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National Veterans Affairs and Rehabilitation Commission

1608 K Street, N.W. • Washington, D.C. 20006

Michael D. Helm, Chairman - Nebraska

Barry A. Searle, Director - Pennsylvania

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C&P Prepares for the Implementation of Agent Orange Presumptives

In anticipation of the upcoming implementation of the regulations surrounding three new presumptive conditions associated with Agent Orange, senior American Legion officials have learned from VA that a major push to begin work on processing these claims has begun. While decisions on these claims cannot be finalized until the regulation clears an oversight period in Congress, the preliminary work has begun nationwide in VA offices.

Assuming that the process through Congress continues as anticipated, VA would be able to begin issuing decisions November 1, 2010 for what are estimated to be over 180,000 claims related to the three new conditions. These three conditions: Ischemic Heart Disease, Parkinson's disease, and B-Cell Leukemias have been the centerpiece of a nearly yearlong process to update the presumptive list of disabilities associated with Agent Orange in accordance with the findings of the Institute of Medicine (IOM) review of the most current scientific data.

VA officials have stated that in anticipation of successful completion of the Congressional review period, they will be able to authorize prepared and rated starting October 30, 2010. Because they are able to write out the decisions in anticipation of this date, the first several weeks of authorizations should be able to produce a high volume of claims, possibly in the range of 10-15,000 claims in the

first week alone. The VA stressed that they by no means anticipated that they would be able to finish all claims by the start date, but released the information to provide assurances that they are doing everything possible to stay ahead of the curve due to the high volume of claims.

VA and The American Legion also recognize that Congress fully has the power to alter this schedule based on their actions during the period of review. Therefore, information of this kind should not be used as a guaranteed basis for when any veteran would begin receiving benefits or a decision. The American Legion Veterans Affairs and Rehabilitation Committee will continue to update on this issue throughout the process as VA moves towards final implementation.



BARRY A. SEARLE, Director
National Veterans Affairs and
Rehabilitation Commission