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Veterans Have No Friends

Sacrifice, Honor, Integrity and “Earned Benefits” (not entitlements) mean nothing to the United States Government

{Just Try and Collect Those Earned Benefits Whether Volunteer or Conscript Veteran or Widow’s Benefits in Perpetuity}

“Veterans Die Trying to Collect Their Earned Benefits”

(See Link to Published Article Below)

"This is more than just a Veterans Affairs issue. It is, in fact, a national security issue. Because if the country continues to treat their veterans poorly and, in some cases, abominably as has been the case with the veterans suffering from adverse health outcomes from Vietnam, from the Persian Gulf, we're not going to meet the recruitment and retention needs in this new era of needing highly educated, highly technically proficient people. They aren't going to stay in because why should they, when they know what's going to happen going out the other end?" Dr. Ron Trewyn (Member Ranch Hand Committee in congressional testimony in 2000)

Still Congress has done nothing to stop this despicable treatment, corrupt treatment, government collusion treatment from the top down, and as the scientists above suggested "abominable treatment"!

After decades of research; gathering data, failure analysis, conferring with some of our nations top scientists for their input; reviewing official government meeting transcripts both congressional and on-going study {not the government falsified and redacted reports published}; going to DC in person many times; providing evidence both in print and digital data to members of the house and senate; participating in many Disability Commission Meetings, both in DC and Satellite; presenting to the House Veterans Affairs Committee Chairman with issues and recommendations; submitting many many data points on death and disability issues that have been denied for decades now; submitting basic recommendations on reducing the backlog of claims that would guarantee that no Veteran or Widow would receive anything that was not justified, certainly better than the fraud that is in our entitlements system at present in the Billions of dollars a year {that is correct B not M in the Billions just in one entitlement alone (>4 billion a year) and you do not even need a social security number; catalyst for the all site-cancer bill, that went no where {Congress had a chance to prove their words were not false and failed miserably as expected}; questioning the subjective requirements as well as subjective processes used to determine anything related to our Veterans' Issues with regard to what Congress says they demand and what is on-going within Veterans Affairs and the Institute of Medicine for presumptions ... not just the Vietnam Era Herbicide Veteran: *The conclusions must be.....*

- Veterans have no; that is zero, real friends in Congress (House or Senate); nor the Executive Branch; nor in the Department of Veterans Affairs
- Veteran Service Organizations with the same information will not challenge or demand answers regarding fraud and attempt to defraud; nor will they go to the media; this seems to be in fear of losing their organizational benefits which are not by law but at the sole discretion of the Secretary of Veterans Affairs; ***behave like we want you to..... or else***

- The media both National print and National broadcast will not put forth the truth when it comes to Veteran and Widow government abuse and government Veteran fraud. Even the massive suicide rates now nor the rate after the Vietnam War will not be covered
- The backlog of claims is kept fraudulently artificially high in order to spread the real cost of war and indeed the cost of government mistakes over decades or even generations. The processes used manifest in delays and denials to the point that our Veterans and Widows now subsidize the government with their own worked for financial assets, to include loss of homes, to cover the real cost of war and the real cost of decades of government lies regarding government mistakes that create both death and disability; the seemingly rule of commitment, not verified by me, but never-the-less purported by many over the years is that no more than 4 percent (4%) of all Veterans/Widows Claims will be approved in any single year; of course equaling nothing but mandated budget control using any nefarious methods, unchallenged by Congress in oversight, the Executive Branch Federal Agencies want to use to accomplish this goal
- The adversarial and lack of common sense processes and even nonsensical legitimate legal as well as illegal processes used at Veterans Affairs as well as the Board of Veterans Appeals seems to well support the above conclusions
- The Department of Defense, Pentagon, and Veterans Affairs are allowed to make statements that are not factual, illogical, unscientific, and later proven to be out and out lies even on the usage of herbicides in known locations regarding Veterans' Issues with no legal or even political ramifications to anyone at any level in government by our so called friends in Congress
- Contrast that fact with the statement by Congressman Dan Burton when he found out that nine days after his grandson's inoculation the grandson developed Autism which has dramatically increased in this nation in a short time period to the point that I would suggest an outside source is involved not just the continued use of Thimerosal. I would just as a real low novice guess suggest that since we now know that dioxins even at very very low levels can have an effect on genetics, yes even paternal exposure genetics, and even mitochondrial dna that the synergy of a mercury derivative in conjunction with the rise in body burden of dioxins should have been looked at. One can imagine if that were found true the government lies that would come out regarding how it certainly could not have affected our Veterans' children or their grandchildren.

“Government health officials squirmed uncomfortably in their seats, as more evidence emerged suggesting that they misled the public.”

“For nearly an hour, Burton repeatedly asked FDA and CDC officials what they knew and when they knew it. When memories seemed to be a bit fuzzy, the congressman produced old memos as a refresher. Government health officials squirmed uncomfortably in their seats, as more evidence emerged suggesting that they misled the public.” This was in regard to the use of Thimerosal in inoculations which the agencies tried to disprove by using epidemiological studies which can be slanted.... I also wonder if those epidemiological studies had been peer reviewed.

- Congressman Dan Burton - “ Look, I don't think it makes any difference whether it's a private company or a government agency,” Burton said. “If they know they're harming somebody and they continue to let it happen, then they should be held accountable.”

It seems by their actions or lack of actions Congressman Burton is the only Congressman that has stated “even if a government agency” if they are harming someone they should be held accountable.

I would suggest that no one is being held responsible for Veterans Issues.

“Genetics still play a major role but more and more scientists believe that the environment is mostly to blame. Exposure to toxins, poisons and even household chemicals may also play a role in the development of this disorder (Autism).”

Link to pesticide use in Autism

“A group of scientists sought to prove the strong link between pesticide use and autism. Their data was published last July 24, 2012 in the Environmental Health Perspective Journal.

The study showed that children born to mothers who had been exposed to organochloride pesticides within 500 meters from their home during 26-81 days of pregnancy were 7.6 times more likely to be diagnosed with autism.

Seven point six times more likely with a organochloride pesticide exposure. To say that this would not be possible even at a higher rate with “herbicide dioxins” would be a bit of a stretch. However, even if proven I doubt if the United States Government would admit the facts since in this issue they have interfered with the data and even told EPA staffers to ignore science.... Who knows what else awaits the American Public in health issues because of chemical company campaign contributions.”

Another study statement: **Conclusions**

“The exposure to ET, such as PBDEs, PCDD, PCBs and BPA, can be considered as candidate factors, which is associated with the diagnosis and behavior-aggravating factors in children with autism spectrum disorders.”

The timeline of even identifying, quantifying and assigning acronyms to these behavior, attention span, and learning disorders of our children was during the time our Vietnam Veterans children would have entered K through 6 education. Coincidence? I really doubt it.

Of course this unprecedented increase in autism and like disorders of our children and grandchildren is just behind the identified massive increase in the parent population of heart disease and vascular diseases and obesity. Massive increases in lipid metabolism issues and/or syndrome X creating not only heart disease blockage but brain infarctions and brain atrophy.

Is this other known increase in the parental exposures then also connected to the rapid rise in autism in our nation while other nations with very little pesticides and herbicides do not suffer the same increases. Thanks to government campaign contributions we will never know. Real science, not controlled by our government, has already concluded and found a rise in dioxins in populations where incinerators are used. Then found a line to the dioxins and the rise in lipid issues.

