

SJR11

By Senators Dixon, Barron, Beason, Bedford, Benefield, Bishop, Brooks, Butler, Coleman, Denton, Dunn, Erwin, Figures, French, Glover, Holley, Keahey, Little (T), Little (Z), Marsh, Means, Mitchell, Mitchem, Orr, Penn, Pittman, Poole, Preuitt, Ross, Sanders, Sanford, Singleton, Smith, Smitherman and Waggoner

RFD

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URGING THE U.S. CONGRESS TO EXTEND THE PRESUMPTION OF A SERVICE CONNECTION FOR AGENT ORANGE EXPOSURE TO NAVY AND AIR FORCE VETERANS WHO SERVED IN THE REPUBLIC OF VIETNAM OR ITS CONTIGUOUS WATERS, AIRSPACE, OR CONTIGUOUS COUNTRIES.

WHEREAS, during the Vietnam War, the United States military sprayed more than 19 million gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; these herbicides contained dioxin, which has since been identified as carcinogenic and has been linked with a number of serious and disabling illnesses now affecting thousands of veterans; and

WHEREAS, the U.S. Congress passed the Agent Orange Act of 1991 to address the plight of veterans exposed to herbicides while serving in the Republic of Vietnam; the Act amended Title 38 of the United States Code to presumptively recognize as service-connected certain diseases among military personnel who served in Vietnam between 1962 and 1975; this presumption has provided access to appropriate disability compensation and medical care for veterans diagnosed with such illnesses as Type II diabetes, Hodgkin's disease, Parkinson's disease, ischemic heart disease, B-cell leukemia, non-Hodgkin's lymphoma, chronic lymphocytic leukemia, multiple myeloma, prostate cancer, respiratory cancers, and soft-tissue sarcomas; and

WHEREAS, pursuant to a 2001 directive, United States Department of Veterans Affairs policy has denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who could not furnish written documentation that they had "boots on the ground" in-country service, making it virtually impossible for countless Navy and Air Force veterans to pursue their claims for benefits; many who had landed on Vietnam soil could not produce proof due to incomplete or missing military records; moreover, personnel who had served on ships in the "Blue Water Navy" in Vietnamese territorial waters were, in fact, exposed to dangerous airborne toxins, which not only drifted offshore but also washed into streams and rivers draining into the South China Sea; and

WHEREAS, warships positioned off the Vietnamese shore routinely distilled seawater to obtain potable water; a 2002 Australian study found that the distillation process, rather than removing toxins, in fact concentrated dioxin in water used for drinking, cooking and washing; this study was conducted by the Australian Department of Veteran Affairs after it found that Vietnam veterans of the Royal Australian Navy had a higher rate of mortality from Agent Orange-associated diseases than did Vietnam veterans from other branches of the military; when the U.S. Centers for Disease Control and Prevention studied specific cancers among Vietnam veterans, it found a higher risk of cancer among Navy veterans; and

WHEREAS, Agent Orange did not discriminate between soldiers on the ground and sailors on ships offshore, and legislation to recognize this tragic fact and extend eligibility for compensation and medical care to Navy and Air Force veterans who sacrificed their health for their country is critical; and

WHEREAS, when the Agent Orange Act passed in 1991 with no dissenting votes, Congressional leaders stressed the importance of responding to the health concerns of Vietnam veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure; Congress should reaffirm the nation's commitment to the well-being of all of its veterans and direct the United States Department of Veterans Affairs to administer the Agent Orange Act under the presumption that herbicide exposure in the Republic of Vietnam includes the country's inland waterways, offshore waters, and airspace and countries with bases that provided direct support to daily air and ground operations in Vietnam; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully urge the U.S. Congress to extend the presumption of a service connection for Agent Orange exposure to Navy and Air Force veterans who served on the inland waterways, territorial waters, and in the airspace of the Republic of Vietnam, and countries with bases that supported the daily air and ground operations in Vietnam and direct that a copy of this resolution be sent to each member of the Alabama Congressional Delegation that they may know of our deep concerns in this matter.