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Extension of the Agent Orange *Ex Gratia* Payment

Backgrounder

The Government of Canada is extending the Agent Orange *ex gratia* payment. With this extension, individuals will have until June 30, 2011, to obtain a relevant medical diagnosis and to submit an application. An applicant will no longer have to prove that a medical diagnosis was in progress before February 6, 2006. In addition, the requirement for an eligible individual to be alive on February 6, 2006, has been removed, allowing more primary caregivers to apply on behalf of a loved one who died before the *ex gratia* payment came into place.

These changes are in keeping with the Government's 2007 decision to provide an *ex gratia* payment as a compassionate response to Canadians due to the longstanding uncertainties related to the testing of Agent Orange at CFB Gagetown more than four decades ago.

Veterans Affairs Canada's authority to issue payments expired on October 1, 2010. To date, a total of 3,137 applicants have received the tax-free, *ex gratia* payment, for a total payout of \$62.7 million. An additional sum of 7.7 million dollars was used to communicate information about this program to the general population, to hire personnel to deal with the applications and to open an office in Oromocto, New-Brunswick.

The new measures could result in approximately 1,140 new recipients at a payout of up to \$24 million.

Veterans Affairs Canada will be contacting all of the individuals who had previously applied for the *ex gratia* payment but were declined, to discuss their possible eligibility under these new measures.

This one-time, tax-free *ex gratia* payment of \$20,000 is related to the testing of unregistered U.S. military herbicides, including Agent Orange, at CFB Gagetown in New Brunswick during the summers of 1966 and 1967. While the best research available has confirmed there were no harmful long-term effects from the testing of Agent Orange, the Government of Canada acted with compassion by offering an *ex gratia* payment to recognize the uncertainty many individuals have lived with over the years due to the testing of Agent Orange.

Eligibility

To qualify for the ex gratia payment, individuals must meet the following conditions:

(a) Between June 1, 1966, and June 30, 2011, the individual must be diagnosed with any one or more of the following medical conditions listed in the Institute of Medicine's Update 2004:

- Chronic lymphocytic leukemia (CLL)
- Soft tissue sarcoma
- Non-Hodgkin's lymphoma
- Hodgkin's disease
- Chloracne
- Respiratory cancer (of the lung/bronchus, larynx or trachea)
- Prostate cancer
- Multiple myeloma
- Acute and subacute transient peripheral neuropathy
- Porphyria cutanea tarda
- Type 2 diabetes (mellitus)
- Spina bifida (as described in (b)).

(b) At any time from June to September of either 1966 or 1967 the individual or, in the case of an individual diagnosed with spina bifida, a biological parent of the individual must have:

- worked or lived at CFB Gagetown;
- been posted to or trained at CFB Gagetown; **or**
- resided in a community of which any portion laid within five kilometres of the perimeter of CFB Gagetown.

Individuals may apply on their own behalf, or as the primary caregiver of a loved one who died before the ex gratia payment came into place. If you are applying both on your own behalf and as a primary caregiver, you must submit two separate application forms.

For more information or to apply, visit the Veterans Affairs Canada [Web site](#) or call 1-866-522-2122.

Date Modified: 2010-22-12