

IN THE APPEAL OF

INTRODUCTION

The Veteran served on active duty from July 1962 to August 1966, including service in the waters offshore of the Republic of Vietnam.

This appeal comes before the Board of Veterans' Appeals (Board) from an October 2002 rating decision of the Department of Veterans Affairs (VA) Regional Office (RO) in St. Petersburg, Florida. The appeal was remanded for additional development in March 2009.

FINDINGS OF FACT

1. The Veteran served in the Republic of Vietnam, specifically in an inland waterway, during Vietnam era active service.
2. The Veteran has a current diagnosis of diabetes mellitus.
3. The Veteran's diabetes mellitus is presumed to be etiologically related to his service in Vietnam.

CONCLUSIONS OF LAW

1. The conditions of the Veteran's service meet the requirements for service or visitation in the Republic of Vietnam during the Vietnam era. 38 C.F.R. §§ 3.307(a)(6)(iii), 3.313(a) (2009).
2. The Veteran's diabetes mellitus is presumed to have been incurred as a result of the Veteran's exposure to Herbicide during service. 38 U.S.C.A. §§ 1110, 1116 (West 2002); 38 C.F.R. §§ 3.303, 3.307, 3.309 (2009).