

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, C. WILLIAMS, DEASY AND GREEN, MARCH 6, 2024

AS AMENDED, HOUSE OF REPRESENTATIVES, MARCH 27, 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

16 WHEREAS, Exposure to Agent Orange occurred through

1 respiration, ingestion or absorption; and

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

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

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

16 WHEREAS, The VA offers:

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

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

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

25 and

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

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

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

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

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

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

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

28 WHEREAS, The Department of Military and Veterans Affairs
29 estimates that more Pennsylvanians are eligible for Federal
30 benefits related to their exposure to Agent Orange in addition

1 to those who are currently receiving benefits; and

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

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

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

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

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

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

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

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

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

29 (7) a representative of each of the following veterans'
30 organizations, appointed by the respective veterans'

1 organization:

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

10 and be it further

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

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

- 16 (1) an assessment of facilitators that help veterans
17 become aware of benefits for which they are eligible;
- 18 (2) an assessment of barriers that prevent veterans from
19 knowing about benefits for which they may be eligible;
- 20 (3) a list of conditions presumed to be caused by
21 exposure to Agent Orange and other toxins;
- 22 (4) all the benefits for which veterans exposed to Agent
23 Orange and other toxins could be eligible;
- 24 (5) how veterans can apply for benefits;
- 25 (6) where veterans can receive assistance;
- 26 (7) the timeline between when one applies for and begins
27 receiving benefits; and
- 28 (8) any other information that the Task Force deems
29 necessary;

30 and be it further

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

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

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