

Blue Water Navy Veterans Win Agent Orange Victory

Thousands of Navy veterans of the Vietnam War who may have been exposed to Agent Orange are now eligible for VA disability benefits after a federal court ruling cleared the way. The ruling grants presumptive disability status to the more than 90,000 “Blue Water” Navy veterans who served offshore during that conflict. Previously compensation was only available to those sailors who actually set foot in Vietnam and those who were on boats in inland rivers—often referred to as the “Brown Water” Navy.

Many of the sailors who served offshore in the “Blue Water” Navy during the Vietnam War say they were exposed to the deadly brew of defoliant chemicals because their ships pumped in potentially contaminated water which was used for showers and laundry and even distilled for drinking. Under the Agent Orange Act of 1991, the “Blue Water” veterans were declared eligible for compensation, but the VA changed its ruling ten years later. Now, the U.S. Court of Appeals for the Federal Circuit has sided with a Vietnam veteran with cancer who sued the Department of Veterans Affairs. He argued that the VA should recognize that his health conditions were caused by Agent Orange. In a 9 to 2 decision, the court agreed and ruled that the 1991 law was clearly meant to include veterans who served off the coast of Vietnam.



In 1971 the U.S. banned Agent Orange and the remaining barrels of the toxic mixture were taken to a remote Pacific island and destroyed.

herbicides including diabetes, various cancers, Parkinson’s Disease, peripheral neuropathy, and a type of heart disease. Ischemic heart disease is one of the most common diseases linked to Agent Orange. It is a serious heart problem where your arteries build up plaque, restricting oxygen flow in the blood. This can lead to a heart attack if the arteries get completely clogged.

This federal court decision is just one milestone in the controversy over Agent Orange and its effects which have been around for more than four decades. During the Vietnam War, U.S. Forces used powerful herbicides in an attempt to remove ground cover and crops which could aid Viet Cong and North Vietnamese soldiers. More than 20 million gallons of various herbicides were spread over Vietnam, Laos, and Cambodia between 1961 and 1971

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There are certain diseases that the VA labels as presumptive conditions. It means that the VA presumes that specific disabilities diagnosed in certain veterans were caused by their military service. Vets with these illnesses don’t need the usual amount of evidence to file a claim. The veteran can qualify for disability benefits without the burden of proving the condition was caused by military service. Currently, VA recognizes 14 presumptive conditions associated with exposure to Agent Orange or other

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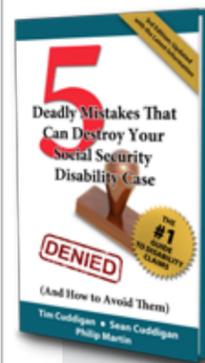
(Blue Water Victory...continued from page 1.)

during an ongoing military mission codenamed Operation Ranch Hand.

The herbicides were nicknamed by the colored marks on the 55-gallon drums that held the herbicides. There was Agent Pink, Agent Green, Agent Purple and other colors, but the most widely used chemical compound was Agent Orange. Agent Orange contained a dangerous chemical called Dioxin and accounted for almost two-thirds of the herbicides used in the Vietnam War. In 1971 the U.S. banned Agent Orange and the remaining barrels of the toxic mixture were taken to a remote Pacific island and destroyed.

Questions about the long term effects of contact with Agent Orange arose in the United States when returning Vietnam veterans and their families began to report a wide ranging list of ailments including diabetes, ischemic heart disease, miscarriages, birth defects, and cancers among many other disabilities. For a long time the federal government maintained that there was no link between these illnesses and exposure to Agent Orange

If you have been turned down by the VA for a service-connected disability including those disabilities related to Agent Orange exposure and you believe the denial was unfair, you have the right to appeal and you have the right to have an attorney represent you.



Can I Have Assets and Apply for Disability?

Whether or not your assets will prevent you from qualifying for Social Security disability benefits depends on which disability program you may qualify for.

There are two disability programs: Social Security Disability Insurance which is known as SSDI and Supplemental Security Income—commonly referred to as SSI. Qualifying for SSDI is based on your inability work . It is not dependent on how much you own in assets.

