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**Report/Article Title** Memorandum to the Under Secretary/Chairman, Agent Orange Working Group from Bart Kull, Special Assistant to the Under Secretary for Intergovernmental Affairs, with Subject: Agent Orange Working Group (AOWG) Membership and Scope and Purpose of AOWG, dated August 18, 1983

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August 18, 1983

MEMORANDUM TO: The Under Secretary/Chairman  
Agent Orange Working Group

FROM : Bart Kull *Bart Kull*  
Special Assistant to the  
Under Secretary for Intergovernmental Affairs

SUBJECT : Agent Orange Working Group (AOWG) Membership  
and Scope and Purpose of AOWG.

At the meeting of the AOWG on August 10, 1983, you raised two issues: (1) the scope and purpose of AOWG; and (2) the apparently large membership of the AOWG.

As to the first issue, there is attached for your consideration a decision memorandum presenting alternatives regarding the clarification of the AOWG's functions.

Regarding issue 2, the precursor of AOWG, the Interagency Working Group (IWG) was established on December 11, 1979. It was composed of the the following:

Members

Department of Health and Human Services  
Department of Defense  
Veterans Administration

Observers

Department of Agriculture  
Environmental Protection Agency  
Department of Labor (OSHA)

Ex-Officio Participant

White House Office of Science and Technology Policy

On July 17, 1981, President Reagan raised the IWG to Cabinet Council status and renamed it the AOWG. In his implementing memorandum of August 21, 1981, Secretary Schweiker established the following:

Members

Department of Health and Human Services  
Department of Defense  
Veterans Administration  
Department of Agriculture  
Department of Labor  
Environmental Protection Agency  
ACTION  
Office of Management and Budget  
White House Office of Science and Technology Policy  
White House Office of Policy Development  
White House Council of Economic Advisors

Advisor

General Accounting Office

Observer

Office of Technology Assessment

Most agencies listed have had a pertinent, and at times vital, input into the Working Group's functions. Those agencies involved in research naturally dominate the meeting discussion. Others, such as ACTION, Labor, the White House Office of Science and Technology Policy and Office of Policy Development attend in order to keep abreast of developments in research for policy purposes. The Office of Management and Budget is important inasmuch as it is familiar with potential research funding needs. The Department of State is useful in providing members with facilitated access to foreign research and policy developments. The White House Council of Economic Advisors has sent a representative only once to my knowledge.

The impression of "overcrowding" at the meetings is often due to the practice of the more concerned agencies sending one or more alternates and some observers to each meeting.

You may wish to consider having only the principal from each agency at the conference table with alternates and observers seated apart. You may also wish to consider dropping ACTION, Labor and the White House Council of Economic Advisors from membership.

I would recommend writing to each present member agency head advising them of the present representatives and requesting they issue, or re-issue, a letter designating one principal representative and one alternate.

Attachment

MEMORANDUM

TO : The Under Secretary  
Thru: ES \_\_\_\_\_

AUG 20 1983

FROM : Edwin M. Weiss   
Legal Counsel  
Agent Orange Working Group

SUBJECT: Options Available to Clarify the Purpose and  
Scope of the AOWG

Purpose

To address the question raised during the August 10, 1983, meeting on the specific mission of the Agent Orange Working Group (AOWG).

Background

On December 11, 1979, Stuart Eizenstat, Assistant to President Carter, requested HHS to take the lead in convening an Inter-agency Work Group (IWG) to study possible long-term health effects of phenoxy herbicides and contaminants. The IWG was to oversee, coordinate and set priorities among federal government research activities in this area. In designing a research agenda, the IWG was to take into consideration the duration of exposure to Agent Orange by Vietnam veterans (Tab A).