- United States Code 38, Paragraph 511 is unconstitutional and violates the separation of government powers demanded by the constitution. Having a Executive Branch “political appointee” to run The Department of Veterans Affairs without having the same form of appointment terms as the Government Comptroller leaves doubt in everyone’s mind that there

is much Executive and Legislative Party Branch bias involved. That the politically appointed Secretary is not as autonomous "as advertised." This form and format of "Executive Branch Legal System" for set-aside "Veterans and Widows only" totally controlled by the defendants themselves, The United States Executive Branch and its agencies, demands the highest form of integrity, which history has proven over and over again is not present and quite frankly never has been; only Government delays, denials, and biased and even illegal processes await the Veteran with the Government using any form of fraud it so chooses to include Veterans Affairs lying under oath and Government Studies corrupted to the point of uselessness using scientific misconduct. This includes "No Punishment for anyone" within Veterans Affairs for crimes against Veterans recently uncovered in Regional Offices in destroying or changing evidence, shredding of files, and the changing of date codes on evidence. To include Board of Veterans Appeals remands which by law are supposed to be "expedited" were found in a quality audit to have sat for five years with no one within Veterans Affairs touching the files

- The Feres Doctrine is unconstitutional and also violates the separation of powers demanded by the constitution to prevent Executive Branch Tyranny against any single segment of society; Veterans understand the philosophy that the Feres Doctrine was supposed to stop in wartime lawsuits in many cases; however the Department of Defense as well as the Department of Veterans Affairs have greatly overstepped the reason and rational of the Feres Doctrine using it as a safe haven to do whatever they like with no Congressional oversight as well as not having to answer to the rule of constitutional law or any real court of our land - that indeed someone really is actually responsible for government created death and disability

Supreme Court Justice Scalia on Feres: "*Congress's inaction* regarding this doctrine and its doing little, if anything in the way of modifying it to prevent Constitutional claims is clearly unjust and irrational. Again, allowing such power to military leaders can and does result in abuse therefore, where are the checks and balances on the military." {United States v. Johnson, (1987)}

What is even more in context of this Doctrine is the fact that had it been in play in Germany during WW2 one would have to ask if there would have even been any Nuremburg trials.

On December 4, 1950, the United States Supreme Court engaged in the most devastating unconstitutional act in our Nation's history by creating judicial-legislation known as the Feres Doctrine. Since Feres and U.S.C. 38 play hand in hand since their inception all American Service Members, Veterans and their Families have been stripped of, without their knowledge or consent, their inalienable Constitutional rights to petition our government for redress of grievances arising "incident to service" in our military. This has resulted in a long-train of human, constitutional, and systemic intentional government abuses.

It is argued that if the Feres Doctrine were abolished the federal laws on the books to remedy fraud, waste, abuse or dangers to the public health and welfare would be enforced, thus compelling the Government to prosecute rather than defend Government crimes.

Was the Feres Doctrine a cold-calculated atrocity? "Absolute power corrupts absolutely." The Feres Doctrine and its blanket grant of "sovereign immunity" and the human and constitutional rights abuses dismissed, denied and covered up by our Government to include using herbicides in unprecedented dose rates as well combinational doses of many toxic chemicals as *Weapons of Mass Destruction "WMD's" is "treachery and treason." How can it not be declared treachery and

treason for federal employees in our Government to injure and kill its own citizens and then be afforded a legal “damage control tool” to deny and cover up these illegal acts?

* Some Universities after reviewing the Herbicide follow up in Vietnam have concluded this should be considered the use of Weapons of Mass Destruction.

It is both ironic and tragic that the Feres Doctrine opinion written by Associate Justice Robert Jackson was himself previously appointed by President Harry S. Truman to be the Chief Prosecutor at the Nuremberg Tribunal. He successfully argued and helped convict and hang Nazi henchmen for engaging in crimes against humanity and peace.

At the onset of the Nuremberg Tribunal, Associate Justice Robert Jackson in preparation to prosecute indictments against twenty- four men and six organizations associated with the Nazi axis powers, argued the legitimacy and need for the trial stating: "the wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored, because it cannot survive their being repeated." I would guess that the powers-to-be figure the United States Military will survive no matter what the treatment of those serving or have served.

For the past 64 years similar atrocities that he prosecuted at Nuremberg have taken place by our own Government and are maliciously directed at the very men and women who served to protect and defend The Constitution of the United States and our country. Is this not treachery and treason?

Without question, the Feres Doctrine in concert with U.S.C. 38 paragraph 511 on purpose and as government planned has denied American Service Members, Veterans, and their Families “equal justice” under The United States Constitution.

Inscribed above the main entrance of the United States Supreme Court building is the words: “Equal Justice Under Law.” These words “express the ultimate responsibility of the Supreme Court of the United States of America.” Also known as the “high court” it is the final arbiter of all controversies arising under the Constitution, or the laws of the United States. As the “Guardian” of The United States Constitution the high court is charged with ensuring the American people, all people, the promise of “equal justice under law” for all its citizens; to include the men and women of the United States Armed Forces.

This “Equal Justice Under the Law” marquee when it comes to a single segment of society The United States Veteran has become a Executive and Legislative Branch government sick joke.

Many Veterans and Widows as well as our damaged off-spring can assert that as long as the Feres Doctrine and U.S.C. 38 paragraph 511 remains the law of the land, why should any of our Nations’ Sons and Daughters fight, die, or return wounded by the enemy; or return wounded for life by their own government, for a Government who will not recognize the Veterans’ and our Widows’ ***inalienable Constitutional Rights as “American Citizens”***.

The best citizens this nation has to offer have been set aside and government betrayed.

Article: “Number of veterans who die waiting for benefits claims skyrockets”

<http://www.baycitizen.org/veterans/story/number-veterans-who-die-waiting-benefits/>

As you go to that link at the bottom there is another link of related issues. One of them is about Congress is demanding some sort of plan to fix the backlog once again!

Fixing the backlog is not that hard but would require layoffs of government workers, lawyers, and Executive Branch appointed judges and you know they are not going to support losing their own jobs by using common sense. Government fat cat jobs for everyone for doing nothing is the answer! Right?

<http://www.baycitizen.org/blogs/pulse-of-the-bay/congress-orders-va-plan-fix-crisis/>

I can assure you that this is just a Congressional game and nothing will be done. Veterans have seen this over and over again on many issues. Congress on the committees acts if they are outraged and then winks at Veterans Affairs. Veterans Affairs puts forth some nonsensical plan that will never work within the very adversarial systems they have implemented. Then they will demand more funds from Congress. In passing in another hearing a Congressperson may casually ask if the plans have been implemented and as in the past five years from now Veterans Affairs will calmly say they are just now looking in to it. An adversarial deranged government Leopard does not change its' spots.

I congratulate Mr. Aaron Glantz of the Bay Citizen on his reporting of the facts. What will be his government ramifications for printing the truth and facts remains to be seen.

However, once again it will fall on Deaf Congressional Ears and Blind Congressional Eyes. In addition, since we are now an entitlement nation I really do not think the majority of our nation give a damn as long as they get their rewards for doing nothing for the nation. Just as long as they have someone else to do their unspeakable dirty work for them and can live free and breath that free air provided by someone else.

This of course is not the first time this despicable and deplorable government fact has been reported by local investigative reporters. Years ago two reporters from Knight Ridder News Agency had to sue the Department of Veterans Affairs to find out how many Veterans were actually dying waiting on their earned benefits. The data was finally released by Veterans Affairs but you can bet your bottom dollar it was minimized. The one thing I have learned in dealing with Veterans Affairs as well as the IOM and their misstated facts is you have to be specific in context and then make sure they respond within that context only. Once again no national media, broadcast or print, picked up this story. Even when we tried to find out why the Kansas City Star pulled this article from its archives we could not get an answer. The two investigate reporters at Knight Ridder received awards for this reporting and the Veterans and Widows still and continue to get the government golden shaft award.

I would also add that just after this report came out Knight Ridder was bought out by a rival news agency. You think the government got mad because they got their toes stepped on or was just this a coincidence?

Just as before, this new report will not be picked up by the National Media and once again nothing will be done to stop this government abuse of Veterans and Widows.

Now compare the despicable treatment of our Veterans and Widows and the very very adversarial processes used in the above link and reports to the very simple process of illegal's with no social security number obtaining anywhere from \$9,000 to over \$30,000 dollars a year tax free using a loop hole in the tax system to the tune of 4.2 Billion dollars a year in a single entitlement.

Kind of pales in comparison when Veterans Affairs comes out in rebuttal and says; yes, but we gave out \$437 million dollars in retroactive "earned benefits." Much less according to sources spent \$85 million in a year on conferences in Orlando, Las Vegas and the likes at a cost in 2011 of over \$85 million dollars.

Much of the retroactive compensations was way too late due to its adversarial delay and deny until death mandated processes to support the Veteran or even the Widow. Much of it initially illegally denied for decades using biased processes, biased scientists, and comparison studies that do not approach the Vietnam Era Veterans' Herbicides (plural) Experience.

Then we have below those that break the law can just fill out a form and claim nine nieces and nephews in Mexico, not verified by the way, and get \$30,000 dollars a year tax free as a reward for breaking the Nation's Laws. I am quite sure that many silver tongued lying house members and senate members will be able to justify this injustice to save their jobs in citizen segment vote garnering.

