

Please read the material. It is important to determine if you qualify based on the evidence you have and is the subject of these instructions. It only applies to those stationed in Thailand **after November 1, 1969** and have other evidence that meets the requirements below.

Collection of Information:

Obtain your DD-214(s) if you do not have them in your possession. They can be obtained online:

<http://www.archives.gov/veterans/evetrecs/http://www.archives.gov/veterans/evetrecs/>

Obtain your service records and you service medical records from the same place; unless,

<http://www.archives.gov/veterans/military-service-records/medical.html>

If you have ever submitted a claim to the Department of Veterans Affairs, it is very likely they have your service and service medical records in what they call your C-File. Remember that you may only obtain this file once without charge, so pick the right time.

If you have these records, and have never filed a claim, do not request your C-File.

Collect personal records concerning yourself, your family, including ex-spouses. You may need to have birth certificates, marriage licenses, divorce degrees, etc.

You may file a claim yourself using the following methods:

VONAPP - <http://vabenefits.vba.va.gov/vonapp/main.asp> (On-line application)

[VA Form 21-526 - Veteran's Application for Compensation and/or Pension \(Fillable\)](#)

More than likely you will also need to fill out a statement supporting your claim which may indicate your service at a particular place, your duties, etc. It may include a statement that as a Security Policeman or a Military Working Dog Handler your duties included patrolling the perimeters of the base, in the MMS area, or a place very likely for you to have been exposed.

[VA Form 21-4138 - Statement in Support of Claim \(Fillable\)](#)

Evidence: A statement may be accompanied by other evidence to include Airman Performance Reports, TDY or PCS Orders, **copies** of military or military health records, or any other document that substantiates your claim.

You can do the above on your own or with the help of a Veterans Service Officer (DAV, AmVets, etc.). If you use a VSO, please be careful. Some are better than others. If they even hint that they do not believe you have a valid claim, choose another organization.

Tell your VSO that the claim is for 'direct exposure to herbicides outside Vietnam', and is not a claim under P.L. 102-4 for presumption of exposure to herbicides in the country of Vietnam (38 CFR 3.307(a)(6) and 38 CFR 3.309(e)).

Evidence: Attach copies of 'Mission Policy on Base Defense', 11/1/1969 from AFHRA FOIA 08-0020, on the VDHA site and if they have to have it, the FOIA letter, you have the actual policy.

VDHA Site: <http://vdha.us/content15203.html>

Veterans Info.org Site: <http://www.veteransinfo.org/id58.html>

The Bottom Line Site: <http://cid-bdb328182ccb4e51.skydrive.live.com/browse.aspx/Thailand%20-%20Attacks%20and%20Herbicides>

Evidence: Attach copies of 'Project CHECO: Base Defense in Thailand', excerpt from AFHRA FOIA 07-066, on the VDHA site and if they have to have it, the FOIA letter, I believe you should include only the top letter and the attached excerpt.

VDHA Site: <http://vdha.us/content15203.html>

Veterans Info.org Site: <http://www.veteransinfo.org/id58.html>

The Bottom Line Site: <http://cid-bdb328182ccb4e51.skydrive.live.com/browse.aspx/Thailand%20-%20Attacks%20and%20Herbicides>

Evidence: Pictures of your base from the VDHA site, or from TLC or The Bottom Line Site: : <http://cid-bdb328182ccb4e51.skydrive.live.com/browse.aspx/Thailand%20-%20Attacks%20and%20Herbicides>

Tell your VSO that your claim is filed in accordance with current regulations, laws, and court decisions, and is in no way reliant on your award of the Vietnam Service Medal and that:

'Notwithstanding the aforementioned provisions relating to presumptive service connection, which arose out of the Veteran's Dioxin and Radiation Exposure Compensation Standards Act, P. L. No. 98-542, § 5, 98 Stat. 2,725, 2,727-29 (1984), and the Agent Orange Act of 1991, Pub. L. No. 102-4, § 2, 105 Stat. 11 (1991), the United States Court of Appeals for the Federal Circuit has determined that a claimant is not precluded from establishing service connection with proof of direct causation. *Combee v. Brown*, 34 F.3d 1039, 1042 (Fed. Cir. 1994); see also 38 C.F.R. § 3.303(d).

As evidence, make sure the following is submitted remembering that Agent Orange use was terminated November 26, 1971, therefore use 'herbicides' as defined in M21-1MR, Part IV, Subpart ii, Chapter 2, Section C, paragraph 10a. This can be found at:

<http://www.warms.vba.va.gov/admin21/m21%5F1/mr/part4/subptii/ch02/ch02%5Fsecc.doc>

and at 38 CFR 3.307(a)(6)(i),

Nexus: If you have a disease that is on the Agent Orange List of Presumptive Diseases, and you prove exposure, you do not need a nexus between your service in Thailand and the disease. If it is not, you must show how your service is connected to the disease. You must need statements from your doctor or someone who understands dioxin and your health problems.