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BLUE WATER NAVY ASSOCIATION CALLS FOR VA CENSURE

The Blue Water Navy Vietnam Veterans Association, a national non-profit veteran assistance organization, believes the Department of Veterans Affairs (DVA) should be called to task for Notice Citation 77 FR 76170 which appeared in the Federal Register on December 26, 2012.

This Notice, titled “Presumption of Exposure to Herbicides for Blue Water Navy Vietnam Veterans Not Supported,” is disingenuous at best and is a blatant distortion of facts and an intentional misrepresentation of the Institute of Medicine Study of May 11, 2011, which the Notice references.

We are calling for a public censure of DVA because of their obviously misleading statements.

The DVA has been following a path of deceit and dishonesty towards the Congress and the American public for too many years and it is time that this behavior is stopped and those responsible be held accountable. No other Agency of our Government can get away with such overt disregard for the American judicial system and the principles of honest and forthright operation. The DVA should no longer be allowed to do this.

The original request for the study asked the IOM to determine “whether Blue Water Navy Vietnam Veterans experienced exposures to herbicides and their contaminants (focusing on dioxin) comparable to those of ground troops and Brown Water Navy Vietnam Veterans.” Although the IOM found that quantitative measurements needed to accomplish this task simply did not exist for any of the three groups, the mere concept of exposure comparison would be holding the Blue Water Navy to a different standard of criteria than is afforded to the ground troops and Brown Water Navy veterans. Brown Water and ground troop veterans receive their VA health care and compensation benefits through the ‘presumption of exposure.’ Those veterans are not required to show any element of ‘comparable exposure’ to other Vietnam veterans. They just need ‘to have been there.’ The basic inability to show a marked distinction between the exposure level of one individual or group against another was clearly known as far back as 1991, when the concept of presumptive exposure was adopted by Congress. No analysis, investigation or report since that time has yet been able to provide evidence to move away from the concept of presumption. The DVA denies the presumption of exposure to Blue Water Navy Vietnam Veterans.

DVA combines two out-of-context thoughts from the IOM Study and presents them as if they were concurrent conclusions. But they each give only one-half the story.

- 1) DVA states, "...the IOM concluded that ground troops and Brown Water Navy Veterans had qualitatively more pathways of exposure to Agent Orange-associated TCDD than did Blue Water Navy Veterans."**

The IOM additionally states, "... the committee concluded that it could not state with certainty that exposures to Blue Water Navy personnel, taken as a group, were qualitatively different from their Brown Water Navy and ground troop counterparts."

- 2) DVA reports, "...[the IOM] concluded that there is insufficient evidence to determine whether Blue Water Navy Veterans were exposed to Agent Orange-associated herbicides during the Vietnam War."**

The IOM adds "This lack of information makes it impossible to quantify exposures for Blue Water and Brown Water Navy sailors and, so far, for ground troops as well."

These two instances where the DVA intends to show a marked distinction between the Blue Water Navy and the other veterans of the Vietnam War are actually two areas where the IOM Reports places Blue Water Navy personnel on an equal footing with ground troops and Brown Water Navy personnel regarding "exposures to herbicides and their contaminants (focusing on dioxin)"... the exact opposite of what the DVA intended to show. But anyone unfamiliar with the details of the IOM Report of May 2011 would not spot this verbal chicanery.

We invite you to join with us as we call upon the Veteran Affairs Committees of both the House and the Senate to move forward with the public censure of the Department of Veterans Affairs.

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