



1983 – 2022

Agent Orange/Dioxin

Historic Timeline



1983

February

The U.S. government spends \$33,000,000 buying out the town of Times Beach, Missouri and relocates its 2,200 residents.



Following the sudden death of 62 horses in 1971, owners suspected waste oil used to tamp down dust in the stable as the cause. After an investigation by the Centers for Disease Control and Prevention, a company confessed to mixing dioxin-laden waste oil with conventional waste oil in 1979. Levels of dioxin in Times Beach soil was 300 times the level considered safe. The subsequent clean-up cost the U.S. government \$110 million.

1983 June


In response to the Times Beach incident, the American Medical Association adopts a resolution calling for a public information campaign on dioxin to “prevent irrational reaction and unjustified public fright.”



That report says that while dioxin “may well be one of the most toxic substances known to man,” there is “still very little substantive evidence for many of the alleged claims made against the compound.”

1984

May



In October 1983, the consortium of attorneys for American Vietnam Veterans declares inability to fund the litigation further and appeals to appoint a Plaintiff's Management Committee (PMC).



The Vietnam Veterans' Agent Orange lawsuit is settled on the the opening day of the trial. Under the terms of the settlement, the veterans who claim exposure to Agent Orange receive \$180 million from the chemical companies.

Such companies do not have to admit culpability for any injuries that occurred as a result of Agent Orange exposure. The settlement leads to roughly 50,000 people receiving small compensation (\$5,000 or less).

1984 October

Congress passes Public Law 98-542, designed to provide compensation to Vietnam veterans for soft tissue sarcoma and requiring the Veterans Administration [VA] to establish standards for Agent Orange and atomic radiation compensation.



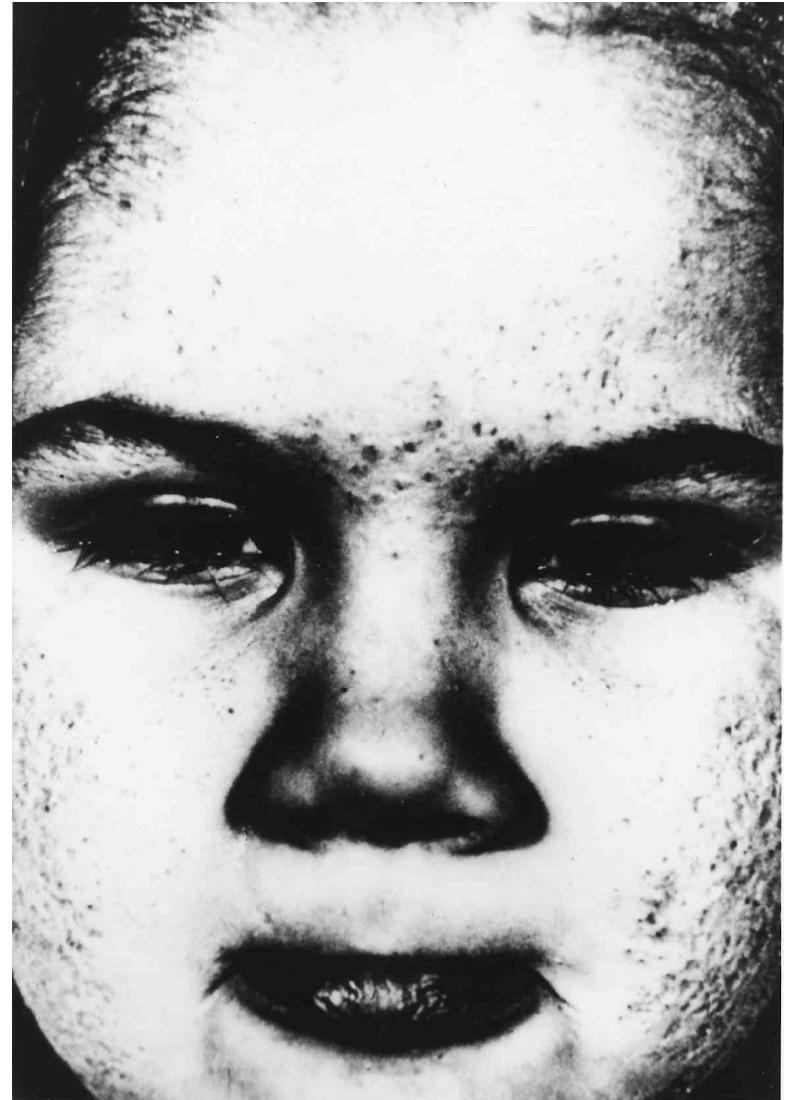
1989



May

A Federal district judge throws out the Veterans Administration's regulations on health damage attributed to the herbicide Agent Orange, ordering the agency to reconsider claims of more than 31,000 Vietnam War veterans.

