2017

Benefits for Illinois Veterans

What every Illinois veteran, and dependent or survivor of a veteran, should know about the federal and state benefits to which they are entitled by law.

LISA MADIGAN
ILLINOIS ATTORNEY GENERAL

Benefits
for
Illinois Veterans

What every Illinois veteran, spouse, dependent or survivor of a veteran, should know about the federal and state benefits to which they are entitled by law.

Warning

The contents of this book are not provided for purposes of giving legal advice to the reader. The contents are for informational purposes only, and the Office of the Illinois Attorney General does not assume responsibility for the accuracy or veracity of the reports or studies summarized herein, nor does this publication represent a legal opinion of the Office. The purpose of this publication is to provoke thoughtful analysis by veterans who are involved in pursuing benefits before the U.S. Department of Veterans Affairs, the Illinois Department of Veterans' Affairs, or any other federal, state or county agency that administers any type of veteran benefit or right. Cautionary messages, questions, legal cases, and pitfalls presented in this book are not the only legal issues to be considered. Reading this book is a good beginning, but veteran service officers of the various veteran organizations are often the best source of assistance in making an informed decision about obtaining veteran benefits and in learning about changes in veteran law. The principal authority on veteran rights is the agency administering the benefits being sought (such as the U.S. Department of Veterans Affairs in the case of federal veterans benefits), subject to any administrative appeal process or potential judicial review.

For a copy of the Benefits for Illinois Veterans handbook, please contact:

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PUBLISHED NOVEMBER 2017. ORIGINALLY PUBLISHED DECEMBER 2003.

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
Attorney General

Dear Veteran:

Your dedication to serving our nation in the Armed Forces has earned you a number of rights and benefits. This edition of the *Benefits for Illinois Veterans* handbook has been updated to include the rights and benefits available to the veterans of the War on Terrorism.

The purpose of this handbook is to help you secure the rights and benefits to which you are entitled. This book will give you a better understanding of:

- Guidelines for determining eligibility for benefits.
- Benefits that are available for service-disabled veterans and their families.
- How to apply for benefits and, if necessary, how to appeal a denial of benefits.
- How to get help if you run into problems.

The rights and benefits available to you, your spouse, your dependents or survivors were won by you and past generations of veterans. As Attorney General, I am committed to working with the veterans of this state to guarantee that your rights and benefits are maintained.

Sincerely,

Lisa Madigan

Lisa Madigan
Attorney General

What's New in the 2017 Edition?

In this edition of the Benefits for Illinois Veterans handbook, among various other general updates, you will find new sections or material on the following:

1. **Application for VA Healthcare**: Expanded treatment of the basics of enrollment in the VA healthcare system;
2. **Blindness**: New material discussing services for the blind [Chap. 4, Healthcare];
3. **Blue Water Veterans**: New added coverage of the topic of potential exposure to Agent Orange and Veterans who served on open sea ships off the shore of Vietnam during the Vietnam War;
4. **Burial Benefits (Honors)**: Updated treatment of the federal and State benefits for qualifying veterans and family members [Chap. 9, Benefits for Caregivers, Survivors and Dependents];
5. **Camp LeJeune and Contaminated Water**: Expanded coverage on changes to the VA's handling of claims of service-connected exposure to contaminated water at Marine Corps Base LeJeune as well as coverage of VA healthcare available to Camp Lejeune veterans and Camp Lejeune Family Members (CLFM)[Chap. 4, Healthcare; Chap 5, Compensation for Service-Connected Disabilities];
6. **VSO Directories**: Updated contact information for veterans service officers working in Illinois [See Appendices];
7. **Education Benefits-Updates:** Additional Illinois National Guard Grant funds available to Illinois Guard members who have served ten years; the phasing out of REAP benefits; updated information on the Educational Assistance Allowance under the Survivors' and Dependents' Educational Assistance Program; and updated information on tutorial assistance [Chap. 10, Educational Benefits];
8. **Fully Developed Claims**. New brief treatment of the relatively new "Fully Developed Claims" program, an alternative to traditional methods of submitting a benefits claim [Chap. 2, How To Apply for Benefits];
9. **Home Loan Guarantee**. Updated information covering the ability to use the VA Home Loan Guarantee to purchase a condominium or town home [Chap. 11, Housing and Small Business Benefits];
10. **National Guard and Federal Reserves**. New summary treatment of how members of the National Guard or one of the federal reserves may qualify for VA Benefits;
11. **Post-traumatic stress disorder (PTSD):** Additional material about disability compensation for service-connected PTSD [See Chapter 5, Compensation for Service-Connected Disabilities];
12. **Pre-Needs Determinations for Burial Benefits:** Additional summary coverage of the ability to establish eligibility for burial in a VA cemetery in advance.

13. **Ships List [NEW]:** New addition of the “Ships List” to the Appendices which covers herbicide exposure (for example, Agent Orange) to US Navy & Coast Guard ship based personnel;
14. **Veterans Choice Program [NEW]:** New summary treatment of the Veterans Choice Program [Chapter 4, Healthcare].

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Source: https://www.bva.va.gov/docs/Life-Cycle-of-a-VA-Appeal-FY2016.pdf 181

Chapter 1: Eligibility for Benefits

A. Introduction to Eligibility for Benefits

Generally, there are two parts to determining a veteran's right to a benefit: eligibility and entitlement. Eligibility is established by meeting certain military service criteria. The focus here is on the required nature of the service of the current or former service member. Once the military service criteria are met, the veteran must then meet entitlement criteria. Entitlement criteria depend upon the benefit sought and the current circumstance of the person applying for the benefit. Here, the focus is on the actual claimant whether that is the veteran or a spouse or dependent of a veteran.

The purpose of this chapter is to discuss how the United States Department of Veterans Affairs (VA) and Illinois Department of Veterans' Affairs (IDVA) establish eligibility for and entitlement to benefits. This process is the cause of much consternation for veterans who do not understand it. Reading this chapter hopefully will assist veterans in having a better understanding of how the VA and IDVA decide a claim for benefits.

In addition to the guidance which is offered in this publication, the reader is greatly encouraged to consult other publications by the agencies noted below. In particular, the reader should consult the VA's general informational booklet, "Federal Benefits for Veterans, Dependents and Survivors." The 2016 version can be viewed online at: http://www.va.gov/opa/publications/benefits_book/2016_Federal_Benefits_for_Veterans.pdf.

B. Federal Benefits (VA)

1. Eligibility and Entitlement

The veteran must be both eligible and entitled to receive benefits. Eligibility means that the applicant meets specific service requirements (e.g., the veteran received an honorable discharge and served a specific length of time within one of the branches of the military.). Being entitled to a benefit means meeting certain personal requirements (e.g., the individual or family earned income is below a certain level and a veteran's disability is service-connected at a specific percentage). Both service requirements and personal requirements are established by the Congress and VA regulation.

2. Determining Eligibility: A Three-Step Process (Requirements Based on Military Service)

Type of Discharge

Service dates and type of discharge are the easiest criteria to check. All the information the veteran needs is on the United States Department of Defense Form 214 (DD 214, "Certificate of Release or Discharge from Active Duty") or other discharge papers. The first eligibility requirement for VA benefits is a discharge or release from service under "other than dishonorable conditions." This means the discharge must be one of the following:

- Honorable Discharge
- General Discharge (under honorable conditions)
- Hardship Discharge
- Medical Discharge

"Bad paper" discharges (i.e., Dishonorable, Bad Conduct, Undesirable, and "other than honorable" discharges) are usually a bar to all veterans' benefits. Many veterans who have accepted a less than honorable discharge were either told or led to believe that it would be automatically upgraded after six months. This was especially true during the Vietnam era. However, this is a myth and is false. The only way to get a discharge upgraded is to apply for an upgrade.

Type of Service

Eligibility for most benefits requires "active duty." The Armed Forces of the United States comprise the active component and the Reserve Component. Service members and veterans of both components may have "active duty" service. The simplest case is those who have served in the active component. They have all served on "active duty." Service in the Reserve Component[1] (which includes the National Guard) today often, but not always, includes "active duty" service. Basic, minimal service in the Reserve Component (Inactive Duty for Training [IDT], annual training, etc.) even when such service includes extended periods of "Active Duty for Training," does not meet the requirement for active duty. However, those who serve on active duty with the National Guard or Reserves are considered to be on "active duty." In recent years, various units and individual service members of the Reserve Component have been called up to active duty with increased frequency, typically for overseas deployments, particularly in light of the Global War Against Terror. These activations are considered active duty service.

Nevertheless, the time requirements for certain benefits still apply. For details on circumstances that make members of the Reserve Component (Reservists and National Guardsmen) eligible for benefits, see "Exceptions and Limitations" and "Death While on Active Duty" later on in this chapter.

Length of Service

A specified minimum length of service is an eligibility requirement for all benefits. The length of time varies depending upon the veteran's dates of service and the benefit.

Veterans Who Enlisted On or After September 7, 1980: The veterans must complete the shorter of: (1) 24 continuous months of active duty; or (2) the full period for which a person was called or ordered to active duty to be eligible for any VA benefit, unless released for a service-connected disability. The VA's eligibility criteria are found at 38 CFR § 3.12a-Minimum active-duty service requirement.

Veterans Who Were In Service Before September 8, 1980: These veterans must complete varying minimum lengths of active duty service to be eligible for different benefits. For example, to be eligible for medical benefits, the minimum length of active duty service for any veteran is one day. Eligibility for a G.I. loan requires a minimum length of service. For a Vietnam era

[1] The Reserve Component consists of the Army National Guard of the United States, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air National Guard of the United States, the Air Force Reserve, and the Coast Guard Reserve. 10 U.S.C. §10101.

veteran, 90 days is required. Eligibility for other benefits may require a minimum of 12 months or more.

3. Service-Connected and Non-Service-Connected Disability

Service-Connected Disability

"Service-connected" is a key term in determining eligibility for disability compensation as well as for medical and other benefits. Service-connected means that the VA has recognized that the veteran's disability occurred or had its origins while on active duty and was not the result of willful misconduct.

Tip: If you are currently on active duty, including service with the Reserve Component (National Guard and the federal Reserves), you should report and seek treatment for any wound, injury, or other medical condition that occurs or is aggravated while on active duty. You should also obtain a copy of all examination and treatment records. You should inquire about whether a line of duty investigation will be performed. When you are released from active duty or active duty for training (including weekend drill), you should consider filing a claim for service-connection with the VA.

Being service-connected is becoming more important every year, especially in the area of medical care. Service-connected veterans have a higher priority in receiving medical treatment. Veterans who are service-connected are also eligible for more benefits than veterans who are not service-connected. Many times length of service requirements are waived for service-connected veterans. Veterans whose service-connected disabilities are rated at 30% or more may be eligible for additional allowances for dependents, including spouse. In addition, dependents or survivors of 100% service-connected veterans may be eligible for health care, educational, and many other benefits such as military base commissary and exchange privilege.

Tip: Veterans who experience a medical or psychiatric condition shortly after discharge and believe the condition is the result of military service should contact a VA regional office to file a claim or go to a VA medical center for treatment. If this is not practical, a private physician should be consulted and a copy of all medical records should be kept. The veteran should submit the medical records along with a claim to the VA to apply for service connection of that condition and retain the records for possible future use in proving service connection.

Death While on Active Duty

If an individual dies while on active duty or as a result of active duty (including members of the National Guard and federal Reserves who die while attending a scheduled drill or on active duty for training or as a result of such drill or training), his or her surviving spouse and/or dependents become eligible for death benefits such as compensation, educational assistance, health care, commissary, and base exchange privileges.

Non-Service-Connected Disability

Non-service-connected is defined as any condition that is not directly traceable to military service or to a service-connected disability.

4. Special Requirements Based on Present Circumstances

By “present circumstances,” the VA means the circumstances at the time of application for a benefit. In many cases, the VA will expect the veteran or dependent to provide documentary proof that the special requirements are met. Some examples of special requirements are:

Current Financial Situation

Income below a minimum level prescribed by law is an eligibility requirement for non-service-connected health care, non-service-connected disability pension, and other benefits. Conversely, a good credit record and ability to repay are requirements to obtain a VA guaranteed home loan.

Current Health Situation

Eligibility for health care requires that the VA recognize the veteran’s condition as one requiring treatment. Compensation or pension requires a determination as to the degree a disability is disabling (i.e., preventing the veteran from pursuing gainful employment).

Current Employment Situation

The veteran must be unemployed between certain dates to be eligible for unemployment compensation. Members of the Reserve Component (National Guard or Reservists) or members who are returning from active duty have re-employment rights.

Current Status of Survivors and Dependents

Surviving spouses of deceased veterans must not have remarried and dependents must meet age and dependency requirements.

Current VA Approval of Education or Training Institutions

Eligibility for educational assistance requires that the institution in which the veteran enrolls be currently approved by the VA.

5. Exceptions and Limitations

VA regulations are full of phrases such as “provided that,” “only when,” “except in cases where,” “so long as,” etc. These phrases often call attention to a factor that provides an exception or limitation to a general rule of eligibility. Some examples of exceptions or limitations are:

A “Delimitation” Date

A delimitation date is the period of time after discharge in which a veteran has to take advantage of a benefit, or the permanent cut-off date of the benefit itself.

Continuous Service

Continuous service is a continuous period of active duty service without a break for any reason. Eligibility for a certain benefit may require a continuous period of active duty (e.g., 24 months of continuous service for educational benefits).

"Bad Paper" Discharges

"Bad paper" discharges result in ineligibility for most veterans benefits. Some significant exceptions are as follows:

- **Prior Period of Service:** When the holder of the bad paper discharge has a previous "under conditions other than dishonorable" discharge for a prior period of service;
- **Upgraded Discharges:** When eligibility is restored because the veteran has applied for and received an upgraded discharge; and
- **VA Review Notwithstanding Poor Characterization of Service:** This is the case where the VA agrees to review a "bad paper" discharge and finds the veteran eligible for benefits. Such instances are extremely rare and carefully scrutinized by the VA.

Special Status of the Service-Connected Disabled Veterans

Veterans in this category are eligible for virtually all veterans' benefits, regardless of limitations on length of service, dates of service, etc. They are also eligible for other veterans' benefits that non-service-connected veterans are not. Members of the National Guard or Reservists who become service-connected disabled while attending scheduled drills or on active duty for training may be eligible for health care, disability compensation, and death benefits.

Maintaining Eligibility

Many veterans, dependents, and survivors find their benefits stopped because they violate VA rules for maintaining benefits. Examples of how eligibility may be lost are as follows:

Education Benefits

Education benefits may be stopped if the institution in which the veteran is enrolled loses its VA approval or if the veteran's grades or course load fall below the minimum requirements.

Pension Benefits

A veteran receiving a non-service-connected pension who earns or otherwise acquires additional income may lose part or all of his or her pension depending upon the amount of the additional income.

Survivors' Benefits

When the surviving spouse remarries, he or she is no longer eligible for survivors' benefits.[2]

Compensation and Pension Benefits

Veterans must comply with VA instructions regarding when and where to appear for physical examinations, observation, or treatment.

Please note: If a veteran or dependent becomes ineligible, not only will the benefit stop, but also the VA will demand that the veteran or dependent pay back any money the VA paid out before it noticed the ineligibility. While there is recourse for those caught in this situation, it is better avoided.

C. State Benefits (IDVA)

1. Eligibility and Entitlement

The relationship between "eligible" and "entitled" is the same for state benefits as it is for federal benefits, except submission of proof of eligibility goes to the IDVA rather than the VA.

In general, the eligibility requirements for state benefits take into consideration the same three factors as for federal benefits but add a fourth: residency. Here are a few key highlights of the IDVA's eligibility requirements.

2. Requirements Based on Military Service

The IDVA uses the same guidelines and definitions of eligibility based on service as the VA. However, Illinois residency is also required to obtain state veterans benefits. For some benefits, the veteran must have been a resident of Illinois at the time of entrance into the service. For others, the requirement is residency both before and after service.

3. Special Requirements Based on Present Circumstances

There are state benefits for which the present circumstances of the veteran, survivor, or dependent are weighed to determine eligibility. These circumstances usually relate to the need of the applicant.

4. Admittance to Illinois Veterans Homes

The IDVA operates veterans' homes at Quincy, LaSalle, Anna, and Manteno. Residents of the Illinois Veterans Homes may be charged for care at a rate to be determined by the IDVA. For more details, see the discussion of State Domiciliary and Nursing Home Care for veterans in Chapter Four: Health Care.

[2] The claimant will be denied surviving spouse status if he or she legally remarried before the veteran died. 38 § 101(3). If the remarriage occurs after the veteran's death, the general rule is that they are ineligible for VA benefits unless the remarriage is void or annulled, or if the remarriage ended before November 1, 1990. 38 CFR §3.55(a)(1)(ii); 38 CFR §3.55(a)(2).

D. County Benefits

1. Indigent Veteran and Family Assistance

Indigent Veteran and Family Assistance is administered by the County Veterans Assistance Commission (VAC) or local veteran organizations in counties where a VAC does not exist. (For a listing of VACs, see the list of Illinois Veterans Assistance Commissions the Appendix D.) Indigent Veteran and Family Assistance includes:

- **Emergency Relief:** Assistance to ensure that indigent veterans (and their families) who are victims of burn-outs, flood-outs, or unemployment have the basic necessities of life; AND
- **Burial Assistance:** A burial allowance and the designation of responsibility for proper funeral arrangements for indigent veterans or members of their immediate family.

2. Exceptions and Limitations

There are few exceptions and limitations for county benefits as most focus on the veteran's need. All VACs recognize the standards of indigence as set forth by the Illinois Department of Healthcare and Family Services [HFS] (formerly known as the Illinois Department of Public Aid).

E. Summary

Applicants must meet certain requirements to be eligible for veteran benefits, although the specifics vary depending upon the benefit in general. There are two types of eligibility requirements: requirements based on military service and special requirements based on present circumstances. If a review of both requirements indicates the veteran or dependent is eligible for a certain benefit, then the veteran should check further before filing a claim to make sure there are no limitations that will prevent obtaining the benefit sought. If the requirement review shows that the applicant is not eligible for a certain benefit, before giving up, the veteran should make sure that there are no exceptions that would establish eligibility.

Once submitted, the receiving agency (the VA or the IDVA) will verify eligibility and review the claim. If anything is needed to further establish the eligibility for a benefit, the agency will notify the applicant. If benefits are denied, the agency will inform the advocate and the applicant as to why the benefit was not awarded. If the veteran or the advocate disagrees, the denial may be appealed.

Finally, once a veteran is receiving a benefit, the veteran must protect himself or herself from an unexpected cut-off and/or overpayment by maintaining eligibility. This simply requires knowing the rules that govern eligibility and following them. Always remember, it is the veteran's responsibility to follow up on his or her claim and to keep the VA or IDVA up to date on any changes that might affect eligibility.

Chapter 2: How to Apply for Benefits

The purpose of this chapter is to explain how to apply for federal and state veterans benefits. This action is called "making a claim." This chapter will explain the steps a veteran should take to ensure that the claim is processed promptly. Additionally, we will discuss the procedures the VA or IDVA will follow in processing the claim.

A. Federal Benefits (VA)

1. Two Types of Federal Disability Benefits

There are two basic types of federal disability benefits: service-connected disability compensation, and the non-service-connected pension program. Speaking of service-connected disability compensation, veterans are entitled to disability compensation if (1) they were discharged or released under conditions other than dishonorable;[3] (2) their disease or injury was incurred or aggravated in the line of duty;[4] and (3) the disability is not the result of their own willful misconduct or abuse of alcohol or drugs.[5]

On the other hand, non-service-connected pension program eligibility is based on several factors: (1) wartime service that ultimately results in a discharge under other than dishonorable conditions; (2) permanent and total disability *or* age (65 years of age or older); and (3) demonstrated financial need. Details on the basic pension eligibility requirements can be found in Chapter 6 of this booklet.

2. Where to Apply

An application for benefits can be made at one of three types of VA facilities, depending on the benefit desired. Available federal Veterans benefits and locations of VA Regional Offices, Hospitals and Clinics can be found on the VA website at www.va.gov.

Medical Benefits:	Apply at the nearest VA hospital or outpatient clinic.
Psychological readjustment, including sexual trauma counseling:	Apply at the nearest Veteran Center or VA medical facility.
All other benefits administered by the VA:	Apply to a VA Regional Office (VARO)

There are four ways to apply to the VA for benefits:

[3] 38 U.S.C. §101(2).
[4] 38 U.S.C. § §101(16), 1131.
[5] 38 U.S.C. § §105(a), 1131.

1. **In Person:** Apply by visiting a VA Regional Office (VARO). For medical or psychiatric care, apply with a VA Medical or Veteran Center.
2. **Mail in Form:** Apply by obtaining and completing the appropriate form and sending it to the appropriate VA Regional Office or Hospital. All VA Forms are available online at www.va.gov/vaforms/ or at your local VA Regional Office.
3. **Online:** Apply for benefits online. An applicant can fill out an application online at http://vabenefits.vba.va.gov/vonapp/about_vonapp.asp. This site walks the applicant through the process step by step.
4. **Mail in Letter:** Apply for benefits by writing the VA a letter. This is called an informal claim.

A dependent or survivor may apply for a benefit on behalf of a veteran in one of the methods described above. This is usually done when the applicant is unable to complete the application because they are incapacitated. An applicant can also apply for benefits through an appointed representative, such as a Veteran Service Organization (VSO).

There are two types of third-party assistance:

1. **Administrative:** The third party helps determine the applicant's eligibility, fills out the proper form, checks it for accuracy and completeness, and forwards it to the appropriate VA facility.
2. **Representational Assistance (advocacy):** Representational assistance not only takes care of the administrative details, but also further develops the case and if necessary represents the applicant at hearing and appeal proceedings. There are many Veteran Service Organizations available to assist veterans in the claims and appeals process.

Tip: If the Veteran has previously applied for benefits with the VA and is now seeking third party assistance, it may be especially helpful for the Veteran to request his or her "Claims File" from the VA. The Veteran can do this in writing or in person at a VA Regional Office. Regardless, it is good practice to retain a copy of your military and medical records for your own safe keeping.

3. Facts the VA Needs to Process A Claim

Veterans or dependents should be ready to supply the VA with the following information when making a claim: name and address, telephone number, Social Security number, date and place of birth, and branch of military service. The VA may also ask if the veteran has a "Claim" or "C" number. "C" numbers were the claim numbers issued years ago before the VA started using the Social Security number as the claim number.

On occasion, it may be necessary to provide detailed information on military service. Such information may include: military service number (these were issued to service members prior to 1969), dates of military service, and the unit served with while in combat or when the claimed injury occurred. The veteran may also be asked to report the dates that certain incidents occurred.

All of the above information, except a VA "C" number, may be found on the veteran's DD 214 or other military separation papers. If separation papers are not available, the VA may request military records using the veteran's name, Social Security number, military serial number, and branch of service. This process will take time and may delay the processing of the claim.

Veterans can request a copy of his or her DD-214 or its equivalent, documents in his or her Official Military Personnel File, and copies of medical records from the National Personnel Records Center online or by mail. Most information is available for request by the Veteran, next of kin of a deceased Veteran, or a Veteran's legal guardian. The best way to do this is to write or go online to the National Personnel Records Center, located in St. Louis, MO. Specific instructions are provided on the NPRC website: http://www.archives.gov/veterans/

NPRC mailing address (unless otherwise is specified on the SF-180 form):

National Personnel Records Center
Military Personnel Records
1 Archives Drive
St. Louis, MO 63138

4. Visiting the VA Regional Office

Should the veteran or dependent visit a VA Regional Office, he or she will be able to talk directly to a VA representative. This is a good way to clarify the requirements for the benefit sought and to be informed as to the evidence needed. Additionally, an application for the benefit may be completed on the spot, which will establish the effective date of the award. It is helpful, although not necessary, to bring a copy of the veteran's DD 214, separation papers, or discharge papers, if the applicant is a World War II or Korean War veteran. The VA will routinely run a check on military records anyway, but if the documents are available to the VA they are more likely to begin processing the claim. Also, the sooner the claim is filed, the earlier the effective date. Remember that the date benefits start is the date the claim was submitted. It is not, as some think, the date the veteran separated from the military. The only time that is true is when a claim is filed within a specified time from the date of separation. Lastly, because of heightened security at all federal buildings, including the VA, the VA now requires a photo identification card and will require all visitors to walk through a metal detector.

5. The Initial Interview

If the veteran wishes to deal with the VA without the assistance of a third-party representative, the first contact will usually be with a Veterans Benefits Counselor (VBC) at a VA Regional Office or VA Medical Center. During the interview, the veteran and the VBC will exchange information concerning the benefit sought. The applicant should bring all pertinent information to this interview, such as marriage certificates, divorce decrees, discharge papers, doctors' reports, proof of school attendance, and/or financial information if applying for a pension. Bring anything that may help the VA in proving eligibility for the benefit sought. During the interview, the veteran will be asked to provide facts regarding service and details on the veteran's current situation as it relates to the benefit.

The interviewer will assist the veteran in completing a claim form for the benefit sought. This is known as making a formal claim. The VA will then start processing it. The VA may do the following in development of the claim:

- **Make Records Requests:** Request military Service Medical Records (SMR) and the Military Personnel Records;

- **Conduct An Examination:** Ask that the veteran submit to a compensation/pension examination at a VA Medical Center;
- **Obtain Records Release:** Ask the veteran to sign a release of information so that they can get medical evidence from the veteran's private healthcare providers;
- **Obtain A Stressor Letter (PTSD cases):** Ask that the veteran write a "stressor letter" if the claim is for post-traumatic stress disorder; and
- **Seek Other Information:** Request that the veteran supply any other information needed.

6. Telephoning the VA

The VA now uses a nationwide telephone number: 1-800-827-1000. If dialed from Illinois, the number will connect the caller to the Chicago Regional Office. After going through a menu-driven system to direct the call appropriately, the caller will then be connected to a Veterans Specialist. The specialist will answer questions relating to the benefits administered by the VA and questions relating to a claim. Any time you have a conversation with a VA official or veteran's advocate, whether by telephone or in-person visit, it is a good practice to take notes about the conversation. Your notes should include the name of the person you spoke with, the date and time of the meeting/conversation, and a summary of the discussion, especially any "next step" or action promised or agreed to by the VA or veteran's advocate, even if it is only a claim form to be sent. In the event that the VA later denies the claim and the veteran wishes to appeal, these notes might prove helpful.

7. Writing to the VA

It is not necessary to address a letter to the VA to a specific person, unless you are directed to do so. Upon receipt of a letter, the VA mailroom staff will route the letter to the appropriate section for processing. The VA's reply to your letter will depend upon how the letter is written.

When corresponding with the VA about a benefit, always follow the old service adage, K.I.S.S. – "Keep it Simple, Soldier." If the letter is short and concise, the veteran will probably get a clear answer. If the letter is long and rambling, with the question somewhere in the middle, it is unlikely that the person writing the reply is going to take time to figure it out. Instead, a form letter requesting specific information will be sent, even though that information was in the original letter. If sending a hand-written letter, be sure to write legibly.

Any letter to the VA about a benefit should include:

- The VA file or "C" number and any other identifying information. The claim number should be listed at the top of each page of the letter.
- The name, address, and telephone number of the veteran.
- A clear statement of the issue of concern or the benefit sought.

The first letter to the VA should also include the veteran's Social Security number, branch of service, military service number, date and place of birth, and dates of service. Once again, the most convenient way to provide this data is by including a certified copy of the DD 214 or discharge certificate.

Be sure to date the letter. The VA considers any letter of inquiry from a veteran about a benefit an "informal claim." This means that if the benefit is later awarded, the effective date of the

benefit (and in the case of financial assistance, the date the VA is obligated to begin payment), may be the date the VA received the first letter or "informal claim."

8. Application Made by Dependents

Dependents of a veteran can make an application for benefits on behalf of the veteran (e.g., if the veteran is incapacitated). Dependents can also make direct application for benefits to which they are entitled.

Dependents should provide the basic facts required by the VA as indicated earlier. Since service record data is often unknown to dependents, make sure this information or a copy of the veteran's DD 214 is included among important family papers. Dependents will also need to furnish documents proving their relationship to the veteran. Examples of such documents include veteran's death certificate, marriage certificate, divorce decrees, birth certificate, or any other document that may prove the veteran's or the dependent's claim.

9. When the Claim Requires "Development"

The VA is mandated to assist veterans in the development of their claims. Since the passage of the Veterans Claims Assistance Act of 2000, the VA has also been mandated by law to reasonably assist a claimant in the claims process. This is commonly known as the VA's "Duty to Assist."6 More information on this mandate is available later in the book.

Veterans may receive a letter from the VA asking for additional information. The VA calls this "claim development." They may request:

- More facts and details about the veteran;
- Additional documents, which could include marriage license, birth certificates, employment records, school records, medical records, etc.; and
- The veteran's appearance for a medical examination or psychiatric evaluation (if the veteran is applying for compensation or pension benefits).

The veteran should provide the VA with all the information they request. **The deadline to submit additional evidence is typically one year from the date of the VA's letter requesting additional evidence, although you should submit additional evidence as soon as possible as the VA is free to make a decision on your claim before the expiration of the one-year period.** If the veteran does not provide the requested information, it will damage his or her chance of receiving the applied-for benefit. If the VA sets up an interview or medical appointment, the veteran should be there and be on time; however, the veteran should also be prepared to wait.

If the requested information is not provided or if the veteran fails to show up for a scheduled appointment, the VA will stop processing the claim. The VA interprets this failure to comply with their request as "abandonment of the claim." This means that the VA may assume the veteran is no longer interested in obtaining the benefit.

10. When a Claim is Approved

If the benefit sought is awarded, the VA will send an award letter to the veteran. Attached to the letter will be a Rating Decision explaining what evidence the VA considered in rating the claim

[6] 38 CFR §3.159.

and the "Reasons and Basis for the Decision." The veteran should read this very carefully. It is very important to understand how and why the decision was made, even if the claim was won. The letter will also explain, though not in as great of detail as the Rating Decision, why the benefit was awarded, the percent of disability, and the amount to be received per month. **It will also contain instructions, which the veteran should read carefully.** Many veterans and their families have suffered an overpayment of benefits or lost benefits because they failed to read the instructions that came with the award letter. For example, should the veteran be awarded a non-service-connected pension, the letter will contain instructions that any new income must be reported to the VA.

11. When a Claim is Denied

If the benefit sought is denied, the veteran will receive a letter from the VA stating that the application for the benefit has been denied. As stated above, it is important to read very carefully the attached Rating Decision. The decision will explain what evidence the VA considered. Make sure all of the evidence submitted was listed under the evidence section. The decision will also have a "Reasons and Basis" section giving the reasons for the decision. In this area, each piece of evidence in the evidence section should be discussed. If it is not, this should be noted in the event an appeal is filed.

If the applicant believes the VA's decision was wrong, a "Notice of Disagreement" (NOD) should be completed. A NOD is the first step in the appeal process. The NOD may be as long or as short as the claimant wishes. It could be as simple as, "I disagree with the Rating Decision; Send me a Statement of the Case." Or, the NOD may include a statement as to why the claimant disagrees with the decision. A statement of this type should address each issue under consideration and the way submitted evidence was considered. A claimant may also wish to address the length of the compensation and pension examination or what was discussed in the examination. In addition, the claimant may submit new evidence with the NOD to help prove the case.

When the VA receives the NOD, they will review the case again. They may, for example, reconsider certain pieces of evidence, consider evidence submitted but not listed in the decision, or request a new examination. Should they continue to deny the claim, they will issue a "Statement of the Case" (SOC). The SOC is a restatement of the Rating Decision and a chronology of the claim.

If the applicant continues to disagree with the VA's decision, then the appeal is continued by completing the VA Form 9, Appeal to the Board of Veteran Appeals, which they will receive with the SOC. Submitting this form is called perfecting the appeal. The form offers the applicant another opportunity to state the case. It also offers an opportunity to:

- Have a personal hearing in Washington, D.C., before the Board of Veteran Appeals.
- Have a personal hearing at the VA Regional Office before the Traveling Board of Veteran Appeals.
- Have a hearing using the VA's video conferencing techniques. (This is like a personal hearing except the board member is in Washington and the applicant is at the Regional Office.)

12. When Notification is Delayed

When a benefit claim is submitted, the VA is obligated to notify the veteran that the benefit has been awarded or denied, or to request further development of the claim "within a reasonable

time," although the length of time actually required may vary depending upon the benefit. If the veteran has had no contact from the VA after four months, an inquiry should be made about the status of the claim. A backlog in case processing is a constant problem. Several years ago, some veterans waited over six months just to have their claim considered for the first time. Currently, reports are that the new claims may be taking from twelve to eighteen months to be completed.

13. What To Do If A Claim is Delayed

There are several options open to a veteran or an advocate who wants to inquire about the status of a claim. A letter could be sent asking for the status of the claim. The veteran may also call the VA toll-free at 1-800-827-1000 and ask for a status report. If a Veteran Service Officer (VSO) is handling the claim, then the veteran should contact the VSO. Often, a VSO can get an instant update on the claim and its location.

The veteran may choose to visit the VA counselor who helped file the claim. When making this follow-up contact, be wary of answers such as, "These things take time," or "It's just routine." The claim may be stuck. Try to find out what has happened to the claim, where the claim is now, and when the determination will be made. This is a good time to have a good quality veteran service officer. Most of the time, veteran service officers can explain exactly what is wrong or what needs to be done to get the case moving. Veteran service officers have direct access to adjudication and the rating specialist and can talk face to face with the person processing the claim.

Many veterans and dependents become very frustrated when the claim is not awarded quickly. Sadly, the VA often takes months to get the first decision processed. In the case of contested claims, it may actually take years to get a final decision. It is important to not take this frustration out on the person trying to provide assistance. Claims, for the most part, are processed in the order received and there are thousands of claims. Calling constantly, writing a lot of letters, or constantly asking your representative to inquire about the claim may have a negative effect. Each inquiry causes the claim file to be pulled from its location so that an answer may be given. This may actually delay the processing. Patience is a must when dealing with the VA. Keep inquiries to a minimum.

If, however, the claim has gone on for some time without a decision or contact by the VA, then other steps may be required. This may include appointing a Veteran Service Organization as your representative or making a personal visit to the Regional Office to talk with someone who actually knows about your claim.

14. Fully Developed Claims

The VA offers an expedited claims process, the Fully Developed Claims (FDC) program, which provides an optional method to present a variety of compensation, pension, and survivor benefit claims. This process is designed to guide the claimant in the submission of a claim which is complete upon submission, thereby enabling VA the ability to offer to review and act upon such a claim more quickly than through the traditional submission process. For more information on this program, see the VA's website at the following location: http://www.benefits.va.gov/fdc/.

B. Illinois Department of Veterans' Affairs Benefits (IDVA)

The procedure for applying to the Illinois Department of Veterans' Affairs for benefits is generally the same as when applying to the VA. The most significant difference is that the veteran may use the IDVA to apply for either U.S. or State of Illinois benefits. IDVA field officers are knowledgeable about both state and federal benefits. Their offices are well-stocked with appropriate U.S. and State benefit application forms. Since the IDVA has approximately 80 field offices across the State, many claimants prefer to take their federal benefit business to the IDVA rather than to one of the few VA facilities. If a veteran is interested in federal benefits, IDVA service officers are able to counsel the veteran on the specifics and review qualifications.

Those veterans who have access to a computer with Internet service (note: many libraries have computers that are hooked up to the Internet) may visit the IDVA's Web site and see all state benefits and the location of all IDVA field offices and Veterans Homes. The Web address for the IDVA is:

http://www2.illinois.gov/veterans/Pages/default.aspx.

C. Summary

Veterans and dependents that go to the VA or IDVA for benefits have a right to expect courteous, prompt, efficient service. At the same time, the veteran's cooperation in providing the VA or IDVA with the information they request is essential to having a claim processed. If any problem is encountered in dealing with the VA or IDVA, and if it cannot be resolved with the VA counselor or IDVA field officer (Veteran Service Officer), the Veteran Service Organizations are a great source of help.

Chapter 3: Sources of Help in Obtaining Benefits

There are two kinds of help that veterans may need when they decide to claim a benefit: administrative assistance and representational (advocacy) help.

A. Administrative Assistance

The veteran needs administrative help when the problem is one that can best be solved with technical interpretative assistance. A few examples of the kinds of problems that might require administrative assistance are:

- **Help in Filling Out a Form**
- **Help in Resolving Conflicting Information:** A buddy says the veteran is eligible for VA medical treatment, but according to a pamphlet the veteran reads, he or she is not.
- **Help in Getting Back Up "Through the Crack":** The VA notified the veteran months ago that his or her educational benefits were approved, but the veteran has yet to receive the first check. The veteran has written and called, but has not received a satisfactory response. The veteran needs someone who knows the system to check into it.

B. Representational (Advocacy) Assistance

The veteran needs representational help when the problem is more complex, requiring representation in a matter before the VA or other government agency. This is assistance that is more professional in nature – the type of help that might be provided by an experienced Veterans Service Officer, a trained Veterans Advocate, or a lawyer. Here are some examples of the problems that might require representational assistance:

- **Help in Appealing Denial of a Claim:** The veteran's claim was turned down. The veteran believes the claim was justified. The veteran needs a representative to work on the appeal with him or her.
- **Help in Getting Service-Connected-Disability Compensation Long After Discharge:** The veteran is sure his or her present condition is traceable to an injury in service but does not know how to build the case.
- **Help in Dealing with Overpayment:** The vveteran was notified that an overpayment has occurred and wants to apply to the board on waivers and compromises for relief.
- **Help in Reopening a Claim:** The veteran needs assistance in reopening a claim that was previously denied.

C. Where to Find Help

There are a number of sources of help available to veterans, dependents, and survivors. Most offer both administrative and representational help, although some tend to concentrate more on one than another.

1. The U.S. Department of Veterans Affairs (VA)

The VA is one of the veteran's two best sources of administrative help. The veteran will find that any specific questions he or she might have will be answered promptly and clearly. The VA Regional Office has a number of veteran benefits counselors ready to answer questions, assist in filling out VA forms, and explain VA procedures.

Although a VA benefits counselor can serve as the veteran's representative in Regional Office hearings and before the Board of Veteran Appeals (BVA or "the Board") – and some perform this service exceedingly well – it would probably be wiser to seek representational help elsewhere.

2. The U.S. Department of Veterans Affairs (VA)

The IDVA now supplies both administrative and representational assistance. Many of the IDVA's field officers (Veteran Service Officers) are good at representing veterans in VA proceedings and, now that there are IDVA service officers at the VA, they can take a claim from start to finish – even through the appeal process. The IDVA has an added resource in that their field service officers may now assist in the development of evidence and help the veterans in obtaining information from the VA through their Regional Office service officers. A complete list of IDVA field offices can be found in Appendix C of this book.

3. Veteran Service Organizations (VSOs)

VSOs provide both administrative and representational help. This means that VSOs may take a claim from start to finish and through the appeal process. Some VSOs even assist veterans before the Court of Appeals for Veterans Claims (CAVC).

The individuals who provide this service are service officers. There are two types of service officers: the local post or chapter service officers who are part-time volunteers, and the full-time, professional service officers who are employees of the VSO.

The local post or chapter service officers are versed in veterans' benefits. They tend, however, to be more active in providing administrative assistance and counseling, with their representational caseload being referred to full-time service officers at the Chicago VA Regional Office. For a list of veteran organizations and their locations, see Appendix B of this book.

4. Attorneys

The VA changed its regulations to allow attorneys to represent veterans and receive a fee for their services. The National Organization of Veterans Advocates (NOVA) is a trade group of attorneys that specialize in VA disability claims. More information on NOVA is available at http://www.vetadvocates.org/. Local bar associations also typically provide lawyer referral services through which veterans can locate specialists in their area. The Court of Appeals for

Veterans Claims maintains a list of attorneys who practice before the CAVC on its web site available at http://www.uscourts.cavc.gov/practitioners.

Some attorneys are willing to represent veterans before the VA *pro bono* (free of charge). The National Veterans Legal Services Project (NVLSP) is a not-for-profit organization that provides representational assistance. More information on NVLSP is available at http://www.nvlsp.org/. There are similar organizations in Illinois, including the Veterans Legal Support Center & Clinic (VLSC) at the John Marshall Law School. You can reach the VLSC by telephone at 312-427-2737, Ext. 346.

5. The County Veterans Assistance Commissions (VAC)

Although provided for under Illinois law, not all counties have a Veterans Assistance Commission. Where they have been established, they usually serve as another good source of administrative help. In addition, depending upon individual qualifications, some VAC superintendents have compiled excellent records as veteran case representatives. For a list of VAC locations, refer to Appendix D of this book, or visit http://www.iacvac.org.

6. Military and Veterans Rights Bureau – Office of the Attorney General

The Military and Veterans Rights Bureau provides assistance to veterans, dependents, or survivors with regard to understanding available benefits and eligibility requirements. The Military and Veterans Rights Bureau will also refer veterans for further assistance as appropriate. More information is available at http://illinoisattorneygeneral.gov/rights/veterans.html. The Bureau staffs a hotline for further assistance at 1-800-382-3000.

7. Some Other Sources of Help

Elected Officials

It is the official position of the VA that political intervention has no bearing whatsoever on the adjudication process. However, as has been testified to by numerous veterans, this is clearly not so. In some cases where a senator or congressman took a serious interest in a constituent's complaint, showed familiarity with the governing regulation, and contacted the VA by way of inquiry, it has been observed that the VA took a more detailed look at the disputed benefit. If a congressional staffer calls, he or she will usually get a standard case status report. However, if the representative calls personally, a more serious look is taken.

The Media

Every so often, the media will focus on a veteran who has been denied or lost benefits. It is clearly poor "public relations" for the VA. In many well-documented cases, the VA has been known to respond to adverse publicity by taking immediate action favorable to the veteran. If the veteran can get the media on his or her side, he or she should do it.

D. How to Choose a Representative

First, shop around. Too many veterans feel like they are “stuck” with the first service officer they meet. This is a mistake. If the prospective representative does not make a good first impression, he or she probably is not too charming before a board either. A veteran needs a representative who can intelligently prepare and persuasively present the case. A good representative is aware of all the rights and benefits available and the tactics needed to obtain those benefits. A good representative is aggressive in pursuing an appeal and like a bull dog, fights until the battle is either won or lost.

In the final analysis, though, it is the veteran’s case. No service organization charges a fee for handling a case or gets part of the back pay for their work. Win or lose, the service officer gets paid the same. In the end, the veteran, and only the veteran, has the most to gain or lose in the claims process. So be your own best advocate.

When choosing a VSO service officer, always try to meet face to face. If that is not possible because of distance, a telephone conference is the next best thing. Ask questions about how the case will proceed. Ask if there is enough evidence of record to win. If not, ask what other evidence may be helpful to the case and get suggestions on how to obtain that evidence. In short, be involved in the case. Just a short word of caution, however: remember that VSO service officers are paid professionals. Most know their business. It is a good idea to follow their instructions. Also, don’t continuously call for a status of the claim and such. Most VSO service officers have very large caseloads and there is only so much time to spend with one case.

E. Summary

Veterans need two types of help when claiming benefits. Of these, obtaining administrative assistance presents no problem. However, obtaining the other type of assistance, representational (advocacy) help, is cause for greater concern. When choosing a representative, the veteran should shop around and learn how well-qualified – by training or experience or both – the people he or she is talking to are. Choose a representative who is not only qualified to serve as an advocate, but actually cares about the outcome of the claim. In addition, the veteran should not overlook the “back-up” sources of help, including the veteran’s congressman or senator. Finally, media coverage of the veteran’s problem may be a great help.

Remember, it is the veteran’s claim and it is in the veteran’s best interest to become as knowledgeable about it as possible. The veteran should be aware of the time frame for processing a claim. At this writing, for example, there is a twelve to eighteen month delay in rating claims and almost a year and a half for appeals to be heard before the Board of Veterans’ Appeals (BVA). The veteran should also discuss the claim at length with his or her service officer to learn more about the claims process, the evidence needed, and how to develop that evidence.

Chapter 4: Healthcare

The VA operates the nation's largest integrated health care system with more than 1,400 sites of care, including hospitals, community clinics, community living centers, domiciliaries, readjustment counseling centers, and various other facilities. For additional information on VA health care, visit: http://www.va.gov/health. (For contact information regarding the many VA (VHA) sites located within Illinois, see Appendix A.) Over the last several years, the VA has changed the way it provides for the health care needs of the aging veteran population.

A. Description of Benefit

Veterans enrolled in the VA health care system are eligible for services included in the VA "Medical Benefits Package. The Benefits Package includes inpatient and outpatient care, geriatric and extended care, mental health services, sexual trauma services, dental care, and specialized treatment and rehabilitation services for veterans with certain disabilities. Also included are needed prescription medications. A complete range of care and services is available at VA Medical Centers, Community Based Outpatient Clinics (CBOC), and Vet Centers. Locations of VA medical treatment centers are available in Appendix A of this book and online at http://www1.va.gov/directory/guide/home.asp.

B. Eligibility for VA Healthcare and Characterization of Service

1. Generally

A veteran's characterization of service can impact one's eligibility for VA Health Care. In some cases, a veteran's characterization of service may bar access to such health care. All veterans seeking or considering seeking VA health care should consult with an accredited Veterans Service Office, and, in certain instances, legal counsel. Do not immediately assume ineligibility because of some negative military service history.

The basic rule is a "veteran" is considered eligible for VA Health Care benefits if he or she has been discharged "under conditions other than dishonorable." For example, "Honorable" and "General Under Honorable Conditions" are two forms of administrative discharge that are qualifying. On the other end of the spectrum, "Dishonorable" or "Bad Conduct" punitive discharges that were issued by General Courts-Martial are disqualifying.

As noted in VA Fact Sheet 16-8 (March 2010), certain discharges that fall in the middle of these extremes especially require further attention as they may or may not be disqualifying. An administrative "Other Than Honorable" or OTH discharge is one such example. A punitive "Bad Conduct Discharge" that was issued by Special Courts-Martial is another. To make a determination, the VA applies the standards set forth in 38 C.F.R. §3.12.

Finally, remember that a member or former member of the federal reserves or of the National Guard may also be eligible for access to VA healthcare benefits if the member was called to active duty (other than for training only) by a federal order and completed the full period for which they were called or ordered to active duty.

2. Special Health Care Rule for OTH Discharges

Under Section 2 of P.L. 95-126 (Oct. 8, 1977), a veteran with an "Other Than Honorable" discharge that would otherwise be a bar to eligibility under the application of 38 C.F.R. §3.12, still may be eligible for such health care if the care is for service-connected or service-aggravated disabilities. However, an important "caveat" is that statutory bars to benefits still may apply even to this special health care rule.[7]

C. How to Apply for VA Medical Benefits

Access to VA healthcare and receipt of other non-healthcare benefits such as VA disability pay are offered by two distinct parts of the U.S. Department of Veterans Affairs (the VA). Healthcare is administered by the Veterans Healthcare Administration, and non-healthcare related benefits are offered by the Veterans Benefits Administration. Applying for or through one is not applying for the other. In this chapter, the focus is on VA healthcare services offered through the VHA.

VA through the VHA operates the country's biggest integrated health care system with over 1,700 sites. These various sites include hospitals, community clinics (CBOCs), community living centers (nursing homes), domiciliaries, Vet Centers, and other types of facilities. General information can be found at www.va.gov/health.

To enroll in the VA healthcare system, there are several methods available.

1. Application by Mail

Pick up a VA Form 10-10EZ (*Application for Health Benefits*) application at your local VA or download the application online. As of the publishing of this booklet, one address for the form was: http://www.va.gov/vaforms/medical/pdf/1010EZ-fillable.pdf. Complete the application (be sure to sign it) and mail to:

Health Eligibility Center
2957 Clairmont Road, Suite 200
Atlanta, GA 30329-1647

2. Application online

The VA now offers the ability to fill out and submit online the VA Form 10-10EZ. As of the publishing of this booklet, the address for the webpage to start the application is at the following: https://www.1010ez.med.va.gov/sec/vha/1010ez/Form/1010ez.pdf. The VA states there is no need for additional documents to verify military service, noting that if you were recently discharged, they will get the military information for you. Once you have filled out all the fields of the form online, you can submit it to the VA with the click of a button. In response, you will get an instant confirmation message notifying you of receipt of the application.

3. Application by telephone

The VA also offers the ability to initiate the application over the telephone. To do this, you call 1 (877) 222-VETS (8387) between the hours of 8 a.m. and 8 p.m. during the business week, Monday through Friday, eastern time. Over the phone, a VA representative will walk you

[7] See 38 U.S.C. §5303(a).

through the information required on the 10-10EZ. Afterwards, within 3-5 days, you should receive the completed VA Form 10-10EZ for your review, signature and return to the VA. Mail this application to the same address listed above under "Application by Mail."

4. Application in Person

Finally, you can always go in person to your local VA health care facility to complete the 10-10EZ. If you proceed this way, you should receive written notification of your enrollment status in the healthcare system within 5 to 7 days. VA also notes that the letter will also give you instructions on how to appeal the decision if you do not agree with it.

5. Application for Long Term Care

"Applicants for Long Term Care benefits, including community nursing home care, domiciliary care, adult day health care, geriatric evaluation, and respite care may also need to complete ***VA Form 10-10EC, Application for Extended Care Services***. The form is required for nonservice-connected and zero percent service-connected enrolled Veterans with income over the single pension rate."

D. Priority Groups

The number of veterans who can be enrolled in the health care program is determined by the amount of money Congress gives the VA each year. Since funds are limited, the VA set up Priority Groups to make sure that certain groups of veterans are able to be enrolled before others. Upon completing the VA Form 10-10 EZ, the VA will verify the veteran's eligibility and assign the veteran to one of the Priority Group's listed below. The Priority Groups range from 1 to 8 with 1 being the highest Priority Group and 8 being the lowest. Veterans may be eligible for more than one Enrollment Priority Group. In that case, the VA will always place the veteran in the highest Priority Group for which he or she is eligible. Some veterans may have to agree to pay co-pays to be placed in certain Priority Groups. More information on Priority Groups is available online at the following link:

http://www.va.gov/healthbenefits/resources/priority_groups.asp.

1. Summary of the Priority Groups

Priority Group 1

- Veterans with service-connected disabilities rated 50% or more disabling.
- Veterans determined as unemployable due to service-connected conditions.

Priority Group 2

- Veterans with service-connected disabilities rated 30% or 40% disabling.

Priority Group 3

- Veterans who are former POWS.
- Veterans awarded the Purple Heart.
- Veterans whose discharge was for a disability that was incurred or aggravated in the line of duty.

- Veterans with service-connected disabilities rated 10% or 20% disabling.
- Veterans awarded special eligibility classification under Title 38, U.S.C., Section 1151, "Benefits for individuals disabled by treatment or vocational rehabilitation."
- Veterans awarded the Medal of Honor

Priority Group 4

- Veterans who are receiving aid and attendance or housebound benefits.
- Veterans who have been determined by the VA to be catastrophically disabled.[8]

Priority Group 5

- Non-service-connected veterans and non-compensable service-connected veterans rated 0% disabled whose annual income and net worth are below the established VA Means Test Thresholds.
- Veterans receiving VA pension benefits.
- Veterans eligible for Medicaid benefits.

Priority Group 6

- Compensable 0% service-connected veterans.
- Veterans exposed to Ionizing Radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki
- Veterans who participated in project 112/SHAD (Shipboard Hazard and Defense)
- Veterans who serviced in Vietnam between January 9, 1962 and May 7, 1975
- Veterans of the Gulf War that served between August 2,1990 and November 11, 1998
- Veterans who served in a theater of combat operations after November 11, 1998 as follows:
    - Currently enrolled veterans and new enrollees who were discharged from active duty on or after January 28, 2003, are eligible for the enhanced benefits for 5 years post discharge.
        - Note: At the end of this enhanced enrollment priority group placement time period veterans will be assigned to the highest priority group their unique eligibility status at that time qualifies for.

Priority Group 7

- Veterans with incomes below the Geographic Means Test income Threshold (GMT)[9]who agree to pay specified co-payments.

Priority Group 8

- Veterans who agree to pay specified co-payments with income and/or net worth above the VA Means Test Threshold and the Geographic Means Test Threshold.

[8] VA clinical determination that the veteran has a severely disabling injury, disorder or disease that permanently compromises the veteran's ability to carry out daily living activities. The disability must be so severe that the veteran requires personal or mechanical assistance to leave home or bed, or require constant supervision to avoid physical harm to themselves or others. See VA Health Care Fact Sheet, IB 10-435*, Catastrophically Disabled Veterans,* December 2011.

[9] Access VA GMT Table for 2012 at http://www.va.gov/HEALTHBENEFITS/resources/gmt/index.asp. .

