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HOUSE JOINT RESOLUTION NO. 205

Offered January 24, 2014

Memorializing the Congress of the United States to pass the Blue Water Navy Vietnam Veterans Act of 2013.

Patron—Stolle

Unanimous consent to introduce

Referred to Committee on Rules

WHEREAS, during the Vietnam War, the United States armed forces sprayed 22 million gallons of Agent Orange and other herbicides over the Republic of Vietnam to reduce forest cover and crops used by the enemy; these herbicides contained TCDD, which has since been identified as a carcinogen and linked with a number of serious and disabling illnesses affecting thousands of veterans; and

WHEREAS, the United States Congress passed the Agent Orange Act of 1991 to address the plight of veterans exposed to herbicides while serving in the Republic of Vietnam, presumptively recognizing as service-connected certain diseases among military personnel who served in the Vietnam War 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 2 diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, prostate cancer, Parkinson's disease, multiple myeloma, peripheral neuropathy, all amyloidosis respiratory cancers and soft tissue sarcomas, and other as-yet-unidentified illnesses; and

WHEREAS, pursuant to a 2001 directive, a United States Department of Veterans Affairs policy has denied the presumption of a service connection for herbicide-related illnesses to Vietnam War veterans who cannot furnish written documentation that they had served in the ground combat zone, making it virtually impossible for countless veterans of the United States Navy, Air Force, and Marines to pursue their claims for benefits; and

WHEREAS, personnel who served on ships in Vietnamese territorial waters were, in fact, exposed to dangerous airborne toxins, which not only drifted offshore but washed into streams and rivers draining into the South China Sea; various studies and reports have verified that Agent Orange was able to reach United States Navy ships through these air and waterborne distribution routes; and

WHEREAS, warships positioned off the Vietnamese shore routinely distilled seawater to obtain potable water, and a 2002 Australian study found that the distillation process, rather than removing toxins, in fact concentrated TCDD in water used for drinking, cooking, and washing; this 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 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 veterans, it found a higher risk of cancer among United States Navy veterans; herbicides containing TCDD did not discriminate between soldiers on the ground and sailors, airmen, and Marines on ships offshore; and

WHEREAS, more than 30 veteran service organizations support the passage of HR 543, the Blue Water Navy Vietnam Veterans Act of 2013, an act to restore the presumption of a service connection for Agent Orange exposure to United States veterans who served in the waters and airspace adjacent to the combat zone of the Vietnam War; not passing HR 543 would set a precedent that medical care for service-related injuries could be selectively provided to certain groups and denied to others with no financial, scientific, or consistent reasoning; 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 War veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure; the federal government has also 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 of its veterans and direct the United States Department of Veterans Affairs to administer the Agent Orange Act under the presumption that herbicide exposure occurred throughout the combat zone in the Republic of Vietnam, including in the country's inland waterways, offshore waters, and airspace; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Congress of the United

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59 States be urged to pass the Blue Water Navy Vietnam Veterans Act of 2013; and, be it
60 RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution
61 to the Speaker of the United States House of Representatives, the President of the United States Senate,
62 and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of
63 the General Assembly of Virginia in this matter.