

**Department of Legislative Services**  
Maryland General Assembly  
2011 Session

**FISCAL AND POLICY NOTE**

House Joint Resolution 11 (Delegate Wood, *et al.*)  
Rules and Executive Nominations

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**Equal Benefits for Treatment for Agent Orange Exposure of Vietnam Veterans  
Who Served Outside Vietnam**

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This joint resolution urges the U.S. Congress to work with the Department of Veterans Affairs to ensure that Vietnam veterans who served in areas surrounding Vietnam are able to receive the same medical benefits for the treatment of Agent Orange exposure as those veterans who served within the country's borders.

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**Fiscal Summary**

**State Effect:** Compliance with this joint resolution does not affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law/Background:** Many different herbicides were used by the U.S. military during the 1960s and 1970s in Vietnam and other Southeast Asian countries to protect American and allied troops by defoliating the dense jungle vegetation in which enemy combatants hid. The herbicides were named for the color-coded bands on the drums in which they were shipped. In Vietnam, herbicides were sprayed from fixed-wing and rotary aircraft, trucks, and backpack sprayers to clear vegetation around bases, landing zones, and along river banks. It is estimated that between 1962 and 1971, almost 11 million gallons of Agent Orange were sprayed in Vietnam, primarily through the aerial spray program.

Agent Orange was also used at military installations and other facilities on and outside of the mainland United States, including Hawaii and Puerto Rico, as well as Cambodia, Canada, Korea, and Thailand.

In 1991, the federal Agent Orange Act was enacted. This legislation allowed the Secretary of Veterans Affairs to create a presumption that certain diseases were caused by exposure to Agent Orange. The Act enabled Vietnam veterans who served inside Vietnam, as well as some veterans who served along the demilitarized zone in Korea in the late 1960s, to receive treatment and compensation for these health conditions. Service-connected benefits, however, also may be granted for other maladies not recognized as presumptive health conditions.

Veterans who did not serve inside Vietnam or Korea and were exposed elsewhere to Agent Orange or other herbicides may be eligible for benefits on a “direct” basis. Thus, no presumption exists and these veterans must show that their diseases are related to their military service in order to receive disability compensation.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Vietnam Veterans of America, U.S. Department of Veterans Affairs, Maryland Department of Veterans Affairs, Department of Legislative Services

**Fiscal Note History:** First Reader - March 16, 2011  
ncs/ljm

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