- **Veterans eligible for enrollment:** Noncompensable 0% service-connected and:
  - **Subpriority a:** Enrolled as of January 16, 2003, and who have remained enrolled since that date and/or placed in this subpriority due to changed eligibility status
  - **Subpriority b:** Enrolled on or after June 15, 2009 whose income exceeds the current VA National Income Thresholds[10] or National Geographic Means Test income Thresholds by 10% or less
- **Veterans eligible for enrollment:** Non-service-connected and:
  - **Subpriority c.:** Enrolled as of January 16, 2003, and who have remained enrolled since that date and/ or placed in this superiority due to changed eligibility status.
  - **Subpriority d**: Enrolled on or after June 15, 2009 whose income exceeds the current VA National Income Thresholds or Geographic Means Test income Thresholds by 10% or less.
- **Veterans not eligible for enrollment:** Veterans not meeting the above criteria
  - **Subpriority e:** Noncompensable 0% service-connected.
  - **Subpriority g:** Non-service-connected.

2. Combat Veterans[11]

As of January 28, 2008, the National Defense Authorization Act extended the period of eligibility for healthcare for veterans who served in a theater of combat after November 11, 1998, and were discharged under conditions other than dishonorable. This extension applies to combat veterans who were discharged or released from active service on or after January 28, 2003.

Such veterans are eligible for enhanced enrollment placement into Priority Group 6 for 5 years from the **date of discharge or release**. This means that combat veterans who were originally enrolled based on their combat service but later moved to a lower Priority Group (due to the law's former 2-year limitation) are to be placed back in the priority for combat veterans for 5 years beginning on the date of their discharge or release from active service.

Duration: The 5-year enrollment period begins on the discharge or separation date of the service member from active duty military service, or in the case of multiple call-ups, the most recent discharge date.

E. Reservists and National Guard Members

Members of the Reserves and National Guard called are eligible for health care if they served on active duty in a theater of combat operations after November 11, 1998, and have been discharged under other than dishonorable conditions.

Those Reservists and National Guard members seeking to apply for VA health care must complete VA Form 10-10EZ and submit a copy of their DD 214 or certificate of release or

[10] Access VA National Income Thresholds for 2013 (based on 2012 income) athttp://www.va.gov/healthbenefits/cost/incomethresholds_2012.asp..

[11] *See* VA Health Care Fact Sheet IB 10-438,, *Combat Veteran Eligibility,* February 2013; http://www.va.gov/healthbenefits/resources/publications/IB-10-438_Combat_Veteran_Eligibility2-13.pdf.

Discharge from Active Duty. Also needed, especially if it is not noted on the DD 214, is documentation showing receipt of Hostile Fire or Imminent Danger pay; an Armed Forces Expeditionary Medal, Kosovo Campaign Medal, Global War on Terrorism Expeditionary Medal, or Southwest Asia Campaign Medal; proof of exemption of federal tax status for Hostile Fire or Imminent Danger pay or orders to a theater of combat operations. If a VA Medical Center is close by, veterans may choose to go to the Medical Center to apply or apply online at https://www.1010ez.med.va.gov/sec/vha/1010ez/. The veteran may also call 1-877-VETS (8387) to obtain a form through the mail or download the form at https://www.1010ez.med.va.gov/sec/vha/1010ez/Form/vha-10-10ez.pdf. See Chapter 12, Special Topics, for more information.

F. Co-Payments

On September 1, 1999, the VA became Medicare compliant. This changed the way the VA does business in two very important ways. The first is that the VA now bills private insurance companies what are called "reasonable charges" – meaning that the bill the insurance company gets will now contain charges similar to those of private hospitals. The bill will be itemized just like a private hospital's bill. The second is that those veterans who must co-pay are now required to pay a larger deductible. Additionally, by law, the VA must bill the insurance companies of veterans treated for non-service-connected conditions.

1. Inpatient Treatment[12]

Veterans are charged a standard co-payment for each 90 days of care within a 365-day period along with a per diem charge for each day of hospitalization.

Priority Group 7

Veterans in this Group must pay 20% of the VA's co-pay, or $236.80 for the first 90 days of inpatient hospital care during any 365-day period. The inpatient co-payment for each additional 90 day period is $118.40 plus a $2 per diem charge.

Priority Group 8

Veterans in this Group must pay $1,184 for the first 90 days of inpatient hospital care during any 365-day period. The inpatient co-payment for each additional 90 day period is $592 plus a $10 per diem charge.

2. Outpatient Treatment[13]

The VA charges a $15 co-payment for each primary (basic) care visit and $50 for each specialty care visit.

3. Outpatient Services Not Requiring Co-payments

[12] 38 CFR §17.108(b). Current inpatient Copay rates can be found on line at http://www.va.gov/healthbenefits/cost/copays.asp.

[13] 38 CFR §17.108(c).

There is no co-payment required for publicly announced VA public health initiatives (e.g., health fairs), preventive screenings or immunizations, flat film radiology services, electrocardiograms, smoking cessation counseling (individual and group), weight management, and hospice care.

4. Prescription Medication[14]

The co-payment for medication is attached to the Medical Consumer Price Index, meaning that the co-payment for prescription medications changes every year according to the medical consumer price index. At the time of this writing, the VA co-payment for each 30-day or less supply of medication for treatment of non-service-connected conditions is $8. The specific condition of the veteran and the Priority Group the veteran is enrolled in determines whether or not the veteran will have a prescription medicine co-payment.

The VA caps the amount that can be charged to veterans enrolled in Priority Groups 2-6 for prescription co-pay amounts at $960 per year. This means that veterans in Priority Groups 2-6 will not pay more than $960 annually for medicine they receive on an outpatient basis. The copay for outpatient medications provided to veterans in Priority Groups 7 and 8 is $9 with no annual co-payment cap.

5. Long-Term Care[15]

Veterans in need of long-term care services must first complete and submit VA Form 10-10 EC, Application for Extended Care Services. This form can be downloaded at http://www.va.gov/vaforms/medical/pdf/vha-10-10EC-fill.pdf. The VA charges for long-term care services vary by type of service provided and the individual veteran's ability to pay, which is determined from information provided on the 10-10 EC. The co-pay amount for inpatient care ranges from $0 to $97 per day; $15 per day for outpatient care; and $5 per day for domiciliary care. .

G. How the VA Bills

1. Co-payments for Veterans Covered by a Health Insurance Plan

Veterans who are not eligible for free VA healthcare service must agree to pay a co-payment to receive that service, regardless of whether they are covered by a health insurance plan. Once the total bill for treatment is determined, the VA will first submit the bill to the veteran's health insurance company. This includes billing to a Medicare supplemental plan, which is sometimes referred to as a Medigap supplemental policy. Should the insurance company not reply to the VA's demand for payment, pay only a part of the bill or deny payment, the VA will bill the veteran for the total cost of care or that portion not paid by insurance. The VA usually allows about 90 days for the insurance company to reply to the billing. If the insurance company refused to pay or only paid a portion of the bill, it is a good idea for the veteran to personally contact the insurance company. There are many occasions where a bill will be denied the first time it is submitted and paid upon second consideration.

The veteran should address all questions on co-pay billing to the Medical Care Cost Recovery (MCCR) office at the local VA Medical Center. It is always better to pay the bill as soon as it is

[14] 38 CFR §17.110.
[15] 38 CFR §17.111(b).

received. The VA is mandated by law to collect payments due and will do so quickly. Should a bill be found invalid or should the veteran become service-connected for a disability for which he or she was billed, the VA will reimburse the veteran for the amount paid.

2. How the VA Determines Income and Net Worth

Most nonservice-connected veterans are required to complete an annual financial assessment. The financial assessment consists of the veteran's total family income and assets. Income includes, but is not limited to, wages, retirement pensions, military retirement, unemployment compensation, U.S. railroad retirement, interest and dividends, worker's compensation, and any other type of income. Such income is counted for the spouse and children living with the veteran. Income is counted for the calendar year prior to the application for treatment.

Net worth includes the market value of stocks, bonds, notes, IRAs, bank deposits, savings accounts, and cash; however, personal property and the veteran's residence are not counted. The VA determines net worth by subtracting total debts from the total net worth. The result is the adjusted net worth. It should be noted that the VA will not check the income and net worth at the time the application is completed. However, they may at their discretion check with Social Security and the IRS to verify what the veteran submitted. If there is a discrepancy, a retroactive billing for the cost of care and medications could be created. If the veteran fails to pay the bill, all treatment could be terminated.

3. Health Insurance Companies

The VA is mandated by law to bill insurance companies for the cost of care for those veterans who must now co-pay. As of September 1, 1999, insurance companies are billed "reasonable charges" for the cost of care at VA facilities. But instead of collected funds going to general revenue, the VA is now allowed to keep all funds collected. It is hoped that these funds will be used to improve the quality of care provided by the VA.

H. Catastrophically Disabled Veterans

A catastrophically disabled veteran is one who has "a permanent severely disabling injury, disorder, or disease that compromises the ability to carry out the activities of daily living to such a degree that the individual requires personal or mechanical assistance to leave home or bed or requires constant supervision to avoid physical harm to self or others." Veterans who meet this definition will be placed in Priority Group 4. A veteran or his or her representative may request an evaluation by contacting the Enrollment Coordinator at their local VA health care facility. The evaluation is a physical/mental examination conducted by the hospital. The examination includes a review of the veteran's medical records. Upon completion of the process, the veteran will be notified of the hospital's decision by letter.[16]

I. Women Veterans

[16] VHA Directive 2010-0654 ; VA Health Care Fact Sheet, IB 10-435*, Catastrophically Disabled Veterans,* December 2011.

The VA provides a variety of services for women, including primary care and specialized services such as reproductive services, rehabilitation, mental health, and treatment for military sexual trauma. For more information, visit http://www.womenshealth.va.gov/.

1. Toll-Free Mammography Information Line

A new nationwide toll-free mammography information line now expands the VA's medical service to women veterans due to the efforts of the Durham VAMC and Telecommunications Support and Radiology services. The Durham VAMC can answer questions about mammography and refer callers for help in arranging for a mammogram at the nearest certified facility or through the women veterans coordinator at the nearest VA medical center. For those VA facilities where no mammography equipment is available, the service will be provided through FDA certified providers. The toll-free number is 1-888-492-7844, 8 a.m. to 4:30 p.m. Eastern Time. After 4:30 p.m., voice mail will take calls and a counselor will return your call the next business day.

2. Sexual Trauma Counseling

The VA provides counselling and treatment to veterans who have experienced sexual trauma while on active duty in the military. Military sexual trauma counseling may include individual or group counseling, marital and family counseling, referral for benefits assistance, liaison with community agencies, and substance abuse information and referrals. For more information, veterans can speak with their existing VA healthcare provider, contact the Military Sexual Trauma Coordinator at their nearest VA Medical Center, or contact their local Vet Center. A list of VA Medical Centers can be found online at http://www2.va.gov/directory/guide/home.asp?isFlash=1, and Vet Center facilities can be found online at http://www2.va.gov/directory/guide/vetcenter_flsh.asp.

J. Beneficiary Travel

1. Description of Benefit and Eligibility

Veterans may be eligible for full or partial reimbursement of travel expenses in connection with receiving VA medical care. Veterans must meet certain criteria to be eligible for beneficiary travel. Travel payments will generally not exceed the public transportation rate and may be made only to the following categories of otherwise qualified veterans:

- Veteran has a service-connected rating of 30% or more;
- Veteran is traveling for treatment of a service-connected condition;
- Veteran receives VA pension benefits;
- Veteran income does not exceed the maximum annual VA pension rate; OR
- Veteran is traveling for a scheduled compensation or pension examination.

A veteran qualifies for Special Mode Transportation (ambulance, wheelchair van, etc.) if:

- Veteran's medical condition requires an ambulance or a specially equipped van; and
- Veteran meets one of the eligibility criteria for Beneficiary Travel (except if traveling for a scheduled compensation or pension examination); and

- The travel is pre-authorized (authorization is not required for emergencies if a delay would be hazardous to life or health).

It should be noted that travel is usually given only from the veteran's home to the nearest VA hospital. The VA has also established a deductible that must be met prior to travel being paid. Reimbursement is paid at 41.5 cents per mile with a $3 deductible for each one-way trip and $6 for a round trip not to exceed $18 or the amount after six one-way trips (whichever occurs first) per calendar month. It's a good idea to check with the travel clerk to establish eligibility and the deductible. If there is a need for special transportation (e.g., ambulance, wheelchair van, etc.), be sure to get prior approval from the treating physician or the admitting physician. Travel at VA expense must be authorized in advance. If you don't get prior approval, you could end up paying the cost yourself. Be sure to check your eligibility for special transportation. For more information visit the VA's Beneficiary Travel website at http://www.va.gov/CBO/cbo/docs/trvlbrochjul12.asp.

K. VA Long-Term Care Benefits

1. Nursing Home Care

The VA provides nursing home care services to veterans through three national programs: VA owned and operated Community Living Centers (CLC), state veterans' homes owned and operated by the states, and the contract community nursing home program. Each program has admission and eligibility criteria specific to the program.

2. VA Community Living Centers

Short stay (less than 90 days) services are available to veterans who are enrolled in VA health care and require CLC services, which include skilled nursing, respite, rehabilitation, hospice, and maintenance care for veterans awaiting placement in the community. **Long stay** (91 days or more) services are available for enrolled veterans who need life-long nursing home care, or care for an extended period of time for a service-connected disability and those rated 60% service-connected and unemployable; or veterans who have a 70% or greater service-connected disability. All others are based on available resources.

3. Contract Community Nursing Home Program

These are VA medical centers that have contracts with community nursing homes. This program provides long-term nursing home care to veterans in their own communities.

4. Eligibility Requirements

The criteria for admission into any of the three nursing home programs requires that the veteran be medically stable (i.e., not acutely ill), have sufficient functional deficits to require inpatient nursing home care, and be assessed by an appropriate medical provider to be in need of institutional nursing home care.

L. Domiciliary Care

1. Description of Benefit

Provides rehabilitative care on an ambulatory self-care basis for veterans disabled by age or disease who are not in need of acute hospitalization and who do not need the skilled nursing services provided in nursing homes. Care is provided in a VA domiciliary facility.

2. Eligibility Requirements

Veterans of the various military services who were discharged for a disability or are in receipt of disability compensation and suffering from a permanent disability, have no adequate means of support, are incapacitated from earning a living, and meet certain other requirements may be eligible for domiciliary care.

M. Housebound or Aid and Attendance

1. Description of Benefit

Extra money added to the monthly pension check of disabled veterans and increased eligibility for medical care and medicine.

2. Eligibility Requirements

For Housebound

The veteran must have a single permanent disability evaluated as 100% disabling which causes the veteran to be permanently and substantially confined to the home or institution in which he or she resides; or the veteran must have a single permanent disability evaluated as 100% disabling and another disability, or disabilities, evaluated as 60% or more disabling.

For Aid and Attendance

The veteran must be incapacitated to the extent that he or she requires the regular aid and attendance of another person for such things as eating, bathing, dressing, adjusting prosthesis, sanitary functions, and protecting him- or herself from hazards of the immediate environment.

Tip: Applications for Housebound or Aid and Attendance benefits are made on VA Form 21-2680, “Veteran’s Application for aid and attendance or housebound.” Apply at any VA office. This benefit is adjudicated by the Veteran Benefits Administration.

N. Adult Day Care

1. Description of Benefit

Adult Day Care is an outpatient day program consisting of medical care, rehabilitative services, socialization, and caregiver support. Adult Day Care is usually provided to frail, elderly, and functionally impaired adults. This benefit is not to be confused with hospital care, outpatient treatment, or nursing home care.

2. Eligibility Requirements

As with all VA benefits, service-connected veterans receive top priority. Veterans 50% or more disabled are next, followed by veterans who have received care at a VA facility who are in need of such care.

O. Outpatient Dental Treatment

1. Description of Benefit

The VA provides outpatient dental examinations and treatment to eligible veterans. Veterans are eligible for dental treatment if they are determined by the VA to fall into one of the following categories:

2. Eligibility Requirements

- Veterans with service-connected, compensable dental conditions are eligible for any needed dental care.
- Veterans who were prisoners of war (POWs) and those whose service-connected disabilities have been rated at 100% or who are receiving the 100% rate by reason of individual unemployability are eligible for any needed dental care.
- Recently discharged veterans with a service-connected non-compensable dental condition or disability who served on active duty 90 days or more and who apply for VA dental care within 180 days of separation from active duty may receive a one-time treatment for dental conditions if the dental condition is shown to have existed at the time of discharge or release and the certificate of discharge does not indicate that the veterans received necessary dental care within a 90-day period prior to discharge.
- Veterans with a service-connected non-compensable dental condition or disability resulting from combat wounds or service trauma are eligible for repeat care for the service-connected condition(s).
- Veterans with a service-connected disability whose dental condition is aggravating the service-connected condition are eligible for care necessary to treat the oral conditions that a VA dental professional determines to have a direct and material detrimental effect on the service-connected medical condition.
- Veterans whose dental examination is ordered as part of a general physical.
- Veterans whose dental conditions are considered to be the direct result of examination, hospitalization, or medical/surgical treatment given by the Department of Veteran Affairs.

- Veterans who are receiving vocation rehabilitation educational benefits (also called Chapter 31 benefits) are eligible for dental care needed to complete the program.
- Certain veterans enrolled in a VA homeless program for 60 consecutive days or more may receive certain medically necessary outpatient dental services.
- Veterans receiving outpatient care or scheduled for inpatient care may receive dental care if the dental condition is clinically determined to be complicating a medical condition currently under treatment.

3. Inpatient Dental Care

Veterans receiving hospital, nursing home, or domiciliary care will be provided dental services that are essential to the management of the veteran's medical condition under active treatment.

P. Treatment of Post-Traumatic Stress Disorder (PTSD)

Treatment for PTSD is provided at certain VA medical facilities on both an inpatient and outpatient basis. PTSD is marked by a host of afflictions associated with exposure to catastrophic stress. Nightmares, flashbacks, anxiety, and sudden-startle reactions can occur immediately after exposure to extreme stress or may develop years after the original stress.

Tip: PTSD is a recognized service-connected disability, compensable up to 100%. In addition to seeking medical assistance, those veterans who have reason to think their problems are caused by this affliction should talk to their representatives about filing a claim for disability compensation. See in Chapter 5, the topic, "Service-Connection for Posttraumatic Stress Disorder."

PTSD, or other identifiable social or psychological problems stemming from military service, may be treated through the Readjustment Counseling Services Program carried out by the Vet Centers and VA Hospitals. These services include individual counseling, group counseling, and family counseling. If the services requested by the veteran are beyond the authorized mission or expertise of the readjustment counseling program, the veteran requesting such services will receive support and assistance in obtaining the needed services, either through referral to an appropriate social agency or to a VA medical center.

1. Readjustment Counseling

Some VA medical centers have approved programs of readjustment counseling services available. These services include group, family, sexual trauma, and bereavement counseling. Veterans seeking readjustment counseling services at a VA medical center should determine the availability of services prior to coming to the medical center. Vet Center locations can be found through information provided in the Vet Center Directory or listings in your local blue pages. Vet Center staff are available toll free during normal business hours at 1-800-905-4675

(Eastern) and 1-866-496-8838 (Pacific). In areas where VA services are not available, the VA may provide readjustment counseling services through a contract or fee arrangement with community physicians, psychologists, or social workers.

2. Veterans Crisis Line

Veterans experiencing an emotional crisis or veterans who need to talk to a trained mental health professional may call the Veterans Crisis Line toll-free at 1-800-273-TALK (8255). The hotline is available 24 hours a day, seven days a week. Callers are immediately connected with a qualified and caring provider who can help. More information can be found online at http://www.veteranscrisisline.net/.

Q. Medical Attention for Dioxin (Agent Orange), Nuclear Radiation Exposure, or Illness related to Gulf War Service

1. Description of Benefit and Eligibility

The VA has a continuing program for examining veterans who are concerned about the possible health effects of Agent Orange, nuclear radiation exposure, or exposures during Gulf War service. The findings of these examinations are entered into a registry. Vietnam veterans and those veterans concerned about radiation exposure and illnesses related to Gulf War service are encouraged to request an examination at their nearest VA health care facility or visit http://www.publichealth.va.gov/exposures/. A veteran who participates will receive a comprehensive physical examination and be asked to complete a questionnaire about service experience. Following the examination, the veteran will be advised of the results. The examination could help to detect any illness or injury the veteran may have, regardless of origin, and may provide a basis for follow-up treatment. The evaluation is free of charge and veterans do not need to be enrolled in VA health care to participate.

Schedule a registry evaluation by contacting an Environmental Health Coordinator at any VA medical facility. A list of Health Coordinators is available online at www.publichealth.va.gov/exposures/coordinators.asp. More information is available through the VA's Special Issues Helpline at 1-800-749-8387.

R. Healthcare for Camp LeJeune Veterans and Resident Family Members

This section covers specially provisions in the law made to open access to VA healthcare based on certain conditions pertaining to service at Camp LeJeune and exposure to various toxic chemicals there. The subject of disability claims for Camp LeJeune veterans is covered separately in this booklet under the general discussion of VA disability claims. This section also discusses the applicability of these provisions to family members who resided with qualifying veterans at Camp LeJeune during this period.

In response to continuing studies and growing concerns, Congress enacted the Honoring America's Veterans and Caring for Camp LeJeune Families Act of 2012 which was signed into law on August 6, 2012.[17] A key provision of this act was the opening up of access to VA healthcare for certain, qualifying veterans who served at Marine Corps Base Camp LeJeune.

1. Eligibility

To qualify for basic access to VA healthcare as a veteran, the following must be true: You must be a veteran who served on active duty in the Armed Forces at Camp LeJeune, North Carolina, for not fewer than 30 days during the period beginning on August 1, 1953, and ending on December 31, 1987[18].

Beyond this basic access to VA healthcare, certain Camp LeJeune veterans may be eligible for no-cost VA healthcare (including copayments) specifically for care for any of 15 currently qualifying illnesses or conditions:

- Esophageal cancer;
- Lung cancer;
- Breast cancer;
- Bladder cancer;
- Kidney cancer;
- Leukemia;
- Multiple myeloma;
- Myelodysplastic syndromes;
- Renal toxicity;
- Hepatic steatosis;
- Female infertility;
- Miscarriage;
- Scleroderma;
- Neurobehavioral effects; or
- Non-Hodgkin's Lymphoma.

In the case of eligible Camp Lejeune Family Members (CLFM) who resided with the veteran at Camp LeJeune, an individual may get reimbursed for those out-of-pocket medical expenses that derive from the treatment of the qualifying health conditions once all other health insurance is applied. To qualify, the CLFM must have been the spouse or dependent of a qualify veteran during that same period and resided (or were in utero) on Camp Lejeune for 30 days or more between the qualifying time period. To apply, a VA Form 10-10068, *Camp Lejeune Family Member Program Application* must be completed. For more information and filing options, see the following page on the VA's website: https://www.clfamilymembers.fsc.va.gov/.

2. Evidence Requirements

- Proof that you served at Camp Lejeune during the recognized period of contamination (August 1953 through December 1987)

[17] Public Law 112-154.

[18] The Honoring America's Veterans and Caring for Camp LeJeune Families Act of 2012, originally set the beginning of the qualifying period on January 1, 1957. This date was amended in the "Consolidated and Further Continuing Appropriations Act of 2015" to extend the eligibility period back to August 1, 1953 - See more at: http://www.publichealth.va.gov/PUBLICHEALTH/exposures/camp-lejeune/index.asp#sthash.yLvZavQB.dpuf

- Proof of a current disease, including a medical opinion indicating the disease is a result of exposure to the contaminated water at Camp Lejeune."

3. How to Apply

- Apply online using eBenefits **OR**
- Work with an accredited representative or agent **OR**
- Go to a VA regional office and have a VA employee assist you. You can find your regional office on our Facility Locator page.

For more information on how to apply and for tips on making sure your claim is ready to be processed by VA, visit our How to Apply page.

S. Children and Spouses

Veterans of the Vietnam War who have children suffering from spina bifida may be eligible for compensation for their children. This is covered in more detail in Chapter 8 entitled Benefits for Survivors and Dependents. There are also benefits for children born to women Vietnam veterans. This is addressed in Chapter Five: Compensation for Service-Connected Disabilities and Non-Service-Connected Pension, Benefits for Children of Women Veterans with Birth Defects.

T. Miscellaneous VA Medical Benefits

1. Homeless Veterans

The Illinois Housing Authority, citing to a January 2011 National Alliance to End Homelessness State of Homelessness report, noted in the last quarter of 2012 that an estimated 14,000 plus people experience homelessness each night in Illinois. Of those people, current estimates hold that 15% are veterans. The VA, in turn, estimates there are 67,000 veterans across the country who are homeless every night.

The VA has a number of homeless veterans' assistance programs, including health care benefits assistance. Outreach and personal assistance to homeless veterans is a top priority for the VBA.

2. Outpatient Clinic for Homeless Veterans (Chicago)

As part of its ongoing current campaign to end homelessness in the veteran community, the Jesse Brown VA Medical Center opened in 2012 a specially designated outpatient clinic. The clinic is the Homeless Patient Aligned Care Team (H-PACT) primary and urgent care clinic. It is found on the 8th floor of the Damen Building. It is open Monday through Friday (8:00 a.m. to 4:15 p.m.). With walk-in access to doctors or nurse practitioners without an appointment, the clinic provides such services as medical care, case management, substance abuse treatment, community referrals, housing placement, triage, and mental health services. Call (312) 569-6402 for more information.

3. Special VA Homeless Programs

- Department of Housing and Urban Development and the Department of Veterans Affairs Supported Housing (HUD-VASH) Program
- Domiciliary Care for Homeless Veterans
- Compensated Work Therapy/Therapeutic Residence (CWT/TR)
- Community Homelessness Assessment, Local Education and Networking Groups (CHALENG)
- Supportive Services for Veteran Families Program (SSVF)
- Health Care for Re-entry (HCRV) Program
- Social Security Administration (SSA) & VA Outreach assists veterans in rehabilitation and in receiving SSA benefits

Homeless and at-risk veterans in need of assistance should call the National Call Center for Homeless Veterans at 1-877-424-3838. The call center will connect the veteran with the closest VA Medical Center to best address the veteran's needs. More information can be found online at http://www.va.gov/HOMELESS/NationalCallCenter.asp.

4. Illinois Prince Home

The Illinois Department of Veterans' Affairs Prince Home at Manteno is a program for homeless and disabled Veterans located at the State Veterans' Home in Manteno, Illinois. Veterans can obtain an application at http://www2.illinois.gov/veterans/homes/Pages/homes-facilities.aspx. Applications may be submitted by fax at 815-468-1816 or sent to:

Illinois Department of Veterans' Affairs
The Prince Home at Manteno
One Veterans Drive
Manteno IL 60950

5. Services for the Blind

Description of Benefit

The VA has historically recognized that there have been higher incidences of blindness in the veterans population as compared to the general population. One must keep in mind that the label of blind covers a variety of levels of visual acuity. "The generally accepted definition is: central visual acuity of 20/200 or less in the better eye, with ordinary corrective glasses; or, central visual acuity better than 20/200 in the better eye, and a field defect where the peripheral field at its widest tested diameter is less than 20 degrees. Approximately 85 percent of people classified as legally blind have some kind of usable remaining vision."[19]

VA Medical Centers offer a total health and benefits review by the Visual Impairment Services Team (VIST). For those who have recently been blinded, other benefits include training at rehabilitation centers for the blind located at select VA hospitals. The first VA Blind Rehabilitation Center was opened in Illinois in 1948. It is located at Hines VA Hospital. More information can be found on the VA Web site at https://www.hines.va.gov/services/blindrehab.asp. Veterans may also be eligible for low vision

[19] Department of Veterans Affairs, Veterans Health Administration, Coordinated Services for Blinded Veterans, Dec. 1991.

aids, specially adapted housing, electronic and mechanical aids, guide dogs, talking books and tapes, and Braille readers and writers.

Eligibility

Eligibility starts with veterans who are service-connected for blindness, followed by veterans who receive compensation for any disability or veterans who are eligible for VA medical services. Blinded veterans receiving compensation or pension receive medical or rehabilitative benefits.

An application for blind rehabilitation services includes:

- VA Form 1010, application for Medical Benefits and the companion VA From 10-10M, Medical Certificate and History and 10-10F when necessary;
- Cover Letter which summarizes the events that have led to the referral;
- Physical examination which also document any conditions which may affect future rehabilitation;
- Complete ophthalmological report;
- Social work report;
- Audiological report;
- VA benefits rating sheet;
- Psychiatric and/or psychological report; and
- Copy of prosthetics, VA Form 10-2319.

6. Veterans Choice Program

The Veterans Choice Program (VCP) was initiated as a result of the passage of Veterans Access, Choice, and Accountability Act of 2014 (VACAA). The program aims at providing eligible Veterans the option to receive non-VA health care from approved providers in their respective communities. Generally, you may be eligible, if any one of the following is true:

1. **Greater than 30-day wait for medical services**. Your local VA medical facility has informed you that you will need to wait more than 30 days from your preferred date or, if no such date can be determined, your preferred date;
2. **Greater than 40 miles away from the VA**. Your residence is more than 40 miles from the closest VA health care facility with your full-time primary physician;
3. **Plane or boat travel required**. You need to travel by plane, boat, or ferry to the VA medical facility closest to your home; OR
4. **Excessive Burden**. You must face an excessive burden to travel to the closest VA medical facility due to geographic challenges, environmental factors, or a medical condition.

For further information about eligibility and scheduling appointments under this program, the VA has established a special hotline at (866) 606-8198. See also information on eligibility at https://www.va.gov/opa/choiceact/for_veterans.asp. When you call, the VA asks that you be prepared to provide information about any other health insurance coverage you may have (e.g., employer, union-based health plans). On the call, the VA will ask for your zip code, and check if you are eligible for the program and if your needs are covered by the VA. You will also be

asked for your address and the name of your preferred non-VA provider (not all providers are within the program).

Finally, one should note that on April 19, 2017, the President signed S. 544 into law (P.L. 115-26) that removed a prior sunsetting of the VCP on August 7, 2017. The VA will be able to continue to use funding put aside for the VCP until such funding is exhausted. Also, the VA has announced that it may change the name of the program. Check with the VA for current information.

U. Prosthetic Service

Veterans enrolled in the VA health care system for any condition may receive VA prosthetic appliances, equipment, and devices such as artificial limbs, orthopedic braces and shoes, wheelchairs, crutches and canes, and other durable medical equipment and supplies. Enrollment is not required for veterans needing prosthetics for a service-connected disability and veterans with a service-connected disability rated at 50% or more.[20]

V. State Health Care Benefits for Veterans

1. Illinois Veterans' Care Program

Description of Benefit

The State of Illinois has recognized that as extensive as the federal VA healthcare system is, the federal government still does not provide comprehensive health insurance to thousands of veterans who have served their county. Many Illinois veterans are living without health insurance because they cannot afford it.

With the passage of the Veterans' Health Insurance Program Act of 2008, Illinois has attempted to address this problem by offering affordable, comprehensive healthcare to veterans across Illinois to qualifying veterans.[21] The basic concept of the program is to provide access to healthcare for those veterans who may otherwise not have coverage.

Participants in the Veterans Care Program pay monthly premiums of $40 or $70 based on their income and county of residence. A participant will become ineligible for three months if there is a cancellation due to not paying premiums. There are also co-pays: Doctor visits - $15; Generic prescription drugs - $6; Name brand prescription drugs - $14; Hospital emergency room visits - $50; Hospital admissions - $150; Hospital or Ambulatory Out-patient treatment - 10% of covered services; Dental visits - $15.

The following is a basic list of the services covered: Hospital care; Doctor services Prescription drugs; Care at clinics; Physical, occupational, and speech therapy; Laboratory tests and X-rays; Alcohol and substance abuse services; Medical equipment, supplies, and appliances; Emergency medical transportation; Hospice care; Home healthcare; Renal dialysis; Family

[20] In 2011, Hines VA Hospital opened a Prosthetics and Orthotics Lab. See the following link for more details: https://www.hines.va.gov/pressreleases/Cutting_on_New_Prosthetics_and_Orthotics_Lab_Funded_through_federal_stimulus_dollars.asp

[21] 330 ILCS 126.

planning; Optometric care; Podiatric care; Limited Dental care; Chiropractic care; Audiology services; and Mental health services.

For additional information and to apply, call 1-877-4VETSRX.

Eligibility Requirements

- **General Requirements**
  - **Age:** Must be19 through 64 years old.
  - **Lack of Recent Health Insurance Coverage:** Either (1) Have had no health insurance for at least six months or (2) Fall under one of the following exceptions to the 6-month rule (you may still be eligible if your only insurance coverage in the last six months:):
    - Ended due to the loss of your employment or your spouse's employment
    - Ended due to the loss of FamilyCare or other state medical assistance
    - Ended due to the life-time benefit limit in your coverage
    - Is through a spouse's plan that you are unable to access
    - Is purchased through COBRA, or
    - Is through post active-duty Tricare coverage
  - **Ineligible for federal VA health care:** Not eligible for VA healthcare
  - **Ineligible for other State health care:** Not eligible for other state healthcare programs such as Family Care.
  - **Low Income Requirements:** Veterans with incomes in the approved income range (varies by county and household size)
- **Military Status Requirements**
  - Not been dishonorably discharged
  - Have served 180 consecutive days active duty after training

For more information, go to the following link: https://www.illinois.gov/hfs/MedicalPrograms/vets/Pages/default.aspx.

2. Domiciliary and Nursing Home Care

Description of Benefit

The state health care veterans benefit is provided by the Illinois Veterans Homes. Currently, there are Veterans Homes in Quincy, Manteno, La Salle, and Anna. Construction of a fifth site in Chicago was initiated in 2014 (completion date to be determined.).

Eligibility Requirements-Veterans

- **Requirements Based on Military Service**
  - Veteran must have served in U.S. Armed Forces for at least one day, during any war time period recognized by the VA or, for domiciliary care only, must have served for at least one year during any period.

- Peacetime veterans with one year of **honorable** military service may also be eligible for admission at Quincy or Anna.

- **Special Requirements**
  - Veteran must have either been an Illinois resident before entry into service or have resided in Illinois for one year before application for admission.
  - Veteran or spouse of deceased veteran must meet other qualifying conditions as determined by the IDVA.
  - Spouses of deceased veterans who meet the above conditions may also qualify for admission (to Quincy Veterans Home only).

Cost

- **Maintenance Fees**
  - Residents of the Illinois Veterans Homes may be charged for care at a rate to be determined by the IDVA which is based on the resident's ability to pay. From 1979 through mid-2012, the amount could not exceed a maximum of $929. Some would pay the maximum, some would pay a percentage of this amount, and others pay nothing. Effective July 1, 2012, the maximum maintenance fee was raised and a couple of other changes were implemented as follows:

Eligibility Requirements-Spouses, Widows or Widowers

Under certain, limited conditions, the spouse of a veteran may be eligible for admission in two of the four State Veterans Homes. The Administrator of the Illinois Veterans' Homes at Quincy and Anna may admit the spouse of a veteran who is making application, provided the veteran meets the eligibility requirements (see above) and the spouse: (1) has been married to the veteran for at least five years prior to making application; and (2) has no adequate means of support and is unable to earn a living.[22]

The widow or widower of a veteran may be also eligible for admission at Quincy and Anna provided the deceased veteran's military service meets the eligibility requirements (see above) and the widow or widower: (1) has lived in the State of Illinois for a continuous period of one year immediately before making application; and (2) has no adequate means of support and is unable to earn a living.[23]

Both the limited eligibility for current spouses and widows/widowers are further subject to a preference noted in the Administrative Code that filling vacant beds or filling vacant beds from a waiting list shall first be granted to eligible veterans.[24]

Before July 1, 2012	Current Cost Structure
$100 Resident Income Exclusion: Residents were allowed to keep the first $100 of their monthly income before the maintenance fee was assessed.	**$200 Resident Income Exclusion:** To the benefit of residents, the initial income exclusion was raised to $200, allowing them to keep more of their monthly income. The maintenance fee then continues to be calculated at 90% of a resident's remaining income, up to a new monthly maximum.
Spouse Income Floor: Previously did not exist.	**Spouse Income Floor:** For residents whose spouse still lives at home and not in any other care facility, a spouse

[22] 95 Ill. Admin. Code §107.20(a).
[23] 95 Ill. Admin. Code §107.30(a).
[24] 95 Ill. Admin. Code §107.20(b) and §107.30(b).

	income floor was established before the maintenance fee would be assessed. The intent was to ensure that there was sufficient funding available for a spouse to live on. In 2012, the spousal income floor was set at 133% of the federal poverty level, which then stood at $1,361.25.
Maintenance Fee: $929	**Maintenance Fee:** *Current Residents in 2012* Beginning July 1, 2012, the maximum maintenance fee increased from $929 to $1,079 per month. Each July 1st, this amount was scheduled to increase by $100 until an overall $500 increase ($1,429/mo.) was achieved beginning July 1, 2016. *New Residents since 2012*: For residents entering one of the Homes on or after July 1, 2012, the maintenance fee will be assessed at a maximum of $1,429 per month upon arrival. This fee is assessed based on an individual's income (not assets). This fee covers room, food (including special diets and supplements), medication, all levels of medical care, recreation and activities, and any special therapy or treatment prescribed by the attending Home physician. No qualified veteran will be turned away because of an inability to pay. Some costs of care are **not** covered. These include, but may not be limited to: eyeglasses, hearing aids, dentures, prostheses, and special wheelchairs or mechanical devices. Such costs must be paid directly to the providers by the resident or responsible surrogate.

How to Apply for Admission to an Illinois Veterans Home

- Complete IL Form 497-0290, Application for Admission, **and** IL Form 497-0462, Health Questionnaire.
- Apply at any IDVA office or directly to the Home.

Once admitted to one Illinois Home, a veteran or qualifying spouse is considered admitted to all of the homes.[25]

W. Summary

The eligibility requirements for health care benefits are among the most complex of all of your benefits. To make matters worse, eligibility for these benefits is constantly changing as our government downsizes. To get proper care and treatment, you must be an educated consumer. You should know what you are entitled to by law. Reading this book is only a start. Learn how to ask questions about your treatment. Teach yourself to be assertive in learning about your care and health care procedures. Most health care staff are happy to explain in detail what they are going to do when performing any procedure. Always ask about options. If you have any questions about whether or not you qualify for a health care benefit, talk to one of the sources of help described in Chapter 3.

[25] 20 ILCS 2805/2.01(g) [NEW]. This provision was added by PA 99-0314, effective 8/7/15.

Chapter 5: Compensation for Service-Connected Disabilities

Service-connected disability incurred or aggravated by military service is one of the most important benefits available to veterans. Service connection is the gateway to a variety of benefits, including compensation, educational benefits, medical care, and benefits for dependents. The greater the degree of service connection, the more benefits available to veterans and their families. Eligibility for non-service-connected pension also allows access to benefits such as a greater eligibility for VA health care.

Service-connected disability should be distinguished from another large VA benefit program, the non-service-connected pension program which is treated in Chapters Six and Nine.

A. Description of Benefit

VA compensation is paid to veterans who have a service-connected disability rated at 10% or more. Those who are less than 10% receive no compensation but are still entitled to medical treatment for the condition. In some cases, veterans who have two disabilities rated at less than 10% will receive compensation at the 10% rate.[26]

To be considered service-connected, the veteran must win VA recognition of the disability as being service-connected by going through the VA claims process. Service connection of a disability has three main requirements: (1) there must have been an in-service occurrence, (2) there must be a current diagnosis, and (3) there must be a linkage between the diagnosis and the in-service occurrence.

Those who file a claim and are denied service connection, or who receive a rating less than they believe they should have, do have recourse. Any decision by the VA may be appealed. How to appeal will be discussed in Chapter Six: How to Appeal a Denial of Benefits.

1. Allowances for Dependents

Veterans whose service-connected disabilities are rated at 30% or more are entitled to an additional allowance for dependents. The additional amount is determined by the number of dependents. A disabled veteran evaluated at 30% or more is also entitled to receive a special allowance for a spouse who is in need of the aid and attendance of another person. It is important, therefore, to submit a VA Form 686c, Declaration of Status of Dependents, with marriage certificates, birth certificates, divorce decrees, and any other proof that establishes dependency with any claims for benefits. The VA's Web site, http://www.vba.va.gov/bln/21/Rates/comp01.htm, will give the veteran an idea of the difference in compensation payments for veterans with dependents. Also, 38 U.S.C. §1115, Additional Compensation for Dependents, describes the benefit.

Additionally, veterans who receive a non-service-connected pension will have the amount of pension increased based upon the number of dependents. However, the pension is also based

[26] 38 CFR § 3.324.

upon total family income. If the spouse or dependent children are employed, that income counts when the VA determines eligibility.

B. Presumptive Service Connection

Congress has directed that certain conditions are to be presumed service-connected unless there is affirmative evidence to prove that particular veteran's condition is not related to service.[27] The VA has also determined other diseases should be presumed service-connected.[28] In these cases, the VA will assume that a disease was incurred while the veteran was in service even if the veteran does not have enough evidence to directly link the condition to service.

Presumptive service connection is available for certain chronic diseases, tropical diseases, diseases specific to former prisoners of war, diseases specific to radiation-exposed veterans or to exposure to certain herbicide agents such as Agent Orange, and certain diagnosed and undiagnosed illnesses in veterans of the Gulf War.

C. Prisoners of War

Under 38 U.S.C. §1112(b), former prisoners of war are entitled to a presumption of service connection for disabilities resulting from certain diseases if manifested to a degree of 10% at any time after active service. The VA Web page http://www.benefits.va.gov/compensation/claims-postservice-pow.asp. is especially useful for former Prisoners of War and their dependents and is very helpful in keeping up to date on benefits. Those who do not have access to a computer should call the Regional Office (1-800-827-1000) and go through the prompts. Once a veterans' benefits counselor is on the line, ask to talk to the POW coordinator.

To be entitled to the prisoner of war presumption, Veterans must first establish that they were a prisoner of war. The definition of "prisoner of war" can be found at 38 U.S.C. § 101(32).[29] Secondly, the Veteran must provide evidence of a current disability from the claimed condition that is at least 10 percent disabling.

Presumptive Diseases

Any nutritional deficiency, avitaminosis, and beriberi (including beriberi heart disease). The term beriberi heart disease includes ischemic heart disease in a former prisoner of war who experienced localized edema during captivity. Chronic dysentery, helminthiasis, malnutrition (including optic atrophy associated with malnutrition), pellagra, or any other nutritional deficiency. Post-traumatic osteoarthritis, irritable bowel syndrome, or peptic ulcer disease. Peripheral neuropathy except where directly related to infectious causes. New conditions added as a result of the Veterans Benefits Act of 2003: psychosis and any of the anxiety states, dysthymic disorder (or depressive neurosis), frostbite (including the organic residuals of frostbite if appropriate to where the veteran was held) and post-traumatic arthritis. New conditions under the October 2004 Amendments to the 2003 Act: Most heart diseases and stroke, including

[27] 38 U.S.C. §§1112, 1113, 1116, 1117.
[28] 38 U.S.C. §501.
[29] See also 38 §CFR 3.1(y)(2)(i) (2012).

atherosclerotic heart disease or hypertensive vascular disease and their complications, and stroke and its complications.[30] New condition under the Veterans' Benefits Improvement Act of 2008: Osteoporosis, as long as the veteran also has posttraumatic stress disorder.[31]

D. Exposure to Environmental Chemicals

Veterans from all eras have been exposed in varying degrees to what have become known as "environmental hazards." These hazards include, but are certainly not limited to, mustard gas, Lewisite,[32] radiation, Agent Orange, and Gulf War Syndrome. The VA now acknowledges that certain conditions are presumed to occur as a direct result of the exposure to these hazards and will award compensation to veterans who meet the requirements for presumption. Veterans may also contact the VA Regional Office at 1-800-827-1000 or visit http://www.benefits.va.gov/COMPENSATION/claims-postservice-exposures-index.asp for more information. Additionally, the VA maintains a Hazardous Exposure Toll Free Help Line at 1-800-749-8387. Each of the current environmental hazards, eligibility requirements, and presumptive conditions are discussed briefly below.

E. Radiation Exposure

Under certain circumstances, some more clearly defined than others, a veteran may establish eligibility for VA disability compensation and access to VA healthcare for any disease that the VA acknowledges stems from radiation exposure during military service. Importantly, one must recall that surviving spouses, dependent children and dependent parents of veterans who died as a result of such exposures may also be eligible for survivors' benefits.

1. Radiation

Radiation is energy, emitted from a source, which moves through space and can penetrate certain materials. Its contact with the human body can, depending on the circumstances, be harmful. More specifically, the risk of harm may differ based on whether the radiation is ionizing or non-ionizing. The form of radiation that most people think of in terms of veterans' exposures is ionizing, the high-energy form with sufficient energy to remove an electron (ionize) an atom or molecule and sufficient energy to do harm to DNA. In the military, the following have been typical sources of ionizing radiation: (1) Nuclear weapons handling and detonation; (2) Weapons and other military equipment made with depleted uranium; (3) Radioactive material; (4) Calibration and measurement sources; and (4) X-rays.[33]

If a veteran served on active duty or active duty for training as a member of the Guard or Reserve program and participated in "radiation risk activity," he or she is a radiation-exposed veteran. If diagnosed as having any of the following conditions, the VA will presume that the condition(s) occurred as the direct result of exposure to radiation and give the veteran compensation based on its severity. Some of the listed conditions must have occurred five years or more after exposure to radiation.

[30] 38 CFR §3.309(c)(1) (2012); 69 Fed. Reg. 60,083 (Oct. 7, 2004).
[31] 38 U.S.C. §1112(b)(2)(f); 74 Fed. Reg. 44288 (Aug. 28, 2009).
[32] 38 CFR §3.316 (2012).
[33] http://www.publichealth.va.gov/exposures/radiation/basics.asp.

2. Presumptive Conditions

Only diseases listed in 38 U.S.C. § 1112(c) and 38 CFR § 3.309(d) have the benefit of presumptive service connection. However, if a claim is based on a disease not listed as presumptively service connected, the VA must consider the claim as long as the veteran can provide competent scientific or medical evidence that the condition is a radiogenic disease under 38 CFR § 3.311(b)(2). Additionally, direct service connection is still available for any disease allegedly caused by radiation if the veteran can provide medical opinions that establish that it is "as likely as not" that the particular disease was caused by the veteran's exposure to radiation while in service.

Diseases that are presumptively service connected include: leukemia (other than chronic lymphocytic leukemia); thyroid cancer; breast cancer; pharynx cancer; cancer of the esophagus; stomach cancer; cancer of the small intestine; cancer of the pancreas; multiple myeloma; lymphomas (except Hodgkin's disease); cancer of the bile ducts; cancer of the gallbladder; primary liver cancer; cancer of the salivary gland; cancer of the urinary tract; and bronchiolo-aveolar carcinoma. In 2002, the following cancers were added: bone cancer, brain cancer, colon cancer, lung cancer, and cancer of the ovary.[34]

F. Mustard Gas Exposure

If a veteran participated in any experiments, tested chemical suits, or was in any other way exposed to mustard gas during service, the following conditions are presumed to be caused by such exposure.

Presumptive Conditions

Chronic conjunctivitis, keratitis, corneal opacities, scar formation, or the following cancers: nasopharyngeal, laryngeal, lung (except mesothelioma), or squamous cell carcinoma of the skin, chronic form of laryngitis, bronchitis, emphysema, asthma or chronic obstructive pulmonary disease, and acute nonlymphocytic leukemia. 38 CFR § 3.316 claims based on chronic effects of exposure to mustard gas and Lewisite contains the most current presumptive conditions.

G. Asbestos Exposure

Veterans who were exposed to asbestos while in service and developed a disease related to asbestos exposure may receive service-connected compensation benefits. In order to qualify, the veteran must show (1) discharge under conditions other than dishonorable; (2) exposure to asbestos while in military service; (3) disease related to asbestos exposure that occurred in military service. This requires the veteran provide evidence of the veteran's military occupation specialty and/or where the veteran was stationed. Visit the VA's website for instructions on how to apply for service connection related to asbestos exposure.35

The veteran may have been exposed to asbestos if he or she served in the following occupations: mining, milling, shipyard work, insulation work, demolition of old buildings,

[34] 67 Fed. Reg. 3,612, 3,615-16 (Jan. 25, 2002).
[35] http://www.benefits.va.gov/COMPENSATION/claims-postservice-exposures-asbestos.asp.

carpentry, construction, manufacturing and installation of products such as flooring, roofing, cement sheet, pipe products, or servicing of friction products such as clutch facings and brake linings.

H. Exposure to Contaminated Water at Camp Lejeune

Immediately before mid-December of 2015, veterans who served at Marine Corps Base Camp Lejeune at any time between the years 1957 and 1985 may have been entitled to service connection. The veteran had to provide (1) evidence that he or she served at Camp Lejeune between the years 1957 and 1985; (2) evidence of a current disease; and (3) a medical opinion that the disease is a result of the contaminated water at Camp Lejeune. (Visit the VA's website for instructions on how to apply for service connection related to exposure to contaminated water at Camp Lejeune.[36])

At that time, diseases potentially associated with exposure to contaminated water at Camp Lejeune included but were not limited to: esophageal cancer, lung cancer, breast cancer, bladder cancer, kidney cancer, adult leukemia, multiple myeloma, myelodysplastic syndromes, renal toxicity, hepatic steatosis, female infertility, miscarriage (with exposure during pregnancy), scleroderma, and neurobehavioral effects.

On December 17, 2015, VA announced plans to propose expanded disability compensation eligibility for Veterans exposed to contaminated drinking water while assigned to Marine Corps Base Camp Lejeune.

"From 1953 to 1987, water sources at the base were contaminated with industrial solvents that are correlated with certain health conditions. Secretary of Veterans Affairs Robert A. McDonald decided to propose presumptions of service connection for certain conditions associated with these chemical solvents following discussions between environmental health experts at the Veterans Health Administration and the Department of Health and Human Services Agency for Toxic Substances and Disease Registry (ATSDR)."

"The water at Camp Lejeune was a hidden hazard, and it is only years later that we know how dangerous it was," said Secretary McDonald. "We thank ATSDR for the thorough review that provided much of the evidence we needed to fully compensate Veterans who develop one of the conditions known to be related to exposure to the compounds in the drinking water."

"ATSDR determined that the drinking water at Camp Lejeune was contaminated with perchloroethylene, trichloroethylene, vinyl chloride, benzene and other petroleum contaminants from leaking storage tanks from 1953 to 1987. ATSDR also determined that prolonged exposure to these chemicals increases the risk of certain health conditions."

Based upon VA's review of current medical science and ATSDR's findings, Secretary McDonald intends to propose creation of a presumption of service connection for the following conditions:

- Kidney Cancer
- Liver Cancer
- Non-Hodgkin Lymphoma
- Leukemia
- Multiple Myeloma

[36] http://www.benefits.va.gov/COMPENSATION/claims-postservice-exposures-camp_leguene_water.asp

- Scleroderma
- Parkinson's Disease
- Aplastic Anemia / Myelodysplastic Syndromes

"The Secretary's proposal would also expand benefits eligibility to Reserve and National Guard personnel who served at Camp Lejeune for any length of time from August 1, 1953, through December 31, 1987. These personnel would be presumed to have been exposed to the contaminated water during their Reserve or National Guard service and, in appropriate circumstances, to have been disabled by such exposure during service, thus allowing them to qualify for VA benefits under the statutory definition of "Veteran." This would make them eligible for VA disability compensation and medical care for any of the presumptive conditions, and their surviving dependents would be eligible for dependency and indemnity compensation and burial benefits."

VA is working on regulations that would establish these presumptions, making it easier for affected Veterans to receive VA disability compensation for these conditions. While VA cannot grant any benefit claims based on the proposed presumption of service connection for these conditions until it issues its final regulations, it encourages Veterans who have a record of service at Camp Lejeune between August 1, 1953, and December 31, 1987, and develop a condition that they believe is related to exposure to the drinking water at the base, to file a disability compensation claim with VA.

VA will continue to grant claims for disabilities claimed to be associated with exposure to the contaminants that can be granted under current regulations and review of the evidence in each case. If a claim for service connection for one of the proposed presumptive conditions would be denied under current regulations, the denial will be stayed until VA issues its final regulations. VA will announce when the regulations are final and presumptive benefits can begin to be awarded. For more information on applying for these benefits, visit: http://benefits.va.gov/compensation/claims-postservice-exposures-camp_lejeune_water.asp.

Veterans who served at Camp Lejeune for 30 days or more between August 1, 1953, and December 31, 1987, are already eligible to receive VA healthcare for up to 15 health conditions. More information, including a full list of covered conditions, can be found online at:

http://www.publichealth.va.gov/PUBLICHEALTH/exposures/camp-lejeune/index.asp.

Veterans can establish eligibility for healthcare benefits by submitting VA Form 10-10EZ online at www.1010ez.med.va.gov/, downloading it at www.va.gov/vaforms/medical/pdf/1010EZ-fillable.pdf and returning it to any VA Medical Center or Clinic, or by calling 1-877-222-VETS (8387), Monday through Friday, between the hours of 8:00 AM and 8:00 PM (Eastern Time).

