

Chairman Daniel K. Akaka

Opening Statement

Hearing on VA/DoD Response to Certain Military Exposures

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October 8, 2009

Today, we will focus on how the Departments of Veterans Affairs and Defense respond to in service exposures to environmental hazards. As the Committee charged with oversight of the Department of Veterans Affairs, we must be certain that VA is providing appropriate health care and compensation to those who are harmed by exposures while serving in the military. In order for VA to do that, the Department of Defense must first determine who was exposed, what they were exposed to, and the health consequences of such exposure, and then share that information with VA.

Given that any claimed exposures from a servicemember or a veteran would, by definition, have occurred in service, DOD has the responsibility for answering questions about who was exposed and about what they were exposed to.

Two of the matters we will look at today relate to claimed exposure of members of the armed forces during the current conflicts. The other two involve claimed exposures in the past, and relate not only to members of the armed forces, but also to family members. These are very different issues, and as such require different approaches.

On the question of who might have been exposed in connection with the present conflicts, current DOD records should be available to answer that question. If they are not, then the Committee must know why not? For the earlier exposures, DOD must pull together records to provide some estimation of potentially exposed populations.

Once DOD has indentified those at risk of exposure and helped develop information on the elements of the exposure, the next challenge is to evaluate the potential consequences of the exposure. That facet of the effort must rely on independent scientific reviews and analysis – all done with transparency.

On the overall issue of providing information on exposures, I believe that it is vital that DOD commit to ensuring that, going forward, no one will leave active duty without both a comprehensive physical that might identify any health concerns related to possible in service exposures and a detailed record of where the individual was stationed, with specific reference to any known exposures to environmental hazards. Far too much time and energy is expended trying to recreate information on where individuals were located during their time on active duty.

VA's role is to merge the information regarding potential exposure and the scientific analysis so as to craft an appropriate response. This effort must be carried out giving the benefit of the doubt to the veterans concerned. In some cases, there has been an absence of reliable information on exposures, including health consequences. In other cases, it is not possible to achieve consensus on the science.

It is when the information is not clear cut that VA is presented with the greatest challenge and also when the Congress is most often engaged. At that juncture, the resolution is less often guided by a data-driven understanding and more by policy considerations.

One note of clarification -- when I make reference to DOD's roles in dealing with exposure issues, I want to be clear that this Committee is not charged with direct oversight of DOD. That responsibility falls to the Armed Services Committee. However, this Committee does share with the Armed Services Committee responsibility for oversight where the roles of DOD and VA intersect. Issues relating to claimed in service exposure are one such instance of overlap. Also, I note that six members of this Committee, including Senator Burr and me, sit on the Armed Services Committee, so, as a practical matter, when we come upon matters clearly under the jurisdiction of the Armed Services Committee, we can take those matters to that Committee.

One thing is clear. Those harmed by an in service exposure to environmental hazards should receive a timely and appropriate response from the government, including access to needed health care and compensation. At the same time, a key element in making such an appropriate response is determining who is at risk from a possible exposure and who is not. It is my experience that, at least in the first instance, Congress is not the ideal forum for seeking to resolve complex, often emotional issues, related to potential exposure to hazardous substances during military service, and it is for that reason that we must be sure that both DOD and VA are working effectively on such issues, both separately and in cooperation and coordination.

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