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If Veterans don't help Veterans, who will?

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RE: Gray & Da Nang Harbor

Folks,

I just received the following email from Congressman Charlie Dent's office

Good afternoon Sir,

I have attached a press release regarding blue water navy. Please let me know if you have any additional questions.

Thank you

Chrystal Foster

Veterans Outreach Coordinator

Congressman Charles W. Dent (PA-15)

342 F West Main Street

Annville, PA 17003

Phone: 717-867-1026

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Decision could mean benefits for more Vietnam vets

"The Court found VA did not base presumptive status on whether veterans were likely to be exposed to Agent Orange, but rather on arbitrary designations not based on fact," said Glenn Bergmann, a partner of Bergmann & Moore, LLC., a national law firm that exclusively represents veterans in disability benefits claims. "We applaud this decision and hope that VA quickly creates a definition of 'inland' that accurately accounts for the likelihood of exposure for such close-in areas where Agent Orange exposure is indisputable."

The court ordered VA to "reevaluate its definition of inland waterways," and sent Gray's benefits claims for diabetes, neuropathy and heart disease back to VA to be decided again using the new definition.

"Obviously, VA has to draw the line somewhere," Bergmann said. "However, excluding veterans who served on a ship surrounded by land on three sides seems unfair."

VA grants "presumptive status" to veterans who served in the Vietnam War and who have ailments, such as diabetes or heart disease, that have been associated with exposure to Agent Orange. But the benefits that come with that status have been denied to veterans who did not serve as ground troops or whose watercraft did not travel into Vietnam's rivers and channels

Agent Orange was used to destroy crops and clear foliage that could serve as hiding places for the enemy.

Schoelen made clear that the court would not address whether "blue water" veterans should receive presumptive status for exposure to Agent Orange. Instead, she wrote, the issue was whether Da Nang Harbor should be considered "blue water" or "brown water."

In the case of Da Nang Harbor, she wrote that “the manner in which VA defines inland waterways is both inconsistent with the regulatory purpose and irrational.” The determination should be based on “providing compensation to veterans based on the likelihood of exposure to herbicides.”

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