VA is reimbursing certain veterans' family members for eligible out-of-pocket medical expenses related to the 15 covered conditions. More information can be found at: https://www.clfamilymembers.fsc.va.gov

I. Agent Orange (AO) Exposure

For the period January 9, 1962, through May 7, 1975, Veterans who served in Vietnam or in its surrounding inland waterways, and Veterans who had duties that included visiting Vietnam, are presumed to have been exposed to herbicides when they claim service-connection for diseases connected to Agent Orange exposure. As a result, veterans who are diagnosed as having any

of the conditions noted below may be eligible for compensation depending upon the degree of disability and the date of diagnosis.

Additionally, as a result of the passage of the Veterans Benefits and Health Care Improvement Act of 2000, the VA now will compensate and care for the children of Vietnam veterans who suffer from spina bifida and certain other "covered" birth defects that are not the result of familial disorders, birth related injuries, or fetal or neonatal infirmities with well-established causes.[37] For more information, see later in the chapter.

1. Presumptive Conditions

Chloracne or other acne form disease consistent with chloracne; Hodgkin's disease; multiple myeloma; Non-Hodgkin's lymphoma; acute and subacute peripheral neuropathy (the term "acute and subacute peripheral neuropathy" means transient peripheral neuropathy that appears within weeks or months of exposure); AL Amyloidosis;[38]chronic B-cell leukemias;[39] diabetes mellitus (Type 2); ischemic heart disease;[40] Parkinson's disease;[41] porphyria cutanea tarda; prostate cancer; respiratory cancers (cancer of the lung, bronchus, larynx, or trachea).

Soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma, or mesothelioma). Soft-tissue sarcoma includes the following: adult fibrosarcoma dermatofibrosarcoma protuberans, malignant fibrous histiocytoma, liposarcoma, leiomyosarcoma, epithelioid leiomyosarcoma (malignant leiomyoblastoma), rhabdomyosarcoma, ectomesenchymoma, angiosarcoma (hemangiosarcoma and lymphangiosarcoma), proliferating (systemic) angioendotheliomatosis, malignant glomus tumor, malignant hemangiopericytoma, synovial sarcoma (malignant synovioma), malignant giant cell tumor of tendon sheath, malignant schwannoma, including malignant schwannoma with rhabdomyoblastic differentiation (malignant Triton tumor), glandular and epithelioid malignant schwannoma, malignant mesenchymoma, malignant granular cell tumor, alveolar soft part sarcoma, epithelioid sarcoma, clear cell sarcoma of tendons and aponeuroses, extra skeletal Ewing's sarcoma, congenital and infantile fibrosarcoma malignant ganglioneur.

The VA has a Web page for Agent Orange conditions that contains the most current presumptive conditions and other information concerning exposure to Agent Orange. The Web site is http://www.vba.va.gov/bln/21/Benefits/Herbicide/index.htm#bm05. The VA also maintains an Agent Orange Helpline at 1-800-749-8387 [Press 3].

A veteran who wants to present a service-connection claim based on ischemic heart disease, hairy cell and other b-cell leukemias or Parkinson's disease, may use the "Agent Orange Fast Track Claims Processing System" [https://www.fasttrack.va.gov/AOFastTrack/] if you served in the Republic of Vietnam or in-land waterways between January 9, 1962, and May 7, 1975. Please note that if you have previously submitted a claim for service-connection for these conditions, or if you wish to apply for service-connection for any additional conditions, you should apply using the traditional claims process.

2. Blue Water Veterans

[37] Veterans Benefits and Health Care Improvement Act of 2000, Public Law 106-419, enacted January 8, 2003, retroactive to December 1, 2001. See also, Final Rule published on January 8, 2003, in the Federal Register, vol. 68, no. 5, p. 1009; 38 CFR §3.814, 38 CFR §3.815, 38 CFR §3.816.

[38] The VA decided to make it a presumptive condition effective, May 7, 2009.

[39] The VA's decision to recognize chronic B-cell leukemias took effect Oct. 30, 2010.

[40] The VA's decision to recognize ischemic heart disease took effect Oct. 30, 2010.

[41] The VA's decision to recognize Parkinson's disease took effect Oct. 30, 2010.

The term “Blue Water Veterans” is used to refer to those Veterans who performed their military service on ships in the open sea off the shore of Vietnam during the Vietnam War. Unlike those noted in the section immediately above, Blue Water Veterans do not enjoy a presumption of exposure to Agent Orange or other herbicides. This does not mean that such a Veteran cannot present a successful claim to the VA. Even the ships normally in the open sea may have come into contact with the shore or sent smaller vessels into the inland waterways.

Therefore, Blue Water Veterans, who did not set foot on Vietnam or who did not serve aboard inland waterway ships, must show a factual basis that they suffered exposure to herbicides instead of being able to rely on the presumption of such exposure. The VA will decide such claims on their individual merits.

One should note an important exception in the case of non-Hodgkin’s lymphoma. Those Blue Water Veterans who have contracted non-Hodgkin’s lymphoma may be granted service-connection without showing duty ashore or inland waterway service. The VA in this instance recognizes that non-Hodgkin’s lymphoma is related to service either in Vietnam or on the waters offshore Vietnam during the Vietnam Era.

For more information, see the VA’s webpage on “Blue Water Veterans and Agent Orange Exposure” which may be reached at the following web address: https://www.publichealth.va.gov/exposures/agentorange/locations/blue-water-veterans.asp. A copy of the Ship’s list is included in the appendices of this booklet. (The reader is cautioned to also consult with a Veteran Service Officer and/or the VA for the most current version of the Ship’s list.).

J. Children of Veterans with Birth Defects

1. Benefits for Children of Veterans Who Served in Vietnam and Korea

Children of veterans who served in Vietnam and along the DMZ in Korea from September 1, 1967 to August 31, 1971, who suffer from spina bifida, including related complications, may be entitled to a variety of benefits. Such benefits include compensation, vocational training, medical and dental care, medical equipment, and mental health services.

2. Benefits for Children of Women Vietnam Veterans Who with Birth Defects

The Veterans Benefits and Health Care Improvement Act of 2000 made allowance to pay for compensation and care for the birth defects of children of women Vietnam veterans that (1) are associated with Vietnam service; and (2) result in permanent physical or mental disability. Not included are birth defects that are the result of a familial disorder, a birth-related injury, or a fetal or neonatal infirmity with well-established causes. To be eligible, the child must have been conceived after the veteran first entered Vietnam. Covered diseases include, but are not limited to, the following: achondroplasia, cleft lip and cleft palate, congenital heart disease, congenital talipes equinovarus (clubfoot), esophageal and intestinal atresia, Hallerman-Streiff syndrome, hip dysplasia, Hirschprung's disease (congenital megacolon), hydrocephalus due to aqueductal stenosis, hypospadias, imperforate anus, neural tube defects, Poland syndrome, pyloric stenosis, syndactyly (fused digits), tracheoesophageal fistula, undescended testicle, and Williams syndrome. Additional information is available at the following website link: http://www.publichealth.va.gov/exposures/agentorange/conditions/birth_defects.asp.

How to Apply

Application for children with birth defects and spina bifida are made on VA Form 21-0304, Application for Benefits For Certain Children of Vietnam Veterans with Disabilities. This form is also available at any VA office. Once the form is completed, send it with the appropriate medical evidence confirming the disability to:

Department of Veterans Affairs
VA Regional Office (339/21)
PO Box 25126
Denver, CO 80225

If there are any questions, contact the VA at 1-888-820-1756 or e-mail the VA at Birthdefects@vba.va.gov. Health care information is also available by calling 1-888-820-1756.

K. Desert Storm Syndrome

Many veterans who served in the Gulf War have experienced severe medical problems. Desert Storm Syndrome has also affected the spouses and children of its victims. Gulf War veterans who experience, or whose spouses or children experience, the symptoms listed below should report to a VA Medical Center for an examination. The veteran should also file a claim with the VA for disability compensation. When the VA identifies what conditions are presumed to have occurred as a result of serving in the Gulf War, the effective date of compensation will be the date of claim, provided the veteran meets the criteria for service connection. If there is a question that the current condition was caused by service in the Gulf War, a claim should be filed anyway to protect eligibility.

Presumptive Conditions

For Gulf War veterans, the VA has recognized certain unexplained clusters of symptoms existing for six months or more as associated with military service in the Gulf. Illnesses include medically unexplained clusters of symptoms that have existed for six months or more, such as: chronic fatigue syndrome; fibromyalgia; irritable bowel syndrome; and any diagnosed or undiagnosed illness that the Secretary of Veterans Affairs determines should be presumed to be associated with Gulf War service. Information about health effects of military service during Operations Desert Shield, Desert Storm and Iraqi Freedom and related VA programs is available at http://www.publichealth.va.gov/exposures/gulfwar/index.asp.

L. Persian Gulf War, Operation Enduring Freedom (OEF), and Operation Iraqi Freedom (OIF) Veterans

Under 38 CFR § 3.317,[42] all veterans who have served in Southwest Asia since August 2, 1990 are entitled to presumptive service connection for undiagnosed illnesses,[43] and certain

[42] See also 38 U.S.C. §§ 1117 & 1118.

medically unexplained chronic multi-symptom illnesses,[44] such as fibromyalgia, chronic fatigue syndrome, and functional gastrointestinal disorders (examples include irritable bowel syndrome (IBS), functional dyspepsia, and functional abdominal pain syndrome), and some infectious diseases.[45] The VA prefers to use the term "chronic multisymptom illness" and "undiagnosed illnesses" instead of the popular term "Gulf War Syndrome."

In order to be entitled to presumptive service connection under this section, (1) the veteran must qualify as a Persian Gulf War veteran; (2) the veteran must suffer from "a qualifying chronic disability"; and (3) the disability must have become manifest during active military service in the Southwest Asia theater of operations or by December 31, 2021, and be at least 10 percent disabling.[46]

M. Service Connection for Posttraumatic Stress Disorder (PTSD)

The recognition, diagnosis, and treatment of PTSD is a post-Vietnam War phenomenon, although the condition itself has previously been identified by other names. To find out more information about PTSD (or as some now prefer to call it, Posttraumatic Stress [PTS]), a starting point may be found on the VA's website at the following page: https://www.ptsd.va.gov/public/PTSD-overview/basics/what-is-ptsd.asp. Additionally, the VA offers a summary of the American Psychiatric Association's 2013 revised PTSD diagnostic criteria in the fifth edition of its Diagnostic and Statistical Manual of Mental Disorders (DSM-5; 1). See the following link for more information: https://www.ptsd.va.gov/professional/PTSD-overview/dsm5_criteria_ptsd.asp

In order to qualify for service connection for PTSD, a veteran must show (1) medical evidence diagnosing the condition in accordance with 38 CFR §4.125(a); (2) medical evidence of a link between current symptoms and an in-service stressor; and (3) supporting evidence that the stressor occurred.[47] In order to qualify for service connection for PTSD, the veteran must show that it is "as likely as not" that each of these three factors exist.[48]

Tip: In regard to current service members, if he or she is facing an Other Than Honorable (OTH) discharge and can reasonably allege that he or she is suffering from PTSD, he or she is entitled to a medical examination. If the service member is diagnosed with PTSD as a result of that examination, he or she can use it as a factor in the determination of his or her discharge status and eligibility for benefits from the VBA. See 10 U.S.C. §1177.

[43] 38 U.S.C. §1117; 38 CFR §3.317 (2012) ("objective manifestations of a chronic disability include both 'signs,' in the medical sense […] and other non-medical indicators that are capable of independent verification.")

[44] 38 CFR §3.317(a)(2)(i)(B) (2012).

[45] 38 CFR §3.317(c)(2) (2012).

[46] http://www.publichealth.va.gov/exposures/gulfwar/medically-unexplained-illness.asp

[47] 38 CFR §3.304(f) (2012).

[48] 38 CFR §3.102 (2012).

N. Chronic Diseases

Under 38 U.S.C. §1112(a), a chronic disease is presumed to be service-connected if it manifested itself to a degree of 10 percent or more within one year from the date of separation from service. The idea behind this is that if a chronic disease manifests itself very close to the time the veteran was separated from service, it is likely that the veteran had the disease during service. Different disabilities have different presumptive periods. For the presumption to apply, the disease must be one listed under 38 U.S.C. §1101(3), or adopted by the VA in 38 CFR § 3.309(a) (2012). If the veteran can show (1) he or she developed one of the listed diseases during or shortly after service, (2) and current disability from the disease, it will be service-connected even if there is no evidence of a link between the current disability and the veteran's service, and even if the veteran does not apply for benefits for many years.[49]

1. Amyotrophic Lateral Sclerosis

Under 38 CFR § 3.318, presumptive service connection is available to any veteran who develops Amyotrophic Lateral Sclerosis (also known as ALS or Lou Gehrig's disease) at any time after discharge or release from service. In order to qualify, the veteran must have had at least 90 days of active continuous service. The earliest effective date for benefits granted under this section is September 23, 2008, even if the veteran was diagnosed with ALS before this date.[50]

2. Tropical Diseases

Under 38 U.S.C. §1112(a)(2), the VA must apply a presumption of service connection to tropical diseases that manifest to a degree of 10 percent or more within one year from discharge from active service. This presumption also covers disorders that result from the treatment of a tropical disease.[51]

Tropical diseases under this section include: amebiasis; blackwater fever; cholera; dracontiasis; dysentery; filariasis; leishmaniasis, including kala-azar; loiasis; malaria; onchocerciasis; oroya fever; pinta; plague; schistosomiasis; yaws; and yellow fever.[52]

3. Service-Connection of Non-Presumptive Conditions

If a veteran, dependent, or survivor believes that a condition is a result of an exposure to an environmental hazard but the condition is not listed as presumptive, a claim may still be filed and be successful, provided that the veteran has cited or submitted competent scientific or medical evidence that the claimed condition is a disease caused by exposure. This medical evidence must be of two types: medical statements that link the veteran's disease to exposure and scientific evidence that establishes a linkage of the disease to such exposure.

[49] 38 CFR §§3.303(b), 3.307, 3.309 (2012).
[50] 74 Fed. Reg. 57072 (Nov. 4, 2009).
[51] 38 CFR §3.307(a)(4) (2012).
[52] 38 U.S.C. §1101(4); 38 CFR §3.309(b) (2012).

O. Eligibility Requirements for VA Compensation

Requirements Based on Military Service

The veteran must be discharged or released from service under conditions other than dishonorable. The veteran must also have a recognized disabling injury or illness that was incurred or aggravated in the line of duty during active service. This also includes Guard and Reserve duty. The veteran may also qualify if diagnosed with one of the presumptive conditions listed above.

P. How to Establish Proof of Service-Connection

1. Establishing a Well-Grounded Claim

Since the passage of the Veterans Claims Assistance Act of 2000 (VCAA), the need to establish a well-grounded claim is no longer as stringent as it was when the VA was forced to apply it by the Court of Appeals for Veteran Claims (CAVC). However, it is still important to understand the basics of a well-grounded claim. A well-grounded claim is one that has supporting evidence that is deemed sufficient enough to justify "a belief by a fair and impartial individual that the claim is plausible."

2. Medical Discharge

Veterans who receive a medical discharge from service may qualify easily. The VA will usually accept the discharge as proof of service-connection, especially when either severance pay or disability retirement is granted. Please note that the VA must recoup severance pay before VA compensation can be paid. In the case of those who receive military retired pay, the veteran must waive that portion of retired pay that is equal to the VA compensation or waive retired pay to receive VA compensation as the greater benefit. This waiver only affects compensation and retired pay; no other benefits from the VA or military are affected. The sooner the VA starts re-couping the severance pay, the sooner the veteran will get the compensation. Also, should the disability increase in severity at any time after separation, the veteran should apply for an increase in disability.

3. Medical or Psychiatric Examination

If the veteran did not receive a medical discharge, service-connection still may be granted provided the veteran is able to provide enough evidence to show that the claimed condition had its start in the military. If the claim is considered well-grounded by the VA, they will schedule a compensation and pension examination. If, in the opinion of the examining physician, the disability in question is related to military service and the Service Medical Records indicate that treatment for the condition occurred while on active duty, the claim may be granted. In the case

of PTSD, the service records must show that the veteran was involved in combat or some other life-threatening or similar stressor.

4. Other Factors to Consider: Establishing Linkage – A Key Element in Proving Service-Connection

It is critical to the veteran to be able to show evidence that will prove a link between something that happened during service and the present disability. In attempting to establish this "linkage," military records should be reviewed to see what entries in the medical or personal records might support the claim. Look for any entry which might show some connection to the claimed condition. If there are no such entries, consider developing witnesses who may have knowledge of the injury or condition. The witness may be an individual who served with the veteran or who knew the veteran shortly after separation from the military. Letters the veteran may have written home that discuss the event or injury are also a good source. Another good source of service information is unit morning reports obtainable from the Record Processing Center in St. Louis. Operational Journals are a good source especially for PTSD claims.

Tip: Keep records of visits to private physicians for treatment of the condition that might be service related. These records can help greatly in determining the linkage and progression of a disabling condition. There have been several cases won in which lay statements were used to describe symptoms of conditions believed to have occurred in the military or within the one-year presumptive period. These are most effective when backed up by a physician statement.

5. Other Factors to Consider: Understanding What "Incurred or Aggravated" Means

A condition that was incurred during military service refers to a wound, injury, or illness that the veteran suffered during service. In some cases the incident is immediately disabling; in others, the condition can worsen later and become disabling after separation from the military.

Disabling conditions that are aggravated during service also qualify the veteran for compensation. If a person enters service with a known medical condition and if during service that condition is aggravated as a direct result of service, the individual would qualify for compensation. Even if a condition pre-existed service but manifested itself while on active duty, it may still be service-connected.[53]

6. Other Factors to Consider: Understanding the "Line of Duty" Requirement

The veteran's disability must have arisen **"in the line of duty."** The "Line of Duty" requirement relates to when the veteran was serving on active military service. Under 38 U.S.C. §105, a veteran is entitled to compensation for any disability resulting from injury incurred or disease

[53] 38 CFR § 3.303.

contracted during a period of active military service, unless such injury or disease is the result of the veteran's own willful misconduct or abuse of alcohol or drugs.

7. The Veterans Claims Assistance Act of 2000 (VCAA) and the Duty to Assist

Prior to the passage of the VCAA, the VA had to first "well ground" the claim before the duty to assist was triggered. This placed a tremendous hardship on the claimant. The passage of the VCAA firmly establishes the VA's duty to assist in the development of a claim for benefits. The VA still has the right not to assist the claimant if there is no reasonable possibility of the claim being successful. The duty to assist has two main parts. Once the VA receives a claim, it will notify the claimant by letter of the information needed to "substantiate" the claim. In that same letter, the VA will inform the claimant of the evidence they, the VA, are required by law to obtain.

38 U.S.C. § 5103A. **Duty to assist claimants** mandates that the VA make "reasonable" efforts to assist those claiming VA benefits in the development of evidence needed to substantiate their claim. This "reasonable effort" includes requesting military records and private records that are identified by the claimant. However, the VA is not mandated to pay for those records. Additionally, 38 CFR §3.159(a) states in part that the VA "shall assist a claimant in developing the facts pertinent to his or her claim." This means that the VA must help the veteran develop evidence. They can do this by requesting military personnel records or Service Medical Records (SMRs). They can also request after action reports, morning reports, or any other government information that may assist the veteran in proving the claim.

The VA can also (if authorized by use of release forms), obtain records from private hospitals, out-patient treatment facilities, and private physicians. Having the VA obtain records can save a lot of aggravation and research. It can also save money in copying fees. Many times private agencies that would charge for copies of medical records will waive the fee if the VA asks for them. Sometimes, however, it is quicker for the veteran or his representative to obtain records on his or her own rather than wait for the VA. Remember that under the Freedom of Information Act (FOIA), veterans may obtain complete copies of all records pertaining to their service. It also allows the veteran or representative to review the records prior to submitting them to the VA.

Q. How to Apply for Disability Compensation

1. Write a letter [Informal Claims]

Write and mail a letter to the VA stating the benefit for which the veteran wishes to apply and the circumstances surrounding the benefit. This acts as an informal claim. The VA will then send the proper claim form. An informal claim protects the date of the award.

2. Fill out a VA Form

Fill out VA Form 21-526, "Veteran's Application for Compensation and/or Pension."

3. Fill out supplemental statement (if initial form has been submitted)

If a VA Form 21-526, "Veteran's Application for Compensation or Pension," was already completed, a letter or VA Form 4138 "Statement in Support of Claim" is all that is necessary. In the case of compensation or pension, the veteran or representative should simply state the benefit sought. If it concerns an increase in compensation, the veteran or representative should simply state the service-connected disability and how it has increased in severity.

4. Go to the nearest VA Office.

Alternatively, apply at the nearest VA office.

R. Total Disability Based on Individual Unemployability

If you do not have a 100 percent disability rating from the VA but are still unable to secure a substantially gainful occupation due to your disabilities, you may qualify for total disability based on individual unemployability (TDIU).[54] A 100 percent TDIU rating takes into consideration the effect your service-connected disabilities have on your ability to work. There are two requirements for a claim for TDIU, and the veteran must fulfill both: (1) the veteran's service-connected disability ratings must satisfy certain percentage requirements; and (2) the veteran must show that he or she cannot secure a "substantially gainful occupation" due to his or her disabilities.[55]

To fulfill the first requirement, if the veteran has one service-connected disability, it must be rated at 60 percent or more. If the veteran has more than one service-connected disability, at least one disability must be rated at 40 percent, and the combined disability rating must be 70 percent or more.[56] The VA does not provide a definition of "substantially gainful occupation" in regards to the second requirement for a TDIU claim. However, it has been construed to mean "an occupation that provides the veteran with an annual income that exceeds the poverty threshold for one person, irrespective of the number of hours or days that the veteran actually works."[57]

The best way to apply for TDIU is to submit a VA Form 21-8940, or by sending the VA a letter stating that you wish to pursue TDIU benefits and requesting the VA send all appropriate forms so your claim can be perfected.

Temporary TDIU ratings are also available under 38 CFR § 4.16. The VA will consider these claims on a case by case basis, and the veteran's employment history and current employment status, the veteran's annual income from employment (if any), and the frequency and duration of periods of incapacity or time lost from work due to disability.[58]

S. Secondary Service Connection

[54] 38 CFR § 4.16 (2012).
[55] 38 CFR§ 4.16(a) (2012).
[56] 38 CFR § 4.16(a) (2012).
[57] *Faust v. West,* 13 Vet. App. 342, 356 (2000).
[58] VA Gen. Coun. Prec. 5-2005 (Nov. 25, 2005).

Under 38 CFR § 3.310 (2012), service connection is also available for almost any condition that is a result of or worsened by a service-connected disability. It does not matter when the secondary condition manifests, as long as there is sufficient medical evidence to show that it is a result of the service-connected condition.

The process for applying for secondary service connection is the same as applying for service connection, except that a claim for secondary service connection requires the veteran to provide medical evidence that the non-service-connected condition was caused or aggravated by a service-connected condition.

Chapter 6: Non-Service-Connected Pension and Other Special Topics

The "VA pension" is a monthly payment made to qualifying wartime non-service-connected veterans, surviving spouses, and certain dependents. The benefit is designed for those less financially fortunate, and has both income and net worth limitations. In fact, if an individual qualifies, the amount of the payment will depend on the veteran's total family income from most sources.

One may generally refer to this benefit as the "VA Pension Program." The terms used vary whether the intended recipient of the benefit is the veteran or the surviving spouse or dependent. The VA offers (1) to certain wartime veterans the "current-law" pension benefit (originally and formerly known as the "improved pension") created by authority of PL 95-588 (92 Stat. 2497); and (2) to spouses of deceased wartime veterans the "survivors pension" or "death pension."

A. Types of Veterans Pensions

1. The "Current Law" or "Improved" Pension

This is the only pension allowed to recently disabled veterans. The improved pension program provides for annual rates paid in monthly allotments. The annual amount is reduced by the amount of the annual countable income of the veteran, spouse, and dependent children. Call the VA to get help in determining your monthly rate.

The following pension programs are still in effect for those veterans who were awarded while the pension law was in effect.

2. Reduction While in Hospital, Nursing Home, or Domiciliary

When a veteran without a spouse or child is being furnished hospital, nursing home, or domiciliary care by the VA, the pension is reduced. The VA limits the Improved Pension (as well as the Survivor's Pension) monthly payment to $90/month that can be paid to a Veteran (or surviving spouse with no dependents who (1) is in a Medicaid-approved nursing facility, and (2) is covered by a Medicaid plan for services furnished by the nursing facility. None of the $90 should be used to reduce the amount of Medicaid that is paid to a nursing home.[59]

B. Eligibility Requirements (Current Law Pension)

[59] 38 C.F.R. §3.551(i).

A veteran and his or her surviving spouse may generally be eligible for the VA Pension if he or she[60]:

1. was discharged from service under other than dishonorable conditions;
2. served a certain period of active military, naval or air service with at least 1 day during a period of war (see table below for more details)[61];
3. has countable income at or below the maximum annual pension rate;
4. meets the net worth limitations; AND
5. meets any one of the following conditions: (1) age 65 or older; (2) shown by evidence to have a permanent and total non-service-connected disability; (3) is a patient in a nursing home; OR (4) is receiving Social Security disability benefits.

The VA has summarized the basic requirements nicely in the following table:

Age/Disability Requirements	**Active Service Requirements**	
	On/Before September 7, 1980 (Enlisted) or October 16, 1981 (Officer)	**After September 7, 1980 (Enlisted) or October 16, 1981 (Officer)**
• Age 65 or older, OR • Permanently and totally disabled (not due to own personal misconduct), OR • A patient in a nursing home receiving skilled nursing care, OR • Receiving Social Security Disability Insurance, OR • Receiving Supplemental Security Income	• For at least 90 days with at least one day during a wartime period, OR • For at least 90 consecutive days or more if the period began or ended during a wartime period, OR • For an aggregate of 90 days or more during more than one wartime period, OR • During a wartime period, you were discharged or released because of a service-connected disability.	• For at least 24 continuous months*, or the full period you were called or ordered, with at least one day during a wartime period, OR • During a wartime period, you were discharged or released because of a service-connected disability. *You are also eligible if you previously completed 24 continuous months of active service prior to the date above, or received an early discharge under Section 1171 of Title 10.*

C. Aid and Attendance or Housebound

[60] See 38 C.F.R. §3.3(a)(3) (listing requirements for the Improved Pension.)
[61] 38 U.S.C. §1501(4), Definition of "period of war." Recognized under 38 U.S.C. §1521(j); 38 C.F.R. §3.2.

Those who qualify for the VA Pension may also qualify for one of two supplemental pension benefits known as "Aid and Attendance (A&A)" or "Housebound." A veteran and his or her survivor(s) who are eligible for the VA Pension may receive the increased (i.e., supplemental) monthly Aid and Attendance pension amount if he or she is:

1. Eligible for basic pension benefits; AND
2. either (1) requires the aid of another person in order to perform activities of daily living, such as bathing, feeding, dressing, toileting, adjusting prosthetic devices, or protecting himself or herself from the hazards of his or her daily environment; (2) is bedridden, in that his or her disability or disabilities require that he or she remain in bed apart from any prescribed course of convalescence or treatment; (3) is a patient in a nursing home due to mental or physical incapacity; OR (4) has corrected visual acuity of 5/200 or less, in both eyes, or concentric contraction of the visual field to 5 degrees or less.

Tip: Veterans who are eligible for a VA pension should investigate whether they might not be better off receiving Supplemental Social Security Income and Medicaid. The acceptance of a VA pension could cause the veteran to lose these other allowances, which in some cases, could be greater. Discuss this matter thoroughly with your representative before filing a claim, and consider consulting with an Illinois attorney as to current Illinois Medicaid eligibility rules.

In counting income, the VA will use medical expenses, including over-the-counter medicines, as a deduction. If the veteran's income is excessive and if medical expenses can be shown by receipt, the veteran may be able to lower the income enough to receive pension benefits.

D. Income and Net Worth Limitations

Among the other eligibility requirements, a claimant must qualify financially. The VA non-service connected pension program is a means-tested benefit. If the VA determines you receive above a certain level of income or possess enough assets to take care of yourself at the time of review, then your claim may be denied (Note: A person's financial situation may change. A claimant can always reapply for benefits under the VA pension program.). To be financially qualified to receive the VA pension, a claimant's (1) income for VA purposes must be under the Maximum Annual Pension Rate (MAPR); and (2) the claimant's net worth must not exceed VA limitations.

Countable income for VA purposes is broadly defined and covers most sources of income received by a claimant and his or her eligible dependents. Earnings, disability and retirement payments, interest and dividend payments from annuities, and net income from farming or a business are all considered countable income. There is also a limited ability to reduce the total of countable income by deducting for certain qualifying expenses, such as unreimbursed medical expenses.

The VA defines "net worth," or "corpus of estate," as the "market value, less mortgages or other encumbrances, of all real and personal property owned by the claimant, except the claimant's dwelling (single fa mily unit), including a reasonable lot area, and personal effects suitable and consistent with the claimant's reasonable mode of life."[62]

The VA pension typically is paid in monthly installments. The amount the VA pays is what remains after the VA subtracts your "countable income," from an annual pension limit (the MAPR) established by Congress. All veterans, surviving spouses, and family members, should seek the assistance of a veterans service officer (see Appendices) for further information. Individuals may also separately need to seek professional financial or legal advice in regard to long-term care and financial planning needs.

E. How to Apply for the VA Pension

1. Fill out a VA Form

For a veteran applying for his own pension, use VA Form 21P-527EZ, "Application for Pension." In Illinois, veteran pension applications may be transmitted to the servicing pension center in Milwaukee: U.S. Department of Veterans Affairs, Claims Intake Center, Attention: Milwaukee Pension Center, P.O. Box 5192, Janesville WI 53447-5192; Fax: (844) 655-1604.

2. Go to the nearest VA Office.

Alternatively, apply at the nearest VA office or through your local veteran service officer.

3. Seek Help from A VA-Accredited Individual.

Alternatively, and possibly the best alternative, seek the assistance of a veterans service offcer or attorney who is accredited by the VA to assist and represent claimants before the VA. To verify whether an individual is so accredited, the VA's website has page on which you can look up an individual. Keep in mind that there are three categories of accreditation on the web site, "attorney," "claims agents," and "VSO representative." Best practice may simply be to search for an individual in all three database categories. The webpage can be found at the following address:
https://www.va.gov/ogc/apps/accreditation/index.asp.

F. Summary

In addition to service-connected disability benefits, non-service-connected pension benefits can provide great assistance to veterans or surviving spouses. Having either one gives the veteran eligibility to other benefits that can be of great help to a veteran and his or her family. As mentioned in previous chapters and throughout the rest of this book, service-connected veterans always get priority treatment for their service-connected disabilities.

[62] 38 C.F.R. §3.263(b).

Veterans who receive pension benefits also become eligible, or more eligible, for medical care by the VA. This is becoming more and more important as eligibility for VA medical care is tightened by the cutback in VA funding.

Seek help in filing and developing your claim. This cannot be stressed enough. Veteran Service Organizations can be a great help (See the appendices for some contact information.)

Chapter 7: How to Appeal a Denial of Benefits

It's always a shock when you are notified that your claim has been denied. If you believe that the VA acted incorrectly, take advantage of your right of appeal. Both the VA and the IDVA have an appeal process designed to review such denials and, where the denial is shown to be wrong, to reverse the decision and award the benefit. The purpose of this chapter is to familiarize you with how the appeal process works and how you can best make it work in your favor.

A. Federal Appeals (VA)

When the VA makes a decision on a claim, they send a letter with a copy of the Rating Decision to the veteran and his or her representative. Along with the Rating Decision and letter, a notice of the veteran's right to appeal the decision is also sent. Should the veteran disagree with any or all of the Rating Decision, the veteran may choose to appeal. The start of the appeal process is a letter sent to the VA stating the disagreement. This letter is called a Notice of Disagreement (NOD). **The NOD should be submitted to the Regional Office that issued the adverse decision, and must be filed within one year from the date of mailing of the VA notice of the adverse decision.** The VA will consider an NOD postmarked before the expiration of the one-year deadline to be timely filed.[63]

The Notice of Disagreement informs the VA that the veteran disagrees with a decision made by the VA Regional Office or VA Medical Center. Upon receipt of the NOD, the VA will do one of two things. They will consider the NOD and determine whether there is what they believe to be a reasonable complaint with the Rating Decision that would warrant further development. As an example, a veteran may state that certain evidence submitted was not considered or other factor(s) such as the compensation and pension examination was too short or not well done. This type of complaint may cause the VA to reconsider or further develop the claim. If they do, a new Rating Decision will be sent to the veteran upon completion and the process may start all over again, with the veteran accepting or rejecting the decision.

If the VA accepts the NOD and does not further develop the claim, they will issue a Statement of the Case (SOC). Along with the SOC, the VA will send a letter acknowledging the receipt of the Notice of Disagreement and ask the veteran if he or she would like to have the case considered by a Decision Review Officer. The letter will also contain instructions on how to appeal by completing a VA Form 9. Statistically speaking, many initial decisions by rating boards to deny benefits are overturned by DRO's, and therefore it is highly advisable to request a DRO hearing after the notice of the initial decision and before filing a VA Form 9. A DRO post-decision hearing is an opportunity to have your case personally reviewed, and your claim possibly granted, before filing your formal appeal to the BVA. This is a significant benefit since it generally takes the Regional Office more than a year to forward a veteran's claims file to the

[63] 38 CFR §20.305(a) (2012).

BVA for a decision.[64] The VA Form 9 is also a very important step in the appeals process, and must be submitted in order to perfect an appeal to the Board of Veterans Appeals (discussed below). **The VA Form 9 should be submitted to the Regional Office that issued the adverse decision, and must be filed within 60 days from the date of mailing of the SOC, or within the remainder of the one-year period from the mailing of the notice of decision from the RO, whichever period ends later.[65]**

If the veteran requests a hearing before a DRO, the DRO has several options once he or she receives the veteran's case. A DRO may:

- Call the veteran and discuss the case over the telephone informally.
- Conduct a formal hearing in which the veteran and witnesses are put under oath.
- Review the claim and issue a new Rating Decision awarding the veteran everything claimed, awarding part of the claim, or denying the claim.

Some veterans want to appear in person before a DRO. These DRO hearings are treated like any hearing. The veteran and any witnesses will be placed under oath. The veteran and his or her representative will present an argument and submit any new evidence in support of the claim. The DRO may question the veteran and any witnesses. The proceedings are recorded and the veteran may request a copy of the transcript if desired. Once the DRO makes his decision, the veteran and his or her representative will get a copy of the decision. If a Statement of the Case was issued prior to the DRO decision, a Supplemental Statement of the Case will be issued and the veteran will be given a time period to submit an additional statement or new evidence. If a Statement of the Case was not issued prior, a Statement of the Case will be issued along with the VA Form 9 discussed above.

Should the veteran still disagree with the decision, the claim may be forwarded to the Board of Veteran Appeals (BVA) for final VA consideration. The BVA is the final stop in the VA appeal process and ends the informal appeal process. Should the veteran wish to continue the appeal, the claim file will be sealed in preparation for being sent to the Court of Appeals for Veterans Claims. No new evidence may be considered by the Court. The veteran will be given 120 days to appeal to the Court of Appeals for Veterans Claims. If after 120 days the veteran has not acted to continue the appeal, the BVA's decision becomes final.

The Court of Appeals for Veterans Claims is completely independent of the VA. The court considers only the evidence of record when the BVA made its final decision. No new evidence may be added to the record. The Court may only review the case on matters of law and regulation. In other words, the Court will consider whether or not the VA followed its rules and regulations appropriately. The Court has full authority to award all or part of the benefits sought, confirm the VA's denial, or remand the case back to the VA for further processing.

Since its inception in 1989, the Court of Appeals for Veterans Claims has forever changed the way the VA considers claims brought before it. Perhaps the greatest change is that the VA must apply the rules of evidence when considering a claim. They can no longer pick and choose which evidence to use when they rate a claim. Nor can they ignore evidence submitted by a claimant, including private medical records. The court has forced the VA to consider several doctrines that help veterans in the claim process.

The veteran may, at any time during the VA appeal process, develop new evidence and have it considered by the VA Regional Office (VARO) or waive Regional Office consideration and have

[64] See BVA's FY 2011 Report at 18.
[65] 38 CFR § 20.300 (2012).

it considered by the BVA without VARO looking at the evidence. This type of tactic should be discussed with a Veteran Service Officer.

1. Before Appealing

Before filing a Notice of Disagreement and starting the appeal process, take a look at the denial letter and the enclosed copy of the Rating Decision. The Rating Decision explains, in the Reason and Basis for Decision, the reasons for awarding or denying the claim. It will include the VA Regional Office's interpretation of the evidence considered, including the compensation and pension examination. When reviewing the Rating Decision, consider the following:

- Is all the evidence submitted listed under the evidence section of the Rating Decision? If not, the VA should be contacted by letter and asked to review the unlisted evidence and issue a new Rating Decision.
- Is each piece of evidence listed under the evidence section of the Rating Decision discussed in the Reason and Basis for Decision? Simply listing the evidence is not enough – it must be discussed in context and in relationship to the disability and all other evidence considered by the Rating Specialist.
- Would statements from friends or people the veteran served with help explain the case?
- Does the VA have all of the information needed to rate the claim favorably?
- Are there medical records that were not submitted?

It is strongly suggested that veterans contact one of the sources listed in Chapter Three to obtain help in reviewing the denial. Veterans Organizations are skilled in representing veterans before the VA. They can also help in developing information that may cause the VA to view the claim favorably. If, however, the veteran chooses to "go it alone," it is important to remember that the VA bases its decisions on evidence. Therefore, the more hard evidence one can provide in support of the claim the better.

The first step in the appeal process is the Notice of Disagreement. The Notice of Disagreement is a letter from the veteran or his or her representative stating a disagreement with the decision. The letter may be as long or as short as desired. All that is necessary is a brief statement that could be as simple as, "I disagree with the Rating Decision. Please send me a Statement of the Case." Or, the letter could be a point-by-point statement that lists each issue and the reasons for the disagreement.

2. BVA Consideration of a Claim

Once a claim is appealed to the BVA, the appeal process takes on some new rules and procedures. These rules and procedures are found both in 38 U.S.C. and 38 C.F.R. Generally, the VA operates in a similar manner except the case is now in Washington, D.C.

Veterans are given several options concerning their case, most of which the veteran can select on the VA Form 9. They may choose to appear before a BVA Hearing Officer and present their case personally or with a representative. These hearings take several forms. A veteran may appear before the Traveling Board of Veteran Appeals at a local Regional Office, have a video conference, or even go to Washington, D.C., to appear in person. The veteran may also choose to allow the case to be decided without an appearance. In this case, if there is a Veteran Service Organization representing the veteran, the VSO will file a formal brief and argue the case for the veteran.

3. Personal Appearance in Washington, D.C.

Choosing a personal hearing in Washington, D.C., has the same advantages of appearing before a video conference or the Traveling Board of Veteran Appeals at your local VA Regional Office. However, it costs a lot more. Hearings are scheduled at the convenience of the claimant and his or her representative. The claimant or representative may request a new hearing date only if it is made within 60 days of the notification letter, or at least two weeks prior to the hearing date, whichever is earlier. **The address to send this request can be found at 38 CFR § 20.702(c)(1).**[66] However, once the date becomes fixed and the claimant fails to appear for the scheduled hearing, the BVA will consider the hearing request withdrawn. **Therefore, it is extremely important to make sure you can attend your scheduled hearing, and to promptly inform the VA if you cannot attend for whatever reason.**

4. Personal Hearing with BVA Traveling Board

You can eliminate the time and expense of a trip to Washington by requesting a hearing before a BVA traveling board. The members of the BVA go to VAROs throughout the country to sit in personal hearing sessions. On the plus side, this option provides all the advantages of a face-to-face meeting. A disadvantage of a personal hearing before the Traveling BVA is that you may have to wait as long as a year or more for the hearing.

5. Videoconference Hearing

The video conference is a new method of appearing before a member of the BVA. It works the same as a face-to-face hearing except the BVA member is in Washington, D.C., and the veteran and his or her representative are at the local VARO. It is highly beneficial for a claimant to request a videoconference hearing to avoid the time delay typically associated with a personal appearance or travel board hearing, but only if the claimant has already obtained all evidence he or she plans on using at the hearing. This is important because a request for a videoconference hearing will put your hearing on the fastest possible path, and may not allow you much time to obtain additional evidence.

6. BVA Review without a Personal Appearance

Another option open to you is to request a BVA review of your claim without a personal appearance. The BVA will review the facts contained in the claims file and make a decision as described earlier. It is here that VSOs and attorneys can be very helpful. Trained VSOs and attorneys are highly skilled in writing appellate briefs to the BVA. It is strongly suggested that you have assistance in the preparation of a written appeal, but if you choose to go it alone the information contained later in this chapter will prove helpful.

The advantages of a BVA review without a personal appearance are cost and time. You'll save on travel expenses. It's also likely that you'll get a faster decision, since your case will be processed without the long wait it takes for a personal hearing. By choosing this option, however, you will lose the advantage of pleading your case in a face-to-face situation. This means your written appeal must be especially strong in its presentation of your case.

7. Results of the BVA Review or Hearing

[66] requests for a new hearing date must be filed with: Director, Management and Administration (01E), Board of Veterans' Appeals, 810 Vermont Avenue, NW., Washington, DC 20420.

Once the BVA has reviewed your case, you'll be notified that your claim has been decided in one of three ways.

1. The BVA may agree that you are entitled to the benefit and reverse the VARO decision. The BVA would then order your VARO (that denied the benefit) to correct its error and award your benefit. In this case, of course, you have won and your long appeal process is over.

2. The BVA may "remand," or return, your case to your VARO, or send it to the VA's Appeals Management Center (AMC).[67] While not in the form of an actual ruling, the BVA "remand" indicates that something was wrong in the VARO's denial. The BVA is telling the VARO or AMC to develop the case further and/or consider the evidence that the veteran brought to the BVA appeal. When the BVA remands a case, the chances are generally good that the VARO or AMC will reconsider and award the benefit.

3. The BVA may uphold the original VARO decision and deny the appeal.

8. Options After a BVA Decision

9. Reconsideration by the BVA

A veteran may ask that the BVA reconsider his or her case. To do this, the veteran should send a letter asking the BVA to reconsider the claim. This letter should include at the very least the veteran's name, the name of the claimant if other than the veteran, the claimant's VA file number, the date of the relevant BVA decision, and the specific issues the Veteran would like to be reconsidered. Occasionally, the BVA will overlook an important point or not have all the evidence that was submitted with the claim. The VA often establishes a temporary claim file and sometimes evidence in the temporary file does not connect with the claim file during the appeal process. A request to reconsider should state clearly why the claim should be reconsidered. It should be based upon a key issue such as evidence not being considered in the appeal or a part of the law that was not addressed.

10. Review by Secretary of Veterans Affairs

Generally, there are two reasons the Secretary of Veterans Affairs may review cases and reverse a denial.

The first reason is if an appeal is denied due to administrative error "on the part of the Federal Government." This usually refers to an error in the veteran's military records that barred the veteran from receiving benefits. For example, a veteran claiming service-connected disability may have had his or her claim denied because appropriate entries providing the connection were not made in his records. If the veteran can prove that the service-connected medical condition should have been logged in his or her medical records, he or she has grounds for a new appeal. However, if such an administrative error by the government was the cause of the first denial, the veteran should not waste his or her time going all the way "up the ladder" of the appeal process. Early on, the veteran should try to correct the error (e.g., by applying to his or her former branch of service for correction of military records).

The second reason for an appeal to the Secretary of Veterans Affairs (after you've been unable to sway the BVA) is if you have suffered a financial loss due to VA error. In one successful case, a veteran asked the VA if he would continue to receive educational benefits if he

[67] Established in 2003 as a centralized evidence development and decision-making unit in the same building as the VA's Washington, D.C. Regional Office. 68 Fed. Reg. 69,062, 69,063 (Dec. 11, 2003).

transferred to a certain school. The VA replied that he would. Later, the VA notified the veteran that it had made an error. The school was not VA approved, and the veteran's educational payments were cut off. The veteran made a successful case to the effect that he would not have made the transfer if the VA had not misled him.

As described above, you do have rights of appeal, even after you've lost an appeal to the BVA. But, before exercising such rights, you should be aware that this option is open only in certain specific situations. You should also be forewarned that it could be very difficult to win your case.

11. Rules and Regulations to Consider When Appealing

"Benefit of the Doubt" and "Time, Place and Circumstance of Service"

Under the provisions of 38 CFR §3.102 Reasonable Doubt, the VA is mandated by law to give every veteran the "benefit of the doubt" when processing a claim. This means that "all things being equal" the claim must be decided in favor of the veteran.

In cases involving combat veterans, the VA must also consider what is known as "Time, Place and Circumstance of Service." Found at 38 U.S.C. §1154, "Time, Place, and Circumstance of Service" is one of the most important parts of the law when claiming a disability that occurred as the result of combat. In combat situations, records are not kept of every incident. Sometimes a veteran may receive what may seem a minor wound or injury. He or she may even be treated for it at an aid station or field hospital. However, the record of the injury may never be associated with the veteran's medical records. Being in combat may also be a factor in establishing the disability (as in PTSD cases). Under this doctrine, the VA must accept as fact lay evidence if it is consistent with the "time, place and circumstance of service," or disprove it by "clear and convincing evidence to the contrary." See 38 U.S.C. § 1154 Consideration to be Accorded Time, Place, and Circumstance of Service.

There are two parts to 38 U.S.C. §1154. Part (a) states in part:

> (a) The Secretary shall include in the regulations pertaining to service-connection of disabilities (1) additional provisions in effect requiring that in each case where a veteran is seeking service-connection for any disability due consideration shall be given to the places, types, and circumstances of such veteran's service as shown by such veteran's service record, the official history of each organization in which such veteran served, such veteran's medical records, and all pertinent medical and lay evidence...

Simply put, in weighing evidence, the VA must consider if the circumstance under which the disability occurred is consistent with the veteran's job at the time of occurrence.

Part (b) of this section places a stronger mandate on the VA if the disability occurred under combat conditions. Part (b) states in part:

> (b) In the case of any veteran who engaged in combat with the enemy in active service...the Secretary shall accept as sufficient proof of service-connection of any disease or injury alleged to have been incurred in or aggravated by such service

> satisfactory lay or other evidence of service incurrence or aggravation of such injury or disease, if consistent with the circumstances, conditions, or hardships of such service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of the veteran. Service-connection of such injury or disease may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service-connection in each case shall be recorded in full.

This section directs the VA to more heavily weigh evidence if the claimed condition occurred under combat conditions. The VA may only deny a claim if there is "clear and convincing evidence to the contrary."

The doctrines of "Benefit of the Doubt" and "Time, Place and Circumstance of Service" are two very important principles. Because of these principles, veterans do not have to prove conclusively that they suffered an injury or disease in the service. They just have to produce enough evidence to outweigh the evidence in the file that is against awarding the benefit.

Duty to Assist

Found in 38 CFR §3.159 Department of Veteran Affairs assistance in developing claims, the VA has a "Duty to Assist" the veteran in developing facts "pertinent to his or her claim." This does not mean that the veteran should expect the VA to do all the work. It does, however, mean that the VA must provide reasonable assistance in developing the veteran's claim. This assistance includes contacting other government agencies; obtaining and requesting pertinent medical or psychiatric examinations, etc.; obtaining after action reports from the veteran's branch of service; and obtaining any other reasonable information.

When considering an appeal, one should review the evidence considered by the VA. Are military medical records listed in the evidence portion of the Rating Decision? What about other records that the veteran may have notified the VA about – were they obtained and considered? If they are not listed in the evidence section, did the VA discuss why the evidence was not obtained in the Reasons and Basis section? If not, this is a point to consider in appealing.

Presumption of Soundness

Found in 38 U.S.C. § 1111, presumption of sound condition mandates that when the veteran entered service he or she was presumed to be physically and mentally sound, unless otherwise noted on the record. Entrance and exit examinations are a good source of review. Many times the entrance examination will have no physical defects listed, but the exit examination may show some physical problem. A good example is the hearing test. Often the entrance examination will be quite different from the exit examination. The same is true for blood pressure readings.

The above are just a few of the legal points to consider when contemplating filing or filing an appeal. However, your wisest move in considering an appeal is to obtain the best VSO or attorney available to handle your case.

B. State Appeals (IDVA)

The IDVA Board of Appeals is convened by the director and meets at least every six months. It considers all appeals requested by those claimants whose cases or applications have been disallowed, or those instances where an appeal is made because of disagreement with the selection of beneficiaries, or any questionable claim referred to the board for adjudication. The Board's authority is limited to the following programs:

- Vietnam Veterans Bonus
- Vietnam Prisoner of War Compensation
- WW II Bonus Program
- Korean Bonus Program
- Veterans Scholarship
- Specially Adapted Housing Grants Program
- MIA/POW Scholarship Programs

To obtain a hearing before the Board of Appeals, contact the field officer, officer associate, or clerk/typist at any IDVA office and tell that person you wish to appeal an IDVA decision to the Board of Appeals. A written memo to the director will then initiate the appeals process and the claimant will be advised of his or her rights and the procedures to be followed.

The claimant may forward his or her case arguments in the form of a written memo or brief, or he or she may argue the cases in a personal hearing. If desired, the claimant may retain an attorney for representation. The Board meets in Springfield, Illinois.

The appeal process for denial of a State of Illinois veterans' benefit is much simpler than that of the U.S. benefit. There is only one level: a Board of Appeals formed by the Director of the Illinois Department of Veterans' Affairs. The Board hears appeals of administrative decisions made by IDVA personnel in the administration of grant and benefit programs. The Board consists of no more than seven members appointed by the director, who also serves as the chairman of the Board.

C. Summary

Both the VA and the IDVA operate appeal processes. Of the two, the appeal process of the VA is far more lengthy and complicated. The VA only reverses its benefit decisions in a minority of cases. The higher you go in the appeal process, the smaller the percentage of reversals. At the same time, the higher you go, the greater the time and costs involved.

When the VA denies you a benefit, the first thing you want to know is whether the VA was right or wrong. This requires an expert opinion from a veteran's representative. If the VA is clearly right, then that should end the matter. If, however, you and your representative feel that the VA was wrong, and you can explain why and prove that you are eligible for the benefit, then you should appeal.

The VA has set up the appeal system for the stated purpose of safeguarding the rights of the veteran. The Court of Appeals for Veterans was developed so that veterans could get a fair, impartial hearing should they be denied by the BVA. But as many veterans have learned, to obtain those rights, you will likely have to do a little “safeguarding” of your own.

Chapter 8: Benefits for Disabled Veterans and Certain Active Service Members

Compensation is a gateway benefit. Being service-connected opens the gate to a variety of other important benefits, not only for the veteran but also for dependents and survivors. Veterans who are service-connected may be eligible for vocational rehabilitation, special housing grants, VA life insurance, medical insurance, preference in hiring, and many other benefits. The dependents and survivors of certain service-connected veterans may also be eligible for educational benefits, medical insurance and other benefits through the VA and the Illinois Department of Veterans' Affairs. New laws have made some benefits available to those still on active duty.

Compensation is a monthly monetary benefit awarded to veterans who suffer a disability that is directly related to military service or that is secondary to a service-connected disability. Veterans who suffer a disability as a result of VA medical care or as a result of participation in a VA-approved vocational rehabilitation program may be eligible for service-connection under certain circumstances.

Generally, to receive the monthly benefit, the disability must be rated at 10%. However, under 38 CFR §3.324 (Multiple noncompensable service-connected disabilities), a veteran with two or more 0% rated service-connected disabilities may be eligible for a 10% rating. Veterans who are rated 30% or more disabled by the VA are entitled to an additional amount of compensation for dependents. Veterans who are 50% or more disabled are entitled to free VA treatment of any disability including free medications.

Compensation was discussed in the first part of this book (for more information, please see Chapter Five). The purpose of this chapter is to explain the various benefits available to service disabled veterans and their dependents and survivors. It is assumed that the veteran is already service-connected at some level. However, this chapter is also a good motivator for those veterans who are thinking about applying for service-connection but have put it off for some time. As explained above, compensation being service-connected for a disability opens the door to a number of benefits. If you have a disability that is directly related to your military service, apply for compensation immediately. Use one of the sources of help described in Chapter Three : Sources of Help in Obtaining Benefits.

A. Federal Benefits

Though health care was discussed earlier in this book, we will briefly discuss VA health care benefits for service-connected veterans here. As previously stated, health care for service-connected veterans is significantly enhanced. Veterans who are service-connected are entitled to medical treatment, prosthetic appliances, and free medications as prescribed by a physician for any service-connected disability. A veteran who is being treated for a non-service-connected disability may be required to pay for treatment and medications and will be required to complete a yearly "means test." Veterans being treated for a service-connected condition

have no such requirement as long as they are being treated for the service-connected disability. A word of caution, however: the VA will bill service-connected veterans who are rated less than 50% for treatment of non-service-connected disabilities. It is therefore very important to review any bill received from the VA for accuracy in billing. Do not let the VA bill for treatment or medications given for a service-connected disability.

