

The U.S. Situation

How many U.S. veterans or their children have received benefits related to Agent Orange/dioxin or other herbicides used in Vietnam? In 2008, the U.S. Department of Veterans Affairs provided \$13.8 billion in compensation to 1,015,410 Vietnam-era veterans.ⁱ The agency does not relate these service-connected benefit figures directly to Agent Orange/dioxin exposure or to any other possible cause of illness, nor does it provide data on total compensation for the years since the war ended.

What did U.S. veterans experience from Agent Orange/dioxin exposure? Thousands of U.S. veterans returning from Vietnam reported health problems almost immediately and rapidly associated them with Agent Orange/dioxin exposure. Controversy over these assertions began just as fast, and continues now.

What is the controversy about? Many questions persist:

- Whether (and how to test whether) the illnesses of veterans and their offspring are related to Agent Orange and other herbicide exposure;
- Levels of dioxin present in the chemicals;
- The accuracy of data about veterans' exposure;
- Levels of corporate, military and government awareness of dioxin's presence;
- Fixing of responsibility for the contaminant's presence and liability for its damages;
- Details of research protocols, accuracy of findings and reliability of interpretations; and
- Decisions on who should pay what to whom for which possible courses of remedial action.

This "blame game" has blocked action in both the U.S. and Vietnam, needlessly prolonging the suffering of millions of U.S. veterans and Vietnamese.

What is the current U.S. government position on Agent Orange/dioxin damage to U.S. veterans? In the Agent Orange Act of 1991, Congress required the National Academy of Sciences to review periodically all medical and scientific research on the health effects of exposure to Agent Orange/dioxin and other chemicals used during the Vietnam War, and to their individual components. The NAS Institute of Medicine now issues biennial reports called *Veterans and Agent Orange*. The most recent one was issued in July 2009. [See *Health Effects* fact sheet in this information kit for more on that report.]

- The U.S. Department of Veterans Affairs now allows compensation to anyone who had "boots on the ground" in Vietnam or served on particular U.S. Navy ships offshore from 1962 to 1975 (about 2.8 million people) and suffers from any of these diseases: soft-tissue sarcoma, non-Hodgkins lymphoma, Hodgkin's disease, chloracne, chronic lymphocytic leukemia, respiratory cancer, prostate cancer, multiple myeloma, amyloidosis, peripheral neuropathy, porphyria cutanea tarda, type II diabetes, and spinal bifida in offspring.ⁱⁱ
- Parkinson's Disease, hairy cell leukemia and ischemic heart disease were added to this list in 2009.
- The VA also allows compensation for children of female veterans who served in Vietnam who have achondroplasia, cleft lip or cleft palate, congenital heart disease, clubfoot, esophageal and intestinal atresia, Hallerman-Streiff syndrome, hip dysplasia, Hirschsprung Disease, hydrocephalus, hypospadias, imperforate anus, neural tube defects (including spina bifida, encephalocele, and anencephaly), Poland syndrome, pyloric stenosis, fused digits, tracheal or esophageal fistula, undescended testicle and Williams syndrome.
- All U.S. compensation is for service in Vietnam and is not specifically linked to exposure to any of the herbicides or to dioxin.ⁱⁱⁱ

What is the U.S. position on Agent Orange/dioxin damage in Vietnam? The U.S. government has consistently stated that no scientific evidence links Agent Orange/dioxin to adverse health effects found in Vietnam.^{iv} However, U.S. officials have begun dialogue with Vietnamese counterparts about a humanitarian approach to the issue. In addition, Congress has appropriated \$9 million over four years for environmental remediation of dioxin-contaminated sites and for related health activities, on a humanitarian basis.

Are there any Agent Orange/dioxin 'hot spots' in the United States? Several U.S. communities at or near Agent Orange manufacturing or storage sites continue to report dioxin levels above recommended safety standards.

- These include Dow Chemical sites in Saginaw and Midland MI; a Diamond Shamrock site in Newark Bay NJ; a Monsanto Chemical Co. site in Nitro WV; a testing site in Hilo HI; and military bases where the herbicides were tested or stored, at Gulfport MS, Fort Drum NY, Eglin Air Force Base FL and Fort Detrick MD.
- In October, 1998, a federal court ordered Hercules Inc. and Uniroyal Chemical Ltd. To reimburse the Environmental Protection Agency \$102.8 million for its cleanup of the Vertac Superfund site in Jacksonville AK, where Agent Orange was produced and stored.^v
- In 1983, all 2,200 residents of Times Beach MO were relocated due to dioxin contamination from the use of waste oil from a chemical production facility in Verona MO (not related to Agent Orange) to control dust on local roads. The relocation cost \$30 million, plus \$110 million to incinerate the contaminated soil.^{vi}
- The early stages of the Times Beach controversy, along with the 1970s dioxin contamination scandal at Love Canal in Niagara Falls NY (also not related to Agent Orange), led to creation of the Environmental Protection Agency's Superfund toxic waste cleanup program in 1980.

ⁱ Veterans Benefits Administration, *Annual Benefits Report, FY 2008: Making a Difference*, U.S. Department of Veterans Affairs, Washington DC, 2008, p. 16 http://www.vba.va.gov/REPORTS/abr/2008_abr.pdf

ⁱⁱ "Health Conditions Presumptively Recognized to Date," *Agent Orange Review*, Environmental Agents Service, U.S. Department of Veterans Affairs, Vol 20 #2, Washington DC, Aug. 2008, p. 5-6
http://www.publichealth.va.gov/docs/agentorange/reviews/ao_newsletter_aug08.pdf

ⁱⁱⁱ "Health Conditions...p.5-6"

^{iv} HDNET Report: Vietnam's Lingering Ghost: Facing the Legacies of Agent Orange. 714 (2009) and World Report
http://www.hd.net/worldreport_epguide.html:page=0.

^v Environmental Protection Agency, "Judge Rules that Hercules and Uniroyal Must Pay U.S. \$102 Million for Superfund Cleanup," press release, Washington DC Oct. 23, 1998.

<http://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003fb69d/018c01599b51b0ef852566ab005a945a!OpenDocument> Accessed 12/13/09

^{vi} U.S. Environmental Protection Agency, "Times Beach Record of Decision Signed," press release, Washington DC, Sept. 30, 1988. <http://www.epa.gov/history/topics/times/03.htm>