

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 663 Session of 2014

INTRODUCED BY JAMES, ENGLISH, ROZZI, KIRKLAND, SAINATO, CALTAGIRONE, READSHAW, CLAY, COHEN, HENNESSEY, KILLION, PICKETT, DAVIS, MCGEEHAN, LUCAS, TOEPEL, MOLCHANY, ROCK, CUTLER, DIGIROLAMO, MALONEY, KORTZ, NEILSON, BAKER, MARSHALL, GROVE, MAJOR, MILLARD, MCNEILL, TALLMAN, SWANGER, LONGIETTI, DONATUCCI, SCHLEGEL CULVER, MURT, GIBBONS, WATSON, VEREB, KAVULICH, GOODMAN, BENNINGHOFF, FLECK, GILLEN, GINGRICH, ROAE, BROOKS, HARHART, MARSICO, STEVENSON, FEE, PEIFER, SONNEY, BARRAR AND OBERLANDER, FEBRUARY 24, 2014

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 2, 2014

~~A CONCURRENT RESOLUTION~~ A RESOLUTION

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1 Relating to the presumption of a service connection for Agent
2 Orange exposure for certain Navy and Air Force veterans and
3 calling on the Congressional Delegation of the Commonwealth
4 of Pennsylvania to fully support and fund passage of the Blue
5 Water Navy Vietnam Veterans Act of 2013.

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

13 WHEREAS, The Congress of the United States passed the Agent
14 Orange Act of 1991 to address the plight of veterans exposed to
15 herbicides while serving in Vietnam; and

1 WHEREAS, The act amended Title 38 of the United States Code
2 to presumptively recognize as service-connected, certain
3 diseases among military personnel who served in the Vietnam
4 Conflict between 1962 and 1975; and

5 WHEREAS, This presumption has provided access to appropriate
6 disability compensation and medical care for Vietnam veterans
7 diagnosed with such illnesses as Type II diabetes, Hodgkin's
8 disease, non-Hodgkin's lymphoma, chronic lymphocytic leukemia,
9 multiple myeloma, prostate cancer, respiratory cancers and soft-
10 tissue sarcomas; and

11 WHEREAS, Pursuant to a 2001 directive, the Department of
12 Veterans Affairs policy has denied the presumption of a service
13 connection for herbicide-related illnesses to Vietnam veterans
14 who could not furnish written documentation that they had "boots
15 on the ground" in-country, making it virtually impossible for
16 countless United States Navy and Air Force veterans to pursue
17 their claims for benefits; and

18 WHEREAS, Many who had landed on Vietnamese soil could not
19 produce proof due to incomplete or missing military records,
20 moreover, personnel who had served on ships in the "Blue Water
21 Navy" in Vietnamese territorial waters were, in fact, exposed to
22 dangerous airborne toxins, which not only drifted offshore but
23 also washed into streams and rivers draining into the South
24 China Sea; and

25 WHEREAS, Warships positioned off the Vietnamese shore
26 routinely distilled seawater to obtain potable water; and

27 WHEREAS, A 2002 Australian study found that the distillation
28 process, rather than removing toxins, in fact, concentrated
29 dioxin in water used for drinking, cooking and washing; and

30 WHEREAS, This study was conducted by the Australian

1 Department of Veteran Affairs after it found that Vietnam
2 veterans of the Royal Australian Navy had a higher rate of
3 mortality from Agent Orange-associated diseases than did Vietnam
4 veterans from other branches of the military; and

5 WHEREAS, When the Centers for Disease Control and Prevention
6 studied specific cancers among Vietnam veterans, it found a
7 higher risk of cancer among Navy veterans; and

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

13 WHEREAS, When the Agent Orange Act passed in 1991 with no
14 dissenting votes, Congressional leaders stressed the importance
15 of responding to the health concerns of Vietnam veterans and
16 ending the bitterness and anxiety that had surrounded the issue
17 of herbicide exposure; and

18 WHEREAS, Congress should reaffirm the nation's commitment to
19 the well-being of all of its veterans and direct the Department
20 of Veterans Affairs to administer the Agent Orange Act under the
21 presumption that herbicide exposure in Vietnam includes the
22 country's inland waterways, offshore waters and airspace;
23 therefore be it

24 RESOLVED ~~(the Senate concurring)~~, That the ~~General Assembly~~ <--
25 ~~of the Commonwealth of Pennsylvania~~ HOUSE OF REPRESENTATIVES <--
26 respectfully urge the Congress and President of the United
27 States to restore the presumption of a service connection for
28 Agent Orange exposure for United States Navy and Air Force
29 veterans who served on the inland waterways, territorial waters
30 and in the airspace of Vietnam, Thailand, Laos and Cambodia; and

1 be it further

2 RESOLVED, That the Secretary of State of the Commonwealth of
3 Pennsylvania forward official copies of this resolution to the
4 President of the United States, to the President of the Senate
5 and the Speaker of the House of Representatives of the United
6 States, and to all the members of the Pennsylvania delegation to
7 the 113th Congress urging the members of the delegation to
8 support and fund the Blue Water Navy Vietnam Veterans Act of
9 2013 and with the request that this resolution be officially
10 entered in the Congressional Record as a memorial to the
11 Congress of the United States of America.