



MAR 13 2001

DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Washington DC 20420

In Reply Refer To: 211

The Honorable Lane Evans
Ranking Democratic Member
Committee on Veterans' Affairs
U. S. House of Representatives
333 Cannon House Office Building
Washington, DC 20515

Dear Congressman Evans:


I am writing in response to your November 20, 2000, letter regarding Department of Veterans Affairs' (VA) benefits for veterans who may have been exposed to Agent Orange while serving in Korea.

As I stated in my September 29, 2000, letter on this issue, even if a veteran did not serve in Vietnam VA will still apply a presumption of service-connection if he or she were exposed to an herbicide while in the military and he or she has a disease which VA recognizes as being associated with Agent Orange (codified at 38 C.F.R. §3.309(e)). In your recent letter, you encouraged the Department to promulgate regulations stating VA's position on this issue. I have instructed my staff to review our regulations and determine whether such action would be appropriate. We will certainly keep you and your staff apprised of our actions.

You also noted in your letter that the Department of Defense (DOD) briefed House Veterans' Affairs Committee staff regarding which military units were likely to have been exposed to herbicides in Korea. You encouraged VA to obtain such information from DOD as well. You also expressed the hope that such information could be used by VA to create a presumption of herbicide exposure for veterans who served in those units so they would not have to obtain and provide proof of exposure in each claim. My staff has spoken with the DOD personnel who briefed your staff on this issue, and we are arranging for a similar briefing for Veterans Benefits Administration staff.

Once DOD has briefed us, we will reevaluate the question of whether a presumption such as you mentioned is warranted and we will be in touch with you. Thank you for your continuing interest in this important issue.

Sincerely yours,


Joseph Thompson
Under Secretary for Benefits