1. Eye Glasses, Contact Lenses, Hearing Aids[68]

Sensori-neural aids authorizes a service-connected veteran who is rated at least 10% to receive contact lenses, eye glasses, and hearing aids from the VA. This benefit could be very important to a veteran who is suffering a hearing loss or who is in need of glasses. All a veteran need do is apply at the nearest VA Medical Center. Veterans must be on status with the VA to receive this benefit. Usually eye glasses, contacts, and hearing aids will not be provided as a result of age. However, those veterans who are rated at 10% for a service-connected disability are eligible regardless.

2. Prosthetic Appliances[69]

Prosthetic and similar appliances states that service-connected veterans shall be provided prosthetic appliances including wheelchairs, invalid lifts, special clothing, orthopedic shoes, and hearing aids necessary for treatment of any condition when receiving hospital, domiciliary, or nursing home care in a facility under the direct jurisdiction of the VA. Though non-service-connected veterans who are on status with the VA are given the same prosthetic aids under certain circumstances, service-connected veterans are given them for their service-connected conditions free of charge. Apply for this benefit at any VA Medical Center.

3. Annual Clothing Allowance[70]

An annual clothing allowance is provided to eligible veterans in the form of a lump sum payment. To be eligible, the veteran must be entitled to receive compensation for a service-connected disability for which he or she wears or uses a prosthetic or orthopedic appliance, including a wheelchair. The VA must determine that use of the appliance tends to wear out or tear clothing. Apply at any VA Medical Center or VA Regional Office.

4. Aids and Services for the Blind[71]

Dog-guides and equipment for the blind. This section states in part: “Blind ex-members of the Armed Forces entitled to disability compensation for a service-connected disability may be furnished a trained dog-guide.” Veterans are eligible to receive special benefits for the blind if they are service-connected for blindness or are entitled to VA compensation for any service-connected disability and are determined by the VA to be blind. Veterans with best-corrected vision no better than 20/200 or less or with a field defect of 20 degrees or less are considered to be blind. Blind veterans may be eligible for Annual Visual Impairment Services Team (VIST) review (this is a total health and benefits review); adjustment-to-blindness training; and home

[68] **Error! Main Document Only.**38 CFR §17.149.
[69] 38 CFR §17.150.
[70] 38 CFR §3.810.
[71] 38 CFR §17.154.

improvements and structural alterations to homes. These benefits include admission to a VA Blind Rehabilitation Center or Clinic where they may receive counseling and training.

A blind veteran who receives compensation for any disability may be eligible to receive a guide dog and other aids to overcome blindness. Low vision aids include approved electronic and mechanical aids for the blind; repair and replacement of electronic and mechanical aids; and guide dogs, including the expense of training the veteran to use the dog and the cost of the dog's medical care. Also included are talking books, tapes, and Braille literature (from the Library of Congress). Apply at any VA Medical Center.

Note: Blind veterans need not receive compensation or pension from the VA to be eligible for admission to a VA Blind Rehabilitation Center or Clinic.

5. Automobiles or Other Conveyances[72]

Automobiles or other conveyances are authorized for veterans who suffer the service-connected loss, or loss of use, of one or both hands or feet, or permanent impairment of vision of both eyes to a prescribed degree. Eligible veterans may also receive payment for adaptive equipment and its repair, replacement, or re-installation required because of disability for the safe operation of the vehicle purchased with VA assistance, or for a previously or subsequently owned vehicle. Veterans who are entitled to compensation for ankylosis of one or both knees or one or both hips are authorized adaptive equipment only. Apply at any VA Regional Office or VA Medical Center.

6. Specially Adapted Homes

The VA has provided adaptive housing assistance grants to eligible service-connected disabled veterans to construct adapted homes or modify existing homes to accommodate their disabilities since 1948.[73] Currently, the main two VA programs for adaptive housing assistance are the Specially Adapted Housing (SAH) grant and the Special Housing Adaptation (SHA) grant. The VA has a Web site that explains Specially Adapted Housing[74] in detail. 38 CFR § 3.809 Specially Adapted Housing under 38 U.S.C. § 2101(a) and 38 CFR § 3.809a Special Home Adaptation Grants under 38 U.S.C. §2101(b). Under these provisions, certain disabled veterans may be provided a grant or grants from the VA for the purchase or adaptation of a home specially adapted to their needs. Application for both of these grants may be made to any VA Regional Office. The details on each grant and the eligibility requirements follow below.

Both grants require also that the living situation be permanent, that Home is owned by an eligible individual or family member, and that there be a maximum of 3 grants, up to the maximum dollar amount allowable.

7. Specially Adapted Housing Grant (SAH)

The VA may approve up to three grants totaling not more than 50% of the cost of building, buying, or remodeling a specially adapted home, or paying indebtedness on such a home

[72] 38 CFR §3.08.
[73] P.L. 80-702 (June 19, 1948).
[74] https://www.benefits.va.gov/homeloans/adaptedhousing.asp

already acquired, up to an indexed maximum grant of $77,307 in Fiscal Year 2017.[75] To be eligible for this grant, the veteran must be entitled to compensation for permanent and total service-connected disability incurred after April 20, l898, due to:

- "Loss of or loss of use of both legs, **OR**
- Loss of or loss of use of both arms, **OR**
- Blindness in both eyes having only light perception, plus loss of or loss of use of one leg, **OR**
- The loss of or loss of use of one lower leg together with residuals of organic disease or injury, **OR**
- The loss of or loss of use of one leg together with the loss of or loss of use of one arm, **OR**
- Certain severe burns, **OR**
- The loss, or loss of use of one or more lower extremities due to service on or after September 11, 2001, which so affects the functions of balance or propulsion as to preclude ambulating without the aid of braces, crutches, canes, or a wheelchair"

Benefits are not restricted to wartime service. After December 16, 2003, the benefit also became available to a member of the Armed Forces serving on active duty. The most recent VA Rating Decision establishes the basic eligibility for a SAH grant. The Rating Decision is subject to review and revision. Additionally, the statute requires that (1) the veteran or service member's ability to live in the house is medically feasible; that (2) the house must be suitably adapted to meet the veteran's or service member's living requirements; and that (3) the acquisition of the house by the veteran or service member (with the assistance provided by the grant) is financially feasible.

8. Special Home Adaptations (SHA) Grant[76]

The Special Home Adaptations (SHA) grant program is for veterans and service members whose rated disabilities are deemed slightly less serious in comparison to those that establish eligibility for an SAH. The VA may approve up to three grants, not to exceed the actual cost, up to the current indexed maximum of $15,462 (Fiscal Year 2017), for making adaptations to a disabled veteran's residence as are determined to be reasonably necessary for his or her needs or for assistance in acquiring a residence already adapted with necessary special features under 38 U.S.C. §2101(b) or §2101A(a). The following is a summary of the main eligibility requirements for the veteran or Active Duty service member:

- The applicant must be entitled to compensation for permanent and total service-connected disability incurred after April 20, 1898;

[75] 38 CFR §3.809.
[76] 38 CFR §3.809(a).

- The applicant is not eligible for a SAH grant under 38 CFR §3.809 (The applicant also has not previously received such assistance. However, note that an applicant who first establishes entitlement for an SHA grant and then becomes eligible for a SHA grant may still qualify for an SHA grant.);

- Applicant must have a rated permanent and total service-connected disability for which he is entitled to compensation and said disability must:

- Include the anatomical loss or loss of use of both hands; or

- Be due to:
    - Blindness in both eyes with 5/200 visual acuity or less; or

    - Deep partial thickness burns that have resulted in contractures with limitation of motion of two or more extremities or of at least one extremity and the trunk; or

    - Full thickness or subdermal burns that have resulted in contracture(s) with limitation of motion of one or more extremities or the trunk; or

    - Residuals of an inhalation injury (including, but not limited to, pulmonary fibrosis, asthma, and chronic obstructive pulmonary disease).

Both grants require also that the living situation be permanent, that Home is owned by an eligible individual or family member, and that there be a maximum of 3 grants, up to the maximum dollar amount allowable. For current and more detailed information, contact the VA, see your local veteran service officer, and take a look at the VA's web page on the grants at: https://www.benefits.va.gov/homeloans/adaptedhousing.asp.

9. Temporary Residence Adaptation Grant

The Veterans' Housing Opportunity and Benefits Improvement Act of 2006 [P.L. 109-233 (June 5, 2006)] authorized the VA to expand its adaptive housing grants to encompass eligible veterans and service members temporarily living in a home owned by a family member. These new grants have come to be known as Temporary Residence Adaptation (TRA) grants. TRA grants are available to those who have been rated eligible for an SAH or SHA grant on a one-time basis. Those eligible for a TRA grant may use up to $33,937 of the maximum grant amount for a SAH grant or up to $6,059 for a SHA grant (amounts for Fiscal Year 2017). Be aware that a TRA grant counts as one of the three grants allowed under either SAH or SHA, and that is also counts toward the maximum allowable amount, $77,307 under SAH and $15,462 under SHA.

10. Supplemental Financing

Under the provisions of 38 CFR §3.809a, veterans who receive Specially Adapted Housing (SHA) Grants under 38 U.S.C. §2101(b) who have available loan guarantee entitlement may also obtain a guaranteed loan or direct loan from the VA to supplement the grant to acquire a specially adapted home. Apply at any VA Regional Office.

11. Veterans Mortgage Life Insurance

38 CFR Part 8 a – Veterans Mortgage Life Insurance [VMLI] is designed to pay off the mortgage of a severally disabled veteran or service member in the event of his death. It provides a $200,000 Mortgage Life Insurance policy for veterans who are given a Specially Adapted Housing Grant. Protection is automatic unless eligible veterans decline in writing or fail to respond to a final request for information on which their premium can be based. Premiums are automatically deducted from VA benefit payments, or paid directly if the veteran does not draw compensation, and will continue until the mortgage (up to the maximum amount of insurance) has been liquidated, the home is sold, the coverage terminates when the veteran reaches age 70, or the veteran dies. If a mortgage is disposed of through liquidation or sale of the property, any unused portion of the life insurance coverage may be used on the mortgage of a second or subsequent home. A qualified SAH grantee must, however, apply for VMLI before his 70th birthday. For more information, see the VA's webpage at: http://www.insurance.va.gov/gli/buying/VMLI.htm. Apply at any VA Regional Office.

12. Independent Living Program (ILP)

The Independent Living Program (ILP) is an individually tailored program that is geared to helping severely disabled veterans live independently. The VA will use a number of resources to help disabled veterans reach this goal. In addition to assistance available through the VA Medical System, these resources may include assistive technology, independent skills training, and referral to community support groups.

Generally, the VA Vocational Rehabilitation staff makes the determination that it is not feasible for a disabled veteran to pursue gainful employment. They then focus on developing a program specifically for the veteran, which includes a detailed assessment of the veteran's needs. This assessment will include consulting with a variety of service providers, family members, and other professionals in the veteran's community. From this assessment, an Independent Living Plan will emerge. Veterans who are or who believe they are unable to pursue gainful employment as a result of their service-connected disabilities should complete a VA Form 28-1900 or apply at any VA Regional Office or VA Medical Center.

13. Vocational Rehabilitation

Vocational rehabilitation is governed by 38 CFR Part 21 – Vocational Rehabilitation and Education, which provides veterans who have a service-connected disability with a wide range of services designed to help the individual with vocational or academic training. The VA offers three main programs intended to help disabled veterans rehabilitate and train in order to prepare for, obtain, and retain employment. These programs are: the Veterans' Employment and Training Service (VETS);[77] the Chapter 31 vocational rehabilitation program for veterans with service-connected disabilities;[78] and the Veterans Retraining Assistance Program (VRAP).[79] You should consult 38 CFR Part 21 to determine the general eligibility criteria for each program."

Generally, a veteran is eligible for one of these programs if at least one of the following conditions is met:

[77] 38 CFR Chapter 41.
[78] 38 CFR Chapter 31.
[79] Pub. L. No. 112-56, § 211, 125 Stat. 711 (2011).

- The veteran has a service-connected disability and is receiving at least a 20% disability rating, or would be but for receipt of military retirement pay. Veterans with a 10% disability rating may be eligible if they have a serious employment disability.

- The veteran was honorably discharged for a service-connected condition or is home awaiting orders for such a separation or is hospitalized awaiting separation for a service-connected disability.

- The veteran has a serious employment impairment as the result of a service-connected disability.

- Those veterans with less than honorable discharges may be qualified if they have a service-connected disability and are approved by the VA. (See Chapter One: Exceptions and Limitations.)

14. Rehabilitation Program Period

- Veterans must complete a rehabilitation program 12 years from the date of the veteran's discharge or release from active duty.

- This period may be extended if a medical condition prevents the individual from training or if the veteran has a serious employment disability.

- Disabled veterans may receive services until they have reached their rehabilitation goal, generally up to 48 months.

- The VA may provide counseling, job placement, and post-employment services for up to 18 additional months.

15. Rehabilitation Program Costs

- While in training and for two months after completing training, veterans may receive a subsistence allowance in addition to their disability compensation or retirement pay.

- The VA may pay the cost of tuition and required fees, books, supplies, and equipment.

- The VA may also pay for special support such as tutorial assistance, prosthetics, lip-reading training, and signing for the deaf.

- Service members cannot receive a subsistence allowance until they leave active duty.

Disabled veterans will be given vocational counseling prior to having an educational objective approved for eligibility. A veteran may receive employment assistance and self-employment assistance after completing the educational objective.

Tip: If eligibility is established for more than one educational benefit, only one may be used. A VA counselor will discuss the available options and help to determine which benefit is best suited to the veteran's needs. However, the veteran must make the final decision.

If a veteran is rated totally disabled, he or she may qualify for training and other services offered by the VA's Vocational Rehabilitation program. The veteran should also check eligibility to use other state benefits, such as those offered through the Illinois Department of Rehabilitation Services. Disabled veterans may be able to use both state and federal programs at the same time. Apply at any VA Regional Office using VA Form 28-1900, Disabled Veterans Application for Vocational Rehabilitation.

16. Educational Advance Payment

On occasion, veterans may require advance payment of educational benefits to pay tuition, housing, etc. Such payment may be authorized if the following conditions are met:

- Individuals receiving an advance payment must have the institution that he or she is attending verify enrollment.
- The educational institution must "verify delivery of the advance payment check to the veteran." Subsequent verifications are done by the veteran.

If a veteran would like an advance payment, he or she must tell the certifying official at the institution to check the advance pay box on the VA certification form. The veteran will receive the first month's pay in advance plus a partial month if the semester started mid-month. For example, if a semester starts on January 15, advance pay will be given for the period January 15 through the month of February. The veteran would receive the next check for education on April 1. The VA pays one month behind (i.e., February is paid on March 1). (Reference 38 CFR § 21.7151 Advance Payment Certifications.)

17. Employment Benefits for Service-Connected Veterans

As with the other benefits available for service-connected veterans, employment assistance also carries special considerations for those service-connected veterans seeking employment or those who are forced to change employment as a result of an increase in their service-connected disability. The VA's Vocational Rehabilitation and Employment VetSuccess Program[80] helps Veterans with service-connected disabilities prepare for, find, and keep suitable jobs. The program also helps those with service-connected disabilities so severe that they cannot immediately consider work to improve their ability to live as independently as possible.

18. Disabled Veterans in Business

[80] http://www.vba.va.gov/bln/vre/emp_resources.htm.

The VA's Center for Veterans Enterprise[81] is a Web site that offers a number of resources for veterans seeking to gain government contracts or learn more about running a business. In addition to what is provided by the federal government, there are many benefits for disabled veterans available through the State of Illinois.

19. Veteran's Preference in Hiring

In addition to the services the VA offers, the U.S. Department of Labor Veterans Employment and Training monitors veteran's preference in hiring laws. Generally, veterans are entitled to preferences in hiring in both federal and state government civil service positions and, in some cases, private sector jobs. Veteran's preference in the federal government is governed by 38 U.S.C. Chapter 42, Employment and Training of Veterans. Generally, any private employer who has a contract with the U.S. Government over $100,000 must have in place a program by which disabled veterans**,** Vietnam era veterans, or any other veteran who served on active duty during a war, campaign, or expedition will be considered for not only employment but advancement in employment.

20. Commissary/Exchange Privileges at Armed Forces Bases

This benefit entitles 100% service-connected veterans, and their dependents and survivors, to shop and make purchases at military post commissaries and exchanges. This benefit may save those entitled in the purchase of groceries, liquor, sundries, non-prescription drugs, clothing, appliances, etc. Those who shop at post exchanges and commissaries may save thousands of dollars a year. Typically, the prices are lower and there is no sales tax. Some commissaries may assess a "user fee." Please note: Entitlement to this benefit overseas is governed by international law and is available only to the extent agreed to by the foreign governments concerned.

All that is needed to obtain this benefit is a commissary letter from the VA Regional Office. Take the letter to your nearest military base and present it to the ID card section. If getting an ID for a spouse or dependent child, a marriage certificate and birth certificate are also needed.

B. State Benefits

1. State Benefits Specially Adapted Housing

The State of Illinois also has a specially adapted housing grant for those veterans who qualify for the federal veterans' specially adapted housing grant.

330 ILCS 65/Disabled Veterans Housing Act Illinois. Under this act, eligible veterans may be granted a single lump sum payment not to exceed $15,000 to provide assistance in acquiring a suitable dwelling unit with special fixtures and/or movable facilities made necessary by the veteran's permanent and total disability. To be eligible, the veteran must be certified eligible by the VA for the federal Specially Adapted Housing Grant and the veteran must have been a resident of the State of Illinois at the time he or she entered the service. Apply at any IDVA office.

[81] http//www.vetbiz.gov.

Veterans eligible for the federal grant for Specially Adapted Housing may be provided a State of Illinois grant of up to $3,000 to help pay the cost of remodeling made necessary by the veteran's permanent and total disability. This does not, however, mean the veteran will receive the full $3,000. For example, if the cost of remodeling is fully paid by the VA grant, the IDVA grant will pay nothing. But if the cost of remodeling is over the amount of the VA grant, the IDVA grant will pay remodeling costs not to exceed $3,000.

To be eligible for this grant, the veteran must be certified eligible by the VA for assistance under Chapter 21 of Title 38, United States Code. The veteran must also have been a resident of the State of Illinois at the time he or she entered the service. Apply at any IDVA office.

2. Tax Exemption for Specially Adapted Housing

35 ILCS 200/15-165 provides for an annual property tax exemption of $70,000 of the assessed value of property owned and used by a disabled veteran as a home that is classified as Specially Adapted Housing by federal law. The exemption remains in effect as long as the veteran, his or her spouse, or unmarried surviving spouse maintains ownership of and resides on the property. To be eligible, a federal Specially Adapted Housing Grant must have been made to the veteran and the funds used for the purchase or construction of the home. Apply at any IDVA office or fill out Illinois Form RLG-52. This exemption must be applied for annually. A taxpayer who claims this exemption may not also claim either the Disable Person's Homestead Exemption, 35 ILCS 200/15-168 or the Disabled Veterans Standard Homestead Exemption, 35 ILCS 200/15-169.

C. Summary

Service disabled veterans are entitled to a variety of special benefits because of their sacrifice for this nation. These benefits are governed by the U.S. Department of Veterans Affairs as well as the U.S. Department of Labor, Veterans Employment and Training. Additionally, the State of Illinois has passed into law benefits for service disabled veterans. These laws are governed by the Illinois Department of Veterans' Affairs and range from tuition payment for State-supported colleges and universities to free camping permits at state parks.

However, to obtain all of this available assistance, disabled veterans and their families must become educated consumers. Help is but a telephone call away. Trained veteran service officers from both the VA and the IDVA are available to answer questions. Additionally, Veteran Service Organizations located in VA hospitals and at the VA Regional Office are also available to assist. There are countless books and pamphlets available. Lastly, but perhaps most importantly, are the Web sites created especially for disabled veterans and their dependents. Use all of the resources available to find out about and apply for all the benefits and services to which you are entitled.

Chapter 9: Benefits for Caregivers, Survivors and Dependents

Millions of dollars in veterans' benefits go unclaimed every year because survivors and dependents are simply not aware of the rights and benefits available to them. Survivors of veterans discharged under conditions other than dishonorable are eligible for some very basic burial benefits. These include the right to burial in a National Cemetery, an American flag to drape the coffin, a Presidential Memorial Certificate, and partial reimbursement of burial costs.

The VA has a Web page devoted solely to Survivors and Dependents of veterans.[82] This Web page is a gateway to all the benefits offered to dependents and survivors of veterans, especially those who are survivors of veterans who were 100% service-connected at the time of death.

A broad range of benefits are available to families of veterans who died as the result of a service-connected disability. These benefits are extremely important to surviving spouses. Such benefits may include financial help in the form of death compensation, Dependency and Indemnity Compensation (commonly called DIC), VA health care, federal and state educational assistance, and a VA home loan guarantee. Certain benefits may be extended to children and in some cases dependent parents. The survivors and dependents of the Reserve Components of the U.S. Armed Forces (the federal reserves and the National Guard) who die while performing, or as a result of performing, active duty or active duty for training may also be eligible for these benefits.

This chapter will provide a benefit-by-benefit review of the assistance available to survivors and dependents. For simplicity's sake, the benefits are listed by category – Health Care, Education, Compensation/Pension, etc. – with federal and state benefits within each category presented separately.

Survivors' and dependents' eligibility for a benefit begins with the veteran's eligibility. For this reason, every veteran's family should have access, at the very least, to his or her DD 214 and/or Discharge Certificate. Equally important is the family member's eligibility as a bona fide dependent or survivor.

Finally, this chapter also explores the more recent developments in benefits provided to family caregivers who shoulder the responsibility of taking care of our more seriously injured veterans.

A. Federal Benefits: Eligibility for Survivors and Dependents

[82] https://explore.va.gov/spouses-dependents-survivors.

A veteran's "survivor" may be a spouse, child, or parent. More specifically, however, "survivors" and "dependents" are defined according to the following VA guidelines, which are also recognized by the IDVA.

- **Spouse.** The person who is legally married to the veteran under local laws (e.g., a legally recognized marriage in the State of Illinois). If there is any question as to whether the marriage is legal, the VA may rule that it is a "deemed valid" marriage so long as the spouse entered the marriage in good faith. In most cases, the VA does not require a claimant to submit any document other than a written statement as proof of a valid marriage.

- **Surviving Spouse.** The person who was legally married to the veteran at the time of his or her death. The spouse must have lived continuously with the veteran from the time of the marriage until the time of the veteran's death. If there was a separation during that time, it must have been through no fault of the spouse. The surviving spouse is no longer eligible for benefits if he or she remarries or if he or she lives openly with a member of the opposite sex and holds him- or herself to be a spouse. If the surviving spouse's second marriage is made void or annulled, or ended by death or divorce, then he or she may reapply for benefits.

- **Dependent Children.** Eligible children may be legitimate or illegitimate. They may be the veteran's natural children, adopted children, or stepchildren. They must also be unmarried. They are generally considered dependent children until age 18. They will be considered dependents up to a later age if they are disabled or become disabled before they reach age 18. Children attending school are considered dependents until age 23. If a dependent child is attending school with VA financial assistance, he or she remains eligible for this benefit until age 26.

- **Parents of Veterans.** Eligible parents of the veteran may be natural or adopted. The veteran may be legitimate or illegitimate. The VA may take a liberal view on who qualifies as a parent. For example, a guardian "who acted as a parent" before the veteran entered service may qualify as a parent. In general, parents can qualify to receive a deceased veteran's death compensation if they can prove financial need.

If the spouse or dependent is already on record with the VA, there will be no problem in establishing eligibility for survivor benefits. However, if a parent, spouse, or dependent child is not on status, all that need be done is to furnish the VA with a valid marriage license, birth certificate, or, in the case of a parent(s), proof of dependency or other supporting documents. If some legal question about a relationship should arise, the dependent should seek assistance from one of the Veteran Service Organizations.[83] If the veteran can travel, it will expedite matters if the veteran accompanies the dependent to the VA or IDVA office at the time the benefit is applied for to present his or her DD 214 and Discharge Certificate. If the veteran is deceased, the dependent should be able to present these documents.

[83] See Appendix B, C, & D, for a list of Veteran Service Organizations.

Burial, non-service-connected death pension, dependency and indemnity compensation, health care, education, and housing benefits described below correspond to the equivalent benefits for veterans. Except where noted, the terms and conditions of each benefit are generally the same for the eligible dependent/survivor as for the veteran.

B. Federal Benefits Available to Survivors and Dependents Related to Burial

1. Burial/Death Benefits: Overview

The basic burial benefits represent a "package" designed to ensure proper recognition of the deceased veteran's service to his country and to assist next of kin with burial expenses. The basic burial benefits consist of the following:

• American Flag	• Headstone or Grave Marker Monetary Allowance
• Presidential Memorial Certificate	• Memorial Marker and Memorial Plot
• Burial in a National Cemetery	• Plot or Interment Monetary Allowance
• Headstone or Grave Marker	

In general, eligibility for these benefits is extended to survivors and dependents of any veteran discharged under other than dishonorable conditions. Note, also, that the Veterans Benefits Act of 2003 now allows all Filipino veterans who passed away while residing in the United States to receive burial benefits. Some have additional eligibility requirements. The specifics for each benefit and how to obtain them are addressed as follows:

2. Burial/Death Benefits: American Flag

American Flag. A ceremonial American flag is provided to drape the casket or accompany the urn in order to honor a deceased Veterans' military service to his or her country. The VA will provide such a burial flag upon proper request for an other than dishonorably discharged:

- Veteran who served during wartime
- Veteran who died on active duty after May 27, 1941
- Veteran who served after January 31, 1955
- Peacetime Veteran who was discharged or released before June 27, 1950
- Certain persons who served in the organized military forces of the Commonwealth of the Philippines while in service of the U.S. Armed Forces and who died on or after April 25, 1951
- Certain former members of the Selected Reserves

Eligibility to Receive the Flag. VA provides the flag to the next-of-kin who may keep it after its use during the funeral service. In the absence of next-of-kin, a friend may request the flag. In the case of burials at VA national cemeteries, the VA notes that a

family of a veteran may donate the burial flag to be flown on patriotic holidays if the particular VA national cemetery has an Avenue of Flags.

Applying for a Burial Flag. To apply, a VA Form 27-2008, *Application for United States Flag for Burial Purposes* must be completed. For assistance, contact the VA or consult with your local veteran service officer. The VA notes that Post Offices are the primary issuing point for burial flags. Commonly, a funeral director can help you obtain a flag. Family members should call and confirm with the post office in advance as not every single one provides this service. However, one should be able to learn through any post office what the nearest flag-issuing post office is located. The regional VA office can also help find a local issuing point.

3. Burial/Death Benefits: Presidential Memorial Certificate

Presidential Memorial Certificate. A Presidential Memorial Certificate (PMC) is a gold-embossed document that bears the signature of the President of the United States of America. It serves to honor the memory of "a deceased Veteran discharged under honorable conditions and expresses the country's grateful recognition of their service in the Armed Forces.

Requests. The funeral director or loved ones may request a certificate. You can apply for a certificate at a VA Regional Office or complete and submit VA Form 40-0247 to the address below:

Presidential Memorial Certificates (41A1C))
National Cemetery Administration
5109 Russell Road
Quantico, VA 22134-3903

Requests may also be transmitted by toll-free fax: (800) 455-7143. To follow up on a request that is over sixteen weeks old, call (202) 565-4964.

4. Burial/Death Benefits: Burial in a VA National Cemetery

Burial in a National Cemetery. **Eligibility**. A service member of the U.S. armed forces and veterans who have the minimum active-duty service requirements may qualify for burial in any of the 135 national cemeteries that the U.S. National Cemetery Administration (NCA) maintains. (The NCA is a part of the U.S. Department of Veterans Affairs.) Burial is available in a given cemetery where there is available space provided the veteran was discharged under conditions other than dishonorable and meets other eligibility requirements discussed further below. The national cemetery benefit includes the space, opening and closing of the grave, perpetual care, a Government headstone or marker, a burial flag, and a Presidential Memorial Certificate, at no cost to the family. The same benefits and honors apply to cremated remains buried or inurned in a national cemetery.

Eligibility for burial may also extend to the spouse, widow or widower, minor children, and, under certain conditions, unmarried adult children with disabilities (see below) of the veteran, even if they pass away before the Veteran. Service members of the reserve components of the U.S. armed forces who die while on active duty or while performing

training duty, or were eligible for retired pay, also may qualify for burial. To apply for a burial space in a VA national cemetery, the family will need to present: the Veteran's discharge document; report of casualty; or the Veteran's full name; military rank; branch of service; dates of entry and discharge; serial, Social Security, and/or VA claim numbers; date and place of birth; and date of death.

Adult Dependent Children (Eligibility). There are two cases in which an unmarried adult dependent child of a veteran may be buried in a national cemetery. An unmarried adult child is a person who:

- "became permanently physically or mentally disabled and incapable of self-support before reaching 21 years of age; OR,

- "before reaching 23 years of age if pursuing a full-time course of instruction at an approved educational institution, AND was never married, or, if married at any time during his or her life, was not married at the time of death because the marriage was void or had been annulled by a court."

For more information, contact the VA (National Cemetery Administration) at 1-800-827-1000 or speak with your local veterans service officer.

Pre-needs Determinations. The VA created the Pre-Need Determination of Eligibility program to help claimants who would like to know in advance if they are eligible for burial in a VA national cemetery. To encourage Veterans and their eligible family members to use VA burial benefits, VA now promotes this planning program. Anyone can submit a pre-need burial eligibility form, VA Form 40-10007, *Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery*, to the National Cemetery Scheduling Office (NCSO) by: toll-free fax at (855) 840-8299; or mail to the National Cemetery Scheduling Office, P.O. Box 510543, St. Louis, MO 63151.

If you wish to bury a deceased individual, contact a local funeral home or the National Cemetery Scheduling Office at (800) 535-1117 to expedite eligibility determination and burial scheduling. This toll-free number is not for the handling of pre-needs eligibility determinations.

No reservations. "Gravesites in Department of Veterans Affairs (VA) national cemeteries cannot be reserved in advance. However, families are encouraged to prepare in advance by discussing cemetery options and setting aside copies of any discharge documents."

VA pays for many related items/services. "VA will provide, at no cost to the Veteran's family, a gravesite, headstone or marker, Presidential Memorial Certificate, U.S. flag, perpetual care of the gravesite and will open and close the grave. Fees for services provided by funeral directors and other related costs must be paid for by the Veteran's family."

Obtaining Discharge Document. "If the discharge document is not available, a copy may be obtained from the National Personnel Records Center, Military Personnel Records Office, 1 Archives Drive, St. Louis, MO 63138. This should be done prior to the time of need. Additional information about requesting military personnel records is available at the National Archives Website, www.archives.gov.

Illinois has several National Cemeteries:

Cemetery	Address	Contact	Burial Space
Abraham Lincoln National Cemetery	20953 W. Hoff Road Elwood, IL 60421	Phone: 815-423-9958 FAX: 815-423-5824	Open
Alton National Cemetery	600 Pearl Street Alton, IL 62002	Phone: 314-845-8320 FAX: 314-845-8355	Cremation Only
Camp Butler National Cemetery	5063 Camp Butler Road Springfield, IL 62707-9722	Phone: 217-492-4070 FAX: 217-492-4072	Open
Danville National Cemetery	1900 East Main Street Danville, IL 61832	Phone: 217-554-4550 FAX: 217-554-4803	Open
Mound City National Cemetery	Junction - Highway 37 & 51 Mound City, IL 62963	Phone: 314-845-8320 FAX: 314-845-8355	Open
Quincy National Cemetery	36th & Maine Street Quincy, IL 62301	Phone: 309-782-2094 FAX: 309-782-2097	Closed
Rock Island National Cemetery	Bldg 118 Rock Island Arsenal Rock Island, IL 61299	Phone: 309-782-2094 FAX: 309-782-2097	Open
Confederate Mound	Oak Woods Cemetery 1035 E 67th St Chicago, IL 60637	Phone: 815-423-9958 FAX: 815-423-5824	Closed
North Alton Confederate Cemetery	635 Rozier Street Alton, IL 62003	Phone: 314-845-8320 FAX: 314-845-8355	Closed
Rock Island Confederate Cemetery	Rodman Avenue Rock Island Arsenal Rock Island, IL 61299	Phone: 309-782-2094 FAX: 309-782-2097	Closed

Illinois has one State Veterans Cemetery located at the Quincy Veteran's Home:

Sunset Cemetery
Illinois Veterans Home
1707 N. 12th Street
Quincy, Illinois 62301
Phone: 217- 222-8641
Fax: 217-222-9621

Headstone or Grave Marker.

Provided by the VA at no charge for the grave sites of veterans buried in either private or national cemeteries. Shipped at government expense to the consignee. The cost of placing the headstone or marker in a private cemetery, however, must be borne by the applicant. A VA headstone or grave marker is also available to deceased members of a veteran's family who are buried in National Cemeteries, or in veterans cemeteries owned by the state. Apply at any VA or IDVA office. Applications are made using VA Form 40-1330 and are forwarded to Memorial Program, Services, (41A1) Department of Veterans Affairs, 5109 Russell Road, Quantico, VA 22134-3903. An application is not required if the deceased is to be buried in a National Cemetery.

Memorial Markers.

A memorial headstone or marker may be furnished upon application by a close relative recognized as the next of kin to commemorate any eligible veteran (including a person who died in the active military, naval, or air service) whose remains have not been recovered or identified; were buried at sea (whether by the veteran's own choice or

otherwise); were donated to science; or were cremated and the ashes scattered without interment of any portion of the ashes. The memorial may be erected in a private cemetery in a plot provided by the applicant or in a memorial section of a National Cemetery. Apply at any VA or IDVA office.

5. Other Federal Burial/Death Benefits

Burial at Arlington National Cemetery.

This cemetery is under the jurisdiction of the Department of the Army rather than the VA. Eligibility for burial in this cemetery is more restrictive, being limited to: those who died while on active duty or Armed Forces retirees eligible to receive compensation; veterans discharged under other than dishonorable conditions who later held elective office with the U.S. Government, were members of the Supreme Court or cabinet, or who served in an office salaried at Level 11 under the Executive Salary Act; veterans separated from the service for physical disability of 30% or more prior to October 1, 1949; veterans discharged under other than dishonorable conditions who were awarded one of the following decorations:

- Congressional Medal of Honor
- Distinguished Service, Air Force, or Navy Cross
- Distinguished Service Medal
- Silver Star
- Purple Heart

Spouses and dependent children of those eligible for burial or now buried at Arlington are also eligible. Those spouses who have remarried are also eligible for burial in a National Cemetery provided the veteran is buried there and the death occurred after January 1, 2000. Normally arranged for by the funeral director; you may also apply at any VA or IDVA office, or write or call Arlington National Cemetery, Arlington, VA 22211, 703- 607-8000.

Congressional Medal of Honor Recipient Gravestone or Marker.

Although not specifically mentioned in the VA or IDVA brochures or benefit booklets, this special gravestone with Medal of Honor engraving has been available since 1976. In many cases, next of kin of deceased Medal of Honor recipients, unaware of the special Congressional Medal of Honor gravestone, have opted for a private headstone rather than a government-provided marker. May be arranged for by the funeral director. Or, you may apply at any VA or IDVA office, using VA Form 40-1330.

Free Passport to Next of Kin of Those Buried in Overseas Military Cemeteries.

Immediate family members who wish to visit the grave or memorial of former members of the Armed Forces in overseas U.S. military cemeteries are eligible for a U.S. Passport free of charge. Those interested should obtain a statement of the location of the deceased's burial site or memorial from the American Battle Monuments Commission, Arlington Court House Plaza II, Suite 500, 2300 Clarendon Blvd., Arlington, VA 22201 703-696-6897. Upon receipt of the statement, the passport may be applied for at most post offices, with the clerk of courts, or at any office of the Passport Agency, U.S. Department of State. For assistance, contact any VA or IDVA office.

6. Burial Allowance

VA burial allowances are designed to help offset the expenses of the Veteran's funeral and burial. In most cases, however, they will not cover all such expenses. Where otherwise eligible, they are available both in the case of service-connected deaths and non-service-connected deaths (to be contrasted for with plot internment payments which are only separately payable to qualified, non-service-connected veterans).

Certain exclusions and limitations exist. Burial allowances are also not payable if the Veteran died while serving on active military duty (in such cases, family should consult with casualty affairs representatives and others about death benefits paid by a service department.), was a member of Congress who died while holding office, or was a federal prisoner.[84] Burial or plot allowance may not be paid to the extent that they were paid by the deceased's employer or by a state agency or political subdivision of a state. The difference between the entire expense and the amount paid by the employer or the state, if any, may be reimbursed to the limit of the allowance.

The amounts and procedures of the handling of VA burial benefits have changed in the last few years. The VA has increased some of the available amounts and has shifted from a 'reimbursement-based' system towards a 'pay up-front with simplified procedures' system. The VA made these changes through modifications to the relevant VA regulation on burial benefits which took effect on July 7, 2014. According to the VA, a basic result of this change is that most qualifying surviving spouses can obtain the basic monetary burial benefits at the full amount authorized through automated systems instead of by separate written application based on reimbursement for actual costs. These changes permit VA to pay the full burial and plot or internment allowances.

Eligibility

If the burial benefit has not yet been paid to the surviving spouse, the VA will pay the first living person to file a claim of those listed below:

- The Veteran's surviving spouse; OR
- The survivor of a legal union between the deceased Veteran and the survivor; OR
- The Veteran's children, regardless of age; OR
- The Veteran's parents or surviving parent; OR
- The executor or administrator of the estate of the deceased Veteran.

In addition to noting above that the Veteran must have been discharged under conditions other than dishonorable, at least one of the following conditions must be met:

- The Veteran died as a result of a service-connected disability; OR
- The Veteran was receiving VA pension or compensation at the time of death; OR
- The Veteran was entitled to receive VA pension or compensation, but decided to receive his or her full military retirement or disability pay; OR
- The died while hospitalized by VA, or while receiving care under VA contract at a non-VA facility; OR

[84] See, generally, the VA's own procedural manual: M21-1MR, Part VII, Chapter 2, Section A.

- The Veteran died while traveling under proper authorization and at VA expense to, or from, a specified place for the purpose of examination, treatment, or care; OR
- The Veteran had an original or reopened claim for VA compensation or pension pending at the time of death and would have been entitled to benefits from a date prior to the date of death; OR
- The Veteran died on, or after, October 9, 1996, while a patient at a VA-approved state nursing home.

Payments for Service-Connected Deaths.

The basic burial benefit (the maximum) for a service-related death is $2,000 (toward burial expenses) for deaths that occur on or after September 11, 2001 (The amount for deaths prior to September 11, 2001, is $1,500.)

For burials in a VA national cemetery, partial or full reimbursement for transportation costs of the deceased may be available.

Payments for Non-Service-Connected Deaths.

For Veterans with non-service connected eligibility, burial and plot allowances are available based on when the death occurred and whether the death occurred inside or outside a VA facility, a VA-contracted nursing home, or a state Veterans nursing home. If payment has not been automatically received from the VA, families are advised that in the case of non-service-connected deaths, there is a two-year time limit from the date or burial or cremation within which a claim must be filled.

Unclaimed Remains.

If a veteran's remains are unclaimed upon his death, the entity who handles the veteran's burial would be entitled to a $300 burial allowance. In the case where a veteran is buried in a VA national cemetery, VA may reimburse the cost of transporting the deceased veteran's remains. VA may also reimburse for the cost of the plot (in the case where a veteran is not buried in a VA national cemetery.).

Submitting A Claim.

You can submit a claim by filling out a VA Form 21P-530, *Application for Burial Benefits*. Copies of the veteran's DD Form 214 or its equivalent (his or her military discharge document), and a death certificate should be attached to the form. For transportation expense claims, receipts for the expenses paid should also be submitted. Such an application can be mailed to the VA regional office located in your state (e.g., the VA Regional Office located in Chicago.).

7. Interment or Plot Allowance

The term "plot allowance" means the allowance, separate from the burial allowance payable under 38 U.S.C. §2302, [introduced above] that may be paid as reimbursement for the expense of purchasing a cemetery plot or cemetery columbarium for the final

resting place of a veteran's remains under the authority of 38 U.S.C. §2303(b).[85] This particular allowance covers both the expense of obtaining the final resting place and the expense of actually placing the remains in that final resting place. The plot allowance is available only in the case of veteran deaths due to non-service-connected causes (VA law allows for a larger, single payment in the case of service-connected deaths, and presumably does not allow for plot allowances to such service-connected deaths for that reason.). See the table below for more information on amounts for both the plot allowance and the burial allowance.

8. Summary of Changes in Burial Allowances and Internment or Plot Allowances—Veteran did not die in a VA Hospital

Qualifying Time Period	Burial Allowance	Plot Internment Allowance
Veteran died on or after October 1, 2016	$300	$749
Veteran died on or after October 1, 2015, but before October 1, 2016	$300	$747
Veteran died on or after October 1, 2014, but before October 1, 2015	$300	$745

9. Summary of Changes in Burial Allowances and Internment or Plot Allowances—Veteran died in a VA Facility, VA-contracted Nursing Home, or a State Veterans Nursing Home

Effective October 1, 2011, the non-service-connected death rates for Veterans who died while hospitalized by the VA are the following:

Qualifying Time Period	Burial Allowance	Plot Internment Allowance
Veteran died on or after October 1, 2016	$749	$749
Veteran died on or after October 1, 2015, but before October 1, 2016	$747	$747
Veteran died on or after October 1, 2014, but before October 1, 2015	$745	$745

NOTE: An annual increase was established in burial and plot allowances for deaths occurring after October 1, 2011, beginning in federal Fiscal Year 2013, which is based on the Consumer Price Index for the preceding 12-month period.

[85] See also M21-1MR, Part VII, Chapter 4.

C. State (IDVA) Provisions Related to Burial

1. Headstone or Grave Marker Supplementary Allowance

The state will provide next of kin with up to $100 in reimbursement for the cost of cartage and placement of VA-provided headstones or memorial markers. This payment will be made only after the headstone/marker has been received and placed and local cartage and placement fees paid. Apply at any IDVA office with VA Form 3 WVGR.

2. Grave Registration

The IDVA maintains a "Roll of Honor" for all veterans buried in the state. Every cemetery or burial place is required to keep a permanent record of the burial of each U.S. veteran.

3. Authority to Operate Veterans Cemeteries

IDVA's authority to operate veterans cemeteries was confirmed by recent legislation. The Department may operate cemeteries at the Manteno Veterans Home and the Quincy Veterans Home for interment of veterans or their spouses as identified by the Department.[86]

D. County Provisions Related to Burial

1. Indigent Burial Benefit

County boards are required by state law to provide an allowance up to $900 and to appoint a suitable person to take charge of the burial of indigent veterans and their mothers, fathers, wives, widows, or minor children. See 55 ILCS 5/5-27002. For further information, apply to the County Veterans Assistance Commission (VAC), or if your county does not have one, to any IDVA office, or directly to the county board. A list of County VACs can be found in Appendix D of this book or on the Illinois Association of County Veterans Assistance Commissions' website at the following: http://www.iacvac.org/Interactive%20Map.html.

E. Federal Dependents' Compensation and Pension Benefits

1. Dependency and Indemnity Compensation (DIC) [*Death Due to Service-Connected Disability*]

[86] 20 ILCS 2805/2.12 (New). Created by PA 99-0314, effective 8/7/15.

Eligibility: For a survivor to be eligible for Dependency and Indemnity Compensation (DIC), the veteran's death must have resulted from one of the following causes:

1. A disease or injury incurred or aggravated in the line of duty while on active duty, active duty for training, or inactive duty training.

2. A service-connected disability or a condition directly related to a service-connected disability.

DIC also may be paid to certain survivors of veterans who were totally disabled from service-connected conditions at the time of death, even though their service-connected disabilities did not cause their deaths. The survivor qualifies if the veteran was:

1. Continuously rated totally disabled for a period of 10 years immediately preceding death; or

2. Continuously rated totally disabled from the date of military discharge and for at least 5 years immediately preceding death; or

3. A former POW who died after Sept. 30, 1999, and who was continuously rated totally disabled for a period of at least one year immediately preceding death.

If death occurs after service, the veteran's discharge must have been under conditions other than dishonorable. Survivors can also be entitled to DIC if the Veteran's death was due to negligent VA medical treatment or vocational rehabilitation under **38 U.S.C. §1151.**

DIC Payments

To apply for DIC, the survivor will need to fill out either a VA Form 21-534 EZ or VA Form 21-534 if the claimant is a surviving spouse or child, or VA Form 21-535 if the claimant is a surviving parent. There is no time limit for filing a claim for DIC. However, it is important to note that if the VA receives a claim for DIC within one year after the Veteran's death, the survivor may be entitled to retroactive payments dating back to the first day of the month following the Veteran's death.[87] The basic monthly rate of DIC is $1,215 for an eligible surviving spouse.[88] The VA also adds a transitional benefit of $301 to the surviving spouse's monthly DIC if there are children under age 18. The amount of the DIC may be increased if the surviving spouse is housebound or in need of aid and attendance

If the surviving spouse is receiving a Survivor Benefit Plan (SBP), then only the difference between the two is received. If the DIC is greater than the SBP, the spouse receives the DIC in lieu of the SBP. To apply for DIC benefits, fill out VA Form 21-534 Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by a Surviving Spouse or Child, or apply to any VA Regional Office or IDVA office.

Additional Discussion of Survivor Eligibility

[87] 38 U.S.C. § 5110(a), (d); see also 38 U.S.C. § 5310(a) if the Veteran was receiving disability compensation or pension at the time of his or her death greater than or equal to the amount of DIC to which the survivor is entitled.

[88] 38 U.S.C. §1311(a)(1)).

A surviving spouse may be eligible for DIC provided one of the following is true:

1. The surviving spouse was married to a military servicemember who died on active duty, active duty for training, or inactive duty training; OR

2. The surviving spouse married the Veteran before January 1, 1957; OR

3. The surviving spouse married the Veteran within 15 years of discharge from the period of military service in which the disease or injury that caused the Veteran's death began or was aggravated; OR

4. The surviving spouse was married to the Veteran for at least one year; OR

5. The surviving spouse had a child with the Veteran, cohabitated with the Veteran continuously until the Veteran's death (or, if separated, was not at fault for the separation), and is not currently remarried. [But note: You may be eligible to continue receiving DIC benefits if you remarried on or after December 16, 2003, and were at least 57 years of age.]

A surviving child may be eligible for DIC provided all of the following are true:

1. You are the surviving child of either:

   a. a military servicemember who died in the line of duty; OR
   b. a Veteran whose death resulted from a service-connected injury or disease; AND

2. You are unmarried; AND

3. You are under age 18, or between the ages of 18 and 23 and attending school [Certain helpless adult children may be entitled to DIC. Contact a Veteran Service Officer or the VA at (800) 827-1000 for more detailed information.]

A surviving parent of a military Servicemember who died in the line of duty or a Veteran whose death resulted from a service-connected injury or disease may also be eligible for DIC. Contact a Veteran Service Officer or the VA at (800) 827-1000 for more detailed information.]

The application form, once completed, should be sent to the Pension Management Center. The Center that serves Illinois is based in Milwaukee, and has jurisdiction over claims originating from Illinois.

1. Additional Monetary Benefits for Dependents/Survivors

Aid and Attendance

Surviving spouses and parents receiving DIC may be granted a special allowance for aid and attendance if they are patients in a nursing home or require the regular aid and attendance of another person. Application may be made at any VA Regional Office; complete VA Form 21-2680 Examination for Housebound Status or Permanent Need for Regular Aid and Attendance.

Housebound

Surviving spouses qualified for DIC who are not so disabled as to require the regular aid and attendance of another person but due to disability are permanently housebound may also be granted a special allowance in addition to the DIC rate otherwise payable. Application may be made at any VA Regional Office. Complete VA Form 21-2680 Examination for Housebound Status or Permanent Need for Regular Aid and Attendance.

Reinstated Entitlement Program for Survivors (REPS)

Certain survivors of deceased veterans who died of service-connected causes incurred or aggravated prior to August 13, 1981, are eligible for benefits. The benefits are similar to the benefits for students and surviving spouses with children between ages 16 and 18 that were eliminated from the Social Security Act. The benefits are payable in addition to any other benefits to which the family may also be entitled. The amount of benefits is based on information obtained from the Social Security Administration. Apply using VA Form 21-534 Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by a Surviving Spouse or Child, or apply to any VA Regional Office or IDVA office.

Death Compensation Relating to Deaths before January 1, 1957

Death compensation payments are authorized for surviving spouses, unmarried children under 18 (as well as certain dependent children and those between 18 and 23 if attending school), and dependent parents of service persons or veterans who died before January 1, 1957, from a service-connected cause not the result of willful misconduct.

Survivors with eligibility for death compensation benefits may elect to receive DIC benefits. Generally, the DIC benefits will pay greater rates, especially for surviving spouses and children. More specific information about death compensation benefits may be obtained from your nearest VA or IDVA office. If a survivor has eligibility for both death compensation and DIC, the VA office processing the claim will notify the survivor about the dual entitlement and will explain how to elect payments under the DIC program. Complete VA Form 21-534 Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by a Surviving Spouse or Child or apply to any VA Regional Office or IDVA office.

2. Non-Service-Connected Survivor's or Death Pension

Certain surviving spouses and children of deceased eligible veterans may qualify for non-service-connected survivor's pension (also known as the death pension), if their countable income is below a yearly limit set by law. Eligibility is first established through the deceased veteran. That is, the veteran, were he or she still alive, would qualify for the VA pension program (See Chapter Six, Non-Service-Connected Pension for more details.).

Surviving spouses and unmarried children under age 18 (or until age 23 if attending a VA-approved school) of deceased qualifying wartime veterans may be eligible for pension based on need if they meet the applicable income standards. Qualified children who became permanently incapable of self-support because of mental or physical disability before reaching age 18 may receive a pension as long as the condition exists or until they marry.

As in the case of the pension a wartime veteran may receive, the survivor's pension is not payable to those whom the VA determines can be reasonably expected to take care of themselves at the time of review. Also, pension is not payable to those whose countable income is greater than a yearly limit set by law.

A surviving spouse who is in need of the regular aid and attendance of another person, or is permanently housebound, may be entitled to higher income limitations or additional benefits, depending on the type of pension received.

Additional Eligibility Requirements for Surviving Spouse

In addition to the requirements for "Surviving Spouse" defined at the beginning of this chapter, to be eligible for non-service-connected death pension, the surviving spouse must have been married to the veteran at least one year prior to his or her death, unless a child resulted from the union. If married to a Vietnam era veteran, the surviving spouse must have been married prior to May 8, 1985.

Amount of Non-Service-Connected Death Pension Payments

To apply for this benefit, use VA Form 21-534 Application for Dependency and Indemnity Compensation, Death Pension and Accrued Benefits by a Surviving Spouse or Child, or apply to any VA Regional Office or IDVA office.

The amount of pension paid depends upon whether the surviving spouse and children are receiving payments under the Improved Pension Program or the Protected Pension Program. The differences are described below.

Improved Pension Program

Effective December 1, 1985, the Improved Pension Program provides for annual rates, generally payable monthly. The annual payment is reduced by the amount of the annual countable income of the surviving spouse or dependent children.

Protected Pension Program

All surviving spouses and children who were on the rolls December 31, 1978, who do not elect improved pension, may continue receiving pension under the prior law at the rate they were receiving on that date. Monthly payments shall continue as long as their income does not exceed the applicable income limitation or they do not lose a dependent.

F. Family Caregiver

Since May, 2010, federal law has required the VA to create an assistance program for family caregivers of certain eligible, seriously injured veterans, who were so injured in the line of duty

on or after September 11, 2001.89 This assistance does not replace direct VA benefits to the veteran him or herself, but serves to help the family caregiver in helping the veteran.

1. Eligibility

Eligibility is in two parts: (1) eligibility of the injured veteran; and (2) eligibility of the family caregiver. The first part of eligibility starts with the veteran him or herself and a standard: Is it in the best interest of the eligible veteran to participate in the program, according to the Secretary of the VA's determination? To this determination, the following basic statutory criteria must be met:

1. The individual must be a veteran or member of the Armed Forces in the process of receiving a medical discharge from the Armed Forces;

2. The individual must have a serious injury (including traumatic brain injury psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001; and

3. The individual must need personal care services due to one of the following: (1) An inability to perform one or more activities of daily living; (2) A need for supervision or protection based on symptoms or residuals of neurological or other impairment or injury; or (3) Such other matters as the Secretary considers appropriate.[90]

The second part of eligibility pertains to the family caregiver. Such a caregiver, under the interim final regulation, may either be a primary or secondary one. In order to be either, one must meet the following criteria:

1. Be 18 years old or older;

2. Be one of the following: (1) the veteran's spouse; (2) the veterans's son or daughter; (3) the veteran's parent; (4) the veteran's step-family member; (5) the veteran's extended family member; or (5) someone who resides with the veteran or will do so if approved as a family caregiver;

3. No evidence of abuse or neglect of the veteran by the applicant;

4. Satisfaction of the requirements of the regulatory provisions relating to assessment, education, and training of caregiver applicants.

