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THE UNDER SECRETARY OF VETERANS AFFAIRS FOR BENEFITS
WASHINGTON, D.C. 20420

6542 MEM

SENATOR DANIEL K. AKAKA
OCT 15 2008

October 6, 2008

The Honorable Daniel K. Akaka
Chairman
Committee on Veterans' Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Thank you for your correspondence concerning our nation's veterans who served in Thailand during the Vietnam era. You asked about the relationship between their service and the use of herbicides on military bases in Thailand and whether the Department of Veterans Affairs (VA) should acknowledge that these veterans were exposed to herbicides. You also provided copies of various official military documents that describe the use of herbicides in Southeast Asia, including limited use in Thailand.

VA regulations provide for the presumptive service connection of certain diseases based on herbicide exposure. Such exposure is presumed for any veteran who served on the ground or the inland waterways of the Republic of Vietnam between January 6, 1962 and May 7, 1975. Herbicide exposure is also acknowledged on a direct basis for veterans who served in specific military units stationed on the Korean demilitarized zone (DMZ) between April 1968 and July 1969.

In Vietnam, the extensive aerial spraying of herbicides conducted by the US Air Force during Operation Ranch Hand resulted in a situation where any veteran stationed in the country could have been exposed. VA has extended the presumption of exposure to all in-country Vietnam veterans because of this widespread and well-documented herbicide spraying. In Korea, the use of herbicides on the DMZ during the 1968 to 1969 time frame has been established by Department of Defense documents, and the specific infantry and artillery units stationed at or near the DMZ during that time frame are known. As a result, herbicide exposure is acknowledged on a direct basis for veterans assigned to one of these units. The evidence establishing significant herbicide use in both Vietnam and along the Korean DMZ is clear and convincing and has led to the recognition of exposure for those that served there. Service in Thailand, however, is a different matter.

The Honorable Daniel K. Akaka

The available evidence, including the documents submitted with your correspondence, does not show widespread herbicide use or direct exposure among specific units. The military documents that refer to herbicide use on air bases in Thailand generally focus on limited use to control perimeter vegetation for security purposes. There are no statements of extensive use and there are numerous statements referring to the difficulty in obtaining herbicides and the local Thai government's prohibitions against herbicide use. One Department of the Air Force document states that "use of these agents was limited by such factors as the ROE [rules of engagement] and supply problems." It further states that the "lengthy process [to acquire herbicides], and the inability to go beyond the fences, significantly limited the use of these agents at many bases." Another military document, referring to herbicide use at the Nakhon Phanom base, states that "use of herbicides kept the growth under control in the fenced areas." These documents indicate limited herbicide use, primarily in a fenced perimeter, rather than an extensive use that would have significantly impacted base personnel.

The most thoroughly documented use of herbicides in Thailand occurred in the southern jungle area of Pran Buri during 1964 and 1965, where testing of various agents occurred in a one by three mile plot of land that was far removed from any US military installation. This testing did not involve aerial spraying in the vicinity of US military personnel.

The limited nature of herbicide use in Thailand is reinforced in a letter sent from the Department of the Air Force to the Honorable Lane Evans, dated June 30, 2005, which responded to an inquiry about any association between the Operation Ranch Hand spraying of herbicides in Vietnam and the US installations in Thailand. The letter makes it clear that the Operation Ranch Hand C-123 aircraft were all stationed in Vietnam, not Thailand, and only on rare occasions were there brief stops in Thailand during spraying missions targeting Laos. The letter further states that there is no record of herbicide storage in Thailand, but that, when available, herbicides could be used locally by base commanders for defoliation using hand held or vehicle-mounted dispensers. This official information does not indicate extensive, or any specific, use of herbicides in Thailand.

Based on the available military documents, including those described above, VA has concluded that there is insufficient evidence to acknowledge herbicide exposure for any individual veteran or any specific military unit based solely on service in the country of Thailand during the Vietnam era. However, this does not preclude potential service connection on a direct basis if VA is able to obtain evidence of actual herbicide exposure in individual cases.

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When regional offices receive a claim based on herbicide exposure from veterans who served in Thailand, it is forwarded to the VA "Agent Orange Mailbox" for evaluation of available evidence. If evidence for exposure cannot be found, it is then sent to the Army and Joint Services Records Research Center for further research on potential exposure. Exposure will be acknowledged when possible, and the benefit of doubt will be given to all veterans.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "P. W. Dunne". The signature is fluid and cursive, with a long horizontal stroke at the end.

P. W. Dunne
Acting