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P U B L I C H E A R I N G

before

ASSEMBLY VETERANS' AFFAIRS AND DEFENSE COMMITTEE

The effectiveness of the Department of Military and Veterans' Affairs in responding to the needs and concerns of Vietnam era veterans; particularly focusing on the Department's handling of the New Jersey Agent Orange Commission and Post Traumatic Stress Disorder counseling

March 13, 1989
Room 334
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Peter J. Genova, Chairperson
Assemblywoman Dolores G. Cooper, Vice Chairperson
Assemblyman Joseph A. Palaia
Assemblyman D. Bennett Mazur
Assemblyman George A. Spadaro

ALSO PRESENT:

Frank J. Parisi
Office of Legislative Services
Aide, Assembly Veterans' Affairs
and Defense Committee

New Jersey State Library

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Hearing Recorded and Transcribed by
Office of Legislative Services
Public Information Office
Hearing Unit
State House Annex
CN 068
Trenton, New Jersey 08625

PUBLIC HEARING

before

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New Jersey State Legislature
ASSEMBLY VETERANS' AFFAIRS AND DEFENSE COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625
(609) 292-9106

PETER J. GENOVA
CHAIRPERSON
DOLORES COOPER
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JOSEPH A. PALAIA
D. BENNETT MAZUR
GEORGE A. SPADORO

March 7, 1989

NOTICE OF PUBLIC HEARING AND COMMITTEE MEETING

I. PUBLIC HEARING

The Assembly Veterans' Affairs and Defense Committee will hold a public hearing on the effectiveness of the Department of Military and Veterans' Affairs in responding to the needs and concerns of Vietnam era veterans. In particular, the committee will focus on the department's handling of the New Jersey Agent Orange Commission and Post Traumatic Stress Disorder counseling. The hearing will take place on Monday, March 13, 1989, beginning at 1 P.M. in Room 334 of the State House Annex, Trenton, N.J.

The Adjutant General of the Department of Military and Veterans' Affairs, the Public Advocate, the Commissioner of Human Services, members of the American Legion, the Veterans of Foreign Wars, the Vietnam Veterans of America, the New Jersey Agent Orange Commission, and other public officials have been requested to attend this public hearing to give their views on this issue.

Anyone wishing to testify should contact Frank J. Parisi, Aide to the Committee, at (609) 292-9106.

* * * * *

II. COMMITTEE MEETING

Immediately following the conclusion of the public hearing announced above, the committee may hold a meeting to consider the following bills:

A-4223 Roma	Transfers Commission for Study and Treatment of Post-traumatic Stress Disorder from Department of Human Services to Department of Military and Veterans' Affairs.
AR-145 Palaia	Calls on the Assembly Appropriations Committee to examine the deletion of funds for the Agent Orange Commission from the proposed 1990 State budget.

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pmp: 1-112

ASSEMBLYMAN PETER J. GENOVA (Chairman): Good afternoon everyone. Thank you for waiting so patiently. Frank Parisi, from the Office of Legislative Services tells me that we're expecting Assemblyman Spadaro in about a half-hour, and Assemblyman Palaia should be here momentarily.

I'd like to thank everyone for coming. I know how difficult it is for all of you to break away from your personal commitments as it's very difficult for some of us, too. We thought it might be better to have the hearing in the afternoon versus in the evening as we had thought we would schedule -- and also in Trenton to provide the people who journey from Atlantic County and Salem County and Gloucester County an opportunity to get here during the daytime.

I'd like to introduce to all of you, the people who are seated at the front table, just in case many of you have not attended any of our meetings. I'm Peter Genova, Chairman of the Committee. I represent the 21st District in Union County with Speaker Chuck Hardwick. My Vice Chair is Assemblywoman Dolores Cooper from Atlantic County. Our other member is Assemblyman Ben Mazur from Bergen County. We have, to my left, John Parisi, who is a partisan aide to me of the Majority office. We have Gary Taffett from the Minority office, and of course we have Frank Parisi who is our liaison between both parties and, of course, the Department and other distinguished bodies who are concerned about veterans' issues.

At the last meeting, we had heard several complaints and grievances from some of our Vietnam Veterans about the way the Department of Military and Veterans' Affairs is operating, and at that time we decided we'd hold a special hearing and invite General Gerard and other members of his staff to provide us with some points of interest and hopefully agree on certain solutions to whatever problems may have occurred.

As a sponsor of the legislation, Assembly Bill 3527, creating the new Department, I'm personally very interested in

hearing feedback from the Department as to how the Department is functioning and the success that it's enjoyed so far. I'm sure that my colleagues on this Committee will agree-- We feel it's an opportune time to hear from General Gerard, not because there's an election coming, before us in November, and not for any other reasons, but we are the only Committee established in either house that meets continually on Veterans' issues and concerns, and I'm very, very happy for that. I want to thank my Committee members for all of their cooperation.

So, without any further ado, I'd like to begin by hearing from our General, General Gerard from the Department of Military and Veterans' Affairs, and I would hope, General, that you might introduce to the people here some of your entourage that you brought with you.

M A J O R G E N E R A L F R A N C I S R. G E R A R D:
Thank you, Mr. Chairman, Madame Vice Chairman, Assemblyman Bennett Mazur, and members. It's a great honor to be here before this Committee, because it gives me the opportunity to thank you for what you have done over the past years for the veterans. And I really think the actions of your bill of combining Veterans Affairs with the National Guard is a brave one, because there's an affinity between the National Guard and the veterans that can never be replaced. I think the synergistic effect of combining this together will benefit both the veterans and the National Guard in the long run.

The legislation gave us many mandates to carry out -- gave a very good outline of what has to be done to take care of our 885,000 veterans and their families. It's quite a charter. And of course, when you have the resources to match the charter, I think we can do everything that you intend for us to do. And I know you want to support the veterans, and you know, we say over in our Department that every day is Veterans' Day at our Department, and we really mean it. I think when this bill first occurred, and I was asked by the Governor

whether we would accept the Veterans' Affairs into or with Defense, I said it's a great idea. Then, I know you were very active with Dolores Cooper and everyone else. It was a great move.

Now we have a great mission to perform, because we've been in business for one year and a month. We haven't matched all the expectations that were out in the field and that's understandable. Part of the perception is a result of probably our inability to communicate what we're doing and what we're trying to do throughout the community. It's a tough job, because the veteran population is very complex, and it's natural that it's complex, because this country wouldn't be where it is today without our veterans beginning from 1636 up to this date.

I always like to look back at the signing of the Constitution where 23 of the signers of the Constitution were members of the military; 15 were part of the militias, and eight were from the Continental Congress. Our veterans have responded to this nation's call and in every war and in every emergency that we can think of, and they have served our nation well, and we feel that we owe them the duty -- and I know you do, too -- to respond to their needs. That is our big mission. That is our goal.

And we hope that the veterans and the veterans' organizations that do have concerns would contact us to really learn what our real position is and what we we're trying to do, and I think if we work together as a team and coordinate and cooperate with each other, it would not only benefit the veterans, it will benefit the State, because we are going through a difficult financial crisis at this time. We're looking at it from the veterans' and the National Guard's standpoint. But if you're the Governor or the Legislature, you have to look at all the State problems and then you have to take all that information and come up with a decision of

priorities. Of course, I feel veterans should always have a number one priority.

But how that does match into our actual governmental scheme is up to committees such as this, and I think having a special committee on veterans is a great idea, and I think all the veterans in New Jersey do appreciate that. It was a great move.

Now, I know you're concerned about the Post Traumatic Stress area. But before I get into that, I would like to introduce Bob Wallace, the Deputy Commissioner for Veterans Affairs, Bill Kowalski, a director; and I have my staff. I'm not going to introduce them all, but they are all available to answer any questions, in case I stumble. They are protecting my rear right now.

I want to talk a little bit about Post Traumatic Stress Disorder and the Commission, and then I'd like Bill Kowalski to expand upon it. Back in July, we took over the supervision of the Post Traumatic Stress Disorder Program. And Bill, I'd like you to explain to the Committee and to the Veterans out there what we're really doing.

W I L L I A M G. K O W A L S K I: Okay. As the General said, back in July of '88, we had taken over the administration of the Post Traumatic Stress Disorder Program. To give you a little background even prior to that, in March of 1988, the Department of Human Services, through their Division of Mental Health and Hospitals, had given us \$100,000 to enter into contracts to provide counseling for PTSD services, and at that time, the Division of Mental Health and Hospitals entered into two contracts with two VVA chapters in the State: Chapter 200 in Central Jersey and Chapter 151 of the northern part of the State.

At the same time, we were looking at other ways of providing that service also with limited resources and how we could do it most effectively to get as much out of the money

and also to give community based care to the veteran. When July 1, came, we had a \$300,000 appropriation and at that time we just took over the two existing contracts that Mental Health and Hospitals had, and we then -- that was 100,000 for each one of those on an annualized contract -- and then we looked in the southern part of the State at contracting directly with professional clinicians -- whether it be MSWs, psychiatrists, psychologist -- to provide this necessary service.

We used our-- We have district offices throughout the State, actually 15 full-time offices with veteran service officers. We use them as the impact point, in which the veteran would come in, and they would talk to the veteran, but in no way do we use veteran service officers, of course, to make any type of diagnosis. What they would do is refer to these clinicians who we have contracted with, which they would do a treatment plan and just let us know what type of service, whether it be group, individual-- It's the professional's call on this.

In looking at how it worked in the south, where we were dealing directly with the private clinician, no administrative overhead, also being able to effectively look at those seven counties, and if we had a need in one particular county to get the person in, we would be able to do that. We had made a decision that come December 31, with those two contracts that had originally started with the Division of Mental Health and Hospitals, we would go and contract directly with the clinicians for a couple of reasons:

One was to take all administrative costs out of the program. The issue isn't whether the administrative costs were high or low, but the fact that we would be able to say -- and I don't know of too many programs in the State, and I've been around for a while -- that our entire appropriation from the Legislature of \$300,000 goes to clinical services. Not one penny goes to any administrative cost. That's what we were able to do on January 1, 1989.

Also, it gave us the ability at the same time now, statewide, as we do our intake to look and see from one particular area of the State -- which just did occur in the central part of the State -- there seemed to be more critical need. We were able to take people into the program or under the old setup-- You couldn't do that when you had two different contracts; one up north and one in Central Jersey. You might have one that actually had some spaces available with people who need to be serviced in another part of the State.

And a matter of fact, within the first few weeks in January of '89 based on the fact that we had about nine available slots up north, we were able to fill the program to capacity with a number of people from Central Jersey, veterans who needed service, and also for the southern part of the State.

These private clinicians, and I should make this very clear-- When we took over these contracts -- and this is very important -- not one veteran lost service because our takeover, or lost any clinical hours because of our takeover of the program. In essence, what we really did, was just take those people, who were already in the program and continue our contract directly with their private clinician. So, no one was turned away from the program, and now we're dealing directly with the clinicians. That's working out very well.

And as a matter of fact, these clinicians throughout the State, many of them are tied to the existing mental health services or tied to-- To give you an example, in Sussex County, it's Newton Memorial which also happens to be the crisis intervention center. So, if a veteran is having a crisis in our program, they do have 24-hour professional contact. Every one of these-- We were contacting the clinicians and doing the contracts and they all have, whether it be a beeper or an answering service on call in which if a veteran is having a crisis, they can get in touch with that professional and then in turn, the professional would deal with

the crisis. Like I said, some of them being affiliated with St. Clair's are crisis centers themselves. So, you have them available -- 24-hour professional staff.

At present, with this \$300,000 appropriations we have, using an average of only \$65 an hour, we can provide services in any given time to approximately only 100 veterans. Right now, we have 109 veterans in the program, we've had 150 that have actually gone through it; some that have dropped out for whatever reason, some on their own, some because the clinician said that therapy is no longer necessary.

What's also important to know is if we use the only statistics that we have available for New Jersey, the VA statistics-- There are 52,000 Vietnam Veterans in this State who served in Vietnam. And if you use the Research Triangle Institute's latest study -- they were contracted for by the VA -- approximately 15% of those who've served suffer from some degree of PTSD. Well, that relates to 7800 veterans in this State. So, you see where our existing program, the 300,000, we're touching at any given time 100 veterans, of a potential 7800. The program is unlike the Veterans' Administration program in a couple of respects:

One is, we do not limit the degree and the length of treatment. The Veterans' Administration, after 12 months, I guess they consider you cured, because they will drop you from the program. We rely on the professional clinicians -- the psychologist; the psychologist says the individual needs six more months or whatever it is. We're not the professionals, so we go on their opinion. We also provide services, not only to the veteran, but to the veteran's immediate family. There are many cases out there where the PTSD maybe has resulted in the fact that the veteran now is beating the spouse. And after some of this time in looking at the particular cases, the therapist would say, "Look, the family should really be part of this counseling." So, we do. The counseling is down with the

family when the professional deems that it's appropriate. It's done by both group and individual. Again the decision is made by the professional. Sometimes the group will not work, therefore--

That's where we stand with the program today. It's basically how the program works in the north and central part, where we are now dealing directly with the clinicians. Again, we are trying to get the community-based care. We want to make it as easy as possible for the veteran to receive that particular service, and that's why we're trying to enter into contracts with more clinicians in the communities where the veteran actually resides; so the veteran does not have to go and travel.

MAJOR GENERAL GERARD: Mention the confidentiality of the records.

MR. KOWALSKI: Right. The confidentiality. We have a complete-- Again, the Veterans' Administration has very strict standards and so do we in this State. It's complete confidentiality. I mean, no one can see the records of that particular veteran. When they are referred, I mean the veterans coming into one of our offices, it's between the veteran, the veteran service officer and the clinician. These clinicians, as you know, many of them are already under contract with the State and have their own code. I mean none of these records are released without the consent of the veteran. At the same time, it gives us the ability with our veteran service officers to work with the family and the veteran in helping them -- whatever other assistance they may need. If they're going for a claim with the Veterans' Administration, we will be able to assist them, and we do not exclude any other organization that would like to work with that veteran. I mean, that's a veteran's right, and that's the organization's. So, where we have an organization that may have a certain relationship with that veteran, we encourage

that. Someone needs to call someone at 11:00, midnight, to talk to them, that's fine. We don't discourage that. If they need the professional help, it's there also in our program, as I said before.

That's how our program works. If you want me to address the PTSD Commission--

ASSEMBLYMAN GENOVA: I think we pretty much know what the Commission does.

MR. KOWALSKI: Okay.

ASSEMBLYMAN GENOVA: The membership -- nine members, I do believe. Let me just ask you this, and it might be a bit premature in bringing it up now without hearing some of the other testimony-- But at our last meeting, several Vietnam Veterans had come before us and testified by stating that they were not pleased with an Assembly Bill sponsored by Assemblyman Roma to transfer the Commission for the Study and Treatment of Post Traumatic Stress Disorder from the Department of Human Services to the new Department, because they felt the Department was not either fully aware of the needs of the people who were suffering from this or whatever. I just can't recall what all of the reactions were, but it was extremely negative. Do you have some comments on that?

MAJOR GENERAL GERARD: It was extremely negative because of the report I got on it. But this was what I was talking about before -- on the lack of communications. I'd like to really compliment the organizations that were contracting on this PTSD before. But when we looked at it, when I approved this change in the program, it was based upon the fact that we could service more veterans more economically and we could spread out the services, and that was the whole basis of it. We were not criticizing, downgrading, or degrading any of the efforts by the other people. It's just that I felt -- and I know it; I think it's proven itself, that we can administer, and supervise a program better from within

the Department of Military and Veterans' Affairs. But also, as Bill just mentioned, we don't want to deny anyone the opportunity to participate in administering these programs.

ASSEMBLYMAN GENOVA: And do you have a program designed to reach out and ask for participation or to encourage it, or what?

MAJOR GENERAL GERARD: Well, that's one of our restrictions. We just don't have the staff to do all these things that we would like to do in the outreach and everything else, but we are doing it at every opportunity we have. Bill, why don't you talk about what you've been doing on that? We really have to work with all the veterans' organizations. If we had more resource, we could do more of the outreach, but we just don't have that capability.

MR. KOWALSKI: One of the major issues that is right now, comes down to the funding. When it even comes to the outreach, we encourage, of course any veterans' organizations, the community, professionals, to refer people to us for the program. In January, when we took over those existing two contracts, there were approximately nine slots available. Well, not only are we at capacity right now, but we have a waiting list of approximately 30 individuals that we could take in the program tomorrow if we had the funding.

So, yes, we do encourage the referrals, but, you know, you get to a certain point that when you're dealing with people's lives in providing this kind of critical service, you don't want to also tell people, "Sure. Give us a call or come in and see us and you'll get therapy." Then they find out, "Oh, gee, there's a waiting list." So, we are working with groups, doing outreach, but it's a double-edged sword that if you promote too much -- and right now we have a waiting list of 30 -- you don't want to give those people a false impression.

ASSEMBLYMAN GENOVA: Obviously, this is a priority to

you. Everyone is knowledgeable of what the Governor has done with respect to veterans in his budget, and we're all extremely disappointed. But as a member of his own party, I'm extremely disappointed in that. Since this is a priority to you people, has your Department communicated this need to the administration?

MAJOR GENERAL GERARD: Yes, we have--

ASSEMBLYMAN GENOVA: Okay.

MAJOR GENERAL GERARD: --and we shall continue to do so.

ASSEMBLYMAN GENOVA: Okay. And I'm sure that during the course of this testimony, we'll hear other items that you feel are a priority. And have you gone to the administration on other items, also?

MAJOR GENERAL GERARD: Yes. A considerable list. as you know, I work with the Governor, and he has a feel as to what he can authorized under the budget constraints we have. But we're still working on the problem. Tomorrow I'm testifying before the Senate Appropriations Committee. The Governor is taking a look at all of our resolutions separately to determine which ones he will authorize us to proceed on. But we're doing everything we can to convince our administration that these are the real needs.

And as I mentioned, everyday is Veterans' Day at our Department. There's no question about it. Veterans have a top priority, and we know what the needs are. We have documented we have a long-range plan as to where we should go, what should be done to our facilities, the work we're doing on the (indiscernible) with General William C. Doyle Cemetery, and I think Arnytown is doing a much better job now than when we took over. We still have the drainage problem in Arnytown, but when I say everyday is Veterans' Day at our Department, everyday is Memorial Day at that cemetery and they're doing a beautiful job with the dependents and so forth. Bob had some good initiatives. We have some prisoners working there to help on

the aesthetics, and they are doing a great job. We're benefiting by it, and those young men who are hardly working and being disciplined are learning something also.

ASSEMBLYMAN GENOVA: Not to drift away to far from PTSD, but with that thought in mind, because I wanted to get this in today if I could -- I'm in my fifth year now and, you know, I sit at the State of the State, the budget messages and I never hear this Governor refer to the veterans. I never hear him speak of veterans and I never hear him speak of special funding for veterans. It just seems like it doesn't exist. I've got a bill right now that has passed our house. It's in the Senate -- it was vetoed last session -- the home health care bill -- you're all familiar with that. I don't know why. I'm told it doesn't go far enough. It doesn't go far enough for Veterans, so we went ahead and redid it a bit, and he still turned his back on it. And I just don't know how we can convince him that several of the programs that were carried over from Human Services to your Department are desperate for all of our veterans and you have conveyed that to him, you're saying.

MAJOR GENERAL GERARD: Well, let me say, Mr. Chairman, that's true. I've heard the Governor speak very highly of the veterans and the National Guard and, in fact, we've just got the-- You know, even with all the restrictions with all the-- Now out of the 20 Departments, only five departments have recommended an increase, and our department was one of them because we represent the veterans. So, we got a 2% increase and then on top of that, I just got another 28 positions authorized so that we can do more and the veterans-- And 90% of those positions are for Veterans' Affairs. And that's over and above what was recommended for the Fiscal Year '90 budget.

So, he has a tough job. I mean, they are really concerned. But I can assure you that every item that should be done for the veterans is brought right to the level where it

should be, and we're hoping. But we depend a lot upon you. We need your support. It's the Legislature and the Governor since 1982, I think the total support and the National Guard and veterans has been better, although it's not as good as we would like it.

But it's up to us, and I think our veterans' organizations -- and I don't want to tell the veterans' organizations what to do -- but I think they have to unite better. You know, we have our splits in the Alliance Council and those kinds of things. They just don't help. So, I think the veterans' organizations ought to look at themselves to try to get better organized and to present a unified position so we can all roll together.

ASSEMBLYMAN GENOVA: What can be done to improve communication between the Department and our veterans' organization or our Vietnam Veterans' organizations?

MAJOR GENERAL GERARD: Well, I would say it's a mutual thing, but if they do have a concern, that they would call Commissioner Wallace or one of our directors, and get the straight information instead of depending upon rumors or secondhand information or hearsay. And if we cannot satisfy their question, I think we can tell them what the true status is, and how we can help us to obtain that capability. We're a new Department. It took us a long time through transition, because of the budgetary position problems and everything else, but we're working. These people are working hard. You can go there Saturdays or Sundays or nights and they are working hard. They are trying to do everything within their capability to improve the services to the Veterans. I'm very proud of what they are doing.

ASSEMBLYMAN GENOVA: You should be. We are too. We know how dedicated they all are. I'm going to open up the meeting now to some of my colleagues. We addressed PTSD. You've given us a very, very good overview of the Department

and what successes you've had. You did a great job, General. I'd like to talk a little bit about the Agent Orange, Commissioner, with your permission. But before we do that, I'd like to open it up with my colleagues.

ASSEMBLYMAN MAZUR: I'm just a little bit confused. We had a piece of legislation before us at our last meeting -- at our last session -- to transfer PTSD from Human Services to the Department of Defense. But listening to the testimony, it already is there.

MAJOR GENERAL GERARD: But technically, the Commission is not.

ASSEMBLYMAN MAZUR: The Commission itself?

MAJOR GENERAL GERARD: It was an oversight when the legislation was -- forgot to transfer the Commission. But the running of the program is with us. And on that legislation, we just felt that it was a mechanical thing that shouldn't be any discussion -- that we were really surprised that it developed that way. But also, we have the director of the health agency. We've asked that he be appointed to the Commission, also, to serve with us. So we want to make sure everyone is represented on that Commission. At this program -- it does match the needs of the Veterans. But I think for efficiency sake, it should be in our Department and then if we don't do things right, then you know where the blame goes. We will be held accountable.

ASSEMBLYMAN MAZUR: That's all. That was the only question I had.

ASSEMBLYMAN GENOVA: Okay. Joe?

ASSEMBLYMAN PALAIA: No.

ASSEMBLYMAN GENOVA: Madame Vice Chairperson?

ASSEMBLYWOMAN COOPER: Yes. I didn't catch your last name.

MR. KOWALSKI: Kowalski.

ASSEMBLYMAN GENOVA: He is in Atlantic County, Dolores.

ASSEMBLYWOMAN COOPER: We southerners have occasional problems. May I just inject a thought -- a question here? Mr. LoBue is a victim of Post Traumatic Stress Disorder and each time we meet, Mr. LoBue, you seem to have a problem with your facilities, your transportation -- that your area does not seem to respond to you? How's that fit in with what we are discussing now?

S A M L o B U E: (speaks from audience) I will speak on that later on. I (inaudible) because you were the only one interested in that letter. I gave her a copy of it so it could be incorporated into the report. I'll speak on this afterwards.

ASSEMBLYMAN GENOVA: Yeah. This really is not relevant to this particular issue. Ben, do you have something else? (negative response) Okay, what I'd like to do now, just to kind of-- Before we get into Agent Orange, General, we have two people who are opposed to the transfer of this condition. I would ask that they be brief, but since they are distinguished members of our Vietnam community, I would like to give them an opportunity just to kind of speak directly on it. Okay. Sal? Sal Mione, Vice Chairman of VVA. And he's expressed his opposition to it. Yes?

MAJOR GENERAL GERARD: If I may, just to respond to the Madame Vice Chairman, we have transportation services in 12 counties. We were looking for funds to expanded it to the other nine counties.

ASSEMBLYMAN GENOVA: Okay. Thank you. Sal? Again, we're just here to just hear your side of why you feel this transfer shouldn't be done when everyone else supports it, Sal.