There may only be three family caregivers. Only one may serve as the primary family caregiver.

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[89] Caregivers and Veterans Omnibus Health Services Act of 2010, 11 Pub. L. No. 163, 124 Stat. 1130 (May 5, 2010)(creating new 38 U.S.C. §1720G.). See National Veterans Legal Services Program, "VA's New Family Caregiver Program," The Veterans Advocate, April-June 2012, vol. 23, No. 4-7.

[90] Additional criteria exist in the interim final rule which implements the statute. See 76 Fed. Reg. 26,418 (Interim Final Rule) (May 5, 2011)(the interim rule further discusses what serious injury is; the need for the caregiving services not to be simultaneously and regularly provided by or through another individual or entity; agreement to receive care at home; and agreement to receive care from a primary care team.). Also note, the statute currently provides that the decision by the VA to furnish assistance is treated as a "medical determination" thereby exempting it from appeal before the Board of Veterans Appeals, and, by extension, the Court of Appeals for Veterans Claims.

Primary and secondary family caregivers are to be distinguished from general caregivers. A general caregiver provides caregiving services to a covered veteran who may not qualify for the VA Family Caregiver program. A "covered veteran" must be enrolled in the VA health care system and needs personal care assistance due to either: (1) his or her inability to perform an activity of daily living; or (2) his or her need of supervision or protection owing to symptoms or effects of neurological care or other impairment or injury.

2. Caregiver Benefits

Mental Health Services and Respite Care

An approved family caregiver is entitled to mental health services (individual and group therapy, counseling and peer support groups) and respite care of at least 30 days. Respite care is substitute care that allows the family caregiver a scheduled period of relief from the regular provision of care to the veteran.

Extension of Educational Benefits (Where Applicable)

For a caregiver who is also a veteran, he or she may be able to extend the time in which he or she is able to use his or her own education benefits.[91]

CHAMPVA

If the primary caregiver does not have health coverage under another contract, he or she may receive benefits under the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA).[92]

Monthly Stipend

A veteran's primary caregiver is entitled to a monthly stipend under the terms and calculations of the interim final rule.[93]

G. State Benefits Available to Survivors and Dependents

1. The Line of Duty Compensation Act[94] (LODCA) and Illinois National Guardsman's Compensation Act[95]

LODCA is a benefit administered by the Illinois Court of Claims that provides financial compensation for the designated beneficiaries of Armed Forces members killed on active duty in certain circumstances. The Illinois National Guardsman's Compensation Act provides a substantially identical financial benefit to the designated family members of a member of the

[91] Post-9/11 Veterans Education Assistance Improvements Act of 2010, 38 U.S.C. §1720G.
[92] 38 CFR §1781.
[93] 76 Fed. Reg. 26,148 (Interim Final Rule)(May 5, 2011).
[94] 820 ILCS 315/1, *et seq.*.
[95] 20 ILCS 1825/1 *et seq*.

Illinois National Guard killed while on State active duty. Compensation is governed by 820 ILCS 315/3(b) and 315/3(c) and is adjusted annually in accordance with the Consumer Price Index. The amount of compensation for a service member killed during 2017 is $351,383.00. Historically, the authorized payout amounts have been the following:

2002	$259,038.00	2011	$320,165.72
2003	$262,405.49	2012	$329,130.36
2004	$268,703.22	2013	$336,700.36
2005	$274,883.39	2014	$342,088.00
2006	$283,129.89	2015	$347,904.00
2007	$293,888.83	2016	$347,904.00 (no change)
2008	$301,236.05	2017	$351,383.00
2009	$313,236.05	2018	$357,005.00 (eff. 1/1/18)
2010	$313,236.05		

Basic Eligibility and Applications

For claims for Armed Forces members under LODCA, beneficiaries must make a claim with the Court of Claims ***within two years*** of the date of death of the service member killed in the line of duty.[96] For claims for members of the Illinois National Guard while on duty (not pursuant to an order of the President of the United States), beneficiaries must make a claim with the Court of Claims ***within one year*** of the date of death of the service member under the Illinois National Guardsman's Compensation Act. The claim form can be obtained by contacting the Court of Claims at 1 (877) 411-2570. The claim form is also available online at the following link:

http://www.cyberdriveillinois.com/publications/pdf_publications/cc92.pdf.

"Armed Forces member" is a defined term under LODCA. An "'Armed Forces member'" means an Illinois resident who is: a member of the Armed Forces of the United States; a member of the Illinois National Guard while on active military service pursuant to an order of the President of the United States; or a member of any reserve component of the Armed Forces of the United States while on active military service pursuant to an order of the President of the United States."[97]

In the case of a claim for an "Armed Forces member" under LODCA, "killed in the line of duty" means "losing one's life while on active duty in connection with the September 11, 2001 terrorist attacks on the United States, Operation Enduring Freedom, Operation Freedom's Sentinel, Operation Iraqi Freedom, Operation New Dawn, or Operation Inherent Resolve."[98]

Apart from the coverage of the Armed Forces and National Guard, one should also note that LODCA provides coverage to members of the Civil Air Patrol. The Civil Air Patrol is a public-service organization and auxiliary of the U.S. Air Force.[99] LODCA defines "civil air patrol member" as "any person employed by the State or a local governmental entity as, or otherwise serving as, a member of the organization commonly known as the "Civil Air Patrol", including volunteer members of the organization commonly known as the "Civil Air Patrol".[100] For claims

[96] 820 ILCS 315/3(a).

[97] 820 ILCS 315/3(l).

[98] Operation Freedom's Sentinel; Operation New Dawn, and Operation Inherent Resolve, were added by P.A. 100-0226, effective August 18, 2017.

[99] http://www.gocivilairpatrol.com/about/

[100] 820 ILCS 315/3(h).

for Civil Air Patrol members under LODCA, beneficiaries must make a claim with the Court of Claims ***within one (NOT two) year*** of the date of death of the Civil Air Patrol member killed in the line of duty.

The following information must be provided to the Court of Claims in order to make a complete application for compensation under LODCA:

- the name, address, and title or position in which the Armed Forces member was serving at the time of his or her death;
- the name and address of the person(s) designated by the Armed Forces member to receive compensation and the percentages if there is more than one beneficiary; if there is no designated beneficiary, the name and address of the personal representative of the estate of the armed forces member;
- a full factual account of the circumstances resulting in the death of the Armed Forces member;
- any other information the Court of Claims reasonably requires. 820 ILCS 315/4.

Timely Payment

If payment by the Court of Claims is not made within six months after a claim is filed and all information has been submitted as required under the Act, an interest penalty of one percent of the amount of the award shall be added for each month or fraction of a month after the end of the six-month period until final payment is made. 705 ILCS 505/24(3).

2. Vietnam Era Survivors Benefit

The nearest eligible survivor of a veteran who died as a result of service in Vietnam may receive a payment of $1,000, providing the veteran did not claim his or her Vietnam service state bonus. Apply at any IDVA office and ask to fill out form IL 497-0474.

3. Global War on Terrorism Survivors Benefit

A $3,000 bonus is payable to survivors of certain persons killed by terrorist acts or hostile activities during performance of military service in periods recognized as wartime by United States campaign or service medals. The service member must have been honorably discharged and resided in Illinois at least one year prior to entering military service. Apply at any IDVA office and ask to fill out form IL 497-0474.

H. Federal Health Care Benefits for Certain Dependents and Survivors

The health care program known as CHAMPVA (Civilian Health and Medical Program of the VA) is a comprehensive health care program for certain dependents and survivors of veterans. It is the usual VA practice to refer dependents to non-VA medical facilities and reimburse these facilities for treatment/care provided. However, dependents should first apply to the VA and obtain approval.

Who May Be Eligible

- Spouse or dependent child of a veteran with a total and permanent service-connected disability.
- Surviving spouse or child of a veteran who died as a result of a service-connected total disability, or who, at the time of death, had a total and permanent service-connected disability.
- Surviving spouse or child of a person who died while on active duty.
- Applicants must not be eligible for health care under CHAMPUS (Civilian Health and Medical Program of the Uniformed Services) or under Medicare.

How to Apply for CHAMPVA

To apply for benefits, submit:

- Application for CHAMPVA Benefits, VA Form 10-10d.
- Other Health Insurance Certification VA Form 10-7959c. (This is for individuals who are eligible for Medicare.)
- Copy of Medicare card.

Under 38 CFR §17.271(b), individuals age 65 or older who are entitled to Medicare Part A and Medicare Part B are also eligible for CHAMPVA as secondary coverage to the claimant's Medicare plan and any other health insurances for services received on or after October 1, 2001. If age 65 or older and not entitled to Medicare, applicant must send documentation from the Social Security Administration which confirms that non-entitlement.

Processing of the application may be speeded up if information that shows the veteran was permanently and totally disabled is submitted along with the application. A copy of the VA rating decision that shows the veteran is permanently and totally disabled or the death rating for a survivor will suffice. Also be sure to send copies of the marriage license and/or birth certificate/adoption papers. Always send copies—never originals.

If a widow/widower remarries and that marriage is dissolved by death or divorce, the surviving spouse must provide a copy of the legal documentation that terminated the remarriage. The legal documentation of termination of a remarriage may be a divorce decree, death certificate, or annulment decree.

It is also good to provide a copy of the Veteran's DD 214 or Military Separation papers if available. Finally, if there are children age 18-23 attending school, provide a copy of the school certification of full-time enrollment.

Send everything (be sure to keep copies for personal record) to:

CHAMPVA-Eligibility

P.O. Box 409028
Denver, CO 80206-9028

I. Federal Educational Benefits for Certain Dependent Children

Dependents of totally disabled service-connected veterans or of those veterans who died as the result of a service-connected disability (discussed earlier in this chapter), are eligible for educational benefits under 38 U.S.C. Chapter 35 Survivors' and Dependents' Educational Assistance. Dependent children can generally qualify from age 18 to 26. Under specific conditions, the child's educational assistance can start at an earlier age or be extended beyond age 26.

Who May Be Eligible

- Spouse or dependent child of a veteran with a total and permanent service-connected disability. Application must be made within 10 years of the date the veteran was found to be service-disabled.

- Surviving spouse or child of a veteran who died as the result of a service-connected disability, or who, at the time of death, had a total and permanent service-connected disability. Application must be made within 10 years from the date of: (1) the veteran's death, or (2) the VA determination that the death was due to a service-connected disability, whichever is later.

- Spouse or child of a veteran who has been listed as missing in action for more than 90 days or was captured in the line of duty and is being detained by a foreign power.

Apply at any VA or IDVA office or complete VA Form 22-5490 Application for Survivors' and Dependents' Educational Assistance.

J. State Educational Benefits for Certain Dependent Children

POW/MIA Scholarship

The spouse, surviving spouse, or child of a veteran who was declared a prisoner of war or missing in action or who is permanently and totally disabled from a service-connected disability or who died as a result of a service-connected disability, and who was an Illinois resident for at

least six months before entry into service, may receive a four-year scholarship to a state-controlled college or university.[101] (Apply at any IDVA office. Fill out IDVA Form POW-I.)

Educational Opportunities for Children of Veterans

A child of a veteran who is between 10 and 18 years of age may receive up to $250 per school year in educational assistance if the veteran is totally disabled as a result of a service-connected disability or died as a result of military service.[102] Apply at any IDVA office. Fill out VA Form ED I which is available online from IDVA at the following location: https://www.illinois.gov/veterans/benefits/Documents/ChildEdOp.pdf

K. County Educational Benefits for Certain Dependent Children

Honorary Scholarship, University of Illinois

Each Illinois county may provide one honorary scholarship per year to children of wartime veterans. Children of veterans of WWI, WWII, the Korean War, or the Vietnam War and those who served in the Gulf War and other areas of conflict all qualify, with preference given to children of deceased or disabled veterans. (See 110 ILCS 305/9 Honorary scholarships – number from each county.) Apply to any IDVA office or to a State Senator or Representative.

L. Federal Housing Benefits for Surviving Spouses

Home Loan Guaranty

Eligible surviving spouses may obtain a VA-guaranteed home loan. To be eligible, the spouse must be the surviving spouse of a veteran who:

* Was in service any time between September 16, 1940 and the present and died as a result of service-connected disabilities; or

* Was on active duty when officially listed as missing in action or prisoner of war and has been on such status for more than 90 days.

Apply at any VA Regional Office or any IDVA office. Or, apply directly by filling out a VA Form 26-1880 and sending it along with proof of military service to:

Atlanta Regional Loan Center
Attn: COE (262)
P.O. Box 100034
Decatur, GA30031

[101] 95 Ill. Admin. Code 116.10 *et. seq.*
[102] 330 ILCS 105; 95 Ill. Admin Code. Pt. 101.

Phone: 1-888-768-2132

M. State Housing Benefits for Surviving Spouses

Housing (Real Property) Tax Exemption

Housing Tax Exemption

The spouse or unmarried surviving spouse of a veteran with a 100% service-connected disability may be exempt from the first $70,000 of assessed value of property providing the property is purchased or specially adapted housing for which federal funds were used. 35 ILCS 200/15-165. Eligibility must be reestablished on an annual basis by certification through the Illinois Department of Veterans' Affairs. The Department will forward the certification to the assessing official. Apply at any IDVA office.

Who May Be Eligible

- Unmarried spouse of a deceased veteran who suffered a war service-connected death.
- Unmarried spouse of a veteran with a war service-connected disability that prevents the veteran from qualifying for civil service employment.
- One parent of an unmarried veteran who suffered a war service-connected disability which prevents him or her from qualifying for civil service employment. The first parent to receive a civil service appointment shall be the parent entitled to the preference.

N. Summary

There are many advantages available to the dependents of veterans and to their survivors. These advantages cover a wide variety of benefits ranging from health care to compensation or pension payments to preference in employment for state and federal jobs. However, as with other veterans' benefits, you must be an educated consumer to obtain them. There is little to no outreach by government agencies to veterans, dependents, and survivors. In the end, it is up to the individual to learn about and apply for the rights and benefits given by a grateful nation. If you think you or your dependents are or may become eligible for any of the benefits described in this Chapter, apply for them. It is always a good idea to ensure that dependents are made aware of the available benefits prior to the death of a veteran and that the information necessary for application is kept in a safe place that is readily accessible by the survivors. We recommend keeping a copy of this book (or another book on veterans benefits), military discharge papers, proof of marriage, divorce decrees, birth certificates, Medicare information, Social Security information (including award letters), and any other necessary information in one central

fireproof location, so that the survivors may easily access the information necessary for applying for VA and other survivor benefits.

Remember too, that if a deceased veteran was not eligible for benefits because of a “bad paper” discharge, a survivor or dependent may apply on behalf of the deceased veteran for an upgraded discharge. If the discharge upgrade is approved, eligibility for benefits may be established.

Chapter 10: Educational Benefits

Some of the greatest benefits of serving honorably in the U.S. Armed Forces are the educational benefits available to former service members. Since WWII, veterans have received educational benefits through both the state and federal government. These benefits range from monthly subsistence to tuition payments. The U.S. Department of Veterans Affairs provides educational benefits under the **Montgomery G.I. Bill, Post 9/11 G.I. Bill,[103] Veterans Educational Assistance Program (VEAP),[104] Reserve Educational Assistance Program (REAP),[105] Training and Rehabilitation, Survivors' and Dependents' Educational Assistance,** and **Education Loan Repayment.** The State of Illinois also provides educational benefits through the **Illinois Veterans Grant, Illinois National Guard Grant,** and for qualified dependents, the **MIA/POW Scholarship, and Educational Opportunities for Children.**

This chapter provides a general description of educational and training benefits available at both the state and federal levels. It includes information to help veterans understand how to receive payments under these programs. Also included are Web sites so that those with access to a computer may use the VA's online services to apply for educational benefits and verify enrollment. Going online to the VA's Web site is a great way to keep up to date on all veteran benefits. The VA's Web site home page is located at http://www.va.gov/. This site is the gateway to all VA benefits, including all the U.S. Department of Veterans Affairs educational benefits and the latest news on educational benefits.

The information in this chapter may help veterans in making a decision to seek training or to enter an academic institution. Please read carefully to understand the full range of benefits available.

A. VA Federal Education Benefits

No recipient of any VA educational assistance may receive benefits under more than one educational assistance program at the same time, but you can receive a maximum of 48 months of benefits under any combination of VA education programs for which you qualify. More information is available at www.gibill.va.gov. Here is a chart listing some federal VA educational assistance programs and who may be eligible:

Program	Who is Eligible?
Post-9/11 GI Bill	Veterans who have served at least 90 aggregate days on active duty after September 10, 2001, and who are still on active duty or were honorably discharged or released.
Montgomery GI Bill	Veterans who have been honorably discharged (or the equivalent); have a high school diploma, GED, or 12 hours of college credit; and meet one of the four criteria listed in this section. Veterans who have remaining entitlement under the Vietnam Era GI Bill are also eligible for benefits under the

[103] 38 U.S.C. §3001-3036; see also 38 CFR, Part 21, Subpart P for regulations for applying the Post-9/11 GI Bill.
[104] 38 U.S.C. §3201-3243.
[105] Chapter 1607 of Title 10 US Code.

	Montgomery GI Bill.
Montgomery GI Bill—Selected Reserve	Members of the active Reserves of all services or the National Guard, who also satisfy the requirements listed in this section.
Reserve Educational Assistance Program	Members of a Reserve Component who serve on active duty on or after September 11, 2001, under title 10, U.S. Code, sections 12301, 12302, 12304, for at least 90 consecutive days under a contingency operation.
Veterans' Assistance Education Program	Veterans who elected to make contributions from their military pay to participate in this education benefit program.

1. The Post-9/11 GI Bill

The Post-9/11 GI Bill was enacted to provide educational benefits to veterans who have served on active duty on or after September 10, 2001. Individuals may be paid benefits for educational or vocational training pursued on or after August 1, 2009.

Eligibility

An individual is eligible to receive benefits under the Post-9/11 GI Bill if he or she has served at least 90 aggregate days on active duty after September 10, 2001, and is still on active duty or was honorably discharged or released:

- from active duty;
- from service and placed on the retired list, transferred to the Fleet Reserve or Fleet Marine Corps Reserve, or placed on the temporary disability retired list;
- from active duty for further service in a Reserve Component;
- for a non-service-connected preexisting medical condition;
- for hardship; or
- for a physical or mental condition that was not characterized as a disability and did not result from the individual's own willful misconduct but did interfere with the individual's performance of duty, as determined by the Secretary concerned in accordance with regulations prescribed by the Secretary of Defense.

Pursuant to the Post-9/11 Veterans Educational Improvements Act of 2010, National Guard members are eligible to receive benefits under the Post-9/11 GI Bill if he is on active service under Title 32 orders, "for the purpose of organizing, administering, recruiting, instructing, or training"; or for the purpose of responding to a national emergency.

Length of Eligibility

Individuals are eligible for benefits for 15 years from their last period of active duty of at least 90 consecutive days or their last period of active duty of at least 30 consecutive days if released for a service-connected disability.

Educational Assistance Allowance

To be eligible for 100% of the benefit, an individual must have served an aggregate of 36 months of active duty service, or have been discharged for a service-connected disability after 30 days of continuous service. For those who served fewer than 36 months, the percentage of benefit ranges from 40% to 90%:

90% - 30 total months, but less than 36 months
80% - 24 total months, but less than 30 months
70% - 18 total months, but less than 24 months
60% - 12 total months, but less than 18 months
50% - 6 total months, but less than 12 months
40% - 90 or more days, but less than 6 months

Eligible Programs

Eligible individuals may use the Post-9/11 GI Bill for the following programs:

- Undergrad and graduate programs at institutions of higher learning;
- Vocational/ technical training, and non-college degree programs at non-degree granting schools;
- On-the job and apprenticeship training programs;
- Flight training;
- Correspondence training programs;
- Entrepreneurship training programs;
- National testing programs; and
- Tutorial assistance.

Institutions of Higher Learning

Eligible students attending a public school are entitled to the cost of in-state tuition and fees. For private and foreign institutions of higher learning, the tuition and fee reimbursement is capped at $22,805.34 per academic year (for the 2017 academic year, August 1, 2017, to July 31, 2018). The money is reimbursed to the school where the individual is enrolled in an approved academic training program.

Non-college Degree Programs

Eligible students are entitled to Actual net costs for in-state tuition & fees not to exceed $22,805.34 during the academic year (2017).

On-The-Job and Apprenticeship Training Programs

Eligible students are entitled to payments based on time in the program:

- 100% of the student's applicable Monthly Housing Allowance during the first 6 months of training
- 80% of the student’s applicable Monthly Housing Allowance during the third 6 months of training

- 60% of the student's applicable Monthly Housing Allowance during the fourth 6 months of training
- 20% of the student's applicable Monthly Housing Allowance during the remainder of the training

Students of such training programs are entitled to receive up to $83 per month for books and supplies.

Note: On-the-job and apprenticeship training is not available to active duty service members.

Flight Programs

Eligible students enrolled in a vocational flight training program are entitled to reimbursement for the actual net costs for in-state tuition and fees assessed by the school or $13,031.61 whichever is less.

Correspondence Training Programs

Correspondence training differs from what is generally called distance learning. In the case of correspondence training, the student receive and return lessons by mail for a grade. Eligible students are entitled to reimbursement for the actual net costs for in-state tuition and fees assessed by the school or $11,076.86, whichever is less.

Licensure and Certification Tests

Individuals entitled to educational assistance under the New GI Bill are also entitled to reimbursement for one licensure or certification test in an amount not to exceed $2,000 or the fee charged for the test, whichever is less. Students are entitled to unlimited reimbursement for licensure or certification tests. However, students' Post-911 GI Bill will not be charged for the reimbursement of only one licensure or certification test. The student's GI Bill will be charged for multiple tests.

National Standardized Exams

Eligible individuals are entitled to reimbursement of fees paid to take national exams used for admission to an institution of higher learning, such as the SAT, ACT, GMAT, and LSAT. However, the student's GI Bill will be charged for these tests. Students can search for an approved test on the VA website at: http://inquiry.vba.va.gov/weamspub/buildSearchNE.do.

Tutorial Assistance

Eligible students may be paid up to $100 per month up to 12 months or $1,200 for assistance if he or she is receiving VA educational assistance at a rate of half time or greater and a professor certifies that such benefits are essential to correct a deficiency in a course required for an approved program of education. There is no entitlement charge under the New GI Bill for tutorial assistance.

To apply for assistance, the student, tutor, and certifying official must complete VA Form 22-1990t, Application for Enrollment Certification for Individualized Tutorial Assistance. The application can be found online at: http://www.vba.va.gov/pubs/forms/VBA-22-1990t-ARE.pdf.

Monthly Housing Allowance

For each month the student pursues an approved program of education, he or she will receive a monthly housing stipend equal to the basic allowance for housing (BAH) for a member with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority of the portion of the ZIP code in which the institution of higher education at which the individual is enrolled is located. The housing allowance is paid proportionately based on the student's enrollment.

Under the Post 9/11 GI Bill, if a Veteran enrolls for more than one-half time, but less than full time, he or she may qualify for a monthly housing allowance based on the VA's "rate of pursuit" calculation. To learn more, visit the VA's web page at the following: https://gibill.custhelp.com/app/answers/detail/a_id/1480. For those attending foreign schools (schools without a main campus in the U.S.), the BAH rate is fixed at $1,681.00for the 2017 academic school year. For those enrolled solely in distance learning the housing allowance is $840.50. Housing allowance is not payable to individuals on active duty, pursuing training at half time or less, or is the spouse of an active duty member.

Books and Supplies Stipend

Both eligible veterans and active duty service members are paid up to a $1,000 lump sum amount for books, supplies, equipment, and other educational costs.

Relocation Allowance

A veteran eligible for benefits under the New GI Bill is entitled to a one-time additional assistance payment of $500 if that veteran can show by proof of residence that he:

- resides in a county with less than six persons per square mile and physically relocated a distance of at least 500 miles in order to pursue a program of education;
- travels by air, out of necessity, to physically attend an institution in order to pursue a program of education for which the veteran utilizes educational assistance under this Bill.

Proof of Residence

The veteran may demonstrate his or her place of residence providing a DD Form 214, or his or her most recent federal income tax return. Note that, even if your formal state of residence is somewhere else, you may still qualify for in-state tuition rates if you currnetly live in the state where the school is. For more information, see the following web page: https://www.benefits.va.gov/gibill/417.asp.

2. The Yellow Ribbon GI Education Enhancement Program

In instances where a student's private school tuition and fees exceed the $22,805.34 per year cap, or is attending a public school as a nonresident student, the Yellow Ribbon Program allows institutions of higher learning (IHLs or degree granting institutions) in the United States to voluntarily enter into an agreement with VA to make additional funds available for the student's education program. The institution can choose the amount of tuition and fees that it will

contribute and VA will match the same amount and provide payment directly to the institution. For more information, see https://www.benefits.va.gov/gibill/yellow_ribbon.asp.

Eligibility

To qualify to receive the Yellow Ribbon benefits, the student must meet the following criteria:

- Served an aggregate period of active duty after September 10, 2001, of at least 36 months;
- Honorably discharged from active duty for a service connected disability and served 30 continuous days after September 10, 2001;
- Is a dependent eligible for Transfer of Entitlement under the Post-9/11 GI Bill based on a veteran's service under the eligibility criteria listed above.

Participating Colleges and Universities

An updated list of participating colleges and universities can be found on the VA Web site at https://www.benefits.va.gov/GIBILL/yellow_ribbon/yrp_list_2017.asp.

Transference of Unused Education Benefits to Family Members (TEB)

A service member entitled under the Post-9/11 GI Bill is permitted to elect to transfer to the service member's spouse or to one or more of the service member's children a portion of the veteran's New GI Bill assistance benefits.

Eligibility

A service member is eligible to transfer a portion of his or her benefits to one or more dependents if the service member:

- has completed at least 6 years of service in the Armed Forces and enters into an agreement to serve at least 4 more years as a member of the Armed Forces; or
- has at least 10 years of service in the Armed Forces (active duty and/or selected reserve) on the date of election, is precluded by either standard policy (service or DoD) or statute from committing to 4 additional years, and agrees to serve for the maximum amount of time allowed by such policy or statute; or
- is or becomes retirement eligible during the period from August 1, 2009, through August 1, 2013. A service member is considered to be retirement eligible if he or she has completed 20 years of active duty or 20 qualifying years of reserve service.
    - For individuals eligible for retirement on August 1, 2009, no additional service is required.
    - For individuals eligible for retirement after August 1, 2009, and before August 1, 2010, 1 year of additional service is required.
    - For individuals eligible for retirement on or after August 1, 2010, and before August 1, 2011, 2 years of additional service is required.
    - For individuals eligible for retirement on or after August 1, 2011, and before August 1, 2012, 3 years of additional service is required.

Note: Such transfer must be requested and approved while the member is in the Armed Forces.

Limitation on Months of Transfer

The total number of months of entitlement transferred by a veteran may not exceed 36 months.

How to Apply for TEB

- First, the service member must submit a Transfer of Education Benefits (TEB) request through the milConnect website at http://milconnect.dmdc.mil.
    - While in the Armed Forces, transferors use the milConnect website to designate, modify, and revoke a Transfer of Entitlement (TOE) request.
    - After leaving the Armed Forces, transferors may provide a future effective date for use of TOE, modify the number of months transferred, or revoke entitlement transferred by submitting a written request to VA.
- Once approved, family members may apply to use the transferred benefits by completing VA Form 22-1990e, which can be found at http://www.vba.va.gov/pubs/forms/VBA-22-1990e-ARE.pdf.

More information regarding TEB can be found on the VA Web site at the following link:

http://www.defense.gov/home/features/2009/0409_gibill/ .

3. Montgomery GI Bill (MGIB)

Description of Benefits

The MGIB may provide up to 36 months of education benefits to eligible veterans and service members for a college degree, vocational/technical training, correspondence courses, apprenticeship/on the job training, or even flight training. There is a lot more to the MGIB than just the monthly subsistence allowance—the student may also seek tutorial assistance, reimbursement for some licensing and certification tests, and more.

The MGIB may be used while the service member is on active duty or after separation from active duty. Veterans must have been honorably discharged to be qualified for this benefit. The following are considered honorable discharges:

- Convenience of the government
- Disability
- Hardship
- Disability that pre-existed service
- A medical condition that is not considered a disability but that interfered with the performance of military duties
- Reduction in force

In addition to an honorable discharge or equivalent, the veteran must have a high school diploma, GED, or 12 hours of college credit. Finally, every student must meet one of the criteria categories below:

CATEGORY I

- Entered active duty for the first time after June 30, 1985.
- Had military pay reduced by $100 a month for first 12 months.

- Continually served for three years, OR two years if that is what veteran first enlisted for, OR two years if veteran entered the Selected Reserve within a year of leaving active duty and served four years.

CATEGORY II

- Entered active duty before January 1, 1977.
- Served at least one day between 10/19/84 and 6/30/85 and stayed on active duty through 6/30/88 (or 6/30/88 entered Reserves within one year of leaving active duty and served four years).
- On 12/31/89 had entitlement left from Vietnam era GI Bill**.**

CATEGORY III

- Not eligible for MGIB under Category I or II.
- On active duty on 9/30/90 AND separated involuntarily after 2/2/91, OR involuntarily separated on or after 11/30/93, OR voluntarily separated under either the Voluntary Separation Incentive (VSI) or Special Separation Benefit (SSB) program.
- Before separation, had military pay reduced by $1,200.

CATEGORY IV

- On active duty on 10/9/96 AND had VEAP funds remaining on that date and elected MGIB by 10/9/97 OR entered full-time National Guard duty under Title 32 USC, between 7/1/85 and 11/28/89 AND elected MGIB during the period 10/9/96 through 7/8/97.
- Had military pay reduced by $100 a month for 12 months or made a $1,200 lump-sum contribution.

Once declared eligible for the MGIB, the veteran will generally receive a monthly subsistence allowance. The amount depends upon the type of education being received and the length and type of service. Those who served on active duty for full enlistment will receive more than a National Guard member or reservist will under the Montgomery GI Bill - Selected Reserve (MGIB-SR).

Effective October 1, 2017, the basic monthly rates for training at an institution of higher education are:

For individuals completing an enlistment of 3 years or more

Training Time	Monthly rate
Full time	$1,928.00
3/4 time	$1,446.00
1/2 time	$964.00
Less than 1/2 time; more than 1/4 time	$964.00**
1/4 time or less	$482.00**

For individuals completing an enlistment of less than 3 years

Training Time	Monthly rate
Full time	$1,566.00
3/4 time	$1,174.50
1/2 time	$783.00
Less than 1/2 time; more than 1/4 time	$783.00**
1/4 time or less	$391.50**

**Tuition and fees only. Payment cannot exceed the listed amount.

An updated list of basic monthly rates for apprenticeships and on-the-job training can be found on the VA Web site at:

https://www.benefits.va.gov/GIBILL/resources/benefits_resources/rates/ch30/ch30rates100117.asp

Length of Eligibility

Generally, benefits are payable for 10 years following the veteran's release from active duty.

Application

Apply by filling out VA Form 22-1990, Application for Education Benefits. Application may be made online at http://www.gibill.va.gov/apply-for-benefits/application.This is an easily accessible site that walks the veteran or eligible dependent through the application process. New users must sign up to complete an application. Veterans may use the site to apply for compensation in addition to educational benefits.

For more information about the MGIB, contact the VA GI Bill hotline at 1-888-442-4551.

Licensing and Certification Test Reimbursement

Veterans may receive reimbursement for licensing and certification tests after March 1, 2000. The tests must be approved for the GI Bill. The VA pays only for the cost of the test.

Eligibility

To be eligible, the veteran must be eligible for the Active Duty MGIB or Dependents Educational Assistance (commonly called Chapter 35) or VEAP. This program does not include Reservists or National Guard members. However, many members of the National Guard and Reserves are or have been made eligible for the MGIB (active duty) because they have been called up for active service under Title 10 U.S.C. and meet the following requirements:

- The veteran must have no active duty prior to July 1, 1985.
- The veteran must have been called to active duty under Title 10 U.S. Code after 7/1/85 (Title 10 is the law that governs the Armed Forces whereas U.S.C. 32 governs the National Guard).
- The veteran must have served a minimum of 24 months of continuous active duty.
- The veteran must have honorable service for the period of active duty.

To apply, complete DD Form 2366 Election to Participate in the MGIB Active Duty Program and pay $1200 to Defense Finance and Accounting Service (DFAS) to enroll.

4. Montgomery GI Bill – Selected Reserve (MGIB-SR)

Description of Benefits

Generally, eligible veterans may receive up to 36 months of education benefits. MGIB-SR is for members of the Selected Reserve. This includes members of the active Reserves of all services or the National Guard. The program may be used for degree programs, certificate or correspondence courses, cooperative training, independent study programs, apprenticeship/on-the-job training, and vocational flight training programs just like the MGIB for those who served on active duty. It also includes remedial, refresher, and deficiency training available under certain circumstances.

Eligibility

To qualify, the guard or reserve member must meet the following requirements:

- The member must have a six-year obligation to serve in the Reserves or National Guard enlisted after June 30, 1985. If an officer, the member must have agreed to serve six years in addition to the original obligation. For some types of training, it is necessary to have a six-year commitment that begins after September 30, 1990.
- The member must complete initial active duty for training (IADT).
- The member must meet the requirement to receive a high school diploma or equivalency certificate before completing IADT. (Note: Unlike the active duty MGIB, the veteran cannot use 12 college credits as an equivalent.)
- The member must remain in good standing while serving in an active Selected Reserve unit.
    - If the member's Reserve or National Guard unit was deactivated during the period of October 1, 2007 through September 30, 2014, or , or the member was involuntarily separated (e.g., reduction in force) from Reserve or National Guard service during this same period, the veteran retains eligibility for MGIB-SR benefits for the full 14-year eligibility period.
    - If the veteran was discharged for a disability, then the veteran retains eligibility.
    - If the veteran was ordered to active duty, the member's eligibility period may be extended. Be sure to check if the activation made the veteran eligible for the active duty MGIB.

Entitlements

Effective October 1, 2017, veterans who are eligible to receive benefits under MGIB-SR will receive educational assistance allowance at the following rates for training at an institution of higher education:

Training Time	Monthly Rate
Full time	$375.00
3/4 time	$281.00
1/2 time	$187.00
Less than 1/2 time	$93.75

An updated list of basic monthly rates for apprenticeships and on-the-job training can be found on the VA Web site at:
https://www.benefits.va.gov/GIBILL/resources/benefits_resources/rates/ch1606/ch1606rates100117.asp

Duration

The MGIB-SR provides a maximum of 36 months of educational assistance.

5. Reserve Educational Assistance Program (REAP)

The Reserve Educational Assistance Program is being phased out in accordance with the National Defense Authorization Act of 2016. Effective November 25, 2015, the REAP program was concluded. Certain individuals who already started receiving REAP benefits may remain eligible until November 25, 2019. The VA notes that the Post-9/11 GI Bill will largely replace REAP.

6. Veterans' Educational Assistance Program (VEAP)

VEAP is available to veterans who elected to make contributions from their military pay to participate in this education benefit program. Veteran contributions are matched on a $2 for $1 basis by the government. Generally, participation in VEAP ended with the MGIB. Benefit entitlement is 1 to 36 months depending on the number of monthly contributions. Veterans who participated in VEAP may still be eligible for benefits provided the following requirements are met:

- The veteran was discharged under conditions other than dishonorable.
- The veteran completed his or her first period of service.
- The veteran completed his or her first period of service between January 1, 1977, and June 30, 1985.
- The veteran opened a contribution account before April 1, 1987.
- The veteran voluntarily contributed $25 to $2,700.

If the service member is still on active duty and has a VEAP account, there must be at least 3 months of contributions available to use the VEAP benefits, and the service member must have enlisted for the first time after September 7, 1980, and completed 24 months of his or her first period of active duty.

The service member has 10 years from release from active duty to use VEAP benefits. If there is entitlement not used after the 10-year period, the remaining money will be automatically refunded.

Application for VEAP

After finding a program approved for VA training, complete a VA Form 22-1990, Application for Education Benefits, and send it to the VA Regional Office with jurisdiction over the State where training will occur. Active duty members must have their enrollment approved by their base Education Services Officer and have their service verified by their Commanding Officer.

Veterans must send a copy 4 (Member Copy) of their DD Form 214, Certificate of Release or Discharge from Active Duty.

VA Form 22-1990 can be downloaded from http://www.vba.va.gov/pubs/forms/vba-22-1990-are.pdf.

Individuals who have already started training should take VA Form 22-1990, Member Copy of DD Form 214 and VA Form 22-1999 Enrollment Certification to the school or employer for completion and then send all the forms to VA.

7. Vocational Rehabilitation

As discussed in Chapter 7, VA vocational rehabilitation programs are governed by 38 CFR Part 21 – Vocational Rehabilitation and Education. The VA offers three main programs intended to help disabled veterans rehabilitate and train in order to prepare for, obtain, and retain employment. These programs are: the Veterans' Employment and Training Service (VETS);[106] the Chapter 31 vocational rehabilitation program for veterans with service-connected disabilities;[107] and the Veterans Retraining Assistance Program (VRAP).[108] This section focuses on the Chapter 31 program, but you should consider your eligibility for all three programs before choosing one. As with VA educational benefits, veterans can receive payment from only one program at any given time.

Services Provided

Services provided under Chapter 31 include:

- comprehensive rehabilitation evaluation to determine abilities, skills, interests, and needs;
- vocational counseling and rehabilitation planning;
- employment services such as job-seeking skills, resume development, and other work readiness assistance;
- assistance finding and keeping a job, including the use of special employer incentives;
- if needed, training such as on-the-job training, apprenticeships, and non-paid work experiences;
- if needed, post-secondary training at a college, vocational, technical or business school;
- supportive rehabilitation services including case management, counseling, and referral; and
- independent living services.

Eligibility

A veteran is eligible for a Chapter 31 evaluation for services benefits if the veteran:

[106] 38 CFR Chapter 41.
[107] 38 CFR Chapter 31.
[108] Pub. L. No. 112-56, § 211, 125 Stat. 711 (2011).

- has received, or will receive, a discharge that is other than dishonorable;
- has a service-connected disability rating of at least 10% with a serious employment handicap or 20% or more with an employment handicap; and
- submits a completed application for Vocational Rehabilitation services. Applications can be filled out and submitted online at http://vabenefits.vba.va.gov/vonapp/main.asp.

Duration of Eligibility

Vocational Rehabilitation services may be used 12 years from either the date of separation from active military service, or the date the veteran was first notified by the VA of a service-connected disability rating, whichever was later.

Evaluation

A veteran who is eligible for an evaluation under Chapter 31 must complete an application and meet with a Vocational Rehabilitation Counselor (VRC). If the VRC determines that an employment handicap exists as a result of a service-connected disability, the veteran is found entitled to services. The VRC and the veteran will then continue counseling to select a track of services and jointly develop a plan to address the rehabilitation and employment needs of the veteran.

Entitlement

The VRC's entitlement evaluation includes an assessment of the veteran's interests, aptitudes, and abilities, and whether service-connected disabilities impair the veteran's ability to find and/or hold a job using the occupational skills he or she has already developed.

To be entitled to Chapter 31 benefits, the veteran must meet at least one of the following conditions:

- The veteran has a service-connected disability and at least 20% disability rating or would but for receipt of military retirement pay. Veterans with 10% disability rating may be eligible if they have a serious employment disability.
- The veteran was honorably discharged for a service-connected condition, is home awaiting orders for such a separation or is hospitalized awaiting separation for a service-connected disability.
- The veteran has a serious employment impairment as the result of a service-connected disability.

Those veterans with less than honorable discharges may be qualified if they have a service-connected disability and are approved by the VA. (See Chapter 1: Exceptions and Limitations.)

Rehabilitation Program Period

- Veterans must complete a rehabilitation program within 12 years from the date of the veteran's discharge or release from active duty.
- This period may be extended if a medical condition prevents the individual from training or if the veteran has a serious employment disability.

- Disabled veterans may receive services until they have reached their rehabilitation goal (generally up to 48 months).
- The VA may provide counseling, job placement, and post-employment services for up to 18 additional months.

Additional Benefits

Subsistence Allowance

Veterans may receive a subsistence allowance besides their disability compensation or retirement pay while in training or an educational program while preparing for a future career. The allowance is paid monthly and depends upon attendance (full time, three-quarter time, or half-time), the number of dependents, and the type of training. If the Veteran qualifies for the Post-9/11 GI Bill, he or she may be able to receive the Basic Allowance for Housing (BAH) rate. For more information, talk to your VA educational specialist or see the VA's website:

https://www.benefits.va.gov/vocrehab/subsistence_allowance_rates.asp.

Additional Educational Costs

The VA may pay the cost of tuition and required fees, books, supplies, and equipment. The VA may also pay for special support, such as tutorial assistance, prosthetics, lip-reading training, and sign language training.

Disabled veterans will be given vocational counseling prior to having an educational objective approved for eligibility. A veteran may receive employment assistance and self-employment assistance after completion of the educational objective.

Tip: If eligibility is established for more than one educational benefit, only one may be used. A VA counselor will discuss the available options and help to determine which benefit is best suited to the veteran's needs. However, the veteran must make the final decision.

8. Tutorial Assistance

Veterans may be eligible to receive a special allowance for individual tutoring if attending a post-secondary school at one-half time or more. The veteran must have the school certify that deficiency in a subject exists and that tutoring is necessary. Also, the school must certify the tutor's qualifications and the hours he or she tutors the veteran. Tutors cannot be the mother, father, child, or sibling of the veteran. The student also must be enrolled in the course at the time he or she is receiving tutoring. If found eligible, the veteran will receive a maximum monthly allowance of the cost of tutoring or $100. The maximum benefit is $1,200. To apply, the student, tutor, and certifying official must fill out a VA Form 22-1990t, *Application and*

Enrollment Certification for Individualized Tutorial Assistance. You can find this form and more information online at the following: https://www.benefits.va.gov/gibill/tutorial_assistance.asp.

9. Work-Study Program

Veterans may be eligible for an additional allowance under a work-study program. This program allows the veteran to do work for the VA or a veteran related program in return for an hourly wage. Veterans must be enrolled in an academic institution or vocational training program at a three-quarters or full-time rate. The maximum number of hours that veterans may work is 25 hours times the number of weeks in their enrollment period. Payments will be at the federal minimum wage or the state minimum wage, whichever is greater. To apply, complete VA Form 20-8681, Applications for Work-Study Allowance. The form may be downloaded from http://www.vba.va.gov/pubs/forms/VBA-22-8691-ARE.pdf. The form may also be obtained by calling the VA at 1-800-827-1000. Complete the form and send it to the nearest VA Regional Office.

Tip: If the veteran has an overpayment because of receiving VA benefits, he or she may be able to participate in a work-study program to reduce or eliminate the overpayment.

10. Veterans Retraining Assistance Program (VRAP)

The VRAP program ended on March 31, 2014.

11. Department of Education (DOE) Federal Student Aid Grants

Grants are financial aid sources that do not have to be repaid. There are four types of federal student aid grants that are awarded to students with financial need. The amount a student receives depends of the cost of attendance, his or her Expected Family Contribution (EFC), enrollment status (full- or part-time) and enrollment period.

- **Federal Pell Grant**: Provides up to $5,550 to undergraduate students.
- **Federal Supplemental Educational Opportunity Grant (FSEOG)**: FSEOGs are awarded to undergraduate students with exceptional financial need. The annual award amount ranges from $100 to $4,000.
- **Teacher Education Assistance for College and Higher Education (TEACH Grant)**: Provides up to $5,550 financial assistance to students who meet certain teaching obligations. For those who fail to complete the obligations, the amounts of the TEACH Grants received will be converted to a Direct Unsubsidized Loan. For more information visit www.teachgrant.ed.gov.
- **Iraq and Afghanistan Service Grant**: Students who are not eligible for a Pell Grant but whose parent or guardian was a member of the U.S. Armed Forces and died while serving in Iraq or Afghanistan after 9/11 may be eligible for up to $5,550 financial assistance. Students must have been under 24 years old or enrolled in college at least part-time, at the time of enrollment.

12. Military Service Deferment

Qualifying Loans

Loans qualifying for deferment include Federal Family Education Loans (FFEL), Direct and Perkins.

Eligibility

Military service deferments are available to:

- military service members serving on active duty on active duty during a war, other military operation or national emergency;
- members of the National Guard called to active duty during a war, military operation or national emergency; and
- reserve or retired members of the Armed Forces called to active duty during a war, military operation or national emergency.

Duration

The eligibility period ends 180 days after the borrower is demobilized from active duty service.

13. Post-Active Duty Student Deferment

Qualifying Loans

Loans qualifying for post-active duty student deferment include Federal Family Education Loans (FFEL), Direct and Perkins.

Eligibility

Post-active duty student deferments are available to members of the National Guard and reserve or retired members of the Armed Forces called to active duty at the time, or within six months prior to the time, that they were enrolled in school. Unlike the military service deferment, the borrower is not required to be activated during a war or other military operation or national emergency.

Duration

Borrowers may receive a deferment for up to 13 months following completion of active duty military service and any applicable grace period. The period expires at the earlier of a borrower's re-enrollment in school or the end of the 13 month period.

How to Apply for Deferment

Borrowers requesting either the military service or post-active duty student deferment must complete, sign and date a Deferment Request, OMB. No. 1845-0080, which can be downloaded on the Department of Education Web site at the following:

http://ifap.ed.gov/dpcletters/attachments/GEN1017AttachPostActDefReqMilServDefer.pdf.

The deferment form must be certified by the individual's Commanding or Personnel Officer.

Six Percent Interest Rate under the Servicemembers Civil Relief Act

Under the Servicemembers Civil Relief Act (SCRA), the interest rate of student loans taken out ***prior to entering*** the military or being called to active duty will be limited to 6% during active duty military service. This applies to both federal and private student loans, as well as other loans.

No Interest Accrual for Direct Loans

For all Direct Loans first disbursed on or after Oct. 1, 2008, no interest will be charged for a period of no more than 60 months while the student is serving on active duty or performing qualifying National Guard duty during a war, other military operation, or national emergency and are serving in an area of hostilities qualifying for special pay.

For Direct ***Consolidation*** Loans, this benefit applies to the portion of the consolidation loan that repaid loans first disbursed on or after Oct. 1, 2008.

14. Survivors' and Dependents' Educational Assistance (DEA)

DEA is an education benefit for eligible spouses and children of certain veterans. Eligible persons can receive up to 45 months of full-time or equivalent benefits for:

- College, Business, Technical or Vocational Courses.
- High School Diploma or GED.
- Independent Study or Distance Learning courses.
- Correspondence Courses (Spouses Only).
- Apprenticeship/On-the-Job Training.
- Remedial, Deficiency, and Refresher Training (in some cases).
- The cost of tests for licenses or certifications needed to get, keep, or advance in a job.

Eligibility

To be eligible for DEA, an individual must be the son, daughter, or spouse of:

- A veteran who died, or is permanently and totally disabled, as the result of a service-connected disability. The disability must arise out of or be aggravated by active service in the Armed Forces;
- A veteran who died from any cause while such service-connected disability was in existence;
- A service member missing in action or captured in the line of duty by a hostile force;

- A service member forcibly detained or interned in the line of duty by a foreign government or power; or
- A service member hospitalized or receiving outpatient care for a VA determined service-connected permanent and total disability for which the service member may be discharged from military service.

Length of Eligibility

- Spouses and surviving spouses have 10 years from the date the VA establishes eligibility to use the benefit.
- Surviving spouses of veterans who died while on active duty have 20 years from the date of the veteran's death to use the benefit.
  - The termination of a surviving spouse's remarriage (by death, divorce, or ceasing to live with another person as that person's spouse) will reinstate Dependents' Educational Assistance benefits to the surviving spouse.
- Effective October 10, 2008, if the VA rated the veteran permanently and totally disabled with an effective date of 3 years from discharge a spouse will remain eligible for 20 years from the effective date of the rating.
- Children may use the benefit while they are between the ages of 18 and 26.

Note: These time limits can be extended under certain circumstances.

Educational Assistance Allowance

The amount of the Educational Assistance Allowance for trainees under the Survivors' and Dependents' Educational Assistance Program is based on the type of training program and training time. Effective October 1, 2017, the basic monthly rates for training at an institution of higher education are:

Training Time	Monthly Rate
Full time	$1,041.00
3/4 time	$780.00
1/2 time	$519.00
Less than 1/2 time, more than ¼ time	$519.00 **
¼ time or less	$260.25 **

**Tuition and Fees ONLY. Payment cannot exceed the listed amount.
Updated lists of DEA educational assistance allowance for correspondence, apprenticeship, special restorative and farm cooperative training can be found on the VA Web site at http://www.gibill.va.gov/resources/benefits_resources/rates/CH35/ch35rates100112.htm

Effective October 1, 2017, the basic monthly rates for apprenticeship and on-the-job training are:

Training Period	Monthly Rate
First six months of training	$760.00
Second six months of training	$571.00

Third six months of training	$375.00
Remainder of training	$191.00

For more information, including information about correspondence training, and rates for farm cooperative training and special restorative training, see your local VSO and the VA's website [https://www.benefits.va.gov/GIBILL/resources/benefits_resources/rates/ch35/ch35rates100117.asp].

Application for DEA benefits

After finding a program approved for VA training, complete VA Form 22-5490, Application for Survivors' and Dependents' Educational Assistance, and send it to the Illinois Department of Veterans' Affairs Chicago Regional Office at:

2122 W. Taylor, Suite 127
Chicago, IL 60612

Individuals who have already started training should take VA Form 22-5490 to the school or employer for completion, ask them to complete VA Form 22-1999, Enrollment Certification, and then send both forms to VA.

B. State Education Benefits

The State of Illinois supports educational assistance programs for veterans and Illinois National Guard members in the form of two grant programs: the Illinois Veteran Grant (IVG) and the Illinois National Guard Grant Program (ING). Both programs are designed to assist veterans and current National Guard members who are attending or who wish to attend state-controlled colleges, universities, and community colleges. The grants are administered by the Illinois Student Assistance Commission (ISAC). Finally, by statute, Illinois provides for in-State tuition rates for anyone attending an Illinois institution of higher learning and using benefits under the federal Post 9/11 law.

1. In-State Tuition for Post-9/11 and Montgomery GI Bill Beneficiaries

Public Act 98-0306, effective 8/12/13, governing the various public universities in Illinois and the law governing the State's community colleges, was amended to provide if an individual is utilizing an award of benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the relevant Board of Trustees of the public university or the community college district shall deem that person an Illinois or in-district resident, respectively, for tuition purposes.[109]

[109] University of Illinois Act, 110 ILCS 305/7e-5(b); Southern Illinois University Management Act, 110 ILCS 520/8d-5(b); Chicago State University Law, 110 ILCS 660/5-88(b); Eastern Illinois University Law, 110 ILCS 665/10-88(b); Governors State University Law, 110 ILCS 670/15-88(b); Illinois State University Law, 110 ILCS 675/20-88(5); Northeastern Illinois University Law, 110 ILCS 680/25-58(b); Northern Illinois University Law, 110 ILCS 685/30-88(b); Western Illinois University Law, 110 ILCS 690/35-88(b); Public Community College Act, 110 ILCS 805/6-4 and 6-4a.

The enactment of PA 98-0306 still left a hole in coverage since beneficiaries of the Montgomery GI Bill remained uncovered. This situation has finally been rectified with the recent enactment of PA 99-0309.

2. Illinois Veteran Grant (IVG)

This program pays eligible tuition and mandatory fees, up to a maximum of 120 eligibility units – the equivalent of four academic years of full-time enrollment. Benefits are limited to use only at Illinois public colleges or community colleges, and may be used at the undergraduate or graduate level.

The IVG is administered by the Illinois Student Assistance Commission (ISAC). ISAC Client Services Representatives are available from 8 a.m. to 5 p.m. Monday through Friday. ISAC can be reached at 1-800-899-ISAC (4722). Hearing-impaired individuals may contact ISAC through the Illinois Relay Center at 1-800-526-0857 (voice) or 1-800-526-0844 (TTY). Veterans may also access ISAC's Web site (http://www.collegeillinois.org) for more information on the Illinois Veteran Grant and other types of student aid.

Eligibility

The Illinois Veteran Grant is available to students who meet the following requirements:

Residency Requirements

- The veteran must have been a resident of Illinois at least 6 months prior to entering federal active duty service. If the veteran was not an Illinois resident at least 6 months prior to entering the service, he or she must have been a student at an Illinois public 2- or 4-year college at the time of entering the service; and
- The veteran must have returned to Illinois within 6 months of separation from the service. If a veteran is married to a service member, that person has 6 months to return to Illinois after the separation from the spouse.