What is even more mind-boggling is the folks the government is paying as a salary are enabling this form of fraud instructing illegal's how to game the system.

Link below:

INDIVIDUALS WITH NO SOCIAL SECURITY NUMBER PAYING NO TAXES WHO ARE NOT AUTHORIZED TO WORK IN THE UNITED STATES WERE PAID \$4.2 BILLION IN REFUNDABLE CREDITS

<http://www.treasury.gov/tigta/auditreports/2011reports/201141061fr.html>

As the [NBC story noted](#), illegal aliens are claiming ridiculously large numbers of Mexican dependents and getting away with it, as the IRS continues to ignore warnings from the Treasury Department's own Inspector General for Tax Administration:

From IRS Whistle Blowers just recently:

"We've seen sometimes 10 or 12 dependents, most times nieces and nephews, on these tax forms," the whistleblower told Eyewitness News. . . tax filers had received large tax refunds after claiming child tax credits for many dependents. "Here's a return right here: we've got a \$10,3000 refund for nine nieces and nephews," he said. . . "We're getting an \$11,000 refund on this tax return. There's seven nieces and nephews," he said, pointing to another set of documents. . . ***"It's just so easy it's ridiculous."*** . .

One of the workers . . . admitted that *four other illegal immigrants used his address to file tax returns--even though they don't even live there.* These four workers claimed that not only they, but a total of 20 children between them--about 30 people--lived in the residence.

As a result, the IRS sent the illegal immigrants tax refunds totaling \$29,608.

Russell George, the U.S. Treasury Department's Inspector General for Tax Administration, who stated ... "The magnitude of the problem has grown exponentially," but that the IRS has known about the problem for years. Mr. George said his department has repeatedly warned the IRS that additional child tax credits are being abused by undocumented workers--in 2009 alone, their annual audit report

showed that ITIN tax filers received about \$1 billion in additional child tax credits. ***The same audit report from 2010 showed it cost the American tax payers more than \$4.2 billion.***

"Keep in mind, we're talking \$4 billion per year." George continued by saying "It's very troubling" that the IRS has not taken any action on the matter--despite these multiple warnings from their own inspector general. . .illegal immigrants filed 3.02 million tax returns in 2010, with 72% of those returns (2.18 million) claiming the additional child tax credit. .

George . . . believes the IRS should be doing more to prevent undocumented workers from getting billions in US tax dollars. "The IRS is not doing something as simple as requesting sufficient documentation from people seeking this credit," he said.

Congress's inaction, our so called Veterans' friends, according to a sitting Supreme Court Justice statement above is "unjust and irrational"...hollow words more than deeds from our Congress

Certainly most Veterans and Widows would agree with that profound statement.

The House and Senate Veterans' Affairs Committee is what is considered Class C Committees. In other words; as far as policy, politics and power they are the lowest in the government scheme of things; and I do mean scheme. That does not mean that the Congressional Oversight Committees cannot have hearings and demand with accountability issues regarding Veterans Affairs Issues. However, they also have been absent without leave doing nothing to make sure the letter of public law is being followed or if it is being followed how biased is Veterans' Affairs in implementing that public law or demands they put on Veterans Affairs. Or if what was written in the public law can be achieved to some level of certainty; or is that certainty level outside the realm of any realistic scenario.

Here is where I suggested even the constituents cannot challenge what congress has written as public law or demands put on Veterans' Affairs or how Veterans' Affairs is implementing the law as to it relevancy or even sound reachable scientific applicability nor challenge the built in government bias as below.

Examples and these apply to many many issues to include statements made by Veterans Affairs regarding science or even the laws of physics that make absolute no sense and are directly opposite what is published and clearly stated by our nations' leading scientific experts:

- Congress puts forth requirements for evaluation of dioxins and then says should be considered "herbicides." Then states several requirements for service connection associations and decisions for medical care.

The problem is Congress has mandated in many cases requirements that can never be met in scenarios where the biological actions of the toxic chemicals, mainly due to good science creating bad science with government help, are not widely recognized. This also removes the well known effect of more than one toxic chemical of an amplification factor of medical outcomes called synergy. Whether this was or is done on purpose or strictly as we have seen with Senator Webb and his lunch a bunch let's get the Veterans once again is due to ignorance of the subject is unknown. Or Congress did not recognize that dioxins and the like unlike most toxic chemicals do more than one thing in the body and outcomes, considering the exposure scenarios are more dependant on other things rather than the level of the toxic chemical or chemicals. Or did they not recognize the wide spread

exposures of multiple toxic chemicals at unprecedented dose rates had never seen in this form of wide spread exposures. Therefore, no single study of any exposures to some p-value of $p = .050$ is going to match the Veteran's Experience. Does not matter if peer reviewed or not - there is no comparison.

Our friends in Congress put out these laws or demands and we the victims and government claimants have no way to challenge the impossibility of such demands. Especially when those demands are carried out with total bias of the Department of Veterans Affairs as well as the Department of Defense.

No need to go over that again as I have written many many articles on confirmed bias as well as government interference at ever turn as far up as the White House on interference.

Political interference for medical care associations for these herbicides for over four decades has been the government norm, not the exception. At the government level a systematic effort to suppress critical data, confirmed altering of government results, as well as confirmed use of command influence to meet preconceived notions of the related found outcomes in medical malady and death. Thus altering what should be considered presumptive status and service connected for automatic health care.

- Congress mandates Veterans' Affairs form a committee to review the herbicide issues back in 1979.

Veterans' Affairs then goes out and forms a committee of mainly scientific individuals who were, according to totally independent scientific reviewers, anti-Veteran biased, had preconceived publicly stated notions the herbicides were harmless before reviewing the data, associated with the chemical companies themselves, etc. No... Veterans were not represented on this committee by anyone and we had no way of challenging this totally biased and unscientific committee that operated for twelve years while Veterans suffered and died with no service connected medical care. I would point out as well that one of the reviewers concluded what I have; that dose- response unduly affected the lack of associations and that the work was less than objective.

Congress in the Veterans Issues comes out with Veterans Affairs demands or even a public law and then sits back and does nothing in oversight or even recognizing if the law needs to be changed to override the bias and anti-Veteran issues within Veterans' Affairs itself; or recognizing their requirements are being misused and modify those requirements to some achievable level of science.

This seems to be the government delay scenario in many Veterans Issues such as Gulf War. The government uses the same scenario of unachievable scientific requirements due to the unknowns of what those Veterans went through. Untested inoculations then pesticides then saran gas then all those depleted uranium shells. Government denied Saran Gas at first for years and then one study says they did not get enough; another study says that a little over a long time is worse and on and on as planned.

See link at: <http://www.gulfwarvets.com/arison/gws.htm> THE COVER-UP OF GULF WAR SYNDROME --A QUESTION OF NATIONAL INTEGRITY

I still say there is more behind the White House Curtain of Shame on DU shell radiation than those Veterans and Widows are being told.

For example:

“A Los Alamos labs memo of March 1, 1991 acknowledges that “[t]here has been and continues to be a concern regarding the impact of DU on the environment.” It raises a concern that DU weapons could become “politically unacceptable” and advocates “proponency” when “after action reports are written.”

Depleted Uranium' Poses Threats to Health, per Defense Nuclear Agency

“A Defense Nuclear Agency Memo was written by Gregory K. Lyle, LTC, USA concerning what “can, must, or should be done with the millions of expanded rounds of depleted uranium ordinance” in Iraq. It notes that clean up procedures “were not meant to support shipments of thousands of DU rounds from site restoration.” It goes on to note “As Explosive Ordinance Disposal (EOD), ground combat units, and the civil populations of Saudi Arabia, Kuwait and Iraq come increasingly into contact with DU ordinance, we must prepare to deal with the potential problems.” Further, “Alpha particles (uranium oxide dust) from expanded rounds is a health concern but, Beta particles from fragments and intact rounds is a serious health threat, with a possible exposure rate of 200 millirems per hour on contact.” The memo warns that “specific DoD guidance concerning the disposition of DU material in the post combat period/restoration phase is currently lacking.” The writer hoped that “expression of our concerns over the side effects of DU use will help ensure protection for our troops and allies.” This memo is undated - Dr. Rokke says he received it around the same time he received the Los Alamos memo in 1991.