S A L V A T O R E M I O N E: I have members of our PTSD grant program with me if you need further explanation after you hear what I have to say.

One of the things I just want to brief upon is lack of communication. The General had brought it out. We, Chapter 151 and Chapter 200, have administered the PTSD program since

March of 1988 for nine months. There was a definite lack of communication, even though we had asked Mr. Kowalski to speak about what we're going to do with the PTSD program, since we had administered it for nine months. Our cost for both chapters for those nine months was \$850 -- \$350 administrative cost for Chapter 151, \$500 administrative cost for Chapter 200. I don't think you can get more cost efficient of running a program of over \$100,000 than \$850.

So, I ask what -- communication, again, is very important. More cost efficient? Prove it. Prove it to me. Show me your books that you can be more cost efficient than \$850, number one.

The Vietnam Veterans who administered this program were never advised that there was a Commission to be formed of nine members. Since we had administered the program for nine months, don't you think it prudent that we, the Vietnam Veterans who administered the program, should be advised that a Commission was going to be brought upon? After talking to Mr. Kowalski and asking him, "Please inform us of any thoughts that are coming on the Commission," or "If there will be a Commission, we'd like to be informed." We were never informed. And we, by the way, the Vietnam Veterans, Chapter 200 and 151, did go down to Trenton and spoke personally to Mr. Kowalski and hoped that information got disseminated to his superiors.

At this point, I don't believe it was, because the Commission was formed, or is being formed, with nine members, but none of our members are on this Commission. Why? Lack of participation. The participation that our chapters have been involved with is a timely one. We'd like to ask the Department of Veterans' and Military Affairs if they get a phone call at six o'clock in the morning, what's going to happen to that veteran that's contemplating committing suicide, that's jumping, that's going to hurt his family? We had a 24-hour

turnaround in both Central and North Jersey that we would get somebody there and into the program, whether there was room or not.

And you may ask how can we do that? We spoke to the Coalition and said this person is in dire needs and has to get into the program right now. We'll worry about how we're going to shift the program around. You heard one thing that they said, and I talked about Bill Kowalski, \$300,000 through the State and they can shift monies from here to here. We couldn't shift monies, but we sure can shift talent. We can ask the clinics to come up and see somebody in North Jersey instead of sending the patient down to Central Jersey.

Lack of funding: If they have \$300,000-- We had a 109 people in this program whom we administered to the best of our ability. No one got turned away. No one. We don't have a windlass. There are methods and ways that we have seen that if a person can use group therapy just to get them into a program, rather than private clinicians because there is less money in the funding of groups than there are in private -- at the \$65 rate that Mr. Kowalski had said. We utilize that just to make room for that person. We used every method because this person, family, child, or Vietnam Vet needs the help.

What we saw lacking was a lack of communication, lack of participation with the VVA which had already established a program and was running it for nine months. We need communication between the Department. We need participation between the Department. Those are the things that we need and that's why we're opposed. If we let the Department go without showing our needs for communication and participation, then we are at fault, and that is VVA in the State of New Jersey.

ASSEMBLYMAN GENOVA: What have you done other than those few incidents -- times -- that you mentioned that you were in touch with Bill? What have you done to express your concerns? Have you traveled down to speak with them? Have

you--

MR. MIONE: We have spoken a number of times with Juan Lopez who is sitting behind us. We have also spoken at the vet centers in the State of New Jersey which we work very closely with, in achieving our goals and means if we needed help. The vet centers are very helpful to us.

ASSEMBLYMAN GENOVA: Okay. Thanks. Appreciate it. Excuse me one second. (confers with Aide) Okay. Bill, would you care to respond? Take a couple of minutes to respond. I didn't really want to get into this bill yet, but we were on this issue, and I just couldn't help it.

MR. KOWALSKI: Yeah. Well, I think what's important is maybe to distinguish -- and that's why Assemblyman Mazur, I think, had the confusion, too -- is that the issue of the PTSD program that we administer to 300,000 and the PTSD Commission are two separate things. You know, the program we're running without the Commission, and we in the Department really have very little to do with the PTSD Commission. That, as you know, was a piece of legislation that said this would be the Commission and two individuals would be appointed by the Governor, two by the Assembly, and two by the Senate. We had no control over who's appointed, and have no control over that particular Commission. So, it's separate from the program.

I think that we should try to get away from the confusion that there's a Commission that has something actually to do with providing clinical services that we are providing those veterans who, unfortunately suffer from the PTSD. And I think that should be clear. As soon as we found out who the members were-- We had no problem once we were notified -- the members of the Commission -- of notifying whoever wanted to know who those members were--

ASSEMBLYMAN GENOVA: Who are they responsible to?

MAJOR GENERAL GERARD: The way I read it, it's an autonomous Commission. We'll support them as much as we can, but they're autonomous, the same as the Agent Orange thing.

MR. KOWALSKI: Yeah. And since the original legislation still exists which had them under the Department of Human Services, when we receive the names, there was still one more to be selected, yet, as I understand. But we decided to call them together and at least have a meeting, even though it's still under the Department of Human Services, because there is a sunset clause, also, that I think was three years, and the longer that they are not brought together, I mean the longer-- I mean, that's going to have veterans suffer. But it is separate, the Commission from our program.

ASSEMBLYMAN GENOVA: Are there any sitting members with us today from the Commission? Is anyone representing the Commission? (negative response)

UNIDENTIFIED SPEAKER FROM AUDIENCE: Pretty interested folks, wouldn't you say? Implies something, doesn't it?

MAJOR GENERAL GERARD: Of course, if the bill passes, I'll be one of the members, won't I? (affirmative response) Okay.

ASSEMBLYMAN GENOVA: I'm just curious as to how often they've met?

DEPUTY COMM. ROBERT E. WALLACE: (speaks from audience) They met once, Assemblyman, because they just-- All the names were given to our Department within the last two months. That's when we called the meeting. There's still one appointment to be made. It's to be made by the Speaker of the Assembly.

ASSEMBLYMAN GENOVA: Okay. We know that you didn't fall asleep. It's just something that just didn't happen, yet. Okay. Any further questions? Bennett?

ASSEMBLYMAN MAZUR: I just think that perhaps, since you've had the names for two months, Bob, that you should have notified them of the meeting -- the members of the Commission.

ASSEMBLYMAN GENOVA: I'm not even too sure if--

DEPUTY COMMISSIONER WALLACE: (inaudible)

ASSEMBLYMAN GENOVA: No. Only because I'm sure Bob didn't know that A-4223 would be discussed. The remarks of General Gerard regarding PTSD were all part of this presentation. So, there's really no need for them to be notified by anyone in the Department, I don't think. General, do you want to talk to us a bit about the Agent Orange--

MAJOR GENERAL GERARD: Yes.

ASSEMBLYMAN GENOVA: --proposed cut in funding?

MAJOR GENERAL GERARD: Well, if I may go into a little background for just a--

ASSEMBLYMAN GENOVA: Sure. Excuse me, General. One second. Yes, Sal?

MR. MIONE: (speaks from audience) Peter, I do want to-- Mr. Chairman, I do want to just mention that I have with me Dennis Regenye and Joe Scutti, who are administrators of the PTSD Program that can be explained, and I'd liked to speak a little more about the PTSD--

ASSEMBLYMAN GENOVA: Well, we can do that when we call A-4223. Dennis was with us the last time, and we're certainly going to call it, possibly, for a vote and release, and we'll certainly listen to their testimony. General?

MAJOR GENERAL GERARD: Just a little background on the Agent Orange Commission, which I'm sure you are all aware of, but I'd like to cover it for the record. Public Law, 1979, Chapter 443, establishing a Commission to study the effects of Agent Orange falling on the Vietnam Era Veteran. It was approved February 21, 1980 by Governor Byrne.

Public Law 1981, Chapter 260 extended expiration for the Act of August 21, 1982. Public Law 1982, Chapter 132 amended the Agent Orange Act to require a report annually to the Legislature on its findings with recommendation for further legislation. Public Law 1983, Chapter 100 appropriated 230,000 for management and field service of the Agent Orange Commission.

The current list of the Agent Orange Commission has one vacancy. We are in the process of obtaining resumes of female Vietnam Veterans to serve on the Commission. A copy of the New Jersey State Commission on Agent Orange-- I have that in the Point Man project. To me, the question of Agency Orange exposure is one that plagues all Vietnam Veterans and their families. The Point Man research project, developed here in New Jersey with legislation requested by the New Jersey Agent Orange Commission, has been the prime factor in confronting this issue nationwide.

While the Department cannot provide the level of administrative support, now I'd like to add the Agent Orange Commission is autonomous. They hire and fire their own staff from the appropriations the Legislature makes to the Agent Orange Commission. Now, if this money you're talking about is deleted, our Department will not provide the level of administrative support required by the Agent Orange Commission and their completion of the Point Man research project. Agent Orange claims outreach and information to Vietnam Veterans will be handled by our veteran services offices, so from that standpoint, we will be try to be the link and continue the program.

I, personally, in our Department, fully support the Point Man research project. There's no question that all the effort that's gone into the Agent Orange exposure, some of the indications we have that this study must research and must be completed. It would be unacceptable to all of us if this program would stop, and we'll do everything within our ability to provide for any solid program benefiting our veterans.

The Agent Orange -- reiterating that it's autonomous -- is in but not of our Department makes it though. Our only responsibility to the Agent Orange Commission has been reviewing our budgetary expenditures to ensure it complies with the State's statutes, regulations, and policies.

I have talked to Chairman Allen Falk, and I think his people are doing an outstanding job. Just so people understand, when we have to submit our budget, we have to list all the items with the budget reduction and what or that the funds come out of -- and this is one of the last items. We lost almost a million dollars for running our Training Center at Sea Girt. We're possibly losing the State Police training of the municipal and county police officers. As many things that were cut out of our overall budget program, this is one of them. And I talked to Allen Falk emphasizing that it's up to the Commission to convince the Legislature to fund this need, because it is an autonomous Commission. It is their responsibility. We will do everything within our very limited resources to support them however we can.

ASSEMBLYMAN GENOVA: Will the proposed cut in funding for the Commission have an adverse effect on the Point Man project and the research?

MAJOR GENERAL GERARD: I think it would. Yes. I can't tell you the extent of that impact, but there no question about it, because I think that the Commission has been doing a great job. They were interested and dedicated. I assume though, the Point Man research project could be completed, if we had the administrative support authorized to us to support the appointment research project. As I mentioned before, I think, without a doubt, the Point Man research project should be completed.

I've heard figures up to \$2.3 million. I don't know what the final sum is, but even if it's \$2.3 million, when we're talking about the impact of Agent Orange, I just don't think you can limit the money to be spent on that effort.

ASSEMBLYMAN GENOVA: Frank, can you just tell us, just summarize for us, the funding that has been approved by the administration relative to Agent Orange?

MR. PARISI: Well, in the proposed 1990 budget, according to the book which was put out by the Governor's Office, there were no additional funds requested for the Point Man project--

ASSEMBLYMAN GENOVA: Because the money was still being used. Right?

MR. PARISI: Right. Those monies are still being used. The Commission had requested, however, \$225,000 to fund its other activities. The Governor's budget didn't make any recommendations for the Point Man project or the Agent Orange Commission.

ASSEMBLYMAN GENOVA: How much is left in the-- What was it? Was it 675--

DEPUTY COMMISSIONER WALLACE: About \$50,000, \$60,000, somewhere in there.

UNIDENTIFIED SPEAKER FROM AUDIENCE: It's very low.

ASSEMBLYMAN GENOVA: And how long will it be before that's expired?

MAJOR GENERAL GERARD: I'd have to yield to the experts, but I don't think it would go beyond June 3.

ASSEMBLYMAN GENOVA: Okay. The initial appropriations were \$675,000 two years ago?

W A Y N E P. W I L S O N: (speaks from audience) The fact of the matter is, the Commission will end Phase II--

UNIDENTIFIED SPEAKER FROM AUDIENCE: The third of June.

MR. WILSON: --several months early, and, I believe, on budget. It's a little unusual in government today, but that's the way it's going to be monitored.

MAJOR GENERAL GERARD: Remember, when I mentioned the Public Law in 1982, it required the Commission to report annually to the Legislature on its funding and recommendations for further legislation. That's their primary-- All this responsibility is on the Commissioner. But, Frank has mentioned that they did submit something.

ASSEMBLYMAN GENOVA: Has the need to fund the Commission and to go beyond the monies that are left for the research projects -- has the need for monies been conveyed to the administration by your Department?

MAJOR GENERAL GERARD: Not by our Department. Well, we discussed, yes, what the needs are. But it's still up to the Commission to submit to the Legislature and to the Governor their requirements--

ASSEMBLYMAN GENOVA: Well, then, Joe, would you just talk about it, please? Excuse me, General.

MAJOR GENERAL GERARD: --because we don't control the Commission. We don't get involved in their policies--

ASSEMBLYMAN GENOVA: Okay. Let's have Assemblyman Palaia, who's the sponsor of AR-145.

ASSEMBLYMAN PALAIA: General, it's confusing. I know we're in, but not of. You know, that is nebulous. That is really-- You're neither fish nor fowl at that point of the game. Now you're saying they submit a budget, but only they-- You may review it, but actually, whatever it is, that goes directly to the Governor and the appropriations process, correct?

MAJOR GENERAL GERARD: Yes, sir.

ASSEMBLYMAN PALAIA: And if it does not work out, there's no recourse or redress of that whole thing.

MAJOR GENERAL GERARD: It's not a good situation. I mean, I'd rather be fully responsible than to have everyone think I'm responsible and I really can't do anything about it. It's very frustrating.

ASSEMBLYMAN PALAIA: And it must be frustrating for the Commission members, too.

MAJOR GENERAL GERARD: Well, yes. I'm sure.

ASSEMBLYMAN PALAIA: I'm sure it is -- who probably have great programs that they want to incorporate, but they just can't get anything going here.

MAJOR GENERAL GERARD: And they are very dedicated people. They really want something done. But I can't get involved in their policies. None of us can. They are autonomous; they set their policy, their own goals, their own objectives. Our only role is to ensure the expenditure of the money is consistent with State regulations. That's basically the only service we can-- Of course we do help them sometimes just as we would any veterans organization, any program dealing with veterans, but we are very short of people and our constraints are tough.

ASSEMBLYMAN GENOVA: How much control do you as the Adjutant General have over the Agent Orange Commission?

MAJOR GENERAL GERARD: None.

ASSEMBLYMAN PALAIA: That's the problem, Mr. Chairman. That's the problem. They are not an autonomous body; not that that's wrong in any way, but somebody has to be overseeing something. We have all-- As legislators, we all, you know, have legislative oversight all the time in what we try to do. It's just-- I don't know. It just doesn't seem that-- there's a group off here somewhere, really trying to do a job with really, nobody helping them in any way. They are just out there by themselves.

MAJOR GENERAL GERARD: Well, for example, I'm the Chairman of the State Executive Commission on Ethical Standards. My Commission is in the Department of Law and Public Safety, but not of. The only services they provide are personnel services. They have nothing to do with our policy or decisions or actions or anything else. So, it's a hybrid situation. That isn't the best way to run a government.

ASSEMBLYMAN GENOVA: Would you support a legislative initiative to incorporate Agent Orange into your Department?

MAJOR GENERAL GERARD: I certainly wouldn't oppose it.

ASSEMBLYMAN PALAIA: (negative reaction from audience) Please, fellows. Just hold one second. The

Chairman is just making a request. We're going to have his opinion and then we're going to get back and--

ASSEMBLYMAN GENOVA: I'm just asking a question.

ASSEMBLYMAN PALAIA: Just asking a question. Nobody is saying this is going to be done. This is normal procedure when you have a hearing such as this. It gives us a better understanding what you're trying to do and what the Department would like to do. So, please, the Chairman asked a very legitimate question. I would have asked the same thing. And you were saying, yes, you would.

ASSEMBLYMAN GENOVA: I'd like to find out why those people who just expressed an outrage, why you are concerned about it?

ASSEMBLYMAN PALAIA: Right. And we will.

ASSEMBLYMAN GENOVA: No. Not yet--

ASSEMBLYMAN PALAIA: We'll all get our chance, but we just have to hear what everybody has to say. That's what hearings are all about. I get, I heard what you said, General. That's fine.

ASSEMBLYMAN GENOVA: The General has taken time out of his very busy schedule and brought almost his entire executive staff here with us, And I would hope that everyone would appreciate that and respect that. General, have you people, although you have no direct control over the Agent Orange, have you received any complaints about the Commission? I'm not going to ask that you go into detail about that, but you must have a--

MAJOR GENERAL GERARD: No more than you get in any program where human beings are involved. I have nothing that I would say that would destroy the credibility of the Agent Orange. Commission that I can--

ASSEMBLYMAN GENOVA: Okay. Any of your staff?
(negative response) No. Okay.

MAJOR GENERAL GERARD: You know, I heard something about the Public Advocate doing an investigation, and we were not involved in that item. I know nothing of it.

ASSEMBLYMAN GENOVA: Okay. No, I appreciate that. I would hope that staff does note that; that the Department of Military and Veterans' Affairs has not received any formal complaints, nor any--

MAJOR GENERAL GERARD: I've had lots of complaints against me, because I'm not doing the things the Agent Orange Commission should do, because--

ASSEMBLYMAN GENOVA: No, but as far as the Commission itself-- And you knew nothing at all about the Public Advocate--

MAJOR GENERAL GERARD: I knew nothing until last Friday when I was asked a question.

ASSEMBLYMAN GENOVA: Had they contacted your Department about it?

MAJOR GENERAL GERARD: Not that I know of. They discussed some other matters.

DEPUTY COMMISSIONER WALLACE: (speaks from audience) They did discuss two issues with me. They asked about the taping of the meetings and our Deputy Attorney General, Bill Hart, talked to Allen Falk, and that has been done. They also asked me if we controlled how they expended their funds, and I told them yes, because the Commission approves the funds for travel and everything else that our people pay as long as it's within State guidelines and so forth like that.

ASSEMBLYMAN GENOVA: Okay. For the transcriber, this is Deputy Commissioner Bob Wallace who just spoke. Thank you. Members and staff of the Agent Orange Commission have stated that the Department has not cooperated with them as much as they should. Can you comment on that?

MAJOR GENERAL GERARD: I'd like to have an example. We've given every cooperation that we're capable of. If they

have an example-- Was it the Agent Orange Commission or the employees of the Agent Orange?

ASSEMBLYMAN GENOVA: Okay. Ben?

ASSEMBLYMAN MAZUR: Now, this arrangement is different than the Point Man in the Post Traumatic Stress organization -- that in the prior case, the Commission was separate from the Department of Veterans' Affairs and Defense -- no, to Veterans' Affairs, excuse me -- and in this case, they are not. They are totally independent. Is there a different structure involved, where one Commission is floating around with its employees free and the other, wherein the Department and the Commission, itself, was free--

DEPUTY COMMISSIONER WALLACE: The PTSD Commission has no funding for it, and it was in Human Services. When the legislation, 3527, was passed, that was not included in the transfers. It should have been; to transfer it to us. That Commission does not have any staff. The Agent Orange Commission has a staff of four people. That's what the Governor's budget -- the 200,000 that they deleted from the budget, that's what they are taking away -- the support staff; the staff that supports the Point Man project and the Agent Orange Commission. That's what our Department cannot come through with, because we're understaffed because the original bill, 3527 never provided for the necessary funds and the necessary staff.

We talked about outreach before. We have one Division -- the Division of Veterans' Training Information and Referrals, which is charged by 3527 to do Vietnam Veterans' outreach, and that Division has never been funded.

ASSEMBLYMAN MAZUR: I understand. In other words, really that-- You have been, sort of, administering through VVA, and you know that structure that you described earlier, the prior program, which now would come with the legislation that we have before as to be-- The Commission and everything would be within your realm.

MAJOR GENERAL GERARD: Well, the program has been run by us since last March, I guess-- A different method of running it-- But the Commission is not yet in our Department.

ASSEMBLYMAN PALAIA: Assemblyman Mazur hit it right on the head. It gets very confusing.

ASSEMBLYMAN GENOVA: Yeah. We're going to stay here until this thing is resolved, because during my past -- how many years I've chaired this Committee? -- three years, I've had it. So, what I suggest we do is take our jackets off, roll up our sleeves, and let's hear it, because this is the kind of afternoon we're in store for. I'm glad to see that, Wayne. I'll take mine off, too.

I'm not going to conduct this hearing like the Senate decided to conduct their hearing on the Garden State Parkway Authority and keep it formalized. We're not going to have any outbursts, but I'm going to allow everyone to speak. I suggest you tell us what's on your mind on both sides of the issue, and let's try to resolve something the best we can, anyway.

We've heard about what the Department has done. I appreciate that. General, if you care to leave, I know that you've got some other business this afternoon. If you'd like to, I would appreciate it if someone from your staff or a few people would stay.

MAJOR GENERAL GERARD: My staff will stay, but may I make one statement before I go?

ASSEMBLYMAN GENOVA: Yes, sir.

MAJOR GENERAL GERARD: You know, our job is to carry out the mandate of the Legislature and the Governor. Whatever you give us, we're going to do our best to administer it properly and efficiently in accordance with the intent. People may have different ideas as to how is the best way to accomplish it, and we all know there's more than one way to skin a cat. But it's up to you and your astute recommendations which you have made in the past to decide where it's in the

best interest of the veteran out in the field. We're interested in those 885,000 veterans out in the field and their families. Whatever tools you give us to do the job, just make sure we do it the best way we know how; and if we don't, then it is our responsibility.

Up until this point, I can understand why a lot of people in the audience are very concerned. There's no way they can really know all the things we're trying to do. It's been impossible for us to convey all these messages. But I assure you, just in such as the change in the Post Traumatic Stress Disorder program, it's our inconclusive opinion that it was in the best interest of service to the total veteran. That's our motive. That's our objective. So, whatever is decided that our charter should be, we'll try to run it.

ASSEMBLYMAN GENOVA: People ought to realize, too, that you've been in charge of many of these programs for how long, now, a year--

MAJOR GENERAL GERARD: January 16, 1988.

ASSEMBLYMAN GENOVA: --or so? You've provided the State and the veterans with a very, very qualified staff, and I think you're doing an exceptional job in everything that you people do for veterans. I'm sure that once we get to the bottom of a lot of these charges, a lot of these problem areas, things will be running very, very smoothly. I commend you for that, General. A great job.

MAJOR GENERAL GERARD: Thank you very much.

ASSEMBLYMAN GENOVA: Thank you.

MAJOR GENERAL GERARD: Thank you, Madame Vice Chairman. Thank you, Bennett. Thank you very much.

ASSEMBLYMAN MAZUR: I just would like to add my sort of vote of confidence in you and your staff. I've voice it before when I said that the Veterans' Affairs couldn't be under more competent and caring hands in your case, and I thank you.

MAJOR GENERAL GERARD: Thank you, sir.

ASSEMBLYMAN GENOVA: I'd like to ask Wayne Wilson, who's the Executive Director of Agent Orange to come forward, and Allen Falk. Is he here? Mr. Falk's not here with us?

MR. WILSON: No. Mr. Chairman, Mr. Falk was contacted by the White House this morning and will join Secretary Duwenski in a special ceremony at the White House. So, he's departing this afternoon for Washington, and we're very pleased that Secretary Duwenski reached out like that.

ASSEMBLYMAN GENOVA: Okay. Is there anyone else that you would like to be seated with you?

MR. WILSON: I will be asking Dr. Kahn, if some of the questions go to his particular area, to join us.

ASSEMBLYMAN GENOVA: Is Dr. Kahn here now? (positive response) Doctor, would you like to take a seat? We have Wayne Wilson, Executive Director of Agent Orange, and Doctor, your first name?

D R. P E T E R C. K A H N: Peter Kahn.

ASSEMBLYMAN GENOVA: Peter Kahn. And you're representing?

DR. KAHN: I'm a member of the Commission.

ASSEMBLYMAN GENOVA: Oh, you're a member of the Commission. We don't know everything, Doctor, you know.

DR. KAHN: I'm sorry.

ASSEMBLYMAN GENOVA: That's okay. We're doing that for the benefit of the people who are transcribing.

