they were operating together as additional proof of meeting the 12-mile criteria. With that information all you would have to prove was that you were onboard the ship on those days (use copies of orders, service record entries or buddy letters). Go to [BLUE WATER NAVY ASSOCIATION™ - Home \(bwnvva.org\)](#). Unfortunately, there may be a membership requirement to get a copy of the deck logs.

What is a “Buddy Letter”/”Buddy Statement”

A Buddy Letter or Buddy Statement is a statement from someone with firsthand knowledge of information you (the claimant) believe will help support your request for VA benefits.

For example: You are submitting a claim to service connect your prostate cancer diagnosis which you are claiming is caused by agent orange exposure. But your Vietnam Service Medal was not reflected on your DD214, you lost your microfiche copy of your service record and you cannot find the award citation. You could establish that you were in Vietnam (and thus exposed to AO) by submitting a couple of buddy statements from classmates who participated in the same cruise with you and who would attest to your being onboard during the visit to Da Nang.

How do I submit a buddy statement?

Use VA Form 21-4138 when you want to submit a VA “buddy statement” or other statement from someone with firsthand knowledge of information you believe will help support your request for VA benefits.

Downloadable PDF: [Download VA Form 21-4138 \(PDF\)](#)

Online tool: You can submit your statement in support of claim online instead of filling out and sending us the paper form. [Go to the online tool](#)

What information should be included in a buddy statement?

You are submitting an eye-witness statement to help corroborate the veteran’s claim. You should include things like:

- Your name and contact information
- The name of the veteran this buddy letter is supporting and what aspect of their claim you are supporting
- Include details you can personally attest to. Write about the service-connected injury or illness, (or AO exposure in our case) as well as the event that caused it (if applicable). Be sure to include as many details as possible.
- Include only the information you know. While you want to include as many details as you can, it’s important to only include information that you know is true.
- Remember to sign and date the letter. When you sign the letter and add the date, you’ll want to include a statement that certifies that you’re telling the truth in the buddy letter. This typically says, “I certify that the statements on this form are true and correct to the best of my knowledge and belief.”

For example:

“My name is W. T. Door, Captain, USN (ret). You may contact me for additional information at wtdoor73@isp.net.

This letter is in support of Oliver “Oil” Bunker’s disability claim for prostate cancer, specifically in support of his contention that he was exposed to Agent Orange during his military service. Bunker was a classmate of mine at the U. S. Naval Academy, where we were midshipman from 30 June 1969 until graduation and commissioning in the Navy on 6 June 1973. While midshipmen we were assigned to the USS Vancouver for our third-class summer training. We were both deployed on the USS Vancouver in the July 1970 timeframe. During this deployment the Vancouver conducted a port visit to Da Nang, Republic of Vietnam for approximately three days in early July. While in port, Bunker and I attended an event onshore. I have attached a photograph of us and other

classmates who attended this event; I have identified Bunker and myself on that photograph.

This in-port visit, as well as the transit to Da Nang through inshore waters, clearly demonstrates that Bunker was exposed to Agent Orange during his service as a midshipman.

I attest that the above statements are true and correct to the best of my knowledge and belief.”

How do I file a claim for VA Disability?

Here is a short, not all-inclusive primer:

