

1 SJR11
2 116000-2
3 By Senators Dixon, Barron, Beason, Bedford, Benefield, Bishop,
4 Brooks, Butler, Coleman, Denton, Dunn, Erwin, Figures, French,
5 Glover, Holley, Keahey, Little (T), Little (Z), Marsh, Means,
6 Mitchell, Mitchem, Orr, Penn, Pittman, Poole, Preuitt, Ross,
7 Sanders, Sanford, Singleton, Smith, Smitherman and Waggoner
8 RFD:
9 First Read: 12-JAN-10

1 SJR11

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4 ENROLLED, SJR11,

5 URGING THE U.S. CONGRESS TO EXTEND THE PRESUMPTION
6 OF A SERVICE CONNECTION FOR AGENT ORANGE EXPOSURE TO NAVY AND
7 AIR FORCE VETERANS WHO SERVED IN THE REPUBLIC OF VIETNAM OR
8 ITS CONTIGUOUS WATERS, AIRSPACE, OR CONTIGUOUS COUNTRIES.
9

10 WHEREAS, during the Vietnam War, the United States
11 military sprayed more than 19 million gallons of Agent Orange
12 and other herbicides over Vietnam to reduce forest cover and
13 crops used by the enemy; these herbicides contained dioxin,
14 which has since been identified as carcinogenic and has been
15 linked with a number of serious and disabling illnesses now
16 affecting thousands of veterans; and

17 WHEREAS, the U.S. Congress passed the Agent Orange
18 Act of 1991 to address the plight of veterans exposed to
19 herbicides while serving in the Republic of Vietnam; the Act
20 amended Title 38 of the United States Code to presumptively
21 recognize as service-connected certain diseases among military
22 personnel who served in Vietnam between 1962 and 1975; this
23 presumption has provided access to appropriate disability
24 compensation and medical care for veterans diagnosed with such
25 illnesses as Type II diabetes, Hodgkin's disease, Parkinson's

1 disease, ischemic heart disease, B-cell leukemia,
2 non-Hodgkin's lymphoma, chronic lymphocytic leukemia, multiple
3 myeloma, prostate cancer, respiratory cancers, and soft-tissue
4 sarcomas; and

5 WHEREAS, pursuant to a 2001 directive, United States
6 Department of Veterans Affairs policy has denied the
7 presumption of a service connection for herbicide-related
8 illnesses to Vietnam veterans who could not furnish written
9 documentation that they had "boots on the ground" in-country
10 service, making it virtually impossible for countless Navy and
11 Air Force veterans to pursue their claims for benefits; many
12 who had landed on Vietnam soil could not produce proof due to
13 incomplete or missing military records; moreover, personnel
14 who had served on ships in the "Blue Water Navy" in Vietnamese
15 territorial waters were, in fact, exposed to dangerous
16 airborne toxins, which not only drifted offshore but also
17 washed into streams and rivers draining into the South China
18 Sea; and

19 WHEREAS, warships positioned off the Vietnamese
20 shore routinely distilled seawater to obtain potable water; a
21 2002 Australian study found that the distillation process,
22 rather than removing toxins, in fact concentrated dioxin in
23 water used for drinking, cooking, and washing; this study was
24 conducted by the Australian Department of Veteran Affairs
25 after it found that Vietnam veterans of the Royal Australian

1 Navy had a higher rate of mortality from Agent
2 Orange-associated diseases than did Vietnam veterans from
3 other branches of the military; when the U.S. Centers for
4 Disease Control and Prevention studied specific cancers among
5 Vietnam veterans, it found a higher risk of cancer among Navy
6 veterans; and

7 WHEREAS, Agent Orange did not discriminate between
8 soldiers on the ground and sailors on ships offshore, and
9 legislation to recognize this tragic fact and extend
10 eligibility for compensation and medical care to Navy and Air
11 Force veterans who sacrificed their health for their country
12 is critical; and

13 WHEREAS, when the Agent Orange Act passed in 1991
14 with no dissenting votes, Congressional leaders stressed the
15 importance of responding to the health concerns of Vietnam
16 veterans and ending the bitterness and anxiety that had
17 surrounded the issue of herbicide exposure; Congress should
18 reaffirm the nation's commitment to the well-being of all of
19 its veterans and direct the United States Department of
20 Veterans Affairs to administer the Agent Orange Act under the
21 presumption that herbicide exposure in the Republic of Vietnam
22 includes the country's inland waterways, offshore waters, and
23 airspace and countries with bases that provided direct support
24 to daily air and ground operations in Vietnam; now therefore,

1 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
2 HOUSES THEREOF CONCURRING, That we respectfully urge the U.S.
3 Congress to extend the presumption of a service connection for
4 Agent Orange exposure to Navy and Air Force veterans who
5 served on the inland waterways, territorial waters, and in the
6 airspace of the Republic of Vietnam, and countries with bases
7 that supported the daily air and ground operations in Vietnam
8 and direct that a copy of this resolution be sent to each
9 member of the Alabama Congressional Delegation that they may
10 know of our deep concerns in this matter.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR11
Senate 12-JAN-10
I hereby certify that the within Senate Joint Resolution
originated in and was adopted by the Senate.

McDowell Lee
Secretary

House of Representatives
Adopted: 14-JAN-10

By: Senator Dixon