Despite Public Law 98-542, the VA has been requiring proof that the herbicide caused certain illnesses. As a result they have primarily treated and compensated veterans suffering from chloracne, only.



1991

January

Agent Orange Act of 1991 Public Law 102-4

This Agent Orange Act gives the Department of Veterans Affairs the authority to declare certain conditions 'presumptive' to exposure to Agent Orange/Dioxin. This law makes veterans who served in Vietnam eligible to receive treatment and compensation for these conditions without having to prove exposure to herbicides. Conditions include: Hodgkin's disease, multiple myeloma, Non-Hodgkin's lymphoma, Porphyria cutanea tarda, respiratory cancers, soft-tissue sarcoma, Chloracne.



1996 May

President Clinton orders VA disability benefits expanded to cover veterans who served in Vietnam and suffer from prostate cancer or a nerve disease.



1996 October

Veterans' Health Care Eligibility Reform Act of 1996 stipulates that the VA must provide its Medical Benefits Package – including outpatient and inpatient medical care at VA facilities, prescription medications and home health and hospice care—to veterans with disorders associated with herbicide exposure in Vietnam.



1996

July



Appointment of the first U.S. ambassador to the Socialist Republic of Vietnam.

1998

July

The Vietnam Red Cross establishes the Vietnam Agent Orange Victims Fund to provide direct assistance to families throughout Vietnam impacted Agent Orange.





1999 November



The Association of Vietnam War Veterans Suffering from Exposure to Agent Orange, a South Korean organization, wages a legal battle for compensation for the South Korean veterans who fought in Vietnam and were exposed.



The organization is seeking \$4.3 billion from two U.S. Agent Orange manufacturers: Dow Chemical and Monsanto, as well as \$1 billion from the US government.

[See 2006]



2000 March



Defense Secretary William Cohen pledges greater U.S. cooperation with Vietnam's Agent Orange problems during a trip to Hanoi. Eight months later, during President Clinton's five-day trip to Vietnam, the United States and Vietnam agree to set up a joint research study on the effects of dioxin/Agent Orange.*

[*see March 2005]

A Study by The Air Force claims a link between Agent Orange and adult-onset diabetes in veterans.




2001 May



At the first Stockholm Convention on Persistent Organic Pollutants, 128 parties and 151 signatories ratify an international environmental treaty that aims to restrict and eliminate the production and use of persistent organic pollutants, including dioxin.

2002 March



The United States and Vietnam sign a memorandum of understanding that specifies future collaborative research on the human health and environmental effects of Agent Orange and dioxin, as well as creating a Joint Advisory Committee to oversee such collaboration.

Following the conference the U.S. National Institute of Environmental and Health Sciences (NIEHS) begins scientific exchanges between the US and Vietnam and discussions for a joint research project on the human health impacts of Agent Orange.



2003 January

The Vietnam Association of Victims of Agent Orange (VAVA) is formed in Vietnam. VAVA provides medical care, rehabilitation services, and financial assistance to those impacted by Agent Orange.

[see Jan. 2004, March 2005, Feb. 2008]

2004 January

VAVA sues the U.S. chemical companies responsible for producing the chemicals used during the war.



2005 March



The EPA begins to work with the Vietnamese government to measure the level of dioxin at the former Da Nang Air Base.

The VAVA suit is dismissed in 2005 by Judge Jack Weinstein (who settled the Vietnam Veterans' Agent Orange lawsuit in 1984), ruling that there is no legal basis for the plaintiffs' claims. He states that there was no law between 1961 and 1971 prohibiting wartime use of defoliants. The decision is appealed.

Negotiations between Vietnam and the U.S. to set up a joint research project studying the effects of Agent Orange on the Vietnamese population break down in 2005 when both sides can not agree on the research protocol. The research project is canceled.*

[*See March 2000]

2006

January

Dow Chemical, Monsanto, and other U.S. makers of Agent Orange are ordered to pay damages to South Korean veterans of the Vietnam War in a South Korean court. Approximately 7,000 veterans out of 17,200 who filed may be awarded from \$5,000 – \$40,000. However, the court has little jurisdiction to enforce.






2006 June

The Joint Advisory Committee on Agent Orange, made up of U.S. and Vietnamese government officials, holds its first meeting to explore areas of scientific cooperation, technical assistance and environmental remediation of dioxin hotspots. Additional meetings are held in 2008 and 2009

December


Congress passes P.L. 109-432, a comprehensive trade and tax bill, that grants Vietnam permanent Normal Trade Relations status as part of a wider agreement that sees Vietnam become a member of the World Trade Organization (WTO) on January 11, 2007.