MR. WILSON: I'm going to start off by reading some prepared testimony, and I do so -- and as you know, Mr. Chairman, I don't normally do that, but -- in the spirit in which you called this meeting, I want to hold, very much, to that spirit. Let me begin by saying good afternoon to you and members of the Committee. Let me get right into my testimony.

I appreciate the opportunity to come before you and offer our comments on Assembly Bill 4223 and Assembly Resolution 145. I think this hearing may represent one of the

very best opportunities Vietnam Era Veterans have had to detail our specific concerns and go to the top with those concerns and hopefully be a part of a process that may correct longstanding problems affecting our community.

I would like to begin with AR-145 introduced by Assemblyman Palaia. Approximately, seven months ago, we began the process of preparing our FY '99 (sic) budget request. I was instructed by the Department to hold FY 1990 figures to the level of a 5% increase over FY '89. At the time I noted that our FY 89 budget had been cut 10% by Human Services and that our 1990 budget would reflect our real funding needs.

The Commission approved our FY '90 budget request of \$275,000 which represented a \$50,000 increase over FY '89. As you know, the Department reduced that to \$220,000 and figures now show that has again been reduced to \$185,000. This final figure represents almost a 33% reduction in our FY '90 budget request. One of the concerns I have here is that our funding request of \$275,000 was approved by the Commission in open public sessions after several months of discussions. The figure we see today of \$185,000 was done at Eggerts Crossing, at Department headquarters.

I have provided these figures because I believe they are representative of one of the major points of contention between the Department and our Commission. There are others, and I hope we can cover them today.

Let me say here that this Commission has always been viewed in three very distinct ways:

- 1) Like an errant child,
- 2) As a stepchild of a very large family, or
- 3) As an entity that has worked very hard to respond to the needs of Vietnam Veterans.

How we are viewed depends on who is looking at us. To us, we will say that servicing Vietnam Veterans is the correct view, and I think there are many that will agree with that

view. In all honesty, we have made some mistakes, and I take full responsibility for them as Executive Director.

Where we fit in is important, because I think as a Commission we wanted very much to fit in to the newly organized Department of the Military and Veterans' Affairs, and we had discussions with Department officials about this. While we were assured that all will be well, by Department officials, Vietnam Veterans viewed the arrangement with some skepticism and certainly with suspicion.

I discovered early on, that we were out of the loop when it came to any real decision making process affecting us. I would also say that there was a military style system in place and that this Commission, perhaps like the whole veterans' side, was expected to fit into that well oiled system. I cannot comment on how the other division directors and other supervisors and personnel saw their role in this Department. I can only comment on our role.

Part of this system required paperwork; great amounts of paperwork. Not only did it require paperwork, people expected it to be done in a precise manner -- what I call "crossing t's and dotting i's."

Please try to appreciate our perspective at this point in time. We had a staff of four that was soon reduced to three people. Some of the requirements were new. They were complicated to us. And most importantly, we were very much involved in stepped-up research effort. The phone calls were literally ringing off the hook with calls from Vietnam Veterans and their families. We were, on a daily basis, involved in trying to save people's lives. We were working nights, weekends -- in an empty office -- on research groups. Frankly, that hasn't changed.

My comments about needing help were handled with requests for more memos. We're all busy or we all could use more help. I think that some people saw my comments as mere

complaining. And for those of you who have been in the military, complaining isn't the way to go. In September 1988 I wrote a memo and said all we do is write memos back and forth, and let's get the issue of help off dead center.

I still don't have the help. Memos are still required, and nothing has changed. At this point, we have two vacant positions -- positions that are funded, and I don't even have a secretary to do what secretaries do. Professional staff type, answer phones, fill out forms, do invoices, travel requests, and on it goes. Let me be candid here. We can't serve veterans filling out forms and typing memos. I didn't hire professional staff to be clerks. So, when someone says to me, "We all need help," they're missing the point, plain and simple.

Is all this about not have clerks or too much work? Of course it isn't. It's about serving Vietnam Veterans. It's the age-old struggle about who does what in a bureaucracy. I know about bureaucracy in military systems. I've spent my whole adult life in it, almost 30 years now.

I was a grunt in Vietnam and everyone in this his room knows what grunts do. We are the grunts. We're trying to win this Agent Orange battle. It is a struggle and as the battle stretches out over the years, more people become casualties, more people are hurting.

When a Captain tells me it will take three months to print a newsletter, first of all, it isn't a newsletter any more. It doesn't even begin to serve Vietnam Veterans. I'm not going to go along with that, because that is the "system."

Ask the Vietnam Veterans in this room. In the end I found a way to get it done cheaper, quicker, and in the hands of Vietnam Veterans who want it and who need it. And that is the bottom line to me. We're not trying to blame anyone here. It is our job. You gave us the mandate to work towards resolving this issue. We've responded by being the best in the nation at a fraction of the cost spent by the Feds.

It has recently been suggested in public comments that the Department's 18 veteran outreach offices could do our job. That statement, more than any other, shows just how little this Department knows about this issue and what we do. This isn't about filling out claim forms and sending them to the court. We have a leading role in the effort to put in place the first ever National Birth Defects/Learning Disabilities Registry. Will service officers do that? I doubt it. Will a service officer go into Federal Court or go directly to the Deputy Attorney General to save a dying Vietnam Veteran with only hours to live? We do, we did, and the veteran is home now with his wife and three children.

We've broken no laws. Yes, we've bent some regs, maybe we even broke a few. We've tried to have an open process. And there are some who wonder if it is all worth it. We think it's worth it, and quite honestly, I'd probably do it all again. Should this Department bring this Commission under their control? The Chairman and I agree 110% on this point, as does our staff.

Put us under the control of this Department, and this Commission may well die and in doing so, Vietnam Veterans may lose the one opportunity to have answers to their questions. Are we arrogant? Are we too aggressive? Are we a loose cannon? The answer is no, no, and no. We are a very small agency of State government trying to respond to a critical questions. We care. I'm prepared to discuss solutions if the parties involved truly want to do so.

Finally, let me offer my thoughts on the PTSD bill, A-4223. First, I find it shameful that the time lost between the Governor signing the enabling legislation and where we are today. Some of us in this room have lost friends due to the effects of PTSD. I can not forget or forgive that my comrades are gone, possibly due in part to State government foot dragging.

You can help change that today. If you ask me, I will tell you that this Commission needs to be placed somewhere. Deep in my heart, I would even suggest putting it with our Commission, but I don't want to start another controversy.

If it goes to the Department, it needs to be open to public scrutiny. It needs to be held accountable and lastly, it is, as the saying goes, a day late and a dollar short. It needs to get on with business to make up for the last time. As you will recall, I mentioned earning your stripes. The PTSD Commission wants \$1.5 million. I wouldn't give them one penny until they've earned their stripes, until they pass muster with our community.

In closing, I ask myself the question, "What am I doing? Am I in big trouble for speaking my mind? Am I right or wrong?" For me, the answer is to remember being pinned down in a rice paddy unable to move and wondering whether my next breath will be my last. That, ladies and gentlemen, is trouble. I'm here because I was there. That's the way it is and all of us know that. Thank you and I will answer any questions you have.

Some of the comments that were made a few moments ago, I'd like to just get to very quickly. This business that somehow an autonomous Commission, has us and the Commission wondering who you are talking about? The Commission passes a budget in open public session -- I think as the Legislature intended. We give Vietnam Veterans and others who are interested, a part in the process. Sometimes there's yelling, sometimes there's screaming, there's a great amount of give and take. We do that -- the so-called autonomous Commission -- and then end up, today, with a 33%-- In fact, the recommended cuts that are done by the Department come so quickly, I don't even have time to take them to the members of the Commission. In fact, Dr. Kahn may not even be aware of that, and he's a member of the Commission.

I send things over that the Commission has approved to the Department and I get memorandums -- a lot of those -- telling me that due to current fiscal constraints, I recommend that the research project with Montclair State College not be pursued at the present time. That was a special research project based on some new information that became available to us that cost \$2000. Two thousand dollars. This is a Commission that's going to end up with a surplus, because we have vacancies; because we can't purchase the things that we need, because the Department won't let us. Then what we have is staff people. It's the age-old battle for us folks who were in the infantry, okay? It's people calling the shots from behind the desk, and that's how it's been time and time again.

We have a staff of three people. I admit to you that I took a stack of invoices, payment vouchers, donee notices, all of that, and I sent it back to the Department, and I said, "I have a staff of three professionals, myself included. I don't have clerical help. All of us type on typewriters that we can't get replaced." And I said, "Who's to do this paperwork?" Am I to ask the outreach coordinator, or myself, or my project specialist to spend 80% of their time doing invoices? We can't help Vietnam Veterans if one of three staff people is spending 80% of their time doing clerical work.

We're not all in the same boat together. I know that this is a difficult time in State government, but I'll tell you, it's pretty difficult for us at the Agent Orange Commission. And I think what we need to realize is that there's another side to this whole story. And quite honestly, if this Commission becomes any more part of this Department-- Dr. Kahn sitting here, he'll tell you. I'm concerned that those things that we have worked so hard to achieve will fall by the wayside. One of the things we do is we try very much to act as the buffer between this Department and the research arm, and what no one seems to understand is you kill off that small

office, okay, you kill off that small staff, but I tell you, I'm concerned that the Agent Orange Commission, the Agent Orange effort in New Jersey may be jeopardized. The Chairman has informed people of that. Dr. Kahn has worked together for many years. I'm not the scientist. He's the scientist. But I'll tell you-- And he just came over and told me how angry he is that he spent the last six weeks having to deal with political questions. Doing everything but what he's supposed to do -- and that's research.

And one final point. There are people in this room that have given us truly a labor of love for nothing. It didn't cost us one red penny. And I'll tell you, what we've given, what we've done, the Feds were not able to do and they spent almost \$100,000. And in a bipartisan effort, a group of Congresspeople down in Washington, in mid-1987 had a press conference and said, this small New Jersey Commission with three full-time Commission people, a couple of paid research people, and a bunch of volunteers was able to do what the entire Federal government was unable to do at a cost of \$100 million.

So, obviously you have a responsibility to do what you think best. Vietnam Veterans are here today. Obviously they'll have comments. In your packages you will see letters of support from all over the country. These are just a sampling. I understand the General has been getting letters. I understand a good number have been going to the Governor.

This is Dr. Peter Kahn, unsalaried, research member, and member of the Agent Orange Commission appointed by Governor Kean. Dr. Kahn?

DR. KAHN: I'd like to expand on one point that Wayne made, and that's the reason why we called the research project the Point Man project. Did you know that you, sir, have in your body fat approximately five parts per trillion of the same dioxin that was present in Agent Orange? Actually, you've

probably got a little more than the others in the room because you're a bit older. And it goes up in the human body at the rate of about one part per trillion. You're not exempt, nor you.

ASSEMBLYMAN GENOVA: Is he older than Joe?

ASSEMBLYMAN PALAIA: Thanks.

DR. KAHN: Can't tell. Anyone who lives in an advanced industrial country has that dioxin in their bodies. It is not a natural product. There's virtually no natural process that makes enough of it for us to find.

You got it, not by being sprayed by C-123 aircraft, but you got it through the food chain primarily. In addition to the dioxin that was in Agent Orange, there are, in fact, 75 different compounds that are called dioxins and 135 closely related ones called furans. Of these 200 and some odd, there are about 14 of them that are in you in the total quantity of about 1200 parts per trillion in your fat.

You may not know it, but there's a class of compounds which themselves usually do cause cancer, but in addition, are promoters of carcinogenesis in other compounds, so that in the presence of a promoter, another compound, which is mildly carcinogenic, becomes severely so. Dioxin is the single most potent promoter that's ever been measured. And you're walking around with it in your bodies. And one-third of us in this room will contract cancer during our lives.

MR. WILSON: Cheery fellow!

DR. KAHN: In Vietnam, the point man was the fellow who went on out in front of a group of soldiers to look for mines and booby traps and the like and to draw fire onto himself so that the others could respond according. The life expectancy of point men was short. If what is happening to numbers of Vietnam Veterans around the country -- and I say if, because we're not sure; we don't know -- does, in fact, prove to be due to their exposure to Agent Orange, then in a real way, the Vietnam Veteran may be playing point man for us all.

Therefore, the work that is done here, it's done cheaply, as research goes -- we're not a superconducting supercollider by any stretch of the imagination -- will benefit not just Vietnam Veterans, but every citizen of the State. People out around the United States, know that. We draw nationally-- We're regarded nationally. I'm invited to speak on the research work for scientific groups all over the country. As public relations for the State of New Jersey, you can't beat it. It's a cheap way to get good P.R.

As far as being able to do the work, the staff in Trenton is absolutely essential to that work. If they did not do the outreach work, we could not get research subjects to take part in it. And it's not as though they could simply stop doing outreach and devote themselves solely to finding research subjects. The getting of the subjects is so intimately bound up with the outreach work that they do do, that if they stop, the research goes away.

You may not have received it, Mr. Genova, but some days ago I wrote you a letter -- which if you haven't got it yet, you'll get in a day or two -- and in it I offer you and any member of the Committee here who wishes it, or any member of your staff, a full scientific briefing on what we do by way of research. I can translate the science into the language of ordinary people, and it's not going to be arcane and highly technical. I'll make that offer here publicly too, if you wish it. I can do this anywhere you want. And at this point, I can perhaps make it clear exactly how it is; that the outreach work done in the Trenton office, the assembling of files on potential research subjects is so intimately connected with the research, that if they stop, so do we.

As far as paperwork goes, we're drowning in it. For the last five or six weeks, I haven't done much else, which means, in the last five or six weeks, I've done virtually no research. I have a computer output of a statistical run on

immunological finding through Point Man I, which I haven't been able to analyze, because I need a block of hours -- a long block of hours to sit down and do it. I haven't done that.

I don't know what else I can say to you now. These are off-the-cuff remarks. I have not prepared anything now of a formal nature, except to open it up for questions as you wish and to offer again a full scientific briefing in layman's language at your convenience.

ASSEMBLYMAN GENOVA: Joe?

ASSEMBLYMAN PALAIA: Mr. Wilson.

MR. WILSON: Yes, sir.

ASSEMBLYMAN PALAIA: When you submit a budget, okay, you prepare a budget and you go over it with the Commission. Right?

MR. WILSON: Yes.

ASSEMBLYMAN PALAIA: To whom do you take it after that? What's the step after that?

MR. WILSON: I then send it to the Department.

ASSEMBLYMAN PALAIA: The Department of Military and Veterans' Affairs?

MR. WILSON: The Department of Military and Veterans' Affairs. Yes.

ASSEMBLYMAN PALAIA: Do they make arbitrary cuts? I mean--

MR. WILSON: Yes, they do.

ASSEMBLYMAN PALAIA: You see, we're back to the confusion again. You're supposed to be autonomous, and yet, you submit the budget to the Department, okay? The Department, from what I gather, made some arbitrary cuts, now unbeknownst to you? Is that correct? Unbeknownst?

MR. WILSON: Yes.

ASSEMBLYMAN PALAIA: Okay, unbeknownst to you.

DR. KAHN: They are supposed to act as a pass-through, so far as I know, unless I misunderstand.

ASSEMBLYMAN PALAIA: In other words, I think what you are saying, Peter -- then, Doctor -- that it goes right from you. It should go right into the process of the Appropriations?

DR. KAHN: That's my understanding, yes. You have to understand--

ASSEMBLYMAN PALAIA: I may be wrong.

MR. WILSON: You have to understand as I think I try to understand, okay, when the word comes down from on high that we're going to have 12% contingency reductions, we're going to have to-- Everyone is going to have to tighten-up their belt. It appears to me that that goes across-the-board, and it's as I said. You know, I guess good soldiers stand up and salute and say, "Aye, aye," or whatever they say.

ASSEMBLYMAN PALAIA: But you don't have never-- You don't go right to the Appropriations with the budget thing? You don't go and defend your budget?

MR. WILSON: No. And I can't buy anything.

ASSEMBLYMAN PALAIA: Somebody else defends it for you?

MR. WILSON: That's right. Let me tell you. I tried to buy a \$300 typewriter. I think we started that about eight months ago. We finally just gave up. Interesting enough. You almost didn't get your testimony this morning, because our three ancient typewriters aren't working very well. I asked for a beeper, because people need to get in touch with me. In fact, Dr. Kahn beeps me at four a.m. in the morning to give me research numbers from Sweden. Okay?

I asked the Department for a beeper. Boy, did I open up a can of worms there. I finally went out and bought one myself. I still don't have the beeper. I understand they're doing some kind of Department-wide survey. Anything that I want to purchase gets to be-- I see in a memo here three bills, \$140. You have to understand that's all I do any more; write memos and justify--

ASSEMBLYMAN GENOVA: That's good. Let's get back to Joe's question. Joe, would you address that question to someone in the Department, that same question you ask Mr. Wilson?

ASSEMBLYMAN PALAIA: If someone in the Department, Bob, or anybody, just a very simple--

DEPUTY COMMISSIONER WALLACE: (speaks from audience) Well, with your permission, I'll ask our fiscal person who gets the budget.

ASSEMBLYMAN PALAIA: Okay. That's fine.

DEPUTY COMMISSIONER WALLACE: This is Major Bertsch.

ASSEMBLYMAN GENOVA: Major Bertsch.

M A J O R W I L L I A M J . B E R T S C H : I'm Major--

ASSEMBLYMAN PALAIA: Major, if you could just put in chronological order, okay? The Agent Orange Commission prepares a fiscal budget. Okay, here's my budget for 1990.

ASSEMBLYMAN GENOVA: Let's talk about it. What is it?

MAJOR BERTSCH: Two hundred seventy-five thousand.

ASSEMBLYMAN PALAIA: Two hundred seventy-five. Okay. It goes over to the Department?

MAJOR BERTSCH: After it's reviewed by the Commission, yes, it goes to the Department.

ASSEMBLYMAN PALAIA: It goes to the Department. The Department reviews--

MAJOR BERTSCH: Yes, they do.

ASSEMBLYMAN PALAIA: Take it from there, now. They review and if they see an item they don't want or don't think is necessary?

MAJOR BERTSCH: Well, what happens is their budget, their account along with all the other accounts, are assembled as part of the Departmental budget. And we are within constraints, as to the total bottom line amount we're supposed to put in. Truthfully, yes, the budget was reduced down to the level that they were funded in the prior year.

ASSEMBLYMAN GENOVA: Before that was done, how many conversations did you or any other appointed staff have with Mr. Wilson, who's responsible as Executive Director, or Mr. Falk, or Doctor?

MAJOR BERTSCH: I did not speak to Mr. Falk or Dr. Kahn. I have spoken with Wayne Wilson.

ASSEMBLYMAN GENOVA: You've had several sessions with him?

MAJOR BERTSCH: Yes. We've had conversations. Whether we got into specifics of every little dollar amount, I know I did tell him that basically the budget was going in at the same line amount that was appropriated the prior year. The prior year, they lapsed funds for whatever reasons. So, when we say it's cut down to 185, whatever the actual money that was spent in the prior year, was less -- when I say prior year, I mean our last fiscal year -- was then \$185,000. Which I don't--

ASSEMBLYMAN PALAIA: There was \$79,000 left over.

MAJOR BERTSCH: Yes, there was "X" amount of money and it doesn't carry forward. It lapses to the General Treasury.

ASSEMBLYMAN GENOVA: So obviously, Wayne and the Commission felt it was necessary to increase their budget, because of whatever additional needs you had, whether they be administratively or whatever. And that was the basis for your increase.

MR. WILSON: Yes. And the fact that we had a surplus the year before was in a category we call General Research Reserve. We had gotten an appropriation from the Legislature for research, and therefore did not use all the money in our budget for any research activity. And as you know, Mr. Chairman, use it or lose it. So, there was a surplus. So, what I'm suggesting here, I think the Commission went into far more than just assuming, because we had some unspent monies last year that somehow we needed less the next year. That's not a way to--

ASSEMBLYMAN GENOVA: What additional programs or what additional expenses do you people foresee in increasing your budget?

MR. WILSON: Mr. Chairman, we have not had a new position in do office in four years. I asked for an additional position. We asked for some additional monies to support some additional efforts that we saw coming, and apparently, for those kinds of things, we didn't get the position this year.

ASSEMBLYMAN GENOVA: The position you're talking about is another head count.

MR. WILSON: Yes.

ASSEMBLYMAN GENOVA: Another person to act in what capacity?

MR. WILSON: We asked for a project specialist for this year, and for next year we asked for another project specialist to serve as my assistant.

ASSEMBLYMAN GENOVA: A project specialist.

MR. WILSON: I'm a project specialist.

ASSEMBLYMAN GENOVA: You are?

MR. WILSON: Yes. All of us are project specialists.

ASSEMBLYMAN GENOVA: How many employees do you have now?

MR. WILSON: Three.

ASSEMBLYMAN GENOVA: Three. Yourself, Victoria, and--

MR. WILSON: And Paul Sutton.

ASSEMBLYMAN GENOVA: --Paul.

MR. WILSON: Yes. That's it. We have two vacancies.

ASSEMBLYMAN GENOVA: Are they three full-time jobs? Are they all full-time?

MR. WILSON: Yes. And we have not had a new position filled since 1984 when Paul came aboard. And I'll tell you--

ASSEMBLYMAN GENOVA: Major, can you tell us where your recommended cuts were and what they were? Off the top, do you know?

MAJOR BERTSCH: Right off the top. Basically, the way we did it, in submitting the Departmental budget, we looked at the current expenditures, basically based on '88 expenditures in reviewing those expenditures as a track record of prior year expenditures. And because of what we were faced with in putting in this budget, we knew we had to be able to meet their current needs, and basically, we had recommended the funding at the current level of funding, meaning as based upon prior year expenditures. We did not cut any deeper than that.

ASSEMBLYMAN PALAIA: Can you break it down at all? In other words, you just make general cuts, or do you say, "Cut here--"

MAJOR BERTSCH: No. The four positions that he's authorized were fully funded.

MR. WILSON: I'm authorized.

MAJOR BERTSCH: Fine. You authorized four and you were funded for four. The travel account, as expended in the prior year, was funded right up-front, and in his equipment account, there were no cuts there. He's had the money this year, and we're going to allow him some money again this year. I don't control that. Now, I realize part of his money that he will allot has to do with the hiring freeze that we're all constrained. I can tell you, we fully support him administratively. I spend more time proportionally in terms of \$220,000 or \$225,000 that he has than anybody else in the Department.

Have we had some problems? Yeah. Have there been some disagreements or misunderstandings? Yes. The letter that he mentioned about Montclair, I wrote. I was in error with that. I was out of turn. And he knows that. I apologized to him, and we're fully supportive, and we're pushing that through.

So, there's not a question of-- It was a learning process for me over this past year. But in terms of my people and support, we've given 110%. In terms of the money, trying

to come in with a restated amount for putting the money back in for next year, he knows the figure I went in with. I talked to him on it, dollar for dollar; item for item for each account.

So in terms of whether we communicate or not, we do. Do we have some misunderstandings? Yes. But in terms of the amount of time and effort put in in support of the Agent Orange Commission, it's there. It's there 110%.

ASSEMBLYMAN GENOVA: Do you agree with that?

MR. WILSON: I would agree that I have taken up a considerable amount of his time.

MAJOR BERTSCH: Which I'm not balking. I have that responsibility for his account, his program, as well as anybody else's in the Department.

MR. WILSON: But I can't help Vietnam Veterans as Executive Director if I'm preparing traveling invoices and doing clerical duties.

MAJOR BERTSCH: I understand his concern, but I'm bound by State law. I don't write the law.

ASSEMBLYMAN PALAIA: You see, the Major has to justify the expenditure and he has to say--

MAJOR BERTSCH: I sign the vouchers.

ASSEMBLYMAN PALAIA: I mean, he just can't be a number there. It has to be--

ASSEMBLYMAN GENOVA: Well, at least we've learned something now.

ASSEMBLYMAN PALAIA: Oh, we've learned a lot already.

ASSEMBLYMAN MAZUR: It just seems to me that there's an incongruity that Wayne is being treated like any other division within the Department of Defense -- a sub-agency. And in fact, there's a different relationship spelled out by the enabling legislation which distinguishes them from that distinction, that I don't think-- Well, the cuts shouldn't be made by the Department of Defense. That has to be made up-front, either by the Governor's Office, I guess, or the by Revenue and Finance Committee.