{Per the Nuclear Regulatory Commission, allowable radiation does to a member of the public is 100 millrem per year, for a continuous dose. It's obvious that continuous or repeated exposures causing radiation of 200 millirems per hour would quickly exceed the National Regulatory Commission's limits.}

“The US has a dirty (DU) little secret.

“A Japanese professor, Dr. K. Yagasaki, has calculated that 800 tons of DU is the atomicity equivalent of 83,000 Nagasaki bombs. The U.S. has used more DU since 1991 than the atomicity equivalent of 400,000 Nagasaki bombs. Four nuclear wars indeed, and 10 times the amount of radiation released into the atmosphere from atmospheric testing!”

“Before his tragic death, Sen. Paul Wellstone informed Joyce Riley, R.N., B.S.N., executive director of the American Gulf War Veterans Association, that 95 percent of Gulf War veterans had been recycled out of the military by 1995. Any of those continuing in military service were isolated from each other, preventing critical information being transferred to new troops.

“Military research report summaries detail the testing of DU from 1974-1999 at military testing grounds, bombing and gunnery ranges and at civilian labs under contract. Today 42 states are contaminated with DU from manufacture, testing, and deployment.”

“Women living around these facilities have reported increases in endometriosis, birth defects in babies, leukemia in children and cancers, and other diseases in adults.

Thousands of tons of DU weapons tested for decades by the Navy on four bombing and gunnery ranges around Fallon, Nevada, is no doubt the cause of the fastest growing leukemia cluster in the U.S. over the past decade. The military denies that DU is the cause.”

Again who knows and as some of our Herbicide Researchers have concluded we will never know what level of toxicity or which combination of toxic chemicals created what outcome and the numbers since it was all different and the environments were different. The only thing concrete is there was exposures and increases in many many medical disorders and death that without some outside causation would not have been seen.

The only thing that should matter is what empirical data demonstrates over the general population as a basis and considering what animal studies have demonstrated as a defined outcome, which have been totally ignored by many of our so called medical judges who have done nothing but draw and quarter Veterans and Widows; to include the Institute of Medicine.

“It is at least as likely as not as life long associated increase” should be good enough. Not some impossible to validate to some scientific notation life long science project while Veterans and Widows lose everything, including their dignity, for serving in the Military. This seems to be the government way to delay or deny or spread the cost of war or government mistakes over a longer period of time. Or as suggested by the article and as I have over the years have the Veteran subsidize the cost of war and/or government mistakes by using his or her worked for assets.

Remember the evidence or Proof is defined as:

1. argument that compels the mind to accept an assertion as true.
2. The validation of a proposition by application of “specified rules,” as of induction or deduction, to assumptions, axioms, and sequentially derived conclusions.
3. The state of being convinced or persuaded by consideration of evidence.

The problem is in Number Two the government changes the rules on the fly depending on what the real outcomes were found; then redacts the findings based on the changing of the rules.

While reviewing and collecting data on the Vietnam Veteran Era history research further clearly demonstrates the following:

(Government abuse of Veterans repeats itself over and over again.)

Mustard gas, radiation, and bio-toxin guinea pig testing of Veterans were denied death and disability compensations along with a known and documented WW2 exposure to Mustard Gas in Italy in which Veterans were denied compensations along with the medical/hospital staff that treated them due to politics of the war at that time. Even after the war was won and there would be no political ramifications the Department of Defense as well as the Department of Veterans Affairs denied their claims of Mustard Gas service connection until recently. Now how many of those WW2 Mustard Gas Veterans were left alive by that time? Yes, their despicable processes worked I would say.

LSD testing of Veterans as guinea pigs was denied until the government lies were no longer plausible - then getting any service connection was impossible

Project 112 and SHAD testing of Veterans as guinea pigs from 1962 to 1975 was denied until the government lies were no longer plausible; this was primarily due to the fact the investigative reporters discovered that not only were the guinea pig Veterans exposed to Biological Chemical Warfare (BCW) Testing but civilians by accident were also found exposed. Of course the civilians as discussed above have real constitutional rights to redress. Once again even though admitted finally getting service connected or even any admittance of issues was and is denied. This after years of stalling and even denial of information for the sick and even dying

Vietnam Era Herbicide Experience and yes that is how it should be phrased not just the Vietnam Herbicide Experience. It is not just the known outcomes using common sense that have been denied for forty years using nefarious government methods. Places these toxic chemicals were used have also been denied for decades. Yet these places that were denied all of a sudden become EPA superfund clean up sites. Clearly stating found not only dioxins but TCE as well in the water. In order for the toxic chemicals to get into the water they obviously contrary to the government statements had to be there to begin with. DUH! Also contrary to the government in order for the chemicals to get into the water there had to be exposures. DUH! All of this denied and in many cases still being denied our Veterans that did not serve in Vietnam proper.

Or when they did finally admit usage such as the Korean DMZ area to include longer lasting pellet forms of dioxins they limited the time frame of coverage that would not and never could include any half-life of dioxins. To include that Veterans' Affairs stated in some cases while the Veteran or Widow tried to address the half life issue that any half life study would have to be done and documented on the DMZ in Korea itself. Now folks that is absolute power when a federal agency worker can override the EPA environmental characterization of dioxins in the environment. Of course with the Hatfield Reports of the toxicity still left in Vietnam as of last year either the EPA report was greatly underestimated or the toxicity of the militarized version of herbicides was much higher in dioxins than reported; or a combination of both. Unfortunately I could never find in my research a report that documented the actual toxicity of a fresh production lot of Agent Orange, White, Green, or Purple. I only found a report put out in 1979 when the government and the chemical companies were destroying the evidence of the swill left and stored on Johnston, Island and according to reports leaking all over the place. The report concluded confusion in the measurements since when an Agent Orange Barrel was measured it was much higher than expected. The Air Force then concluded that it might very well have been Agent Purple that was being measured since they were having to combine barrels it might have elevated the toxicity. This also would in anyone's mind conclude that place was contaminated since they admitted combining barrels due to leakage. Again denied to the death by the government of the serving Veterans on Johnston Island.

Many of us worked hard to get the Korean DMZ dates changed for years and finally they did change the dates to somewhat more of a sane exposure dates by adding three years on the end of the constraints. Still not correct but never the less at least some usage of nothing but common sense with regard to dioxin exposures.

Now I hate to give the government this much credit for their insidious thinking behavior but just after the admittance of usage of dioxins on the Korean DMZ, after years of denial, the government decided that the pay records for Korea could be destroyed. Destroy the only evidence the Veteran would have to fall back on that clearly showed he or she was actually on the DMZ. This is because that area was designated a hazard area and his or her pay voucher would have recorded that fact of hazard duty pay. No;... Veterans at least most of us did not keep assignment records. For the most part the

conscript military just wanted out and forget the Military Experience at that time and back to civilian life.

Of course the Blue Water Navy is still being denied associations with no evidence to the contrary of found dioxins on the Australian Fleet Boats that served in the same waters as our Navy personnel. No evidence to the contrary in the denial of associations of that concrete empirical found data as well as the fact that dioxin molecules, according to our best dioxin scientists conclude, once in the air can travel anywhere to include coming down with the rain.

Or with the crews that served on previous Ranch Hand planes Veterans Affairs can just say exposure was limited and the skin would have protected you. Once again in direct opposition to what our most notable dioxin scientists have concluded and stated.

Nothing but pure absolute power with no way for the defendant to demand accountability of mindless scientific statements in denial of a claim.

Then we have our USO workers who actually served in country. They traveled to the same firebases that were OPERATION Ranch Hand target areas, rode in convoys while breathing the created dioxin aerosols, drank and bathed in contaminated water, etc. These folks are still denied the simplest of logic in medical coverage. What is even more appalling to me is the USO itself will not fight for the rights of those exposed. I would bet had the USO told these entertainers and workers they would be subjected to many forms and doses of different toxic chemicals that could affect them over life, to include their offspring, they just might have said *forget it!* Many have told me they indeed would have. Yet, they are not recognized as government created victims of death and disability.