President Reagan announced on July 17, 1981, that the Administration has re-established an expanded IWG as the Agent Orange Working Group (AOWG) and raised its status to Cabinet Council level. In his implementing memorandum of August 21, 1981, Secretary Schweiker stated that the President had been motivated because he shared the widespread public and Congressional concern over possible adverse health effects among Vietnam veterans exposed to Agent Orange and other substances. (Tab B, p. 1) In the same memorandum the Secretary reaffirmed the board charter language of December 11, 1979. (Tab B, p. 2)

### Discussion

The charter of IWG, and now of AOWG, is a broad mandate which provides in explicit terms the authority to design and direct all research activities on the health effects of exposure to phenoxy herbicides and contaminants, with exposure to Agent Orange by Vietnam veterans as one part of the total research design. The contaminants mentioned include that class of chemicals known as the dioxins produced during the manufacture of these herbicides. The renaming of the IWG by President Reagan appears to focus the Work Group's primary responsibility on Agent Orange, but without a change in the language of the charter, a lack of clarity regarding the AOWG's purpose and scope has resulted.

Both the Chair (Pro-Tem) of the Cabinet Council on Human Resources and the Chair, AOWG, have made previous efforts to resolve this uncertainty of purpose.

For example, in a report on the activities of AOWG released to the press on October 21, 1981, the Chair, AOWG, stated that AOWG "coordinates all Federal Agent Orange research. It does not undertake any research on its own but rather acts as the coordinator and monitor." (Tab C, p. 2)

This purpose was affirmed by Secretary Schweiker in a letter dated April 8, 1982 to the Secretary of Defense in which he wrote that AOWG "has the responsibility for overseeing, coordinating and setting priorities among federal research relating to Agent Orange." (Tab D).

Nevertheless, the language of the charter is clear that the AOWG's purpose and scope is to respond to the array of issues regarding the long-term health effects of phenoxy herbicide exposure. Selecting only the Agent Orange segment of this task may subject the AOWG to criticism for non-performance of the other elements of its mission.

### Options

The following options are available to clarify the purpose and scope of the AOWG.

1. The AOWG charter could remain undisturbed with the scope and purpose to be defined through authoritative statements at the discretion of either the Chair (Pro-Tem) of the Cabinet Council on Human Resources or the Chair, AOWG.

2. The AOWG charter could be amended to state that AOWG is specifically concerned with research related to Agent Orange exposure in the context of the Vietnam experience.

Discussion

Option 1 by retaining the broad mandate of the charter, permits the Chair authority to widen or narrow the scope of AOWG at its discretion. Inherent in this option is the possible dilution of AOWG's concentration on Agent Orange as public pressure mounts on dioxin as a domestic issue. The potential for duplication and conflict is also present in Option 1 because HHS has in place a PHS-headed interagency group, The Committee to Coordinate Environmental and Related Programs, to consider the health-related effects of dioxin.

Option 2 while limiting the authority and discretion of the Chair, will make clear that AOWG is, as its name indicates, concerned with Agent Orange. It will also permit the charter to reflect the President's purpose in establishing the AOWG, i.e., that the Administration is giving special consideration to the concerns of Vietnam veterans.

Recommendation

I recommend that you approve Option 2 which cures the current ambiguity resulting from the specific purpose inherent in the name of the Group and the expansive purposes contained in the charter language. It will send a clear and timely signal to Vietnam veteran groups and to the Congress by reaffirming HHS commitment in this area just as CDC is undertaking the Vietnam veterans' study mandated by statute, 95 Stat. 1061; 38 U.S.C. 219 note.

If you select Option 2, I suggest you appoint an ad hoc committee to draft alternative charter amendments to be submitted to you for consideration.

Decision

Approve Option 1: \_\_\_\_\_

Approve Option 2: \_\_\_\_\_

Other : \_\_\_\_\_

Date : \_\_\_\_\_

Attachments

Tabs A-D

THE WHITE HOUSE  
WASHINGTON

December 11, 1979

RECEIVED  
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OF THE  
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DEC 11 12 19 PM '79

MEMORANDUM FOR SECRETARY OF DEFENSE  
SECRETARY OF HEALTH, EDUCATION,  
AND WELFARE  
ADMINISTRATOR OF VETERANS AFFAIRS

SUBJECT: Interagency Work Group to Study the  
Possible Long-Term Health Effects of  
Phenoxy Herbicides and Contaminants

In recent months the public and the Congress have become concerned about adverse health effects to veterans following their possible exposure to herbicides, particularly Agent Orange, while serving in Vietnam. Although there are suggestions of adverse health effects of human exposure to such herbicides and contaminants, there is currently an inadequate scientific basis for concluding that health problems experienced by Vietnam veterans were caused by previous exposure to herbicides. Moreover, there is inadequate information on the long-term health effects of phenoxy herbicides in general.

