

Support our Agent Orange-Exposed Veterans Become a Co-Sponsor for the Agent Orange Equity Act of 2009

Dear Colleague,

Currently, Blue Water Vietnam veterans are not eligible to receive Department of Veteran Affairs (DVA) benefits pertaining to Agent Orange exposure. We urge you to support our bipartisan bill providing benefits these veterans have rightfully earned. As recently as August 16, 2006, the United States Court of Appeals for Veterans Claims heard the case *Haas v. Peake*. In this decision, the court ruled that the DVA could not exclude benefits to any veteran who became ill from exposure to Agent Orange as a result of serving on a ship or in an aircraft during the Vietnam War. Although this was a victory for America's veterans, it was only short lived. The DVA quickly appealed this decision and on May 8, 2008, the Federal Circuit Court overturned *Haas v. Peake*, reestablishing regulations requiring a "foot on land" occurrence in order to qualify for VA benefits related to disease and illness.

In the past year, numerous pieces of legislation have been introduced in an effort to better the lives of veterans. I feel that the Federal Circuit Court's decision inadequately meets the needs of our veterans, and does not provide the benefits they justly deserve for defending our nation and securing our freedom. In 2009, Haas appealed to the Supreme Court, but was unable to have his case heard. Now, it is our turn to ensure that he, and all of America's heroes receive their benefits that are long overdue.

The Agent Orange Equity Act of 2009 will broaden the eligibility of combat veterans in the Vietnam War to include Blue Water veterans, those who received the Vietnam Service Medal, the Vietnam Campaign Medal or served on Johnston Island during a specific period when undisputed evidence shows 250,000 gallons of Agent Orange leaked and contaminated the scarce water supply. Similar legislation was proposed in the Civilian Agent Orange Acts of 2006 and 2007, only to be set aside. We must act now. Many of these forgotten soldiers are in dire need of our assistance.

Please support equity for our combat veterans of Vietnam who were exposed to this toxic and deadly cocktail of herbicides by becoming an original co-sponsor of my bill.

Sincerely,

Kirsten E. Gillibrand
United States Senator