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

WHEREAS, these herbicides contained dioxin, which has since been identified as carcinogenic and has been 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 the Republic of Vietnam; and

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

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

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

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

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

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

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

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

WHEREAS, herbicides containing tetrachlorodibenzodioxin (TCDD), a contaminant in Agent Orange, did not discriminate between soldiers on the ground and sailors on ships offshore; and
WHEREAS, more than 30 veterans' service organizations have supported the Blue Water Navy Vietnam Veterans Act of 2013 (H.R. 543); and

WHEREAS, by not assisting personnel who served on ships in the "Blue Water Navy" in Vietnamese territorial waters, a precedent could be set to selectively provide certain categories of veterans with injury-related medical care while denying such care to other categories of veterans, without any 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 veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure; and

WHEREAS, 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 in the Republic of Vietnam includes the country's inland waterways, offshore waters, and airspace, encompassing the entire Combat Zone; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the United States Congress is respectfully urged 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; and

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

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

OFFERED BY:  

MAR - 9 2018