



Vietnam Veterans of America

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Testimony of
Vietnam Veterans of America
Presented by
Richard Weidman
Executive Director for Policy & Government Affairs
BEFORE THE
House Foreign Affairs' Subcommittee on Asia, the Pacific, and the
Global Environment
REGARDING
“Agent Orange: What Efforts Are Being Made To Address The
Continuing Impact of Dioxin in Vietnam?”

June 4, 2009

Good Afternoon, Mr. Chairman, and Members of this distinguished Subcommittee, on behalf of VVA National President John Rowan and all of our officers and members we thank you for the opportunity for Vietnam Veterans of America (VVA) to appear here today to share our views on the issue: "Agent Orange: What Efforts Are Being Made To Address The Continuing Impact of Dioxin in Vietnam?" I ask that you enter our full statement in the record, and I will briefly summarize the most important points of our statement.

As I told this distinguished Subcommittee last year, Vietnam Veterans of America (VVA) took our first mission back to Vietnam after the war in December of 1981. That mission was led by our then President, and founder, Robert O. "Bobby" Muller. The substance was two fold: first, to start the process of securing cooperation of the Vietnamese government in achieving the fullest possible accounting of our POW/MIA from the Vietnam war (or "the American war" as the Vietnamese called it); and, second, to move toward research in Vietnam as the natural laboratory for research into the epidemiological impact of Agent Orange and the other toxins used or inadvertently deposited in Vietnam during our presence there.

VVA has returned to Vietnam many times since, always focusing on these two core missions. Since the early 1990s, VVA has had the "Veterans' Initiative" (VI) of collecting information about graves of North Vietnamese Army casualties after battles with our forces that are contributed by American veterans who fought in Vietnam, including information, artifacts, etc. that VVA has transmitted to the Veterans Association of Vietnam. This veteran to veteran project has, according to the Vietnamese, contributed to the continued high level of cooperation that the Vietnamese have accorded the J-PAC forces searching for American remains in an effort to locate remains of missing American service members, repatriate them, and help bring closure to the families that have waited so long for final word on the fate of their loved one. Additionally, the Vietnamese have used the information imparted to continue their process of locating the remains of their MIA, and bringing closure to the Vietnamese families in a similar fashion. Our most recent VI mission to Vietnam was just last October.

As to Agent Orange, VVA continues to be the leader among American veterans groups in pressing for more research and action regarding the deleterious and adverse health effects of Agent Orange and other herbicides and toxic substances such as DDT and Malathion to which we, and Vietnamese forces and population were exposed to during the war. Much of the residue of these toxic substances remains in Vietnam, and continues to expose the population to these dangerous chemicals. The common perception is that it is an "Agent Orange" problem, but that is only one of the herbicides used in Vietnam, and only accounts for about 48% or 49% of the aerial spraying.

As was the case last year, there is still debate from a few individuals about whether Agent Orange was and is harmful to human beings. Dr. Alvin Young continues to say, as he put it in testimony to the panel of scientists convened by the Institute of Medicine (IOM) of the National Academies of Sciences (NAS) last year: "The bad news is that Agent Orange was so widely dispersed by aerial spraying, ground vehicles, and by hand that virtually all who served there would have come in contact with it, but the good news is that most of it is not harmful." Dr. Young continues to contend is that only the Agent Orange that contains 2, 4, 5T was harmful, and that only very limited amounts were used during the early years of the spraying. VVA has reason to doubt that dioxin is good for you, and has told that to Dr. Young repeatedly. It appears that actually the highest concentration of 2, 4 D and 2, 4, 5 T was actually contained in Agent Pink, which was used extensively and primarily along roads and perimeters.

These were a total of at least 15 different agents used at one time or another during our military presence in Vietnam for defoliation and (apparently) for crop destruction to deny food to enemy forces during the war. A number of these agents were used only in very limited tests for possible effectiveness, and therefore only minute amounts of these toxins were left behind. However, Agent Blue, Agent White, and Agent Purple were used extensively, particularly for destruction of rice crops, and for defoliation along roads. The basic ingredient of Agent Blue is commonly known as salt of arsenic. You do not have to be a chemist to understand that arsenic is not healthy for humans and other living things.