ASSEMBLYMAN GENOVA: I'm not even sure if the Appropriations Committee should do that. We have an autonomous body. There's no jurisdiction whatsoever over you other than your funding needs.

ASSEMBLYMAN PALAIA: Yeah, but Mr. Chairman, one of the basic problems is, you know, you've got to speak for yourself. But, he can't. He does not go to the Appropriations Committees that Bennett was talking about. You see. The Department goes to the Appropriations process, and that's where it loses something in the translation. You know, speak for yourself. And if they can't speak for themselves, there's no other better way to present it than when you're talking about yourself. I think that's where -- and Bennett's right -- they're being treated like another part of the Department. Maybe that's the way the law was meant to be. I didn't write it. I think that's where we're running into a lot of trouble.

ASSEMBLYMAN GENOVA: I can see it. There may be some major reforms needed--

ASSEMBLYMAN PALAIA: That's exactly right.

ASSEMBLYMAN GENOVA: --in both Commissions, PTSD and Agent Orange, to make them--

MR. WILSON: The problem with that is it's used as a controlling factor, okay?

ASSEMBLYMAN GENOVA: Don't get angry now.

MR. WILSON: Okay.

ASSEMBLYMAN GENOVA: You're getting angry like you did in this article in February 9 in The Home News, which I'm not going to be quoting from, but I'm very, very disappointed in some of the comments I read here. Don't be angry with that. We're going to be doing some research on that.

MR. WILSON: I'm not angry, Mr. Chairman, I'm emotional.

MAJOR BERTSCH: Mr. Chairman, I can appreciate his concern in terms of the budget cuts. My problem is, if he gets

the \$75,000 increase, who gets cut? Is it PTSD? Is it transportation? Is it the Paramus Hospital? I've got to live with the bottom line.

ASSEMBLYMAN PALAIA: No question about that, Major.

ASSEMBLYMAN GENOVA: Thank you very much, Major. Assemblyman Spadaro, the dean of the Middlesex County communication--

ASSEMBLYMAN SPADORO: First all I want to apologize for being late. And I may eventually rue it. On this point, would it make sense to make the lawyers over at OLS look at the enabling legislation? You know, this Committee-- A few of the members have acted as though they know that this is supposed to be a quasi-independent commission.

ASSEMBLYMAN GENOVA: I think we all know that.

ASSEMBLYMAN SPADORO: Well, it's obviously not acting as such and I think both Assemblymen Bennett and Palaia make the point. I mean, if you are tucked in over at a big department and you are one of the relatively small appropriations in the Department of Defense -- you know, \$250,000 -- when they get a directive to cut 15%, I mean, they are going cut 15% across-the-board.

ASSEMBLYMAN PALAIA: That's right. And the Major makes a point -- excuse me, George, -- when he says if we're going to cut, and we're going to keep \$75,000 there, it's going to come from someplace else.

ASSEMBLYMAN SPADORO: Exactly.

ASSEMBLYMAN PALAIA: You see, and that's what they have to live with. So, they have a problem, too.

ASSEMBLYMAN SPADORO: And this, obviously is an important Commission. It was created by the Legislature before my time, but certainly especially created to deal with this problem and to tuck it in like this, does seem to be unfair. So, I think there's a legal issue here. And if, in fact, it should be separated in the budgetary process, an opinion should

be rendered by OLS to General Gerard and to the Executive Director of this Commission with instructions of how in the future to deal with it. It seems to me a pretty critical issue.

MR. WILSON: When you're the smallest, you have to be the baddest.

ASSEMBLYMAN PALAIA: Listen, I've been small and I'm not bad. I'm very small, Wayne.

ASSEMBLYMAN SPADORO: Be aggressive.

ASSEMBLYMAN PALAIA: Not yet. But, I'm not bad.

ASSEMBLYMAN MAZUR: You know that there are other agencies which are in the same position as Agent Orange should be. I think the Election Law Enforcement Commission-- And they submit their budgets directly to the Governor. Is that correct, or is that not correct? You're from OLS.

MR. PARISI: (speaks away from mike) Well, usually it is done through a department.

ASSEMBLYMAN MAZUR: Through a department, but then it goes to--

MR. PARISI: Then they always have an opportunity in the Appropriations Committee to go up and-- For instance, they have the opportunity to go before the Appropriations Committee and defend whatever--

ASSEMBLYMAN MAZUR: When ELEC submits its budget to what department?

MR. PARISI: Law and Public Safety.

ASSEMBLYMAN MAZUR: Law and Public Safety. The Attorney General cuts out money from it, if he wishes? (no response) There are other precedents. There are other examples of the model that you're supposed to be following. And I think we have to look at the procedures used in those other departments, other commissions, to establish what's right and what's wrong.

ASSEMBLYMAN GENOVA: I've asked that our staff put together a communication to the Office of Legislative Services

that will be more detailed as to who should get the inquiry. I'd like several to research it. There will be a Committee request by all five of us, instead of anyone going out on their own to do that. I'd appreciate that. We'll do that.

I'd like to just ask, while we're on it, John Guarascio-- John, did I pronounce it right?

CAPTAIN JOHN A. GUARASCIO: (speaks from audience) Close enough. Guarascio (corrects pronunciation).

ASSEMBLYMAN GENOVA: Guarascio. You're not from the same part of Italy my folks are. John, you recently made a comment that the Vietnam Veterans would be better off if the Agent Orange were under the jurisdiction of the Department of Military and Veterans' Affairs.

CAPTAIN GUARASCIO: Okay. I don't know whether that quote will be recorded--

ASSEMBLYMAN GENOVA: Okay. I would like you to come up. For the record, John, your name, rank, and serial number.

CAPTAIN GAURASCIO: I apologize for being out of uniform. I was walking in the halls, and I was--

ASSEMBLYMAN GENOVA: That's okay.

CAPTAIN GUARASCIO: Captain John Guarascio, Public Affairs Officer of the Department of Military and Veterans' Affairs. When the budget cuts hit, which is part of the \$6.1 million that our Department was hit with, questions were coming up with why five of the eight wings of Paramus had been closed -- or not been opened, why the National Guard Training Center was being unfunded, and on and on.

When you said about the Agent Orange -- what we pointed out was one: 1) The research bill was not being touched; there was a separate grant, which if you people had set up. It would be either not carried on or carried on at your approval. When they had asked about what would happen as far as veterans' outreach services, the interview I had gotten into, I believe it was with the Bergen Record-- What's going

to happen to the veterans? And we said the veterans will not suffer. We'll handle it as best we can. And then we asked about the VSOs, Veterans' service offices.

And the comment that had been made in a long dissertation with the reporter was, "A veteran who is suffering with Agent Orange doesn't mean that veteran is not suffering with PTSD and does not need transportation, does not need education, does not need medical help." The hope being, by establishing veterans' services offices throughout the State, a veteran can go there and not merely address one problem, but if he or she has more than one, there's someone there that can refer them to, instead of sending a person around the State. It may not be the ideal situation, but in answer to the question of what if the budget and the resolution to get continuing money are not passed, what do you do? The answer is, we're not going to let the veteran suffer. We'll do everything in our power to prevent that.

The General said about the syndrome relationship. I don't know how synergetic it becomes, because I'm a veteran myself from that era, and I don't think you're going to find three people in my old unit who agree on anything. But the fact that we're all looking out for the veterans, that's the main concern. And now there are many questions of who's-- I hear veterans arguing which bill is more important or which program is? I'm not in that position. I cannot tell a veteran who has PTSD that he is more or less important than someone who might be suffering from Agent Orange; and I won't be put into that position.

The thing is how do you control and how do you service all the veterans with a budget that has been cut? The thing is, do you let everyone go to pot, or do you try to salvage as much as you possibly can? As I say in the research, no one is questioning the Agent Orange Commission. No one, whoever came here would believe that it is not necessary, and funding for

the Point Man has not been touched, and the powers that put that money in the budget have the will and the power to put it back in the budget. The question was, what would happen to that three position thing if it had to go? If the resolution is not passed for continuing money, then we would not let the program fall. We would use our outreach centers. It's a fall-back position. Not one we like, not one we want, but you can't say that's it all or nothing, because you can't tell a veteran it's nothing.

ASSEMBLYMAN GENOVA: I appreciate that. Thank you very much. I didn't mean to put you on the spot. I was just reading from the newspaper article, and I just wanted that clarified. I'm glad you did. Wayne, did you have something to say, to add?

MR. WILSON: I just--

ASSEMBLYMAN GENOVA: I thought it was relative to what he had said, because I'd like you to stay here. Before we call some witnesses--

ASSEMBLYMAN PALAIA: I'll be right back.

ASSEMBLYMAN GENOVA: Okay, Joe. Joe has a committee hearing he must go to. You care to just take about a five minute recess? (affirmative response) Okay. Actually, we'll start at ten past three.

(R E C E S S)

AFTER RECESS:

ASSEMBLYMAN GENOVA: Okay. We're going to start, again. Sam is here, so we can start.

MR. LoBUE: I'm here. I'm here.

ASSEMBLYMAN GENOVA: Tom, can you call the people in? (positive response) Wayne, thank you very much. I don't think there's any need for you to stay here, but I would like you to sit by.

MR. WILSON: Okay. Thank you, Mr. Chairman.

ASSEMBLYMAN GENOVA: Have you got your jacket off?

MR. WILSON: Yeah.

ASSEMBLYMAN GENOVA: Okay. At our last meeting, we had Dave Martin from VCVC come before us and we cut him short. I apologize for that, because of time. But, I've asked Dave to come forward now and Frank Rickette -- is it Rickette?

F R A N K R I C K E T T E: Yeah.

ASSEMBLYMAN GENOVA: --of VCVC to share the time. They have comments to make before the Committee. There was a letter that was sent to me. It was just given to me today -- signed by William Nabinger?

D A V E M A R T I N: Nabinger (corrects pronunciation).

ASSEMBLYMAN GENOVA: I believe he was at that meeting also--

MR. MARTIN: Right. That's correct.

ASSEMBLYMAN GENOVA: --representing Vietnam Veterans United. Are you people with that organization?

MR. MARTIN: I'm a member and so is Frank, but we're not associated. It's separate organizations.

ASSEMBLYMAN GENOVA: From VCVC?

MR. MARTIN: Excuse me?

ASSEMBLYMAN GENOVA: You're a member of what?

MR. RICKETTE: We're associate members in that organization, also.

ASSEMBLYMAN GENOVA: Of Vietnam Veterans United. But you're here to represent VCVC?

MR. MARTIN: Right. That's correct.

ASSEMBLYMAN GENOVA: Okay. Do you have the spelling? (referring to the hearing reporter -- negative response) Okay,

could you, for the record, give our staff person your full names, the spelling of your last names, and who you're representing for the record?

MR. MARTIN: Yeah, Dave Martin. I'm here as a representative from Vietnam Combat Veterans' Coalition; a State chartered organization. I'm also here just to enter into the record a statement that was provided the last time from Vietnam Veterans United, Inc. -- a separate organization from us.

ASSEMBLYMAN GENOVA: Is that statement in this letter that was sent to me?

MR. MARTIN: Yes. It's the same statement.

ASSEMBLYMAN GENOVA: Would you read it into the record, please, or would you rather have a copy of it? Is that better? (referring to hearing reporter) And then you can just turn your tape off. Would you provide it to her after the meeting?

MR. MARTIN: Okay.

ASSEMBLYMAN GENOVA: You're on.

MR. MARTIN: Okay. Yeah, we would like to see the Agent Orange Commission research continued and the administrative part of it continued as is necessary for that research. However, we have serious problems with the current staff. We'd like to see them all terminated. And in its place, if it's going to be brought under the Department, we would like to see the Department pick up the work, which I'm sure that they can do, or the Department of Health -- whichever.

We've been with this program since it started, and we haven't seen too much progress or too much cooperation. You know, we have a lot of problems with the staff at the Agent Orange Commission -- the paid staff we're talking about. We don't see how they are vital to the process as individuals. We think it could be picked-up by any number of people who would have the same expertise or probably a lot more.

ASSEMBLYMAN GENOVA: Let me ask you before you proceed, VCVC -- what does VCVC stand for?

MR. MARTIN: Vietnam Combat Veterans Coalition.

ASSEMBLYMAN GENOVA: Okay. Do you have that?
(referring to hearing reporter) Okay. Go ahead.

MR. MARTIN: All right. We brought a lot of our allegations to the Public Advocate's Office and as a matter of fact, we went down to sign our third set of charges, you know. That's under investigation. I don't know if anybody from the Public Advocate's Office is here. I wish they were. We've also taken the matter to the Attorney General's Office. You know, that's a separate matter.

ASSEMBLYMAN GENOVA: Dave, I hate to interrupt you again. People are coming in and out. Mr. Wilson is out there. Would someone fetch him, in all fairness to him.

MR. WILSON: Yes, Mr. Chairman?

ASSEMBLYMAN GENOVA: I'd like you to be present.

Okay. Mr. Martin, who represents VCVV and also is a member of the Vietnam Veterans United has told the Committee that he has submitted certain requests to the Office of the Public Advocate against the Agent Orange Commission. Can you just elaborate on that a bit with those--

MR. MARTIN: All right. Basically, you can put the whole thing under the heading of accountability. One reason, we would like to see this Commission brought under the Department of Military and Veterans' Affairs, is that we'd like to see some accountability, and we'd like to see some responsibility also; that we have made what we thought were routine requests under certain things as Right-to-Know laws or the Open Public Meetings Act and we've had to go through a nerve-racking experience getting what we think the State law says is our basic right.

For instance, trying to get minutes of the meeting is like pulling teeth; being allowed to tape record meetings is like pulling teeth. You have to go through a year or a year-and-a-half just to get the right to tape record meetings.

You know, to get minutes of the meetings. We asked for accountability on expenditures. All we did was get, you know, a song and a dance. We questioned such things as comp-time. You know, it has been stated here earlier by Mr. Wilson about their work and how much they're working and they don't have enough time to do this, they don't have enough time to do that; but, it keeps submitting 957 hours on one person, 450 hours a year on another person in comp-time. That's a lot of time, that's a lot of days. That's over half-a-year off in just comp-time.

That must mean that they must be working quite a bit. If they're working that hard, you know, I'd like to see some of the results. If they're working that hard, I don't think it should be that difficult for them to type up a few letters, or answer a few of our allegations. If they would take a few of these hours and just give us a few pieces of papers on their expenditures. In other words, we ask them like, "How many stamps did you buy last year? How many pieces of mail did you send out?" We don't see any accountability. I don't think it's that difficult for an agency that's been functioning for eight years to do. I don't think it should be a difficult question when we ask, what do attending reunions in Idaho have to do with work on Agent Orange in the State of New Jersey? I don't know why that has to be such a difficult question. I don't know why we can't get an answer to that. I honestly don't see why we have to go to the Public Advocate for that? I think it should be provided to us, and we should be told what's going on.

It had said, "Military Order, Purple Heart Outreach 6.5 hours." We asked what that's about? I don't know what that's about. You're talking about getting comp-time to go to Commission meetings. It just seems like everything that the paid staff does, they have to get either get comp-time for, it, or they have to get paid for it or reimbursed in some way. I'm

taking a half a personnel day off right here to be here. No one's paying me for that. You know. We go to Commission meetings; nobody pays us for that. Nobody gives us money for gas. Nobody gives us money for staples. We used to send out a lot more, you know, literature -- whatever you want to call it.

But, you know, just frankly, it just gets all stamps, printing, and everything just costs money. It's time-consuming. It takes a lot out of us. But we're not asking for compensation, you know. We're doing this because we want to get to the bottom of the Agent Orange issue. It just seems like everything the paid staff does, they want to get comp-time for it. They want to get credit for it. They want to get paid for it. What we want is answers. I think we have a right to get answers. I think we've been waiting a very long time to get answers.

And I think that a State chartered organization that has to go through the Public Advocate's Office just to find out how much is being spent for stamps, or how much, you know -- what the certain facets of this so-called budget mean-- Mr. Wilson keeps talking about "three paid staff." Well, my question is where does Mr. Lewis' money come from? Where does Mr. Wilson's daughter get paid from? Or how does Paul Sutton's wife get paid for the typing she does? If that's not a paid staff, then maybe I don't understand what a paid staff is. I see a few lists of names. I see Mr. Wilson, Mr. Sutton, Mr. McGuire -- three people, but there's more people getting paid than that.

You know, we just have a problem of not getting answers to what we're looking for.

ASSEMBLYMAN GENOVA: How many people do you represent?

MR. MARTIN: We just sent in our report to the Secretary of the State listing 17 members, you know. This VVU, Inc. is listed as 40 members. You know, we're willing to back our stats along with any other organization in this room. We don't have any problems--

ASSEMBLYMAN GENOVA: Are you affiliated with the VVA or any of the other--

MR. MARTIN: I've an 846 member number of VVA. I've been a member since 1980.

ASSEMBLYMAN GENOVA: Not you yourself, but your organization?

MR. MARTIN: Excuse me?

ASSEMBLYMAN GENOVA: Your organization. Do you interact at all -- interface with the VVA or any other well known State Vietnam Veterans' organizations?

MR. MARTIN: As was stated, you know, we exchange thoughts. You know, we communicate with them. A lot of the members are members of the same-- We're part of the Agent Orange Advisory Committee. Most of the other members are VVA members. So, we interact with them. Most of the other Vietnam Vets are at Agent Orange meetings or VVA members-- We have no problem with VVA; VVA can have their position, and I think we should be allowed to have ours. And that's what we're doing. The fact is in the past, we've been termed as lunatic, radical fringes. I think that does a disservice to us and is an insult, except for the fact that I find it sort of humorous, you know. I still think it's a bad description for an agency or an organization that has-- All we've been trying to do, is we want to find out what Agent Orange does. Does Agent Orange affect my 16-month baby boy? Does it affect my nine-year old girl? Is it going to affect her, generations after her? Is it going to affect my seven-and-a-half year old girl? You know, am I under some kind of accelerating aging process? Do I have a higher risk of cancer? You know, these are the things that we'd like to know. These are the things that bother us. It's the only reason that we're into this.

ASSEMBLYMAN GENOVA: Do you support the efforts of the Commission?

MR. MARTIN: We support the efforts of the Commission, but we don't support a lot of things they do.

ASSEMBLYMAN GENOVA: No. That's not what I'm asking. Do you support the efforts of the Commission?

MR. MARTIN: You mean as a concept? Yeah, as a concept, sure. There's no problem with having an Agent Orange Commission, just like the PTSD Commission. But, I think a Commission should be accountable to the people that they are supposed to represent.

ASSEMBLYMAN GENOVA: No. I understand that, but do you support the Commission -- a commission? Do you support the research that has been ongoing?

MR. MARTIN: You know, I kind of got rankled when Dr. Kahn, you know, called us ordinary people, because it's the ordinary people who get called to go fight for this country, and it seems like other people benefit, and we don't. But I would like to see the research, and I would like to see some reports. I'd like to see something more than a 1984 report which was updated in '86. I'd like to have something more to understand, without, you know-- I don't mind writing to Washington, DC, or going to bookstores and all that. Believe me, and I'm being as honest as I can.

I can get every bit of information that I need on Agent Orange without the New Jersey Agent Orange Commission. Because, if there is something that they know of, if there is something that they've been doing, you know, I really wish that they would communicate it to us, because I don't see what their functions is, you know, other than keeping the issue alive which-- I don't know for what reason? All they're doing is raising the PTSD levels of a lot Vietnam Vets out here who don't need it. You know, they can't answer allegations, they can't produce any kind of reports to answer our questions; they don't even seem to be willing. You know, all they do is just keep raising their PTSD levels. I don't think that's a

function that should be supported by taxpayers who stay in New Jersey. I just don't. I don't see it as a function.

ASSEMBLYMAN GENOVA: Thank you very much. Before we open the Committee up for questions, Mr. Rickette? Frank Rickette also represents the VCVC.

MR. RICKETTE: It's spelled R I C K E T T E, for the record. I'll just reiterate, basically, what Mr. Martin said. You know, we're looking for some answers, and we haven't gotten the right answers. I asked a simple question of the other day. I happen to work in the same building that the Executive Director, Wayne Wilson works in. The simple questions about the scientific protocol, which they refer to in different meetings. I want to know what it is? I mean, it's like a simple thing. Everybody knows what it is, except myself and Dave -- and we're members of the Advisory Committee to the Commission -- and we don't know what's on that scientific protocol -- what it concerns. And we raised questions about what do trips to Kokomo, Indiana, Las Cruces, New Mexico-- This is a New Jersey Commission -- New Jersey. We haven't gotten any answers. No accountability. They write things down not by the hours, comp-time-- Seven-hundred-and-seventy-five hours comp-time.

You know, it seems like it's a secret Commission. They should provide service to veterans. It should do what its mandate says it should do. I'm referring to the Assembly Bill 341 which was introduced in 1979. In theory, what it says is great. But every time I've ever asked for help, "Well, we can't do--" You know, they pick and choose who they want to help, and that's not what a Commission or any State government body or what have you-- It's to serve the people, and I think they've lost sight of that. Also as Mr. Martin said, and I have to agree with him, they've really raised their PTSD problem.

And then the Executive Director gets back to me that he's going in bars and telling people that I'm not even worthy

of my PTSD. We're talking about Executive Order No. 34, which people are suppose to, who are Commission members, who are supposed to abide by -- discussing my personal things in bars in Trenton, and I happen to live in Trenton. You know, these are the kinds of things that if it's going to be a paid Commission, and there are going to be responsible people on the Commission, they should be responsible people. We had to sign Executive Order No. 34 just to be Advisory Commission members.

ASSEMBLYMAN GENOVA: Mr. Rickette, do you support the concept of a Commission and also the research?

MR. RICKETTE: Yes. And the research, I'm behind 100%. But, there again, right-- The 1984 "JAMA" article is not enough, and it's written in such a manner that only scientists can understand what they are talking about. You need a lay language deal where people can understand what they are talking about and secrets-- We're not going to get it. You know, they've been working on this for eight years. They have Point Man projects.

You know, it's like a few chosen people who know what they're talking about. I'm talking about somebody who goes to all the meetings, that's up on this stuff, who doesn't even know what's happening, because they don't choose to tell us. They don't choose us in. We're on the outside looking in, all the time. Then, they go around telling people that we're lunatics that we're radicals. That's, not the case. The case of the matter is that we're telling the truth, and we're trying to find answers to the truth, but we keep getting put off, or you know, beating around the mulberry bush; and we're sick of it.

ASSEMBLYMAN GENOVA: My colleagues?

ASSEMBLYMAN SPADORO: I have a question.

ASSEMBLYMAN GENOVA: Sure, Mr. Spadoro.

ASSEMBLYMAN SPADORO: I think you mentioned somewhere in your comments, Mr. Martin, I guess I'll call it or refer to

it as nepotism. What exactly is your claim, and what is your allegation in regards to that?

MR. MARTIN: All right. A few years ago, Mr. Wilson and also myself, had criticized the previous administration of this Veterans' Affairs. You know, it should be called the Division of Veterans' Programs for their hiring practices. We went to meetings about the hiring practices. I thought that we had an open competitive list; that you should hire on the best preference, if not, at least there should be some kind of promotional opportunities or should be posted on bulletin boards -- certain regulations in the State government, you know, except for the case of some unclassified position, where you're supposed to, you know, adhere to certain guidelines in hiring.

Mr. Wilson was right in the forefront of that. It turns around that every time he hires somebody, there isn't any posting. There isn't any free competition for these jobs. How do we know that the best people are getting up there to do these jobs? It seems like after the fact you find out that this person was hired or that person was hired. And it's not-- They are either personal friends or relatives of Mr. Wilson.

ASSEMBLYMAN SPADORO: But you specifically mentioned one relative in your comments?

MR. MARTIN: Yeah. His daughter.

ASSEMBLYMAN SPADORO: Is she presently working on his staff?

MR. MARTIN: As far as I know she is.

ASSEMBLYMAN SPADORO: Is there anyone else you mentioned?

