

September 20, 2018

Chairman Johnny Isakson

Senate Veterans Affairs Committee

Ranking Member Jon Tester

Senate Veterans Affairs Committee

Chairman David Phil Roe

House Veterans Affairs Committee

Ranking Member Tim Walz

House Veterans Affairs Committee

Dear Chairman Isakson, Ranking Member Tester, Chairman Roe and Ranking Member Walz:

I wanted to offer my thoughts on H.R. 299, as it relates to exposure by Vietnam War Veterans to Agent Orange. I commend you all for your continued leadership in advocating on behalf of our veterans and for looking to do the right thing when it comes to upholding our country's responsibility for caring for those who have borne the battle.

I appreciate the difficulty in finally resolving this issue of the Blue Water Navy veterans. There are legitimate views on both sides of the argument to grant presumptive benefits to these veterans. If there was an easy solution, it would have been resolved a long time ago.

As a physician and researcher, I was trained to look at issues through the lens of scientific data. I am sure we all agree that good health policy is ideally based on validated scientific evidence.

However, despite decades of research on Agent Orange, and in particular on those veterans who served on ships off the coast of Vietnam, the data on the impact of this chemical on these veterans remains inconclusive. Unfortunately, due to the length of time that has passed since these men and women served, it is not likely that further study would allow us to scientifically settle this issue. During my tenure at VA, I attempted unsuccessfully to obtain water purification systems from that era or other forms of physical evidence. In addition, I was informed repeatedly by VA researchers that further epidemiologic studies to resolve these questions were not practical or likely to be productive.

As Secretary, I was faced with the dilemma of what to do when there was insufficient evidence to make a reasonable conclusion. I stated then – and continue to believe – that in the absence of reliable data to guide a decision, the answer must not be to simply deny benefits. When there is a deadlock, my personal belief is that the tie should be broken in favor of the brave men and women that put their lives on the line for all of us.

I continue to believe that when science cannot provide a good answer, we must rely on our consciences. This is why I believe it is essential that you, as elected officials, continue to work on resolving this issue once and for all. I know you share my belief that this must be about doing the right thing for our veterans and honoring our commitment to those who served.

I recognize that a decision to expand presumptions to the Blue Water Navy veterans would be costly. I do understand that we are all responsible to the taxpayers and that these resources could be used for other high priority needs of the nation. However, I know that there are financial offsets under consideration that could help pay for us to fulfill our commitment to these veterans.

The other argument I often heard with respect to the Blue Water Navy veterans was that we would be setting a terrible precedent to grant benefits in the absence of scientific data: What would that mean for other veterans claiming health issues or disability from their service without any data? This is a legitimate issue. Clearly if data shows that there is no causal relationship, then the taxpayer should not bear this expense. But I do not believe that veterans must be denied benefits when there is no possible data either now or in the future that will be able to disprove their claim.

I fear that holding this decision off any longer with the promise of further study is offering false hope. Additional studies, even if conducted by prestigious and thoughtful groups, will not have new data on which to base decisions, and they too will likely struggle to conclusively resolve the issue of causation.

I know you share my dismay that in the past many of our Vietnam Veterans were not treated with the dignity and respect that they deserved. But those were different times. We now can do better. These Vietnam Veterans have waited too long. It is time for us as a country to do the right thing.

As Secretary, I had the privilege of supporting benefits to a number of World War II veterans who were exposed to mustard gas but were forced to fight their own government for these benefits for almost 70 years. I know that we can do better than that for our Vietnam Veterans.

Sincerely,

*David Shulkin, M.D.*

David Shulkin MD

Ninth Secretary, US Department of Veteran Affairs