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# Shipboard distilling plants linked to high cases of poisoning

The story of the blue water veterans begins in Australia in the late 1990s.

Australia sent troops to Vietnam as an ally of the U.S. Years later, Australian officials noticed a significant percentage of their Navy veterans were developing cancers that had been linked to Agent Orange exposure. An investigation followed, and a report issued in 2002 linked the illnesses with exposure to Agent Orange, a dioxin-laced herbicide.

The sailors could have been exposed through drifting clouds of the spray or by swimming in contaminated marine waters. But the report found the most likely source of their exposure was the shipboard distilling plants, which converted salt water to fresh water for bathing, cooking and drinking.

The ships could not carry enough potable water for their crews, so they scooped up ocean water and distilled out the salt in large plants belowdecks. The process did not clean the water of contaminants, however. In the case of dioxin, the scientists found the distilling plants concentrated the poison, increasing its potency.

While the troops on the ground might have, by luck, escaped being coated by clouds of Agent Orange, sailors like Charles Cooley of Fort Edward had to drink the water on their ships. That was why, the Australian scientists concluded, their navy veterans were suffering from Agent Orange diseases at a higher rate than the ground troops.

Australian ships served alongside American ships in Vietnam, and American ships used the same water-distilling technology and equipment as the Australians.

But while the Australians have recognized a link between Agent Orange and sailors' sicknesses for years, and compensated them, the blue water veterans in the U.S. are excluded from compensation.

"These men were and are casualties of war. ... In the midst of recession, they are left without medical care. Their families are left without support as they pass," said John Wells, a retired Navy commander, in testimony last year before Congress.

"While I am certainly happy that our Allies have taken the step of compensating and treating their Navy veterans, as an American, I am somewhat chagrined that we did not immediately follow suit," he testified.

## Increasing concentration

Wells is a lawyer and the cofounder of the Veterans Association of Sailors of the Vietnam War. He retired as a commander after 22 years in the Navy.

One of his jobs during his military career in the 1970s and '80s was chief engineer, in charge of his ships' salt water distillers.

Since his retirement in 1994, he has been acting as an advocate for veterans and lobbying for legislation to extend exposure benefits to all Vietnam veterans under the broad standard set forward in the original Agent Orange Act of 1991.

Those standards were narrowed in 2002, when the federal Department of Veterans Affairs changed its interpretation of the act to include only veterans who had set foot on Vietnamese soil.

Later, that interpretation was loosened to include those who had sailed on Vietnam's inland waterways, but Air Force and Navy veterans who could not show they had gone on those waterways, or stepped foot on shore, were still excluded.

The Australian study shows how unfair that exclusion is, Wells said, and two follow-up studies by the U.S. Institute of Medicine have supported the Australians' conclusions.

The Institute of Medicine conducts scientific studies on public health concerns. Its 2008 report recommended that Navy Vietnam veterans be granted the presumption of poisoning from Agent Orange when they develop certain diseases, as Army veterans are.

"The evidence that this committee has reviewed makes limiting Vietnam service to those who set foot on Vietnamese soil seem inappropriate," the report states.

Instead of changing its policy, however, the VA asked for another Institute of Medicine Study, which was released May 20. In that study, scientists found too little evidence exists to prove that veterans of Vietnam from any branch of the service have developed diseases because of exposure to Agent Orange.

In the case of blue water veterans, for example, the report found it's impossible to know whether the marine waters off Vietnam were contaminated, because no ocean testing was done in the 1960s and '70s.

But the Institute of Medicine panel also took another look at the shipboard distillers and found they would have enriched the dioxin in Agent Orange. If the sea water was contaminated, as experts like John Wells believe, running it through the distillers made the dioxin it contained 10 times more potent.

### **What they say goes**

Wells has a sense of humor about the federal bureaucracy.

"It's easier to deal with the credit card companies," he said.

The VA won't admit mistakes, he said.

"You give them a blue folder, someone who's colorblind looks at it and says it's gray; there's nothing you can do. It doesn't matter how many colors you bring in, how many experts. It's a gray folder from then on," he said.

Charles Cooley's compensation was withdrawn last year when he applied for an increase, even though VA policy stipulated that, in circumstances like his, payments should not be stopped.

His case is under appeal, a process that takes an average of four years. Meanwhile, he is months away from losing his home for lack of money to pay the mortgage.

Wells has been working with members of Congress, including New York Sen. Kirsten Gillibrand, to get legislation passed to include blue water veterans in Agent Orange benefits.

"Senator Gillibrand has done a super job in pushing this," Wells said. "It's a tight fiscal thing here, but people in the Congress I believe almost unanimously recognize this is part of our constitutionally mandated duty."

Stephanie Valle, a spokeswoman for U.S. Rep. Chris Gibson, R-Kinderhook, stressed that his staff is always available to help veterans with claims.

"We can certainly help if they feel they're not being treated fairly," she said.

Valle said the office takes on about 100 new constituent cases a week, of which about three-quarters are veterans cases.

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