

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 335 Session of 2024

INTRODUCED BY TAKAC, CABELL, MUNROE, WATRO, KHAN, MAKO, PIELLI, MAJOR, KINSEY, DONAHUE, GIRAL, JAMES, McNEILL, SAPPEY, PROBST, STEHR, GUENST, GLEIM, NEILSON, FLICK, MERSKI, HOHENSTEIN, SANCHEZ, HOWARD, BRENNAN, VITALI, R. MACKENZIE, HILL-EVANS, BOROWSKI, DELLOSO, JOZWIAK, MENTZER, CEPEDA-FREYTIZ, MALAGARI, DALEY, SCHLOSSBERG, SHUSTERMAN, SOLOMON, STENDER, TWARDZIK, MERCURI, O'MARA, PICKETT, KENYATTA, MIHALEK, RAPP, STEELE, M. JONES, WAXMAN, CERRATO, KRUPA, CIRESI AND C. WILLIAMS, MARCH 6, 2024

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 20, 2024

A RESOLUTION

1 Establishing the Pennsylvania Task Force on Agent Orange AND <--
2 OTHER TOXINS to study and issue a report on how best to
3 connect veterans who were exposed to Agent Orange AND OTHER <--
4 TOXINS and their families with the VA benefits for which they
5 may be eligible.

6 WHEREAS, The United States military used a blend of
7 herbicides known as Agent Orange between 1962 and 1971 to remove
8 trees and other foliage that provided cover to enemies during
9 the Vietnam War; and

10 WHEREAS, Agent Orange was used in and around Vietnam, the
11 Korean demarcation line, Cambodia and Laos, including 11 million
12 gallons over 20 million acres in Vietnam; and

13 WHEREAS, The United States banned the use of Agent Orange in
14 1971 as evidence emerged of the harmful and deadly side effects
15 of exposure to the chemical; and

1       WHEREAS, Exposure to Agent Orange occurred through  
2 respiration, ingestion or absorption; and

3       WHEREAS, Although the exact number of people exposed to Agent  
4 Orange is unknown, an estimated 3 million United States soldiers  
5 served in regions and years the chemical was being used and an  
6 estimated additional 3 million residents of Vietnam may have  
7 been exposed; and

8       WHEREAS, The United States Department of Veterans Affairs  
9 (VA) has concluded that several diseases in veterans can be  
10 presumed to be a result of their exposure to Agent Orange,  
11 including several forms of cancer, neurological and  
12 psychological conditions and birth defects among veterans'  
13 children; and

14       WHEREAS, As of 2023, more than 300,000 United States veterans  
15 and 400,000 Vietnam residents have died from exposure to Agent  
16 Orange in Vietnam; and

17       WHEREAS, The VA offers:

18           (1) disability benefits and health care to veterans  
19 exposed to Agent Orange;

20           (2) stipends, health care and vocational training to the  
21 biological children of veterans exposed to Agent Orange who  
22 have birth defects; and

23           (3) survivor benefits to the spouses, dependent children  
24 and dependent parents of veterans who died as a result of  
25 exposure to Agent Orange;

26 and

27       WHEREAS, The Agent Orange Registry health exam is free to  
28 eligible veterans, does not require enrollment in the VA health  
29 care system and alerts veterans to possible long-term health  
30 problems that may be related to Agent Orange exposure during

1 their military service; and

2 WHEREAS, The VA continues to study the links between exposure  
3 to Agent Orange and the presence of diseases and declares that a  
4 presumption of service-connection exists in the onset of certain  
5 diseases, therefore qualifying veterans with those diseases to  
6 receive Federal benefits; and

7 WHEREAS, The Blue Water Navy Vietnam Veterans Act of 2019  
8 extended the presumption of service-connection for certain  
9 diseases associated with Agent Orange to veterans who served  
10 offshore of Vietnam or in or near the Korean demarcation zone  
11 during the times when Agent Orange was used in those regions,  
12 extending the range of qualified veterans to include sailors in  
13 addition to soldiers; and

