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## HOUSE RESOLUTION

URGING THE UNITED STATES CONGRESS TO RESTORE THE PRESUMPTION OF A SERVICE CONNECTION FOR AGENT ORANGE EXPOSURE TO UNITED STATES VETERANS WHO SERVED IN THE WATERS DEFINED BY THE COMBAT ZONE AND IN THE AIRSPACE OVER THE COMBAT ZONE IN VIETNAM.

1           WHEREAS, during the Vietnam War, the United States military  
2 sprayed 22,000,000 gallons of Agent Orange and other herbicides  
3 over Vietnam to reduce forest cover and crops used by the enemy;  
4 and

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6           WHEREAS, these herbicides contained dioxin, which has since  
7 been identified as carcinogenic and has been linked with a  
8 number of serious and disabling illnesses affecting thousands of  
9 veterans; and

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11           WHEREAS, the United States Congress passed the Agent Orange  
12 Act of 1991 to address the plight of veterans exposed to  
13 herbicides while serving the Republic of Vietnam; and

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15           WHEREAS, the Agent Orange Act of 1991 amended Title 38 of  
16 the United States Code to presumptively recognize as service-  
17 connected certain diseases among military personnel who served  
18 in Vietnam between 1962 and 1975; and

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20           WHEREAS, this presumption has provided access to  
21 appropriate disability compensation and medical care for Vietnam  
22 veterans diagnosed with illnesses, such as Type II diabetes,  
23 Hodgkin's disease, non-Hodgkin's lymphoma, prostate cancer,  
24 Parkinson's disease, multiple myeloma, peripheral neuropathy, AL  
25 Amyloidosis respiratory cancers, soft-tissue sarcomas, and other  
26 illnesses yet to be identified; and

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28           WHEREAS, pursuant to a directive in 2001, it has been the  
29 policy of the United States Department of Veterans Affairs to  
30 deny the presumption of a service connection for herbicide-  
31 related illnesses to Vietnam veterans who cannot furnish written  
32 documentation that they had "boots on the ground" in-country,  
33 making it virtually impossible for countless United States Navy,



1 Marine Corps, and Air Force veterans to pursue their claims for  
2 benefits; and

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4 WHEREAS, personnel who served on ships in the "Blue Water  
5 Navy" in Vietnamese territorial waters were, in fact, exposed to  
6 dangerous airborne toxins, which not only drifted offshore but  
7 also washed into streams and rivers draining into the South  
8 China Sea; and

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10 WHEREAS, Agent Orange has been verified, through various  
11 studies and reports, as a wide-spreading chemical that was able  
12 to reach United States Navy ships through the air and waterborne  
13 distribution routes; and

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15 WHEREAS, warships positioned off the Vietnamese shore  
16 routinely distilled seawater to obtain potable water; and

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18 WHEREAS, an Australian study in 2002 found that the  
19 distillation process, instead of removing toxins, actually  
20 concentrated dioxin in water used for drinking, cooking, and  
21 washing; and

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23 WHEREAS, this study was conducted by the Australian  
24 Department of Veterans Affairs after it found that Vietnam  
25 veterans of the Royal Australian Navy suffered from a higher  
26 rate of mortality from Agent Orange-associated diseases than did  
27 Vietnam veterans from other branches of the military; and

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29 WHEREAS, when the United States Centers for Disease Control  
30 and Prevention studied specific cancers among Vietnam veterans,  
31 it found a higher risk of cancer among United States Navy  
32 veterans; and

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34 WHEREAS, herbicides containing tetrachlorodibenzodioxin  
35 (TCDD), a contaminant in Agent Orange, did not discriminate  
36 between soldiers on the ground and sailors on ships offshore;  
37 and

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39 WHEREAS, more than 30 veterans' service organizations  
40 support the Blue Water Navy Vietnam Veterans Act of 2013 (H.R.  
41 543); and



1           WHEREAS, by not passing H.R. 543, a precedent could be set  
2 to selectively provide certain categories of veterans with  
3 injury-related medical care while denying such care to other  
4 categories of veterans, without any financial, scientific, or  
5 consistent reasoning; and  
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7           WHEREAS, when the Agent Orange Act passed in 1991 with no  
8 dissenting votes, congressional leaders stressed the importance  
9 of responding to the health concerns of Vietnam veterans and  
10 ending the bitterness and anxiety that had surrounded the issue  
11 of herbicide exposure; and  
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13           WHEREAS, the federal government has also demonstrated its  
14 awareness of the hazards of Agent Orange exposure through its  
15 involvement in the identification, containment, and mitigation  
16 of dioxin "hot spots" in Vietnam; and  
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18           WHEREAS, the United States Congress should reaffirm the  
19 nation's commitment to the well-being of all of its veterans and  
20 direct the United States Department of Veterans Affairs to  
21 administer the Agent Orange Act under the presumption that  
22 herbicide exposure in the Republic of Vietnam includes the  
23 country's inland waterways, offshore waters, and airspace,  
24 encompassing the entire Combat Zone; now, therefore,  
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26           BE IT RESOLVED by the House of Representatives of the  
27 Twenty-seventh Legislature of the State of Hawaii, Regular  
28 Session of 2014, that the United States Congress is respectfully  
29 urged to restore the presumption of a service connection for  
30 Agent Orange exposure to United States veterans who served in  
31 the waters defined by the Combat Zone and in the airspace over  
32 the Combat Zone in Vietnam; and  
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34           BE IT FURTHER RESOLVED that the United States Congress is  
35 respectfully urged to enter this Resolution into the  
36 Congressional Record as an official memorial to the Congress;  
37 and




# H.R. NO. 19

1 BE IT FURTHER RESOLVED that certified copies of this  
2 Resolution be transmitted to the President of the United States,  
3 President Pro Tempore of the United States Senate, Speaker of  
4 the United States House of Representatives, and the members of  
5 Hawaii's Congressional delegation.

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OFFERED BY:



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