



DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Washington DC 20420

JUL 12 2016

The Honorable Johnny Isakson
Chairman
Senate Committee on Veterans' Affairs
United States Senate
Washington, DC 20510

Dear Chairman Isakson:

I understand that there may be some confusion regarding the Department of Veterans Affairs (VA) interpretation of S. 3023, the Arla Harrell Act, following my appearance at the Committee's June 29, 2016, legislative hearing. My written statement was clear that the bill would require VA to reconsider all World War II Veterans' claims for service connection for a mustard gas-related condition denied before the date of enactment of the bill into law. However, in my brief oral statement, I noted that the bill "would create a presumption of full body mustard gas exposure and resulting service connection for every World War II Veteran who files a claim for related disability benefits" without referencing the limitation to claims denied before the date of enactment. To the extent that my oral statement caused confusion regarding VA's interpretation of the bill, I would like to clarify that we understand that the provisions of the bill would apply to claims denied before the date of enactment.

VA strongly supports delivering earned benefits to all Veterans who have sacrificed so much in service to this Nation. Nonetheless, VA must stand by the reservations raised in my statements regarding S. 3023, particularly with respect to the bill's departure from the longstanding core evidentiary principles for VA's disability compensation program that are in title 38, United States Code.

Should the Committee have additional questions regarding this matter, a member of the Committee staff may contact Martin R. Martinez, Congressional Relations Officer, at (202) 461-6377, or by email at martin.martinez@va.gov.

Thank you for your continued support of our mission.

Sincerely,

David R. McLenachen
Deputy Under Secretary for Disability Assistance

cc: The Honorable Claire McCaskill