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## Veterans Benefits Administration REDEFINES Science to Prevent Agent Orange Claims

### **PART ONE: *The Grand Deception***

A simple line deep in the middle of a poster presentation offered at the Society of Toxicology convention is where VA did it to the C-123 veterans, and other vets exposed to Agent Orange in situations other than "boots on the ground" during Vietnam. Here is where VA showed its eagerness to prevent service-disabled veterans from, as VA and DOD consultants have put it, becoming "freeloaders looking for a tax-free dollar from a sympathetic congressman."



Creating a Safer and Healthier World  
by Advancing the Science of Toxicology

The Society of Toxicology invites poster displays as well as scientific and medical presentations from members, and VA's Veterans Benefits Administration and Veterans Health Administration prepared their large poster for that San Francisco meeting.

Their objective: enjoy a freebee trip to the Golden Gate city justified on the basis of doing something useful like the poster, but also engineer a special way to skirt the law and insure Agent Orange veterans, in particular, C-123 veterans, all be denied exposure benefits clearly provided for by law. What law? The Agent Orange Act of 1991, and also Title 38, as well as the 8 May 2001 *Federal Register*, page 23166 which has the force of regulation.



These laws, regulations and announcements provide that veterans exposed to military herbicides will receive exposure benefits without requirement that they provide proof of medical nexus...which is virtually impossible for any individual to do. Think here of a non-smoker getting lung cancer. Where and when cannot be proved with today's science, but it surely came from somewhere. Same here with military herbicide exposure and the "Agent Orange" presumptives, a list of illnesses acknowledged the the VA and the National Academy of Science/Institute of Medicine to be associated with dioxin exposure.

Seems simple enough. **Exposure** proof would result in claim approval. **Nope!** Faced with the possibility of C-123 veterans continuing their legitimate pursuit of essential, life-saving medical treatment for Agent Orange illnesses, VA executives realized that the Agency needed to focus on **exposure**. The Air Force had already determined that C-123s used for spraying Agent Orange during the Vietnam War remained contaminated ("heavily contaminated on all test surfaces" and "a danger to public health" read the AF toxicology reports.) That left the VA weak on any challenge to the fact of contamination of the aircraft, and any veteran's confirmed diagnosis of an Agent Orange illness prevented any challenge on that issue, so the only approach would be to deny the exposure itself.



by T. Walters, T. Irons, W. Dick, W. Peterson, VA

Here is where VA gets amazingly creative. Simply disregarding the law, and challenging the entire world of science and medicine, Veterans Health Administration utilized the Society of Toxicology conference to present a non-juried poster display entitled "**AGENT ORANGE: 50-Year History and Newest Chapter of Concerns.**" Folks, C-123 veterans were cited as the VA's "chapter of concerns." Folks, the "concern" was the VA's in dread of eligible veterans actually receiving the benefits to which our Agent Orange exposure entitles us!

So somebody at 810 Vermont Avenue, Washington D.C. got the clever idea, "Let's redefine the word "exposure" to prevent **any** exposed veteran from **ever** being approved. Let's pretend, just here at the VA, that "exposure" will mean something extra...that "exposure," the simple and precise word used in the various laws, will mean only what we say it means. And that definition is going to be that "exposure equals contaminant plus bioavailability." This way, with our special private redefinition, we can pretend that the laws of the United States do not apply, that science, logic and justice do not apply, and we can once again require proof of medical nexus!"

VA associates us much too closely with the tens of thousands of Blue Water Navy veterans, and VA is frightened that approving C-123 vets will lead to approving Blue Water Navy also.

Midway down the SOT poster made up by the VA, left column, at the fourth paragraph, the reader comes to the alarming deception employed by VA's Post Deployment Health staffers who wrote this poster (Dr. Terry Walters, Dr. Terra Walters, Dr. Wendi Dick and Dr. Michael Peterson. C-123 Veterans Association leaders encountered them all at the March 2013 conference hosted by Senator Burr's staff as we tried to find common ground. Sadly, this non-juried piece of policy-driven verbiage is the result!

Read carefully, won't you? Chew carefully on the highlighted items. We'll discuss this vicious VA deceptions in our next post. Meantime, Google words like "medical nexus," "exposure," and take a moment to read [Page 23166 of the 8 May 2001 Federal Register, the last section of the middle column.](#) Very revealing!