However, for SSI Social Security will take into consideration the amount of your assets, because it is a needs-based program for individuals with no income or very little income. To be eligible for SSI, your assets must be less than \$2,000 for an individual and less than \$3,000 for a married couple. In addition, there are earned income and unearned income limits that you may not exceed. The requirements for SSDI and SSI are complicated and Social Security has an application with many questions to determine your eligibility.

For more Disability FAQs in About A Minute, navigate to the Cuddigan Law YouTube Channel.



“5 Deadly Mistakes That Can Destroy Your Social Security Disability Case” is the #1 guide to improving the odds of winning a disability case.

For a FREE copy for you or someone you care about call Cuddigan Law at 402.933.5318 or email us at lawteam@cuddiganlaw.com



Comfort Food From the kitchen of Janet Cuddigan

Braised Corned Beef Brisket

St. Patrick’s Day is next month. Here’s a new way to prepare the traditional St. Patty’s Day meal of corned beef—braise it instead of boiling it. You will find it more tender and flavorful. Give it a try.

- 1 (5 pound) flat-cut corned beef brisket
- 1 tablespoon browning sauce (such as Kitchen Bouquet®),
- 1 tablespoon vegetable oil
- 1 onion, sliced
- 6 cloves garlic, sliced
- 2 tablespoons water

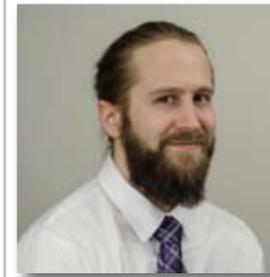
Preheat oven to 275 degrees F. Discard any flavoring packet from corned beef. Brush brisket with browning sauce on both sides. Heat vegetable oil in a large skillet over medium-high heat and brown brisket on both sides in the hot oil, 5 to 8 minutes per side.

Place brisket on a rack set in a roasting pan. Scatter onion and garlic slices over brisket and add water to roasting pan. Cover pan tightly with aluminum foil. Roast in the preheated oven until meat is tender, about 6 hours.

Adapted from allrecipes.com

Meet Ross Plum

A spotlight on one of the professional team members who work for you at Cuddigan Law



One of the qualities our clients appreciate about the Cuddigan Law staff is their well-honed ability to manage all the complexities of Social Security and VA disability cases. For Case Manager Ross Plum, he has lots of practice in dealing with “a full plate”.

He is not only able to handle a hectic work schedule, but also a busy home life. His two children Grascie, 8, and Rosario, 6, occupy most of his free time and attention. “We like to go to the zoo, go hiking in the bluffs, or dance to music,” he says with a smile. Ross also finds time for his creative side. He plays the acoustic guitar and does lampworking and glassblowing. In addition, he also gives back to the community-at-large by supporting the American Museum of Natural History. Born and raised in Council Bluffs, Ross is quick to point out, “I am still proud to live there and I love my hometown.”

Ross brings his energy and enthusiasm to work every day. “My most important job is to make our claimants’ lives easier. I am a liaison between them and the Social Security Administration. I know that I am making a difference in people’s lives,” he notes. It is not surprising then to know that Ross is guided by this quote: “Your success is determined by what you are willing to sacrifice for it.”

Find-a-Word



Ailed	Fruity	Quell	Wished
Brutal	Habitats	Rusted	Worry
Consul	Halibut	Sided	Worst
Disgustingly	Halves	Snake	Youthful
Dregs	Insert	Sound	
Dustbin	Inter	Squid	
Embodiment	Juggle	Teams	
Excavate	Lames	Thoughtfulness	
Faced	Maize	Throngs	
Fickle	Market	Times	
Fifth	Outwit	Trekking	
Filmy	Ozone	Wheel	

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We’re in your corner.

We value the confidence and trust you have placed with us in the past.

If you or a family member or a friend could use our help now or in the future, please pass along our name.

Disability law is all we do.



Tim & Sean Cuddigan

Subscribe to the Cuddigan Law YouTube channel to view our free library of videos about Social Security and VA



disability. You will find a full range of information about qualifying medical disorders, how-to tips on navigating the system, and insider advice on winning your claim.

Are you a disabled veteran?

Before you apply for VA disability benefits call Cuddigan Law at 402.933.5318 or email us at lawteam@cuddiganlaw.com for your FREE copy of our book *The Essential Guide to VA Disability Claims*.