Service Requirements

- The veteran must have been **honorably** discharged;
- The veteran must have served at least one year; or
- The veteran who "has served in the Armed Forces of the United States for less than one year in a time of hostilities in a foreign country, and who would be qualified for a grant under this Section if he had been discharged from such service shall be eligible to receive a Veteran Grant under this section.

Who Is Not Eligible

- Veterans who receive "a discharge from the Armed Forces of the United States under dishonorable conditions"; or
- "Any veteran whose service with the Armed Forces was for less than one year unless he received an honorable discharge from such service for medical reasons directly connected with such service except for those veterans discharged prior to August 11, 1967, whose service may be for less than one

year, and except for those veterans (i) who serve in the Armed Forces of the United States for less than one year in a time of hostilities in a foreign country and (ii) who receive an honorable discharge."

How to Apply for the IVG Program

Applications and additional information are available from field offices of the Illinois Department of Veterans' Affairs, college financial aid offices or the Illinois Student Assistance Commission, 1755 Lake Cook Road, Deerfield, 60015, telephone 847-948-8550 or 1-800-899-ISAC. Veterans may also download the program application from the ISAC website at http://www.collegeillinois.org/.

3. Illinois National Guard Grant Program (ING)

Members of the Illinois National Guard who have served for one year and are enlisted persons or company grade officers. The grant is the same as for veterans except that members of the Guard may only use the entitlement as long as they are active members of the Illinois National Guard. Should a Guard member terminate his or her membership while attending school under this program, the grant stops immediately—even if the member is in the middle of a semester.

Beginning in the 2013-2014 academic year, any Illinois National Guard member who has served over ten years shall be awarded an extra grant that the Guard member may apply to the State-controlled university or community college of his or her choice. The grant comprises an exemption of tuition and fees for full-time attendance, including summers, for up to two additional years.[110]

Eligibility

To receive benefits under the ING, an individual must:

- Be an Illinois National Guard member, defined as meeting one of these two criterion:
  - be active in the Illinois National Guard; or
  - have been active in the Illinois National Guard for at least five consecutive years and had his or her studies interrupted by a call to federal active duty service for at least six months and be within 12 months after your discharge date from the Illinois National Guard.
- Have completed one full year of service in the Illinois National Guard;
- Be an enlisted member or a company-grade officer (O-1, O-2, or O-3);
- Be enrolled at an Illinois public 2-or 4-year college;
- Not be in default on any student loan, owe a refund on any state or federal grant;
- Maintain an acceptable grade point average (GPA) according to the policy determined by your college;
- Submit your complete application on or before the deadline date, based on the first term for which you wish to receive funds each academic year. For 2013-14:
  October 1, 2013 - Full Year Consideration
  March 1, 2014 - Only 2nd Semester (2nd/3rd Quarter) and Summer Consideration

[110] See. P.A. 98-314, effective 8/12/13, amending 110 ILCS 947/45 of the Higher Education Student Assistance Act that pertains to the Illinois National Guard and Naval Militia grant program.

June 15, 2014 - Only Summer Term Consideration

- File a complete application each academic year, indicating the college to be attended.

How to Apply for the ING Program

Students must complete and submit the ING Grant application to ISAC on or before the deadline date referenced above. Applications for the ING can be filled out and submitted online at https://isacportal.isac.org/en/web/guest/ingonline. ISAC will send qualified applicants an eligibility letter within 4-6 weeks of receiving the application. Students should provide the eligibility letter to their college's financial aid office as soon as they receive it.

The ING in Conjunction with the IVG

Individuals who qualify for both the IVG and ING grant programs may use both grants during the same term(s) and/or academic year. Before attempting to use both programs, individuals are strongly encouraged to consult with the college's financial aid office to consider major differences between the two grants.

Eligibility under this provision is determined by the Education/Incentives Branch of the Military Personnel Office in Springfield, Illinois. Questions regarding your individual eligibility status under this provision should be directed to your chain of command, or to the Education/Incentives Branch of the Military Personnel Office at 217-761-3782. For more information, go to either the National Guard or Veteran grant site at http://www.collegeillinois.org/students/during-college/types-of-financial-aid/grants/.

4. Children of Veterans Tuition Waivers

Each year, every county in Illinois is entitled to three honorary tuition waivers at the University of Illinois, for the benefit of the natural, step-, or adopted children of qualifying veterans. Priority consideration is given to applications received by January 3. Candidates must be a permanent resident of the Illinois County from which the applicant applies. Such children shall be entitled to receive, without charge for tuition, instruction in any or all departments of the University for a term of at least four (4) consecutive years. For further eligibility criteria, see the following web page located at:

http://www.osfa.illinois.edu/types-of-aid/children-of-veterans-tuition-waiver.

For applications and additional questions, contact the University of Illinois:

Office of Student Financial Aid
University of Illinois at Urbana-Champaign
Student Services Arcade
620 E. John Street, MC-303
Champaign, IL 61820
Phone: 217-333-0100
Fax: 217-265-5516
E-mail: finaid@illinois.edu
Federal School Code: 001775

5. Work Study Locations

The federal VA work-study program provides part-time employment to students receiving VA education benefits subject to certain conditions and available funding/benefits. For more information, visit the following VA web page located at: https://www.benefits.va.gov/gibill/workstudy.asp.

6. Illinois Troops to Teachers

The federally-funded Illinois Troops to Teachers Program can help eligible veterans with at least 6 years of honorable active-duty service transition to K-12 public school teaching. The program provides:

- Educational and teaching career advisement;
- Information resources for earning an Illinois teacher's certification;
- Access to mentors, Illinois veterans who have successfully transitioned; and
- Preparation for and referral to employment as an Illinois public school teacher.

With the required hours of past work experience, Illinois veterans can teach their technical skills in a vocational or career center. With a bachelor's degree, veterans can qualify for referral to teach in an academic or subject matter area. For more information about eligibility, and to obtain an application, please see the following web page for additional information: http://www.proudtoserveagain.com/Home/States?state=Illinois.

7. MIA/POW Scholarship

The MIA/POW Scholarship is an education benefit for dependents of a veteran who was an Illinois resident at the time he or she entered active duty and has been declared to be a prisoner of war, missing in action, dead as a result of a service-connected disability, or permanently disabled from service-connected causes with 100% disability as recognized by the U.S. Department of Veterans Affairs or the U.S. Department of Defense.[111]

Eligible dependents are entitled to full payment of tuition and certain fees to any Illinois public college. The MIA/POW scholarship is administered by the Illinois Department of Veterans' Affairs. Applications can be downloaded from the IDVA website at https://www.illinois.gov/veterans/benefits/Documents/Il497-0472.pdf.

8. Division of Rehabilitation Services (DRS)

Disabled veterans may also qualify for services offered through the Division of Rehabilitation Services (DRS). The Illinois Department of Human Services – Division of Rehabilitation Services offers several programs for disabled citizens. Veterans often do not use these programs because of their use of the VA for rehabilitation for their service-connected disabilities; however, as citizens they may also qualify for numerous programs available from the State of Illinois. If a veteran is disabled, he or she may qualify for training and other services offered by the VA's Vocational Rehabilitation program. In addition, however, the veteran should check his or her eligibility to use other state benefits such as those offered through the DRS. Disabled veterans may be able to use both state and federal programs at the same time.

C. Summary

[111] See 105 ILCS 5.30-14.2; 95 Ill. Admin Code Pt. 116.

Educational benefits are one of the most important benefits available to veterans who have served their country honorably. Education is the door to a better life. Statistically, those who have a college education or a trade do much better financially than those who do not have an education or specialized training. The effective use of educational benefits can bring to the veteran and his or her family financial stability and wonderful career opportunities that no other benefit can provide. Use these benefits effectively for a great future.

Chapter 11: Housing and Small Business Benefits

A. Federal Housing Loans and Resources

The VA Loan Guarantee program has helped thousands of veterans buy their first house. When veterans think of a VA Loan Guarantee, they usually think of buying a home. However, the VA Loan Guarantee program may be used for many things. Veterans may use the guarantee to buy a home, condominium, mobile home, or manufactured home. A VA Loan Guarantee may also be used to build a home; repair, alter, or improve a home; refinance a mortgage; and even install solar heating or cooling and other such projects.

1. Description of Benefits

The VA guarantees or insures a portion of a loan made by a participating lender to an eligible veteran for the purpose of buying a home, building a home, improving a home, or refinancing an existing mortgage. The advantage of the VA Loan Guarantee is that it increases the veteran's "borrowing power." Since the VA is guaranteeing part of the loan, there is less risk to the lender if the veteran fails to repay the loan.

2. Eligibility Requirements

As with all VA benefits, veterans must meet certain requirements to be eligible for the VA Loan Guarantee. The specific eligibility requirements depend on whether the veteran served during wartime or peacetime as defined.

A veteran who served during wartime (see insert) must not have concluded his or her service under dishonorable conditions. In other words, if the veteran left service with an "Other Than Honorable" characterization of service, further adjudication by the VA may be required to determine if the veteran's service was, as its rules require, under other than dishonorable conditions. Veterans must have at least 90 days on active duty and must have been discharged under other than dishonorable conditions. Only those veterans who were discharged for a service-connected disability may have less than 90 days.

For a veteran who served during peacetime eras (see insert), there must have been a total of at least 181 days of continuous active duty. The veteran must have been discharged under other than dishonorable conditions.

If a veteran served during one of the following peacetime eras, there must be a total of at least 181

Wartime Eras

- **WWII**: September 16, 1940 to July 25, 1947
- **Korean War**: June 27, 1950 to January 31, 1955
- **Vietnam War**: August 5, 1964 to May 7, 1975

Peacetime Eras

- **Post-WWII:** July 26, 1947 to June 26, 1950
- **Post-Korean War**: February 1, 1955 to August 4, 1964
- **Post-Vietnam War**: May 8, 1975 to September 7, 1980 (enlisted); May 8, 1975 to October 16, 1981 (officer)
- **After Post-Vietnam Period** (See below)

days of continuous active duty. The veteran must have been discharged under other than dishonorable conditions.

If the veteran has less than 181 days of service, eligibility may still be established if the discharge was for a service-connected disability.

Veterans separated after September 7, 1980 (enlisted) or October 16, 1981 (officer):

- The veteran must have completed 24 months of continuous active duty or the full period but at least 181 days for which the veteran was activated and been discharged under conditions other than dishonorable; or
- The veteran must have completed at least 181 days of active duty and been given a hardship discharge or an early out, or have been determined to have a compensable service-connected disability; or
- The veteran may also be eligible if discharged due to an involuntary reduction in force or for certain medical conditions, or in some instances, for the convenience of the government.

Gulf War

Those who served in the Gulf War (August 2, 1990, to date yet to be determined) must have:

- completed 24 months of continuous active duty, or the full period for which they were activated but at least 90 days, and been discharged under conditions other than dishonorable, **or**
- completed at least 90 days of active duty and been discharged under the specific authority of 10 U.S.C. §1173 (hardship) or 10 U.S.C. §1171 (early out), or have been determined to have a compensable service-connected disability, **or**
- have been discharged with less than 90 days of service for a service-connected disability. Veterans may also be eligible if they were released from active duty due to an involuntary reduction in force, certain medical conditions, or in some instances, for the convenience of the government.

Active Duty

Those who are now serving on regular active duty (not active duty for training) are eligible after having served 181 days (90 days during the Gulf War) unless discharged or separated from a previous qualifying period of active duty service.

Federal Reserves or National Guard

Members of the Reserves or National Guard are eligible once they have completed six years of active Guard/Reserve service (i.e., attended drills and annual training), even if they have been discharged, provided the veteran:

- Was discharged with an honorable discharge; **or**
- Was placed on the retired list; **or**
- Was transferred to the Standby Reserve or an element of the Ready Reserve other than the Selected Reserve after service characterized as honorable service; **or**

- Continues to serve in the Selected Reserves.

Veterans who completed less than six years may be eligible if discharged for a service-connected disability.

Others Who May Be Eligible

Veterans who served as officers of the Public Health Service; cadets at the United States Military, Air Force, or Coast Guard Academy; midshipmen at the United States Naval Academy; officers of the National Oceanic & Atmospheric Administration; and merchant seamen may also be eligible for a loan guarantee.

Other Eligibility Requirements for VA Loan Guarantee

- Must have a good credit rating.
- Must have income adequate to support the mortgage payments; AND
- Must live in the home or on the property purchased.

3. Obtaining a VA Loan Guarantee

Veterans should be careful when buying a home. Unlike most other veterans' benefits, a VA Loan Guarantee is a business contract with not only the VA but also a private lending agency. As far as today's lender is concerned, it is strictly business. Defaults are viewed as a breach of contract and lenders are very good at processing foreclosures.

There are several "rules of thumb" about how much mortgage payments should be relative to income and expenses. Veterans should be frank with real estate agents and lending agents when buying a home; most are knowledgeable about what people can afford. Remember, once the contract is signed, it is binding, and if payments cannot be made, the loan will go into default and it is very possible that the home will go into foreclosure. If this happens, credit can be ruined for years—so be careful. Again, if you have a computer or access to one, then the VA Web site is a great place to go for help about what to do should you default on your mortgage. **DO NOT WAIT FOR THINGS TO GET OUT OF HAND. If you get into trouble, act immediately before it is too late to save your credit and your home.** Go to www.homeloans.va.gov/paytrbl.htm or call the VA at 1-800-827-0611 and follow the telephone prompts. There are counselors available to assist.

How to Apply

Step #1: Get a "Certificate of Eligibility"

The first step in getting a VA Loan Guarantee is to get a "certificate of eligibility." There are three fairly easy ways to obtain a certificate of eligibility.

By Mail

Veterans can complete the VA Form 26-1880 and send it to the Atlanta Eligibility Center with proof of qualifying service at:

Atlanta Regional Loan Center

ATTN: COE (262)
P.O. Box 100034
Decatur, GA 30031
Toll-free number: 1-888-768-2132

Online

To apply online, veterans must go to the eBenefits portal. The address for eBenefits is http://www.ebenefits.va.gov. Click on the “My eBenefits” tab towards the top, on the left side. It will open a screen with several benefit areas. On the bottom right of the screen is the Housing tab. Login credentials are required to request a Certificate of Eligibility (COE). To request a username and password, click on the "Request/Activate a DoD Self-Service Logon" link which is shown below the logon area.

Through the lender

Veterans are encouraged to ask their lenders about obtaining a Certificate of Eligibility through the Web LGY system. Web LGY is an Internet based application that can establish eligibility ad issue a Certificate online in minutes.

Required Documentation

Before sending the VA Form 26-1880 to the VA, be sure to include a copy of the most recent discharge or separation papers (DD 214). The separation papers must show the dates of service and type of discharge. If the veteran has previously used the VA Loan Guarantee, the separation papers may not be necessary. However, it is best to provide the discharge to ensure speedy processing. NEVER submit an original document.

Those veterans who are seeking to restore a previously used guarantee should include any evidence of payment in full of the prior loan. In most cases, the VA will receive a notification that a loan has been paid, but this doesn’t always happen.

Reserves and National Guard

If the veteran served in the Guard or Reserves, documentation must be provided that establishes a minimum of six years with points earned for weekend drills or active duty for training and/or honorable discharge. Since there is no uniform document similar to the DD 214 for proof of service in the Guard or Reserves, different forms may be accepted: National Guard members who are currently serving or who have been discharged may use NGB Form 22. Those who served in the Reserves may use a variety of forms. Forms that verify an honorable discharge or that document retirement points, etc., may be necessary. The VA will then determine eligibility. If the VA deems the veteran qualified, it will issue a certificate of eligibility.

Step #2: Find a Home

Find a home. The best way to do this is to use a licensed real estate agent to find the right home. When considering a home, it is a good idea to have the home inspected by a licensed professional. If you are considering the purchase of a condominium or a town home, there is an additional step you must take: Verification of the condominium’s or homeowner’s association’s VA eligibility. Such an association must be certified by the VA in order for a veteran purchaser to use his or her VA loan guarantee eligibility to purchase a unit of the relevant condominium or

town home subdivision. One method of checking is to access the list of approved associations the VA posts online at:

https://vip.vba.va.gov/portal/VBAH/VBAHome/condopudsearch.

Step #3: Find a Mortgage Lender

The real estate agent can help with this step, as can the VA. Real estate agents can usually refer the veteran to a lender in the area who accepts VA Loan Guarantees.

4. Determining the Amount VA Will Guarantee

Entitlement means the amount of the guarantee benefits that are available to an eligible veteran. It is important to check with the VA for the most current guarantee rates prior to looking for a home. This information is available online at the following link: http://www.benefits.va.gov/homeloans/loan_limits.asp.

A veteran who previously obtained a VA Loan Guarantee may use his or her remaining entitlement for any approved purpose. An exception to this is that veterans who use part of their entitlement to buy a mobile home must dispose of that mobile home prior to getting another VA Loan Guarantee to buy a second mobile home. Finally, veterans who do not have any entitlement left may still refinance an existing loan with a new VA Loan Guarantee at a lower interest rate, provided they are relieved of responsibility for the last loan guaranteed by the VA.

The amount of guarantee depends upon the amount of the total loan and the type of property bought, refinanced, or improved.

Loan Amount	Percent Guaranteed	Maximum Amount Guaranteed
Up to $45,000	50%	$22,500
$45,000 to $144,000	Up to 40%%	$22,500-$36,000
$144,000 or More	25%	25% VA County loan limit ($417,000 for 2012)
Manufactured Home or Lot	40%	$20,000

Closing Costs

The VA requires payment in cash on all home loan closings. Although no commission or brokerage fees may be charged for obtaining a VA loan, the veteran may pay reasonable closing costs to the lender in connection with a VA loan, including title search and recording, insurance premiums, taxes, and a one percent origination fee or other costs as required by the lender.

Funding Fees

All veterans are charged a VA Funding Fee, except those eligible to receive VA disability compensation and unmarried surviving spouses of veterans who died in service or as a result of a service-connected disability. See 38 U.S.C. §3729; 38 CFR §36.4312(e)(5). The Funding Fee is payable to the VA as a cost of administering the VA Home Loan Guaranty Program. The Funding Fee may be paid from loan proceeds or from the veteran's assets. The amount of the VA Funding Fee varies according to loan type

Type of Loan	Active Duty Veteran's Percent of Loan	Reservist's Percent of Loan
Loans with a down payment of less than 5% and refinancing and home improvement loans	**2.15%**	**2.4%**
Purchase or construction loans with down payments of at least 5% but less than 10%	**1.5%**	**1.75%**
Purchase or construction loans with down payments of 10% or more	**1.25%**	**1.5%**
Manufactured home loans	**1.0%**	**1.0%**
Interest rate reduction loans (IRRRL)	**0.5%**	**0.5%**
Assumption of VA-guaranteed loans	**0.5%**	**0.5%**
Second or subsequent use without a down payment	**3.3%**	**3.3%**

The above examples apply to first time use. Slightly higher rates may apply for subsequent use. See https://www.benefits.va.gov/homeloans/documents/docs/funding_fee_table.pdf for more information.

What to Watch for With a VA Loan Guarantee

Release from Liability

Veterans should get a release from liability from the VA after selling a VA Loan Guaranteed home. Personal liability on the part of the veteran continues unless the related loan is paid in full or the veteran receives release from personal liability from the lender. Veterans should insist that the contract for sale include a provision that the sale is contingent upon both parties—the veteran and the purchaser—filing the appropriate VA forms to release the selling veteran from liability, and that the sale is contingent upon the VA approving such release.

Foreclosure

As was mentioned earlier, if you are late on your mortgage payments, you may very well lose your home. If you are having difficulty making your payments, you should speak with your mortgage servicer as soon as possible to seek out alternatives to foreclosure, such as the following:

- **Repayment plan**: The borrower makes regular installment payments each month plus part of the missed installments;
- **Forbearance**: Mortgage companies are supposed to extend all reasonable forbearance including consideration of temporary suspension of payments and extension of the loan (in actual practice, such leniency is rare).
- **Loan Modification**: The servicer adds the delinquency to the loan balance and establishes a new payment plan;
- **Additional time to arrange a private sale**: The servicer agrees to delay foreclosure to allow a sale to close if the loan will be paid off.

- **Short Sale**: The servicer agrees to allow a borrower to sell his or her home for a lesser amount that what is currently owed on the home;\
- **Deed-in-Lieu of Foreclosure**: The borrower voluntarily agrees to deed the property to the servicer instead of going through a lengthy foreclosure process.

5. Refinancing Options

Interest Rate Reduction Refinancing Loan (IRRRL)

IRRRL is also known as "streamline" or a "VA to VA" refinancing. An IRRRL can be done only when the veteran already has his or her entitlement used for a VA loan on the property to be refinanced. In other words, it must be a VA to VA refinance. No appraisal or certificate of eligibility is required by the VA. Any lender can make veterans an IRRRL, but they are not required to make veterans an IRRRL. Veterans should contact several lenders to compare their offered terms.

Cash-Out Refinance

Veterans who want to refinance and receive cash back should consider the cash-out refinance loan. A cash-out refinancing loan is a VA guaranteed loan which refinances any type of lien or liens against the secured property. The liens to be paid off may be current or delinquent, and from any source, i.e. tax or judgment liens, VA, FHA, or conventional mortgages. An appraisal is required and veterans must qualify based on income and credit. Cash-out refinance loans can be for up to 100% of the appraised value of the home.

VA Refinancing of a non-VA Guaranteed Home Loan

Veterans with non-VA guaranteed home loans may refinance their subprime or conventional mortgage to a VA-guaranteed home loan for up to 100 percent of the value of the property. Veterans should contact the St. Paul VA Regional Loan Center at 1-800-827-0611 for more information about the IRRRL and cash-out loan.

HOPE NOW

If the VA is unable to help a veteran retain his or her home, HOPE NOW may be able to assist. HOPE NOW is a joint alliance consisting of servicers, counselors, and investors that provides outreach, counseling and assistance to homeowners who are willing and able to keep their homes but are facing financial difficulty as a result of the recent mortgage crisis. The HOPE NOW Alliance can be reached at 1-888-995-HOPE (4673).

B. Illinois Housing Assistance

1. 1stHomeIllinois

The Illinois Housing Development Authority's (IHDA) 1st HomeIllinois program offers limited down-payment assistance with the waiver of the "first-time buyer/prior ownership" limitations for veterans. The program offers $7,500 cash assistance for down payments and closing costs subject to certain restrictions and qualifications. See the following link for more information: https://www.ihda.org/lenders-realtors/lending-programs/.

C. Business Loans and Resources

Many veterans have dreamed of owning a small business. But for many, the dream ended because they just didn't know where to start or couldn't get the loan needed to start the business. Other veterans have actually started a small business but because of an obligation to the National Guard or Reserve lost it when they were called to active duty. Some veterans have suffered losses because, as small business owners, they have had key employees leave for active duty. Veterans in these situations may have many questions, such as: Where can I go to get some help? Are there programs for small business owners who have lost a key employee to active duty? I'm being called up—what can I do?

The answer to all of these questions may be found at the Small Business Administration (SBA). The SBA can help in every aspect of starting a business. The SBA offers information, management, counseling, and training services. Check the SBA Web site, www.sba.gov/, for further information. Or, you can write or call the SBA at:

SBA Offices	
Chicago District Office 500 W. Madison Street, Suite 1250 Chicago, IL 60651 Phone: (312) 353-4528 Fax: (312) 886-5688 Ask for the Veterans Business Development Officer	Springfield Branch Office 3330 Ginger Creek Road, Suite B Springfield, IL 62711 Phone: (217) 793-5020 Fax: (217) 793-5025 Ask for the Veterans Business Development Officer

Additionally, there are many sites online that will prove very helpful to anyone who wishes to start a small business or who has a small business and wants to expand it.

1. The Veterans Entrepreneurship and Small Business Development Act of 1999

This act created several advantages for veterans who wish to start or expand a business. Generally, there are two categories of veterans: (1) service-disabled, i.e., service-connected veterans (there is no set degree of disability for this provision); and (2) veterans. Both categories require that the business be at least 51% owned by a veteran and that the daily business operations be controlled by one or more veterans – or in the case of a severely disabled veteran – the veteran's spouse or caregiver.

The act also established the Office of Veterans Business Development (OVBD). This office is responsible for the formulation, execution, and promotion of policies and programs of the SBA that provide assistance to small businesses owned and controlled by veterans and service-disabled veterans (veteran small businesses).

It also established the National Veterans Business Development Corporation. The purpose of the corporation is to improve access to technical assistance regarding entrepreneurship for veterans and to work with and organize public and private resources and to assist veterans and service-connected veterans with the starting and or expanding of small businesses. They do this

in part by using the expertise of the Senior Corps of Retired Executives (SCORE) to provide advice and counsel to those veterans who wish to start or expand a business. This assistance may be in the form of counseling, referrals, or loans.

2. Lending Programs

The SBA offers several loan programs:

7(a) Loan Guaranty Program – Provides guaranteed loans to qualified small businesses that are unable to secure financing through regular lending agencies. The program operates like the VA Home Loan Guarantee Program. The SBA guarantees a business loan and a private agency makes the loan. As with the Home Loan Guarantee, many lenders are aware of the SBA's guarantee program. Those interested in this program should contact a lender for information and assistance in the loan application process.

Patriot Express Loan – The Patriot Express Loan provides financial assistance for veterans and members of the military community who want to establish or expand small businesses. Patriot Express loans feature the SBA's lowest interest rates for business loans, generally 2.25 percent to 4.75 percent over prime depending upon the size and maturity of the loan. Eligible participants include:

- Veterans
- Service-disabled veterans
- Active-duty service members eligible for the military's Transition Assistance Program
- Reservists and National Guard members
- Current spouses of any of the above
- The widowed spouse of a service member or veteran who died during service or of a service-connected disability

Certified Development Company (504) Loan Program – A Certified Development Company (CDC) is a nonprofit corporation whose purpose is to contribute to the economic development of its community. CDCs, the SBA, and private-sector lenders provide financing to small businesses. This program provides long-term loans to qualified businesses for the purchase or renovation of fixed assets.

Pre-Qualification Pilot Loan Program – The Pre-Qualification Pilot Loan Program uses agents to assist borrowers in developing loan packages and in securing loans. This program works like the VA Loan Guarantee in that the lender or other agent assists the business with the preparation of the loan application. Once the application is complete, it is submitted to the SBA for approval. If approved, the SBA issues a letter stating their intent to guarantee the loan. The lender then makes the loan.

SBA Export Express – The SBA Export Express combines the SBA's small business lending assistance with its technical assistance programs to help small businesses that have traditionally had difficulty in obtaining adequate export financing. Export Express is available to any business that has been in operation for at least 12 months and can show that the loan proceeds will support its export development activity.

Microloan Program – The Microloan Program provides small loans to start-up, newly established, or small businesses. The SBA makes funds available to nonprofit community-based lenders. These nonprofit lenders act as intermediaries who actually make the loans up to a maximum of $35,000. The average loan is $13,000. Applications are submitted to the local intermediary and all credit decisions are made by the intermediary. Intermediary groups that

cover Illinois:

Accion Chicago, Inc.
1436 W. Randolph Ave. Suite 300
Chicago, IL 60607
E-mail: info@accionchicago.org
Phone: 312-275-3000
Fax: 312-275-3010

For more information about starting a business, visit the VA website at: http://www.vetbiz.gov/ or the VA's Veteran Entrepreneur Portal online at:
http://www.va.gov/osdbu/docs/VetBusinessStartUpInformation.pdf.

D. Summary

The VA Loan Guarantee Program is one of the most valuable benefits available to veterans. Basically, the Loan Guarantee enables a veteran to buy a home without the substantial down payment. Veterans who decide to sell their home should remember to get a release of liability upon the sale of the home. If it appears that there will be a change in income that may make it difficult to pay the mortgage, veterans should consider selling the home. If a default on the mortgage occurs, get help and counseling from the VA, the lending institution, or a lawyer. The sooner the veteran takes action, the better the chances of saving the home.

The benefits provided through the SBA offer veterans a variety of special programs that are geared to assist veterans in either starting or growing a small business. The SBA offers a number of loan programs and a wide range of assistance to those interested in starting their own small business.

Chapter 12: Special Topics

A. US Department of Veterans Affairs Benefits for Members of the National Guard and Federal Reservists

All National Guard & Reserve members discharged or released under conditions not dishonorable are eligible for, at least, some benefits that come from the U.S. Department of Veterans Affairs (VA).[112] Members of the Guard & Reserve should never assume they automatically disqualify for benefits from the VA without conducting some research of their own. There are many reasons for this. Congress passes laws annually that effect VA benefits and sometimes those laws qualify Guard & Reserve members for VA benefits previously not available to them. Often Guard & Reserve members are informed of the law as it has been and not as it currently stands.

1. Qualifying for VA Benefits Through Active Service, Traditional Service, or Technician Service

The big confusion in understanding VA benefits for members of the National Guard or the federal reserves results from the wide variety of how individual members are employed and under what duty status (on federal or state orders) that employment is.

Active Service. "Eligibility requirements for several VA benefits include a certain length of active service.[113] Active service in the National Guard or Reserve includes:

- *Active Duty (Title 10)*. Full-time duty in the Armed Forces, such as unit deployment during war, including travel to and from such duty, except active duty for training; **OR**

- *Full-time National Guard duty (Title 32)*. Duty performed for which you are entitled to receive pay from the Federal government, such as responding to a national emergency or performing duties as an Active Guard Reserve (AGR) member.

Traditional Service. "Traditional National Guard and Reserve members typically serve one weekend per month and two weeks per year. Traditional members may become eligible for some VA benefits by fulfilling a service commitment. Eligibility for disability compensation requires that a disability was the result of an injury or disease incurred or aggravated in the line of duty during active duty or active duty for training. For inactive duty training, the disability must have resulted from injury, hear attack, or stroke. Other benefit programs require a specified number of days of active service."

Technician Service. "Military technicians are civilian employees of the Department of the Army or Department of the Air Force who are required to maintain membership in the National Guard

[112] See, generally, www.benefits.va.gov/guardreserve.

[113] The authority for State Active Duty derives from State law, and does not qualify as "active service" under VA rules.

or Reserve in order to retain employment. Similar to traditional National Guard and Reserve members, military technicians are normally in a military status one weekend a month and two weeks a year, and are eligible for some VA benefits. They may establish eligibility for additional benefits based on the length of Guard, Reserve, or active service."

2. Disability Compensation

National Guard & Reserve members who fulfilled their service obligation AND whose service was limited to one-weekend per month & two weeks per year (known as "traditional service") may be eligible for disability compensation (monthly tax-free benefit paid when at least 10% service-connected) if the injury, illness or disease was incurred or aggravated in the line of duty.[114] When a traditional Guard or Reservist becomes ill or injured while in uniform, a Line of Duty (LOD) determination is completed (term used in for the Coast Guard is "Notice of Eligibility" (NOE)).[115] A LOD Determination of "in the line of duty" is a finding that the illness, injury or disease was incurred or aggravated while in an authorized duty status and not due to grow negligence or misconduct by the military member.[116] For more information see the Line of Duty Compensation Act (LODCA) and Illinois National Guardsman's section under chapter 8 of this booklet.

3. VA Pension

The non-service connected VA pension is another potential tax-free benefit paid to Veterans with limited income and net worth who served during a wartime period. Generally, the VA Pension requires 90 days or 24 months of active service depending on dates of service.[117] For additional criteria, see Non-Service-Connected Disability Pension section under chapter 6 of this booklet. When in doubt, apply for the benefit and the VA will make a determination.

4. Home Loan Guaranty

Generally, Guard & Reserve who meet the same qualifications as those on active duty qualify for the Home Loan Guaranty with one exception. In all cases, any Veteran with at least 90 days of active duty during a wartime period or who left active duty for a service-connected disability is qualified for the Home Loan Guarantee. However, any Guard or Reservist who served at least 6 years of traditional service may also qualify if he or she; 1. Continues to serve, 2. Was transferred to standby reserve or an element of the ready reserve, 3. Was placed on the retired list, or 4. Received an honorable discharge. [118] For more information see the Home Loan Guaranty section under chapter 8 of this booklet.

5. Education[119]

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[114] US Dept. of Veterans Affairs Pamphlet (VAPAM) 27-12-5, September 2012. p.3.

[115] US Coast Guard ALCGRSV 004/11 Notice of Eligibility (NOE) Authorization and Reporting Guidance, January 14, 2011.

[116] Department of Defense Instruction (DODI) 1241.2, May 30, 2001, p. 11, sec E2.1.7

[117] US Dept. of Veterans Affairs Pamphlet (VAPAM), "Summary of VA Benefits for National Guard and Reserve Members and Veterans", 27-12-5, September 2012. p.3

[118] *Id* at 4

[119] *Id*

Post-9/11 GI Bill. Certain Full-time National Guard duty under the Command of the Governor (Title 32) may be qualifying service for the purposes of receiving the Post-9/11 GI Bill. This includes certain Title 32 duty authorized by the President or Secretary of Defense in response to a national emergency. For more information see the Post-9/11 GI Bill section under Chapter 10 of this booklet.

Montgomery GI Bill-Selected Reserve (MGIB-SR) and Reserve Educational Assistance Program (REAP). Reserve and National Guard who did not otherwise meet the active component requirements for the Montgomery GI Bill may qualify for the reserve version of the same education benefit. For more information on MGIB-SR and REAP see the education section under Chapter 10 of this booklet.

6. Health Care

Members of the National Guard and federal reservists who served on active duty in a combat zone after November 11, 1998, may be eligible for up to 5 years of VA Health Care from the date of discharge or release. [120] Veterans without active duty in combat zone and Veterans who have served in a combat zone prior to November 11, 1998 have separate criteria for determining eligibility. For more information see the Health Care section under chapter 4 of this booklet as well as the VA's website at www.va.gov/healthbenefits.

7. Burial

National Guard & Reserve may qualify for VA Burial benefits if they served on active duty OR if the Veterans death was due to an injury or disease developed or aggravated during active duty, active duty for training (Annual Training), or inactive duty for training (Drill weekend). [121] For information on the types of burial benefits provided, see the burial benefits section of the VA website by going here; http://www.benefits.va.gov/compensation/claims-special-burial.asp. Also, see Chapter 9 of this booklet.

8. Insurance

Servicemembers Group Life Insurance (SGLI). Currently serving Guard & Reserve are automatically insured by full-time SGLI unless he or she is scheduled to perform less than 12 periods of inactive duty training in a year. National Guard & Reserve separating, retiring, or being released from assignment in the Ready Reserve, members of the Individual Ready Reserve or Inactive National Guard are also eligible. National Guard & Reserve who have a minimum of SGLI coverage are qualified for SGLI when an illness or injury is incurred or aggravated while performing reserve duty or traveling to or from that duty.[122] For more information see the Life Insurance section of the VA website here; http://www.benefits.va.gov/INSURANCE/.

Family Servicemembers' Group Life Insurance (FSGLI). If the Guard or Reservist is qualified for and has SGLI, his or her family members automatically qualify for FSGLI.123 For more information see the FSGLI section of the VA website here; http://www.benefits.va.gov/insurance/fsgli.asp.

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[120] *Id* at 5

[121] *Id*; see also http://www.benefits.va.gov/compensation/claims-special-burial.asp

[122] *Id*; see also http://www.benefits.va.gov/INSURANCE/.

[123] *Id* at 6; see also http://www.benefits.va.gov/insurance/fsgli.asp.

Traumatic Injury Protection SGLI (TSGLI). TSGLI is a onetime payment to Service members or Veterans who incur traumatic injuries and suffer loses as a result. The payment is designed to help ease the financial burden associated with recovery. Thee injury does not have to be in the line of duty.[124] For more information see the TSGLI section of the VA website here; http://www.benefits.va.gov/insurance/tsgli.asp.

Service-Disabled Veterans' Insurance (S-DVI). National Guard, Reserve, and Veterans qualify for S-DVI when a service-connected disability is incurred while on active duty status. Veterans have two years to apply from the date of notification of service-connection approval and must have been discharged after April 25, 1951.[125] For more information see the S-DVI section of the VA website here; http://www.benefits.va.gov/insurance/s-dvi.asp.

Veterans Mortgage Life Insurance (VMLI). VMLI provides mortgage life insurance to severely disabled Guard, Reserve, & Veterans with a service-connected disability while in an active duty status and considered severely disabled and receive a Specially Adapted Housing (SAH) grant.[126] For more information see the VMLI section under chapter 7 of this booklet.

9. Vocational Rehabilitation and Employment (VR&E)

Generally Guard & Reservists with a service-connected disability rating of at least 20% qualifies for at least some VR&E benefits.[127] For more information on what this benefit may cover, see the Employment Benefits for Service-Connected Veterans section of chapter 7 of this booklet.

B. Physical Disability Board of Review

"Veterans separated due to disability from Sept. 11, 2001, through Dec. 31, 2009, with a combined rating of 20 percent or less, as determined by the respective branch of service Physical Evaluation Board (PEB), and not found eligible for retirement, may be eligible for a review by the Physical Disability Board of Review (PDBR). The PDBR was established to reassess the accuracy and fairness of certain PEB decisions, and where appropriate, recommend the correction of discrepancies and errors."

"A PDBR review will not lower the disability rating previously assigned by the PEB, and any correction may be made retroactively to the day of the original disability separation. As a result of the request for review by the PDBR, no further relief from the Board of Corrections of Military Records may be sought, and the recommendation by the PDBR, once accepted by the respective branch of service, is final. A comparison of these two boards, along with other PDBR information, can be viewed at www.health.mil/pdbr. Questions regarding the review of a discharge should be addressed to the appropriate discharge review board at the address listed on the DD Form 293.

C. Impact of Incarceration on the Receipt of VA Benefits

[124] *Id*; see also http://www.benefits.va.gov/insurance/tsgli.asp.
[125] *Id*; see also http://www.benefits.va.gov/insurance/s-dvi.asp.
[126] *Id*.
[127] *Id*.

Under certain circumstances, the VA will continue to pay certain benefits to Veterans who are incarcerated (or, as the VA has coined, “justice-involved”). The VA itself states that justice-involved Veterans may be eligible for disability compensation, disability pension, education and training, health care, home loans, insurance, vocational rehabilitation and employment, and burial.

1. Incarceration and VA Disability Compensation

VA disability compensation benefits remain untouched if the veterans is imprisoned for a misdemeanor conviction. However, the same is not true in the case of a felony. A veteran’s monthly disability payment will be lowered after 60 days of imprisonment for a felony. How much the benefit is reduced depends on the veteran’s disability rating. For those rated at 10% before incarceration, the new payment will be half the 10% rate. For those with a disability rating of 20% or greater, the new payment will be at the 10% rate.

2. Incarceration and VA Pension

A veteran’s monthly pension payment will be eliminated after 60 days of imprisonment in a Federal, State, or local jail for conviction of a felony or a misdemeanor. If a Veteran fails to notify VA of his or her incarceration, the Veteran may face the loss of all financial benefits until the VA’s overpayment is recovered.

3. Eligibility for VA Medical Care While Imprisoned

A veteran cannot receive VA medical care while incarcerated. The VA highlights that, in this case, the eligibility for healthcare is not the issue. An incarcerated veteran does not lose his or her eligibility for VA healthcare due to incarceration. The result, however, for the period of incarceration, is the same. The VA reports that current federal regulations restrict it from offering hospital and outpatient care to incarcerated veterans who are inmates of another governmental agency’s institution when that agency has a duty to give the care or services.

Once a veteran is unconditionally released from the institution, he or she may apply for enrollment into the VA healthcare system. At such a time, contact the nearest VA healthcare facility.

4. Receipt of VA Benefits Not Paid During Imprisonment by Dependents

Although one can see from the above the impact of incarceration on the Veteran’s receipt of VA benefits, the VA can pay (apportion) all or part of those withheld (otherwise unpaid) benefits to the incarcerated veteran’s spouse, child or children, and dependent parents on the basis of individual need. Family members of an incarcerated veteran should contact the nearest VA regional office or other qualified veterans service officer for more information on how to apply. Family members must be prepared to provide income information to support any such application. One should note the following:

Notice to the Incarcerated Veteran: VA should inform the incarcerated Veteran whose benefits may be reduced of the right his or her dependents have to an apportionment during the period of incarceration, and how such payments may resume upon release from incarceration.

Notice to the Incarcerated Veteran's Dependents: VA should also notify the dependents of their right to an apportionment if their existence has been declared to the VA and their addresses are on file.

No Apportionment to Other Prisoners. An apportionment may not be directed to or on behalf of anybody else who is incarcerated in a Federal, State, or local penal institution for conviction of a felony.

Apportionments Are Not Automatic. An incarcerated Veteran's dependents must apply for an apportionment. Claims are not automatically granted.

5. Education Benefits

A Veteran who is not incarcerated for a felony can still receive full monthly benefits subject to the standard eligibility and entitlement rules. Also, certain felons in transitional housing may also be eligible: Convicted felons who have been assigned to a halfway house (or "residential re-entry centers") or who are participating in work-release programs also can receive full monthly benefits. Convicted felons can only be paid the costs of tuition, fees, and required books, equipment, and supplies. Such payments are not available if another Federal, State, or local program covers these costs in full.

6. Resumption of VA Benefits

Upon release from incarceration, compensation payments a Veteran was previously receiving may be reinstated based upon the severity of the service connected disability or disabilities at that time. Within 30 days of a veteran's projected release from incarceration (based on confirmation from a parole board or other suitable official prison source), a veteran may notify the VA and request the future resumption of the veteran's VA benefits. Release from incarceration includes parole, work release or a half-way house program. A veteran should not delay in making such a request as the award for compensation or pension will resume from the date of release from incarceration *if the VA gets the veteran's notice within one year after the release.* In certain cases, the VA may request the veteran to submit to a medical examination to determine if the disability has changed.

The VA considers a Veteran released from incarceration if he or she either is paroled or participating in a work release or half-way house program. Once released, a Veteran should visit or call his or her local VA regional office (VARO) for assistance.

APPENDICES

Appendix A: VHA Veteran Medical Centers and Support Services Locations in Illinois

1. Overview

The Veterans Health Administration (VHA) divides its healthcare system into 23 Veterans Integrated Service Networks (VISNs). These individual networks do not necessarily cover the entire territory of a given state. In fact, in the case of Illinois, the State is divided up by four VISNs, 12, 11, 15, and 23, starting north, going clockwise around the points of the compass.

2. VA Hospitals

Captain James A. Lovell Federal Health Care Center

The VA describes Lovell FHCC as follows[128]: "The Captain James A. Lovell Federal Health Care Center (FHCC) is a first-of-its-kind partnership between the U. S. Department of Veterans Affairs and the Department of Defense (DoD), integrating all medical care into a federal health care facility with a single combined VA and Navy mission."

"Lovell FHCC is located in North Chicago, Illinois, and was established on Oct. 1, 2010 when the North Chicago VA Medical Center (VAMC) and the Naval Health Clinic Great Lakes (NHCGL) merged their resources and services. A combined mission of the health care center means active duty military, their family members, military retirees and veterans are all cared for at the facility. The health care center ensures that nearly 40,000 Navy recruits who transition through Naval Station Great Lakes each year are medically ready and nearly 67,000 eligible military and retiree beneficiaries from Northern Illinois and Southern Wisconsin receive first-rate care."

Edward Hines, Jr., VA Hospital

The VA describes Hines VA Hospital as follows: "Edward Hines, Jr. VA Hospital, located 12 miles west of downtown Chicago on a 147-acre campus, offers primary, extended and specialty care and serves as a tertiary care referral center for VISN 12. Specialized clinical programs include Blind Rehabilitation, Spinal Cord Injury, Neurosurgery, Radiation Therapy and Cardiovascular Surgery. The hospital also serves as the VISN 12 southern tier hub for pathology, radiology, radiation therapy, human resource management and fiscal services."

"Hines VAH currently operates 483 beds and six community based outpatient clinics in Elgin, Kankakee, Oak Lawn, Aurora, LaSalle, and Joliet. More than 700,000 patient

[128] https://www.lovell.fhcc.va.gov/about/.

visits occurred in fiscal year 2014 providing care to more than 57,000 veterans, primarily from Cook, DuPage and Will counties."[129]

VA Illiana Health Care System

The VA describes Jesse Brown VA Medical Hospital as follows[130]: "Since 1898, our buildings, facilities, patients, and missions have changed, but remaining constant is VA Illiana Health Care System's endeavor in improving the health of the men and women who have so proudly served our nation. Being the 8th oldest VA facility, we consider it our privilege to serve your health care needs in any way we can. Services are available to more than 150,000 veterans living in the surrounding 34-county areas of Illinois and Indiana."

Jesse Brown VA Medical Center (*formerly, West Side VA Medical Center*)

The VA describes Jesse Brown VA Medical Hospital as follows[131]: "The Jesse Brown VA Medical Center consists of a 200-bed acute care facility and four community based outpatient clinics (CBOCs). Jesse Brown VAMC provides care to approximately 62,000 enrolled veterans who reside in the City of Chicago and Cook County, Illinois, and in four counties in northwestern Indiana. In FY10, the medical center had over 8100 inpatient admissions and 560,000 outpatient visits. A budget of over $355 million supports approximately 2,000 full-time equivalent staff, including 200+ physicians and 450 nurses, with 500+ volunteers providing service and care at Jesse Brown VAMC and CBOCs."

"In May 2008, the medical center opened its new inpatient bed tower pavilion, which includes seven surgical suites, cystology, intensive care, inpatient dialysis, an outpatient surgical center and a chapel. The medical center's strategic priority is the "heart of the Veterans Community" and as Provider of Choice for veterans in the Chicago area. JBVAMC established a "We Are Here" outreach campaign to inform veterans about the health care benefits they have earned through their service to our country and the specific services available to them at Jesse Brown VA Medical Center."

"Formerly known as the West Side VA Medical Center, the facility was renamed in 2004 for the Honorable Jesse Brown, who served as Secretary for Veterans Affairs from 1993 to 1997."

The Hospital is also affiliated with the Feinberg School of Medicine of Northwestern University and the University of Illinois at Chicago Medical School, with more than 900 program residents providing veteran care annually.

[129] https://www.hines.va.gov/about/index.asp.
[130] https://www.danville.va.gov/about/index.asp.
[131] https://www.chicago.va.gov/about/index.asp.

VISN 12

Captain James A. Lovell Federal Health Care Center
[formerly, North Chicago VA Medical Center]
3001 Green Bay Road
North Chicago, IL 60064
(847) 688-1900
(800) 393-0865

Jesse Brown VA Medical Center
820 S. Damen Avenue
Chicago IL 60612
(312) 569-8387

Hines VA Medical Center
Roosevelt Road & 5th Avenue
Hines IL 60141
(708) 202-8387

VA Illiana Health Care System
1900 E. Main St.
Danville, IL 61832
(217) 554-3000
(800) 320-8387

VISN 11 [No Illinois-based hospitals]

VISN 15

Marion VA Medical Center
2401 West Main St.
Marion, IL 62959
618-997-5311

VISN 23 [No Illinois-based hospitals]

3. Community Based Outpatient Clinics [CBOCs]

Aurora CBOC 161 South Lincolnway North Aurora, IL 60542 Phone: (630) 859-2504 Fax: (630) 859-2508	Freeport VA Clinic 1301 Kiwanis Drive Freeport, IL 61032 Phone: 815-235-4881 Fax: 815-232-4614	Oak Lawn CBOC VA Outpatient Clinic 10201 S. Cicero Avenue Oak Lawn, IL 60453 Phone: (708) 499-3675 Fax: (708) 499-3715
Auburn Gresham (Chicago) CBOC VA Outpatient Clinic 7731 South Halsted Street Chicago, IL 60620 Phone: (773) 962-3700 Fax: 773)962-3703	Joliet CBOC 1201 Eagle Street Joliet, IL 60435 Phone: (815) 740-8100 Fax: (815) 740-8101	Rockford VA Primary Care Clinic 816 Featherstone Road Rockford, IL 61107-6300 Phone: 815-227-0081 Fax: 815-387-5316
Chicago Heights CBOC 30 East 15th Street, Ste. 207 Chicago Heights, IL 60411 Phone: (708) 756-5454	Kankakee CBOC 581 William Latham Drive Bourbonnais IL 60914-2435 Phone: (815) 932-3823 Fax: (815) 932-3827	Great Lakes Facilities 237 Fisher Clinic ZACHARY & ELIZABETH FISHER - Bldg 237 2410 Sampson Street Great Lakes, IL 60088

Fax: (708) 756-8871		Phone: 847-688-6712 Or 847-688-7321
Crown Point CBOC 9330 Broadway Crown Point IN 46307 (800) 644-1243 (219) 662-5000	Lakeside CBOC 211 E. Ontario St., 12th Floor Chicago, IL 60611 Phone: (312) 469-4850	USS Osborne Dental Clinic 3440 Ohio Street Great Lakes, IL 60088 Phone: 847-688-2100
Elgin CBOC 450 Dundee Ave Elgin, IL 60120 Phone: (847) 742-5920 extension:29700 Fax: (847) 742-6124	LaSalle CBOC Progress Village 4461 N Progress Village Peru, IL 61354 Phone: (815) 223-9678 extension 29400 Fax: (815) 223-9683	
Evanston CBOC 1942 Dempster Street Evanston, Illinois 60202 (847) 869-6315	McHenry CBOC 620 South Route 31, Suite 4 McHenry IL 60050 (815) 759-2306	

4. Vet Centers

Description: Born in the aftermath of the Vietnam War, Vet Centers provide the following types of services: referrals to VA Medical Centers and CBOCs; individual readjustment counseling; group readjustment counseling; referral for benefits assistance; liaison with community agencies and other VA facilities; marital/"significant other" and family counseling; community education; substance abuse information and referral; job counseling and placement resources; sexual trauma counseling; and referrals for homeless veterans. All services are free to eligible veterans and families.

Basic Eligibility: Services are offered to all those veterans who were in theater during the following conflict eras:

WWII:	December 7, 1941 to December 31, 1946
Korea:	June 27, 1950 to January 31, 1955
Vietnam:	February 28, 1961 to May 7, 1975
Lebanon:	August 25, 1982 to February 26, 1984
Granada:	October 23, 1983 to November 21, 1983
Panama:	December 20, 1989 to January 31, 1990
Persian Gulf:	August 2, 1990 to Present
Somalia:	September 17, 1992 to Present
Bosnia:	November 21, 1995 to November 1, 2007
Kosovo:	March 24, 1999 to Present
Afghanistan:	October 7, 2001 to Present
Iraq:	March 19, 2003 to Present

Additional Eligibility: Services are also available to (1) All veterans (regardless of period of service) who experienced sexual trauma while on active duty; and (2) Families of service members who died while on active duty.

Vet Centers in Illinois

Chicago Vet Center
7731 S. Halsted Street, Suite 200
Chicago, IL 60620-2412
Tel: (773) 962-3740
Fax: (773) 962-3750

DuPage County Vet Center
750 Shoreline Drive, Suite 150
Aurora, IL 60504
Tel: (630) 585-1853
Fax: (630) 585-1956

Chicago Heights
1010 Dixie Highway, 2nd Floor
Chicago Heights IL 60411
Tel: (708) 754-8885
Fax: (708) 754-9882

East St. Louis Vet Center
1265 N. 89th Street Suite 5
East St. Louis, IL 62203
Tel: (618) 397-6602
Fax: (618)397-6541

Evanston Vet Center
565 W. Howard Street
Chicago IL 60202
(847) 332-1019

Oak Park Vet Center
1515 South Harlem Avenue
Forest Park IL 60130
Tel: (708) 383-3225
Fax: (708) 383-3247

Orland Park Vet Center
8651 W.159th Street, Suite 1
Orland Park, IL 60462
Tel: (708) 444-0561
Fax: (708) 444-0588

Peoria Vet Center
8305 N. Allen Road, Suite 1
Peoria, IL 61615
Tel: (309) 689-9708
Fax: (309) 689-9720

Quad Cities Vet Center
465 Avenue of the Cities (E. 43rd Ave.), Suite #140
Moline, IL 61244
Tel: (319) 383-4782; (877) 927-8387
Fax: (309)762-8298

Rockford Vet Center
7015 Rote Road
Rockford IL 61107
Tel: (815) 395-1276
Fax: (815) 395-1280

Springfield Vet Center
1227 S. Ninth Street
Springfield, IL 62703
Tel: (217) 492-4955
Fax: (217) 492-4963

Services for Homeless Veterans

Homeless Patient Aligned Care Team (H-PACT) primary and urgent care clinic, 8th Floor-Damen Building, Jesse Brown VA Medical Center, 820 S. Damen Avenue, Chicago IL 60612. H-PACT hours: 8 a.m. to 4:15 p.m., Monday-Friday. (312) 569-6402[132]

See VA Pamphlet 26-7, Revised Chapter 8: Borrower Fees and Charges and the VA Funding Fee

5. Veterans Transportation Services (in Illinois)

For more information on VA transportation services, visit the following webpage on the VA's website: https://www.va.gov/healthbenefits/vtp/.