1. If successful, your benefits will start retroactive to the date the VA became aware that you intended to file a claim. So, an important administrative step is to complete an "intent to file a claim" with the VA, which starts the clock and establishes your claim. The VA intent to file form can be found at the following link: <https://www.va.gov/resources/your-intent-to-file-a-va-claim/>.
2. Get Professional Help Right from the start: This is an extremely bureaucratic process and you should seek the assistance of a competent veteran service representative or attorney. You should be looking for a veteran service representative who has been accredited with the VA and who does this type of work as a profession. You can request (free) assistance from a Veterans Service Organization, your state's veterans affairs office or (in some states) your county veterans service office. Or you may wish to seek the services of an attorney experienced in veteran disability claims. **The litmus test for credibility is “are you a VA accredited veteran service representative.”**
3. Collect documentation in support of your claim. Provide every piece of evidence that you can think of, such as personnel records, award narratives, pictures, medical records, etc. (While the VA has a duty to assist a veteran filing a claim, you are your best advocate: providing redundant proof/documentation is much better than making the VA person rating your claim have to look for proof). Collect documentary proof such as:
 - Your DD214.
 - Copies of military and/or civilian medical records that corroborate your medical condition. Include whatever form (completed) your medical provider uses to allow third parties to access your private medical records.
 - Copies of your ship manifest and deck log documents as proof of your presence in Viet Nam.
 - Copy of your Vietnam Service Medal certificate, if available.
 - Request "buddy letters" from shipmates who will verify your presence on the ship when it was in Viet Nam. These are useful even if you have other documentation (Vietnam Service Medal, etc) that shows your service in Vietnam or the Blue Water Navy.

- Any other documentation that proves you were in a location that exposed you to agent orange (i.e. served in Vietnam or the Blue Water Navy for even one day).
 - Include a VA Form 21-4138. This is called the Statement in Support of Claim. It's important to write a separate paragraph for each disability you are claiming. Explain what you want, why you want it, and how all the evidence you are providing proves your case. Your statement is considered evidence, just like your military or treatment records, and the rater will use it to make the decision. It also tells the rating team where to look in your records, and the timeframe for information to validate your claim.
4. Learn about the process so you understand what is going to happen and what you need to do by reading: HOW TO FILE A VA DISABILITY CLAIM (click on the following link): [How To File A VA Disability Claim | Veterans Affairs](#).
 5. Contact one of our advisors to help you understand the process, seek advice, or just to vent your frustration with the bureaucracy.

How do I find a professional veteran service representative to guide me through this process?

You can request (free) assistance from a Veterans Service Organization, your state's veterans affairs office or (in some states) your county veterans service office. Here are some links to assist you in finding one near you:

- You can [request one in eBenefits](#),
- [find contact information for one in your area here](#), or
- [County Veteran Service Officer \(nacvso.org\)](#) or
- [State Directors of Veteran Affairs – NASDVA](#) or
- walk into your local VA Medical Center to talk with one ([your VAMC is probably on Facebook](#)).
- Or you can find an attorney who specializes in veteran claims cases.

Remember, you are looking for someone who is accredited with the VA as a veteran service representative.

Call or email '73 VA Advisor Bill Short - who maintains a current list of VA specialists - at 73ppt@earthlink.net; 571-572-5048 for help accessing these pro bono VA resources.

Are there VA benefits for surviving spouses and family members?

If you're the surviving spouse, child, or parent of a service member who died in the line of duty, or the survivor of a Veteran who died from a service-related injury or illness, you

may be able to get a tax-free monetary benefit called VA Dependency and Indemnity Compensation (VA DIC).

To find out the latest information about potential DIC benefits for surviving family members please visit [About VA DIC For Spouses, Dependents, And Parents | Veterans Affairs](#).

Why are you asking for personal information for a '73 database?

'73 VA Advisor Andy Pease is building a comprehensive '73 database for the primary purpose of locating all members of USNA '73 and identifying those needing assistance - with primary focus on classmates exposed to Agent Orange - for use in epidemiological analyses to improve VA services.

Our '73 database includes 1,409 USNA '73 alumni, 902 of whom graduated (90 deceased) and 478 of whom did not graduate (29 deceased).

The '73 Taskforce is asking ALL '73 classmates to contact Andy (andypease@comcast.net) to provide him with your current contact information. The other critical data you can provide are 1) All Vietnam assignments/dates; 2) All Agent Orange Presumptive Medical Conditions; 3) VA disability filing date; 4) VA disability approval date; 5) Current VA disability rating.

If you have any questions please contact Andy at andypease@comcast.net or 408-348-3900.