



## Legislation Text

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**File #:** Res 0579-2015, **Version:** A

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### Proposed Res. No. 579-A

Resolution calling upon the United States Congress to pass, and the President to sign into law, the Toxic Exposure Research Act

By Council Members Ulrich, Gentile, Rose and Van Bramer

Whereas, Military personnel have been and continue to be at risk of exposure to toxic substances during overseas military operations not only in combat missions, but also in the destruction and disposal of toxic chemicals; and

Whereas, The United States (U.S.) Department of Veterans Affairs (VA), presumes that exposure to certain substances, such as Agent Orange and herbicides used in the Vietnam War, are linked to illnesses including but not limited to Hodgkin's Disease, Parkinson's Disease, Chronic B-cell Leukemias, Chronic Fatigue Syndrome, Fibromyalgia, Functional Gastrointestinal disorders, and multiple forms of cancer; and

Whereas, Toxins such as Agent Orange have also been shown to cause birth defects in the children of military personnel who came into contact with them during the Vietnam War; and

Whereas, According to the 2008 report by the Research Advisory Committee on Gulf War Veterans' Illnesses, several studies have found birth defects to be more common in the children of Gulf War veterans, with some studies finding birth defects to be two to three times more prevalent in veterans versus nonveterans; and

Whereas, Recognizing the risk to children of some veterans, the VA provides monetary allowances, vocational training and rehabilitation, and VA-financed health care benefits to certain Korea and Vietnam Veterans' birth children who have been diagnosed with spina bifida; and

Whereas, Spina bifida is the only birth defect covered by the VA for children of male veterans of the Vietnam or Korea wars; and

Whereas, The VA covers several birth defects for children of female veterans of the Vietnam War; and

Whereas, The benefits offered by VA are very limited and do not include toxic exposure for veterans of the Gulf War; and

Whereas, The Toxic Exposure Research Act of 2015 (S. 901/H.R. 1769) (the "Act"), sponsored by Senators Jerry Moran (R-KS) and Richard Blumenthal (D-CT) and Representatives Dan Benishek (R-MI) and Mike Honda (D-CA), would establish a multi-pronged approach to handling the effects of toxic substances on both veterans and their descendants; and

Whereas, The Act would create an advisory board charged with studying and evaluating cases of exposure of current and former members of the Armed Forces to toxic substances; and

Whereas, The Act would direct the VA Secretary (Secretary) to select a VA medical center to serve as the national center for research on the diagnosis and treatment of health conditions of descendants of individuals exposed to toxic substances while serving as members of the Armed Forces that are related to that exposure; and

Whereas, The Toxic Exposure Research Act would direct the Secretary to use the advisory board to determine which health conditions likely resulted from exposure to toxic substances for purposes of determining those descendants' eligibility for VA medical care; and

Whereas, This legislation would authorize the Secretary of Defense (DOD) to declassify documents related to any known incident in which not less than 100 members of the Armed Forces were exposed to a toxic substance that resulted in at least one case of disability; and

Whereas, The Toxic Exposure Research Act would also direct the Secretary, the Secretary of Health and Human Services (HHS), and the DOD Secretary to jointly conduct a national outreach and education campaign directed at members of the Armed Forces, veterans, and their family members to communicate information on the national research center, incidents of exposure to toxic substances, health conditions resulting from such exposure, and the potential long-term effects of such exposure; and

Whereas, This bipartisan legislation, currently sponsored by 188 members of the U.S. House of Representatives, and 40 members of the U.S. Senate, would allow eligibility for benefits to be determined by the latest research, which is constantly evolving and improving, rather than an outdated program with rigid

eligibility requirements; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign into law, the Toxic Exposure Research Act.

CP/ML/EB

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