Individually, each of your agencies has a strong interest in resolving this issue. Several studies have been initiated to answer questions about the possible health effects of exposure to herbicides and more generally to the class of substances called the dioxins. Collectively, the Federal government needs to have reliable data and criteria on which to base decisions and policies which affect the entire country. Although I am aware that there has already been extensive interagency cooperation on these issues, I believe there is a need for formal interagency coordination.

Therefore, I request that you establish an interagency work group to coordinate agency efforts to determine if there are long-term health effects following exposure to phenoxy herbicides and contaminants, with special immediate focus on exposure of Vietnam veterans to Agent Orange. This interagency group should:

1. Oversee, coordinate, and set priorities among Federal government research activities designed

*to Secretary & Randy Fisher*  
*Jacky will be controlled first*  
*Henry in A.M.*

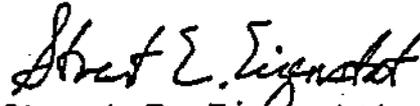
to relate exposure to phenoxy herbicides to long-term health effects.

2. Design a research agenda to assure that the Federal government conducts comprehensive research on the long-term health effects of these compounds, in response to both scientific and policy needs. The type and duration of exposure to Agent Orange by Vietnam veterans must be considered in the research agenda design so that the Veterans Administration will be able to establish sound policies for determining compensation for veterans exposed to Agent Orange in Vietnam, should a relationship between herbicide exposure and long-term adverse health effects be established. The research agenda should build on current agency activities, including the Department of Defense's Ranch Hand study. The interagency work group should identify the appropriate agencies to conduct the recommended research, either individually or through joint efforts.
3. Provide technical support to individual agencies and independent researchers in the formulation, development, and implementation of research on the biomedical effects of phenoxy herbicides and contaminants.
4. Assure that the protocols and methodology of ongoing and proposed Federally funded research studies will produce valid, reliable, timely, and relevant data, and periodically review the status of such research.
5. Assure that all relevant research findings, whether publicly or privately financed, are promptly made available to the public and the Congress, in a comprehensible and comprehensive fashion. The work group should establish a working relationship with the Veterans Administration's Advisory Committee on Health-Related Effects of Herbicides and should promptly provide the Committee all relevant information as it becomes available.

I am asking Secretary Harris to take the lead in convening the interagency group and would like to have an initial report on the progress of the group submitted to me by

February 15. The initial report should indicate the status of current agency activities, a proposed schedule for public progress reports, and any recommendations for inclusion of other agencies on the work group.

I have asked the Office of Science and Technology Policy to be an ex-officio participant on the work group. In addition, the Department of Agriculture, the Environmental Protection Agency, and the Occupational Safety and Health Administration will initially participate on the work group in an observer status.



Stuart E. Eizenstat  
Assistant to the President  
for Domestic Affairs and Policy

cc: Secretary of Agriculture  
Administrator, Environmental Protection Agency  
Assistant Secretary of Labor for Occupational  
Safety and Health  
Director, Office of Science and Technology Policy

THE WHITE HOUSE

WASHINGTON

AUG 21 1981

MEMORANDUM FOR: SECRETARY OF DEFENSE  
SECRETARY OF AGRICULTURE  
SECRETARY OF LABOR  
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET  
ASSISTANT TO THE PRESIDENT FOR POLICY  
DEVELOPMENT  
CHAIRMAN, COUNCIL OF ECONOMIC ADVISERS  
DIRECTOR OF ACTION  
ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY  
ADMINISTRATOR OF VETERANS AFFAIRS  
DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY  
POLICY