Much progress has been made over the last thirty years, but it has been sporadic. I have attached to this statement a copy of “The VVA Self-Help Guide to Service Connected Disability Compensation For Exposure To Agent Orange For Veterans And Their Families” that encapsulates the situation for American veterans and their families, and may also prove to be useful to our counterparts in Vietnam, who also suffer from the same or similar conditions. (see Appendix I)

Because the VA does not do outreach very effectively (or in many cases at all) to tell veterans of any generation about the special long term health care risks they carry as a result of their military service to country, VVA has teamed with the private sector medical societies, disease advocacy organizations, some other veterans’ organizations, private pharmaceutical companies, and health care organizations to educate private clinicians, veterans who never go near the VA, the families of veterans, and the general public as to the wounds, maladies, and injuries of war. We call this effort the “Veterans Health Council.”(See Attachment II or go to www.veteranshealth.org)

One key aspect of research was seeking to get research going in Vietnam, as it is still the “natural laboratory” where all of this actually took place, and when we left the toxins were left behind. Really from the 1980s forward, and intensively from about 1995 until 2001 VVA pushed hard to secure an agreement, and the funds, to bring about scientific research in Vietnam about these toxic substances. Thanks in particular to the Senators Daschle, Harkin, Kerry and Hagel, and Congressman Lane Evans, the funds were appropriated for three years in a row to the National Institute for Environmental Health Sciences (NIEHS) specifically for this purpose, but remained unused. Some of the delay was due to recalcitrance on the part of NIEHS and some due to the reluctance of the Vietnamese to go down this road. Frankly, the Vietnamese position makes sense to a layman in that they believed that the adverse effects of the toxins on the environment and on human health was pretty much self evident, and that the U.S. Government should accept responsibility for this and move to transfer funds and technical assistance to the Vietnamese to provide medical care and compensation to their citizens, and resources to clean up the toxins still in their environment.

As we explained to the Subcommittee last year, the Memorandum of Agreement between the United States government and the government of Vietnam has come to naught for a variety of reason, not the least of which was the determination of the previous Administration to ensure that nothing substantive came out of it that would assist American veterans and their families in their struggle to get the Federal government to recognize the legitimacy of their claims for illnesses and suffering they and their families have endured. Because that agreement is essentially now dead in the water, we have shifted our focus to seeking research closer to home.

The situation with regard to research funded by the Federal government into the effects of Agent Orange and other toxic substances is still basically the same as it was thirteen months ago. There is currently not a

single study regarding the adverse effects of Agent Orange being funded by any of the National Institutes of Health, nor by the Defense Department, nor by VA nor by the EPA. The previous Secretary of the VA finally commented on the latest findings from the IOM pursuant to the Agent Orange Act of 1991, even though that response was many months late. He rejected out of hand the recommendation of the IOM that should have made hypertension a service connected presumptive disease due to service in Vietnam. When further pressed by VVA for an explanation, there was no additional information or insight into his "reasoning" other than that he had said "No!" Even the \$1.5 million for the Medical Follow-up Agency of the IOM to care for the data from the now defunct Air Force "Ranch Hand Study" and to make it available to the scientific community mysteriously disappeared from the two latest VA budgets.

In the past year there has been a good deal of activity in regard to Agent Orange on the part of the leadership of the Congress, particularly due to the strong leadership of Congressman Bob Filner, Chairman of the House Veterans Affairs Committee. We will work closely with the Committee on Veterans Affairs to further sharpen prospective legislation and legislative inquiry into this area. We have a rough draft of what we are asking the Congress to do in Attachment III to this statement. Further, Speaker Pelosi publicly committed to meaningful action on Agent Orange during the 111th Congress in a meeting with veterans service organizations and military service organizations this past Spring.

There is also hope that once Secretary Shinseki has a new team in place to lead the Veterans Health Administration, as well as a new leadership team at the head of Research & Development at VA, that we will be able to petition the Secretary to declare a number of additional conditions service connected presumptive for Vietnam veterans. Those include all of the same birth defects for children of men that are now recognized for the children of women veterans. Other conditions that we have strong reason to believe have enough evidence to be declared presumptive service connected conditions for Vietnam veterans are Parkinson's disease, hypertension, heart conditions, all cancers, most neurological conditions such as ALS and MS as well as other such conditions, endocrinal abnormalities and conditions, and all peripheral neurology problems irrespective of the date of onset (there is no scientific evidence for the current VA requirement that it must have been diagnosed within one year of service in Vietnam). These are the minimum conditions which we will pursue in the coming year seeking administrative redress that the Secretary of Veterans Affairs has the statutory power to grant.

As a means to bolster to these actions, and commensurate actions that may be taken in Vietnam today we point out that the International Agency for Research on Cancer (IARC) and the United States National Toxicology Program have both declared dioxin to be a known carcinogenic for a full range of cancers.

In addition VVA will seek to have President Obama lift the virtual moratorium on useful scientific research into the long term effects of service in Southeast Asia during the American war in Vietnam. I have attached a rough draft of legislation that we will seek to have introduced this summer in the Congress, with hearings before the end of the first session of the 111th Congress. There needs to be specific research into the wounds, maladies, injuries and conditions that result from military service for every generation of American veterans. Those maladies are different for those of us who served in Vietnam versus those who served in Gulf War I. The point is that each and every generation should be studied, at minimum with ongoing epidemiological studies of each generation of servicemembers. At VVA we take our founding principle very seriously. When we say "*Never again shall one generation of American veterans abandon another generation!*" we really mean it.

