
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

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

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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



1 deny the presumption of a service connection for herbicide-
2 related illnesses to Vietnam veterans who cannot furnish written
3 documentation that they had "boots on the ground" in-country,
4 making it virtually impossible for countless United States Navy,
5 Marine Corps, and Air Force veterans to pursue their claims for
6 benefits; and
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8 WHEREAS, personnel who served on ships in the "Blue Water
9 Navy" in Vietnamese territorial waters were, in fact, exposed to
10 dangerous airborne toxins, which not only drifted offshore but
11 also washed into streams and rivers draining into the South
12 China Sea; and
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14 WHEREAS, Agent Orange has been verified, through various
15 studies and reports, as a wide-spreading chemical that was able
16 to reach United States Navy ships through the air and waterborne
17 distribution routes; and
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19 WHEREAS, warships positioned off the Vietnamese shore
20 routinely distilled seawater to obtain potable water; and
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22 WHEREAS, an Australian study in 2002 found that the
23 distillation process, instead of removing toxins, actually
24 concentrated dioxin in water used for drinking, cooking, and
25 washing; and
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27 WHEREAS, this study was conducted by the Australian
28 Department of Veterans Affairs after it found that Vietnam
29 veterans of the Royal Australian Navy suffered from a higher
30 rate of mortality from Agent Orange-associated diseases than did
31 Vietnam veterans from other branches of the military; and
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33 WHEREAS, when the United States Centers for Disease Control
34 and Prevention studied specific cancers among Vietnam veterans,
35 it found a higher risk of cancer among United States Navy
36 veterans; and
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38 WHEREAS, herbicides containing tetrachlorodibenzodioxin
39 (TCDD), a contaminant in Agent Orange, did not discriminate
40 between soldiers on the ground and sailors on ships offshore;
41 and



1 WHEREAS, more than 30 veterans' service organizations have
2 supported the Blue Water Navy Vietnam Veterans Act of 2013 (H.R.
3 543); and
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5 WHEREAS, by not assisting personnel who served on ships in
6 the "Blue Water Navy" in Vietnamese territorial waters, a
7 precedent could be set to selectively provide certain categories
8 of veterans with injury-related medical care while denying such
9 care to other categories of veterans, without any financial,
10 scientific, or consistent reasoning; and
11

12 WHEREAS, when the Agent Orange Act passed in 1991 with no
13 dissenting votes, congressional leaders stressed the importance
14 of responding to the health concerns of Vietnam veterans and
15 ending the bitterness and anxiety that had surrounded the issue
16 of herbicide exposure; and
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18 WHEREAS, the federal government has also demonstrated its
19 awareness of the hazards of Agent Orange exposure through its
20 involvement in the identification, containment, and mitigation
21 of dioxin "hot spots" in Vietnam; and
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23 WHEREAS, the United States Congress should reaffirm the
24 nation's commitment to the well-being of all of its veterans and
25 direct the United States Department of Veterans Affairs to
26 administer the Agent Orange Act under the presumption that
27 herbicide exposure in the Republic of Vietnam includes the
28 country's inland waterways, offshore waters, and airspace,
29 encompassing the entire Combat Zone; now, therefore,
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31 BE IT RESOLVED by the House of Representatives of the
32 Twenty-ninth Legislature of the State of Hawaii, Regular Session
33 of 2018, that the United States Congress is respectfully urged
34 to restore the presumption of a service connection for Agent
35 Orange exposure to United States veterans who served in the
36 waters defined by the Combat Zone and in the airspace over the
37 Combat Zone in Vietnam; and
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39 BE IT FURTHER RESOLVED that the United States Congress is
40 respectfully urged to enter this Resolution into the



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1 Congressional Record as an official memorial to the Congress;
2 and
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4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the President of the United States,
6 President Pro Tempore of the United States Senate, Speaker of
7 the United States House of Representatives, and the members of
8 Hawaii's Congressional Delegation.
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11 OFFERED BY:

A handwritten signature in black ink, appearing to read "Mark L. R. [unclear]", is written over a horizontal line.

MAR - 9 2018