Burning Pit Issues

Then we have Congress feigning concern regarding our newest victims of the returning Iraqi Veterans on burning pits. Science has already concluded that incinerators create dioxins that travel for 100's of miles much like a radiation exposure. Yet, I have seen not one thing regarding the tissue testing of these Veterans to see if indeed they were being exposed to dioxins and/or dioxin like compounds from these massive burning pits of all kinds of materials.

Simple examples of issues we cannot challenge and Congress doing little if anything about it makes little sense other than budget control.

- As most of you know we finally got Ischemic Heart Disease (IHD) approved as presumptive to exposures by the IOM/VA connection. While this was and is comforting to some it is not the facts of how dioxin works. The challenge if we had any way or forum to do so would be that yes IHD is a result of dioxins but not directly but rather indirectly in the form of the actual process that is created and that being Atherosclerosis. This is a condition in which an artery wall thickens as a result of the accumulation of fatty materials such as cholesterol. Atherosclerosis is a chronic disease that remains asymptomatic for decades, the silent killer.

These complications of advanced atherosclerosis are chronic, slowly progressive and cumulative. Most commonly, soft plaque suddenly ruptures causing the formation of a thrombus that will rapidly slow or stop blood flow, leading to death of the tissues fed by the artery in approximately 5 minutes. This catastrophic event is called an infarction. One of the most common recognized scenarios is called coronary thrombosis of a coronary artery, causing myocardial infarction (a heart attack). The exact same process in an artery to the brain is commonly called stroke. Another common scenario in

very advanced disease is claudication from insufficient blood supply to the legs, typically caused by a combination of both stenosis and aneurysmal segments narrowed with clots. This can also create insufficient blood supply to the brain creating brain atrophy which has its own set of medical outcomes to include cognitive deficits.

Atherosclerosis affects the entire artery tree, but mostly larger, high-pressure vessels such as the coronary, renal, femoral, cerebral, and carotid arteries. These are termed "clinically silent" because the person having the infarction does not notice the problem and does not seek medical help, or when they do, physicians do not recognize what has happened.

Even an avascular necrosis in any bone such as a damaged hip can be, not always, associated with Atherosclerosis.

Certainly high blood pressure, still denied as presumptive, would be associated to this damaging process.

Out of so many potential impacts the IOM/VA connection somehow has concluded that for Veterans that only the heart will be impacted by this dioxin created Atherosclerosis. Congress in its infinite wisdom will not hold hearings and ask our nations real dioxin experts on how this dioxin myth is even possible given the biological plausible and clearly defined impacts of Atherosclerosis. Then demand an explanation from the IOM/VA connection.

Actually it should be associated lower than that such as dioxin created lipid metabolism issues leading to Atherosclerosis and the future organ, system, and systemic impacts. But I think you get the idea anyway.

- Then we have peripheral neuropathy, which as most of you know the IOM/VA connection has just removed after years of lies and denials the constraint that the dioxin neuropathy would resolve within two years. In other words, it is permanent and degenerating which we have said for decades now. By the way it hurts! However, they did not remove the constraint that it must develop within one year of leaving Vietnam.
- Once again Congress will not have our honest scientists that are recognized both nationally as well as internationally as real experts testify how it is that a toxic chemical with a half life in the body of seven to eleven years that Chronic Peripheral Neuropathy shall and must according to the IOM/VA connection manifest within one year of leaving Vietnam. In other words, obtain the biological plausibility that what IOM/VA is saying can even be true and how.

However, no one especially our Veterans and Widows should hold their breath on that one.

- The same goes for all-site cancers as well neuropsychiatric/neuropsychological damages found in our own government studies to include suicides associated with dioxin exposures. Too many studies to include the latest one, 23 year study, I told you about have concluded that all-site cancers are associated and that even suicides were found associated. Of course we already knew that from previous studies and even a dioxin accident regarding Monsanto where suicides were involved. In my reviews I still go back to the Emory University study of four exposed civilian populations and in mathematically modeling of very very low exposures concluded there is no safe dose of dioxins that does not increase the risk of cancer over life. To include they found no significant difference in specific cancer sites versus all-cancer sites within their mathematical modeling. Safe to say that the Vietnam Veteran did not have some

very very low dose. Although once again, I am not convinced that dose response is the key and more involved with how the exposures took place and what levels of exposures and how many times both chronic and acute is more involved with outcomes than a simple dose response. That is how our body works in liver enzymes not just strictly a dose level. Plus what other toxic chemicals were involved in synergy of outcomes. To take single dioxin TCDD studies and use that study or studies in denial of Veteran outcomes is nothing but scientific hypocrisy of the facts.

Once again if our elected leaders both house and senate supposedly in federal agency and government contractor oversight cannot order a hearing and get to the bottom of this fiasco then I would suggest we know where their loyalty lies. Not with the Veterans and Widows but with their campaign contributions.

Chemical companies can get a government hearing when they want yet the victims of government abuse have no forum and have to rely on our elected officials which have failed us miserably. I guess the difference is they can pay for a hearing with their contributions and we cannot.

This is especially pointed and I will say it again; we have no way of challenging our medical judges at the IOM or the VA. We do not even have an opportunity to address what it is they are doing in comparison and does it make sense to the Vietnam Era Herbicide Experience. However, I will say that during the hearings in official transcripts one Congressman, a single Congressman, did ask the IOM at what level of certainty can you be. Now bearing in mind the IOM had already been passing judgment for about ten years using some unknown process and the IOM Agent Orange Committee Chairmen would not answer the question under oath nor even proffer an example. So how does Congress know that what they wanted at least in overview, all be it a façade, is being carried out. The answer is; they do not especially when one of them using logic asked the correct question and was refused a direct answer ***that should or could have changed everything for the Vietnam Veteran and/or Widow.***

RECOMMENDATIONS

Congress

Congress must do something to stop what can only be described as government abuse of a segment of society. The House and Senate Veterans Affairs Committee's as well as the Oversight Committee's must grow some intestinal fortitude and resolve these issues once a for all. It should not be up to the plaintiffs to put forth the truth over and over again against our own government. Society depends on our elected officials to do the right thing regardless of party politics. So far the Congress has failed to right the wrongs committed by a government that destroyed so many lives in a noble cause.

Yes, a noble cause which history seemingly now shows was a war that was generated by President Johnson and his side kick Booby McNamara who in spite of hell was going to give the President what he wanted - a war! A war that was created by the figment of someone's imagination and put forth based on government lies. President Kennedy was not even in the ground proper but still President Johnson met with those in power to turn around the pull out of men on the ground in Vietnam for his first act as President. That itself should tell everyone President Johnson wanted that war, indeed was going to insist on it. Whether for family money (Bell Helicopter), arrogance, derangement, economy, or whatever there should be no doubt President Johnson wanted that war and supported corrupt governments in Vietnam. Everyone in Congress at the time, except two Senators, gave him

permission to start that war; which never should have happened. Whether those that voted to give him that war believed his and Booby's propaganda was the reason or not I suppose we will never know. We do know the outcomes of such power given to a President and the outcomes of what can only be considered a myriad of cumulative government mistakes. A culmination of government mistakes that eventually left more Veterans dead and disabled from those government mistakes than the entire North Vietnamese Army and Viet Cong could inflict in combat in 10 years of war.

Your own statements in 2000 in oversight:

"Congress, through various legislation including Public Law 102-4, basically suggests that we wanted to give the benefit of the doubt to the veterans. That is, if they are sick, but we can't clearly establish cause we just do not want to wait until they die"

"I believe that, as a policymaker, I have the right to determine that even there's a shadow of a doubt, there's every indication that, I'm happy to move forward and commit dollars to helping people. I just think you give the benefit of the doubt."

Congress asking David Butler of the IOM AO Committee: "At what level do you think Government should consider compensation? Should we have a no shadow of a doubt? The reason why I am asking the question is I have come to the conclusion, based on our work that we have done on gulf war illnesses, based on our review of Agent Orange, that I have to be honest with our veterans. By the time we will know the scientific data, you are dead. You will either have died early or you will have died in your old age in pain, but you will not get help from the Federal Government." **AMEN to that!**

Dr. Butler's response: "That's a policy rather than a scientific decision." Yes it is and I would suggest you have failed miserably in making sure even the less than objective policies, all be it an attempt on your part, you created are being followed. There has been NO benefit of the doubt given and I would put forth the opposite has happened in these issues as if we could recreate the Vietnam Herbicide Experience 40 years after the fact or as if you were running some pharmaceutical trials in a controlled blind study. And no we do not have a warehouse full of pristine Veterans to test to the death to prove to the level IOM/VA are demanding.

