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## HOUSE CONCURRENT RESOLUTION

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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

5  
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

10  
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

14  
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

19  
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



1 WHEREAS, pursuant to a directive in 2001, it has been the  
2 policy of the United States Department of Veterans Affairs to  
3 deny the presumption of a service connection for herbicide-  
4 related illnesses to Vietnam veterans who cannot furnish written  
5 documentation that they had "boots on the ground" in-country,  
6 making it virtually impossible for countless United States Navy,  
7 Marine Corps, and Air Force veterans to pursue their claims for  
8 benefits; and  
9

10 WHEREAS, personnel who served on ships in the "Blue Water  
11 Navy" in Vietnamese territorial waters were, in fact, exposed to  
12 dangerous airborne toxins, which not only drifted offshore but  
13 also washed into streams and rivers draining into the South  
14 China Sea; and  
15

16 WHEREAS, Agent Orange has been verified, through various  
17 studies and reports, as a wide-spreading chemical that was able  
18 to reach United States Navy ships through the air and waterborne  
19 distribution routes; and  
20

21 WHEREAS, warships positioned off the Vietnamese shore  
22 routinely distilled seawater to obtain potable water; and  
23

24 WHEREAS, an Australian study in 2002 found that the  
25 distillation process, instead of removing toxins, actually  
26 concentrated dioxin in water used for drinking, cooking, and  
27 washing; and  
28

29 WHEREAS, this study was conducted by the Australian  
30 Department of Veterans Affairs after it found that Vietnam  
31 veterans of the Royal Australian Navy suffered from a higher  
32 rate of mortality from Agent Orange-associated diseases than did  
33 Vietnam veterans from other branches of the military; and  
34

35 WHEREAS, when the United States Centers for Disease Control  
36 and Prevention studied specific cancers among Vietnam veterans,  
37 it found a higher risk of cancer among United States Navy  
38 veterans; and  
39

40 WHEREAS, herbicides containing tetrachlorodibenzodioxin  
41 (TCDD), a contaminant in Agent Orange, did not discriminate



1 between soldiers on the ground and sailors on ships offshore;  
2 and  
3

4 WHEREAS, more than 30 veterans' service organizations have  
5 supported the Blue Water Navy Vietnam Veterans Act of 2013 (H.R.  
6 543); and  
7

8 WHEREAS, by not assisting personnel who served on ships in  
9 the "Blue Water Navy" in Vietnamese territorial waters, a  
10 precedent could be set to selectively provide certain categories  
11 of veterans with injury-related medical care while denying such  
12 care to other categories of veterans, without any financial,  
13 scientific, or consistent reasoning; and  
14

15 WHEREAS, when the Agent Orange Act passed in 1991 with no  
16 dissenting votes, congressional leaders stressed the importance  
17 of responding to the health concerns of Vietnam veterans and  
18 ending the bitterness and anxiety that had surrounded the issue  
19 of herbicide exposure; and  
20

21 WHEREAS, the federal government has also demonstrated its  
22 awareness of the hazards of Agent Orange exposure through its  
23 involvement in the identification, containment, and mitigation  
24 of dioxin "hot spots" in Vietnam; and  
25

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

34 BE IT RESOLVED by the House of Representatives of the  
35 Twenty-ninth Legislature of the State of Hawaii, Regular Session  
36 of 2018, the Senate concurring, that the United States Congress  
37 is respectfully urged to restore the presumption of a service  
38 connection for Agent Orange exposure to United States veterans  
39 who served in the waters defined by the Combat Zone and in the  
40 airspace over the Combat Zone in Vietnam; and

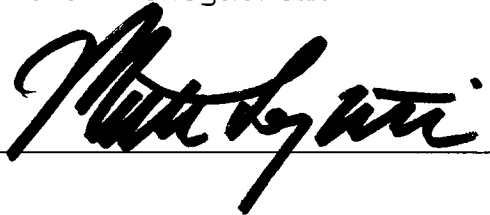


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1 BE IT FURTHER RESOLVED that the United States Congress is  
2 respectfully urged to enter this Concurrent Resolution into the  
3 Congressional Record as an official memorial to the Congress;  
4 and

5  
6 BE IT FURTHER RESOLVED that certified copies of this  
7 Concurrent Resolution be transmitted to the President of the  
8 United States, President Pro Tempore of the United States  
9 Senate, Speaker of the United States House of Representatives,  
10 and the members of Hawaii's Congressional Delegation.

11  
12  
13 OFFERED BY:

A handwritten signature in black ink, appearing to read "Matt Lujan", is written over a horizontal line.

MAR - 9 2018

