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April 21, 2014

U.S. Department of Veterans Affairs
Attn: Secretary Eric K. Shinseki
810 Vermont Avenue, NW
Washington, DC 20420

Dear Secretary Shinseki,

I am writing this letter because I am extremely troubled at the way the Veterans Administration (VA) is adjudicating herbicide related medical claims of Vietnam era Veterans who were stationed at air bases in Thailand. I needed to write somebody to express my frustration. After reading your biography and seeing that you are a retired Army Officer and Vietnam era Veteran, I thought you have the knowledge and experience to see my point of view.

These Vietnam era Veterans who were stationed in Thailand are not trying to game the system but have real medical conditions because of herbicide exposure. In some cases these Veterans have died from those conditions. These claims for disability are made only after the Veteran proves that they were in the service, had been stationed in Thailand, have been medically screened by the VA and have existing medical conditions that would be presumptively approved had the duty station been in Vietnam. I am one of these Veterans who would like to have my claim approved, see attached claim summary, but this not why I am writing you. Instead I am thinking of all the Veterans who filed legitimate claims and were denied but did not pursue the claim figuring what the heck typical government bureaucracy what chance do I have.

As it stands now, the VA holds that if a Veteran was not a Security Policeman or dog handler serving on the base perimeter, the VA routinely denies herbicide related medical claims, at least after the first review. When I read my first claim denial and a second claim denial after a de novo review, I have to admit I was somewhat incredulous at the logic that one's AFSC (MOS) is the main basis of a claim denial. If the base perimeter was the key, everybody going on and off base passed through the herbicide danger zone and would be affected. This is probably taking this logic too far but seems to be no worse than the existing reason for denial. Realistically Veterans stationed in Thailand lived in pretty much a constant herbicidal soup. Remember these were the herbicides of the day, Agent Orange and the Rainbow herbicides, Dioxin, etc. Herbicides were constantly utilized around all buildings on the base, the flight line, aircraft revetments, hangars, nose docks, maintenance areas and living quarters to control foliage mostly

hand spraying by local Thaiø working on the base but sometime power spraying for fields, larger areas, flight line and of course the perimeter. I know that Takhli AB where I was stationed was particularly aggressively controlling foliage because of the local Cobra problem. Those of us that worked the night shift could smell the herbicide spray as we tried to sleep during the day and smelled it as we worked through the night. Day shift workers of course could see and smell them spraying herbicide all the time.

After I received my de novo review claim denial, I did more research and I reviewed some of the Thailand Veteranø message boards. The more I read, the more I was convinced that the VA was systematically relegating Thailand Veteranø herbicide claims to a third class status. Iøve read dozens of VA Citation hearings. Each one has several things in common:

All claims were appealed several times;

All medical conditions were consistent with Agent Orange herbicide exposure and would have been approved presumptively had the Veteran had been stationed in Vietnam;

All Air Bases in Thailand were represented;

Many different AFSCø were represented;

All claims took years to be approved;

In some cases lawyers were retained by the Veteran;

Some Veterans had passed away before their claims were approved; and

Claims were approved by VA Appeals Law judges.

My question is why couldnø these claims been approved at a lower level in far less time? No substantial information was changed from the original claim. If the VA took a look at the bigger picture, I am sure that the many thousands of herbicide related claims from Thailand Veterans, that have been approved over the years would provide evidence of herbicide exposure that would encompass virtually all personnel stationed at Thai air bases. This should provide evidence that presumptive approval of herbicide related claims should be made just like personnel stationed in Vietnam. Instead each Thailand stationed Veteran must individually battle the VA bureaucracy for approval. I started reading the reports that came out concerning herbicide use such as the project CHECO report, herbicide use handbook, the 1990 report by Admiral Zumwalt Jr., other reports and manuals. These were the same herbicides used in Vietnam and caused the same medical conditions. After reading these reports which the VA must be aware, I was even more

astounded that the VA had not changed its stance on approving claims for presumptive medical conditions for Thailand based personnel.

Mr. Secretary, thank you for taking the time to read my letter. My fervent hope is that you will be able to do something to alleviate the suffering of Vietnam era Veterans exposed to herbicide while stationed in Thailand. It is bad enough that many Veterans of this era were and still are today looked down upon by some. To place additional burdens on them by the Agency charged with protecting them because of where they were stationed just hurts more. Please feel free to contact me if you have any questions or require further information.

Respectfully,

David L. Gittleman

Enclosure (Claim Summary)