*Rich Schweiker*

FROM : SECRETARY RICHARD SCHWEIKER  
CHAIRMAN PRO-TEM, CABINET COUNCIL  
ON HUMAN RESOURCES

SUBJECT : Agent Orange Working Group

The Administration has reviewed the excellent work of the Interagency Work Group to Study the Possible Long-Term Health Effects of Phenoxy Herbicides and Contaminants and believes that it has made significant progress toward fulfilling its important mandate. By bringing together knowledgeable scientists from the various Federal departments and agencies the Work Group has identified ongoing research activities on phenoxy herbicides and contaminants and begun to develop and organize the means to carry out additional needed scientific research.

President Reagan shares the widespread public and congressional concern over possible adverse health effects among Vietnam veterans exposed to Agent Orange and other substances. The President stated, during his meeting with national veterans organization leaders at the White House on July 17, 1981, that the Administration is giving special consideration to those concerns of Vietnam veterans.

At the White House meeting, the President announced that the administration had re-established an expanded Working Group as the Agent Orange Working Group and raised its status to Cabinet Council level. The President is personally determined to assure that the full resources of the Federal government are

available to support the Working Group's continuing efforts. The decision to re-establish and expand the membership of the Working Group and to make it an integral part of the Cabinet Council on Human Resources reflects the President's commitment and accords the highest priority to its mission.

As Chairman Pro-Tem of the Cabinet Council on Human Resources, I am, accordingly, reaffirming by this memorandum the Agent Orange Working Group's mandate of December 11, 1979 and providing specific guidance as to how that mandate is to be carried out in accordance with the Cabinet Council's decisions.

The Department of Health and Human Services shall continue to have lead responsibility for overall direction and management of the Agent Orange Working Group. The Secretary of Defense and the Administrator of Veterans Affairs shall continue to assure that their respective agencies participate fully in all Working Group activities. The Departments of Agriculture and Labor and the Environmental Protection Agency, each of which have until now been observers, shall assume full membership and their respective agency heads shall assure that those agencies participate fully in all Work Group activities.

In addition, ACTION, the Office of Management and Budget, and the Council of Economic Advisers, as well as the White House Office of Science and Technology Policy and the Office of Policy Development, shall assume membership on the Working Group and the heads of those agencies and offices shall assure that the resources of their respective agency or office are fully available to support it.

Also, the congressional Office of Technology Assessment, which has been actively involved in all Working Group activities as an observer, will be invited to continue to participate in that capacity, and the General Accounting Office, which has been extremely helpful to the Working Group in the past, will continue to be kept abreast of developments and invited to advise and assist as appropriate.

The Working Group has initiated research efforts designed to find answers to many of the questions surrounding Agent Orange that have been raised. These efforts include the birth defects study being conducted by HHS' Centers for Disease Control, the Ranch Hand Study being conducted by the Air Force, the epidemiological study being planned by the Veterans Administration pursuant to P.L. 96-151, and the compilation by HHS' National Institute of Occupational Safety and Health of a national registry of workers exposed to dioxins. Each of these research activities, as well as the other important research

activities being conducted under the overall guidance of the Working Group, are to be continued without interruption or delay.

The Working Group has developed an impressive record of scientific objectivity, impartiality and integrity and it is imperative to the success of the Working Group effort that this record and the Group's credibility be maintained. In this regard, regular progress reports to the Cabinet Council, the Congress and the public will continue to be made by the Agent Orange Working Group.

To assure effective leadership of the Working Group, I am hereby appointing James Stockdale, HHS Deputy Under Secretary for Intergovernmental Affairs, as Chair. Also, I am appointing Dr. Vernon N. Houk of the Center for Environmental Health of the Centers for Disease Control as Chair of the Working Group's Science Panel. In addition, I am appointing HHS Legal Counsel Leslie A. Flatt, who has served as legal adviser to and staff director of the Working Group since its inception, to continue in those capacities. I know and believe you will find that these individuals share my commitment to carrying out this important mission.

