

2014 -- H 8195

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

H O U S E R E S O L U T I O N

RESPECTFULLY REQUESTING THAT THE UNITED STATES CONGRESS 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 ENCOMPASSING THE ENTIRE COMBAT ZONE

Introduced By: Representatives Abney, Malik, McNamara, Martin, and Casey

Date Introduced: May 14, 2014

Referred To: House Veterans` Affairs

1 WHEREAS, During the Vietnam War, the United States military sprayed 22 million
2 gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used
3 by the enemy. These herbicides contained dioxin, which has since been identified as carcinogenic
4 and has been linked with a number of serious and disabling illnesses affecting thousands of
5 veterans; and

6 WHEREAS, The United States Congress passed the Agent Orange Act of 1991, to
7 address the plight of veterans exposed to herbicides while serving in the Republic of Vietnam.
8 The Act amended Title 38 of the United States Code to presumptively recognize as service-
9 connected certain diseases among military personnel who served in Vietnam between 1962 and
10 1975. This presumption has provided access to appropriate disability compensation and medical
11 care for Vietnam veterans diagnosed with such illnesses as Type II diabetes, Hodgkin's disease,
12 non-Hodgkin's lymphoma, prostate cancer, Parkinson's disease, multiple myeloma, peripheral
13 neuropathy, AL amyloidosis respiratory cancers, and soft tissue sarcomas and other illnesses and
14 diseases yet to be identified; and

15 WHEREAS, Pursuant to a 2001 directive, the United States Department of Veterans'
16 Affairs policy has denied the presumption of a service connection for herbicide-related illnesses
17 to Vietnam veterans who cannot furnish written documentation that they had "boots on the
18 ground" in-country, making it virtually impossible for countless United States Navy, Marine and

1 Air Force veterans to pursue their claims for benefits. Personnel who served on ships in the "Blue
2 Water Navy" in Vietnamese territorial waters were, in fact, exposed to dangerous airborne toxins,
3 which not only drifted offshore but washed into streams and rivers draining into the South China
4 Seas; and

5 WHEREAS, United States Navy veterans who served in the "Blue Water Navy" in
6 Vietnam have been excluded ever since, despite the fact that Agent Orange has been verified
7 through various studies and reports as a wide-spreading chemical that was able to reach Navy
8 ships through the air and waterborne distribution routes; and

9 WHEREAS, Warships positioned off the Vietnamese shore routinely distilled seawater to
10 obtain potable water. A 2002 Australian study found that the distillation process, rather than
11 removing toxins, in fact concentrated dioxin in water used for drinking, cooking, and washing.
12 This study was conducted by the Australian Department of Veterans' Affairs after it found that
13 Vietnam veterans of the Royal Australian Navy had a higher rate of mortality from Agent
14 Orange-associated diseases than did Vietnam veterans from other branches of the military. When
15 the United States Centers for Disease Control and Prevention studied specific cancers among
16 Vietnam veterans, it found a higher risk of cancer among United States Navy veterans; and

17 WHEREAS, Herbicides containing TCDD did not discriminate between soldiers on the
18 ground and sailors on ships offshore; and

19 WHEREAS, More than 30 veterans service organizations support the Agent Blue Water
20 Navy Vietnam Veterans Act of 2013. By not passing HR 543, a precedent could be set to
21 selectively provide certain groups with injury-related medical care while denying other groups
22 without any financial, scientific or consistent reasoning; and

23 WHEREAS, When the Agent Orange Act passed in 1991 with no dissenting votes,
24 congressional leaders stressed the importance of responding to the health concerns of Vietnam
25 veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide
26 exposure. The Federal government has also demonstrated its awareness of the hazards of Agent
27 Orange exposure through its involvement in the identification, containment, and mitigation of
28 dioxin "hot spots" in Vietnam; and

29 WHEREAS, The United States Congress should reaffirm the nation's commitment to the
30 well-being of all of its veterans and direct the United States Department of Veterans' Affairs to
31 administer the Agent Orange Act under the presumption that herbicide exposure in the Republic
32 of Vietnam includes the country's inland waterways, offshore waters, and airspace thereby
33 encompassing the entire Combat Zone; now, therefore be it

34 RESOLVED, That this House of Representatives of the State of Rhode Island and

1 Providence Plantations hereby respectfully urges the United States Congress to restore the
2 presumption of a service connection for Agent Orange exposure to the United States Vietnam
3 veterans who served in the waters defined by the combat zone, and in the airspace over the
4 combat zone; and be it further

5 RESOLVED, That the Secretary of State be and hereby is authorized and directed to
6 transmit duly certified copies of this resolution to the President of the United States, Majority and
7 Minority Leaders of the United States Senate, the Speaker of the House of Representatives, and
8 the Rhode Island Congressional Delegation. We further request that this resolution be officially
9 entered into the Congressional Record as a memorial to the Congress of the United States of
10 America.

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