MR. MARTIN: You know, it was stated that Paul Sutton's wife does typing.

ASSEMBLYMAN SPADORO: He's one of the-- Mr. Sutton is one of the--

ASSEMBLYMAN MAZUR: Does she--

MR. MARTIN: Well, she gets paid for doing typing.

ASSEMBLYMAN SPADORO: But Mr. Sutton is on the Commission, or what's his role?

MR. MARTIN: He's a paid staff member.

ASSEMBLYMAN SPADORO: So he's a paid staff member, he's not on the Commission himself?

MR. MARTIN: Yeah.

ASSEMBLYMAN SPADORO: Okay. Now this thing about comp-time-- I guess, comp-time means--

ASSEMBLYMAN GENOVA: In lieu of pay. Time off.

ASSEMBLYMAN SPADORO: Time off, or is it overtime? That's what I was a little confused about.

MR. MARTIN: Well, the way--

ASSEMBLYMAN SPADORO: I was confused if it was one of those compensations like--

MR. RICKETTE: We don't seem to know either, because we've asked that question--

ASSEMBLYMAN SPADORO: Well, is it for over-- Are people putting in above their base pay for more money, or is it people who are not working, saying that they are home ill and they can't work?

MR. MARTIN: The standard practice is supposed to be that you at least put in your regular hours and then you get compensation time when you're past those hours. So, in other words, if you've put in 10 hours, you're not going to get comp-time. If you work beyond 10 hours, you don't get comp-time. If you work with us, it's past 40 hours with the--

ASSEMBLYMAN SPADORO: So, you're saying that this is overtime, in effect?

MR. MARTIN: Right.

ASSEMBLYMAN MAZUR: The time off to compensate for overtime.

ASSEMBLYMAN GENOVA: I don't think that's what he's saying.

ASSEMBLYMAN SPADORO: Okay. So, in other words, what it is, the way it works is that if you work overtime in the State, you can then put in and take off time because of the overtime, as opposed to getting more money?

MR. MARTIN: That's what these letters are that Mr. Sutton sends to Mr. Wilson all the time.

ASSEMBLYMAN SPADORO: That's the one?

MR. MARTIN: Yeah, talking about-- I'd like to show you one with the 970--some hours a year. That's pretty good. You know, it means that if Wilson was terminated now, he would be getting paid for the next six months.

ASSEMBLYMAN SPADORO: Okay.

ASSEMBLYMAN GENOVA: Okay. Assemblywoman?

ASSEMBLYWOMAN COOPER: Yes. I'd like to know does the Department of Personnel, formerly Civil Service, have jurisdiction over these appointments? And why not?

MR. RICKETTE: I don't think so.

MR. MARTIN: There isn't any that I know, of at all.

ASSEMBLYWOMAN COOPER: How come the Civil Service never entered these appointments -- the tests?

MR. MARTIN: It's still in the Civil Service--

ASSEMBLYWOMAN COOPER: It seems to me in a government job of this nature, you have qualifications, veterans' reference, and Civil Service supervising.

MR. WILSON: (speaks from audience) Yeah. Let me respond.

ASSEMBLYMAN GENOVA: Sure.

MR. WILSON: We are three staffed. We're unclassified civil service. There's no requirement to post. There's never been a test. All three of us are project specialists. All three positions were cleared by the Governor's Office, and for the vacant position -- actually two

vacant positions -- interviews have been set up through the Department of Military and Veterans' Affairs. Qualified people were taken from their list. We've met every obligation as required by Civil Service.

The only thing that we don't have is the protection. We don't have appeal rights or grievance rights as unclassified employees or the issue of overtime. That is accumulated over-- I have almost 500 hours accumulated overtime in my eight-year tenure as Executive Director.

You know as well as I do, as members of the Legislature, that State employees are not permitted to receive any cash compensation. We're required to fill out time sheets. When a staff member works a 14-, 16-, or 18-hour day, they are required to show recorded time and they are required to show either comp-time for weekends or evenings, or overtime. We show it. And all Mr. Sutton does is what I do. We show our time above and beyond normal duty time.

And it can be verified. Mr. Sutton and myself will never receive cash compensation for this overtime and will never begin to take the time off. I may handle those 500 hours of comp-time. My time sheets are public record, and you will see that probably in the last three years, I think I probably had one-week vacation. So, I have plenty of comp-time.

ASSEMBLYMAN GENOVA: Wayne, you said publicly that you're ready to resign from your position. Now, I'm not sure if that statement is still consistent.

MR. WILSON: That's true, Mr. Chairman.

ASSEMBLYMAN GENOVA: Okay, but be that as it may, what would be afforded to you, because of those 500 hours, if you were to resign today?

MR. WILSON: Nothing, Mr. Chairman. You can check my personnel records, and you'll find that every year I give back the State of New Jersey, sometimes as much as 40 days unused vacation time. I do it every year. I'm required to keep track of accumulated comp-time.

ASSEMBLYMAN GENOVA: I'm just saying, though, what could you receive in lieu of overtime money for those 500 hours?

MR. WILSON: I won't get any.

ASSEMBLYMAN GENOVA: Time off?

MR. WILSON: I'll get time off.

ASSEMBLYMAN SPADORO: With pay?

MR. WILSON: With pay?

ASSEMBLYMAN SPADORO: In other words, you would take off, if you had six months of comp-time--

ASSEMBLYMAN GENOVA: No. I'm saying if he resigned now--

MR. WILSON: Nothing.

ASSEMBLYMAN SPADORO: What you would do, is -- and this happened to me -- is that you don't resign now, you resign effective six months from now. You take off--

ASSEMBLYMAN GENOVA: You take off.

ASSEMBLYMAN SPADORO: --tomorrow, and then you get paid for six months. But that happens in municipal government if you have earned credits.

MR. WILSON: We have an accrued policy.

ASSEMBLYMAN SPADORO: Accrued sick days. We've all heard that, certainly--

MR. WILSON: We have an accrued policy signed off by Mr. Wallace at the suggestion of Mr. Falk and General Gerard, okay? The policy of this Commission, is that no Commission employee can take more than four days off without special approval. We don't want a Commission person to say, "I've got 500 hours comp-time; I'm not going to come into work for six months." If you take more than four days in a row at all, you have to justify it and get special permission to take a fifth day.

ASSEMBLYMAN GENOVA: Is that the way the Department understands it to be?

DEPUTY COMMISSIONER WALLACE: (speaks from audience) I usually set the policy--

MR. MARTIN: Mr. Genova, I got a March 1, 1989 memo from Paul to Wayne scheduled March '89, "The 3rd of March, comp day; 6th of March, comp day; 10th of March, comp day; 15th of March, comp day; 17th of March, comp day; 20th of March, comp day; 27th of March, comp day; 31st of March, comp day." I've got to take a half-a-day -- an A.L day -- of my personal time to come here to testify at this Commission. Just like I said before, everything these people do, it seems like they want time off, or they want money for it.

MR. WILSON: The Congressional Medal of Honor winner, Sam Davis, was in the State visiting vet centers and veteran organizations. I gave Mr. Sutton time off. The man literally had hundreds and hundreds of days worked above and beyond the normal workday required by the State of New Jersey, and I think it's a legitimate use of three or four days of comp-time during the month to go around and do those kinds of activities. I make those kinds of management decisions.

And Mr. Chairman, we'll respond. The Public Advocate, contrary to press reports, has not yet furnished the list of complaints. Mr. Slocum spoke with the Chairman the other day, personally on the phone and indicated to him, they were not criminal violations. We have complaints from Mr. Martin and Mr. Rickette. We'll answer those complaints like any other agency.

ASSEMBLYMAN GENOVA: I think we can address that later on. Have you had an official reponse from the Public Advocate at all? (positive response) Will you be forwarding a copy of his response to this Committee?

MR. MARTIN: If you want it, sure. No problem.

ASSEMBLYMAN GENOVA: I'm asking you to do that.

MR. MARTIN: Yeah.

ASSEMBLYMAN GENOVA: Okay. And have you heard anything from the Public Advocate's Office regarding the AG's involvement?

MR. MARTIN: No, nothing. I heard directly from the Attorney General, but I really don't want to say anything about that.

ASSEMBLYMAN GENOVA: Okay. Yeah, we don't want to really get into that yet. Okay. Thank you very much. I appreciate you stopping by. Anybody else? Joe, do you have any questions? (confers with Assemblyman Palaia) Dr. Kahn, is it about what these gentlemen had to say?

DR. KAHN: (speaks from audience) Yes it is, because a couple of the things touched (inaudible) on the research. They raised the question of Mr. Lewis being in the office. Mr. Lewis is not hired by the Commission. He's hired by me. He reports to me. He is hired as project coordinator on the research grant through Rutgers. He is a Rutgers employee. He is assigned to work in the Commission office, because that's the natural place for him to do the work he does. Then there's no question about anyone else hiring him. I'm responsible for the research. I direct it, and I take personal responsibility for the hiring and I follow Rutgers' regulations in doing this. As far as Paul Sutton's wife, Caroline does typing in her spare time.

ASSEMBLYMAN GENOVA: Wait. Are you speaking on behalf of--

DR. KAHN: She's not employed by the Commission. I pay for that.

MR. WILSON: Because, and you have to understand, we tried for a year to fill the clerical vacancy. We wrote letters to guidance counselors in business schools in an effort to find clerical help.

DR. KAHN: I tried to hire a secretary following Rutgers' regulations to put in the Commission's office in order

to provide clerical help, and we couldn't hire a secretary at the rate Rutgers was willing to pay, on their scale. We ended up having to go higher in the scale to do something there. But, Kelly Bessett (phonetic spelling), Wayne Wilson's daughter-- I paid for her, because I have the guy who works for me, not cheap, tied up with all of his time answering the phone.

MR. WILSON: Ten hours would be copying--

DR. KAHN: Because we couldn't hire someone to do clerical work temporarily as a stopgap in desperation. But we have Kelly Bessett coming in as cheap labor for about ten hours a week.

ASSEMBLYMAN GENOVA: Okay. Thank you.

ASSEMBLYMAN SPADORO: Mr. Chairman, I have one question for the doctor. Doctor? Mr. Rickette -- I think his name is -- makes an interesting point regarding the-- I glanced at it. I didn't have a chance to read your article. I think it's in the "American Medical Association Journal"?

DR. KAHN: Yes.

ASSEMBLYMAN SPADORO: He commented on the need for, I'll call it a lay interpretation of what--

DR. KAHN: There is one--

ASSEMBLYMAN SPADORO: Is there one?

DR. KAHN: --which, incidentally, has been sent to you along with the letter that you will get--

ASSEMBLYMAN SPADORO: What does it take-- The lay interpretation, as is a summary of what research results you have as of what date?

DR. KAHN: As of March 1988.

ASSEMBLYMAN SPADORO: '88, which it put into a language that we can understand -- the status of your research--

DR. KAHN: Well, the copy that you will be given is a draft copy. Okay?

ASSEMBLYMAN SPADORO: Okay.

DR. KAHN: I had circulated this to the Veterans Advisory Committee on which both of these fellows sit.

ASSEMBLYMAN SPADORO: Right.

DR. KAHN: One member of the Committee has brought back to me with quite detailed comments, to go into that final draft --

ASSEMBLYMAN SPADORO: So, you're in the process now of putting this together, and then the plan is to disseminate this to interested veterans?

DR. KAHN: Anyone who wants it.

ASSEMBLYMAN SPADORO: Okay.

DR. KAHN: We have also a layman's language version of the research protocol for the first phase of the plan and that's, of course, being updated for Point Man II. If any of you wish that, I can make that available to you as well. That has been publicly available since '84?

MR. WILSON: '84 -- by the thousands of copies.

ASSEMBLYMAN SPADORO: Okay.

DR. KAHN: You may not be aware of it but there have been, I believe, about five other papers accepted for publication in the (inaudible). They haven't come out yet. In layman's language, versions of both are also being prepared. There is, as well, a layman's language overview of Point Man II, which is the second stage that we're on now, which was put into its final form last week and is now ready for circulation.

ASSEMBLYMAN GENOVA: Thank you, Doctor.

DR. KAHN: Thank you.

ASSEMBLYMAN GENOVA: Thank you, gentlemen. We appreciate it.

MR. MARTIN: Can I just make one more comment?

ASSEMBLYMAN GENOVA: Sure.

MR. MARTIN: All right. These two other people -- Frank Lutansa and Eddie Forker (phonetic spellings) -- you see, what we're finding now, I don't think it's that difficult.

Right? And both of these guys have been volunteering this information. Why are we subjected to going to the Public Advocate? Are they purposely trying to raise the levels of our PTSD? And is that the function of a State Commission?

ASSEMBLYMAN GENOVA: Who?

MR. MARTIN: Frank Lutansa and Ed Forker. From what I understand, they get paid, too.

ASSEMBLYMAN GENOVA: Yeah. I don't know what provoked anyone to go there--

MR. WILSON: Mr. Chairman, if these things are going to come up, I have to have the opportunity to respond officially for the Public Advocate. If you very much want, we'll share that with anyone. We have yet to receive the list of complaints from the Public Advocate. Okay? You know how the system is supposed to work. We've yet to receive -- the eight complaints.

Mr. Lutansa, who is a registered nurse, a Vietnam Veteran -- I don't even know if he's even in here today; he's not -- performed highly technical medical work for us setting up an archive system. A tissue and organ archive for us. He worked on it for nine months. The total cost of that complicated project of going to Sweden for analysis cost \$216 in travel reimbursement for trips from Jersey City to our office in Trenton. No salary -- \$216; that's pretty cheap labor. Mr. Edmund Forker, as long as the name has been mentioned here, is a part-time person who did a special PTSD project for us, approved in open public session with a proposal. Mr. Forker, who is a former police officer, temporarily on leave for law school, holds credentials on special counseling for drug and alcohol abuse as well as other types of counseling, and did special PTSD work for us. We are limited. We are limited in the total amount of money we can pay him per year as a contracted person. We do not exceed \$7500 per year in payments to him.

In addition to that, Mr. Forker handles highly confidential, individual responses from thousands of Vietnam Veterans, police officers, and Department of Defense officials. We do not allow other people to handle these confidential responses because the less hands that see that kind of data, including women's studies information, I think the better chance you have to keep it confidential.

So, Mr. Forker -- 60 hours a month -- handles some of the most highly confidential personal information that comes through our office. Mr. Forker is a Vietnam Veteran. The fact of the matter is, Mr. Martin wants us to be candid here. Every year, we answer the same complaints, for the most part, from them to the Public Advocate. March 8, 1988, I responded to many of these same complaints that Mr. Slocum says -- you're correct, "They are overlapping." What they did is they just went a different division from the Public Advocate, who did not look to see that we responded last year.

And Mr. Martin's right. He has the right to make complaints. The Public Advocate handles public disputes. We'll answer those disputes. Management decisions are what I get paid for. If it's my decision to send an outreach coordinator to Kokomo, Indiana to find qualified research subjects, I'll make that decision. It was approved all up and down the line for travel. I don't send people myself.

ASSEMBLYMAN GENOVA: Well, who above you approves it?

MR. WILSON: My travel has to be approved by the Chairman. I approve the first step -- Commission employee travel; Commission employee travel only.

ASSEMBLYMAN GENOVA: But there's no approval outside of the--

MR. WILSON: Of course there is. The PV 141 goes to the Department. They have to approve it. I guess OMB or Treasury has to approve it before travel is authorized. Then, you have to go through just about the same process to get reimbursed.

ASSEMBLYMAN GENOVA: All right.

MR. WILSON: Okay?

ASSEMBLYMAN GENOVA: That's fair. Thank you, gentlemen.

MR. WILSON: Okay.

MR. MARTIN: His paid staff is eight, the way I count it; not three.

ASSEMBLYMAN GENOVA: You tell the Public Advocate that.

ASSEMBLYMAN SPADORO: Mr. Chairman, I have to leave. I have one quick comment, if I could?

ASSEMBLYMAN GENOVA: Sure. To whom?

ASSEMBLYMAN SPADORO: Well, a comment for the benefit of Mr. Wilson and for the gentlemen who testified. I sense that there's a little -- obviously, more than a little -- antagonism between these gentlemen and possibly some of their members on the Commission. (negative response) It seems to me that I would encourage the Executive Director and the members of the staff of the Commission-- You know, one of the toughest things about being in government, is learning and having the patience to listen to public criticism; to take public criticism and turn the other cheek, in a sense. Those of us who have sat on municipal governments or county government or in the Legislature knows that that's part of the job. And I would hope that Mr. Wilson and members of the Commission, in the spirit of getting your job done--

Look, it's never enjoyable when someone says, "Let me see your hours or let me see your reimbursement slips," whether it's at the office or as part of your job as a government official. But that's part of the job. Hopefully, the Commission is going to continue -- that there's going to be funding. But I would also encourage you to respond wherever possible forthrightly, and put yourself in a position of where you can't be criticized. Overdo it if you have to. I think that would help. I also had some comments on the PTSD, but I will not--

ASSEMBLYMAN GENOVA: PTSD.

ASSEMBLYMAN SPADORO: The PTSD. I'll just submit them for the record. I regret that I have to leave early. I thank you for having this hearing, Mr. Chairman.

ASSEMBLYMAN GENOVA: Thank you. I heard Paul Sutton's name mentioned earlier-- I can tell you right now--

P A U L S U T T O N: My cheeks are black and blue, Mr. Genova. I can guarantee you that.

ASSEMBLYMAN GENOVA: I can say one thing, that regardless of personalities and the way people feel about one another, I'd wouldn't want anyone, other than Paul Sutton next to me in the most difficult circumstances or situations that any of us might be in. I've worked very closely with Paul for several years on this Committee. He's provided me with great input into it. He's been a supporter of the veterans, and I'm very, very proud to call Paul Sutton a friend. Steve Shuey?

MR. LoBUE: Is your mike on, Mr. Chairman?

ASSEMBLYMAN PALAIA: It's not a mike.

MR. LoBUE: I can't hear you.

ASSEMBLYMAN GENOVA: It's not a mike. It's only for the recording.

MR. LoBUE: I hear everybody very clearly except the Chairman.

ASSEMBLYMAN GENOVA: Steve Shuey, member of the Vietnam Veterans' Advisory Council. It's spelled S H U E Y, Steven M. Good afternoon.

S T E V E N M. S H U E Y: Good afternoon, Mr. Chairman. Thanks, Mr. Chairman, members of the Assembly Veterans' Affairs and Defense Committee, for the opportunity to give testimony this afternoon. I hope my statements are taken seriously and that this Committee takes into consideration that I'm not, nor have I been, a political representative for anyone but myself or my family and occasionally Vietnam Veterans. I speak as a man who has utilized programs, identified programs for Vietnam

Veterans, as well as a professional veterans' service officer who works representing the veterans' and their families with legal appeals before the Veterans' Administration.

Incidentally, I was a little disappointed in the change of venue for this meeting. The last time we met, it was agreed upon to have this at seven p.m. so that the Vietnam Veterans, whom this program impacts, would have the opportunity to speak about it and also have some input on the people who are going to represent their interests with this program. I'm a little disappointed with that.

The first thing I'd like to do is address the bill transferring the PTSD Study Commission.

ASSEMBLYMAN GENOVA: We're going to be getting into that later.

MR. SHUEY: Oh, you want testimony on the Agent Orange thing? (positive response) Okay. I've been involved with the Agent Orange issue since I was in college at Rutgers in 1978. The first presentation which was done by the Vietnam Veterans' Ensemble Theater Company in New Jersey was done through the Rutgers' Veterans' Affairs Commission, and the sister of Paul Routishan (phonetic spelling), who started the class action suit, spoke. I've got a long background in terms of my experience with the PTSD as an issue and, to an equal degree, that the medical research--

I just want to read one more statement here. I'll try to be real brief. I'm a little nervous.

ASSEMBLYMAN GENOVA: You?

MR. SHUEY: Yeah. This is meat and potatoes. This is meat and potatoes here.

ASSEMBLYMAN GENOVA: It's pushing four o'clock, so we would certainly appreciate it if--

MR. SHUEY: I apologize. I was--

ASSEMBLYMAN GENOVA: Well, no. It's not you. I'm just saying that we have other people who would like to speak.

So, basically what we're looking for is your comments regarding the Agent Orange Commission; whether you, as a distinguished member of the Vietnam Veterans' Advisory Council support it, don't support it, believe in the concept, don't believe in the concept--

MR. SHUEY: Well, I have several-- I don't support-- As I feel right now, I'm one of the people who made charges against this Commission through the Public Advocate's Office, all right? My relationship with the Agent Orange Commission has been, according to the Chairman of the Commission, has been exemplary, and he also named Mr. Martin and Mr. Rickette as outstanding assets to the Commission's work.

ASSEMBLYMAN GENOVA: Mr. Falk?

MR. SHUEY: Yes. What we have going on here is an attempt, though Mr. Martin, Mr. Rickette, and myself -- maybe not as eloquently and in as structured a fashion as Mr. Wilson and his co-workers-- We may not as eloquently put forth our criticisms on our positions; nonetheless, they're based on experience, and they're based on our interactions over these last nine years with the Agent Orange Commission, including Mr. Wilson.

Mr. Wilson and I have been friends on occasion and we've been co-advocates and comrades in arms, so to speak, on these issues before. But I've got to say that it's my judgment that there's some need for some checks and balances here, all right? That is, I believe that the Commission has got to stay independent, all right? Now, I've heard the honorable Assemblyman Mazur-- If I pronounced it--

ASSEMBLYMAN GENOVA: Mazur.

MR. SHUEY: --state that there are other agencies that had a similar kind of relationship with your accounting section, with the Department of Personnel or Human Services. That's not exactly true. The Agent Orange Commission was recognized-- The last time we went through a shindig like this

was in '83 where there was apparently a misunderstanding or -- depending upon who you are -- a deliberate attempt to, in my opinion, gerrymander the membership of the Commission and/or kill the Commission. The kinds of Vietnam Veterans I've been dealing with from this administration in the State New Jersey are people like Ken Merin, who lobbied me to not vote for the refunding for the Agent Orange Commission in 1983, all right? Charlene Brown-- The money, she suggested, should go into a vet center program. All right? That's the kind of people who represented Vietnam Veterans generally in this administration. I've got copies of some articles here. It's kind of strange.

One of the reasons things are so touchy and there's so much emotion involved in this is because these programs are not like anything else. These are life and death issues; life and death. This is not license plates for disabled veterans. This isn't vets' preference in hiring. This isn't a secondary chance to take a test for a promotion. This is Post Traumatic Stress. This is suicide; this is suicide. This is dysfunction. This is broken marriages. This is children without a father. And the Agent Orange Commission, as we all know-- All the evidence outside the CDC study and outside of the official positions of our national government and the VA, suggest that there are severe problems and there is -- the evidence does suggest-- On any other issue the action in question would have been awarded with Federal benefits -- State benefits. But because of the politics and, some people would say, potentially the cost, and because the high emotions over the pros and cons of the Vietnam War, it's never been resolved.

Wayne and I have gone through shouting matches at the Commission. While I was in the hospital from August to November, as I may have mentioned the last time I testified, there was an attempt to remove me from the Advisory Committee by Mr. Sutton, all right? I made the charge. I've written the charges with regard to that. Mr. Sutton's been-- I think a

man in his position should not go around antagonizing Vietnam Veterans; should not go around antagonizing anyone. As I told Wayne, the Agent Orange Commission needs to be above and beyond -- above board, accountable. The numbers have to be right. The requests for positions have to be precise. He's made a lot of enemies. I think part of that right here is an attempt to get rid of him. I've made some charges, and if they're found to be true, I would ask him to step down.

Aside from that, I've asked previously, until myself, Mr. Martin, and Mr. Rickette brought up charges against the Agent Orange Commission, that we be allowed to question at the public session of the meetings. Now that's been manipulated and changed to have the public session at the beginning of the Commission. Now, this is important, because it allows lay Veterans, if you will, to have input to question the Commission on what they're doing and question the appropriateness of certain actions. That's been cut off from us.

