

## Attachment I

### STATEMENT OF WORK

#### Blue Water Navy Vietnam Veterans and Agent Orange Exposure

##### A. GENERAL INFORMATION

1. Title of Project: Blue Water Navy Vietnam Veterans and Agent Orange Exposure

2. Scope of Work: The scope of this project on this significant military and Veteran health issue will address exposure of Blue Water Navy Veterans to herbicides used in the Vietnam War.

Specifically, a new independent IOM committee will be established to evaluate potential exposure of Blue Water Navy staff located on board ships off shore from Vietnam to herbicides used during the Vietnam War.

The committee will determine, if possible, comparative risks for long-term health outcomes comparing Vietnam Veterans ground troops, Blue Water Navy staff, and other "era" Veterans who served in this period at other locations.

The new IOM committee will also focus on possible routes of herbicide exposure to Blue Water Navy. Affected Veterans have expressed concerns about possible exposure via air (in drifting spray coming from on-shore spraying), from drinking water or from food. The IOM committee will examine each of these potential exposure routes.

To achieve these objectives, the IOM will convene and charge a committee of independent scientists, health care professionals and medical experts with the backgrounds appropriate to this military and Veteran health issue.

The IOM committee will be made up of approximately 15 members, who will have expertise in toxicology, environmental and occupational health, exposure assessment, exposure modeling, clinical medicine, and epidemiology.

Other disciplines may be represented as determined to be appropriate and necessary by the IOM committee, with the purpose of assisting the committee in understanding potential exposure of Blue Water Navy staff to herbicides used during the Vietnam War.

Their evaluation will be conducted over an 18-month period with approximately five committee meetings to evaluate the relevant issues. IOM committee staff will be charged with gathering relevant and necessary data from VA and DoD, as required.

Finally, the IOM committee will have at one or more public meetings with advanced notice to invite stakeholders and concerned members of the public to give input to the committee's deliberations.

3. Background: "Blue Water Navy" Veterans who served during the Vietnam War on ships off shore from Vietnam have long maintained they should have access to the same special VA programs and policies available to Vietnam War Veterans who served on the ground in Vietnam. This includes access to statutorily defined presumptively service connected health conditions related to Vietnam herbicide exposure. VA has maintained that special eligibilities apply only to those Veterans who served on the ground in the Country of Vietnam, based in part on their relatively much higher herbicide exposures. A recent Federal appeals court decision supported this position.

Blue Water Navy Veterans counter that they were also exposed to herbicides used in Vietnam, by various routes, including off-shore herbicide drift, drinking contaminated water, or eating contaminated food. The same herbicides used in Vietnam, along with their dioxin contaminant, were also very widely used domestically during this period throughout the United States. It is not clear if Blue Water Navy herbicide exposure was more similar to that experienced by contemporaneous troops not deployed to Vietnam (e.g. serving CONUS), or to the much larger exposures experienced by troops serving on the ground in Vietnam.

Estimates are that there may be as many as 800,000 Blue Water Navy Veterans. This group has been intensely lobbying and seeking legal redress from VA and Congress about this issue for decades. The recent Federal appeals court decision will almost certainly not end this debate, and Congress may weigh in with possible legislative actions. Similarly, VA will likely remain under intense pressure to recognize that Blue Water Navy Veterans were exposed to herbicides via food, water and air exposure routes.

Discussions among staff from VA's Office of General Counsel, Office of Public Health and Environmental Hazards (OPHEH), and the National Academy of Sciences Institute of Medicine (IOM) suggest that to better understand potential herbicide health effects among Blue Water Navy Veterans, VA could request an IOM committee to review herbicide exposure of Blue Water Navy Veterans.

Specifically, the IOM would be asked to evaluate:

- Historical background of the Vietnam War comparing Blue Water Navy, "boots on ground" combat troops, and Brown Water Navy (includes inland waters).
- Exposure levels among Blue Water Navy relative to ground troops in Vietnam or other contemporaneous ground troops deployed elsewhere ("era" Veterans).
- Comparative exposures for troops on the ground and troops aboard ships in the context of all possible routes of exposure, including herbicide "overspray," and consumption of contaminated water and food.
- A wide range of potential herbicide and dioxin exposure mechanisms including potential concentrating toxics in drinking water; air exposure possibly from drift from spraying; food; soil; skin, etc.
- Comparative risks for long-term health outcomes comparing Vietnam Veteran ground troops, Blue Water Navy Veterans, and other "Era" Veterans serving during the Vietnam War at other locations (assuming relative herbicide and dioxin exposures can be assessed). This would be based on previous IOM "Veterans and Agent Orange" study conclusions on long-term health outcomes from herbicide exposure.
- Finally, the IOM would review existing studies of Blue Water Navy Veterans for reported health outcomes.

VA and potentially affected Veterans and their families will be well served in the long run by having an authoritative evaluation of this "Agent Orange" Veteran health issue will help VA respond to related inquiries, plan for health care for affected Veterans, and educate VA providers on this issue.

Current scheduling of congressionally mandated IOM studies would allow funding a new "Blue Water Navy" study with existing funds in OPHEH.

## **CONTRACT AWARD MEETING**

The contractor shall not commence performance on the tasks in this SOW until the CO has conducted a kick off meeting or has advised the contractor that a kick off meeting is waived.

## **SPECIFIC MANDATORY TASKS AND ASSOCIATED DELIVERABLES**

### **Task 1:**

An IOM committee will consider whether the Vietnam Veterans in the Blue Water Navy experienced a comparable range of exposures to herbicides and their contaminants (focus on dioxin) as the brown water Navy Vietnam Veterans and those on the ground in Vietnam.