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FOR IMMEDIATE RELEASE

## **The American Legion opposes changes to Agent Orange law**

WASHINGTON (July 20, 2011) – The American Legion has voiced its strong opposition to a cost cutting proposal by U.S. Senator Tom Coburn of Oklahoma that would, in the words of the Legion’s national commander, “undo the good work of two decades,” in establishing service-connection benefits regarding “Agent Orange.”

Sen. Coburn has introduced a proposed amendment to the fiscal year 2012 Military Construction Appropriations (MilCon/VA) Bill that would, in the Legion’s opinion, possibly deny benefits to many deserving veterans who have been exposed to the notorious Vietnam-era “Agent Orange” and other toxins. The MilCon/VA bill is the legislation that funds not only military construction but the Department of Veterans Affairs (VA) as well.

As it stands, the VA has the responsibility to establish a “positive association” between a veteran’s compromised health condition or disease and exposure to the toxins. Sen. Coburn’s amendment would instead require proof of a “causal relationship” between the two.

“The language change sounds subtle and harmless enough,” said the Legion’s national commander Jimmie L. Foster, “but the effect of it is anything but. What this means is that veteran would have to absolutely prove that a current health condition – such as diabetes or heart disease or cancer – was caused directly by exposure to a toxin while he or she was in service. That is an unrealistic standard and, in my opinion, changes the ‘presumption’ of service-connected harm to a requirement of proof beyond doubt. This means that, in a quest to save the payment of benefits to some, many other veterans who fully deserve compensation for their sacrifices could be denied.

“If adopted, Senator Coburn’s amendment would essentially undo the good work of two decades,” continued Foster. “It flies in the face of years and years of careful scientific research and passionate advocacy.”

Foster was referring to the work, initiated in part by The American Legion, that led to the adoption of the Agent Orange Act of 1991, the legislation that dictated the payment of health benefits to veterans suffering the dire effects of exposure to toxic chemicals while in military service. Last year, after intensive lobbying by the Legion and others, as well as exhaustive medical research, the Secretary of Veterans Affairs Eric Shinseki authorized the addition of three new disorders to the list of conditions presumed caused by service-connected toxin exposure.

“It’s not just the older generation of Vietnam veterans who could be denied benefits they are due,” said Foster, “but younger warriors, too – those from more immediate, current

and future conflicts. I cannot state enough our opposition to this perhaps well-intentioned but greatly flawed idea.”

Sen. Coburn’s proposed amendment follows closely his proposed “Back in Black” plan to reduce the national deficit by, in part, increasing medical fees paid by certain veterans in the VA health care system and more than doubling prescription co-payments paid by VA health care recipients. These proposals are also opposed by The American Legion as are “Back in Black” plans to deny TRICARE (military health care) Prime eligibility to some military career retirees, thus forcing them into more expensive plans.

“We must remind Sen. Coburn and others who favor his approach of George Washington’s words,” said Commander Foster. “The Father of Our Country said, ‘The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation.’

“The American Legion will never forget the veterans of any war,” concluded Foster. “I hope Congress feels the same way and will act accordingly, especially with respect to this flawed amendment.”

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