One of the other things that was asked were precise transcripts of the minutes of the meeting. The minutes of the meetings have been found to be vague in general -- okay? -- which is inappropriate, in my opinion. We need that information. The veterans need to have information. That's why this thing has come to a head. The excessiveness of the comp-time-- I believe it's my experience that there is abuse there. In one instance, Mr. Sutton alleges that he worked 65 and-a-half hours overtime for the veterans -- Salute the Vietnam Veterans of Indiana, where he has relatives, all right? Sixty-five-and-a-half hours. Now I was told by the two people who were asked to leave, two former staff members who were asked to leave because they were going nowhere if they stuck around -- and they were asked to leave because it was alleged that they were leaking information to me, Rickette, and Martin.

What we ask for is this Commission, the Agent Orange Commission be kept open. We ask for your assistance in that.

The Advisory Committee was originally-- There was an attempt to staff-- In order to deal with our criticisms, allegedly the Advisory Committee was created for interested Vietnam Veterans who were not attached to traditional veterans' organizations, and that would be made up of Vietnam Veterans who had a history of experience and interest in the Agent Orange issue, all right? That Commission is staffed with members who were friends or allies of Wayne and the existing members of the Commission.

After that was established, my opinion was that it was an uphill battle to get any criticism I had-- Any requests for a change would have been voted down because of the lack of voting members who were objective. One thing we did at our last meeting-- The Advisory Committee did pass a motion to request from the Agent Orange Commission, and I would request from this Committee-- One way we might solve this dilemma creatively, is to create a subcommittee to the Agent Orange Commission that is made up of one member from the Department of Defense, one member from the Public Advocate's Office, and one member for the public -- critics of the Commission's progress and behavior. And we would ask that we would have access to the records which members of the VCVC have requested over and over again and gotten general figures, vague figures -- all right? -- basically, a way to stonewall and prohibit information from coming out; that is, getting broad figures like -- I was looking through the budget here -- \$72,000 for veterans' services. What does that mean?

And so, we spend several months going back and forth discussing over the phone, requesting over the phone, then it goes in letters, back and forth. Meanwhile, business goes on as usual. And one of the things that didn't come up was the issue of the M.A.P study, which Mr. Martin and Mr. Rickette had complained about -- as Mr. Falk had stated they had contributed greatly to, with their interest in the Agent Orange issue and

stuff. One of the things they had proposed was a M.A.P. study. And they also proposed or offered to the Commission, Mr. Wilson, the outfits, the actual combat outfits, that were in the areas that should be studied that were in action.

What I'm suggesting is, if I could, cut it a little shorter, is that Mr. Rickette and Mr. Martin had been professional, been sensitive, been an asset to the Commission, and their grievances, their complaints, and their anger are appropriate. On the other hand, I think that they deserve a response not to run around, which is one of the reasons why we chose Vietnam combat Veterans for positions in PTSD Study Commissions and the Agent Orange issue, because we expect a special sensitivity, because they've been there. They've been through it, and they know what's it's like to have to readjust; they know what's like to be spit on; they know what it's like to have to be turned away from a job that's supposed to be vets' preference; they know what is to be derided at college, you know, when you're trying to catch up and make up for lost time.

And I have to say, in those terms, Mr. Wilson has fallen short. The minutes of the meeting-- We have trouble getting minutes of the meeting. In summary, I support the Agent Orange Commission. The Agent Orange Commission, has been under attack since its very inception. My personal things, aside from several of the members awaiting staff, they probably are the most cost-effective agency in State government. I think that to hand over the Commission to the Department of Defense and Veterans' Affairs would be the death knell. It does not have the support of the Vietnam Veterans' community. And further than that, the people who represent the Department of Veterans' Affairs and Defense do not represent the veterans' interest on these two issues.

I brought up some literature. I stated once before, Chairman Genova, before you that I would give you evidence on the kind of attitudes that exist in the Department of Veterans'

Affairs; that is veterans who are eligible for a job as service offices -- disabled Vietnam combat Veterans -- are pushed aside. Vietnam Veterans who are in the Department are harassed out of their jobs. All right, after I testified the last time before you on the bill to make the Division a Department, after Mr. Cheesman's position as temporary director was approved by the Legislature, I was told by the service officers, he went out to ask for any complaint against me being that I was fired while I was in the hospital for Post Traumatic Stress.

One of the important things -- why I bring up my own issue is because these people are supervisors who will have responsibility for sensitivity to these programs. These are the very people who will be running the PTSD show, and I mean, my complaints are going into a lawsuit, all right? And I contend that the service officers have harassed and driven, actually driven-- For instance, Mr. Walters (sic), the man with the microphone; it was alleged that he had driven two Vietnam Veterans out of his office. He and one by the name of Carol Durnic (phonetic spelling) who is up for promotion, who I was told said that Vietnam Veterans scared her. Now these are people who are being promoted to be in charge of these programs. You're being asked to set the Agent Orange Commission under the Department of Defense. The Department of Defense is basically run by the very person who is in the Vietnam Veterans leadership program, Mr. Wallace. We all remember this, this was brought before you when--

ASSEMBLYMAN GENOVA: Let me ask you a question.

MR. SHUEY: --the VVLP issue-- I think this is pertinent, Mr. Chairman, all right? I think you need to connect this stuff.

ASSEMBLYMAN GENOVA: Let me ask you a question, please? You mentioned before about a lawsuit.

MR. SHUEY: Yeah.

ASSEMBLYMAN GENOVA: --against the Department or against the--

MR. SHUEY: Well, against individuals and that-- I allege that there's a discriminatory practice with the Department of Human Services, and the State of New Jersey, for that matter.

ASSEMBLYMAN GENOVA: It might be, and I may ask for an opinion from one of our legal counsels here or colleagues here. Are we going beyond what we certainly possibly should not be hearing?

ASSEMBLYMAN PALAIA: Mr. Chairman, I think we have every right to ask questions about it.

ASSEMBLYMAN GENOVA: I understand all of that. But, I don't want to be subpoenaed.

ASSEMBLYMAN PALAIA: No, no. I think as a Committee it behooves us to follow up with what Mr. Shuey is saying there--

MR. SHUEY: I have attempted before, sir--

ASSEMBLYMAN PALAIA: --and get our answers for ourselves. It isn't that I don't think so, Frank, do you? (referring to Committee Aide)

MR. SHUEY: That's what this Committee is about, I believe.

ASSEMBLYMAN PALAIA: There's nothing wrong with what we're asking for. We're just asking for clarification. We're not putting blame anywhere, Mr. Chairman.

ASSEMBLYMAN GENOVA: No, no. All I'm trying to say is that some of the information that's going to be conveyed to us--

MR. SHUEY: It's pertinent.

ASSEMBLYMAN GENOVA: I realized it is, but it was going to be contained in a lawsuit. Frank, can you give me an opinion on that?

MR. PARISI: Well, I'm not an attorney, first of all. And I would think that if the question can be answered within reason, they should be--

ASSEMBLYMAN PALAIA: Yeah.

MR. PARISI: --as long as nothing too pertinent or nothing too--

MR. SHUEY: Well, I get a little uncomfortable. I see the Chairman getting a little uncomfortable with my inability to focus a little better. And so, I get a little self-conscious and that prohibits me a little bit. Maybe it's a part of my PTSD with authority figures, which is one of the issues that PTSD deals with.

ASSEMBLYMAN PALAIA: Yeah, but all we're trying to do, and what the Chairman is correctly saying, is that we have to be careful that when you mention lawsuits, you're talking now, a whole new ball game.

MR. SHUEY: I'm talking serious stuff.

ASSEMBLYMAN PALAIA: Sure you are.

MR. SHUEY: I'm not kidding around.

ASSEMBLYMAN PALAIA: No, no, no.

MR. SHUEY: And I realized what I said, when I went public what I meant.

ASSEMBLYMAN PALAIA: We understand it, but all we're trying to say is, you know, our responsibility just goes so far, Steve.

MR. SHUEY: Right.

ASSEMBLYMAN PALAIA: You see, if we want to get into that, we can. But I don't really know whether we're in a position-- Am I right, Mr. Chairman? I don't know whether we're in a position to get into something where it's going to become a lawsuit later on, and we could be subpoenaed by saying--

MR. SHUEY: Well, let me suggest this to you, sir, if I may interject? Let me suggest this -- that this issue has to do with the quality of services and the reason why I'm soliciting this Committee, not to approve to build a transfer -- the Agent Orange Commission to the Department -- is because

there are serious problems with Mr. Wilson's -- some of his practices, all right? I'm suggesting that they can be changed in a way that's not radical -- that does not hurt the structure that's been fought for nine years to create, okay?

ASSEMBLYMAN PALAIA: Okay.

MR. SHUEY: And that I'm telling you that this august Committee can stop further damage.

ASSEMBLYMAN PALAIA: Well, we can do that, now.

MR. SHUEY: Okay.

ASSEMBLYMAN PALAIA: That's our responsibility. If you're saying you have a problem with the Director or something, we can handle something like that.

ASSEMBLYMAN GENOVA: But that's not the topic now. The topic now is the Agent Orange Commission.

MR. SHUEY: Well, the VVLP-- Now, we have people here who from Mr. Wallace, with all due respect, to some of the other people who've basically been drafted under the new Department and to represent these issues -- that is, some of the members of the National Guard-- Mr. Wallace has been around for a number of years. Mr. Wallace to some degree was a member representing the issue of VVLP where there was a million-and-a-half dollars whizzed away. What I'm suggesting is you have a track record that exists already that's a good track record. What I'm suggesting, perhaps what we have, based on past performances, VVLP, and some of the hiring practices of the Division, now the Department-- For instance, recently the type of Vietnam Veterans they hired to oversee these programs; people like Peter Rivera who was indicted and fined. All right? And other people like Mr. Pasquale, who was eventually fired.

ASSEMBLYMAN GENOVA: Well, this does not have to do with the Agent Orange Commission.

MR. SHUEY: It has to do-- I just want to make sure that's it's clear -- all right? -- what this Committee is

dealing with -- that, for me, I'm passionate about this issue. I'm passionate because it's one of the few issues that has a direct relationship to life and death to Vietnam Veterans; the Agent Orange issue and the PTSD issue, both of which, as a layperson, I'm a pretty, I'd say, fairly-- I could consider myself an expert.

Recently on the PTSD issue, I was given an award from the 30-man PTSD Ward in Coatesville for my services, and appreciation for my devotion and valuable services. I wanted to bring that up, because I'm not blowing smoke here for the Committee. I'm not out for a personal vendetta against anybody; I want the Committee to see what's happening here. I'm asking the Committee to protect the Vietnam Veterans' community from further incompetence, from making this a partisan issue, from throwing out the baby with the bath water. You know, that about sums it up. I mean, the rest of this stuff is just evidence, memos, letters that were sent to me -- memos suggesting that I needed further training while I was a service officer.

While I did things for Veterans, and in a creative manner, I brought it up to try to suggest changes while I worked underneath these people. It didn't happen. I was fired. I was hounded out of my job. I was transferred from Trenton to Deptford; I had to take two trains and a bus to get to work. It aggravated my Post Traumatic Stress; that is, I was ready to go off. After three-and-a-half years of being harassed, I'm a good service officer. I care about veterans; I know what they need. All right? I'm beseeching this Committee to allow the Agent Orange Commission to continue its work; that I would also ask you to-- I would ask this Committee to meet more often to allow us more accessibility to you, also.

My suggestion, based on the general consensus of the Advisory Committee to the Agent Orange Commission of that subcommittee to oversee hirings and expenditures, which we have

not been able to, as a way to keep it quasi independent without threatening to put it under the Department of Defense. Now, the issue of competence or misconduct or harassment or whatever, we don't need to go any further, I suspect, because that's not the issue right now. But I'm suggesting to you that I have the evidence. As I suggested in '87 before I was fired, the evidence is there. And the same people who have been on board for years, some of them for years, are going to have hands on on these two Commissions. And I'm asking this Committee to see to that. And that's all.

Thanks once again for bearing up with my conversation and my frantic style. I'd like, if possible to submit some of these documents to the Committee by mail and with a brief blurb so that they may be taken as a substantiation of my accusations and position. Thanks again, Mr. Chairman.

ASSEMBLYMAN GENOVA: Dolores?

ASSEMBLYWOMAN COOPER: No.

ASSEMBLYMAN GENOVA: Thank you, Steve.

MR. SHUEY: Incidentally, the last time we went through this, it was a 40-0 vote in the Senate for keeping the Agent Orange Commission as it was. So, I'm just asking for checks and balances here. Thank you.

ASSEMBLYMAN GENOVA: Does the Committee want to hold 4223 because of Assemblyman Roma not being with us? It would be the best thing to do, Bennett?

ASSEMBLYMAN MAZUR: Yes. We're going to have to get out of here soon.

MR. PARISI: I guess the Committee has determined to hold for further consideration Assembly Bill 4223 which transfers the Commission for the Study and Treatment of Post Traumatic Stress Disorder from the Department of Human Services to the Department of Military and Veterans' Affairs. It's going to be on hold until further consideration due to the fact its sponsor is not here to answer questions and so forth.

ASSEMBLYMAN GENOVA: Concerning the Agent Orange, is there any other final comments from--

J O S E P H R O B E R T S C U T T I: (speaks from audience) I object strongly, sir. I think that we're missing the point of the entire meeting here.

ASSEMBLYMAN GENOVA: Would you please step forward and give us your name and who you're representing?

MR. SCUTTI: My name is Joseph Robert Scutti. I represent VVA in the State of New Jersey for the Agent Orange Commission. I am the only legitimate spokesman for VVA in this State. Now these gentlemen that were up here have valid arguments. I've always listened and sided with Mr. Shuey, Mr. Rickette, and Martin at anytime when they've had a problem. I'm not a political hack, and I'm not stacked on a Commission, all right? I legitimately speak for VVA, and we have our Vice Chair here. You've heard nothing but negative comments from two different organizations.

ASSEMBLYMAN GENOVA: On Agent Orange?

MR. SCUTTI: On the Agent Orange Commission.

ASSEMBLYMAN GENOVA: Well, you know, we have this formality where people who care to speak should sign in. I'm sorry?

MR. SCUTTI: I believe you should talk to Mr. Parisi.

ASSEMBLYMAN PALAIA: He was on your list.

ASSEMBLYMAN GENOVA: He was?

ASSEMBLYMAN PALAIA: Yeah, he was on your original list.

MR. SCUTTI: So, what I'd like to establish is--

ASSEMBLYMAN GENOVA: Excuse me. We didn't mean to slight that. Sal, you should know that, too.

MR. SCUTTI: No, sir. That's not my intention. I'm afraid of losing the entire purpose I see in this meeting. I think that the--

ASSEMBLYMAN GENOVA: You know, when I hear comments about something being stacked or politically--

MR. SCUTTI: Well, not in direction of you. It was mentioned about me here before.

ASSEMBLYMAN GENOVA: Well, I would hope not, Mr. Scutti. Thank you.

ASSEMBLYMAN PALAIA: You see, what we're doing here is very routine, because the sponsor of the bill is not here, and we've just digested about two or three hours of testimony. You can't pass a bill on it.

ASSEMBLYMAN GENOVA: Well, that was on PTSD, and I think he's--

MR. SCUTTI: I'm really focused in on--

ASSEMBLYMAN PALAIA: But even on anything right now-- How are you going to say anything right now about--

MR. SCUTTI: We're really focused in on Agent Orange. By stacked-- Forgive me. I'm just a little tensed out from listening to a few things here, but it wasn't in reference to you. It's just that I sit on the Veterans' Advisory Committee to the Agent Orange Commission of which I'm repeatedly accused of being part of the stacked numbers on this Committee to advise the Agent Orange Commission. If clearly understood, the fact remains that every person in this State that applied to for that Committee and fit the format was put on that Committee. I beat my gums until my teeth were ready to fall out to the VFW, the American Legion, every veterans' organization in this State to put somebody forward from their organization for this Committee. Every resume that was accepted through the Agent Orange Commission, instead of singling out only nine of eleven or twelve resumes was accepted. They agreed to vote on every person who submitted a resume. Nobody else was interested in the State. It's that pure and simple, and I just get a little tired of being told that I'm a political plant because I have friendship with Wayne

Wilson or anybody else I've put on that Committee. That was brought up again here this afternoon. I want to clear the record that every person in this State that cared to get involved in that Veterans' Advisory Committee to the Agent Orange Commission is on that Commission, okay?

I'd just like to clear up one point here as far as the Vietnam Veterans of America, which is the only nationally chartered veterans' organization specifically geared to Vietnam Veterans. In this State, I am the representative to the Agent Orange Commission, and we have their Vice Chair here. We support the Agent Orange Commission 100%. We support the staff of the Agent Orange Commission and the former Executive Director and everybody else. We don't want to see this become a battle of names, and that's exactly what we've got in here. The Agent Orange Commission is more important than every person in this room including myself, including Wayne Wilson, including Dr. Kahn, including every person in this State. I just wanted to make that point abundantly clear and not get into a match about who's right, who's wrong, who should be fired, who should be replaced.

I'm here to tell you that in the Vietnam Veterans' community there is a level of trust that reaches zero with the Department of Military and Veterans' Affairs. That is the nip in the tuck of the entire argument, and we're losing track of it. If we leave these hearings with bruised feelings, injured egos, and name calling, then we've lost before we've even started. The Agent Orange Commission has to continue. The Point Man research has to continue.

ASSEMBLYMAN GENOVA: Do you feel there's been sufficient accountability?

MR. SCUTTI: I don't have a problem with the accountability that some of the other individuals do.

ASSEMBLYMAN GENOVA: Are you aware of the testimony that was presented?

MR. SCUTTI: Yes, I am. I have no problem with it.

ASSEMBLYMAN GENOVA: You have no problem with the charges that have been made?

MR. SCUTTI: I have no problem with the accountability that they requested. I don't see the same problems. I see things differently than Mr.--

ASSEMBLYMAN GENOVA: If they're accurate, I'm saying, you know.

MR. SCUTTI: They have the right to make those statements. You're talking about three men who have been there the whole time. They have the right to make those statements. I just want it to be made abundantly clear that VVA is a State chartered organization, also nationally chartered, with a membership of over 2000 members active; and believe me, we catch the ear of a lot more people than that. We totally support the concept of both the Commission and the Point Man study, because we know that one cannot continue without the other. They are so interlocked, that if you destroy one, you destroy the other.

And I'm sorry-- If the Department of Military and Veterans' Affairs had come forward when these budget reductions were mentioned, then let's make one thing clear: the Agent Orange budget is not being reduced; it is being eliminated. There is a difference. We keep talking about budget cuts -- budget reductions. It is being cut to the bone. It is being eliminated, destroyed, gotten rid of.

If the Department of Military and Veterans' Affairs had come forward and said, "We're going to fight to maintain this funding. We're going to fight to keep it in there," I would have a level of trust involved in it. Instead, they came forward and said that under the worst scenario, that their VSOs can handle it. (speaks away from mike) Just let me show you one thing. Seeing I've offended you slightly, I'll get out of your way.

The last six months that I've been on the Veterans' Advisory Committee, this and piles more of this information has come to my house. (holds up documents) This stuff goes all over the nation. It goes from one end of this country to the other, and it finds its way into foreign lands also. This is no VSO, and there's couple of good VSOs that I've run into. There's one in this room who's one of the best in this State. None of them will be able to get this information out. How the Department could justify a statement such as that, instead of coming forward and saying, instead, that we're going to do everything humanly possible to maintain this organization, is beyond me.

I don't want to take your time up with rebuttal statements. We have a clear and precise understanding. We're are not going to be swept under the carpet and then flatten out the lumps of the steamroller by anybody.

We are willing to work with this Department. I'm sorry General Gerard could not hang around for some more comments. We want to work with them, because they do have the power, they do have the facilities, and they can destroy us. Make no mistake about that. We can be batted out of the way like a pesky fly.

ASSEMBLYMAN GENOVA: Do you think they would do that?

MR. SCUTTI: Yes, I do.

ASSEMBLYMAN GENOVA: Do you really?

MR. SCUTTI: Yes, I do. Sir, this is where I'm getting at, and this is where it has to stop. The level of trust is not there. I think you're missing the boat, if you're not listening to us on the whole. We want to work within this system. We really do, because we know it's the only way to help every veteran of every war. But we will not be made to be second-class veterans ever again. We're not going to go away and hide any more. They are going to deal with us, and they will either deal with us with confrontation or cooperation, and

that is how it's going to be. I'm here to tell you we'd much rather have it cooperatively. I am sorry if I stepped out of line, and I'm sorry if I've offended you.

ASSEMBLYMAN GENOVA: No. You were fine. I'm a good friend of Sal Mione, and Sal knows that. I certainly did not mean to not call upon you. I should have seen this list.

MR. SCUTTI: I just wish--

ASSEMBLYMAN GENOVA: But we did open it up. We allowed some other people to speak. So, we were--

MR. SCUTTI: Well, sir, I just wanted to get a little more-- Go ahead.

ASSEMBLYMAN MAZUR: I just want to ask one question. Are you familiar with the budget of the Agent Orange Commission?

MR. SCUTTI: Yes, I am.

ASSEMBLYMAN MAZUR: As of the amount of monies that's been forwarded to the Revenue and Finance Committee, how far would those monies take that (indiscernible) of the Agent Orange Commission?

ASSEMBLYMAN PALAIA: It's about \$185,000 out of possible \$275,000.

ASSEMBLYMAN MAZUR: Does that pay for the staff?

MR. SCUTTI: The proposed \$220,000 budget would cover the Agent Orange staff for a year.

ASSEMBLYMAN MAZUR: For one year?

MR. SCUTTI: For one year. Okay? And again, I don't want to get into these things, but I would like to give this to you, so you could pass it around and read it. (distributes materials) It's very important. I think it shows a very clear-cut and precise-- I circled the interesting ones. This is an impromptu phone survey by the Agent Orange Commission to show how effective they are nationwide where, when the settlement for the Agent Orange class action suit in New York was going down, there were State veteran services offices that are handled by the VA in different states who could not answer

the questions that the Vietnam Veterans were coming in with on a class action suit.

ASSEMBLYMAN MAZUR: That's not the question I asked you. You're saying that they are going to put you out of business.

MR. SCUTTI: Right.

ASSEMBLYMAN MAZUR: Now, the way you put somebody out of business, you either abolish them or you don't fund them.

MR. SCUTTI: Correct.

ASSEMBLYMAN MAZUR: Have you been funded for a year?

MR. SCUTTI: That's what they-- Pardon me?

MR. WILSON: For this coming year?

MR. SCUTTI: No. As of July 1. July 1, the Agent Orange Commission will cease to exist, at which point, the Point Man study will cease to function, regardless of what we try to do. So, if you could pass that around, if anybody wishes--

ASSEMBLYMAN GENOVA: Sure. With that thought in mind, Mr. Scutti, I'd like to bring before the Committee, AR-145.

MR. PARISI: Assembly Resolution No. 145 calling on the Assembly Appropriations Committee to examine the deletion of funds for the Agent Orange Commission from the proposed 1990 State budget, and the feasibility and desirability of this deletion. There's a proposed Committee amendment. The amendment that had been proposed would provide that the resolution also call on the Governor not to veto any funds which may be restored to the Agent Orange Commission in the Appropriations Act of the Fiscal Year 1990 as approved by the Legislature.

ASSEMBLYMAN GENOVA: Assemblyman Palaia?

ASSEMBLYMAN PALAIA: That amendment is very important, because the Governor has a line-item veto on the budget. So, we could work our way through the Appropriations Committee, get it passed, and everything done, and if it goes to the Governor,

and the line-item vetoes that extra amount that you need to keep going, you're right: After July 1, you would be out of business if we don't do something. That's what we're trying to do with the resolution. I would think everybody would support something like that.

ASSEMBLYMAN GENOVA: When are they meeting again?

ASSEMBLYMAN PALAIA: The 20th and the 23rd. Of our Assembly?

ASSEMBLYMAN GENOVA: No, the Appropriations. Tomorrow?

ASSEMBLYMAN PALAIA: No. They are meeting constantly.

ASSEMBLYMAN GENOVA: I understand that.

ASSEMBLYMAN PALAIA: But what we have to do is get it up on a board list right away on the 20th.

ASSEMBLYMAN GENOVA: Is there a way we might be able to convey under my signature the sentiments of this Committee?