14 WHEREAS, The Sergeant First Class (SFC) Heath Robinson  
15 Honoring our Promise to Address Comprehensive Toxics (PACT) Act  
16 of 2022 extended the presumption of service-connection for  
17 certain diseases associated with Agent Orange, burn pits and  
18 other toxic substances to veterans who served during specified  
19 time frames in Thailand, Laos, Cambodia, Guam, American Samoa  
20 and in the waters of, or on, the Johnson Atoll, and for veterans  
21 of the Gulf War era and post-9/11 era; and

22 WHEREAS, The VA has received more than 920,000 total PACT Act  
23 related claims since the law was enacted; and

24 WHEREAS, Pennsylvania has the third-largest veteran  
25 population in the United States; and

26 WHEREAS, In 2023, more than 27,300 Pennsylvanians received  
27 benefits from the VA connected to their exposure to Agent  
28 Orange; and

29 WHEREAS, The Department of Military and Veterans Affairs  
30 estimates that more Pennsylvanians are eligible for Federal

1 benefits related to their exposure to Agent Orange in addition  
2 to those who are currently receiving benefits; and

3 WHEREAS, The Department of Military and Veterans Affairs,  
4 county directors of veterans affairs and veterans service  
5 organizations are all working to assist the VA in identifying  
6 and assisting veterans and surviving spouses in applying for  
7 Federal benefits for which they qualify; therefore be it

8 RESOLVED, That the House of Representatives establish the  
9 Pennsylvania Task Force on Agent Orange AND OTHER TOXINS to <--  
10 study and issue a report on how best to connect veterans who  
11 were exposed to Agent Orange AND OTHER TOXINS and their families <--  
12 with the VA benefits for which they may be eligible; and be it  
13 further

14 RESOLVED, That the Task Force consist of the following  
15 members:

16 (1) the Deputy Adjutant General for Veterans Affairs or  
17 a designee, who shall serve as the chairperson of the Task  
18 Force;

19 (2) a health care provider in this Commonwealth who has  
20 experience in providing health care to veterans, appointed by  
21 the Governor;

22 (3) one member appointed by the President pro tempore of  
23 the Senate;

24 (4) one member appointed by the Speaker of the House of  
25 Representatives;

26 (5) one member appointed by the Minority Leader of the  
27 Senate;

28 (6) one member appointed by the Minority Leader of the  
29 House of Representatives; and

30 (7) a representative of each of the following veterans'

1 organizations, appointed by the respective veterans'  
2 organization:

- 3 (i) the Military Order of the Purple Heart;
- 4 (ii) the State Association of County Directors of  
5 Veterans Affairs;
- 6 (iii) the Vietnam Veterans of America;
- 7 (iv) the American Legion;
- 8 (v) the Disabled American Veterans;
- 9 (vi) the Veterans of Foreign Wars; and
- 10 (vii) American Veterans;

11 and be it further

12 RESOLVED, That the Task Force meet periodically at the  
13 discretion of the chairperson of the Task Force; and be it  
14 further

15 RESOLVED, That the Task Force issue a report based on its  
16 study that includes:

17 (1) an assessment of facilitators that help veterans  
18 become aware of benefits for which they are eligible;

19 (2) an assessment of barriers that prevent veterans from  
20 knowing about benefits for which they may be eligible;

21 (3) a list of conditions presumed to be caused by  
22 exposure to Agent Orange AND OTHER TOXINS; <--

23 (4) all the benefits for which veterans exposed to Agent  
24 Orange AND OTHER TOXINS could be eligible; <--

25 (5) how veterans can apply for benefits;

26 (6) where veterans can receive assistance;

27 (7) the timeline between when one applies for and begins  
28 receiving benefits; and

29 (8) any other information that the Task Force deems  
30 necessary;

1 and be it further

2 RESOLVED, That the report include recommendations on how to  
3 improve veterans' access to the VA benefits or treatment options  
4 for which they are eligible and how best to communicate with  
5 veterans who were exposed to Agent Orange AND OTHER TOXINS; and <--  
6 be it further

7 RESOLVED, That the Department of Military and Veterans  
8 Affairs provide administrative and other support to the Task  
9 Force; and be it further

10 RESOLVED, That the Task Force issue a report of its findings,  
11 which shall include its recommendations for legislation, if any,  
12 to the Senate and the House of Representatives on or before  
13 January 1, 2025.