

## Enrolled

# House Joint Memorial 9

Sponsored by Representative PARRISH; Senator MONNES ANDERSON

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-eighth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas during the Vietnam War, the United States military sprayed nearly 20 million gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; and

Whereas these herbicides contained dioxin, which has since been identified as carcinogenic and has been linked to a number of serious and debilitating illnesses affecting thousands of Vietnam War veterans; and

Whereas Congress passed the Agent Orange Act of 1991 (P.L. 102-4) to address the plight of veterans exposed to herbicides while serving in Vietnam; and

Whereas the Agent Orange Act amends Title 38 of the United States Code to presumptively recognize the service connection for certain diseases among military personnel who served in Vietnam between 1962 and 1975; and

Whereas this presumption has provided access to appropriate disability compensation and medical care for Vietnam War veterans diagnosed with such illnesses as Type II diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, prostate cancer, Parkinson's disease, multiple myeloma, early-onset peripheral neuropathy, amyloid light-chain amyloidosis, respiratory cancers and soft-tissue sarcomas; and

Whereas United States Department of Veterans Affairs policy has denied the presumption of service connection for herbicide-related illnesses to Vietnam War veterans who cannot furnish written documentation that they stepped foot on the land of Vietnam or served on its inland waterways, making it virtually impossible for many United States Navy, Marine Corps and Air Force veterans to pursue their claims for benefits; and

Whereas military personnel known as Blue Water Navy Vietnam veterans who served on ships in Vietnam's territorial waters were in fact exposed to dangerous airborne toxins that not only drifted offshore but washed into streams and rivers and drained into the South China Sea; and

Whereas Agent Orange has been verified, through various studies and reports, as a widespread chemical that was able to reach Navy ships in Vietnam's territorial waters through the air and waterborne distribution routes; and

Whereas warships positioned off of the shores of Vietnam routinely distilled seawater to obtain potable water; and

Whereas 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; and

Whereas the study was conducted by the Australian Department of Veterans' Affairs after it found that Vietnam War veterans of the Royal Australian Navy had a higher rate of mortality from Agent Orange-associated diseases than did Vietnam War veterans from other branches of the military; and

Whereas when the United States Centers for Disease Control and Prevention studied specific cancers among Vietnam War veterans, a higher risk of cancer was found among veterans from the United States Navy; and

Whereas herbicides containing tetrachlorodibenzodioxin, a contaminant in Agent Orange, did not discriminate between soldiers on the ground and sailors on ships offshore; and

Whereas more than 30 veterans services organizations support the Blue Water Navy Vietnam Veterans Act of 2013 (H.R. 543); and

Whereas by not passing the Blue Water Navy Vietnam Veterans Act, a precedent could be set to selectively provide certain groups with injury-related medical care while denying other groups such care without any financial, scientific or consistent reasoning; and

Whereas when the Agent Orange Act of 1991 passed with no dissenting votes, congressional leaders stressed the importance of responding to the health concerns of Vietnam War veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure; and

Whereas the federal government has demonstrated its awareness of the hazards of Agent Orange exposure through its involvement in the identification, containment and mitigation of dioxin hot spots in Vietnam; and

Whereas the United States Congress should reaffirm the nation's commitment to the well-being of all veterans and direct the United States Department of Veterans Affairs to administer the Agent Orange Act under the presumption that herbicide exposure in Vietnam includes Vietnam's land, inland waterways, offshore waters and airspace, encompassing the entire combat zone; now, therefore,

**Be It Resolved by the Legislative Assembly of the State of Oregon:**

That we, the members of the Seventy-eighth Legislative Assembly, hereby respectfully urge the Congress of the United States of America to recognize the presumption of a service connection for Agent Orange exposure for United States veterans who served in the waters defined by the combat zone in Vietnam, and in the airspace over the combat zone; and be it further

Resolved, That copies of this memorial shall be sent to the President of the United States, to the Senate Majority Leader, to the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

---

Adopted by House April 6, 2015

---

Timothy G. Sekerak, Chief Clerk of House

---

Tina Kotek, Speaker of House

Adopted by Senate May 26, 2015

---

Peter Courtney, President of Senate