2007 May



President George W. Bush signs into law a supplemental spending bill that earmarks \$3 million for programs designed to remediate dioxin ‘hotspots’ on former U.S. military bases in Vietnam; additionally, it funds public health programs for the surrounding communities. It takes over a year for the government to determine how to use these funds.

\$500,000 is budgeted to hire and support a full-time environmental remediation advisor for two years, posted at the U.S. Embassy in Hanoi. Half of the funding is budgeted for environmental containment and remediation planning at the Da Nang airport. The remaining \$1 million is allocated to three nongovernmental organizations (NGOs) operating in Vietnam providing assistance to people with disabilities.



2008

February


The 2nd U.S. Circuit Court of Appeals in Manhattan upholds the decision by Judge Jack Weinstein that the U.S. chemical companies did not commit war crimes or intentionally cause harm by providing defoliants to the U.S. government for use during the Vietnam war.

In a separate opinion, the appellate court also says companies are protected from lawsuits brought by U.S. military veterans or their relatives because they are protected as government contractors.



2009

February



Conference attendees of the United Nations Development Program agree on two goals—immediate containment of dioxin-contaminated soil at the three major known “hotspots” (Bien Hoa, Da Nang, and Phu Cat), and a longer-term goal of dioxin destruction to completely eliminate dioxin from contained soil and sediment.

Attending the meeting are representatives of the U.S. State Department, USAID, and the U.S. Environmental Protection Agency.



2009 March




Congress appropriates an additional \$3 million for dioxin removal and health care facilities in Da Nang.

The U.S. Supreme Court refuses to hear the appeal of the VAVA case against chemical companies as decided by the U.S. Court of Appeals in 2008, as well as two other suits filed by American veterans who were taken ill after the 1984 class action settlement.

The Court of Appeals decision stands.



2009 May




The Department of Veterans Affairs establishes AL Amyloidosis as a new presumptive condition on the Agent Orange list. The Institute of Medicine concludes in a report that there is suggestive evidence of association between exposures to herbicides and the disease.

AL Amyloidosis is a rare blood cell disorder that shares biological features of some lymphomas already associated with herbicide exposure in previous IOM reports.

2009

September




A new scientific study, conducted by Vancouver based Hatfield Consultants, shows a direct link from dioxin contaminated hot spots in Vietnam to the blood and breast milk of humans by tracking dioxin's chemical fingerprint.

October

The Department of Veterans Affairs establishes a service-connection for Vietnam veterans with B cell leukemias, such as hairy cell leukemia, Parkinson's disease and ischemic heart disease

2010 August




Parkinson's disease, ischemic heart disease, and B cell leukemia(s) (including hairy cell leukemia) are finally added by congress to list of "presumptive" Agent Orange conditions.

More than 150,000 veterans are expected to submit claims in the next 12 to 18 months, many of whom are potentially eligible for retroactive disability payments based on past claims. Additionally, VA will review approximately 90,000 previously denied claims by Vietnam Veterans.

2011

February



The passing of Agent Orange Equity Act of 2011 expands presumptive benefits for veterans who had contact with the Republic of Vietnam's inland waterways, ports, harbors, waters offshore, and airspace. It includes as eligible those veterans who:

- 1) Served on Johnston Island during the period of April, 1972 — September, 1977.
- 2) Received the Vietnam Service Medal or the Vietnam Campaign Medal.

2011 July




H.R. 2634: Victims of Agent Orange Relief Act of 2011 introduced in Congress by Reps Bob Filner, John Conyers, Barney Frank, Raul Grijalva and Barbara Lee.

If passed, this bill would direct the Secretary of State to provide assistance to certain individuals affected by exposure to Agent Orange who reside in Vietnam. It would also direct the Department of Veterans Affairs to establish at least two VA regional medical centers to address the medical needs of descendants of Vietnam era veterans.

This bill was not enacted.

2012 August



After years of rebuffing Vietnamese requests for assistance in a cleanup, the United States inaugurates its first major effort to address the environmental effects of the war in Vietnam. Together, the United States and Vietnam begin cleaning up the toxic chemical defoliant Agent Orange in part of Da Nang International Airport.

The process is expected to take up to four years and cost about 43 million dollars.

2013

January

HR 411: Fort McClellan Health Registry Act

This bill sought to create a registry for veterans stationed at the base to help them get coverage for health issues stemming from their exposure to toxins, and open up disability payments. However, the bill was referred to a committee where it was not enacted.



