

STATEMENT FOR THE RECORD

FOR



Submitted By

John Rowan, VVA National President

Before the

House Veterans' Affairs Committee

Regarding

Pending Legislation

May 5, 2021

Good morning Chairman Takano, Ranking Member Bosh, and other members of the House Veterans Affairs Committee. Thank you for giving Vietnam Veterans of America (VVA) the opportunity to submit our statement for the record regarding pending legislation before this committee

I ask that you enter our full statement in the record, and I will briefly summarize the most important points of our statement.

Toxic Exposure and Congress

The House and Senate Veterans Affairs Committees had identified toxic exposure as one of their highest priorities. Now I am glad to report that both the House and Senate Committees are moving at breakneck speed to introduce legislation to deal with these long-standing issues. I must congratulate these Committees, as well as various Representatives and Senators for their swift action on these bills. I am also pleased to note that these are bipartisan efforts. Every bill has both a Republican and Democratic sponsor.

Today's hearing on over 15 bills half of whom are about toxic exposure. The proposed legislation covers items that have been languishing in Congress for a number of years. For example, H.R.1355 would care for veterans who served in K2, the old Karshi-Khanabad Russian airbase in Uzbekistan, which was horribly polluted. H.R.1585 the Mark Takai Atomic Veterans Healthcare Parity Act, for veterans who cleaned up the Enewetak Atoll used for atomic testing. H.R. 1972 would add hypertension as a presumptive disease for Vietnam vets. H.R. 2436 focuses on burn pits and H.R. 2569 would add Thailand to the Agent Orange effected areas during the Vietnam War. Two bills, H.R. 2127 and H.R. 2372, attempt to deal with those exposed to burn pits. VVA tends to favor H.R. 2372 because it has more definitive time frames on the VA's actions. There are several other bills and more seem to be coming out every day. It is unclear which of these bills will be finally approved and some of them may eventually get merged into an omnibus bill.

VVA is concerned that, while these are great legislative proposals, only a few affect Vietnam veterans and our issues and none of them focus on our efforts to get the VA to deal with the health impacts on the multi-generational progeny of the affected veterans of all wars from Vietnam to the present day.

Other Legislative Issues

Other bills not related to toxic exposure also caught our eye were:

Discussion Draft, Fort McClellan Health Registry Act, introduced by Congressman Paul Tonko (D-NY-20). This bill directs the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at Fort McClellan, Alabama, and for other purposes.

The Environmental Protection Agency (EPA) closed Fort McClelland base in 1999 whereas it has been estimated that over 650,000 soldiers were trained at this base from 1935-1999 were exposed to a chemical soup comprised of Agent Orange, Agent Blue, Sarin, VX, uranium, and PCBs. Today these service members and civilians living in the area have developed serious health conditions, including: various cancers, autoimmune disease, heart disease and diabetes

Vietnam Veterans were exposed to Agent Orange during their military services in Vietnam, today we must not make the same mistake as we did for our Vietnam Veterans, it is incumbent of this Congress to ensure that the soldiers and civilians stationed at Ft. McClellan who were unknowingly exposed to these dangerous toxin received the healthcare and compensation for their service and sacrifice to this nation.

VVA heartily endorses this bill.

Discussion Draft, PFAS Registry Act of 2021, introduced by Congressman Chris Pappas (D-NH-1). This bill requires the Secretary of Veterans Affairs to establish and maintain a registry for certain individuals who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam on military installations.

In the 1970s, the Department of Defense (DoD) began using AFFF to fight fuel fires. DoD later recognized that the release of PFAS into the environment during training and emergency responses for firefighting is a major source of contamination in the groundwater on military bases. However, the VA does not consider any health conditions to be presumptively associated with PFAS exposure and maintains that the overall scientific and medical evidence is currently inconclusive.

VVA fully support this bill which will direct the VA to establish an epidemiology registry to monitor the health of veterans who were potentially exposed to specific environmental agents during their military services.

VVA's Legislative Analysis

Following below is VVA's view on each of the proposed bills on today's agenda. If there are any additional bills, we will provide separate comments.

H.R. 1273 - Vietnam Veterans Liver Fluke Study Act, introduced by Congressman Lee Zeldin (R-NY-1). The bill requires the Department of Veterans Affairs (VA) to conduct an epidemiological study and report on the prevalence of cholangiocarcinoma (bile duct cancer) in

veterans who served in the Vietnam theater of operations during the Vietnam era. The study shall identify the rate of incidence of cholangiocarcinoma in such veterans and in U.S. residents. The bill also requires the VA to track and report on the prevalence of cholangiocarcinoma using the Veterans Affairs Central Cancer Registry

VVA heartily endorses this bill.

H.R. 1355 - K2 Veterans Care Act of 2021, introduced by Congressman Stephen F. Lynch (D-MD-8). The bill establishes a presumption of service-connection for certain diseases becoming manifest in a veteran who served on active duty at Karshi-Khanabad (K2) Air Base in Uzbekistan between January 1, 2001, and December 31, 2005. Specifically, there must be a presumption of service-connection for veterans who manifest illnesses that have a positive association with exposure to jet fuel, volatile organic compounds, high levels of particulate matter, depleted uranium, asbestos, or lead-based paint, as determined by the National Academies of Sciences, Engineering, and Medicine (NASEM). Under a presumption of service-connection, specific conditions diagnosed in certain veterans are presumed to have been caused by the circumstances of their military service. Health care benefits and disability compensation may then be awarded.

