

MEMORANDUM

Agenda Item No. 11(A)(14)

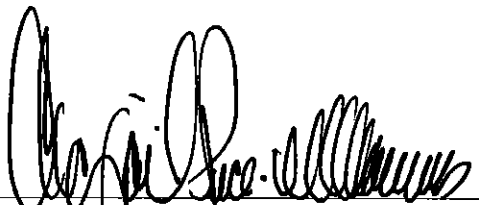
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 10, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the United States Congress to enact S. 2105, H.R. 4843 or similar legislation that would modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the armed forces in Thailand during the Vietnam era

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



Abigail Price-Williams
County Attorney

APW/cp



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(14)

Veto _____

7-10-18

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT S. 2105, H.R. 4843 OR SIMILAR LEGISLATION THAT WOULD MODIFY THE PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO WERE EXPOSED TO HERBICIDE AGENTS WHILE SERVING IN THE ARMED FORCES IN THAILAND DURING THE VIETNAM ERA

WHEREAS, Agent Orange was a tactical herbicide, named for the orange band around the storage barrel, used by the United States military from 1962 to 1975; and

WHEREAS, the military sprayed millions of gallons of Agent Orange and other tactical herbicides on trees and vegetation during the Vietnam War; and

WHEREAS, Vietnam-era veterans whose service involved duty on or near the perimeters of military bases in Thailand between February 28, 1961 and May 7, 1975 may have been exposed to herbicides and may qualify to receive Veterans Administration (“VA”) benefits for diseases associated with herbicide exposure; and

WHEREAS, the current law recognizes that U.S. Air Force Veterans and U.S. Army Veterans who served at certain locations and/or performed certain duties may have been exposed to dangerous herbicides and, upon showing a factual basis that they were exposed to herbicides during their service, are entitled to VA benefits; and

WHEREAS, under current law, many veterans serving at military bases in Thailand during the Vietnam War who believe that they were exposed to herbicides like Agent Orange may not qualify for VA disability benefits based on their assigned location or duties to be performed despite a report proving that dangerous herbicides were in fact used on several military bases and locations; and

WHEREAS, on November 8, 2017, U.S. Senator John Boozman (R-Arkansas) introduced S. 2105, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the armed forces in Thailand during the Vietnam era; and

WHEREAS, on January 18, 2018, U.S. Representative Bruce Westerman, (R-Arkansas) introduced companion bill H.R. 4843; and

WHEREAS, S. 2105 and H.R. 4843 would direct the Department of Veterans Affairs to ensure that if it creates a presumption of service connection between the occurrence of a disease and exposure to an herbicide while serving in the armed forces during the Vietnam era at a military base in Thailand, such presumption shall also apply to exposure to an herbicide agent while serving in the armed forces during the Vietnam era at any military base in Thailand without regard to where on the base the veteran was located or what military job specialty the veteran performed; and

WHEREAS, when veterans serve our nation, they earn the respect of a grateful people and should receive treatment and long-term care benefits for illnesses or injuries incurred in the line of duty; and

WHEREAS, this Board supports S. 2105 and H.R. 4843,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the United States Congress to enact S. 2105, H.R. 4843, or similar legislation that would modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the armed forces in Thailand during the Vietnam era.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, Members of the Florida Congressional Delegation, and the Secretary of Veteran Affairs.

Section 3. Directs the County's federal lobbyists to advocate for the legislative action set forth in Section 1 above and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2018 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Eileen Higgins
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

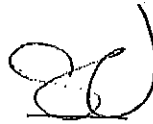
The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of July, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Suzanne Villano-Charif