2013

February



HR 543: The “Blue Water Navy Vietnam Veterans Act of 2013” is introduced to the US senate.

This bill, if passed, would grant disability aid to diseased veterans who served in the navy or in the Republic of Vietnam’s territorial seas during the Vietnam war and were exposed to certain herbicide agents.



2014 May




Vietnam War Journalist Tran To Nga sued fourteen chemical companies responsible for Agent Orange in French Courts.

Tran To Nga, born in French Indochina, worked as an activist and journalist in Vietnam during the Vietnam War. Tran sought \$360,000 in damages from multinational firms like Dow Chemical and Monsanto after breathing in Agent Orange in 1966. The Vietnamese government and VAVA have since endorsed Tran's lawsuit.



2015 March



HR 969 is reintroduced as a possible legislation and referred to a subcommittee on Disability and Medical Affairs.

April

HR 1769, S.901: The Toxic Exposure Research Act of 2015 is introduced to the US Senate and House of Representatives.

This bill sought to establish a national center at a Veteran Affairs medical facility dedicated to the the research and treatment of health conditions of descendants of servicemen exposed to toxic substances during service. However, the bill was was not enacted.



2015
May

Hearings were held for S 681 or HR 969, the Blue Water Navy Vietnam Veterans Act of 2015 on 5/13/15 by the Senate Committee of Veterans affairs.

December

The Supreme Court of Korea upheld the 2006 ruling against Agent Orange manufacturers, Dow Chemical and Monsanto. The lengthy legal battle affirmed 466 million won (\$415,000) compensation awarded to 39 Vietnam War veterans.

[see Jan. 2006]

2018



Dioxin Remediation at Bien Hoa Airbase: After the successful detoxification of Da Nang International Airport, the United States Agency for International Development (USAID) signed an agreement with the Government of Vietnam (GVN) for an initial 5-year, \$183 million contribution to dioxin remediation. The Bien Hoa Airbase was the primary Agent Orange storage and handling site during the U.S.-Vietnam War and remains the largest dioxin hotspot in Vietnam.

[see Feb. 2009, August 2012]

The GVN estimated that the plan would take ten years and require \$450 million in USAID contributions.



2018 August

In reaction to the landmark verdict of Johnson v. Monsanto Co., in which a jury ordered Monsanto to pay \$289 million in punitive and compensatory damages as Monsanto's Roundup herbicide product caused cancer, Vietnam renewed calls for compensation. Despite the generational health problems created by the usage of Agent Orange during the Vietnam War, Vietnamese victims have yet to receive compensation from Monsanto and other US chemical companies.



2019 June

HR 299: the Blue Water Navy Vietnam Veterans Act of 2019 becomes law. This bill expands coverage and benefits to nearly 90,000 Vietnam veterans and their families. Previously, coverage was not guaranteed to veterans stationed in Vietnamese waters, only ground forces. This legislation provides comparable benefits to the Blue Water Navy Veterans. The bill took effect on January 1, 2020.





2021 January

The U.S. Department of Veteran Affairs added bladder cancer, hypothyroidism, and Parkinsonism (or Parkinson-like conditions) to the list of presumptive Agent Orange conditions after H.R.6395: the National Defense Authorization Act for Fiscal Year 2021 became public law.

June

The War Legacies Project, a global NGO devoted to the study of intergenerational effects of Agent Orange, released its “2021 Report on the Laos Agent Orange Survey: State of Health and Livelihood.” In response, US Senator Patrick Leahy pledged to evaluate the usage of Agent Orange in Laos and the legacy of dioxin contamination.



2022 March

HR 2471: The Consolidated Appropriations Act of 2022 became public law in the US, providing \$15 million to Vietnamese health programs designed to assist people with disabilities related to Agent Orange exposure. Additionally, the US granted \$1.5 million in funds to similar Laotian health programs assisting victims of Agent Orange.





2022

September

President Joe Biden signs the Promise to Address Comprehensive Toxics (PACT) Act into law. This legislation marks the largest health care and benefit expansion in Veteran Affairs history; the \$280 billion care package expands eligibility for VA health care for toxic exposures, adding more presumptive-exposure locations and twenty new presumptive conditions for Agent Orange and other toxic exposures. Now, the VA will be required to provide toxic exposure screening to all veterans enrolled in VA health care.

Based on the PACT Act, veterans are eligible for disability compensation based on two new Agent Orange presumptive conditions: high blood pressure and monoclonal gammopathy of undetermined significance (MGUS).



For more resources on Agent Orange, its use in Vietnam and its continued effects on those exposed and their progeny, visit <http://www.vietnamthesecretagent.com>

