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# U.S. House of Representatives

## COMMITTEE ON VETERANS' AFFAIRS

ONE HUNDRED SIXTEENTH CONGRESS  
 B-234 LONGWORTH HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515  
<http://veterans.house.gov>

April 1, 2019

The Honorable Robert Wilkie  
 Secretary  
 Department of Veterans Affairs  
 810 Vermont Avenue, N.W.  
 Washington, D.C. 20420

Dear Secretary Wilkie:

Thank you for your commitment while testifying before the Senate Veterans' Affairs Committee on March 26, 2019, to not recommend an appeal of the U.S. Court of Appeals for the Federal Circuit's decision in *Procopio v. Wilkie*. As you know, Blue Water Navy Veterans have waited decades to receive benefits for diseases related to herbicide exposure during their service in the Republic of Vietnam. The Blue Water Navy Vietnam Veterans Act, H.R. 299, enjoys broad bipartisan support as we collectively work to compensate these veterans. I applaud this step by VA toward recognizing Blue Water Navy Veterans as eligible for the same benefits as their fellow Vietnam veterans.

On February 27, 2019, you testified before the House Veterans' Affairs Committee. At that hearing, I asked whether you intended to extend Priority Group 6 VA healthcare benefits to Blue Water Navy Veterans. You replied that you assumed so but would consult your attorneys and provide me with a complete answer. In light of your recommendation against appeal of *Procopio*, I am following up on a response to my question.

To reiterate, *Procopio v. Wilkie* determined that a servicemember present within the 12 nautical mile territorial sea of the Republic of Vietnam between January 9, 1962, and May 7, 1975, is entitled to a presumption of herbicide exposure for purposes of VA disability benefits. Do you intend to treat this class of veterans as equally eligible for Priority Group 6 VA healthcare benefits based on service within the Republic of Vietnam?

The Honorable Robert Wilkie

April 1, 2019

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Please provide a response to this request by April 12, 2019. If you have questions or require additional information, please contact Julie Turner, Counsel for the Subcommittee on Disability Assistance and Memorial Affairs, at 202-225-6603 or [julie.turner@mail.house.gov](mailto:julie.turner@mail.house.gov).

Sincerely,



Elaine Luria

Chair

Subcommittee on Disability Assistance and Memorial  
Affairs

Committee on Veterans' Affairs