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Testimony in Support of LD ~~2274~~

An Act to Implement the Recommendations of the Gagetown Harmful Chemical Study Commission and to Reestablish the Gagetown Harmful Chemical Study Commission

Presented to the Joint Standing Committee on Veterans and Legal Affairs

March 27, 2024

Good afternoon Senator Hickman, Representative Supica, and members of the Joint Standing Committee on Veterans and Legal Affairs. My name is Troy Jackson. I have the distinct honor of representing the people of Aroostook County in Senate District 1 and serving as the President of the Maine Senate. I am here today to speak in support of LD 2274, "An Act to Implement the Recommendations of the Gagetown Harmful Chemical Study Commission and to Reestablish the Gagetown Harmful Chemical Study Commission." As the title suggests, this bill seeks to implement the recommendations from the Gagetown Commission, which includes reestablishing the Commission so we can continue this work.

Concerns about exposure to harmful chemicals at Base Gagetown is something I've heard of most of my life. However, it wasn't until I began digging into the issue and working with local veterans groups in Aroostook County that I truly understood the deadliness of the exposure and lack of care and justice experienced by those exposed.

In 1966 and 1967 the Canadian government gave permission to the U.S. military to conduct small-scale testing of tactical herbicides, including Agent Orange – which we know today to be a carcinogen – among a myriad of other chemicals that make up the so-called herbicide "rainbow," including blue, pink, white, purple and green. Only four years later, in 1971, Maine National Guard members began training on the base. Many years later, both Canadian service members and Maine National Guard members who were stationed at the base began experiencing similar patterns of health issues, including various types of cancers and respiratory problems.

Following outcry from Canadian service members and mounting public pressure, the Canadian Government launched a fact-finding study in 2005.¹ The study sought to better understand the use of harmful chemicals at the base – which chemicals were used, and where and when these chemicals were sprayed. It also sought to determine the health and environmental risks associated with exposure to these chemicals and the scope of service members adversely impacted by the spraying and exposure.

¹ <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/agent-orange.html>

Though the study appeared to be thorough, in practice, many reputable scientists consider the methods used to determine the level of remaining chemicals to be deeply flawed.² For example, in order to measure the levels of chemicals still in the environment, tests were done on the tissues of fish, eels and clams in the water in and around the base. However, these tests were done after the fatty tissue of the specimens were removed, which is where most of the dioxins would be stored. This drastically reduced the amount of carcinogens that could be detected.

This ultimately led to the study concluding that most people who lived near or worked at Gagetown were not at risk of long-term health effects. However, it did result in some compensation for a handful of Canadian service members who served during a narrow window of time and made it through a rigorous appeal process. Across the border, the Canadian study meant that Maine National Guard members were not exposed to any health hazards in the eyes of the U.S. Government. As a result, any claims made by Guard members that their health conditions are service-related have been denied.

Earlier this year, Rep. Ron Russell and I appeared before this committee to present the findings of the Gagetown Harmful Chemical Study Commission. The evidence we gathered and the testimony we received made it more than clear that Maine and Canadian servicemen stationed at the base were exposed to levels of carcinogenic chemicals that were not only harmful, but in too many cases ultimately deadly. We concluded that the federal government is failing to support members of the National Guard harmed by the exposure to these chemicals.

What concerns me most is that Maine National Guard members are still sent to Base Gagetown for training. As I've said before, we are creating future victims and survivors every day. We cannot allow Maine service members to continue being stationed at Gagetown. We must take the necessary measures to right the wrongs of the past and ensure that those who have suffered and the families of those who have died get the justice and closure they deserve. I recognize there is still a lot of work to do to ensure this happens, but the provisions in this bill are the first step in actualizing this goal.

The State of Maine has a responsibility to those who served in the Maine National Guard and were exposed to harmful chemicals while serving or training at Gagetown. Data collection of those who were stationed at the base and are suffering from the effects of Agent Orange is crucial to determining next steps, including whether those service members are eligible for State or Federal assistance. I and the other members of the commission believe the best way to accomplish this is to reestablish the commission in

² <https://legislature.maine.gov/doc/10717>

order to continue its work, which was cut short due to the abbreviated timeframe for legislative studies during the interim. I would urge the swift passage of LD 2274 so the commission may continue its work.

We've seen this play out before with the burn pits in Iraq, the water contamination at Camp Lejeune and Agent Orange in Vietnam. It takes a relentless group of people pushing for change until the evidence is irrefutable and those exposed to harmful chemicals receive the health care benefits they are owed. I am so grateful for the retired members of the National Guard, their family members, stakeholders and experts who participated in this Commission process. I'm grateful to those who have shared their stories and have spoken up for those who have been ignored and forgotten. I want to thank the Committee for taking the recommendations of the Gagetown Commission to heart and for putting forward this legislation. I'd be happy to answer any questions from the committee.