

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# SENATE RESOLUTION

No. 205 Session of  
2009

INTRODUCED BY ALLOWAY, KASUNIC, VOGEL, BAKER, FONTANA, ERICKSON,  
TARTAGLIONE, KITCHEN, RAFFERTY, BOSCOLA, FOLMER, GREENLEAF,  
ORIE, PILEGGI, LOGAN AND DINNIMAN, OCTOBER 19, 2009

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, OCTOBER  
19, 2009

## A RESOLUTION

1 Urging Congress of the United States to restore the presumption  
2 of a service connection for Agent Orange exposure for  
3 veterans.

4 WHEREAS, Numerous herbicides and pesticides were sprayed from  
5 1961 to 1971 over large areas of South Vietnam, Laos and  
6 Cambodia during the war against Vietnam; and

7 WHEREAS, These herbicides, collectively known by the most  
8 commonly used one, Agent Orange, contained poisons, including  
9 2,3,7,8 TCDD (dioxin) and others, that cause harm to people and  
10 animals; and

11 WHEREAS, Since 1991, the Department of Veterans Affairs has  
12 recognized that a long list of diseases suffered by Vietnam  
13 veterans and children of Vietnam veterans are caused by their  
14 exposure to Agent Orange/dioxin; and

15 WHEREAS, From 1991 to 2002, the Department of Veterans  
16 Affairs granted disability claims filed by veterans who served  
17 in the waters offshore Vietnam for the presumption of exposure

1 to Agent Orange; and

2 WHEREAS, In February 2002, the Department of Veterans Affairs  
3 required veterans to have "actually served on land within the  
4 Republic of Vietnam" in order to qualify for the presumption of  
5 exposure to Agent Orange; and

6 WHEREAS, As a result of this change, all pending and new  
7 disability claims filed by veterans of the armed services who  
8 served in the vicinity of Vietnam, including the waterways,  
9 territorial waters and airspace and in Thailand, Laos and  
10 Cambodia, but did not actually serve on the land within Vietnam  
11 were denied unless proof was provided that the veteran actually  
12 set foot on Vietnamese soil; and

13 WHEREAS, The Department of Veterans Affairs has refused to  
14 recognize that Vietnam veterans who served on land, sea or air  
15 in the vicinity of Vietnam were also exposed, even though the  
16 service in the vicinity often included opportunities for  
17 exposure to dioxin, and even though many of these veterans have  
18 the same diseases that have been linked to exposure to dioxin;  
19 and

20 WHEREAS, The Agent Orange Equity Act of 2009 would ensure  
21 that every service member deployed to land, sea or air in the  
22 Republic of Vietnam is fully covered by the comprehensive Agent  
23 Orange laws passed in 1991; therefore be it

24 RESOLVED, That the Senate of Pennsylvania urge Congress of  
25 the United States to restore the presumption of a service  
26 connection for Agent Orange exposure for veterans who served on  
27 the waterways, territorial waterways and airspace of the  
28 Republic of Vietnam and in Thailand, Laos and Cambodia by  
29 passing the Agent Orange Equity Act of 2009; and be it further

30 RESOLVED, That a copy of this resolution be transmitted to

1 the President of the United States, the presiding members of  
2 each house of Congress, each member of Congress from  
3 Pennsylvania and the Department of Veterans Affairs.