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VVA to VA Secretary: Reverse Stay on Blue Water Navy Claims; Adjudicate Claims Under *Procopio*

(Washington, D.C.)—"Mr. Secretary, we are disappointed in your July 1, 2019, decision on the implementation of the *Blue Water Navy Vietnam Veterans Act of 2019*, staying all Blue Water Navy claims until January 1, 2020," wrote John Rowan, VVA National President, in a [July 9 letter](#) to VA Secretary Robert Wilkie. "Our Vietnam veterans, on average, are 73 years old. Time is of the essence, as a grant of benefits can mean life-saving healthcare." On behalf of our Vietnam veterans, I implore you to reconsider your decision to stay all Blue Water Navy and Korea DMZ claims."

On January 29, in a 9-2 decision, the federal 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.

"Under *Procopio*, VA has the authority to swiftly grant claims today," noted Rowan. "Your decision is both frustrating and a step back from the progress VA had already made under *Procopio*." In fact, the Veterans Benefits Administration has had procedures in place to apply *Procopio* since June 4. "Why has VA made the decision to stay *all* Blue Water Navy decisions, even ones it can grant under *Procopio*?" posed Rowan. "The saying, 'delay, deny, and hope they die,' is the unfortunate reality for our veterans and their families who continue to suffer from the lethal effects of Agent Orange.

"Your memorandum, Mr. Secretary, also ordered a stay in decisions on claims for children with spina bifida whose parent served in Thailand," Rowan continued. While the new law may not give the VA authority to issue decisions until January 1, 2020, VVA urges VA to do whatever is necessary to locate eligible claimants, especially those who have already applied and were denied. The number of claimants impacted by this law likely is few, but the impact of connecting a young person child with spina bifida to compensation benefits, lifesaving healthcare, and vocational support is immeasurable.

"We are heartened by the administration's request for a supplemental \$1 billion to cover VA's IT costs and additional personnel to adjudicate these claims," said Rowan. "We are ready to provide the support to ensure the successful implementation of this important new law. After waiting decades, there is no room or time to get it wrong now."