

## **BILL ANALYSIS**

S.C.R. 38  
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Defense & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

During the Vietnam War, it is estimated by some, that the United States military sprayed more than 19 million gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy. These herbicides contain dioxin, which has since been identified as carcinogenic and has been linked with a number of serious and disabling illnesses now affecting thousands of veterans.

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. The Act presumptively recognizes as service-connected certain diseases among military personnel who served in Vietnam between 1962 and 1975. This presumption has provided access to appropriate disability compensation and medical care for Vietnam veterans diagnosed with such illnesses as Type II diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, chronic lymphocytic leukemia, multiple myeloma, prostate cancer, respiratory cancers, and soft-tissue sarcomas.

Pursuant to a 2001 directive, Department of Veterans Affairs policy has denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who could not furnish written documentation that they had "boots on the ground" in-country. Many who had landed on Vietnamese soil could not produce proof. Moreover, some personnel who had 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.

At least one study found that the distillation process, rather than removing toxins, in fact concentrated dioxin in water used for drinking, cooking, and washing. When the U.S. Centers for Disease Control and Prevention studied specific cancers among Vietnam veterans, it found a higher risk of cancer among Navy veterans.

### **ANALYSIS**

SCR 38 urges the Congress of the United States to restore the presumption of a service connection for Agent Orange exposure to Navy and Air Force veterans who served on the inland waterways, territorial waters, and in the airspace of the Republic of Vietnam.