



**DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefit Administration
Regional Office**

Frank [REDACTED]

VA File Number
[REDACTED]

**Represented By:
GORDON A GRAHAM
Rating Decision
02/19/2026**

INTRODUCTION

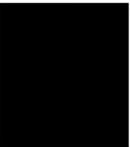
The records reflect that FRANK [REDACTED] was a Veteran of the Korean Conflict Era and Peacetime. The Veteran served in the Marine Corps from July 7, 1953 to July 6, 1956. The Board of Veterans Appeals made their decision on your appeal on February 18, 2026. We have implemented their decision based on the evidence listed below.

DECISION

1. Service connection for the cause of death is granted.
2. Basic eligibility to Dependents' Educational Assistance is established.

EVIDENCE

- VA Form 21-526 EZ: Application for Disability Compensation and Related Compensation Benefits received July 21, 2015
- VA Form 21-4138, Statement in Support of Claim, received July 21, 2015



- Private treatment records from Vanderbilt Medical Center from July 2, 2015 through July 27, 2015 received July 31, 2015
 - VA letters to veteran dated July 27, 2015 and October 6, 2015
 - Private treatment records from Hospice Compassus from September 14, 2015 through September 18, 2015, received October 12, 2015
 - Private treatment records from So TN Pulmonary Medicine, Tri-Star Medical Group, Dr. Kathleen Gray, Southern Tennessee Regional Health System, Southern Tennessee Medical Center, and Vanderbilt University Medical Center from March 27, 2012 through September 18, 2015 received 10-12-15
 - Article on Camp Lejeune received October 12, 2015
 - VA Form 21-534EZ, Application for DIC, Death Pension, and/or Accrued Benefits received November 16, 2015
 - Veteran's death certificate received November 16, 2015
 - VA letter concerning your claim dated March 10, 2016
 - VA Form 21-4138, Statement in Support of Claim received March 24, 2016
 - Marriage certificate received March 24, 2016 and January 3, 2017
 - Subject Matter Expert Medical Opinion, Nashville VA Medical Center dated September 20, 2017
 - Electronic review of Nashville VA Medical Center treatment records from March 12, 2013 through September 20, 2017
 - VA Form 21-4138, Statement in Support of Claim received May 8, 2018
 - DD Form 214 for the period 07-07-51 to 07-06-56 received 07-21-15
 - VA Form 21-4142/4142a, Authorization for Release of Information to the Department of Veterans Affairs (VA) received 07-21-15
 - PIES request dated 10-05-15
 - Service personnel records for the period 07-07-51 to 07-06-56 received 10-09-15 and 05-08-18
 - Service treatment records for the period 07-07-51 to 07-06-56 received 10-12-15 and 10-19-15
 - VA Form 21-0845, Authorization to Disclose Personal Information to a Third Party received 10-14-15
 - VA Form 21-0847, Request for Substitution of Claimant Upon Death of Claimant received 11-16-15
 - Funeral bills/ expenses received 11-16-15
 - Copy of Union Security Ins. Company Life Insurance received 11-27-15
 - Congressional privacy release form received 08-15-16
 - VA Form 21-22, Appointment of Veterans Service Organization as Claimant's Representative (American Legion) received 04-26-17
 - VA Form 20-572, Request for Change of Address received 01-24-19 and 03-25-19
 - Your notice of disagreement received 01-25-19 with election of the post decision review appeal process and request for contact
 - DRO review appeal process explanation dated 03-04-19
 - Letter to you dated 03-05-20
 - VA Form 21-4138, Statement in Support of Claim received 03-24-20
 - VA Form 27-0820, Report of General Information dated 04-06-20 in which two unsuccessful telephone calls were made to you to discuss your appeal
 - Statement of the Case, received April 6, 2020
 - VA Form 10182, Decision Review Request: Board Appeal (Notice of Disagreement),
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- received May 7, 2020
- Board of Veterans' Appeals Decision, received February 18, 2026

REASONS FOR DECISION

1. Service connection for the cause of death.

The death of a Veteran will be considered as having been due to a service-connected disability when the evidence establishes that such disability was either the primary or contributory cause of death.

Prior to the Veteran's death, service connection had not been established for any disability. The death certificate recorded the Veteran's cause of death as lung cancer with metastasis to bone.

VA has acknowledged a relationship between exposure to contaminants in the water supply at Camp Lejeune during the period beginning on August 1, 1953, and ending on December 31, 1987, and the subsequent development of the following conditions: kidney cancer, liver cancer, non-Hodgkin's lymphoma, adult leukemia, multiple myeloma, Parkinson's disease, aplastic anemia and other myelodysplastic syndromes, and bladder cancer. The presumption established in 38 CFR 3.307(a)(7) became effective on March 14, 2017.

This Rating Decision is the implementation of a grant of benefits adjudicated by the Board of Veteran's Appeals (BVA). You should have received a copy of your BVA Decision, dated February 18, 2026. For further information and questions concerning the rationale and details of the BVA Decision, please refer to the document you received from BVA. This decision represents a Board of Veterans' Appeals' grant that is considered to be a full and final determination of this issue on appeal, unless appealed to the U.S. Court of Appeals for Veterans' Claims (CAVC) within the requisite appellate period. (38 CFR 3.303, 38 CFR 3.304, 38 CFR 3.385)

It is the defined and consistently applied policy of the Department of Veterans Affairs to administer the law under a broad interpretation, consistent, however, with the facts shown in every case. When, after careful consideration of all procurable and assembled data, a reasonable doubt arises regarding service origin, the degree of disability, or any other point, such doubt is to be resolved in favor of the claimant.

Based on the evidence and resolving any doubt in your favor, service connection for the cause of the Veteran's death is granted on a primary basis as the evidence shows that it was directly related to military service. (38 CFR 3.312, 38 CFR 3.102, 38 CFR 3.303, 38 CFR 4.3, 38 CFR 4.6)

2. Eligibility to Dependents' Educational Assistance under 38 U.S.C. Chapter 35.

Eligibility for Dependents' Educational Assistance (DEA) is derived from a Veteran who was



discharged under other than dishonorable conditions; and has permanent and total service-connected disability(ies); or permanent and total disability(ies) existed at the time of death; or the Veteran died as a result of service-connected disability(ies). Also, eligibility exists for a service member who died in service. Finally, eligibility can be derived from a service member who, as a member of the armed forces on active duty, has been listed for more than 90 days as missing in action; captured in line of duty by a hostile force; or forcibly detained or interned in line of duty by a foreign government or power. Electing to receive DEA benefits while receiving additional compensation, pension or Dependency and Indemnity Compensation (DIC) payments based on the student's school attendance is considered a duplication of benefits and is prohibited. (38 USC Chapter 35, 38 CFR 3.807, 38 CFR 21.3021, 38 CFR 21.3023)

Basic eligibility for Dependents' Educational Assistance is granted as the evidence shows the Veteran died as a result of a service-connected disability(ies). (38 USC Chapter 35, 38 CFR 3.807)

REFERENCES:

Title 38 of the Code of Federal Regulations, Pensions, Bonuses and Veterans' Relief contains the regulations of the Department of Veterans Affairs which govern entitlement to all Veteran benefits. For additional information regarding applicable laws and regulations, please consult your local library, or visit us at our website, www.va.gov.