Many of you in Congress I have already presented hard copies as well as digital data of data after data of nothing but abuse evidence in determining the outcomes of exposures to at least 15 different herbicides according to your own testimony. Plus what the chemical companies called inert such as Hexachlorobenzene as well as Nitrosamine's at some unknown levels. Then we have DEET involved as well as Dapsone that was taken and used with each one having its own medical issues by themselves much less when taken while being exposed to toxic herbicides that can modify and damage the bodies most delicate biological processes.

You state you want to give the benefit of the doubt; yet, you have no idea if that is being given or not or to what level. You also got somewhat of answer from Dr. Butler that tells you up front they are doing what they want at the IOM as to what they think they need to do whether self imposed or DOD imposed is the question unanswered. His answer should also enlighten you to the fact they do not care what Public Law 102-4 means or your intent of the law. You really have no idea if even Veterans' Affairs is following the intent of your legislation and Public Law 102-4. I can tell you that from reviewing your statements of intent and Public Law 102-4, of which I agree with most of it with some exceptions, compared to Veterans' Affairs 38 C.F.R. 1.17 there is no - comparison to what you as Congress have stated versus what VA has stated and enforcing. One statement I agree with and that is the Secretary at any time can approve an association **"if evidence on the whole**

supports that conclusion". He does not have to wait on the biased IOM which apparently are not in concert of your stated wishes and the public laws you put forth for their publications/recommendations; which are always late anyway.

Of course none of this is being done nor followed as below:

38 C.F.R. 1.17

(f) Notwithstanding the provisions of paragraph (d) of this section, a "significant statistical association" may be deemed to exist between a particular exposure and a specific disease if, in the Secretary's judgment, scientific and medical evidence *on the whole supports such a decision*.

(d) (1) For purposes of paragraph (c) of this section a "significant statistical association" shall be deemed to exist when the relative weights of valid positive and negative studies permit the conclusion *that it is at least as likely as not* that the purported relationship between a particular type of exposure and a specific adverse health effect exists.

(e) For purposes of assessing the relative weights of valid positive and negative studies, other studies affecting epidemiological assessments including case series, correlation studies *and studies with insufficient statistical power* as well as key mechanistic and animal studies which are found to have particular relevance to an effect on human organ systems may also be considered.

Animal studies are not even being considered if they were and the above were being followed along with the intent of you clearly stated in 2000 and not waiting on IOM decisions which clearly as stated above under oath do not include your statements of wishes nor the facts of 38 C.F.R. 1.17 in *on the whole supports such a decision; that it is at least as likely as not; and studies with insufficient statistical power*, etc **then we would not be where we are today!**

Congress needs to realize that even studies that did not reach some statistical power when it comes to these herbicides is basically a moot point if the trend is recognized. These are long term over life issues.

In comparing Vietnam Veterans to Non-Vietnam Veterans would Congress itself deny an association that was found at a 400% increase in the Vietnam Veterans but did not meet some mythical linear dose response to only one of the Herbicides out of 15? Yes that is correct once the ability to measure the dioxin TCDD was found most of what has been done since the 1980's has evolved into a study of a single compound.

Also bearing in mind in the study that found a 400% increase was a snap shot in time of development of these issues. If you went back in another five years and did the study again the percentage of those Vietnam Veterans affected would be expected to increase while the comparison group would remain constant.

You cannot disregard studies that find a 38% increase over four levels of exposure at some snap shot in time but because they did not meet some bogus linear requirement of a single compound out of 15 then deny the associations. Certainly in this case it meets the Veterans Affairs and your requirements of *at least as likely as not*. Well I guess you can deny it if you make up your own rules. Yet, that has been going on since this National Tragedy started.

The other issue I would like to point out that seems was not just an oversight; in all of these issues meetings, studies, hearings, etc; Congress itself indicated that Veterans must have some scientists representing them. This never happened and I for one believe this was not just an oops or some oversight! This lack of representation has clearly denied the Veteran/Family a fair assessment of the health effects associated to Vietnam Service. This by default has denied the Veteran proper medical care by keeping the Veterans' physicians in the dark when looking at a non-remarkable patient with a very suspect background.

I would remind the Congress in testimony you also heard that in 2000 levels of 1000 ppt, 29 years after the fact, were still being found of the dioxin, TCDD in Vietnam. This is not some form of low level exposure.

Congress Must:

- Have immediate hearings on these issues to resolve whether your stated rules, intent, and public laws on the books at present are being followed
- Have immediate hearings to ascertain if even the rules, intent, and public laws on the books at present can even be met or does it require revisions and further oversight enforcement by everyone involved to include Veterans' Affairs as well as the Veterans' Affairs contracted IOM
- Bring in our Nation's top experts in the field and get their testimony of what has gone on and the real facts regarding these herbicides as to the issues of what is known in these herbicides interfering with most delicate of body functions to include the ramifications at cell level disturbances. To include which differs these toxic chemicals from other toxic chemicals the ability to enter the body and do many different things.

Make sure that indeed there are, as you commanded before and never has been done, that some of the scientists are actually representing the Veterans and Widows side of the issues in this what must be considered a National Tragedy and indeed a National Disgrace.

I am sure there are more scientists my colleagues in our fight for justice for our comrades could or would recommend but I would suggest in overview:

Dr. Linda Swartz
Dr. Ron Trewyn
Dr. Linda Birnbaum
Dr. Arnold Schechter
Dr. Jeanne Stellman
Dr. Joel Michalek
Dr. Richard Albanese

Dr. Joel Michalek - The head of your own gold standard study for 12 years. In your own words:

Congress - "The Ranch Hand Study was designed to generate significant scientific data and analysis to be used by the Department of Veterans Affairs [VA], and others in making health care and compensation decisions regarding Vietnam veterans."

We can assure you this never happened and according to media reports and statements by Dr. Joel Michalek and his quotes there was a found at least a 2x increase in all SEER site cancers after he factored in some of what we as Veteran Victims had been saying for decades regarding this study. The Air Force refused to include that finding in the final Ranch Hand Report. Now that should have been the job of Congress. Obviously you were not listening to us or paying attention to the scientific misconduct that transpired for decades. I say at least 2x increase in all *SEER cancer sites because many of these men in the study died from heart disease before they could develop any form of

cancer which was just recently admitted. Yet, we know from transcripts this was happening all along. This includes the admittance of just as we had said for years, the study was full of less than objective assumptions. It was finally admitted that >40% of the comparison group (non-exposed) were indeed exposed. Again this should have been your job!

If not influenced by the United States Air Force in command influence and actual threats since he is still on active duty as far as present knowledge Dr. Richard Albanese one of the four original principal investigator that set up the protocols for the Ranch Hand Study - his testimony to you on March 15 -2000 under oath should have given you plenty of insight into the "collusion" and "scientific misconduct" that has taken place even in your own government sponsored studies and pause for all of you to take stock in what has transpired. No Veteran or Widow is ever going to believe the Air Force in its role as manager of any study ever again.

*SEER site cancers equals - Surveillance, Epidemiology and End Results (SEER) Program tracking all forms of cancer known.

Once you have heard the testimony of all and resolved what it is your intentions were and if they were anywhere close to being met and where you are now in these issues:

Revise the laws on the books to include Public Law 102-4 to reflect what should have been your intentions of *it is at least as likely as not associated!*

Mandate revisions of Veterans Affairs Regulations to meet the requirements that you have clearly stated before and may even modify after testimony that these requirements are being met to the letter of the law.

If all this is done we no longer need the IOM and as described above their ideas of what is public policy that you have decreed versus what they consider science that is not possible to proof out at any level to the demands they somehow have added above and beyond what you have clearly stated was your intent.

If this is done with honesty and integrity I think most of the United States Congress, except those in Congress that prefer budget control using insidious government power to rob Veterans/Widows of their earned benefits whether conscript or volunteer, will agree with the following.

