



**DEPARTMENT OF VETERANS AFFAIRS
WASHINGTON**

February 17, 2022

Commander John B. Wells (USN Retired)
Military-Veterans Advocacy, Inc.
Post Office Box 5235
Slidell, LA 70469

Dear Commander Wells:

Thank you for your March 12, 2020, and January 10, 2022, letters to the Department of Veterans Affairs (VA) petitioning for rulemaking to extend the presumption of herbicide exposure to Veterans who served in the Panama Canal Zone from January 1, 1958, to December 31, 1999, or when the last U.S. military personnel departed from their official duty in the Panama Canal Zone. I appreciate the opportunity to respond on behalf of the Department.

Your petition is granted to the extent that VA will open a rulemaking to consider extending the presumption of herbicide exposure beyond the categories of Veterans currently listed in 38 C.F.R. § 3.307(a)(6). VA has been working with the Department of Defense (DoD) to determine the locations where tactical herbicides were used, stored, tested or transported. VA will ensure your March 12, 2020, and January 10, 2022, letters and the attachments are sent to DoD's Armed Forces Pest Management Board for consideration in that regard.

Under the Administrative Procedure Act (5 U.S.C. § 553), VA is required to publish a notice of proposed rulemaking to solicit and consider comments regarding proposed changes prior to issuing a final regulation. VA anticipates and welcomes your comments on VA's forthcoming proposal to amend 38 C.F.R. § 3.307(a)(6).

Thank you for your continuing efforts in support of our Nation's Veterans and their dependents. Please direct any additional questions you may have concerning this matter to Laurine Carson, Deputy Executive Director for Policy and Procedures, Compensation Service, Veterans Benefits Administration at Laurine.Carson@va.gov.

Sincerely,

A handwritten signature in blue ink that reads "RC Kelley".

Raymond C. Kelley
Veterans Service Organizations Liaison