Veterans who served at K2 Air Base during the specified period are eligible for Department of Veterans Affairs hospital care, medical services, and nursing home care for an illness that has been determined by NASEM to have a positive association with exposure to jet fuel, volatile organic compounds, high levels of particulate matter, depleted uranium, asbestos, or lead-based paint.

VVA heartily endorses this bill.

H.R. 1585 - Mark Takai Atomic Veterans Healthcare Parity Act of 2021, introduced by Congresswoman Grace Meng (D-NY-6). The bill amends title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation-exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs.

VVA heartily endorses this bill.

H.R. 1972 - Fair Care for Vietnam Veterans Act of 2021, introduced by Representative Josh Harder (D-CA-10). The bill amends title 38, United States Code, to expand the list of diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam to include hypertension, and for other purposes.

VVA heartily endorses this bill.

H.R. 2127 - TEAM Act, introduced by Congressman Mike Bost (R-IL-12). This bill would improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, and for other purposes.

VVA support the concepts behind this bill but believe it must be viewed in comparison to H.R. 2372. It may lend itself to being combined with H.R. 2372. We are also interested in similar coverage or inclusion of veterans from Vietnam and the Gulf War, as well as exposures on U.S. bases at home and abroad. Also, we are not very fond of commissions, which tend to drag out the obvious conclusions.

H.R. 2268 - Keeping Our Promises Act, introduced by Congressman Bruce Westerman (R-AR-4). This bill would amend title 38, United States Code, to ensure that certain diseases are covered by the presumption of service connection relating to the exposure to herbicides by certain veterans who served in the Republic of Vietnam, and for other purposes.

VVA heartily endorses this bill

H.R. 2368 - COVENANT Act, introduced by Congresswoman Elaine Luria (D-VA-2). The bill would amend title 38, United States Code, to establish a presumption of service connection for illnesses associated with exposure to certain airborne hazards, and for other purposes.

VVA heartily supports this bill.

H.R. 2372 - Presumptive Benefits for War Fighters Exposed to Burn Pits and Other Toxins Act, introduced by Congressman Raul Ruiz (D-CA-36). This bill would amend title 38, United States Code, to provide for a presumption of service connection for certain diseases associated with exposure to toxins, and for other purposes.

VVA heartily supports this bill. As noted above we favorably compare it to H.R. 2127 because of its strict timetables for action. We also would like to see either a similar bill or an expansion of this bill for veterans of Vietnam and the Gulf War, as well as those exposed at U.S. bases at home and abroad.

H.R. 2436 - Veterans Burn Pits Exposure Recognition Act of 2021, introduced by Congressman Elissa Slotkin (D-MI-8). This bill would amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

VVA heartily endorses this bill.

H.R. 2530 - Enewetak Atoll Cleanup Radiation Study Act, introduced by Congressman Troy Nehls (R-TX-22) The bill directs the Secretary of Veterans Affairs to seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study on radiation exposure relating to the cleanup of Enewetak Atoll, and for other purposes.

VVA heartily endorses this bill.

H.R.2569 - Veterans Agent Orange Exposure Equity Act, introduced by Congressman Matt Cartwright (D-PA-8). This bill would amend title 38, United States Code, to provide for a presumption of service connection for diseases associated with exposure to certain herbicide agents for veterans who served in close proximity to the Republic of Vietnam, and for other purposes.

VVA heartily endorses this bill.

H.R. 2580 - Palomares Veterans Act of 2021, introduced Congresswoman Jahana Hayes (D-CT-5). This bill would amend title 38, United States Code, to provide for a presumption of service connected disability for certain veterans who served in Palomares, Spain, and for other purposes.

VVA heartily endorses this bill.

H.R. 2607 - FASTER Presumptions Act, introduced by Representative David Trone (D-MD-6). This bill would amend title 38, United States Code, to establish in the Department of Veterans Affairs procedures to determine presumptions of service connection based on toxic exposure, and for other purposes.

VVA heartily endorses this bill.

Mr. Chairman, VVA thanks you and members of this distinguish committee for the opportunity to submit for your consideration our Statement for the Record.

VIETNAM VETERANS OF AMERICA

Funding Statement

May 5, 2021

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.

For Further Information, Contact:
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John Rowan

John Rowan was re-elected to a seventh term as National President of Vietnam Veterans of America (VVA) at the organization's 19th National Convention in 2019.

Rowan enlisted in the U.S. Air Force in July, 1965 and attended language school, learning Indonesian and Vietnamese. He served as a linguist in the Air Force's 6988 Security Squadron in Vietnam and with the 6990 Security Squadron at Kadena Air Base in Okinawa, Japan, providing Strategic Air Command (SAC) with intelligence on North Vietnam's surface-to-air missile sites to protect U.S. bombing missions.

Rowan has been active with VVA since the organization's inception in 1978. A founding member and the first president of VVA Chapter 32 in Queens, N.Y. in September 1981, he has served three terms on VVA's board, as Chairman of VVA's Conference of State Council Presidents, and as president of VVA's New York State Council from 1995-2005. Rowan served as a VVA veterans' service representative in New York City before being elected to VVA's highest office in 2005.

Following his honorable discharge from the Air Force, as a Sergeant (E-4), Rowan received a B.A. in Political Science from Queens College and a Master of Science in Urban Affairs from Hunter College both part of City University of N.Y. Rowan retired from the City of New York as a Chief Investigator with the Comptroller's Contractor Procurement Review Unit. He resides in Middle Village, N.Y., with his wife, Mariann.