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United States Senate  
WASHINGTON, DC 20510-4906

COMMITTEES:  
APPROPRIATIONS  
COMMERCE  
HEALTH, EDUCATION,  
LABOR, AND PENSIONS

February 7, 2019

Mr. Glenn Harvey  
3275 Lee South Court  
McFarland, Wisconsin 53558

Dear Mr. Harvey:

Thank you for contacting me about Agent Orange exposure during the Vietnam War. I appreciate hearing your thoughts on this important issue.

Too many of our veterans have been exposed to toxins while serving at home and overseas. Over the years, we have made progress toward confronting the symptoms of Gulf War Illness, Agent Orange exposure and other contaminants in the air and water. However, we must continue to expand our efforts, which is why I cosponsored the Blue Water Navy Vietnam Veterans Act (S. 422). This bill would include the territorial seas of the Republic of Vietnam as eligible for the purpose of service connection and treatment for diseases associated with exposure to Agent Orange. Unfortunately, this bill did not become law before the 115th Congress concluded in December 2018 and therefore will have to be reintroduced in the 116th Congress, which began on January 3, 2019.

I will continue pushing Congress to right this wrong, but I am also paying close attention to a federal court case working through the system. On January 29, 2019, the U.S. Court of Appeals for the Federal Circuit ruled against the VA denying claims for a blue water navy veteran, stating in its decision that Congress never intended to exclude service members in the seas around Vietnam when awarding presumptive benefits related to Agent Orange exposure. I strongly support this decision and I have called on the Secretary of the VA to do the right thing and let this decision stand. However, the Secretary may decide to appeal the decision to the Supreme Court. I will keep you updated on this as the situation continued to unfold.

Like you, I firmly believe that we must fully honor the promises this nation has made to our veterans. With a growing number of veterans seeking treatment from past conflicts, we must recommit to ensuring that our Veterans Affairs (VA) system is respectful of all veterans and responsive to everyone's needs. Ensuring access to quality benefits and health care are some of the most basic and long-standing of these promises.

Our blue water veterans have had to jump through unnecessary hoops and waited too long for a determination on the benefits they deserve. Please know that I will continue my work to strengthen the VA to ensure it provides the highest quality care to all of our veterans.