ASSEMBLYMAN PALAIA: To the Speaker?

ASSEMBLYMAN GENOVA: Not to the Speaker, to Chairman Frelinghuysen that this Committee today -- if we do pass it -- that we've passed AR-145. Would that be okay?

ASSEMBLYMAN PALAIA: I think it's a good idea, Mr. Chairman.

ASSEMBLYMAN GENOVA: Okay, so it's hand delivered tomorrow to Chairman Frelinghuysen.

ASSEMBLYMAN PALAIA: I think it's a good idea, Mr. Chairman.

ASSEMBLYMAN GENOVA: Okay.

ASSEMBLYMAN PALAIA: Yeah. And I move the bill.

ASSEMBLYMAN MAZUR: Second it.

ASSEMBLYMAN GENOVA: On the amendments?

ASSEMBLYMAN PALAIA: The amendments first. Yeah.

ASSEMBLYMAN GENOVA: Do you understand what we just did, Mr. Scutti?

MR. SCUTTI: Yes, I do, sir, and I appreciate it.

ASSEMBLYMAN GENOVA: Okay.

MR. PARISI: Okay. Motion to amend Assembly Resolution No. 145: Assemblyman Mazur?

ASSEMBLYMAN MAZUR: Yes.

MR. PARISI: Assemblyman Palaia?

ASSEMBLYMAN PALAIA: Yes.

MR. PARISI: Vice Chairman Cooper?

ASSEMBLYWOMAN COOPER: Yes.

MR. PARISI: Chairman Genova?

ASSEMBLYMAN GENOVA: Yes, on the bill.

ASSEMBLYMAN SPADORO: Move it to second.

MR. PARISI: On the motion to release Assembly Resolution No. 145: Assemblyman Mazur?

ASSEMBLYMAN MAZUR: Yes.

MR. PARISI: Assemblyman Palaia?

ASSEMBLYMAN PALAIA: Yes.

MR. PARISI: Vice Chairman Cooper?

ASSEMBLYWOMAN COOPER: Yes.

MR. PARISI: Chairman Genova?

ASSEMBLYMAN GENOVA: Yes.

ASSEMBLYMAN PALAIA: Thank you, Mr. Chairman.

ASSEMBLYMAN GENOVA: And I'd like that to be sent to Chairman Frelinghuysen. And I authorized John Kinston, my aide, to sign my name to that communication. Sal Mione, I don't believe there's anything further you'd like to add on that?

MR. MIONE: (speaks from audience) No, but I have, thought, later on-- Because I'd like to just add the Oklahoma Agent Orange Program to the testimony and also the Vietnam Veterans of America's national testimony to the Agent Orange Commission for the record.

ASSEMBLYMAN GENOVA: Okay. Thank you. Andy Marotta, Program Coordinator, Chapter 200-- Oh, this is on PTSD. We're going to hold that. Andy, you've been very, very patient. You're here on the PTSD bill?

A N D R E W M A R O T T A: That's correct.

ASSEMBLYMAN GENOVA: Okay, we're going to be having another hearing on that. Do you have much to say?

MR. MAROTTA: Mr. Chairman, if you and the members of the Committee will indulge me, I'll keep my remarks brief, because I feel there's an intricate tie-in between the Agent Orange and the PTSD program. For the record, my name is Andrew Marotta. M-A-R-O-T-T-A. I am member of Chapter 200 Vietnam Veterans of America, and from the period of March to December of 1988, I was responsible for the administration of the PTSD grant for the counties of Monmouth, Middlesex, and Ocean. They were originally provided to us by the Division of Mental Health and then by the Department of Defense and Military and Veterans' Affairs.

Mr. Chairman, the point I wish to bring out in my testimony is very simply, here we're not talking about facts and figures and statistics and numbers of Vietnam Veterans. We're talking about living, breathing, human beings who had come out of a wartime situation that has been identified as being very stressful. Much the same stress you could accommodated if you had a severe automobile accident or if the plane you were riding in went down quickly. These men had no place to turn to, for the most part. Rightfully or unrightfully, justifiably or unjustifiably so, there was a great hesitation upon many of the veterans to contact the formal avenues of approach for treatment -- that being the Veterans Administration on a Federal level and the Department of Military and Veterans' Affairs on the State level.

Way back in the beginning, Mr. Kowalski gave a broad overview of the operation of the grant, and I appreciate that he did that on our behalf. We went out with the assistance of Mr. Walschovich, and another member of my chapter, Frank Pickett, and other gentlemen and put it before them, got it approved, and got the monies funded to us. At that point in

time, we went out and hired the counselors, whether they be psychologists, social workers, whatever. We also, in that point in time, went out and found the bodies to make the program work. Bear in mind, that my Chapter, and also Chapter 151 with my counterpart Dennis Regenye, reached out into the veterans' community to find vets suffering from PTSD.

We established with them something that they did not have with the formal and direct line of communication already in existence. It's an item called, "trust." They were not talking to men and women who had walked in the same mud, spilled the same blood, eaten the same dust. We had no pre-qualifications to be part of our program. All we had was the fact that you be willing to make a phone call to one of the counselors that we could provide for you and go for your interview. We feel the program was a success and we'd like to see the program continue as a success.

We feel that Dr. Kahn's remarks just heard here this morning, that each one of us has one, two, five, ten, or twelve parts per trillion of dioxin in our body, is enough to raise anybody's conscious level to the fact that you're dying. When I sit in a room with my brother Vietnam Vets, I sometimes feel as if I'm sitting in a room with dead men. I can only say this to the Committee: In all honesty, I, and the members of my my Chapter, strongly support the Governor's PTSD Commission. We support it as an autonomous body, preferably under the guidance of the Division of Mental Health. We feel that this is a mental health problem, even though it is service related and eventually it may be recognized on the Federal level as totally service connected.

We feel that the Commission must reach out and reach groups that have had a distinct and unique involvement with this program, such as my Chapter has had. I cannot give you names. I cannot give you ages. I cannot give you family status. I can tell you of men who have talked to me at three

o'clock in the morning, because they have a weapon in their hands ready to "off" themselves, because they don't know how to deal with life. I can talk to you about women who have called me up and said, "I can't stand living with my husband. I love him dearly, but I can't deal with him. How do I deal with him?" I can talk to you about children who have talked to me on the phone and said, "My father is kind to me one day and two minutes later, he's ready to whale the tar out of me." This is a human emotion we're dealing with here. We're not dealing with statistics, we're not dealing with legislation. We are dealing with human beings.

PTSD and Agent Orange are tied together. I speak on behalf of my Chapter -- also that we support the Agent Orange Commission; the work it does. We wish to see that remain as an autonomous body, again, preferably under the Division of Mental Health. We want to cooperate with whatever department handles these commissions. We seek only to serve our fellow brothers and their families. We feel that we went out, we did the work, we brought the vets into the program, we want them to continue. One-hundred-and-five vets out of a designated statistical population of 7800 is an awfully small amount, but it is an amount that's being handled.

When we ran the program, we encouraged the vets who were in the program that, "Once you made it in, guys, once you realized that your treatment was being effective, if you have an alternative source of financing for this program, if you have company paid insurance, union paid insurance, go to them. Be a buddy. Make a slot in the program for the next guy." We reached out. We spent money on advertising, we advertised the fact that we were there. We put a hot line number in the newspaper. We told them what it was about. We put it on the cable systems. We told them how to get in touch with us.

And when the guys went through the program, we said, "If you're in it and it's doing something for you, and you've

got alternative financing, go for it." That was the objective. We wanted to reach out to as many vets as we could. What did we reach out on? We reached out on the basis of the trust they had with us. I've heard talk about the veterans service officers. I know of only one, personally. I will tell you this. I find it very hard in my own mind to comprehend that a veteran service officer at nine o'clock at night is going to spend two-and-a-half hours on the phone talking to a stressed out vet. Perhaps there is a process available to handle that situation. I am unaware of it at this time.

I want to talk and let this Assembly Committee know there is no reason in the world that we cannot work together with whatever department handles these commissions. But bear in mind, we are working with human beings; we are not working with statistics and dollars. We all know the budget cuts reality is a fact of life. I work in a large organization. I live with them every day. My point is we can't let budget cuts just go for the sake of line-item vetoes or across-the-board percentage reductions. There has to be a consideration of the human factor. The human factor is predominant.

You took us, you sent us to Vietnam, we did our job. Now you take care of us. If you have the funding, you have the ability to take care of us. Are there any questions from the anyone?

ASSEMBLYMAN PALAIA: No. Very good.

ASSEMBLYWOMAN COOPER: Thank you very, very much.

MR. MAROTTA: Thank you.

ASSEMBLYMAN MAZUR: Very eloquent.

ASSEMBLYWOMAN COOPER: Mr. Marotta, I'm quite aware because I see it in my friends' children's husbands, and it's quite an emotional situation. Mr. Artie O'Keefe, are you here? (positive response) Representing Vietnam Veterans of America.

A R T I E O ' K E E F E: Good afternoon. My name is Artie O'Keefe. I'm the State Chairman of Vietnam Veterans of America for Legislative Affairs.

ASSEMBLYWOMAN COOPER: Where are you from?

MR. O'KEEFE: I'm from Keansburg. My statement is going to be very short and brief. It's just that the Commission in question here, the Agent Orange Commission mainly, belongs to the Vietnam Veterans of this State. It does not belong to the Committee. It does not belong to Mr. Wallace or Mr. Wilson. The Vietnam Veterans of this State will not be involved with any intermurals which go on between any one of those. Our ultimate goal is to get answers for the men and their wives and their children. Besides that, there are several people here from VVA who would like to speak on the PTSD issue and the Agent Orange issue. I know Mr. Scutti has already spoke somewhat on Agent Orange. Mr. Scutti is also here, and Mr. Regenye is here to speak on the PTSD transfer. That's the only thing I have to say.

ASSEMBLYWOMAN COOPER: Thank you very much. John Lee, Vietnam Era Veteran. Where are you from?

J O H N L E E: I'm a member of Chapter 12 in Monmouth County VVA. I'm a Vietnam Veteran, having served in Vietnam, and I was before this Committee once before. What I'm saying is I know the reason why we're here today. It's because we have communication problems. And last year I was before this very Committee, and we had a bill, A-1633, which passed the Committee, went to the Assembly, passed the Assembly 65-2 -- the sister bill was S-129. What happened was we tried to get the bill to leave the Senate committee, and the Department of Education gave us some problems, and we took the bill and thought it was a Veterans' Affairs bill and brought it to the Department of Veterans' Affairs. S-129 and A-1633 deal with educational outreach. What I've done is I've collected-- It's

kind of good in a way that it took a while for me to get here, because I've built up quite a collection of proof here that what I'm saying is true.

And every time I've discussed anything, with a legislative aide before a committee, they would say things that were totally off the mark. I've gotten memos from Patricia Layton, and articles, I'll just go through my little spiel. It'll take a few minutes. I've collected some thoughts regarding S-129 in the meeting that's taken place today. The main reason why the Department of Military and Veterans' Affairs did not want to sponsor S-129--

ASSEMBLYWOMAN COOPER: May I interrupt you, Mr. Lee? Why don't you stand that up against the desk here, so that everyone can look at it while you're speaking. (referring to chart)

MR. LEE: (speaks with no mike) Okay. The main reason why the Department of Military and Veterans' Affairs did not want to sponsor S-129 was because Patricia A. Layton-- Here's her memo. I have her memo. Okay. Patricia A. Layton, Legislative Liaison from this Department said in the memo given 11/21/89: "The Department feels this would be a duplication of services and that the \$95,000 appropriation may be better utilized in other areas; perhaps to increase the staff of the VSOs in our existing program." As we discussed last year, the \$95,000 that Patricia Layton was talking about is not from the Department. It was from the Legislature to start pilot out -- educational outreach programs. Therefore, it did not cost the Department lost funds, but would only enhance existing programs.

I thought I heard the General say, before, that they welcome community involvement. Here's community involvement. The schools want to get involved helping veterans. I'm a veteran myself, okay? The Department of Education-- I'm getting myself lost here. It appears that the Department of Military and Veterans' Affairs feels a duplication of services

would exist with the passage of S-129 or A-1633. I do not agree. Veterans' service officers are not educators. VSOs are benefits coordinators who make referrals to schools. Once the veteran is in school, they need support services like academic counseling, scheduling, and program development to help them go to school with a reasonable work load. Veterans need people in the schools to help them find employment related to their schooling, and in some instances, people trained to help with the problems their children may be having. We are trained to do that. That's what the schools do. S-129 and A-1633, which is now in committee with Senator Lipman, would provide for an on-site person to oversee the special needs of veterans and their families. New Jersey does not have a people shortage, but we do have a labor shortage with a population of homeless that is made up of approximately 33% of veterans.

ASSEMBLYWOMAN COOPER: Mr. Lee, I'm very interested in what you have to say, and everything that you've said, actually I'm aware of. However, that is not the subject of today's meeting. Today's meeting was Agent Orange.

MR. LEE: Well, I understand that, but--

ASSEMBLYWOMAN COOPER: But what I'd like to request, can you hold this for another hearing, because I have some legislation too, which I think should be moving. I would like you to save this for a veterans' issues hearing. Once we clear up or mediate this Agent Orange issue, would you mind returning at a future date?

ASSEMBLYMAN GENOVA: Well, are these bills out of the Assembly?

MR. LEE: Yes. The bill passed the Assembly and got stuck in committee. What happened was the Department of Military and Veterans' Affairs originally opened their arms and said, "We'll work with you. We'll sponsor your legislation." And then all of a sudden they said, "We're not going to do it."

ASSEMBLYMAN GENOVA: We agree with everything that you're saying. It's just that I think that you, Mr. Scutti, and Sal, and everyone else should direct your concerns to Senator Lipman.

MR. LEE: If at all possible, would you notify me when you'd like me to speak?

ASSEMBLYMAN GENOVA: Sure. John, take his name.

ASSEMBLYWOMAN COOPER: Thank you for being so cooperative. Sam LoBue is next. No, Ray Zawacki. Mr. Zawacki?

ASSEMBLYMAN GENOVA: Ray is the State Service Officer of the American Legion. Hi, Ray.

R A Y Z A W A C K I: Mr. Chairman, my name is Ray Zawacki. Z-A-W-A-C-K-I. I am the Department Service Officer for the American Legion Department of New Jersey. Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you here today. In view of the action you have taken on with regard to A-145, our comments will be very brief.

I must say that as an organization, the American Legion is concerned for the well-being of veterans of all wars, not just Vietnam. We've heard a lot about Vietnam today, because of the subject issue of the hearing, and we understand that. And I do appreciate the kind offer and invitation of the Committee and other committees in the State government, the Assembly and Senate, to appear before them at future hearings for the purpose of eliciting our testimony with regard to other veteran related issues. And I'm really glad to see us making progress in this vein; because here before things went down, pieces of legislation were voted upon without any input at all from some of the organizations, and it's really good to see the opportunity come to us to get the right to speak on these various pieces of legislation.

Regarding the issue of PTSD and Agent Orange, I can state unequivocally that the American Legion is very concerned with these issues, so much so in fact, that several years ago

we commissioned our own study in conjunction with Columbia University to determine the effects of exposure of Vietnam Veterans to Agent Orange while they were over there, and the effects that PTSD has had on Vietnam Veterans. We recently disclosed some of the findings of that study and we also, at the same time that we held a panel discussion on that several weeks ago in Washington, DC, were fortunate enough to have Dr. Kahn from the New Jersey Agent Orange Commission make a presentation at that panel discussion. And I can tell you, very very definitely, that PTSD and Agent Orange do present a problem. They are very real.

Now, we've heard today that somebody's proposing to delete funding for the Agent Orange Commission. We infer from that deletion of funding that the research that has been conducted here before and up-to-date is going to be out the window and will not continue. Well, if that's the case, if that inference is correct, then the government of this State is insulting the Vietnam Veteran, particularly those who were exposed to Agent Orange, because this Commission is very close to realizing some very significant answers.

With regard to PTSD, I know that bill is being held over. However, our study, the American Legion/Columbia University study, also came up with some very, very significant findings in that area. The problem is real, and the State needs to address these problems whatever way you choose to do so. But, I think we can very, very strongly say that appropriate funding, full funding, for those two important areas is necessary, and everybody, including the leaders at DMVA, must get out there and push for this funding. It's no longer enough to say to the service organizations, "Well, you don't have a strong enough coalition." You're talking about one thing, and you're talking about something else.

Well, these are areas that we've heard about today that share a fairly common theme among veteran service

organizations: We're all just as concerned with these issues, and I think that that point must be brought home to the administration. We sit there and we see three bills vetoed that would enhance the life and treatment of veterans that are in memorial homes and then we see tens of millions of dollars approved for an aquarium in Camden -- and I'm not attacking Camden personally. Don't get me wrong, they may have a very justifiable right to such legislation, or such funding -- but it seems to me our priorities are a little mixed up. When we're talking about veterans' memorial homes, caring for people with Alzheimer's disease, which I do not wish on my worst enemy, and then we look for \$100,000 for each of those homes to enhance that care, and it's vetoed and \$80 million is approved, or whatever the figure is, for an aquarium, our priorities are mixed up. It's time that not only--

Of course we can't expect the Committee and the Assembly or the Senate to lead the fight for us. We've got to be a very significant part of that fight. However, we do expect that the officials of the Department of Military and Veterans' Affairs put forth these priorities in an appropriate manner. Now, we understand there's politics involved as with everything else, and we understand that the Governor happens to be General Gerard's boss. And if your boss tells you that he doesn't want you to support this particular piece of legislation in the strongest manner possible, well, if you're interested in holding your job, you're going to do just what he says.

ASSEMBLYMAN GENOVA: I don't believe you're correct in your statement.

MR. ZAWACKI: Well, that may be, and I don't want you to take that out of context. I'm saying -- and I'm not faulting the General for failure, in general, to support veterans -- but I'm wondering whether or not the support is strong enough; whether the administration is being made to

realize just how the serious the needs for our veterans are? As another example, the brand new facility in Paramus. As I understand it, it's going to be funded so that they can place 90 patients in a 270- or 300-bed unit. To me, that just sounds like our priorities are mixed up. Of course, I'm getting a little away from the purpose of the hearing here today. Those issues will be taken up at future meetings. Again, I just want to emphasize that the American Legion is seriously, deeply concerned about Post Traumatic Stress Disorder and Agent Orange, and we would urge that the Committee recommend full funding for the continued research in these two areas. It's of paramount importance to us, and we would urge that you recommend that full funding.

ASSEMBLYMAN GENOVA: You've got to remember that there is still money available for the Point Man project, and the Legislature would do everything possible to continue the funding to continue the necessary research. The purpose of this meeting was to have an open forum on the Agent Orange Commission and some of the charges that we have heard in the past about lack of accountability. And, of course, Assemblyman Palaia's resolution did exhibit our full support to properly fund the Commission so it could continue. So, I believe you know where we're coming from.

MR. ZAWACKI: Yes, I do. Thank you, Mr. Chairman.

ASSEMBLYMAN GENOVA: Jim, were you going to speak or not? Commander?

UNIDENTIFIED SPEAKER FROM AUDIENCE: We wish to thank you having us appear in front of you (inaudible) today. One question I'll just raise-- When you said about the Governor vetoing some of these line-items, such as the Alzheimer's disease, the unit's funding, what have you, I'm just wondering, being that those bills were passed overwhelmingly, both in the Senate and the Assembly, is there any thought being given to overriding the vetoes?

ASSEMBLYMAN GENOVA: You might want to speak with Speaker Hardwick on that one.

ASSEMBLYMAN PALAIA: Yeah, or the sponsors of the bill.

ASSEMBLYMAN GENOVA: Or the sponsors of the bill. Sam LoBue.

MR. LoBUE: Thank you, Mr. Chairman. I came here on the direct order of Assemblywoman Vice Chairman Ms. Cooper who read my letter my doctor gave me. I cannot understand his handwritting too well, because it sounds like he's writing up a prescription to me. But to me it seems like it means the same thing as in World War I, it was shell shock; in World War II, combat fatigue; in Korea, it was Post Traumatic Stress. Now, not only do the Vietnam Veterans go through that ordeal, so do I. I was a POW wounded in action. When I was young, a lot of noise was going around me, and I was a very good worker. But once I retired with a heart attack -- it was stress -- I'm a different gentleman. I shouldn't say, "gentleman." I beg your pardon. I'm a different man. Sometimes my wife calls me something else, and she is right.

This Post Trauma does affects a man's brain, and I had my doctor write this so that I will not get aggravated in meetings that I attend. When the somebody wants to call the old-timer, "You're old fashioned. You're thinking about the '60s and the '40s. We're in the '80s and '90," what's that mean to me? Should we say George Washington is old-fashioned? If it wasn't for him, we wouldn't have a country. How about the War of 1812? Were they old-fashioned? If it weren't for them-- Now, you consider every war that we've been through except for when Pancho Villa crossed the border and got away with it, we've won every one of them, and we're all veterans. Maybe our problem is that we call ourselves different names. Maybe if we called ourselves the United States Veterans of America, we would have a bigger clout with the politicians when they run for office than we would if we say that we're American Legion, VFW, VAV.

I belong to six major veteran organizations -- Purple Heart, VFW, VAV, POW, and State Commander Association of the United States of America. I was State Commander in '71-'72. What I'm saying right now is that I sympathize with everybody who's trying to help a veteran. That's what's been keeping me going right now. Maybe the good Lord spared my life from when I was 23 years old and got hit. That's me -- 23 years old. (referring to photograph) I had hair on my head, Pete. Believe me, I had hair.

ASSEMBLYMAN GENOVA: That's not you.

MR. LOBUE: That's me.

ASSEMBLYMAN GENOVA: No. This guy's got hair on his head.

MR. LOBUE: My hearing aid-- I'm waiting for it to come in on April 21. Maybe I'll get it; maybe I won't. The transportation that Ms. Cooper meant, I am having a little problem with that. But evidently, Gary Cooper released some information to the newspaper, and they grabbed it wrong and interpreted wrong. Because Gary Cooper called me personally and apologized for me bugging everybody in trying to get transportation moving.

ASSEMBLYMAN GENOVA: Sam, it's getting to five o'clock. Tell us, do you support the Agent Orange Commission?

MR. LOBUE: I support anything that helps a veteran including transportation.

ASSEMBLYMAN GENOVA: We appreciate that.

MR. LOBUE: Thank you very much.

ASSEMBLYMAN GENOVA: Dennis, you've been very patient. At the last hearing-- It's on A-4223. I that we're going to have another hearing, but that's just the way State government works. But why don't you come up and have a seat. How do you pronounce -- Regenye?

D E N N I S G. R E G E N Y E: Dennis Regenye.

ASSEMBLYMAN GENOVA: Regenye. Okay, with Vietnam Veterans of America.

MR. REGENYE: At present I am Vice President of Chapter 151 Vietnam Veterans of America and until December 31, 1988 I was program coordinator for the PTSD for my chapter.

ASSEMBLYMAN GENOVA: Okay. Dennis has been very patient in the past and that's why we're kind of deviating from the Agent Orange to give him an opportunity to speak.

MR. REGENYE: All right. There appears to be much confusion between the PTSD program and the PTSD Commission. I don't have as many things to say as I have to things to ask: Questions like, who initiated the Commission? Who was on the Commission? Who does the Commission answer to? What are the Commission's goals?

ASSEMBLYMAN GENOVA: These questions should be directed to the Department.

MR. REGENYE: That's why we're here, to resolve these questions.

ASSEMBLYMAN GENOVA: No, no. I'm saying I would hope someone from the Department is making note of these questions.

MR. REGENYE: Okay. Will the Commission handle a PTSD program, what role will VVA take part in this Commission? and will VVA be treated in the same manner as we were treated in the PTSD program; with disregard and I feel, disrespect?

I will speak on the program. Chapter 151 and Chapter 200 of VVA were the only two organizations in this State to answer the call to handle such a massive problem as PTSD counseling. We handled this program efficiently for nine months. At the end of these nine months, we were cut off, I believe with disregard and complete lack of feelings on behalf of the Department of Military and Veterans' Affairs.

