

VA Turns Back on Navy Vietnam Veterans Suffering from Agent Orange Diseases

During the past year, most Americans became aware of the multitude of problems within the Department of Veterans Affairs (VA). The media has done an excellent job reporting the excessive backlog in processing veteran medical claims, the unsatisfactory amount of time it takes for veterans to get appointments at VA hospitals and clinics, the falsified accounting of appointment wait times by VA hospital officials trying to satisfy the bureaucrats in the VA's Washington DC Headquarters, and the procurement irregularities associated with the billions of annual VA expenditures.

What has not been reported by the media, and what is also not being addressed by the VA today, is the grave injustice to thousands of Vietnam veterans who have died or are dying from cancers and other deadly diseases caused by their exposure to lethal defoliants while serving on U.S. Navy ships in the Republic of Vietnam Theater of War. As a point of reference, the United States military sprayed over 20 million gallons of toxic herbicides and defoliants in Vietnam from 1962 to 1971. The goal of this program was to defoliate the jungle to deprive the enemy of food supplies and enemy sanctuaries. The most common of these herbicides was known as *Agent Orange*--one of the most deadly cancer causing dioxins ever synthesized by man.

Agent Orange found its way into streams, rivers, harbors, bays and the South China Sea where it was ingested by U.S. Navy ships. Our warships would suck up this contamination during the shipboard water purification process conducted while operating just offshore--as it would be ingested by our aircraft carriers operating farther out at sea. Wind-blown Agent Orange contamination also entered the ventilation systems on our ships--just as wind-blown radioactive particles from the damaged Fukushima nuclear reactor covered the USS Ronald Reagan Battle Group operating 60 miles off the coast of Japan following the earthquake and tsunami in 2011.

Due to the high number of veterans who contracted Agent Orange related diseases, Congress passed the *Agent Orange Act of 1991* which declared any veteran who served on active duty in *Republic of Vietnam Theater of War* from 1962 to 1975, and who has a disease attributed to Agent Orange dioxins would be *presumed to have been exposed to Agent Orange* and eligible for service-connected medical treatment and disability benefits. From the passage of this

law in 1991 until 2002, the VA assumed presumption of exposure for *all* afflicted veterans holding a Vietnam Service Medal, and appropriately granted service-connected medical treatment and appropriate disability benefits.

However in 2002, without medical or scientific basis to do so, the VA changed the criteria for presumption of exposure from afflicted personnel holding a Vietnam Service Medal to only those afflicted veterans who served ashore with “*boots on the ground*” or who served in the “Brown Water Navy” (on patrol-boats or smaller ships operating on inland waterways). This arbitrary decision rescinded the statutory presumption of exposure to those Blue Water Navy Sailors and Marines who served on warships at sea and in the streams, rivers, harbors and bays of the Republic of Vietnam Theater of War.

The VA’s unilateral decision to support only those who served ashore or in the Brown Water Navy clearly ignores the intent of Congress, and appears to be *funding related*. Numerous scientific studies conducted by the CDC, the Institute of Medicine and the Australian VA proved that sailors at sea were also exposed to these dioxins. Of note is that the Australian VA presumes exposure to afflicted veterans who served both ashore and afloat and provides medical treatment and disability benefits to them—while incredibly, our VA still refuses to accept that Blue Water Navy ships were contaminated by wind-blown and water-borne Agent Orange dioxins. As a result, these Blue Water Navy Veterans continue to suffer and die from the debilitating health effects of Agent Orange, and their families continue to suffer overwhelming financial difficulty due to the VA’s unilateral decision to ignore the *Agent Orange Act of 1991*.

The House (HR969) and Senate (S681) have bills pending before them to re-establish the intent specified in the Agent Orange Act of 1991; however VA Secretary McDonald can right this long standing injustice immediately with the stroke of his pen under the authority given to the VA in the 1991 law.

It is time that we reverse this unfair decision that affects our *remaining* Blue Water Navy Vietnam veterans who are suffering from Agent Orange related diseases. They and their families deserve nothing less from our Nation, and I urge all readers to write to Secretary McDonald and their members of Congress to right this terrible wrong.

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