The presumptive issues associated to herbicides (plural) given the nature and duration of the exposures and the massive amount of unknowns that cannot be scientifically reconciled.... the following medical issues at a minimum are *at least as likely as not* are associated to that service and those Veterans being subjected to government WMD mistakes:

- All-Site Cancers - this includes all cancers listed in the SEER Program
- Non-Hodgkin's lymphoma as well as macroglobulinemia (in any form)
- Hodgkin's disease
- Porphyria cutanea tarda family of disorders and other liver disorders (such as biliary disorders), to include fat cell infiltration
- Hepatitis associated to service in Vietnam
- Any blood flow disorders associated to Atherosclerosis such as but not limited to: hypertension, vasculopathy, heart valvular issues, vascular diseases, brain atrophy, brain infarction, ischemic heart disease, bone loss due to avascular necrosis, forms of osteoporoses and spondylosis, radiculopathy (including herniation of the nucleolus pulposus)
- Cell function issues such as Plating Efficiency and Mitogen Response

- Retinopathy
- Diabetes Type II
- Amyloidosis
- Skin immune system disorders such as but not limited to chloracne, eczema, seborrhea dermatitis, xerotic eczema, neurodermatitis
- Soft tissue sarcoma
- All forms of leukemia's
- Hematopoietic diseases
- Multiple Myeloma
- Parkinson's
- MS
- Inflammatory Rheumatoid Arthritis
- Gastrointestinal Diseases
- Tumors anywhere in the body
- Endocrine system disorders such as but not limited to thyroid disorders
- Autoimmune diseases and disorders (defined and undefined medical codes) this includes any heart valvular disorders that are found associated to the immune system disorder; this as a minimum should cover disorders associated with disturbance of IgG antibodies, IgG1 antibodies, IgE antibodies, IgA antibodies, IFN Gamma, TNF alpha, IL-4, IL-10; any alteration of T-cell mediated immunity (antibody); any alteration of B-cell mediated immunity (non-antibody)
- Neurological defects such as neuropathy (any form or forms), cognitive disorders and deficits, short term memory loss, issues found associated with a damaged autonomic nervous system; to include Chronic Fatigue Syndrome (CFS)
- Any form of obstructive airway disease or non-malignant lung disease
- Psychopathology issues and disorders - ("1964 - According to Dow's then medical director, Dr. Benjamin Holder, extreme exposure to dioxins could result in "general organ toxicity" as well as "psychopathological" and "other systemic" problems."
- Birth defects (physical and mental)

The birth defects subject has yet to be addressed by Congress and probably never will be because of budget control in our dioxin paternal exposure birth defects and generational follow on birth defects.

What we do know is that Veterans' Affairs awarded 18 additional birth defects to women who served in Vietnam based off of a report. These additional birth defects were not awarded as associated to herbicide exposures but only Service in Vietnam. However, in testimony the Congress heard in 2000 by Dr. Albanese that he had reviewed that report and that the Ranch Hand Birth Defects, your own gold standard, the pattern in Ranch Hand birth defects is identical to that study. However, once again because the findings did not meet this mythical linear increase with a single dioxin compound only it was never pursued. That ladies and gentlemen is certainly a National Tragedy and the Shame of this Nation and certainly qualifies as a double standard.

The National Birth Defect Registry concludes the following:

1. Registry children of Vietnam Veterans have reported a consistent increase in skin problems that could be compared to the ectodermal effects seen in other studies.
2. More childhood cancers have also been reported in the children of Vietnam Veterans in the registry.

3. Vietnam Veterans have consistently reported more learning problems in their children including almost every category of LD (learning disability) collected in the registry.
4. Impressive increases in attention disorders have also been reported in the children of Vietnam Veterans in the registry.
5. Emotional and behavioral disorders also are increased in Vietnam Veterans' children and generally occur in combination with learning and attention disorders.
6. Allergies, asthma, and multiple chemicals sensitivity are reported more frequently in children of Vietnam Veterans.
7. Frequent or chronic infections and other conditions involving immune dysfunction have been consistently reported in registry children whose fathers served in Vietnam.
8. Increases in sexual maturation problems, thyroid defects, and diabetes in Vietnam Veterans' children suggest a prenatal effect on the developing endocrine system.
9. A number of conditions like endometriosis, muscle and joint pain, arthritis; chronic fatigue, and other more non-specific symptoms like headache and hair loss are increased in Vietnam Veterans' children in the registry.

Many of our issues have been denied because they did not meet some study dose response mandate to a single compound of TCDD not even considering there were, according to actual testimony, 15 different toxic chemicals.

Veterans' Affairs

General Shinseki must define exactly what it is he means when he says a 125 day claim turn around. Does this mean a 125 day turn around on just answering a claim or a claim turn around requesting more data as they normally do until the Veteran and/or his doctor get disgusted and just go away; or the doctor as planned by VA refuses to help another Veteran because his credentials and his integrity is being challenged by a VA worker even if the doctor is practicing as one of our finest and most prestigious research hospitals. Or is that the final claim decision and if approved scheduling a C & P for evaluations. What is he talking about in real context. Define the 125 day claim response!

Is the VA finally going to tell the Veteran or Widow up front that in no way no matter how much evidence is submitted they will not approve a presumptive claim that is not already on the presumptive list. Thereby eliminating years of claim filing and redundant time factors and stalling of up to three years or more when Veterans' Affairs knows up front they are going to deny the claim and just jerking the Veteran or Widow around and it will have to go to the Board of Veterans Appeals, which is the higher legal authority for Veterans Affairs.

Would it be more responsible and tell the truth and have the Veteran file the claim and then go straight to the Board of Veterans Appeals. If the issue becomes presumptive during that time frame then of course Veterans' Affairs would have to approve but they still do not have to approve in a timely manner.

There is no way Veterans' Affairs or Congress or the Secretary himself can justify even already associated medical disorders on the presumptive list can take months or even over a year to resolve;

especially when no C & P is required and in many cases the Veteran is dying or being treated and cannot work.

There is another issue of “government outreach” to our damaged Veterans of all Era’s. Of course why should the government when for decades they have trying to cover up the issues.

You must remember in many of these Era issues it is a moving target as they finally add more and more presumptive disorders every two years; too late for many. These victims and our Widows are entitled to know. Yet, the government outreach is nonexistent. Again there is a reason for this and that is budget control. This is also just more evidence that our national media will not cover these issues. Heavens I have had some civilians tell me they thought this issue was all over in the lawsuit of 1984!!!!!!!

I would guess that asking or taking some of that 85 million dollar meeting/party money a year of Veterans’ Affairs to run national television banners on CNN and Fox news across the bottom of issues that are covered and/or added would be asking too much. Suggesting for those impacted to include uninformed widows to contact the local Veterans’ Affairs for more information on benefits. CNN and FOX always are saying they support Veterans but like Congress and our Presidents it may just be the mouth is moving.

At least twice a year on Memorial Day and Veterans Day would be a nice touch. Again breath holding is not recommended on this issue.

Board of Veterans Appeals

Congress has harped on using information sharing technology to expedite claims for Veterans for decades. However, when given the opportunity to do so as usual they balk.

The Board of Veterans Appeals is the higher legal authority for Veterans Affairs. They can override denials and/or remand back to the Veterans Affairs for rework or for corrections.

The first question that must be asked by Congress and never will be for budget control is how can the Board of Veterans Appeals approve one legal claim for the Herbicide Veteran or Widow in which “medical associations” is the only question in contention. Then turn around and deny the fellow that served right next to the approved Veteran and deny that Veteran or Widow. Is not that just make work for fat cat government jobs?

The second question should be and never will be for budget control if the evidence is good enough in one case for the medical associations for say brain cancer then how come it is not good enough for the next Veteran and an order of legal precedence is then set. No different from a real constitutional legal system.

Having these questions asked and answered and a review of on line previous Board of Veterans Appeals could reduce the backlog of claims by over 300,000 claims in less than six months. In fact, I offered in person to the Chairmen of the House Veterans Affairs Committee to get five of my guys to do the review of approved cases with associations and not only that but supply the scientific evidence that clearly demonstrates the associations for their review in each medical malady.

By further flowing down the decisions to Veterans Affairs it would also reduce their workload by a tremendous amount there-by putting their time on issues that do require complex decisions and

making sure the 68% error rate by Veterans Affairs goes down. Unless of course the errors are on purpose.

Board of Veterans Appeals could mandate that in cases as in the example of brain cancer for the herbicide Veteran.... approve those claims immediately and do not send to the Board of Veterans Appeals any additional claims meeting that scenario as legally the evidence bar has been legally met in accordance with law.