Please review your representation on the Working Group to assure that your agency or office is adequately represented by appropriate technical experts, scientists and policy-level officials. In order to facilitate the Group's effectiveness, it is of course important that each agency's total membership be limited.

The first meeting of the full Working Group has been scheduled for Friday, August 28, 1981 and a meeting of the Science Panel will be scheduled for shortly thereafter. Accordingly, please let Mr. Bart Kull, Special Assistant to the Deputy Under Secretary for Intergovernmental Affairs (245-6156), or Dr. Peter Beach, HHS Director of Veterans Affairs (245-2210), know as soon as possible the name(s) of your designated representative(s) so that briefing materials may be forwarded to them.

Attached for your information is a copy of the memorandum of the Executive Secretary to the Cabinet Council on Human Resources establishing the Working Group.

Attachment

cc: Comptroller General of the United States  
Director, Congressional Office of Technology Assessment  
Mr. Robert Carleson

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Attachment

cc: Comptroller General of the United States  
Director, Congressional Office of Technology Assessment  
Mr. Robert Carleson  
Mr. Edwin Gray

# HHS NEWS

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Laura Genero--(202) 245-6343  
Richard McGowan--(202) 245-7204

FOR IMMEDIATE RELEASE  
Wednesday, October 21, 1981

HHS Secretary Richard S. Schweiker today made public the attached Chronology of Activities on Agent Orange.

###

FROM: James S. Stockdale  
Deputy Under Secretary for  
Intergovernmental Affairs

TO : The Secretary

### CHRONOLOGY OF ACTIVITIES RE: AGENT ORANGE

The first meeting of the re-established and expanded Agent Orange Working Group was held on August 28, 1981. The first task of the Working Group was to review the status of all ongoing and planned Federal research and related activities.

Each member agency was directed to provide updated reports on the status of its current or planned research activities.

A proposed protocol for the design of the Veterans Administration epidemiological study will be reviewed by the Working Group's Science Panel.

A number of veterans organizations have been briefed on the continuing military records search that is being conducted by the Army Agent Orange Task Force. Preparations are continuing for the Air Force Ranch Hand Study. That study involves pilots and maintenance personnel engaged in the spraying of herbicides during the Vietnam conflict. Concern was expressed that the fullest possible participation by Ranch Hand personnel be obtained for this study of possible health effects related to exposure to Agent Orange. This is critical because the Ranch Hands are a relatively small group of approximately 1200.

A public affairs panel was created and will develop plans for a public meeting of the Working Group to be scheduled later this year.

The Working Group also agreed to establish a resource development panel to assure adequate funding and personnel resources.

Dr Vernon Houk, Chair of the Working Group's Science Panel, has plans to review all research.

Dr. Houk and several other members of the Working Group visited the Army Agent Orange Task Force Office for a briefing on the status of the Department of Defense records search. During the briefing, it became apparent that a potentially

existed

promising new concept/for the identification of people exposed to Agent Orange in addition to the Air Force Ranch Hand personnel or broadly defined units of ground troops. The full research panel was briefed on this new information.

The information may provide the basis for a new approach to finding answers to some of the serious scientific questions before the Working Group. It opens the possibility of an expanded number of potentially identifiable exposures to Agent Orange in addition to those involved in the Ranch Hand study. Further developments regarding the information will be included in the next Working Group report.

The Agent Orange Working Group's predecessor, the Inter-agency Work Group to Study the Possible Long-Term Health Effects of Phenoxy Herbicides and Contaminants (IWG), also undertook a number of activities during the transition period between April, 1981, when it transmitted its seventh report, and August, when the expanded Working Group convened.

At the May meeting of the IWG, a status report was given on the birth defects study being conducted by the Centers for Disease Control. It was reported that the Office of Management and Budget had approved the study and preparations for the study were under way, with completion likely in the summer or fall of 1983.

At the same meeting, it was reported that a representative of the Medical Follow-Up Agency of the National Academy of Sciences' National Research Council had been briefed on and had reviewed the Defense Department's records search effort and had concluded it could be difficult to identify a population of ground troops the nature and extent of whose exposure to Agent Orange could be reliably reconstructed and documented.

