



## COUNTY OF HUMBOLDT

AGENDA ITEM NO.

D-2

For the meeting of: May 3, 2016

Date: April 27, 2016  
To: Board of Supervisors  
From: Supervisor Virginia Bass  
Subject: Resolution Recognizing Blue Water Navy Veterans

RECOMMENDATION(S): That the Board of Supervisors authorize the Chair to sign the Resolution.

SOURCE OF FUNDING: N/A

DISCUSSION: Many Vietnam Veterans, including Blue Water Navy Veterans are reaching the age where exposure to Agent Orange is becoming evident and support from the United States Department of Veterans Affairs is necessary. This resolution is requesting that the United States Congress reaffirm the nation's commitment to the well-being of all its veterans by directing the US Department of Veterans Affairs to properly administer the Agent Orange Act of 1991 by passing House Resolution 969 and Senate Bill 681, the Blue Water Navy Vietnam Veterans Act of 2015, and re allow the presumption that herbicide exposure in Vietnam during the war also includes service in the coastal waters.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Resolution.

Prepared by Kathy Hayes

Signature

*Virginia Bass*

**REVIEW:**

Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

**TYPE OF ITEM:**

☒ Consent  
☐ Departmental  
☐ Public Hearing  
☐ Other

**PREVIOUS ACTION/REFERRAL:**

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor *Fennell* Seconded by Supervisor *Bass*

Ayes *Sundberg, Fennell, Lovelace, Bohn, Bass*  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *May 3, 2016*

By:

*Kathy Hayes*  
Kathy Hayes, Clerk of the Board



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of May 3, 2016

RESOLUTION NO. 16-50

**RESOLUTION RECOGNIZING BLUE WATER NAVY VETERANS**

**WHEREAS**, during the Vietnam War, the United States military sprayed approximately twenty-two million gallons of agent orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; and

**WHEREAS**, these herbicides contained dioxin, which has since been identified as carcinogenic and has been linked to a number of serious and disabling illnesses affecting thousands of veterans; and

**WHEREAS**, the United States Congress passed the Agent Orange Act of 1991 to address the plight of veterans exposed to herbicides while serving in Vietnam by amending Title 38 of the United States Code to presumptively recognize as service connected certain diseases among military personnel who so served between 1962 and 1975; and

**WHEREAS**, presumptive status provides expedited claims processing for access to appropriate disability compensation and medical care for Vietnam veterans diagnosed with such illnesses as Type II diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, prostate cancer, Parkinson's disease, multiple myeloma, peripheral neuropathy, AL amyloidosis, respiratory cancers, soft tissue carcinomas and other diseases yet to be identified; and

**WHEREAS**, the United States Department of Veterans Affairs Claims Adjudication Manual, more commonly known as the M21-1 Manual, originally allowed the presumption to be extended to all veterans who received the Vietnam Service Medal; and

**WHEREAS**, in a February 2002 revision to the M21-1 Manual, the United States Department of Veterans Affairs added a requirement that a veteran prove that he or she had set foot on land or entered an internal river or stream in Vietnam during the war in order to receive presumptive status; and

**WHEREAS**, since February 2002, the United States Department of Veterans Affairs has accordingly denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who served in the waters off the Vietnamese coast or in bays and harbors and who cannot furnish documentation that they had "boots on the ground" in-country, making it virtually impossible for countless United States Navy and Marine veterans to acquire federal veterans' benefits; and

**WHEREAS**, personnel who served on ships in the "Blue Water Navy" in Vietnamese territorial waters were exposed to dangerous airborne and waterborne toxins that did not merely drift offshore in the air but also washed into streams and rivers draining into the South China Sea; and

**WHEREAS**, ships positioned off the Vietnamese coast routinely distilled sea water to obtain potable water, and a 2002 Australian study found that such distillation process, rather than removing toxins, concentrated and enhanced the dioxin in water used for drinking, cooking and washing; and

**WHEREAS**, such study was conducted by the Australian Department of Veterans' Affairs after it found Vietnam veterans of the Royal Australian Navy had a higher rate of mortality from agent orange-associated diseases than did Vietnam veterans from other branches of the military; and

**WHEREAS**, when the United States Centers for Disease Control and Prevention conducted its own study of specific cancers among Vietnam veterans, it also found a higher incidence of certain cancers among United States Navy veterans; and



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**WHEREAS**, additional studies, including those conducted by the Institute of Medicine, show plausible pathways for agent orange to have entered the South China Sea through contaminated dirt and debris from rivers and streams; and

**WHEREAS**, the 2009 study by the Institute of Medicine Committee, "Review of the Health Effects in Vietnam Veterans of Exposure to Herbicides (Seventh Biennial Update)", recommended that veterans who served on ships off the coast of Vietnam during the war not be excluded from the presumption of exposure; and

**WHEREAS**, herbicides containing dioxin did not discriminate between soldiers on the ground and sailors on ships offshore; and

**WHEREAS**, the Blue Water Navy Vietnam Veterans Act of 2015 was introduced through identical companion legislation in the United States House of Representatives, by Representative Christopher Gibson on March 6, 2015, as House Resolution 969, and the United States Senate, by Senator Kirsten Gillibrand on March 19, 2015, as Senate Bill 681; and

**WHEREAS**, more than thirty national veterans service organizations support the Blue Water Navy Vietnam Veterans Act of 2015; and

**WHEREAS**, various agencies of the federal government have recently demonstrated awareness of the hazards of agent orange exposure through participation and funding of the identification, containment and mitigation of dioxin "hot spots" in Vietnam; and

**WHEREAS**, the United States Congress should reaffirm the nation's commitment to the wellbeing of all its veterans by directing the United States Department of Veterans Affairs to properly administer the Agent Orange Act of 1991 by passing House Resolution 969 and Senate Bill 681, the Blue Water Navy Vietnam Veterans Act of 2015, and thereby realow the presumption that herbicide exposure in Vietnam during the war includes service in the coastal waters.

**NOW, THEREFORE, BE IT RESOLVED**, that the Humboldt County Board of Supervisors in the state of California, hereby respectfully encourages the United States Congress to restore the presumption of service connection for agent orange exposure to United States veterans who served in the coastal waters of Vietnam during the war; and

**BE IT FURTHER RESOLVED**, that the clerks of the House of Representatives and the Senate transmit copies of this resolution to the President of the United States; the Vice President of the United States in his capacity as presiding officer of the United States Senate; the Speaker of the United States House of Representatives; the Chairperson of the Senate Committee on Veterans Affairs; the Chairperson of the House of Representatives Committee on Veterans Affairs; the Chairperson of the House of Representatives Subcommittee on Disability Assistance and Memorial Affairs; and each Senator and Representative from California in the Congress of the United States.

Dated: May 3, 2016



MARK LOVELACE, Chair  
Humboldt County Board of Supervisors

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

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RESOLUTION NO. 16-50


Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES:	Supervisors	Sundberg, Fennell, Lovelace, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA   )  
County of Humboldt    )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

