



## PRESS RELEASE

Vietnam Veterans of America

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Mokie Porter  
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### **Victory at Last for Blue Water Navy Veterans: Department of Justice Drops Procopio Decision Appeal**

**(Washington, DC)**—“Vietnam Veterans of America applauds the decision by the Department of Justice to drop its appeal of the federal court decision overturning *Hass vs Peake* and finding Blue Water Navy Vietnam veterans to be eligible for the same benefits as ‘boots on the ground’ and ‘brown water Navy veterans,’ ” said John Rowan, VVA National President. “We are grateful to VA Secretary Wilkie for his support of the court’s decision favoring justice for those who served off the coast of Vietnam during the Vietnam War.

On January 29, in a 9-2 decision, the Court of Appeals ruled in favor of the veteran in *Alfred Procopio Jr. v. Robert Wilkie*, finding the intent of Congress in the *Agent Orange Act of 1991* was to extend benefits to all veterans who had been awarded the Vietnam Service Medal, including all military, naval services, and air forces that served in the Vietnam theater of operations.

“It’s been 18 years of hardship for these veterans who served our country honorably. Many are sick and many have died of what should have been service-connected conditions. Those who remain will now be eligible to receive treatment and benefits,” said Rowan. “Last month, the House of Representatives voted unanimously to pass legislation echoing the court decision so that any future legal challenge would not overturn the benefits. We urge the Senate to follow suit, passing the legislation with amended language that defines the territorial waters to mirror the exact language of the original legislation challenged in the courts.”

In an abrupt about face, in February 2002, the VA changed its rules, arbitrarily terminating benefits to the Navy, Coast Guard, and FMF Marine veterans serving in the waters of Southeast Asia, thereby limiting the scope of the *Agent Orange Act of 1991* to those veterans who could provide proof of “boots on the ground” in Vietnam. Suddenly, offshore veterans stopped receiving VA health-care and disability compensation. VVA urges all Blue Water Navy veterans who have not already submitted a claim to the VA to do so immediately.

