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Blue Water Navy Vietnam Veterans Association



News Release

Blue Water Navy Vietnam Veterans Association
February 13, 2015

New York Congressman Chris Gibson (NY) reintroduced our bill in the House of Representatives today, along with 130 original House sponsors. We are continuing to add co-sponsors to that overwhelming bipartisan support. The Blue Water Navy Vietnam Veterans Act is HR-969 for this new Congressional Session, but reads exactly like the previous HR-543. When the last session ended in December, HR-543 had 258 cosponsors. It was not brought out of committee for a vote before that Congressional Session ended.

On the Senate side, we have Sen. Gillibrand (NY) ready to introduce an identical Senate legislation. However, she is waiting for a Republican Senator to step out with her so there will be an initial bipartisan support. By our reckoning, we have 20 or more Senators who will support that legislation. We will need at least 50 to pass through the Senate.

One of the key factors that has been holding up this legislation has been the uncertainty of the final cost for treating all the sailors and fleet Marines who are sick with diseases recognized by the VA to have been caused by exposure to Agent Orange. Last week our lawyer, retired Navy CDR John Wells, along with Congressman Gibson, met with key individuals from the Congressional Budget Office (CBO) and he walked away from that meeting feeling very confident that the CBO would release a cost (score) that should fall into a dollar range acceptable to both House and Senate. But of course everyone is saying that regardless of the cost they don't know where the money will be coming from.

There have been two very important developments that will now play in our favor. I believe I have mentioned to you the Air Force reserve pilots who inherited the airplanes that had been used in Vietnam to spray Agent Orange. The pilots and crew have been steadily dying off from diseases that are on the Agent Orange list. But since they did not serve in wartime, they were not allowed to have Agent Orange related benefits. Their leader, retired Air Force Major Wes Carter, has been tenacious and recently the Institute of Medicine (IOM) returned a report to the VA that specifically stated these reservists were exposed to Agent Orange from the interior residue of Agent Orange on the fuselage that did cause their illnesses. The VA has not done anything with that information yet; however they have been backed into a corner. The report clearly stated two conditions that the VA has adamantly denied for 50 years: Agent Orange is persistent over time at a high toxicity rate, and it was capable of contaminating individuals who handled equipment that had been exposed.

Secondly, there is now a case before the Court of Appeals for Veteran Claims where a decision must be made whether Da Nang harbor should be considered inland water. If the court rules in favor of that then as many as an estimated 80% of Blue Water Navy sailors could be affected and 80% of the

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cost of treating them is going to magically disappear from our legislation. This is because they will be put into a category of veterans who are required to be cared for under previously enacted and funded legislation. However, we will need to wait until that hearing on February 25 has concluded before speculating about that.

As you can see, there are some very significant game changers now in play. We will take advantage of each and every one of them to the best of our ability.

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