Mr. Chairman, you asked what should be done for our counterparts in Vietnam. Our answer is that those who are suffering as a result of the actions of the American government need to have their suffering alleviated, no matter where they live and no matter what their nationality. As a former Boy Scout, I learned the concept of stewardship at an early age, both from Scout Leaders and from my family. That means simply leaving anyplace you go in the same condition or better than you found it. America has not done that with Vietnam. It is a wrong and a failure in stewardship that needs to be corrected.

We would be remiss if we did not acknowledge the extraordinary work of Ms. Mary Dolan of the National Organization on Disability (NOD), who released the extraordinarily well done paper "U.S. Vietnam Veterans and Agent Orange: Understanding the Impact 40 Years Later" earlier this week (June 1, 2009). We are grateful for her efforts and those of NOD, as well as the work of the Aspen Institute and the U.S. – Vietnam Dialogue group that led to his report being done. Lastly, VVA acknowledges the financial support of the Ford Foundation in making all of the above noted efforts of the Aspen Institute and the National Organization on Disability possible. I am sure that someone else is submitting this work to ensure that it is on the record for this hearing. If not, I urge the Chairman to ensure that it is included.

All Vietnam veterans ask is parity with how our former adversaries are treated, so that veterans of the United States Armed Services and their families be accorded justice in the health care and benefits for harm done by these exposures. Subsequently or at the same time we do not oppose extensive remediation of the environment and significant transfer of medical and scientific resources to increase the organizational capacity of Vietnam to deal with the problems of their people that are every bit as real as those suffered by our people. American veterans still do not have the answers we need. While we wish the Vietnamese people all the best with their problems due to Agent Orange, it is a fact that American veterans of Vietnam, and our families, are being cast aside by the way things have developed in the past eight years, and particularly so since early 2004. As noted above, we have a great deal of hope that President Obama's administration will reverse this direction

Thank you for the opportunity to provide our brief remarks. I will be happy to answer any questions.

RICHARD WEIDMAN

Richard F. "Rick" Weidman serves as Executive Director for Policy & Government Affairs on the National Staff of Vietnam Veterans of America (VVA). As such, he is the primary spokesperson for VVA in Washington. He served as a 1-A-O Army Medical Corpsman during the Vietnam War, including service with Company C, 23rd Med, AMERICAL Division, located in I Corps of Vietnam in 1969.

Mr. Weidman was part of the staff of VVA from 1979 to 1987, and from 1998 to the present, serving variously as Membership Services Director, Agency Liaison, Director of Government Relations, and now Executive Director for Policy & Government Affairs. He left VVA to serve in the Administration of Governor Mario M. Cuomo (NY) as statewide director of veterans' employment & training (State Veterans Programs Administrator) for the New York State Department of Labor from 1987 to 1995.

Rick has served as Consultant on Legislative Affairs to the National Coalition for Homeless Veterans (NCHV), and served at various times on the VA Readadjustment Advisory Committee, as a consumer liaison on the Secretary's Advisory Committee on Serious Mental Illness at VA, the Secretary of Labor's Advisory Committee on Veterans Employment & Training, the President's Committee on Employment of Persons with Disabilities - Subcommittee on Disabled Veterans, Advisory Committee on veterans' entrepreneurship at the Small Business Administration, and numerous other advocacy posts in veteran affairs. He is currently Chairman of the Veterans Entrepreneurship Task Force (VET-Force), which is the consortium of most of the major veterans' service organizations and military service organizations regarding expanding opportunities for veterans, particularly disabled veterans to create, own, and successfully operate their own small business.

Mr. Weidman was an instructor and administrator at Johnson State College (Vermont) in the 1970s, where he was also active in community and veterans affairs. He attended Colgate University (B.A., 1967), and did graduate study at the University of Vermont.

He is married and has four children.

VIETNAM VETERANS OF AMERICA

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The national organization Vietnam Veterans of America (VVA) is a non-profit veterans' membership organization registered as a 501(c) (19) with the Internal Revenue Service. VVA is also appropriately registered with the Secretary of the Senate and the Clerk of the House of Representatives in compliance with the Lobbying Disclosure Act of 1995.

VVA is not currently in receipt of any federal grant or contract, other than the routine allocation of office space and associated resources in VA Regional Offices for outreach and direct services through its Veterans Benefits Program (Service Representatives). This is also true of the previous two fiscal years.

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