At its June meeting, the IWG was honored by a visit by the Australian Minister of Veterans Affairs, Senator Anthony Messner. Senator Messner told the Group of his government's Agent Orange-related research and urged continuing cooperation between our countries in the area of research. During the meeting, the IWG was assured of the Administration's strong support for Agent Orange research.

As you know, Agent Orange efforts of the various Federal bodies include research as follows:

1. The Agent Orange Working Group coordinates all Federal Agent Orange research. It does not undertake any research on its own but rather acts as the coordinator and monitor.

2. The Air Force Ranch Hand Study is to be monitored by an independent advisory committee in addition to the Agent Orange Working Group. This advisory committee will meet publicly (probably beginning in November) and will include scientists from inside and outside the Federal government.
3. The Veterans Administration Advisory Committee on Health-Related Effects of Herbicides meets periodically to review all VA herbicide-related research. The committee includes scientists from inside and outside the government as well as representatives of veterans organizations.
4. The Office of Technology Assessment of the Congress has established a scientific review panel to review the proposed protocol for the design of the VA epidemiological study and will provide the VA with its conclusions and recommendations regarding the protocol.
5. There are also a number of State-level Agent Orange commissions charged with undertaking and/or monitoring Agent Orange research.

The report notes in conclusion that a number of veterans organizations, members of the public and Congress have expressed support for the Administration's actions regarding Agent Orange and related research.

Attachments:

- (A) Memorandum of August 21, 1981, Re-establishing the Agent Orange Working Group, from HHS Secretary Richard S. Schweiker in his capacity as Chairman Pro-Tem of the Cabinet Council on Human Resources.
- (B) Opening Remarks of Agent Orange Working Group Chairman James S. Stockdale at the Working Group's August 28, 1981 meeting.
- (C) Report by Dr. Vernon Houk, Chair of the Working Group's Science Panel.

THE WHITE HOUSE

WASHINGTON

APR 8 1982

Honorable Caspar W. Weinberger  
Secretary of Defense  
The Pentagon  
Washington, D.C. 20301

Dear Mr. Secretary: *Cop:*

The Agent Orange Working Group (AOWG) of the Cabinet Council on Human Resources has the responsibility for overseeing, coordinating and setting priorities among Federal research relating to Agent Orange. In partial fulfillment of its charter, the AOWG has been assisting the Veterans Administration (VA) in implementing an extensive epidemiology study to determine whether Agent Orange caused long term health effects in exposed veterans. This study was mandated by Congress in Public Law 96-151. It appeared until recently that it would be impossible to identify, with sufficient reliability, the exposure cohorts for this study.

Within the last six months, Department of Defense (DOD) representatives to the AOWG working with the staff of the Army Agent Orange Task Force have succeeded in developing a model for searching DOD records to identify exposed and non-exposed Vietnam veteran cohorts. This concept was presented to the AOWG in December, and after continued refinement by the DOD, the concept was endorsed as a reliable method for identifying the Agent Orange exposure of certain units serving in Vietnam. We would like to compliment your staff for developing the solution to this critical problem.

The AOWG has recommended that DOD proceed with the search, retrieval, and establishment of the needed exposed and non-exposed Vietnam veteran cohort lists.

The AOWG recommends that sufficient DOD personnel and computer support be committed to begin the records search necessary to provide the Veterans Administration with subjects for the initial pilot study. After the pilot is completed, additional DOD staff and computer support will be needed to identify the 36,000 potential research subjects needed for the full Agent Orange epidemiology study. The AOWG estimates the total effort will require a DOD budget of \$2 - 3 million over 1 1/2 years.

I now forward to you the request that you review our recommendation and help to assure the priority, staffing and other support necessary to enable the DOD to develop these cohort lists in an expeditious manner.

Sincerely,

*Dick Schweiker*

Richard S. Schweiker  
Chair, Pro-Tem, Cabinet  
Council on Human Resources

P.S. Please call if you need any more background on this. The President asked me to tell over this effort and give it a high priority after he met with the veterans last year.