Of course no one in government is going to go for this as eventually with the expedited system of approvals layoffs of government workers, government lawyers, and even Executive Branch appointed Judges would have to find something useful to do rather than trying the same case over and over and over with the only difference being the docket number.

Of course this same system could be used for other Veteran Era Issues as well to include location challenges.

I also see more and more in the Board of Veterans Appeals that they put more stock in the IOM reviews than the data submitted which is just another cog in the wheel of legal mockery. Just as we do not know the Board of Veterans Appeals has no idea how the IOM is doing anything or how many internal self mandated constraints they themselves have applied outside of what Congress was asking for evidence levels.

I get e-mails all the time on this claim or that claim has been approved by the Board of Veterans Appeals for say a Guam Herbicide Victim for something already on our presumptive list and I see the hope in many of these e-mails. A claim approved by the Board of Veterans Appeals for anything has no impact on following claims of the exact same thing. In reality it has no legal order of precedence and even in some approvals I have seen that very statement made on the approval.

Not much of a legal system in our set aside Executive Branch Courts now is it. Our legal system is just hope you come up approved in the Board of Veterans Appeals/Veterans' Affairs lottery system before you die; for your sake as well as the follow on benefits for your spouse.

Now for clarity I do not do this for me. I am already 100% with more issues seemingly coming up every year but I continue the fight as I am able to for all Veterans and our set aside Widows. My latest is a discovery of a one inch tumor on my thyroid. No decisions made yet on attacking the problem.

- Couple of more things in my rant and I will quit for now.

This issue of PTSD versus damaged brain functions creating neuropsychological/neuropsychiatric deficits remembering that the PTSD phrase was coined after the War in Vietnam was over and our guys came home.

Harvard Medical, one of our most prestigious medical universities did a blind test and found that neuropsychological/psychiatric deficits were found in Veterans who were diagnosed with PTSD, also indicating a brain connection.

The VA's own report of Army Chemical Corps workers in Vietnam found an excessive hospitalization rate for mental disorders. These mental disorder diagnoses were accompanied by other findings of excess brain cancer, nervous system disease, and neurologically based issues.

Many other independent studies show these toxic chemicals create neuropsychological/psychiatric effects including suicides.

This was shown to be the case even in third world countries where no combat was taking place and the victims were exposed to the toxic chemicals.

Even the manufactures of the toxic chemicals admit the following:

“Evidence also reveals that Dow Chemical, a manufacturer of Agent Orange was aware as early as 1964 that TCDD was a byproduct of the manufacturing process. According to Dow’s then medical director, extreme exposure to dioxins could result in "general organ toxicity" as well as “psychopathological” and "other systemic" problems.”

The clean up workers involved in the Monsanto toxic chemical spill, within 6 years, two of the 47 had committed suicide after exposure. All but two had neuropathy disorders.

The reader, and even some veteran readers may not realize the extent of Vietnam veteran suicides. The last report I saw was over 130,000 suicides. At an Echo Company, 2nd Battalion, 3rd Marine Regiment reunion I attended years ago, it was announced that the number was at 160,000 suicides. To now say that this rate of suicides is not at least in part related to the toxic chemicals, and toxic chemical caused mental disorders is scientific hypocrisy.

“The most severe neuropsychological consequence of dioxin exposure is excessive suicides, which has been demonstrated among exposed Vietnam Veterans, chemical production workers in the U.S. and European countries, forestry workers, and railroad workers. Another severe consequence is the excessive death rate from accidents found among the dioxin-exposed chemical production workers and Vietnam Veterans, representing either motor neuron malfunction or suicide in disguise.

“In 1977, the Working Group of the International Agency for Research on Cancer found that neurological and behavioral changes were among the most frequently reported effects in studies of exposures to 2,4,5-T (IARC, 1977a). IARC identified 6 out of 7 different populations occupationally exposed to chlorinated phenolic compounds where neuropsychological symptoms such as neurasthenic or depressive syndromes were established (IARC, 1977b). IARC noted that PNS damage was also found in the same 6 dioxin-exposed populations, including polyneuropathies, lower extremity weakness, and sensorial impairments (sight, hearing, smell, taste). In 1986, the IARC clearly restated it’s finding that dioxin had been found to be associated with *peripheral neuropathies* and *personality changes* (IARC, 1986).

“The evidence from the 1990 Ranch Hand study (Thomas, et al., 1990) is particularly compelling in demonstrating CNS damage from Agent Orange exposure.

“Significant psychological deficits were found among Ranch Hand veterans in several subscales in a battery of psychological tests. In contrast, none of the typical dioxin-related psychological deficits were ever found in statistical excess among matched controls. Ranch Hand Veterans experienced a statistically significant excess of great or disabling fatigue during the day, a condition found among many other populations exposed to dioxin.

“Borderline statistically significant verified psychological disorders were found for the category "other neuroses. A series of tests found a borderline statistically significant excess of Ranch Hands experienced depression, somatization, and the severity of psychological distress. Antisocial and paranoid scores for the Ranch Hands were significantly higher, and the psychotic delusion score was marginally significantly higher for Ranch Hands.

“CNS effects, other than neuropsychological deficits, were also found among Ranch Hand veterans (Thomas, et al., 1990). When Ranch Hand veterans or controls that had known past exposures to insecticides were excluded from one analysis (so that neurological findings could be attributed solely to Agent Orange), Ranch Hand veterans exhibited significantly elevated relative risk for cranial nerve dysfunction. Analyses disclosed marginally more balance/Romberg sign (standing without swaying when eyes closed and feet together) and coordination abnormalities for Ranch Hand veterans.

Here we have in 1990 the Ranch Handers, noncombatants that were primarily skin exposed, experiencing statically significant excess in - psychological disorders of depression, somatization, and severity of psychological distress. Antisocial and paranoid scores were significantly higher along with psychotic delusion.

How many of you doctors could actually tell the difference in what the government is calling PTSD and toxic chemical induced neuropsychological disorders? Be honest. How many of you doctors were aware of these toxic chemical findings?

Consider the unknowns and consider how the body actually works in detoxification/metabolizing enzymes and considering these fellows were in combat and/or combat zone:

- Actual health at time of exposures
- Rate of ingestion at time of exposures
- Length of ingestion of toxic chemicals
- Predisposition for any number of reasons to toxic chemical damages
- Type of ingestion at time of exposures, to include: skin, breathing, ingestion by contaminated food and water supply, drinking water that was boiled in toxic chemical storage drums cut in half without proper decontamination, bathing in toxic chemical drums without proper decontamination, washing eating utensils outside the mess tent in toxic chemical drums with heaters to boil the water, exposures to dioxin aerosols as the gas for vehicles was transported by using old toxic chemical drums without proper decontamination (MACV directive put out in 1969 by Fort Detrick to stop this practice without proper decontamination {Just a tad bit too late}),
- Liver mass at time of exposures
- Health of liver and *especially the health of your immune system at time of exposures*
- Health and life style since the time of exposures

- The involvement of one or more of the 15 toxic chemicals (synergy effect).

Now if anyone can come up with a legitimate dose rate per medical outcome with all those unknowns to some p -value of a single compound that is required by U.S.C. 38 without factoring out how the body really works then you sir or madam..... are a genius of the highest caliber.

At some point Congress must, with honesty, integrity, and intestinal fortitude, address the issues of both U.S.C. 38 Paragraph 511 as well as how the Feres Doctrine is being applied and if they are denying citizen rights. Or are they just contributing to the abuse of the United States Veteran and his or her Widow.

We know from history that both are being misused by all concerned. To have a political appointed Secretary and then give that position the right to ignore any and all real court rulings and demands would seem to be a misuse of Executive Branch power at least for those of us that have experienced this power.

For heavens sakes they ignore our own Congress's demands and as described above the Public Laws you create.

All citizens must have the right to legitimate government redress and to be heard in accordance with the constitution and real law and that must include the United States Veteran and his or her Widow.

Just because America's Sons and Daughters put on the Uniform of the United States Military in service to this nation should not strip them of their *inalienable Constitutional Rights as "American Citizens"*.

That price has become too high a price to pay!

Kelley

Hard copy to:

Congressman Rob Woodall of Georgia

House Veterans Affairs Chairman

Senate Veterans Affairs Chairman

Oversight Chairman

Secretary of Veterans' Affairs