



THEODORE R. KULONGOSKI
Governor

August 4, 2009

The Honorable Kate Brown
Secretary of State
900 Court Street NE, Suite 180
Salem, OR 97301

Dear Secretary Brown:

I am returning Enrolled House Bill 3480 signed and approved. HB 3480 appropriates \$30,000 to the Oregon Military Department (OMD) to provide compensation for Oregon National Guard troops exposed to hexavalent chromium during operations at Qarmat Ali, Iraq.

I fully agree with the stated policy of HB 3480 and I want to ensure that our troops receive all of the care they are entitled to; however, I believe this is a federal veterans' affairs issue. While the affected troops are members of the Oregon National Guard, they were on Title 10 service in the United States Army when this exposure occurred. Therefore, any compensation program should be funded and implemented by the United States Department of Veterans' Affairs (USDVA).

Now that this bill has become law, it is likely that additional Oregon National Guard soldiers who were exposed to hexavalent chromium in 2003 will come forward. Given the minimal state appropriations to this program, the need for compensation will likely outpace the State's capacity to meet it. We may need additional legislation to define who is eligible and the amount of compensation per claim, if any. If the implementation of a compensation program is left to the State, I believe that the Oregon Department of Veterans' Affairs is more suited to the task. OMD is not structured to process claims and appeals.

I believe HB 3480 is a step in the right direction, to provide compensation to soldiers whose physical or mental health has been impaired while serving our country. I encourage the Legislature to continue to communicate with Congress as well as USDVA on this issue.

Sincerely,

THEODORE R. KULONGOSKI
Governor

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