

August 3, 2012

Don Gillispie
Web Master
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Subject: Suggestions and Tips

Dear Mr. Gillispie:

A little over two years ago I applied to the VA for benefits under the Agent Orange Act of 1991. This Act provides that veterans who served in the Republic of Vietnam between January 9, 1962 and May 7, 1975 are presumed to have been exposed to Agent Orange, meaning that these veterans are entitled to disability benefits for diseases related to Agent Orange exposure.

The problem for us "Blue Water" Navy veterans is that in order to be entitled to the presumption of exposure, we have to provide evidence that we actually stepped foot on land in Vietnam, even if only for a brief visit. Operating off the coast of Vietnam is not enough to qualify for the presumption.

The Department of Veterans Affairs maintains a list of "Blue Water" ships that meet this requirement and the applicable dates. If your ship is on the list and you served within the dates indicated, then you are presumed to have been exposed to Agent Orange. If your ship is not on the list then you have to do a little more work. As of January 2012 there were 214 ships on the list. The SURFBIRD is not one of them! Here's the link:

<http://www.publichealth.va.gov/exposures/agentorange/shiplist/list.asp#S>

My claim was granted and I have a few suggestions to those who might be going down this same path. If you think these might be helpful to others please feel free to post them to the new "Lessons Learned Page" of the site.

My suggestions / tips:

- Submit a comprehensive claim form. VA FORM 21-526 VETERAN'S APPLICATION FOR COMPENSATION AND/OR PENSION is used for a variety of claims. Be sure to get all of your information included and of course don't forget to include any documents that they request such as your DD214. Don't hesitate to add continuation sheets or add additional documentation to support your claim. Box 29 of PART A, Remarks, is a good place to include a personal statement expressing why you feel that your claim should be granted. Since the SURFBIRD's mission was so unique, I felt that it was important to include a brief explanation so that the VA could understand why the SURFBIRD needed to operate in shallow water (see attached). Link to VA FORM 21-526: <http://www.vba.va.gov/pubs/forms/VBA-21-526-ARE.pdf>
- Take advantage of the Veterans Service Officers that may be available to you at your local county government center or veterans organizations such as the American Legion or Veterans of Foreign Wars. They're a great resource and are usually up to date on current law and policy.

- Include personal statements from shipmates if you are still in touch with them or use the roster on the SURBIRD Association's web site to locate them. Don't just ask them to write a letter. Write a sample for them so they know what you need. See attached sample.
- Include any pictures that you may have that show the SURFBIRD in Vietnam, especially those that show her close in or tied to a pier. Attached are the ones I submitted.
- The Deck Logs and Command History Reports supplied by Larry McMaster, Jane Babcock and Ken Wilson are excellent supporting documents! They can be found on the SURFBIRD Association's web site under HISTORY / VIETNAM statistics. Some of these documents are a little difficult to read and some are lengthy, so highlight important parts to help the VA find what pertains to you and what you want them to see. I actually transcribed some parts of the report that were particularly difficult to read so that there would be no doubt about the content.
- I obtained and included all of my medical records that pertained to my claim. This makes it easier for the VA. Also include a properly filled out and witnessed VA FORM 21-4142 AUTHORIZATION AND CONSENT TO RELEASE INFORMATION TO THE DEPARTMENT OF VETERANS AFFAIRS (VA). They may want to obtain medical records directly from your provider. Link to VA FORM 21-4142: <http://www.vba.va.gov/pubs/forms/VBA-21-4142-ARE.pdf>
- The person(s) reviewing your claim probably has hundreds of claims to review. Make it as easy as you can for them. Assemble everything in proper order. Be clear and concise. Don't hold any evidence or documentation back, the idea is to provide overwhelming evidence in support of your claim making it very difficult if not impossible for them to deny it and very easy to grant! You may find that the VA asks for "additional evidence" that you have already provided. Be patient and give it to them again!

I spent quite a bit of time researching and gathering documents before finalizing my claim. Several of my shipmates, including Commander Williams, spent their time composing statements on my behalf. My hope is that others will benefit from these efforts so that they can start receiving, in a timely manner, the benefits to which they are entitled. Additionally, I hope that the Department of Veterans Affairs adds the SURFBIRD to their list of eligible ships thereby granting the crew of SURFBIRD the presumption of being exposed to Agent Orange. If I can be of further assistance please feel free to contact me.

Sincerely,



John Childers