Appendix B: Veteran Service Organizations in Illinois

Overview: When applying for benefits and services, veterans will often get better results if they receive assistance from a person knowledgeable about VA and state benefits. One of the best sources of assistance are Veterans Service Organizations (VSOs) such as the American Legion or the Veterans of Foreign Wars. Most VSOs have a service officer available at the VA Regional Office as well as VA Medical Centers

AMVETS

VA Regional Office
2122 W. Taylor Street, Room 109
Chicago, IL 60612
Service Officers: Jason Dulinksi, and Connie Deleonardis
Tel: 312-980-4256
Fax: 312-706-6674

Hines VA Hospital
5000 S. Fifth Ave
Building 1, Room D-121
PO Box 123
Hines, IL 60141
Service Officer: Mary Ann White
Tel: 708-202-2564
Fax: 708-202-2637

Marion VAMC
2401 W. Main St.
Bldg 42, Room A-106
Marion, IL 62959
Tel: 618-997-5311 Ext. 54743
Fax: 618-998-5632

Danville VAMC
1900 East Main St.
Bldg. 104, Room 127
Danville, IL 61832
Service Officer: Mark Ross
Tel: 217-554-4838
Fax: 217-554-4909

Captain James A. Lovell Federal Health Care Center
3001 Green Bay Rd.
Bldg. 133, Room 1D-113
North Chicago, IL 60064
Service Officer: Harold DukalTel: 847-688-1900 Ext. 84138

Fax: 224-610-2934

The American Legion

VA Regional Office
2122 W. Taylor Street, Room 106
Chicago, IL 60612
Service Officer: Chuck Bosko
Tel: 312 980-4266
Fax: 312- 706-6675

Hines VA Hospital
5000 S. Fifth Ave
Hines, IL 60141
Service Officer: Jack Thompson
Tel: 708-202-2569

Veterans of Foreign Wars

VA Regional Office
2122 West Taylor St, Room 105
Chicago, IL 60612
Service Officer: Barry Walter
Tel: 312-980-4284
Fax 312-706-6680

Hines VA Hospital
5000 S. Fifth Ave., Room D109
Hines, IL 60141
Each Tuesday
8:00 am to 3:30 pm
Tel: 708-202-2562 – Tues only

Marion VAMC
2401 W. Main St., Room 102
Marion, IL 62959
Monday, Wednesday - Friday
8:00 am - 3:30 pm

Captain James A. Lovell Federal Health Care Center
3001 Green Bay Rd.
Bldg. 133, Room 116D
North Chicago, IL 60064
Each Wednesday
8:00 am to 3:30 PM

Tel: 224-610-4142 Wed only

Disabled American Veterans

VA Regional Office
2122 West Taylor St, Room 104
Chicago, IL 60612
Tel: 312-980-4242
Fax: 312- 706-6673

Jesse Brown VAMC
820 S. Damen
Chicago, IL 60612
Tel: 312-980-4242

Hines VA Hospital
5000 S. Fifth Ave
Building 1, Room D-17
Hines, IL 60141
Service Officer: George Isdale
Tel: 708-202-2575

Marion VAMC
2401 W. Main St., Ground Fl
Marion, IL 62959
Service Officer: Joseph R. Brown
Tel: 618-997-5311, Ext. 55110

Danville VAMC
1900 East Main St.
Bldg. 104, Room 107A
Danville, IL 61832
Service Officer: Robert Barrett
Tel: 217-554-4281
Fax: 217-477-4800

Captain James A. Lovell Federal Health Care Center
3001 Green Bay Rd.
Bldg. 135, Room A 53

North Chicago, IL 60064
Service Officer: Michael J. Hiley
Tel: 224-610-2961
Fax: 224-610-2952

Military Order of the Purple Heart

VA Regional Office
2122 W. Taylor St. Room 108
Chicago, IL 60605
Service Officer: Delores Cooley
Tel: 312- 980-4271
Fax: 312-706-6677

Hines VA Hospital
5000 South 5th Avenue Bldg 1, Room D115
Hines, IL 60141
Service Officer: Jason Goldsmith
Tel: 708- 202-5904
Fax: 312- 706-6677

Paralyzed Veterans of America

VA Regional Office
2122 W. Taylor St. Room 126
Chicago, IL 60605
Tel: 312-980-4278

Edward J. Hines VA Hospital
5000 South 5th Avenue Bldg. 1, Room F-214
Hines, IL 60141
Tel: 708-202-5623

Vietnam Veterans of America

VA Regional Office
2122 W. Taylor, Rm. 107
Chicago, IL 60516
Service Officers: Allen Lynch, Paul C. Kobeluch, and Dorothy LeClear
Tel: 312- 980-4268
Fax: 312- 980-4493

Appendix C: Illinois Department of Veterans Affairs (IDVA) Field Service Office Locations

Overview: IDVA service officers are trained and accredited by the U.S. Department of Veterans Affairs to assist veterans, their dependents, and survivors. IDVA service officers can assist veterans and their family members apply for state and federal benefits, as well as provide information and assistance concerning a host of areas, including education, employment, burial, pension, and healthcare.

Adams County
Quincy Veterans Home
1707 N 12th St
Quincy, IL 62301
VSO: Paul Tyson
Tel: (217) 222-8641 Ext: 253
Fax: (217) 222-8578
Hours: 8:00 AM to 4:30 PM
(Monday through Friday except 2nd & 4th Friday of the month.)

Bond County
Bond County Health Dept.
1520 S. 4th Street
Greenville, IL 62246
VSO: Ed Barnes
Tel: (618) 664-1442
Hours: 8:30 AM to 4:00 PM
(2nd & 4th Wednesday of the Month)

Bond County
Federal Corrections Inst.
Hwy 40 & 4th St.
Greenville, IL 62246
NO PUBLIC ACCESS
VSO: Ed Barnes
Tel: (618) 664-6200
Hours: 9:00 AM to 4:00 PM
(3rd Wednesday of the Month)

Bureau County/TEMP Closed
American Legion
1549 W. Peru St
Princeton, IL 61356
VSO: _____
Tel: not available
Hours: 9:00 AM to 4:00 PM
(1st Monday of the Month)

Champaign County
IL National Guard Armory
600 E. University Ave.
Urbana, IL 61802
VSO: Robbie Walker
Tel: (217) 278-3388
VSO: Lashunda Glover
Tel: (217) 278-3392
Fax: (217) 278-3375
Hours: 8:00 AM to 4:30 PM
(Daily)
Female Service Officer Available

Christian County
IL Dept. of Veterans Affairs
1100 Cheney Street
Taylorville, IL 62568
VSO: Mark Schaefer
Tel: (217) 287-7474
Fax: (217) 287-7668
Hours: 8:30 AM to 4:30 PM
(Daily)

Clinton County
Clinton County Senior Center
630 8th St
Carlyle, IL 62231
VSO: Rebecca Miller
Tel: (618) 594-2321
Hours: 9:00 AM to 4:00 PM
(2nd Wednesday of the Month)
Female Service Officer Available

Coles County
IL Dept. of Veterans Affairs
1550 Douglas Ave., Suite 1
Charleston, IL 61920
VSO: Blake Leitch
Tel: (217) 345-2192
Fax: (217) 345-2193
Hours: 8:00 AM - 4:30 PM
(Daily, Except 2nd & 4th Wednesday of the Month)

Cook County

Chicago Headquarters
[Cook County#1]
George W. Dunne Cook County Office Building
69 W. Washington Street
Suite 1620
Chicago IL, 60601
VSO: Cynthia Green
Tel: (312) 814-3326
Hours: 8:00 AM to 4:00 PM (Daily)
VSO: Sharon Buchanan
Tel: (312) 363-1492
Hours: Tuesday, Thursday & Friday only
VSO: Michelle Richards
Tel: (773) 363-9851
Hours: Monday, Wednesday & Friday only

Chicago Vet Center
3348 West 87th Street, Ste. 2
Chicago IL 60652
VSO: Michele Richards
Tel: (773) 962-3740
Hours: 9AM to 4PM, Tuesdays & Thursday only.
Female Service Officer Available

Evanston
Evanston Vet Center
1901 Howard Street
Evanston, IL 60202
VSO: Angel Montes
Tel: (847) 332-1019

Hours: 8:30 AM-4:00 PM
(Mondays only)

Hope Manor I
3053 West Franklin Blvd.
Chicago IL 60612
VSO: Cynthia McKee
Tel: (773) 475-6703
Hours: 9:00 AM to 4:00 PM
(1st & 3rd Friday of the month.)

Hope Manor II
6002 S. Halsted Street
Chicago IL 60621
VSO: Sharon Buchanan
Tel: (312) 564-2398
Hours: Walk-ins, 9AM to 12PM, Mondays &Wednesdays. By appointment only 1:30 PM to 3:30 PM. For appointments, call (312) 564-2393.

Schaumburg Township
1 Illinois Blvd
Hoffman Estates, IL 60169
VSO: James Lopez
Tel: (847) 884-0030 Ext. 2019
Hours: 9:00am-4:00pm
(Thursdays ONLY)

Cook County #2
General Jones Armory
5200 S Cottage Grove Ave
Room 101 - 103
North Chicago, IL 60615
OFFICE CLOSED DOWN

Cook County #3
IL Dept. of Veterans Affairs
1551 N. Kedzie Ave.
Chicago, IL 60651
VSO: Angel Montes
Tel: (773) 292-7894
Fax: (773) 292-7895
Hours: 8:00 AM to 4:00 PM
(Daily, Except Mondays & 1st & 3rd Fridays of the month.)

Cook County #4
1010 Dixie Hwy - Suite 101
Chicago Heights, IL 60411
VSO: Charles Lawrence
Tel: (708) 754-6403
Fax: (708) 754-0347
Hours: 8:00 AM to 4:00 PM
(Daily except Mondays)

Cook County #5
Chicago Regional VA Office
2122 Taylor St - Suite 127
Chicago, IL 60612
VSOs:
Supervisor: Joseph Petrosky
VSO: Shynae Murphy
VSO: Israel Dominguez
Tel: (312) 980-4512
Fax: (312) 980-4508
Hours: 8:00 AM to 3:00 PM
(Daily)
Receptionists: Charles Simmons and Alma Ruci

Cook County #6
IL Dept. of Veterans Affairs
Dept. of Employment Security
16845 S. Halsted Street
Harvey, IL 60426
VSO: Charles Lawrence
Tel: (708) 225-8030
Fax: (708) 225-8032
Hours: 9:00 AM to 4:00 PM
(Mondays)

Cook County #7
IL Dept. of Veterans Affairs
1515 S. Harlem Ave., Unit 1B
Forest Park IL 60130
VSO: Alex Nuno
Tel: (708) 366-5020
Fax: (708) 366-5059
Hours: 8:00 AM to 4:30 PM
(Daily)

Cook County #9
Palatine Township
721 S Quentin Rd – Ste. #102
Palatine, IL 60067
VSO: James Lopez
Tel: (847) 485-2772
Fax: (847) 485-2773
Hours: 8:00 AM to 4:00 PM
(Daily, Except Thursdays)

Cook County #10
Village of Orland Park
14700 Ravinia Ave
Orland Park, IL 60462
VSO: Charletta Lutcher-Hayes
Tel: (708) 403-2011
Fax: (708) 403-2012
Hours: 8:30 AM to 4:30 PM
(Daily)
Female Service Officer Available

Cook County #11
Frisbie Senior Center
52 E. Northwest Highway
Des Plaines, IL 60016
VSO: Cynthia McKee
Tel: (847) 294-4664
Fax: (847) 294-4665
Hours: 9:00 AM to 4:00 PM
(Every 2nd & 4th Thursday of each Month)
Female Service Officer Available

Crawford County
Veterans of Foreign War (VFW)
812 E Main St
Robinson, IL 62454
VSO: Ken Ferguson
Tel: (618) 546-5140
Hours: 9:00 AM to 4:00 PM
(1st & 3rd Wednesday of the Month)

DuPage County
DuPage County#1
421 N County Farm Rd
Room 2-600A
Wheaton, IL 60187
VSO: Marcus Woodward
Tel: (630) 690-9449
Fax: (630) 690-0917
Hours: 8:30 AM to 4:30 PM
(Daily)

DuPage County #2
Leyden Township
2501 N. Mannheim Rd.
Franklin Park, IL 60131
VSO: Cynthia McKee
Tel: (847) 451-5111
Fax: (847) 455-0551
Hours: 8:00 AM to 4:00 PM
(Daily, Except 2nd & 4th Thursday of the Month)
Female Service Officer Available

Edgar County
Edgar Co. Farm Service Agency
11759 IL Highway 1
Paris, IL 61944
VSO: Blake Leitch

Tel: (217) 465-5325 Ext. 2
Hours: 9:00 AM to 4:00 PM
(2nd and 4th Wednesday of the Month)

Effingham County
County Building
101 North 4th Street - Room 203
Effingham, IL 62401
VSO: Lynn Brown
Tel: (217) 342-8493
Fax: (217) 342-6474
Hours: 8:00 AM to 4:00 PM
(Daily, Except 1st Wednesday & 4th Thursday of the Month)

Franklin County
City Hall
500 W Main St., PO Box 640
Benton, IL 62812
VSO: Robert Ferrera
Tel: (618) 435-3678
Fax: (618) 435-5802
Hours: 8:00 AM to 4:30 PM
(Daily)

Fulton County
American Legion Post #1
505 E. Eisenhower
Lewistown, IL 61542
VSO: Kermit Short
Tel: (309) 547-7209
Hours: 8:00 AM to 2:00 PM
(2nd and 4th Thursday of the Month)

Henry County
IL. National Guard Armory
111 N East St
Kewanee, IL 61443
VSO: Jack Hayes
Tel: (309) 852-0227
Fax: (309) 853-2080
Hours: 8:00 AM to 4:30 PM
(Daily, Except 1st Monday of the Moth)

Jackson County
IL Dept. of Veterans Affairs
John A. Logan Museum
1609 Edith Street
Murphysboro, IL 62966
VSO: Kathy Bower
Tel: (618) 684-2966
Fax: (618) 684-2847
Hours: 8:30 AM to 5:00 PM
(Daily)
Female Service Officer Available

IL Dept. of Veterans Affairs
Carbondale VA Clinic
1130 E. Walnut St., Room 108
Carbondale, IL 62901
VSO: Harold Power
Tel: (618)-351-1031 ext. 72204 or (866)-289-3300
Fax: 618-351-1110
Hours: 8:00pm-4:30pm
(Daily Except 1st, 2nd & 3rd Wednesdays of the Month)

Jasper County
Jasper County Courthouse
204 W. Washington Street Suite 2
Newton, IL 62448
VSO: Lynn Brown
Tel: (618) 783-3124
Fax: (618) 783-4137
(4th Thursday of every month)

Jefferson County
IL Dept. of Veterans Affairs
4105 N Water Tower Place
Room #112
Mt Vernon, IL 62864
VSO: Jeffrey Lewis
Tel: (618) 246-2910, Ext. 73404
Fax: (618) 246-2912
Hours: 8:00 AM to 4:30 PM M,T,W, & R; 8:00 AM to 3:00 PM on Fridays
(Daily, Except 1st, 3rd, & 4th Thursdays of the Month)

Jo Daviess County
West Galena Township Bldg.
607 Gear St.
Galena, IL 61036
VSO: Luke Runte
Tel: (815)-777-2228
Fax: (815)-777-9747
Hours: 9:00 AM to 4:00 PM
(4th Wednesday of the Month)

Kane County
Kane County #1
IL. Dept. of Veterans Affairs
Elgin National Guard Armory
254 Raymond St
Elgin, IL 60120
VSO: John Fanning
Tel: (847) 608-0138
Fax: (847) 608-0140
Hours: 8:00 AM to 3:30 PM
(Daily)

Kane County #2
DuPage County Vet Center
750 Shoreline Dr., Ste. 150
Aurora, IL 60504
VSO: Wesley Yi
Tel: (630) 585-5372
Fax: (630) 585-5382
Hours: 8:00 AM to 4:30 PM
(Daily)

Kankakee County
Manteno Veterans Home
#1 Veterans Dr
Manteno, IL 60950
VSO: Kurt Schierholz
Tel: (815) 468-6581 Ext 230
VSO: Malon Norfleet
Tel: (815) 468-6581 Ext 218
Fax: (815) 468-8495
Hours: 8:30 AM to 4:30 PM

Knox County
IL Dept. of Veterans Affairs
362 N Linwood Rd
Galesburg, IL 61401
VSO: Steve Birditt
Tel: (309) 343-2510
VSO: Dan Lathrop
Tel: (309) 343-1005
Fax: (309) 343-4026
Hours: 8:00 AM to 4:30 PM.
(Daily)

Galesburg VA O.P. Clinic
310 Home Blvd.
Galesburg, IL 61401
VSO: Dan Lathrop
Tel: (309) 343-0311
Hours: 9:00 AM to 4:00 PM.
(Every Tuesday)

Lake County
Illinois Student Assistance Commission, Deerfield Facility
1755 Lake Cook Rd., Suite 1409
Deerfield, IL 60015-5209
VSO: Pat Cornet
Tel: (847) 948-6982

VSO: Walter Wilson
Tel: (847) 948-6981
Fax: (847) 948-6990
Hours: 8:00 AM to 4:00 PM (Daily)

LaSalle County
LaSalle Veterans Home
1015 O'Conor Ave
La Salle, IL 61301
VSO: Brian Butler
Tel: (815) 223-0303, Ext. 210
Fax: (815) 223-8525
Hours: 8:30 AM to 4:30 PM (Daily, Except Wednesday and Friday)

Lawrence County
City of Lawrenceville
700 E. State Street
Lawrenceville, IL 62439
VSO: Ken Ferguson
Tel: (618) 943-6189
Fax: (618) 943-6926
Hours: 8:30 AM to 5:00 PM (Daily Except Wednesday)

Livingston County
IL National Guard Armory
825 W Reynolds St - Suite 110
Pontiac, IL 61764
VSO: Chris Grant
Tel: (815) 842-2294
Fax: (815) 842-3062
Hours: 8:00 AM to 4:30 PM (Tuesday & Thursday)

Logan County
Oasis Senior Center
2810 Woodlawn Rd.
Lincoln, IL 62656
VSO: Richard Bailey
Tel: No Phone
Hours: 9:00 AM to 4:00 PM (1st & 3rd Tuesday)

Macon County
Millikin Building
132 S. Water St., Ste. 440
Decatur, IL 62523
VSO: Jane Myers
Tel: (217) 362-6644
VSO: Richard Bailey
Tel: (217) 362-6645
Fax: (217) 362-6646
Hours: 8:30 AM to 5:00 PM (Daily)
Female Service Officer Available

Decatur VA Base
Community Clinic
3035 E. Mound Road
Decatur, IL 62526
VSO: Jane Myers
Tel: 217-875-2670 Ext. 47615
Hours: 8:00 AM to 4:00 PM (Friday only)
Female Service Officer Available

Macoupin County
IL Dept. of Veterans Affairs
201 McCausland St., Ste. 4
Carlinville, IL 62626
VSO: Julie Law
Tel: (217) 854-6563
Fax: (217) 854-6564
Hours: 8:30 AM to 4:30 PM (Wednesdays only)
Female Service Officer Available

Madison County
606 W. St. Louis Ave.
Ste. #1
East Alton, IL 62024
VSO: Ed Barnes
Tel: (618) 258-9860
Fax: (618) 258-9861
Hours: 8:30 AM to 4:00 PM (Daily, Except 2nd, 3rd & 4th Wednesday of the Month)

Marion County
Salem Professional Building
600 E Main St., Ste. 6
Salem, IL 62881
VSO: Rebecca Miller
Tel: (618) 548-6929
Fax: (618) 548-9680
Hours: 8:30 AM to 5:00 PM (Daily, Except 2nd & 4th Wednesday of the Month)
Female Service Officer Available

Mason County
Veterans of Foreign Wars (VFW) Post 6408
415 W. Adams
Havana, IL 62644
VSO: Robert Sloan
Tel: (309) 543-1015
Hours: 9:00 AM to 3:00 PM (1st & 3rd Tuesday only)

Massac County
County Courthouse
1 Superman Sq., #2D
Metropolis, IL 62960
VSO: Robert Schuler
Tel: (618) 524-5213
Hours: 9:00 AM to 4:00 PM (1st Thursday of the Month only)

McDonough County
IL National Guard Armory
135 W Grant St
Macomb, IL 61455
VSO: Kermit Short
Tel: (309) 836-2243
VSO: Robert Sloan
Tel: (309) 837-5838
Fax: (309) 833-5221
Hours: 8:00 AM to 4:30 PM (Daily)

McHenry County
IL Dept. of Veterans Affairs
Woodstock Armory
1301 Sunset Ridge Rd
Woodstock, IL 60098
VSO: Theodore Biever
Tel: (815) 338-9292
Fax: (815) 338-5464
Hours: 8:00 AM to 4:00 PM (Monday & Wednesday only)

McLean County
IL National Guard Armory
1616 S Main St, Rooms 117A & 117B
Bloomington, IL 61701
VSO: Eli Lawhorn
Tel: (309) 827-5811
VSO: Jeff Eagler
Tel: (309) 820-2567
Fax: (309) 827-5919
Hours: 8:00 AM to 3:30 PM (Daily)

Mercer County
County Courthouse
100 SE 3rd St
Aledo, IL 61231
VSO: Dan Lathrop

Tel: (309) 582-2714
Hours: 9:00 AM to 4:00 PM
(1st & 3rd Thursday of the Month)

Morgan County
DHS Family Resource Center
45 S. Central Park Plaza
Jacksonville, IL 62650
VSO: Lauralee Treece
Tel: (217) 245-0551
Fax: (217) 245-2818
Hours: 8:30 AM to 4:00 PM
(Daily)
Female Service Officer Available

Ogle County
Rock River Center, Inc.
810 S. 10th St.
Oregon, IL 61061
VSO: Jessica Parker
Tel: 815-732-3252
Tel: 800-541-5479
Fax: 815-732-4318
Hours: 9:00 AM to 4:00 PM
(2nd & 4th Monday of the Month)
Female Service Officer Available

Peoria County
IL Dept. of Veterans Affairs
401 Main, Ste. 650
Peoria, IL 61602
VSO: Tracy Trueblood
Tel: (309) 671-7679
Tel: (309) 671-3179
Tel: (309) 671-3180
Fax: (309) 671-3168
Hours: 8:00 AM to 3:30 PM
(Daily)
Female Service Officer Available

Pike County
American Legion
1302 W Washington St
Pittsfield, IL 62363
VSO: Zach Grattan
Tel: no phone
Hours: 9:00 AM to 4:00 PM
(2nd & 4th Friday of the Month)

Randolph County
City Hall
1330 Swanwick
Chester, IL 62233
VSO: Harold Power
Tel: (618) 826-2326
Hours: 9:00 AM to 4:00 PM
(2nd Wednesday of the Month)

Richland County
Senior Citizens Center
308 E Main St
Olney, IL 62450
VSO: Ken Ferguson
Tel: (618) 395-3233
Hours: 9:00 AM to 4:00 PM
(2nd Wednesday of the Month)

Rock Island County
County Building
1504 3rd Ave
Rock Island, IL 61201
VSO: Carla Waibel
Tel: (309) 793-1460
Fax: (309) 793-0397
Hours: 8:30 AM to 12:00 & 1:00 PM to 5:00 PM
(Daily)
Female Service Officer Available

St. Clair County
St. Clair County #1
10 Collinsville Ave
East St Louis, IL 62201
VSO: Jason Vanselow
Tel: (618) 583-2065
Fax: (618) 583-2283
Hours: 8:00 AM to 4:00 PM
(Daily)

St. Clair County #2
IL Dept. of Veterans Affairs
4519 W. Main Street
Belleville, IL 62226
VSO: Michelle Bess (until 4:00 PM)
Tel: (618) 233-8445
VSO: Julie Law
Tel: (618) 233-5140
Fax: (618) 277-0183
Hours: 8:00 AM to 5:00 PM
(Daily, Except closed at 4:00 PM on Wednesday)
Female Service Officer Available

Saline County
IL Dept. of Veterans Affairs
320 E. Raymond
Harrisburg, IL 62946
VSO: Lisa McBride
Tel: (618) 253-2005
Fax: (618) 253-6106
Hours: 8:30 AM to 4:30 PM
(Daily, Except closed at 3:00 PM on Wednesday)
Female Service Officer Available

Sangamon County
IL Dept. of Veterans Affairs
833 S Spring St
PO Box 19432
Springfield, IL 62794
VSO: Carlos English
Tel: (217) 557-0358
VSO: Donna Gibson
Tel: (217) 557-0358
VSO: Justin Jennings
Tel: (217) 785-1419
Tel: (217) 782-6645
Fax: (217) 557-1428

Hours: 8:30 AM to 4:00 PM
(Daily)
Female Service Officer Available

Schuyler County
Senior Center
250 N Monroe St
Rushville, IL 62681
VSO: Robert Sloan
Tel: None Available
Hours: 9:00 AM to 3:00 PM
(2nd Thursday of the Month)

Shelby County
Shelbyville Township Building
212 East South 1st Street
Shelbyville, IL 62565
VSO: Lynn Brown
Tel: 217-774-3712
Fax: 217-774-5147
Hours: 9:00 AM to 4:00 PM
(1st Wednesday of the Month)

Stephenson County
IL Dept. of Veterans Affairs
IL Dept. of Human Services Bldg.

1631 S. Galena Ave.
Freeport, IL 61032
VSO: Luke Runte
Tel: (815) 233-5092
Fax: (815) 233-5263
Hours: 8:30 AM to 5:00 PM
(Daily, Except 4th Wednesday)

Union County
Anna Veterans Home
792 N Main St
Anna, IL 62906
VSO: Harold Power
Tel: (618) 833-6302 x230
Fax: (618) 833-5405
Hours: 9:00 AM to 4:00 PM
(1st & 3rd Wednesday of the Month)

Vermilion County
Workforce Development Center
407 N. Franklin, Suite B
Danville, IL 61832
VSO: William Illa
Tel: (217) 442-7895
Fax: (217) 442-2104
Hours: 8:30 AM to 4:30 PM
(Daily)

Wabash County
Wabash Valley College
2200 College Dr.
Mt Carmel, IL 62863
VSO: Ken Ferguson
Tel: (618) 262-8641
Fax: (618) 262-8647
Hours: 9:00 AM to 4:00 PM
(4th Wednesday of the Month)

Wayne County
Wayne County Sheriff's Office
305 East Court Street
Fairfield, IL 62837
VSO: Jeff Lewis
Tel: No Phone Available
Hours: 9:00 AM to 4:00 PM
(3rd Thursday of the Month)

White County
County Courthouse
110 N. Main St
Carmi, IL 62821
VSO: Jeff Lewis
Tel: (618) 382-7211
Hours: 9:00 AM to 4:00 PM
(4th Thursday of the Month)

Whiteside County
IL National Guard Armory
716 6th Ave
Rock Falls, IL 61071
VSO: Christine Rhoades
Tel: (815) 626-2468
Fax: (815) 626-2856
Hours: 8:00 AM to 4:30 PM
(Daily)
Female Service Officer Available

Will County
Will County Building
2400 Glenwood Ave., Ste. 110
Joliet, IL 60435
VSO: Ken Bonner
Tel: (815) 730-4334
Fax: (815) 730-4335
Hours: 8:30 AM to 4:30 PM
(Daily)

Williamson County
State Regional Office Building
2309 W Main St - Suite 122
Marion, IL 62959
VSO: Robert Schuler
Tel: (618) 997-3309
Fax: (618) 993-7167
Hours: 8:30 AM to 4:30 PM
(Daily Except 1st and 3rd Thursday)

Winnebago County
IL Dept. of Veterans Affairs
Machesney Park Armory
10451 North 2nd Street
Machesney Park, IL 61115
VSO: Jessica Parker
Tel: (815) 633-7840
VSO: Mathew Taylor
Tel: (815) 633-8945
Hours: 8AM to 3:30PM
VSO: Frank Delatorre
Tel: (815) 633-5875
Hours: 8:00 AM to 4:30 PM (Tuesday, Thursday & Friday only)

Appendix D: Illinois Veterans Assistance Commissions

Overview: Veterans Assistance Commissions (VACs) provide a variety of services to indigent veterans who have honorably served in the Armed Forces. VAC Superintendents and Veterans Service Officers are important resources for not only monetary services, but also their knowledge of state and federal veteran benefits.

Boone County
130 S. State Street
Suite 212
Belvidere, IL 61008
Tel: 815-544-6464
Fax: 815-544-6455
VACBoone@VACBC.org

Carroll County
Carroll County Courthouse
301 N. Main Street
Mt. Carroll, IL 61053
Tel: 815-244-0226
Cell: 815-714-8133
Fax: 815-244-6295
office@cc-vac.org

Champaign County
Brookens Administration Center
1776 E. Washington
Urbana, IL 61802
Tel: 217-819-3556
Fax: 217-384-3896
bgould@co.champaign.il.us

Cook County
1100 S. Hamilton Avenue
Lower Level - Room C-011
Chicago, IL 60612
Tel: 312-433-6010
Fax: 312-433-6015
Abundio.zaragoza@cookcountyil.gov

DeKalb County
2500 N. Annie Glidden Road
Suite A
DeKalb, IL 60115
Tel: 815-756-8129
Fax: 815-217-0417
dcvac@dekalbcounty.org

DuPage County
421 N. County Farm Road
Wheaton, IL 60187
Tel: 630-407-5655
Fax: 630-407-5656
dupagevac@dupageco.org
steven.fixler@dupageco.org

Effingham County
1901 S. Fourth Street
Suite 21
Effingham, IL 62401-4162
Tel: 217-342-4979
Fax: 217-342-4883
vfw1769@consolidated.net
effinghamvfw1769@gmail.com

Fulton County
260 West Lincoln Avenue
Lewistown, IL 61542
Tel: 309-547-7262
Fax: 309-518-8116
fultcovac@yahoo.com

Greene County
519 N. Main Street
Room 5
Carrolton, IL 62016
Tel: 217-370-8779
Fax: 217-942-5431

Grundy County
1320 Union Street
Morris, IL 60450
Tel: 815-941-3152
Fax: 815-513-5018
vacgrundycounty@gmail.com

Hancock County
County Courthouse SE
First Floor
P.O. Box 444
Carthage, IL 62321
217-256-3105/217-617-7635
217-357-2615/217-357-8578
hancockcountyvac@yahoo.com

Henderson County
Henderson County Courthouse
Oquawka, IL 61469
309-867-6816/309-221-0169
309-867-2033/309-867-2033
vachc@yahoo.com

Henry County
Henry County
County Courthouse
307 W. Center Street
Cambridge, IL 61238
309-937-3451/3450
800-719-0545
vet@henrycty.com
dmeindok@henrycty.com

Iroquois County
County Administration Center
1001 E. Grant Street
Suite112A
Watseka, IL 60970
Tel: 815-432-2721
Fax: 815-432-2721
jingram@co.iroquois.il.us

Jersey County
County Courthouse
201 W. Pearl Street
Jerseyville, IL 62052
Tel: 618-498-1810
Fax: 618-498-7404
vac@jerseycounty-il.us
www.jerseycountyvac.org
vacgb1977@outlook.com

Kane County
Government Center
719 S. Batavia Avenue
Building A, Room 104
Geneva, IL 60134

630-232-3550
630-232-5403/5401
zimmermanjacob@co.kane.il.us

Kankakee County
189 E. Court Street, 4th Floor
Kankakee, IL 60901
815-937-8489/815-936-5622
815-937-3655/815-937-3655
ksmietanski@k3county.net
mroof@k3county.net

Kendall County
811 W. John Street
Suite 264
Yorkville, IL 60560-9249
630-553-8354
630-553-0003
clockman@co.kendall.il.us

Knox County
121 S. Prairie Street
Suite 3
Galesburg, IL 61401
309-345-3809/3877
309-342-7597
gfinley@co.knox.il.us
gpeeken@co.knox.il.us

Lake County
20 S. Martin L. King Jr. Ave.
Waukegan, IL 60085
Tel: 847-377-3344
Fax: 847-984-5750
Atangen@lakecountyil.gov
veterans@lakecountyil.gov

LaSalle County
119 W. Madison Street
Courthouse Room 103A
Ottawa, IL 61350
Tel: 815-433-1761
Fax: 815-433-6209
skreitzer@lasallecounty.org

Lee County
309 S. Galena Avenue
Suite 101
Dixon, IL 61021
Tel: 815-288-5683
Fax: 815-284-5240
jgorman@countyoflee.org

Livingston County
110 W. Water St.
Pontiac, IL 61764
Tel: 815-844-7378
Fax: 815-844-7378
lcvac@frontier.com

110 W. Water Street
Pontiac, IL 61764
815-844-7378
815-844-1178
lcvac@frontier.com

Logan County
P.O. Box 675
Lincoln, IL 62656
217-732-8388
vac@logancountyil.gov

Macon County
County Building
141 S. Main Street
Room 210
Decatur, IL 62523
Tel: 217-424-1376
Fax: 217-718-4760
kpowless@co.macon.il.us

Macoupin County
220 N. Broad Street
P.O. Box 12
Carlinville, IL 62626-0012
217-854-5249
217-854-5249
macvac@frontiernet.net

Madison County
157 N. Main
Suite 115
Edwardsville, IL 62025-1963
618-692-7040 Ext. 4554
618-296-4554
618-692-8958
balavite@co.madison.il.us
mcvac@co.madison.il.us
www.co.madison.il.us/veterans/veterans.html

Mason County
County Courthouse
P.O. Box 77
Havana, IL 62644
309-543-6661
309-543-6015/8907
309-543-2924
masonvac@grics.net

McDonough County
1 Courthouse Square
Room 7, Third Floor
Macomb, IL 61455
Tel: 309-833-3275
Fax: 309-837-9110
Ricksmart01@gmail.com

McHenry County
McHenry County Government Center
2200 N. Seminary Avenue, Admin Building
Woodstock, IL 60098
Tel: 815-334-4229
Fax: 815-334-4678
maiwanic@co.mchenry.il.us

667 Ware Road
Woodstock, IL 60098
veterans@co.mchenry.il.us

McLean County
200 W. Front Street
Suite 400-D
Bloomington, IL 61701
Tel: 309-888-5140/5141
Fax: 309-888-5570
jerry.vogler@mcleancountyil.go

Mercer County
100 SE Third Street
Aledo, IL 61232
309-582-2714/7022
giarmyret@yahoo.com
DPhelps@mercercountyil.org

Montgomery County
201 S. Main Street
Hillsboro, IL 62049
217-532-9695
217-532-2534
vac@montgomeryco.com

Ogle County
1310 W. Washington Street
P.O. Box 181
Oregon, IL 61061
Tel: 815-677-0852
Tel: 815-677-6515 [Transportation]
oglevac1@gmail.com
oglevso@gmail.com

Peoria County
3116 N. Dries Lane
Suite 200
Peoria, IL 61604
Tel: 309-681-2554

Fax: 309-681-2558
mbrooks@peoriacounty.org
www.vacpeoria.org

Piatt County
P.O. Box 523
Monticello, IL 61856
Tel: 217-762-8387
Fax: 217-762-3507

115 N. State Street
Suite 116
Monticello, IL 61856
pcvac@mediacombb.net

Rock Island County
1504 Third Avenue
Lower Level – County Office Building
Rock Island, IL 61201
Tel: 309-558-3547/3546
Fax: 309-558-3548
tharlow@co.rock-island.il.us

Sangamon County
County Building
200 S. Ninth Street
Room 104
Springfield, IL 62701
Tel: 217-753-6681/6680
Fax: 217-535-3280
kimb@co.sangamon.il.us

St. Clair County
19 Public Square
Suite 300
Belleville, IL 62220-1695
618-277-0040
618-277-9626
veterans@co.st-clair.il.us

Stephenson County
10 N. Galena Avenue
Suite 120
Freeport, IL 61032

P.O. Box 695
Freeport, IL 61032
815-233-7282
815-235-8028/815-616-8834
veterans@vacsc.comcastbiz.net
VACSC@co.stephenson.il.us

Tazewell Count
11 S. 4th McKenzie Boulevard
Suite 114
Pekin, IL 61554
309-477-2271
309-478-5855
tazvet@tazewell.com

Warren County
Courthouse Room 1
Monmouth, IL 61462
309-734-6767
309-734-7406

Will County
Executive Center
128 N. Scott Street
Joliet, IL 60432-4210
815-740-8389
815-740-4329
vacwc@willcountyillinois.com
kmcnichol@willcountyillinois.com

Winnebago County
555 North Court Street
Suite 300
Rockford, IL 61103
Tel: 815-516-2850
Fax: 815-516-2851
dhall@wincoil.us

555 N. Court Street
Suite 300
Rockford, IL 61103
815-516-2850
815-516-2851
tburd@wincoil.us

Woodford County
County Courthouse
115 N. Main Street
Suite 106
Eureka, IL 61530-1274
Tel: 309-467-2716
Fax: 309-467-4728
wcvac@woodford-county.org

Non Association VAC's

Mercer County
100 S.E. Third St.
Aledo, IL 61232

Schuyler County
Rushville, IL 62681
217-322-6223

Washington County
Nashville, IL 62263
618-327-8322

Whiteside County
1300 W. Second St.
Rock Falls, IL 61081
815-626-8640

Appendix E: Ships List

Navy and Coast Guard Ships Associated with Service in Vietnam and Exposure to Herbicide Agents[133]

Background

This list provides VA regional offices with a resource for determining whether a US Navy or Coast Guard Veteran of the Vietnam era is eligible for the presumption of Agent Orange herbicide exposure based on operations of the Veteran's ship.

According to 38 CFR § 3.307(a)(6)(iii), eligibility for the presumption of Agent Orange exposure requires that a Veteran's military service involved "duty or visitation in the Republic of Vietnam" between January 9, 1962 and May 7, 1975. This includes service within the country of Vietnam itself or aboard a ship that operated on the inland waterways of Vietnam. However, this does not include service aboard a large ocean-going ship that operated only on the offshore waters of Vietnam, unless evidence shows that a Veteran went ashore. Inland waterways include rivers, canals, estuaries, and deltas. They do not include open deep-water bays and harbors such as those at Da Nang Harbor, Qui Nhon Bay Harbor, Nha Trang Harbor, Cam Ranh Bay Harbor, Vung Tau Harbor, or Ganh Rai Bay. These are considered to be part of the offshore waters of Vietnam because of their deep-water anchorage capabilities and open access to the South China Sea.

For more information and updates to this list, see the link noted below.

Ship Categories

The list contains five categories of ships that operated on the waters of Vietnam. (A specific ship may be listed in more than one category, based on its activities.) Ship categories include:

I. Ships operating primarily or exclusively on Vietnam's inland waterways

This category includes smaller naval vessels involved with patrolling and interdicting enemy activity on the inland waterways of Vietnam. It also includes ships supplying and supporting those operations. Examples of such vessels include swift boats, river patrol boats, and LSTs [landing ship, tank]. The inland waterways are often referred to as "brown waters" because of their muddy color and the naval vessels operating on them are referred to as the Brown Water Navy and/or the Mobile Riverine Force. All Veterans who served aboard these vessels are eligible for the presumption of Agent Orange exposure because their primary service was on the inland waterways of Vietnam.

II. Ships operating temporarily on Vietnam's inland waterways

This category includes large ocean-going ships that operated primarily on Vietnam's offshore waters for gunfire support of ground operations and interdiction of enemy vessels

[133] http://www.publichealth.va.gov/exposures/agentorange/locations/blue-water-veterans.asp [last accessed on October 3, 2017]

travelling along coastal waters. It also includes ships supplying and supporting these operations. Examples of such vessels include destroyers, cruisers, and cargo ships. The deep offshore waters are often referred to as “blue waters” and naval vessels operating on them are referred to as the Blue Water Navy. Ships in this category entered Vietnam’s inland waterways temporarily as part of their gunfire, interdiction, or support missions. All Veterans who served aboard these vessels at the time of entry into Vietnam’s inland waterways are eligible for the presumption of Agent Orange exposure.

III. Ships that docked to shore or pier in Vietnam

This category includes large ocean-going ships of the Blue Water Navy that entered an open water harbor and docked to a pier or otherwise docked to the shore of Vietnam. As a result of this docking, it is assumed that crewmembers had the opportunity to go ashore for a work detail or for liberty leave. Therefore, any Veteran aboard the ship at the time of docking will be eligible for the presumption of exposure if that Veteran provides a lay statement of personally going ashore.

IV. Ships operating on Vietnam’s close coastal waters for extended periods with evidence that crew members went ashore

This category includes large ocean-going ships of the Blue Water Navy that conducted a variety of missions along the close coastal waters of Vietnam for extended periods of time. Documentary evidence has been obtained for all ships in this category showing that some crewmembers actually went ashore. Examples of such vessels include hospital ships, harbor repair ships, mine sweepers, and seaplane tenders. Also included are combat ships, such as destroyers, when evidence shows that crewmembers went ashore. Because shore activity of some crewmembers has been documented, any Veteran aboard the ship at the time of documented shore activity will be eligible for the presumption of exposure if that Veteran provides a lay statement of personally going ashore.

V. Ships operating on Vietnam’s close coastal waters for extended periods with evidence that smaller craft from the ship regularly delivered supplies or troops ashore

This category includes large ocean-going ships of the Blue Water Navy that conducted supply missions to Vietnam or transported troops into and out of the country through use of smaller landing craft housed within the mother ship. Examples of such vessels include attack cargo ships, amphibious attack transports, and landing ship docks. The smaller landing vessels within these ships required a crew of from 3 to 14, depending on size, as they ferried supplies or troops to and from shore. Although official documents show that some crewmembers went ashore with the landing craft, they do not generally provide the names of these crewmembers. Additionally, many of these ships are listed for extended time frames because they routinely travelled back and forth between the US and Vietnam, and between Vietnam and other Asian Pacific ports, as they delivered supplies and troops to Vietnam. Therefore, military records should be checked to ensure that the Veteran was aboard when the ship was in Vietnamese waters (as shown by a PIES O34 request).

Any Veteran aboard the mother ship during the time frame of offshore Vietnam landing craft activity will be eligible for the presumption of exposure if that Veteran provides a lay statement of personally going ashore with the landing craft.

Locating Ships on the List

In addition to its name, all US Navy and Coast Guard vessels are assigned letters and numbers, usually painted on the forward hull of the ship, that identify the ship type and the numerical order in which it was built. Ships on this list are arranged by these letter-number designations. Vessels within each category are arranged alphabetically by the ship type letter designations and then numerically by hull numbers within that ship type. As an example, for the USS Ingersoll (DD-652), "DD" represents the "destroyer" ship type and the number shows that this is the 652nd destroyer built for sea service. A computer search for specific ship names or letter-number designations can be done with the "Find" function located in the drop down menu of the toolbar "Edit" function.

This list is evolving and is not complete. Therefore, the presumption of Agent Orange exposure should not be denied solely because the Veteran's ship is not on this list. All development described in the procedures manual should be followed in cases involving ship activity, including sending a request to the Army and Joint Services Records Research Center for review of deck logs. When regional office personnel obtain evidence showing that a ship fits into any of these categories, the evidence should be forwarded to the Compensation Service Agent Orange Mailbox so that the ship can be added to the list [VAVBAWAS/CO/211/AGENTORANGE].

SHIPS LIST

I. Ships operating primarily or exclusively on Vietnam's inland waterways

All vessels referred to in military records as part of the "Mobile Riverine Force"
All vessels with the designation AGP [Assault Group Patrol/Patrol Craft Tender]
All vessels with the designation LCM [Landing Craft, Mechanized]
All vessels with the designation LCU [Landing Craft, Utility]
All vessels with the designation LCVP [Landing Craft, Vehicle, Personnel]
All vessels with the designation LST [Landing Ship, Tank]
All vessels with the designation PBR [Patrol Boat, River]
All vessels with the designation PCF [Patrol Craft, Fast or Swift Boat]
All vessels with the designation STABS [Strike Assault Boats]
All vessels with the designation YFU [Harbor Utility Craft]

All U.S. Coast Guard Cutters with hull designation WPB [Patrol Boat], WHEC [High Endurance Cutter], WLB [Buoy Tender], and WAK [Cargo Vessel] during their Vietnam tours

All vessels of Inshore Fire Support [IFS] Division 93, including:	
USS Carronade (IFS 1) USS Clarion River (LSMR 409) [Landing Ship, Medium, Rocket]	USS Francis River (LSMR 525) USS White River (LSMR 536)

All vessels with hull designation PG [Patrol Gunboat], including:	
USS Asheville (PG-84) USS Gallop (PG-85) USS Antelope (PG-86) USS Ready (PG-87)	USS Crockett (PG-88) USS Marathon (PG-89) USS Canon (PG-90) USS Welch (PG-93)

Other vessels operating primarily or exclusively on Vietnam's Inland Waterways, including:	
USS Mark (AKL-12) [Light Cargo Ship] USS Brule (AKL-28) USS Cohoes (AN-78) [Net laying ship] USS Patapsco (AOG-1) [Gasoline Tanker] USS Elkhorn (AOG-7) USS Genesee (AOG-8) USS Kishwaukee (AOG-9) USS Tombigbee (AOG-11) USS Noxubee (AOG-56) USS Montrose (APA-212) [Attack Transport] USS Okanogan (APA-220) USS Bexar (APA-237) USS Benewah (APB-35) [Self-Propelled Barracks Ship] USS Colleton (APB-36) USS Mercer (APB-39) USS Nueces (APB-40) Barracks Barge (APL-26) [Sleeping Quarters] Barracks Barge (APL-30)	USS Tutuila (ARG-4) [Repair Ship] USS Satyr (ARL-23) [Repair Ship] USS Sphinx (ARL-24) USS Askari (ARL-30) USS Indra (ARL-37) USS Krishna (ARL-38) USS Belle Grove (LSD-2) [Landing Ship Dock] USS Comstock (LSD-19) USS Tortuga (LSD-26) Floating Base Platform (YRBM-16) [Repair, Berthing, and Messing Barge] Floating Base Platform (YRBM-17) Floating Base Platform (YRBM-18) Floating Base Platform (YRBM-20) Floating Base Platform (YRBM-21) USN Harbor Tug 84 (YTB-84) USN Harbor Tug 85 (YTB-85) USN Winnemucca (YTB-785)

II. Ships operating temporarily on Vietnam's inland waterways

USS Card (ACV-11) [Escort Aircraft Carrier] mined, sunk, and salvaged in Saigon River Harbor during May 1964
USS Core (ACV-13) travelled on Saigon River to delivered aircraft to Saigon during June 1965
USS Bennington (CVS-20) [Anti-Submarine Aircraft Carrier] entered Qui Nhon Bay Harbor to pick up Bob Hope for onboard Christmas show on December 26, 1966
USS Surfbird (ADG-383) [Degaussing Ship] conducted anti-mine degaussing operation for ships on Qui Nhon Bay during November 1967 and August 1969 (see other category)
USS Wrangell (AE-12) [Auxiliary Explosive, Ammunition Ship] entered Mekong River Delta to supply ammunition for US Coast Guard vessel on November 21, 1968
USS Firedrake (AE-14) operated on Ganh Rai Bay during April 1966
USS Pictor (AF-54) [Auxiliary Stores Ship] entered Cua Viet River while delivering supplies to Dong Ha during September 1967 (see other category)
USS Vega (AF-59) conducted resupply operations on Mekong River Delta September 13, 1966 (see other category)
USS Mars (AFS-1) [Combat Stores Ship] operated on Mekong River July 8, 1966
USS Niagara Falls (AFS-3) unloaded supplies on Saigon River and Cam Ranh Bay, April 22-25, 1968
USS Arikara (ATF-98) [Fleet Ocean Tug] assisted with salvage operations on Saigon River during August 1966 (see other category)

USS Estes (AGC-12) [Amphibious Force Flagship] entered Qui Nhon Bay during June 1965 and anchored in Mekong River during January 1967 (see other category)
USS Tanner (AGS-15) [Mapping Survey Ship] conducted surveys of Mekong River Delta and other coastal areas and rivers from October 1966 through 1968
USS Maury (AGS-16) conducted surveys of Mekong River Delta and other coastal areas and rivers from November 1965 through 1969
USS Sheldrake (AGS-19) conducted sounding surveys of Vietnam coastal and inland waterways October 1967 through March 1968
USS Serrano (AGS-24) conducted mapping surveys of Mekong River Delta and other coastal and river areas from 1966 through 1969
USS Towhee (AGS-28) conducted sounding surveys of Vietnam coastal and inland waterways October 1967 through March 1968
USS Rehoboth (AGS-50) conducted hydrographic survey of Mekong River Delta area during December 1965
USS Merrick (AKA-97) [Attack Cargo Ship] participated in Operation Jackstay amphibious landings while on Saigon River during March 1966 (see other category)
USS Seminole (AKA/LKA-104) [Attack/Amphibious Cargo Ship] docked in Saigon during July 1962; operated on Saigon River channel on March 4, 1967; and entered Cua Viet River on May 26, 1967 (see other category)
USS Union (AKA/LKA-106) anchored in Hue River while conducting operations during April 1965 (see other category)
USS St. Louis (AKA/LKA-116) operated on Ganh Rai Bay during March 9, 1971 (see other category)
USS Pollux (AKS-4) [General Stores Ship] delivered supplies while in Ganh Rai Bay on April 4. 1966, June 14, August 16, and October 31, 1967, and January 5, March 14, April 5, May 29, June 18, August 5, and October 10, 1968
USS Guadalupe (AO-32) [Oiler] operated on Ganh Rai Bay during April 1966
USS Kennebec (AO-36) provided fuel to vessels while in Ganh Rai Bay during August 1969
USS Ponchatoula (AO-148) operated on Mekong River Delta during July 1971(see other category)
USS George Clymer (APA-27) [Amphibious Attack Transport] navigated Saigon River to Saigon Port during January 1963 (see other category)
USS Calvert (APA-32) entered Qui Nhon Bay during October 1965 (see other category)
USS Cavalier (APA-37) entered Qui Nhon Bay on February 2, 1968 (see other category)
USS Magoffin (APA-199) entered Qui Nhon Bay to offload troops during October 23-24, 1965 (see other category)
USS Talladega (APA-208) operated on Saigon River during October 1967
USS Navarro (APA-215) transported Thai "Queen's Cobras" troops from Thailand to Saigon via Saigon River during September 1967 (see other category)
USS Okanogan (APA-220) navigated Saigon River to Saigon for delivery of Thai troops during August 1968 (see other category)
USS Pickaway (APA-222) operated on Rung Sat Special Zone from March 31 to April 5, 1966 (see other category)
USS Paul Revere (APA-248) assisted with salvage of the USS Card (ACV-11) in Saigon Harbor on Saigon River during May 1964 and transported Korean troops through Qui Nhon Bay during October-November 1965 (see other category)
USS Weiss (APD/LPR-135) [High Speed Transport/Small Amphibious Transport] conducted inland waterway troop-landing operations with Marine and SEAL units at various locations in the Mekong River Delta, Rung Sat Special Zone, and Saigon River and routinely surveyed river mouths and canal entrances for amphibious landings from November 1965 through February 1969
USS Markab (AR-23) [Repair Ship] conducted repair operations on Ganh Rai Bay during November 1967
USS Current (ARS-22) [Salvage Ship] conducted salvage operations on Saigon River during July 1964 and April 1967 and Qui Nhon Bay during May 1967 and August 1971
USS Grasp (ARS-24) conducted salvaging operations on Song Cua Dia River and other inland waters from February through April 1969
USS Safeguard (ARS-25) operated on Ganh Rai Bay and Mekong River Delta during December 8, 1965 (see other category)
USS Bolster (ARS-38) crew operated on land to extract USS Clark County (LST-601) from beach after grounding at Duc Pho from November 18 to December 1, 1967
USS Reclaimer (ARS-42) operated in Saigon Harbor to salvage USS Card (ACV-11) from sinking in Saigon River

during May 1964 and in Rung Sat Special Zone of Mekong River Delta salvaging ships during early 1966
USS Chanticleer (ASR-7) [Submarine Rescue/Salvage Ship] traveled up the Saigon River and docked at Saigon during February 1963
USS Tillamook (ATA-192) [Auxiliary Ocean Tug] operated on Qui Nhon Bay during April 1965 and on Long Tau branch of Saigon River during January 1966
USS Mahopac (ATA-196) moored in Saigon during October 6-9, 1965, and operated on Mekong River from October 30-November 3, 1966
USS Mataco (ATF-86) [Fleet Ocean Tug] provided tow on Saigon River and delivered vessels to inland river base at Nha Be during June-August 1968 (see other category)
USS Tawasa (ATF-92) moored in Saigon from June 30 - July 4, 1964
USS Moctobi (ATF-105) provided tow on Saigon River with deliveries to inland river base at Nha Be during September-October 1967
USS Quapaw (ATF-110) provided tow on Saigon River with deliveries to inland river base at Nha Be during June 1966
USS Tawakoni (ATF-114) operated in Saigon Harbor to salvage USS Card (ACV-11) from sinking in Saigon River during May 1964
USS Currituck (AV-7) [Sea Plane Tender] travelled up Saigon River to Saigon during early 1964 and operated in Mekong River Delta during June 1965 (see other category)
USS Newport News (CA-148) [Heavy Cruiser] operated on Song Huong Estuary during February 1968 and on Mekong River Delta in vicinity of Vinh Binh Province during December 1968
USS Canberra (CAG-2) [Guided Missile Cruiser] operated on Saigon River from March 31 through April 1, 1966, on Mekong Delta Ham Luong River during January 15, 1967, and on Cua Viet River (Song Thach Han) during December 10, 1968 (see other category)
USS Oklahoma City (CLG-5) [Light Guided Missile Cruiser] docked in Saigon during 21-24 July 1964
USS Providence (CLG-6) operated on Saigon River 3 days during January 1964 and on Cua Viet River during August 1972
USS Radford (DD-446) [Destroyer] operated on Ganh Rai Bay and Saigon River during December 1967
USS Nicholas (DD-449) [Destroyer] operated on Ganh Rai Bay during April 1965, Mekong River Delta during January 1967, and Ganh Rai Bay and Mekong River Delta during August 1968
USS O'Bannon (DD-450) operated on Saigon River during May 22-24, 1966
USS Taylor (DD-468) operated on Ganh Rai Bay during August 1967 and November-December 1968
USS Conway (DD-507) operated on Saigon River during early August 1966
USS Cony (DD-508) operated on Ganh Rai Bay during November 6-7, 1967
USS Walker (DD-517) operated on Saigon River during December 1968
USS Mullany (DD-528) entered Qui Nhon Bay during June 1965
USS Prichett (DD-561) operated on Mekong River Delta and Saigon River during August 1969
USS Stoddard (DD-566) operated on Saigon River during September 1965
USS Sproston (DD-577) operated on Mekong River Delta and Ganh Rai Bay during January 1966
USS Ingersoll (DD-652) operated on Saigon River October 24-25, 1965
USS Black (DD-666) operated on Saigon River during February 1965, Qui Nhon Bay during June 1965, and Saigon River during July 1966
USS Hopewell (DD-681) operated on Mekong River Delta during June 15-16, 1966
USS Picking (DD-685) operated on Saigon River during November 16, 1965
USS Uhlmann (DD-687) entered Qui Nhon Bay during June 1965
USS Ault (DD-689) operated on Mekong River Delta and Soirap River during May 26, 1967
USS Ingraham (DD-694) operated 10 miles up Saigon River on November 12, 1965
USS Charles S. Sperry (DD-697) operated on Saigon River during December 1965 (see other category)
USS Hugh Purvis (DD-709) operated on Qui Nhon Bay during January 1969
USS Wiltsie (DD-716) operated on Saigon River during July 1966 (see other category)
USS Hamner (DD-718) operated on Song Lon Tao and Long Song Tao Rivers, August 15-September 1, 1966; and on Song Gga in Rung Sat Special Zone November 14-15, 1967 (see other category)
USS Epperson (DD-719) operated on Qui Nhon Bay during November 1965 (see other category)
USS Walke (DD-723) operated on Mekong River Delta during September 2, 1969
USS De Haven (DD-727) operated on Saigon River during early March 1967

