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March 17, 2021

The Honorable Denis R. McDonough
Secretary of Veterans Affairs
810 Vermont Ave NW
Washington, DC 20420

Dear Secretary McDonough,

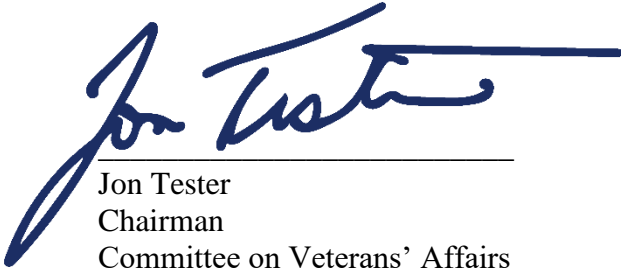
As you conclude your first month leading the Department of Veterans Affairs (VA), we ask that you renew your agency's focus on the implementation of policy changes required by Public Law 116-23, the Blue Water Navy Vietnam Veterans Act, and Public Law 116-183, the William M. (Mac) Thornberry National Defense Authorization Act For Fiscal Year 2021 (FY21 NDAA), both of which grant long overdue health care and benefits to veterans of the Vietnam War and Korean Demilitarized Zone (Korean DMZ).

In June 2019, the Blue Water Navy Vietnam Veterans Act expanded the presumption of exposure to Agent Orange for veterans who served off the shore of Vietnam. That same law expanded the presumption of exposure to veterans who served at the Korean DMZ. In some instances, veterans from either theater have waited half a century for recognition that their service caused adverse health effects. As such, we ask that you provide an estimated timeline for when VA will complete initial processing of the anticipated claims under the Blue Water Navy Vietnam Veterans Act, and the Department's plan to ensure adherence to the *Nehmer v. U.S. Department of Veterans Affairs* consent decree, which requires automatic readjudication of previously denied compensation claims as Agent Orange presumptions are expanded.

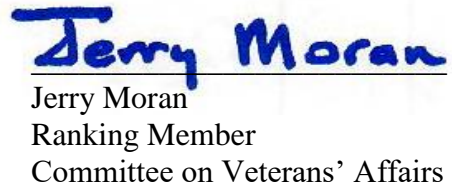
Additionally, Congress has provided the VA Secretary with the authority to establish and change presumptions, as necessary, through the general rule making authority in Section 501 of Title 38, United States Code. Despite this authority, previous secretaries have failed to honor the promises made to Vietnam-era veterans suffering from the effects of Agent Orange exposure. Unwilling to wait for VA any longer, Congress authorized, in the FY21 NDAA, the inclusion of Parkinsonism, bladder cancer, and hypothyroidism on the list of Agent Orange-associated conditions presumed to be service-connected. Veterans who have suffered for decades would welcome quick Departmental implementation of this law. In response to questions prior to your confirmation as Secretary, you agreed to provide a timeline on when these veterans could expect Departmental action. We reiterate this request and ask that you provide this information as soon as possible, along with any additional resources your Department needs to adjudicate these claims expeditiously. We also request that you detail any renewed filings veterans or their survivors must undertake to receive benefits under the law. Veterans have waited long enough, and it is time for them to have their claims properly adjudicated.

Decades after their service in Vietnam and the Korean DMZ, our nation is closer than ever in fulfilling its promises to veterans and addressing the hidden costs of those wars. We thank you for your attention to this matter and look forward to working with you in seeing this through.

Sincerely,



Jon Tester
Chairman
Committee on Veterans' Affairs



Jerry Moran
Ranking Member
Committee on Veterans' Affairs