USS Mansfield (DD-728) operated on Saigon River August 8-19, 1966 and December 21-24, 1969
USS Lyman K. Swenson (DD-729) traveled up Saigon River for a four-day visit to Saigon during May 1964
USS Collett (DD-730) provided naval gunfire support while in the Mekong River on August 19, 1965
USS Frank Knox (DD-742) operated on Long Tau River during June 16-17, 1969
USS Southerland (DD-743) operated on Song Nga and Saigon River during July 1966
USS Taussig (DD-746) operated on Soirap River in Mekong River Delta during June 15-26, 1966
USS Samuel N. Moore (DD-747) operated on Saigon River, Rung Sat Special Zone, and Mekong River Delta during November 1965 and September-December 1968
USS Lofberg (DD-759) operated on Song Nha Be River during February 18-21 and April 14-15, 1969 and on Song Cua Dai River during April 10-12, 1969
USS Strong (DD-758) operated in Mekong River Delta and Rung Sat Special Zone during April 1968
USS John W. Thomason (DD-760) operated on Mekong River Delta for Operation Deck House III during August 1966 and on Nga Be River during 1969
USS Buck (DD-761) operated on Mekong River Delta and Saigon River during October 1966
USS Lloyd Thomas (DD-764) operated on Ganh Rai Bay and Saigon River area during December 28, 1970
USS Lowry (DD-770) operated on Mekong River Delta during October 1968 (see other category)
USS De Haven (DD-727) operated on Mekong River September 1, 1963
USS Douglas H. Fox (DD-779) operated on Ganh Rai Bay and Rung Sat Special Zone during March 16-20, 1969
USS Rowan (DD-782) operated on Song Tra Khuc River and Qui Nhon Bay from April through July 1965, December 1967, and June 1969
USS Gurke (DD-783) operated on Ganh Rai Bay, Saigon River, and Mekong River during October 1966 and May 1969
USS McKean (DD-784) operated on Mekong and Saigon River Deltas during March 14-15, 1967
USS Richard B. Anderson (DD-786) operated on Mekong River Delta during May-June, 1966 (see other category)
USS James E. Kyes (DD-787) provided naval gunfire support on Song Ca River during October 1967 and Ganh Rai Bay during June 1969
USS Shelton (DD-790) operated on Saigon River during January 16, 1966
USS Preston (DD-795) operated on Mekong River Delta, Ganh Rai Bay, and Saigon River during September 28 – 29 and December 27 – 29, 1965, on Mekong River Delta June 3, 1967, and Ganh Rai Bay on November 24, 1968
USS Chevalier (DD-805) operated on Saigon River during June 15-21, 1966, and Mekong River Delta during January 25, 1968
USS Higbee (DD-806) provided naval gunfire support from Ganh Rai Bay and Mekong River Delta during January-February and April 1966; March 1969; and September 1970 (see other category)
USS Benner (DD-807) operated on Ganh Rai Bay and Rung Sat Special Zone during June 26-July 1, 1968
USS Dennis J Buckley (DD-808) operated on Mekong River Delta, Saigon River, and Ganh Rai Bay during July 1965 and from December 19, 1966 to January 16, 1967; and on Mekong River Delta during June 1971 (see other category)
USS Holder (DD-819) operated on Vung Ganh Rai and Saigon River during August 5, 1966
USS Samuel B. Roberts (DD-823) operated on Mekong River Delta and Saigon River during December 1965
USS Basilone (DD-824) operated on Saigon River, May 24-25, 1966
USS Agerholm (DD-826) operated on Song Nga River and Ganh Rai Bay during March-April 1969
USS Myles C. Fox (DD-829) entered Qui Nhon Bay during February 1967
USS Hanson (DD-832) operated on Saigon River during July 2-3, 1965 and September 13, 1966 (see other category)
USS Herbert J Thomas (DD-833) operated in Mekong River Delta during December 1966
USS George K. Mackenzie (DD-836) operated on Ganh Rai Bay during February 1969
USS Noa (DD-841) operated on Qui Nhon Bay during April 1969
USS Fiske (DD-842) operated on Mekong River, June 16-21, 1966
USS Warrington (DD-843) operated on Mekong River Delta and Rung Sat Special Zone during March 1967
USS Ozbourn (DD-846) conducted fire support missions on Saigon River October-November 1965 and August-October 1966
USS Richard E. Kraus (DD-849) operated on inland river north of Da Nang during June 2-5, 1966, protecting Marines holding a bridge
USS Rupertus (DD-851) operated on Saigon River during April 1966 and May 1969

USS Leonard F. Mason (DD-852) operated on Ganh Rai Bay and channels during August 1969
USS Fred T. Berry (DD-858) operated in Mekong River Delta area on March 15, 1966
USS Norris (DD-859) conducted operations on inland Song Nga River during November-December 1966
USS Vogelgesang (DD-862) provided gunfire support while in Thu Bong River during October 18-29, 1966 (see other category)
USS Harold J. Ellison (DD-864) operated on Saigon River between late 1965 and mid 1966
USS Brownson (DD-868) operated on Song Nha Be River and Mekong River Delta during February 1967
USS Fechteler (DD-870) operated in Mekong River Delta on September 27, 1965 and Qui Nhon Bay November 25-26, 1968 (see other category)
USS Damato (DD-871) operated on Saigon River during December 12-13, 1967
USS Forrest Royal (DD-872) operated on Saigon River during June 1967
USS Duncan (DD-874) operated on Long Tau River and Rung Sat Special Zone during January 1969 and Qui Nhon Bay during March 1969 (see other category)
USS Henry W. Tucker (DD-875) operated on Qui Nhon Bay during 1965 and August 1968 and Mekong River Delta during March 1966 and May1969 (see other category)
USS Perkins (DD-877) operated on Ganh Rai Bay during October 1967 and on Saigon River during June 1969
USS Vescole (DD-878) operated on Saigon River during December 1965-February 1966
USS Leary (DD-879) operated on the Mekong River Delta on October 9, 1967
USS Dyess (DD-880) operated on Saigon River and Rung Sat Special Zone from June 19–July 1, 1966
USS Newman K. Perry (DD-883) operated on Mekong River Delta and Saigon River
November 23-28, 1966
USS Floyd B. Parks (DD-884) operated on Saigon River and Ganh Rai Bay during February and March 1968
USS Orleck (DD-886) operated on Mekong River Delta during July 1969
USS Brinkley Bass (DD-887) conducted fire support mission in Rung Sat Special Zone during February 9-11, 1970 (see other category)
USS Barry (DD-933) operated on Saigon River during December 1965
USS Du Pont (DD-941) operated on Mekong River Delta during October 1968
USS Mullinnix (DD-944) operated on Vung Ganh Rai and Saigon River during August 5-6, 1966
USS Morton (DD-948) operated on Vung Ganh Rai and Saigon River during April 1966 and February 1969 (see other category)
USS Richard S Edwards (DD-950) operated on Mekong River Delta in Province of Kien Hoa during February 28 and March 1, 1969
USS Turner Joy (DD-951) entered Cua Viet River channel on December 24, 1969
USS Henry B. Wilson (DDG-7) [Guided Missile Destroyer] operated on Mekong River Delta during May 1968 (see other category)
USS Lynde McCormick (DDG-8) operated on Cua Ham Loung River and Mekong River Delta during April 1966
USS Towers (DDG-9) operated on Saigon River and Rung Sat Special Zone during July 1966
USS Robison (DDG-12) provided naval gunfire support for Operation Jackstay in Rung Sat Special Zone and Saigon River during April 1966
USS Joseph Strauss (DDG-16) operated on Mekong River Delta March 4, 1966 and Ganh Rai Bay during November 7 and December 7, 1968
USS Goldsborough (DDG-20) operated on Cua Dai River December 13, 1968 (see other category)
USS Benjamin Stoddert (DDG-22) operated on the Song Lang Nuog River December 24, 1965 and the Cua Viet River April 25, 1972 (see other category)
USS Waddell (DDG-24) operated on Saigon River during March 1966 and Cua Viet River during March 1967
USS Duncan (DDR-874) [Radar Picket Destroyer] operated on Saigon River during September and October 1965
USS Falgout (DE-324) [Destroyer Escort] entered Qui Nhon Bay as part of operation with PCFs interdicting junk traffic during May 1966
USS Lowe (DE-325) anchored in Saigon Harbor during April 1966
USS Alvin C. Cockrell (DE-366) anchored in Saigon Harbor for four days during May 1962
USS McMorris (DE-1036) entered Qui Nhon Bay during July 1965
USS Davidson (DE-1045) operated on Vung Ganh Rai and Rung Sat Special Zone of Mekong River Delta from September 16 to October 5, 1967 (see other category)
USS Finch (DER-328) [Destroyer Escort Radar] entered Qui Nhon Bay on January 20, 1966 and December 1967

(when crewmembers painted a Vietnamese orphanage)
USS Kretchmer (DER-329) entered Qui Nhon Bay during September and November 1965, June and August 1966, and April 1967
USS Vance (DER-387) entered Qui Nhon Bay on January 20, 1966
USS Mahan (DLG-11) [Guided Missile Frigate] visited Saigon via Saigon River October 24-28, 1962
USS Vancouver (LPD-2) [Amphibious Transport Dock] entered Qui Nhon Bay during September 11-12, 1971 (see other category)
USS Iwo Jima (LPH-2) [Landing Platform, Helicopter] entered Qui Nhon Bay in July 1965 (see other category)
USS Princeton (LPH-5) operated on Ganh Rai Bay during April 1966 (see other category)
USS Carter Hall (LSD-3) [Landing Ship Dock] delivered supplies up Saigon River to Nha Be during March-May 1967 and June 1968 (see other category)
USS Gunston Hall (LSD-5) delivered equipment to Saigon via Saigon River during March 1968
USS Oak Hill (LSD-7) conducted salvage operations for damaged swift boat on Ganh Hao River during July 1967 (see other category)
USS Cabildo (LSD-16) delivered equipment to Nha Be via the Long Tau River during June 1968
USS Catamount (LSD-17) travelled up Saigon River to Saigon during November 1962 and operated on Nha Be and Long Tau Rivers during April 1969 (see other category)
USS Colonial (LSD-18) travelled on Saigon River to Nha Be on June 22 and September 25-30, 1969
USS Fort Marion (LSD-22) navigated Saigon River to dock in Saigon during February 1966 (see other category)
USS Whetstone (LSD-27) anchored as long term "boat haven" for repairs of smaller vessels on Qui Nhon Bay during June-July 1965 (see other category)
USS Thomaston (LSD-28) conducted dredge lift on Saigon River during November 1964
USS Point Defiance (LSD-31) entered Qui Nhon Bay to deliver troops during July 1965; operated on Saigon River during March 1967; and conducted several operations on Saigon River to Saigon Port during October and November 1968 (see other category)
USS Alamo (LSD-33) landed Marines while at Qui Nhon Bay during July 1965 and at Rung Sat Special Zone during March-April 1966 (see other category)
USS Anchorage (LSD-36) transported troops and supplies into Qui Nhon Bay during June 1970 and January 1972 (see other category)
USS Catskill (MCS/MSC-1) [Minesweeper-Coastal] entered Saigon River on March 18, 1970
USS Woodpecker (MSC-209) entered Qui Nhon Bay during May 1965
USS Gannet (MSC-290) operated on rivers of Mekong Delta at Vinh Long and Binh Thuy during May 1967
USS Whippoorwill (MSC-207) **[**Minesweeper-Ocean] entered Qui Nhon Bay repeatedly during July-August 1968 (see other category)
USS Conflict (MSO-426) [Minesweeper-Ocean] operated on Saigon River April 1, 1966 and Song Huong River (Perfume River) May 14, 1966 (see other category)
USS Enhance (MSO-437) entered Qui Nhon Bay repeatedly during October through November 1968 and January through February 1969
USS Esteem (MSO-438) crewmembers painted a Vietnamese orphanage while docked at Qui Nhon Bay during December 1967 and again during March 1969
USS Fortify (MSO-446) travelled up the Saigon River to Saigon September 19-22, 1964
USS Illusive (MSO-448) conducted training with Vietnamese Navy on Saigon River from January through March 1962
USS Inflict (MSO-456) travelled up the Saigon River to Saigon September 19-22, 1964
USS Loyalty (MSO-457) travelled up the Saigon River to Saigon September 19-22, 1964 (see other category)
USS Conquest (MSO-488) operated on Saigon River during 1962 and entered Qui Nhon Bay on January 29 and February 7-9, 1969
USS Pledge (MSO-492) entered Qui Nhon Bay on May 8, 15, and 21, 1971 (see other category)
USS W. A. Mann (T-AP-112) [Military Transport] entered Qui Nhon Bay August 23, 1965
USS Breckinridge (T-AP-176) entered Qui Nhon Bay September 16-17, 1965
USS Geiger (T-AP-197) entered Qui Nhon Bay November 23-26, 1965
USNS General Hugh J. Gaffey (T-AP-121) entered Qui Nhon Bay November 6-8, 1966

III. Ships that docked to shore or pier in Vietnam

USS Samuel Gompers (AD-37) [Destroyer Tender] multiple dockings to piers at Da Nang during April 1972
USS Graffias (AF-29) [Auxiliary Stores Ship] docked to pier at Da Nang for resupply on February 20 and November 25, 1967, and conducted other in-port docking replenishments at An Thoi and Vung Tau during 1967
USS Pictor (AF-54) docked to pier at Da Nang during 1969 (see other category)
USS Aludra (AF-55) conducted in-port docking replenishments at Cam Ranh Bay, Vung Tau, An Thoi, and Da Nang during March-April 1969
USS Regulus (AF-57) conducted numerous in-port docking replenishments at Cam Ranh Bay, Vung Tau, An Thoi, and Da Nang during March-November 1966, May-July 1967, February-December 1968, October-December 1969, June-September 1970, and April-July 1971
USS Vega (AF-59) docked to on-load supplies at An Thoi, Vung Tau, Cam Ranh Bay, and Da Nang during June 1969; and docked to delivered supplies to Da Nang, Cam Ranh Bay, Con Son, An Thoi, and Hon Choi during November-December 1970 (see other category)
USS Procyon (AF-61) docked to Pier #1 at Da Nang Harbor on August 18-19, 1967 and April 23, 1970, and to Pier #3 at Cam Ranh Bay on May 26, 1970
USS Castor (AKS-1) [General Stores Ship] docked to pier at Da Nang on October 7, 1966
USS Caliente (AO-53) [Fleet Oiler] docked for in-port replenishment at An Thoi and Vung Tau during June 1970
USS Grapple (ARS-7) [Salvage Ship] conducted numerous repair and salvaging operations while moored to beach or piers at Da Nang, Chu Lai, Cam Ranh Bay, and Tan My during January 1967; November 1970 through April 1971; and August 1972 through January 1973
USS Deliver (ARS-23) docked in Cam Ranh Bay to pick up DeLong floating pier July 26-28, 1973
USS Safeguard (ARS-25) docked at Pier-2 in Cam Ranh Bay on August 14, 1971 (see other category)
USS Mataco (ATF-86) [Fleet Ocean Tug] docked to piers at Da Nang during May and August 1968 (see other category)
USS Arikara (ATF-98) docked to piers at Da Nang from September to December 1969 (see other category)
USS Kula Gulf (CVE-108) [Small Aircraft Carrier: used as helicopter and troop transport] docked at Cam Ranh Bay November 13-16, 1965
USS Braine (DD-630) docked to pier at Da Nang on November 27, 1966
USS Charles S. Sperry (DD-697) docked at Da Nang during January 1966 (see other category)
USS Wiltsie (DD-716) docked in Da Nang during January 1973, with evidence of crew members going ashore (see other category)
USS Hamner (DD-718) docked to pier with destroyer tender at Da Nang during April 11-12, 1972
USS Epperson (DD-719) docked to Da Nang Pier on October 4, 1970 (see other category)
USS James C. Owens (DD-776) docked at Cam Ranh Bay on April 30, 1968
USS Richard B Anderson (DD-786) docked to pier at Da Nang on August 29, 1972 (see other category)
USS Dennis J Buckley (DD-808) docked to pier in Da Nang Harbor to deliver drone on December 15, 1969 (see other category)
USS Rich (DD-820) docked to pier at Da Nang on December 13, 1972
USS Ozbourn (DD-846) docked briefly to piers in Da Nang Harbor on February 21, April 1, and April 11, 1971
USS Leonard F. Mason (DD-852) docked to pier at Da Nang on February 12, 1973
USS Cone (DD-866) docked to pier in Da Nang Harbor on December 11, 1972
USS Henry W. Tucker (DD-875) docked to pier in Da Nang Harbor on September 12, 1971 (see other category)
USS Brinkley Bass (DD-887) sent crew ashore for work details and liberty leave while anchored at Da Nang, Cam Ranh Bay, and Vung Tau during April-May, 1970 (see other category)
USS Bigelow (DD-942) docked to pier at Da Nang for one hour on April 19, 1967
USS Morton (DD-948) docked to pier at Da Nang on February 7-10, 1973 (see other category)
USS Henry B. Wilson (DDG-7) [Guided Missile Destroyer] docked at Da Nang pier on April 2, 1967 and September 29, 1971 (see other category)
USS Buchanan (DDG-14) docked to pier with destroyer tender at Da Nang during April 11-12, 1972
USS Bronstein (DE-1037) [Destroyer Escort] docked to pier at Da Nang on December 11, 1972
USS Lang (DE-1060) docked to pier #4 in Da Nang Harbor for 38 minutes on January 5, 1972, and sent whaleboat to and from shore with "briefing personnel" on January 8, 1973
USS Newell (DER-322) [Destroyer Escort Radar] docked at port of Nha Trang during December 22-24, 1965

USS Durham (LKA-114) [Amphibious Cargo Ship] docked to piers at Da Nang during March 20-21, July 20-21, August 18-19, and September 7, 1970
USS Mobile (LKA-115) docked to pier at Da Nang on April 16, 1971 (see other category)
USS Ogden (LPD-5) [Amphibious Transport Dock] made numerous dockings at Da Nang to transport troops and supplies, with crew members going ashore, from February 1966 to March 1973
USS Duluth (LPD-6) made numerous dockings at Da Nang, as well as transporting troops and supplies to Chu Lai, Vung Tau, and Quang Tri, from May 1967 to August 1972
USS Dubuque (LPD-8) docked at Da Nang on March 15, 1970
USS Vancouver (LPD-9) docked to pier at Da Nang on June 19, 1971 (see other category)
USS Iwo Jima (LPH-2) [Landing Platform, Helicopter] docked to pier at Da Nang on October 6, 1969 and May 19-20, 1971 (see other category)
USS Okinawa (LPH-3) docked to pier at Cam Ranh Bay to offload aircraft during May 1971
USS Boxer (LPH-4) docked to pier at Cam Ranh Bay on September 9, 1965
USS New Orleans (LPH-11) docked to pier at Da Nang on March 12, 1970
USS Hermitage (LSD-34) [Landing Ship Dock] docked to Da Nang pier June 2-3, 1967 (see other category)
USS Warbler (MSC-206) [Minesweeper-Coastal] docked to pier at Cam Ranh Bay July 22-25, 1964 and June 18 and July 6, 1970
USS Widgeon (MSC-208) docked repeatedly to piers at Cam Ranh Bay during July 1964 and June-July 1969
USS Whippoorwill (MSC-207) docked to pier at Cam Ranh Bay during July 22-25, 1964; March 10, 1969; July 21 and 29, August 13, and September 1, 1970 (see other category)
USS Conflict (MSO-426) [Minesweeper-Ocean] docked to piers at Cam Ranh Bay on September 30, October 7, 27, 28, and 31, 1971 (see other category)
USS Endurance (MSO-435) docked to piers at Da Nang at various times during March-June, 1969
USS Excel (MSO-439) docked to pier at Cam Ranh Bay July 31, 1967
USS Firm (MSO-444) docked to pier at Da Nang November 26-30, 1969 and docked to piers at Cam Ranh Bay February-April, 1971
USS Force (MSO-445) while moored with other ships in Vung Tau Harbor, sent crew ashore for liberty leave March 3-7, 1967; and docked to pier at Cam Ranh Bay March 13-15, 1972 and Vung Tau April 25-May 3, 1972
USS Fortify (MSO-446) docked to pier at Cam Ranh Bay on September 30 and November 29, 1971
USS Guide (MSO-447) docked to pier at Cam Ranh Bay on September 30, 1971 (see other category)
USS Loyalty (MSO-457) docked to pier at Cam Ranh Bay on April 9 and 25, 1971 (see other category)
USS Lucid (MSO-458) docked to pier at Da Nang for off-loading and on-loading equipment during May 1967
USS Prime (MSO-466) docked to pier at Da Nang on February 16, 1967
USS Gallant (MSO-489) docked to pier at Da Nang during November 5-6, 1969
USS Leader (MSO-490) docked to pier at Cam Ranh Bay on November 30, 1968
USS Persistence (MSO-491) docked to piers at Da Nang and Cam Ranh Bay during October 1970
USS Pledge (MSO-492) docked to pier at Cam Ranh Bay intermittently during July 1967 and May-June 1971 (see other category)

IV. Ships operating on Vietnam's close coastal waters for extended periods with evidence that crew members went ashore

USS Isle Royale (AD-29) [Destroyer Tender-Repair Ship] salvaged the beached USS Mahnomen County (LST-912) at Chu Lai during January 1967 with crewmembers going ashore for stripping operations
USS Surfbird (ADG-383) [Degaussing Ship] sent crew members ashore during anti-mine degaussing operations at Cam Ranh Bay, Vung Tau, Da Nang, and Con Son Island during September-November 1967; March-July and December 1968; March and December 1969; and January-February 1970 (see other category)
USS Pyro (AE-24) [Auxiliary Explosive, Ammunition Ship] sent small boat ashore from Da Nang Harbor with injured crew member for medical treatment on September 29, 1972
USS Mount McKinley (AGC-7) [Amphibious Force Flagship] Command ship for 7th Fleet Amphibious Force operated out of Da Nang during 1969 with evidence that crew members went ashore (see other category)
USS Eldorado (AGC-11) sent crewmembers ashore for beach party at Cam Ranh Bay during July 1970

USS Estes (AGC-12) sent crewmembers ashore for beach picnic at Vung Tau during April 1968 (see other category)
USS Oxford (AGTR-1) [Technical Research Ship] conducted numerous month-long deployments along the Vietnam coast collecting data, with evidence that crewmembers went ashore, between 1965 and 1969
USS Jamestown (AGTR-3) conducted numerous month-long deployments along the Vietnam coast collecting data, with photographic evidence that crewmembers went ashore, between January 1966 and September 1969
USS Repose (AH-16) [Hospital Ship] operated continuously on close coastal waters from 1966-1970, with evidence that crewmembers went ashore on liberty leave
USS Sanctuary (AH-17) operated continuously on close coastal waters from 1967-1971, with evidence that crewmembers went ashore on liberty leave
USS Ponchatoula (AO-148) [Fleet Oiler] sent crew members ashore to visit the An Thoi Naval Base on April 27, 1969
USS Tolovana (AO-64) sent crew ashore for beach party at Phu Quoc during May 1971
USS Calvert (APA-32) [Amphibious Attack Transport] served as Da Nang Harbor station ship, with crewmembers going ashore, from November 1965 through January 1966 (see other category)
USS Cavalier (APA-37) served as Da Nang Harbor station ship, with crewmembers going ashore, from June-July 1966 (see other category)
USS Cook (APD-130) [High Speed Transport] conducted tactical beach surveys with crew members ashore along Vietnam coast during June and July 1966
USS Ajax (AR-6) [Repair Ship] anchored in Vung Tau area for repair duties with evidence of shore-based repairs during June 1968, September to October 1969, April to May 1970, and August to November 1971
USS Hector (AR-7) anchored in Vung Tau Harbor repairing other vessels from July 20 to August 16, 1970, with deck logs stating that crewmembers went ashore on liberty leave
USS Jason (AR-8) anchored in Vung Tau Harbor repairing other vessels with deck logs showing evidence of crewmembers going ashore June through August 1968, December 1969 through January 1970, and March through April 1971
USS Safeguard (ARS-25) [Salvage Ship] anchored in Da Nang Harbor repairing other vessels with evidence that workboats went ashore during July 1971 (see other category)
USS Delta (AR-9) anchored in Vung Tau Harbor repairing other vessels during July 1969 with deck logs showing that crewmembers went ashore on liberty leave
USS Klondike (AR-22) anchored in Vung Tau Harbor repairing other vessels during April 1969 with deck logs showing that crewmembers went ashore
USNS Corpus Christi Bay (T-ARVH-1) [Helicopter Repair Ship] anchored in Cam Ranh Bay from 1966 to 1969 with US Army crew of helicopter repair technicians who went ashore regularly and assisted a Vietnamese orphanage
USS Ute (ATF-76) [Fleet Ocean Tug] conducted numerous salvaging operations on beached vessels from April 1966 through April 1971 with crewmembers going ashore and all attended beach party at Cam Ranh Bay on April 12, 1969
USS Currituck (AV-7) [Sea Plane Tender] anchored at Cam Ranh Bay for month long periods during 1966 and 1967 to repair and tend to Navy sea planes, with evidence that crewmembers went ashore on liberty leave (see other category)
USS Pine Island (AV-12) anchored at Da Nang during August 1964, and Cam Ranh Bay for month long periods during 1965 and 1966, to repair and tend to Navy sea planes, with evidence that crewmembers went ashore on liberty leave
USS Salisbury Sound (AV-13) anchored at Da Nang during February 1965, Con Son Island during May 1965, and Cam Ranh Bay for month long periods during 1966, to repair and tend to Navy sea planes, with evidence that crewmembers went ashore
USS New Jersey (BB-62) sent 30 crew members ashore for Thanksgiving dinner while offshore near Hue on November 28, 1968
USS Saint Paul (CA-73) [Cruiser] while anchored in Da Nang Harbor, small boats sent ashore on May 9, 1969, and May 25, July 17, and September 17, 1970
USS Canberra (CAG-2) [Guided Missile Cruiser] sent small boats and helicopters ashore while anchored in Da Nang Harbor during April 1965 (see other category)
USS Chicago (CG-11) [Guided Missile Cruiser] while anchored in Da Nang Harbor on May 22, 1969, deck logs show a utility boat went ashore for one hour with 8 crewmembers aboard
USS Long Beach (CGN-9) [Guided Missile Cruiser, Nuclear] while anchored in Da Nang Harbor, deck logs show

that utility boats went ashore with passengers on May 5, 1968 and the Captains Gig went ashore on September 4, 1969
USS Porterfield (DD-682 [Destroyer] while operating in close coastal waters on March 19, 1966, two officers and a seaman went ashore in a junk and, on April 8, 1966, a small boat went ashore from Da Nang Harbor with Vietnamese officers
USS Wiltsie (DD-716) while operating in close coastal waters during September 1970, two officers and five sailors were sent ashore by helicopter for one night (see other category)
USS Epperson (DD-719) while anchored off Phan Thiet on November 16, 1969, crewmembers went ashore for liberty leave (see other category)
USS O'Brien (DD-725) sent motorized whaleboat ashore while anchored in Da Nang Harbor on December 16, 1969
USS Maddox (DD-731) sent motorized whaleboats ashore while anchored in Vung Tau Harbor on March 3, 1967
USS Blue (DD-744) anchored in Da Nang Harbor on April 21, 1968, with crewmembers going ashore for picnic
USS Lowry (DD-770) sent motorized whaleboat ashore at Phan Thiet on June 5, 1968 (see other category)
USS Stormes (DD-780) sent motorized whaleboat ashore to assist 2nd ARVN and 2nd US Advisory Group on September 17, 1966
USS Eversole (DD-789) sent motorized whaleboat ashore to Chu Lai from offshore anchorage to transfer two crewmembers on July 25, 1972
USS Shelton (DD-790) conducted small boat inland waterborne logistics craft (WBLC) surveillance of Cua Viet River on August 16, 1972
USS Higbee (DD-806) sent small boats ashore while anchored in Da Nang Harbor on September 9, 1965 and December 7, 1967 (see other category)
USS Corry (DD-817) sent small boats ashore while anchored in Da Nang Harbor January 11-12, 1969 and Nha Trang Harbor February 20, 1969
USS New (DD-818) sent whaleboat ashore from Da Nang Harbor for mission briefing on August 8, 1967
USS Carpenter (DD-825) sent medical team ashore at Song Tra Village on December 20, 1968
USS Everett F. Larson (DD-830) sent crew members ashore for beach party while anchored in Van Phong Bay on September 15, 1969
USS Hanson (DD-832) sent motorized whaleboats ashore from Da Nang Harbor on September 17, 1972, for medical evacuation and mail pickup (see other category)
USS Power (DD-839) sent Commanding Officer and others ashore in whaleboat for briefing while anchored in Da Nang Harbor on November 13, 1968
USS Bausell (DD-845) sent small boat ashore for briefing while in Da Nang Harbor on November 27, 1968
USS Richard E. Krause (DD-849) sent motorized whaleboats ashore while in Da Nang Harbor on December 29, 1972
USS Rupertus (DD-851) sent motorized whaleboats ashore while in Da Nang Harbor on January 4, 1973
USS McCaffery (DD-860) sent small boat ashore while in Da Nang Harbor December 12-14, 1972
USS Vogelgesang (DD-862) anchored in Da Nang Harbor and sent 30 crewmembers ashore on August 15, 1966 (see other category)
USS Steinaker (DD-863) anchored off Phan Thiet July 25- August 3, 1968 with crewmembers going ashore to visit Junk Base
USS Arnold J. Isbell (DD-869) sent small boat ashore while anchored in Da Nang Harbor on April 12, 1970
USS John R. Craig (DD-885) anchored off Nha Trang during summer 1968 with crewmembers going ashore for beach party
USS Fechteler (DD-870) sent crew ashore for beach party on September 25, 1965, and while conducting night patrols of Da Nang Harbor, crewmembers went ashore for daytime liberty leave during October 1965 (see other category)
USS Duncan (DD-874) sent small boat ashore for briefing while anchored in Da Nang Harbor on December 14, 1968 (see other category)
USS Henry W. Tucker (DD-875) sent whaleboat ashore at Da Nang for briefing on January 23, 1969 and medical team ashore while off Quang Ngai on 27 February, 1969 (see other category)
USS Rogers (DD-876) sent whaleboats ashore while anchored in Da Nang Harbor July 29-August 3, 1971
USS Hull (DD-945) sent small boats ashore while anchored off Nha Trang on February 17, 1968
USS Morton (DD-948) sent small boat ashore at Hue on November 13, 1972 (see other category)

USS Barney (DDG-6) [Guided Missile Destroyer] while serving as Flagship for Destroyer Division One Six Two, sent crew members ashore at Da Nang for gunfire mission planning during June-July 1967
USS Berkeley (DDG-15) sent small boats ashore at Da Nang and elsewhere for gunfire support missions during May-June 1970
USS Goldsborough (DDG-20) sent small boats ashore from Da Nang Harbor on December 20 and 24, 1972 (see other category)
USS Benjamin Stoddert (DDG-22) sent small boats ashore from Da Nang Harbor on September 17, 1969 and December 22, 1970 (see other category)
USS Ernest G. Small (DDR-838) [Radar Picket Destroyer] repeatedly sent small boats ashore with naval gunfire spotters in II Corps area during April-May 1966
USS McGinty (DE-365) [Destroyer Escort] sent crew members ashore at Da Nang for a party on WESTPAC cruise during spring 1962
USS Davidson (DE-1045) sent motorized whaleboat ashore while anchored off coast of Tan My on September 20, 1972 (see other category)
USS Gray (DE-1054) sent motorized whaleboat ashore from Da Nang Harbor for mail pickup on October 7, 1972
USS Ouellet (DE-1077) sent motorized whaleboat ashore from Da Nang Harbor on July 29, 1972
USS Koiner (DER-331) [Destroyer Escort, Radar] crew had liberty leave at Vung Tau and survey parties were sent ashore at various locations while on Operation Market Time radar patrol during 1967
USS Forester (DER-334) crew had liberty leave at Nha Trang on June 28 and July 10 1965, with whale boat ashore for medical assistance on August 20, 1965
USS Wilhoite (DER-397) sent crew members onto enemy vessel in De Sey Ky River during July 16, 1965 and sent landing party ashore from Vung Tau Harbor on September 28, 1968
USS Hissem (DER-400) moored to port side of USS Tuluita (ARG-4) for repairs in Vung Tau area from January 11-23, 1967, with evidence that crewmembers went ashore for liberty leave and sent motorized whaleboat ashore for briefing at An Thoi on February 3, 1967
USS Mahan (DLG-11) [Guided Missile Frigate] sent a "group of personnel" ashore at Da Nang for a short tour of Monkey Mountain on October 6, 1968 (see other category)
USS Dahlgren (DLG-12) sent motorized whaleboat and Captain's gig ashore while anchored in Da Nang Harbor on June 4, 1967
USS William V. Pratt (DLG-13) sent whaleboat ashore from Da Nang Harbor for mission briefing on August 8, 1967
USS Dewey (DLG-14) sent whaleboat ashore for briefing while in Da Nang Harbor on January 15, 1968
USS Worden (DLG-18) sent whaleboat ashore for briefing while in Da Nang Harbor on November 27, 1968
USS Richmond K. Turner (DLG-20) sent whaleboat ashore from Da Nang Harbor for mission briefing on December 4, 1966
USS England (DLG-22) sent whaleboat ashore from Da Nang Harbor for mission briefings on March 9, 1967 and July 30, 1968
USS Belknap (DLG-26) while in Da Nang Harbor on December 1, 1969, received crew members back to ship from temporary duty ashore
USS Jouett (DLG-29) sent whaleboat ashore from Da Nang Harbor for mission briefings on February 15, April 15, and June 1, 1968
USS Fox (DLG-33) sent small boat ashore from Da Nang Harbor with Captain for mission briefings on October 24, 1967
USS Biddle (DLG-34) sent whaleboat ashore from Da Nang Harbor for briefings on March 5 and June 2, 1968 and delivered North Vietnamese fisherman ashore at Da Nang on July 30, 1969
USS Truxtun (DLGN-35) sent small boats ashore from Da Nang Harbor on June 2, 1968 and October 25, 1969
USS Cleveland (LPD-7) [Amphibious Transport Dock] sent Naval Academy Midshipmen on training mission ashore at Da Nang on 9-10 July, 1970 (see other category)
USS Tripoli (LPH-10) [Landing Platform Helicopter] sent crew members ashore for beach party at Da Nang on July 29, 1967 (see other category)
USS Carter Hall (LSD-3) [Landing Ship Dock] served four-month duty as "boat repair ship" in Da Nang Harbor during 1965, with evidence of crew members going ashore (see other category)
USS Oak Hill (LSD-7) served as station and repair ship in Da Nang Harbor with evidence of crewmembers going ashore from January through March 1966 (see other category)
USS Whetstone (LSD-27) anchored as long term "boat haven" in Da Nang Harbor for repairs of smaller vessels,

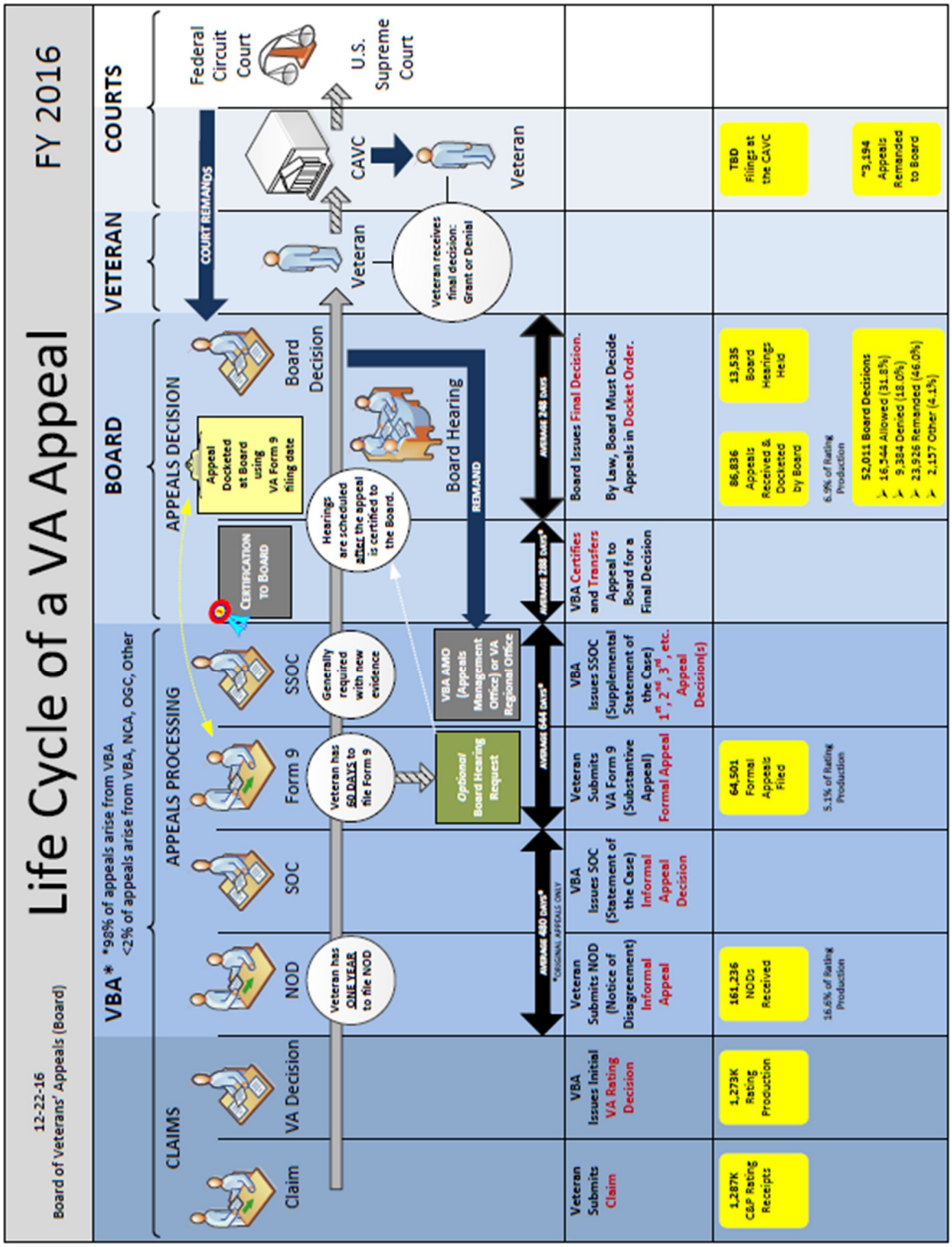
with evidence of crewmembers going ashore, during April-May 1965 (see other category)
USS Alamo (LSD-33) while anchored in Da Nang Harbor, sent crewmembers ashore for R&R beach parties during March-April 1969 (see other category)
USS Epping Forest (MCS-7) [Mine Countermeasure Support Ship] conducted "goodwill" tours at Cam Ranh Bay and Nha Trang with crewmembers going ashore and Vietnamese coming aboard during September-October 1964, and mine sweep of Cua Viet River using smaller vessels from main ship during May 1968
USS Guide (MSO-447) [Minesweeper-Ocean] sent motorized whaleboats ashore for briefings while in Da Nang Harbor during May 1970 (see other category)

V. Ships operating on Vietnam's close coastal waters for extended periods with evidence that smaller craft from the ship regularly delivered supplies or troops ashore

USS Zelima (AF-49) [Auxiliary Stores Ship] conducted numerous on shore supply replenishments at Da Nang, Cam Ranh Bay, Vung Tau, and An Thoi from July-October 1965, January-August 1966, October-December 1968, and May-June 1969
USS Mars (AFS-1) [Combat Stores Ship] conducted numerous on shore supply replenishments at Da Nang, Cam Ranh Bay, Vung Tau, and An Thoi from May 1965 to November 1972 with evidence of crewmembers going ashore
USS Niagara Falls (AFS-3) conducted on shore supply replenishments with helicopters and small boats at Da Nang, Cam Ranh Bay, Vung Tau, and An Thoi from April 1968 to March 1973
USS White Plains (AFS-4) conducted on shore supply replenishments with helicopters and small boats at Da Nang, Cam Ranh Bay, Vung Tau, and An Thoi from January 1969 to March 1973
USS San Jose (AFS-7) conducted on shore supply replenishments with helicopters and small boats at Da Nang, Cam Ranh Bay, and Vung Tau from October 1971 to February 1972 and September 1972 to March 1973
USS Mount McKinley (AGC-7) [Amphibious Force Flagship] conducted troop and supply beach landings at Da Nang and elsewhere during March-May 1965, June-July 1966, and July-November 1967 (see other category)
USS Estes (AGC-12) conducted troop and supply beach landings at Chu Lai and Da Nang during March-October 1965 (see other category)
USS Winston (AKA-94) [Attack Cargo Ship] conducted troop and supply beach landings during July 1965; April-August 1966; September-October 1967; and November 1968-May 1969
USS Mathews (AKA-96) on-loaded supplies at Da Nang and delivered them up the Cua Viet River to Dong Ha with "mike boats" from August through December 1967
USS Merrick (AKA-97) conducted troop and cargo beach landing with small boats at Hue, Chu Lai, and Da Nang from July 1965 through November 1968 (see other category)
USS Seminole (AKA/LKA-104) [Attack/Amphibious Cargo Ship] conducted troop landings with small boats at Da Nang, Hoi An, and Quang Tri from March through August 1967, September 1968 through February 1969, and during January 1970 (see other category)
USS Skagit (AKA/LKA-105) conducted troop and cargo beach "mike boat" landings at Da Nang, Chu Lai, and Quang Ngai from November 1965 to November 1967
USS Union (AKA/LKA-106) conducted numerous troop and cargo "mike boat" beach landings at Da Nang, Cam Ranh Bay, and Chu Lai from March 1965 to November 1969 (see other category)
USS Washburn (AKA/LKA-108) conducted numerous small boat beach landings at Da Nang, Thon My Thuy, Hue on Perfume River, and Dong Ha on Cua Viet River from 1965 to 1969
USS Tulare (AKA/LKA-112) conducted troop and cargo "mike boat" beach landings at Da Nang, Chu Lai, Cam Ranh Bay, and Vung Tau from 1966 to 1972
USS St. Louis (AKA/LKA-116) conducted troop and cargo landings with small boats at Da Nang, Vung Tau, and Quang Nam Province during August-October 1970; January-March 1971; and April-November 1972 (see other category)
USS General R M Blatchford (AP-153) [Transport Ship] landed elements of 1st Infantry Division at Vung Tau by small boats during October 1965
USS George Clymer (APA-27) [Amphibious Attack Transport] conducted troop and supply "mike boat" beach landings during July 1965, and March-July 1966, at Da Nang and Chu Lai (see other category)

USS Bayfield (APA-33) conducted troop on loading and "mike boat" landings at Da Nang, Chu Lai, Baie de My Han, and Cua Viet River from July through October 1965 and February through May 1967
USS Cavalier (APA-37) conducted troop landings with mike boats at Chu Lai and Da Nang during March- August 1966 and January-May 1968 (see other category)
USS Henrico (APA-45) conducted numerous troop landings at Da Nang, Chu Lai, and Hue from March through May 1965 and from August 1966 through March 1967
USS Lenawee (APA-195) conducted troop and supply landings at Da Nang and Chu Lai from April 1965 to December 1966
USS Magoffin (APA-199) conducted troop and supply landings at Da Nang and other Vietnam locations from October 1965 through February 1966 and May through November, 1967 (see other category)
USS Navarro (APA-215) conducted troop on and off loading operations from May 1965 to February 1968 at Da Nang, Chu Lai, and Quang Ngai Province (see other category)
USS Okanogan (APA-220) conducted troop and supply landings at various locations during January-July 1962, September 1963-April 1964, July-October 1965, July 1966, November 1966- March 1967, and June-November 1968 (see other category)
USS Pickaway (APA-222) conducted troop and supply landings at various locations during January 1963, July 1965, March-June 1966, and June-October 1967 (see other category)
USS Renville (APA-227) conducted troop landings at Da Nang during August-September 1964, May-August 1965, and March-October 1966
USS Paul Revere (APA-248) conducted small boat troop landings at Quang Ngai Province, Da Nang, and elsewhere from August 1965-April 1966, June- November 1967, March-August 1969, September 1970-March 1971, and August 1972-February 1973 (see other category)
USS Mobile (LKA-115) [Amphibious Cargo Ship] transported troops and cargo to/from Da Nang and elsewhere July-September 1970, during April 1971, October-November 1971, and January-July 1972 (see other category)
USS Vancouver (LPD-2) [Amphibious Transport Dock] while anchored offshore, conducted numerous amphibious troop beach landings with smaller "mike boats" in the areas of Da Nang, Cam Ranh Bay, Cua Viet River, and Mekong River Delta from February 1965 to September 1971 (see other category)
USS Cleveland (LPD-7) while anchored offshore, sent "mike boats" up Cua Viet River and Hue River from November 1967 through 1968 and up Saigon River during September 1969 (see other category)
USS Dubuque (LPD-8) transported troops, equipment, and supplies ashore with smaller_vessels and docked at Da Nang and elsewhere from June-November 1968, October-December 1969, January-March 1970, and April-July 1971
USS Denver (LPD-9) transported troops, equipment, and supplies ashore with smaller_vessels and docked at Da Nang and elsewhere from February-September 1970; March-June and November 1971; and January-August 1972
USS Juneau (LPD-10) picked up troops and equipment with smaller vessels and transported them out of Vietnam from August 1970 to March 1971 and June to November 1972
USS Iwo Jima (LPH-2) [Landing Platform, Helicopter] operated as troop transport with helicopters and smaller vessels transporting troops on and off shore for amphibious assaults from May 1965 to August 1972 (see other category)
USS Okinawa (LPH-3) operated as troop transport with helicopters and smaller vessels transporting troops on and off shore for amphibious assaults, with evidence that crew members went ashore to assist civilians, from April-November 1967, December 1968-May 1969, June- November 1970, and April-November 1972
USS Princeton (LPH-5) operated as troop transport with helicopters and smaller vessels transporting troops on and off shore during April 1962 and from October 1964 to December 1968 (see other category)
USS Valley Forge (LPH-8) operated as troop transport with helicopters and smaller vessels transporting troops on and off shore from September 1964 to September 1969
USS Tripoli (LPH-10) operated as troop transport with helicopters and smaller vessels transporting troops on and off shore intermittently from May 1967 to December 1973 (see other category)
USS Carter Hall (LSD-3) [Landing Ship Dock] while anchored offshore, conducted troop-landing operations with "mike boats" at Da Nang, Dong Ha, and other locations from July 1965 through November 1968 (see other category)
USS Gunston Hall (LSD-5) conducted numerous troop, supply, and equipment landings at Da Nang, Chu Lai, etc. during 1966 and from March 1968 to February 1970
USS Oak Hill (LSD-7) conducted numerous troop and supply landings with evidence of crew members going ashore at Da Nang, Chu Lai, Vung Tau, and Hue, from October 1965-April 1966, March-August 1967, and

September 1968-February 1969 (see other category)
USS Cabildo (LSD-16) conducted numerous troop, supply, and equipment landings at Da Nang, Cam Ranh Bay, and Vung Tau from July 1965 to November 1968
USS Catamount (LSD-17) conducted numerous troop, supply, and equipment landings at Da Nang, Vung Tau, and Cua Viet River area on piers and with small boats from December 1965 to May 1969 (see other category)
USS Fort Marion (LSD-22) conducted numerous supply landings at Da Nang, Cam Ranh Bay, and Mekong Delta area, with crew members going ashore, from October 1965-June 1966, September-December 1967, and December 1968-May 1969 (see other category)
USS Whetstone (LSD-27) conducted numerous troop and supply landings with smaller mike boats at Da Nang, Hue, Phu Bai, and Dong Ha from March 1965 to September 1969 (see other category)
USS Thomaston (LSD-28) conducted numerous troop and supply landings with small boats at Da Nang, Cam Ranh Bay, Song Co Chien River area, and Cua Viet River area from 1965 to 1972 [Note: no AO exposure for 1975 operations]
USS Point Defiance (LSD-31) conducted numerous troop and supply landings with small boats at Da Nang, Van Tuong, and Kien Hoa from May 1965 through October 1972 (see other category)
USS Alamo (LSD-33) conducted numerous troop, supply, and equipment landings with smaller boats at Da Nang, Vung Tau, Song Bo De, An Thoi, and Tan My between August 1964 and October 1972 (see other category)
USS Hermitage (LSD-34) conducted troop landings in Da Nang area from June through October 1967 (see other category)
USS Monticello (LSD-35) conducted numerous troop and supply landings at Chu Lai and elsewhere from October 1965-March 1966, February-September 1967, March1968-February 1969, February-September 1970, March 1971, November 1971, October-December 1972, and January 1973
USS Anchorage (LSD-36) transported troops and supplies to and from shore with smaller craft at Da Nang, Cam Ranh Bay, Vung Tau, and An Thoi from February 1970 through July 1972 (see other category)
USNS General W. H. Gordon (T-AP-117) [Military Sea Transportation Service (MSTS) Transport Ship] transported troops and cargo to Vung Tau and elsewhere in Vietnam, with crew members going ashore, during 1965 and from December 1967 to March 1968
USNS Barrett (T-AP-196) carried US Army 2nd Transportation Company to Qui Nhon during August 1965 and transported additional troops to Vietnam from April to December 1968 and January to May 1969
USNS Geiger (T-AP-197) transported troops to Qui Nhon and Vung Tau from September to December 1965 and additional troops to Vietnam January to February 1967 and July 1969

Appendix G: "Life Cycle of a VA Appeal"

Source: https://www.bva.va.gov/docs/Life-Cycle-of-a-VA-Appeal-FY2016.pdf