We received a letter approximately 30 days before the end of the contract that our services would no longer be necessary. In this letter, there was no mention of having a meeting with us or discussing what we had done over the last nine months, how we accomplished these feats, and how we may

assist with the program in the future. After much to do and after much letter writing, we did set up a meeting between VVA and the Department of Military and Veterans' Affairs. At this meeting, it was quite evident right from the beginning that the decision had been made that we would no longer play any role in this program. There were two people present at this meeting from the Department of Military and Veterans' Affairs, and not one note was taken on behalf of the Department. Again, it was quite evident that we would be cut off, and our role would no longer be needed.

We were also told that the program will continue with no problems. Since the Department has taken over the program, I was in contact with two clinicians who spoke to me about the problems that they were having with the Department as far as delays were concerned and getting people into the program. I was contacted by three veterans who tried to get into the program. They also had many problems getting into the program. It took me approximately two weeks and much communication between one of the county service offices -- approximately two weeks to get this man into counseling. Another gentleman decided that seeing as it was handled by the State, that he no longer wanted to be involved with the State. I lost my train of thought. I apologize.

I just feel that the Department cannot possibly handle an event such as this. That's basically it.

ASSEMBLYMAN GENOVA: Thank you very much, Dennis. We expect to see you at the time we bring the bill up for consideration, too.

MR. REGENYE: Thank you.

ASSEMBLYMAN GENOVA: Does anyone from the Department have any further comments to conclude with? (negative response) Hearing none--

ASSEMBLYMAN PALAIA: I move we adjourn.

ASSEMBLYWOMAN COOPER: So moved.

ASSEMBLYMAN GENOVA: Thank you for coming.

(HEARING CONCLUDED)

APPENDIX

Testimony of Committee Member -
PTSD POINTS *George Spoor*

As defined by the American Psychiatric Association, PTSD is a problem of varying intensity, from mild to life-threatening, that results from exposure to a traumatic event-- such as the Vietnam War.

Many Vietnam veterans have suffer from stress disorders that have made them unable to reconnect with normal life and in some instances have led to drugs, alcohol, violence, homelessness and readjustment problems.

According to the National Vietnam Veterans Readjustment Study administered through the Veterans' Administration, 15% of veterans who served in Vietnam, Laos, or Cambodia still suffer from PTSD. That translates into 470,000 Americans. In New Jersey alone, this figure ranges anywhere from 8,000 to 20,000.

In the recriminatory atmosphere of post-Vietnam, stressed veterans have often been ignored, misdiagnosed and gone untreated. It has taken significant political and professional pressure simply to bring about a basic recognition of PTSD.

PTSD and the psychological pressures resulting from a war such as that fought in Vietnam, suffered by hundreds of thousands of troops, is finally coming to the forefront of public attention. The psychological impact on the men and women that of combat in Vietnam is quite prevalent.

I am hopeful that Chairman Genova and the Assembly Veterans' Affairs and Defense Committee will give this legislation prompt consideration.

VIETNAM VETERANS UNITED, INC.
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(609) 581-0600

February 21, 1989

State of New Jersey
Veterans Affairs Committee

Dear Mr. Genova:

The members of Vietnam Veterans United, Inc. support the refunding of the New Jersey State Commission on Agent Orange. We feel it is imperative that the Commission stay in existence to assist Vietnam Veterans and to better support the numerous medical problems resulting from Agent Orange exposure.

In order to push forward in research we also believe some very important changes must be made. We believe the current Executive Director and his paid staff should be terminated. However, the research scientists and the clerical and administrative staff should be retained.

The Agent Orange Commission should be put under the Outreach Division in the Department of Military and Veterans Affairs. The new Executive Director should have three members on his staff. He should have a Project Director, an Outreach Director and a Veterans Services Officer; all three working together to seek out Vietnam Veterans and their families to give them as much direction and help as needed. These people must remain within the State and only go abroad when the appropriate reasons are approved by the Department. In addition, the Executive Director is responsible and accountable to the Department on all budget expenditures.

The Veterans Advisory Committee (which consists of veterans and non-veterans) must continue to be part of the overall organizational structure of the Agent Orange Commission. With veterans serving on this committee, those afflicted with Agent Orange related disorders will be better represented as well as keeping the commission better of informed of all veteran problems.

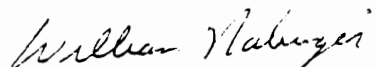
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Vietnam Veterans United believes that the time has come to correct the ongoing irregularities of the current Executive Director and his staff. It's time to start being accountable to the tax payers of what is being done with their money. Let's work inside the State of New Jersey, not outside, and it's time to provide Veterans with better direction.

Now is also the time for us to help Veterans with Post Traumatic Stress Disorder (PTSD). We must take the time to step up research. We simply must get our priorities in order! We need to seek expert advise and start using it. Let's address the issues one at a time, as they occur, and not when its too late.

New Jersey has many resources; and as our Governor has said, "our people are its best resource." Let's get the best people involved and start doing the best job possible.

Sincerely,



William Nabinger, President
VIETNAM VETERANS UNITED, INC.

**LITIGATION REPORT
OF
VIETNAM VETERANS OF AMERICA LEGAL SERVICES**

This is an update of the Litigation Report submitted at the last Board meeting. Cases that are no longer in court have been deleted.

**I. THE AGENT ORANGE CLASS ACTION
AGAINST THE CHEMICAL COMPANIES**

On June 30, 1988, the Supreme Court closed the book on the Agent Orange class action by refusing to consider the final two appeals that were pending before the Court. This means the settlement is final and veterans and their families should soon begin to receive cash payments. Implementation of the settlement also means that the thousands of documents that the chemical companies provided during the discovery process are now being made available to VVA and the public. The chemical companies began delivering these documents to the District Court during the last week of August, and more are on the way. The chemical companies have picked less than 1% of all the documents and asked Judge Weinstein to keep them secret because they contain commercially sensitive information. After reviewing redacted versions of the documents, VVA has decided not to oppose these requests.

Meanwhile, after the Supreme Court made the settlement final, Judge Weinstein

1. Announced that cash payments should begin to flow in early 1989;
2. Extended the deadline for filing a claim for a cash payment until January 1, 1989 and now has extended it again until March 1, 1989; and

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New Jersey State Library

3. Reserved from the \$240 million in the settlement fund a total of \$52 million to provide grants to organizations to perform services for the benefit of class members.

II. LAWSUITS INVOLVING FEDERAL VETERANS BENEFITS

A. The Agent Orange Lawsuit Against The VA

In 1986, VVA, eight veterans and two surviving spouses filed suit in U.S. District Court against the Veterans Administration in an attempt to change the way the VA deals with Vietnam veterans who have been exposed to the herbicide Agent Orange. The suit, which was filed in California's Northern District, contends the VA has failed to comply with Congressional mandates in issuing regulations for disability claims relating to Agent Orange. The challenged regulations provide that the only disability associated with exposure to Agent Orange is chloracne, a skin condition.

The lawsuit specifically alleges the VA has violated major provisions of the Veterans Dioxin and Radiation Exposure Compensation Standards Act passed by Congress in 1984, and asks the Court to void all VA decisions made since the law took effect. Although the Act required the VA to review all the pertinent scientific studies on Agent Orange, the lawsuit alleges that when the VA finalized its rules, it had only reviewed seven (7) of the hundreds of studies that exist. The lawsuit also charges that in deciding what diseases are associated with Agent Orange, the VA discriminated against Vietnam veterans by requiring more proof than they require to compensate other veterans.

The VA responded to the lawsuit by filing two motions -- one to transfer the case from San Francisco to a judge in Washington, DC

whom the VA apparently preferred and the other to simply delay the case. VVA opposed these motions, and both were denied.

VVA then filed a motion to make this a class action, which the Judge granted on December 22, 1987, over the VA's objection. Likening this case to the class action Vietnam veterans brought against the chemical company manufacturers, the Court ruled that VVA can represent the more than 30,000 veterans whose Agent Orange disability claims have been denied by the VA, as well as those veterans who in the future manifest an illness associated with Agent Orange.

Meanwhile, VVA began to conduct discovery to find out how the VA developed its Agent Orange rules. When VVA scheduled the depositions of four agency officials, the VA asked the Court for a protective order to stop the depositions. On January 4, 1988, the Court denied the VA's motion. The depositions of the officials took place in February and May 1988. Subsequently, the VA served VVA with discovery requests, to which VVA responded in June.

The parties filed cross-motions for summary judgment and reply memoranda in the fall. Oral argument on the case took place on January 9, 1989. The Judge now has the case under consideration for decision.

B. The Vet Center Closing Case

In June 1987, VVA, two Vietnam veterans in need of readjustment counseling, and five Congressmen filed suit to enjoin the Veterans Administration from closing nine Vet Centers and relocating them into traditional VA medical centers. VVA charged in its lawsuit that the VA decision to close these community readjustment counseling centers violated Congressional intent that these Centers not be closed until

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at least October 1, 1987, or thereafter.

Shortly after filing suit, VVA obtained a temporary restraining order and a preliminary injunction ordering the VA to keep the Vet Centers open until further order of the Court. While this lawsuit was pending, both Houses of Congress passed a bill to alter the VA's authority to close Vet Centers. With legislation imminent, the VA backed down and promised the Court it would not close any more Vet Centers until Congress resolved the two bills in conference. In view of this promise, VVA agreed to drop the lawsuit in November 1987.

After agreeing to have the suit dismissed, VVA filed a motion for attorneys' fees to compensate VVA for having to bring the lawsuit. On July 1, 1988, the District Court granted VVA's motion, calling the VA's argument that it had legal authority to close the Vet Centers "patently unreasonable." The Court awarded VVA over \$28,500. The VA attempted to appeal the award of attorneys' fees to the U.S. Court of Appeals for the District of Columbia, but the Justice Department recently refused to authorize an appeal. Thus, the award is final.

C. The Puerto Rico and Virgin Islands
Lawsuit Involving Service-Connected
Benefits for Psychiatric Disorders

In May, 1987, VVA and three Vietnam veterans filed a class action in the U.S. District Court in Puerto Rico challenging the decision of the Veterans Administration to conduct a mass review of the disability ratings of all veterans residing in Puerto Rico and the U.S. Virgin Islands who had ratings of 100% for service-connected psychiatric disorders. VVA claims in this lawsuit that the Veterans Administration decided to re-review over 4,000 veterans' ratings

merely because statistics showed that a much higher percentage of veterans rated in the San Juan Regional Office had 100% ratings than other jurisdictions. VVA alleges that the VA did not adequately investigate whether the reason for this difference was due to legitimate reasons, such as the possibility that more veterans in Puerto Rico and the Virgin Islands suffer from totally disabling psychiatric disorders.

VVA also claims in its lawsuit that during the special review, the San Juan Regional Office discriminated against these veterans by using rules that made it more difficult to win a 100% rating than the rules used by the other VA regional offices. This discriminatory practice dropped the San Juan Regional Office to 57th place among the 58 VA regional offices in rating mental disorders, and over 860 minority veterans have had their 100% rating reduced. As a result, these veterans and their families have lost over \$8 million in benefits each year.

VVA contends in its lawsuit that the special review violated these veterans' constitutional and statutory rights and asks the Court to order all 100% ratings to be reinstated.

In an effort to avoid VVA's discovery requests, the VA filed a motion for a protective order to stop all discovery. This motion was denied in December 1987. On December 31, 1987, the VA then filed a motion to dismiss the entire case. VVA filed papers opposing the motion to dismiss and asked the Court to allow additional time for discovery.

On May 12, 1988, Magistrate Castellanos refused to dismiss the case and ordered the VA to respond to full discovery. The VA then

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appealed this decision to the District Court Judge, and VVA filed opposition papers. A decision is expected soon on this appeal. Meanwhile, VVALS is investigating the facts and reviewing documents provided by the VA.

D. The Board Of Veterans Appeals Reform Case

On May 5, 1988, VVA and one Vietnam veteran filed a class action lawsuit in federal court challenging three Board of Veterans Appeals practices that result in slipshod and unfair decision-making. First, VVA challenges the requirement imposed by the Chairman of the BVA that BVA members decide a minimum of 40 cases per week in order to be eligible for an annual cash bonus. As recently retired BVA members testified before Congress, this quota system results in inadequate review of appellate records, and consequently erroneous decisions are sometimes made.

Second, VVA challenges the practice of Board members to engage in "courtesy" decision-making. BVA rules require that each veteran's appeal be decided by three Board members. To decide an appeal properly requires time to review and evaluate the record, reach a decision, and agree on a written explanation for the decision. But taking all this time hurts a BVA member's chances for an annual cash bonus, because bonuses are based on the number of cases decided by the member. According to recent Congressional testimony, in order to enhance their opportunity for a cash bonus, some of the BVA members have adopted the following short-cut: one or two members actually review the record and prepare a written decision and the remaining members of the three-person panel sign the decision without reading it or reviewing any part of the record as a "courtesy" to the other

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members. The "courtesy" system allows the three members to churn out more decisions, but it also prevents the possibility that the Board members who "blindly" vote on the case would dissent or convince the other members to change their decision, if they had only reviewed and evaluated the record.

Finally, VVA challenges the practice of the Chairman of the BVA to give preferential treatment in granting benefits to claimants who are friends or constituents of certain Members of Congress who appeared on the "Chairman's Personal Signature List."

In July, 1988, the VA moved to dismiss the case and for a protective order allowing it to avoid responding to VVA's discovery requests. The main VA argument is that the case is now moot because the VA has stopped the practices VVA complained of.

To support the VA's argument, the Chairman of the BVA, Kenneth Eaton, filed an affidavit stating that

1. Because of Office of Personnel Management regulations "It has become necessary to discontinue this [26-year-old] policy [of cash bonuses for productivity]."

2. "I am currently in the process of considering whether there are any permissible alternative means to reward special accomplishments. . . ."

3. He had recently issued "a memorandum to all Board Members urging them to make sure that the review by [all Members] is a full review;" and

4. "[R]ecognizing the concerns that some may have regarding the use of the personal signature list, I have decided to discontinue its use. In the interest of treating all Members of Congress alike,

I will no longer be reviewing . . . [a] decision prior to its dispatch."

Because the VA has not clearly ceased the practices complained of, and because the VA has not provided a remedy to veterans harmed by these practices in the past, VVALS prepared and filed an opposition to this motion in early August. The Court granted the VA's request for a protective order, but has yet to decide on the motion to dismiss. In early August VVALS also filed a motion to certify the lawsuit as a class-action. We are waiting for the Court to decide this motion also.

E. The Access To Lawyers To
Fight VA Debt Collection Case

On June 15, 1988, VVA and a Vietnam veteran filed suit in federal court to overturn the VA's interpretation of the Civil War-era statute that bars lawyers from charging veterans more than \$10 as a fee for prosecuting a claim for veterans benefits. The challenged VA policy is that this fee limit applies to a situation where the VA believes it has overpaid the veteran and is taking debt collection action against the veteran. Although the VA concedes that if it sues the veteran in court to collect the debt the veteran may hire an attorney and pay any amount as a fee, the VA's policy is that the \$10 ceiling applies to administrative debt collection efforts.

VVA seeks a court order allowing veterans to hire attorneys to defend themselves against VA debt collection efforts. The VA's attempted to get rid of the case by releasing our one individual plaintiff, from the alleged debt. This attempt failed, however, because VVA amended the complaint in December to add two additional alleged

debtors. The Judge ordered the parties to file cross-motions for summary judgment in February, 1989.

F. The Fraudulent Mobile Home Loan Case

In 1985, VVA joined numerous veterans in filing a class action suit against a dozen mobile home manufacturers and other companies for recovery of fraudulent overcharges collected from veterans on mobile homes purchased with the assistance of a VA home loan guarantee. Guerdon Industries, named in the suit, as well as some other manufacturers, have already pleaded guilty to criminal charges associated with such fraudulent practices. The overcharges by the companies named in the suit were made through padding of invoices which were certified to the Veterans Administration as a part of veterans' loan applications. The VA, which has been pursuing recovery of overcharges, can only pursue recovery of the money from the companies in cases where the veteran has defaulted on the loan and the VA has taken title to the home. In the absence of VVA's class action, veterans whose loans are current have no redress except to pursue their own cases individually.

It is estimated by VVA that more than 20,000 Vietnam veterans have been victimized by the invoice padding practice. The aggregate dollar amount of such overcharging may run in excess of \$100 million.

In September, 1986, the U.S. District Court rejected a motion filed by mobile home manufacturers to dismiss the lawsuit. The Court ruled that if VVA was able to prove its allegations, the invoice padding scheme would violate the Racketeer Influenced and Corrupt Organizations Act (RICO), as well as state and common law.

In 1987, the veterans filed a motion asking the court to certify the case as a class action. After conducting discovery of the veterans, the mobile home manufacturers opposed this motion, which is still pending before the Judge.

III. LAWSUITS INVOLVING DISCHARGE UPGRADING AND CORRECTION OF MILITARY RECORDS

A. The Laird Drug Memorandum Case

In June 1986, a U.S. District Judge granted VVA's motion for summary judgment in a lawsuit filed by VVA and two Vietnam veterans challenging the Navy's interpretation of the "Laird Memorandum." This directive, issued in 1971, requires an upgrade in discharge to at least General Under Honorable Conditions to veterans separated prior to July 1971 for personal use of drugs. Although the Army and Air Force routinely upgrade these cases, the Navy believes that the Laird Memorandum is not a hard rule and leaves discretion to deny an upgrade. The District Court ruled that the Navy's interpretation is incorrect and ordered the Navy to upgrade the discharges of the two Vietnam veteran plaintiffs.

In October, 1986, the Court granted VVA's motion to certify this case as a class action and ordered the Navy to upgrade the discharge of all former Navy and Marine Corps personnel denied an upgrade based on the Navy's policy. VVA estimates that over 100 Vietnam veterans would have received an upgrade under the Court Orders, thereby making them eligible for veterans benefits.

The Navy, however, appealed these decisions. VVA briefed these issues on appeal and argued the case before the Court of Appeals in October 1987. In March, 1988, the Court of Appeals reversed the deci-

sion of the District Court and sent the case back for the District Court to determine whether the Navy's interpretation of the Laird Memorandum differs from that of the Army and Air Force. In June 1988, the Court of Appeals denied VVA's petition for a rehearing. Thus, VVA will return to District Court to litigate the case.

B. The Destroyed Urinalysis Case

VVA Legal Services filed suit in 1986 on behalf of a Vietnam veteran recently discharged for drug abuse evidenced by urinalysis test results. The veteran seeks reinstatement and back pay, claiming that the urinalysis test was faulty and that in violation of Army regulations, the Army destroyed the urine sample before his discharge hearing, preventing it from being retested. VVA Legal Services filed a motion for summary judgment, and, as a result, the government recently agreed to a highly favorable settlement with VVA Legal Services: the veteran will receive \$61,834 in back pay.

C. The "Half A Loaf" Back-Pay Case

In April 1988, VVA Legal Services filed suit in the United States Claims Court on behalf of a career Army veteran who seeks back-pay. The claim for back-pay stems from the veteran's illegal separation from the Army in March 1985, after he completed over 18 and one-half years of military service.

Following his unlawful separation, the veteran applied to the Army Board for Correction of Military Records for relief. Although the Army BCMR determined that the veteran's separation was improper, and thus void, the Board failed to give him the full relief which ordinarily flows from the correction of a void discharge. It only

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provided the veteran "half a loaf." The veteran was given credit for an additional one and one-half years of service to total 20 years and was therefore granted retirement benefits. He was not, however, given back-pay for the one and one-half years of service time that was restored to him. In VVALS' view, there was no legal justification for the ABCMR to deny the veteran this back-pay, and recently the judge in this case agreed.

The government filed its answer to the complaint in July 1988. In August VVALS filed its motion for summary judgment; the government's response was filed at the end of September. In oral argument, held on January 25, 1988, the judge made it clear he agreed wholeheartedly with VVALS' argument. The government thereafter, indicated its willingness to settle the case. The Army veteran should receive about \$33,000 in back-pay.

IV. LAWSUITS INVOLVING THE MILITARY JUSTICE SYSTEM

A. Public Access to The Legal Opinions of the Army and Navy

In 1986, VVA filed a Freedom of Information Act lawsuit seeking access to the legal opinions of the Judge Advocate General of the Army and Navy. These opinions contain important interpretations of military law requirements and can be used by Vietnam veterans to support their claims in Discharge Review Board, Board for Correction of Military Records, Veterans Administration and court proceedings. Up until now, the Army and Navy have denied the public access to these opinions, yet they use these opinions against veterans and current service members in various legal proceedings.

In April 1987, the District Court rejected the government's motion for summary judgment, strongly implying that these decisions should be made publicly available. In the months following this victory, VVA conducted discovery and deposed agency officials to determine the number and scope of the legal opinions that should be made publicly available. VVA then filed a motion for summary judgment in this case and the government filed its own cross-motion for summary judgment. In September, the District Court reversed field and ruled in favor of the government, reasoning that the opinions were not being used by the agency as a body of law. VVA has appealed this decision. VVA's brief on appeal is due in March 1989.

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THE OKLAHOMA AGENT ORANGE FOUNDATION
P.O. Box 849
Lexington, OK 73051
May 9, 1988

INTERNATIONAL DIOXIN/AGENT ORANGE CONFERENCE - PRESS RELEASE

VIETNAM VETERANS DESERVE COMPENSATION, NOT MORE STUDIES

Mr. President, members of the Reagan administration, the Congress, the Judiciary, the media, and the American people: THE SECOND BODY COUNT OF DEAD VIETNAM VETERANS HAS BEEN COMPLETED. The results from all of the Mortality and Morbidity Studies done on Vietnam Veterans have been compiled. These studies represent a data base of 528,674 men, nearly twenty percent of the total, with in-country service. Of these men, 32,324 have died since returning home. Thousands have died from latent diseases and disorders associated with exposure to contaminated chemicals (dioxin) and contaminated vaccines (Africa green monkey virus). Of course, these deaths are only representative of the total number.

Most of these studies have been completed since 1982, when the Reagan administration signaled a change in its cancer regulations, by stating it would "rely less on laboratory tests on animals and *WAIT INSTEAD FOR EPIDEMIOLOGICAL STUDIES OF SICKNESS AND DEATH IN HUMAN POPULATIONS". (* - emphasis added)

AGAIN, WE REPEAT -- MR. PRESIDENT, THE SECOND BODY COUNT OF VIETNAM VETERANS HAS BEEN COMPLETED.

Also in 1982 the Reagan administration REVISED the Veterans Administration (VA) literature, made available during the Carter administration to Vietnam Veterans inquiring about the human health effects of Agent Orange, by REMOVING ALL REFERENCES TO CANCER.

LET'S REVIEW THE FACTS, THE REAGAN ADMINISTRATION AT THE SAME TIME IT REMOVED REFERENCES TO CANCER -- BEGAN TO REQUIRE STUDIES OF SICKNESS AND DEATH IN HUMAN POPULATIONS BEFORE DECIDING ON THE DANGERS OF CHEMICALS. IT SEEMS ALMOST CRIMINAL THAT THOUSANDS OF VIETNAM VETERANS MAY HAVE DIED NEEDLESSLY BECAUSE THEY DID NOT RECEIVE THE NECESSARY INFORMATION ABOUT EARLY DETECTION FOR CANCER AND OTHER LIFE THREATENING DISORDERS.

UNFORTUNATELY, THESE REVISED CANCER REGULATIONS MAY ALSO HAVE RESULTED IN THOUSANDS OF NEEDLESS CIVILIAN DEATHS. SHOULDN'T THERE BE A SPECIAL PROSECUTOR LOOKING INTO BOTH THESE CIVILIAN AND VETERAN "MURDERS"? THERE WAS A SPECIAL PROSECUTOR APPOINTED IN 1986 TO INVESTIGATE POSSIBLE WRONGDOING CONCERNING TOXIC CHEMICALS WITH RESPECT TO THE EPA SCANDAL OF 1982. WHAT HAPPENED TO THIS INVESTIGATION?

AUTOIMMUNE DYSFUNCTION IN VIETNAM VETS; THERE MAY BE A DIAGNOSIS

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In 1980, after years of suffering from an undiagnosed illness I saw a "Barney Miller" episode wherein, Wojohowitz (Max Gail) had a Vietnam Veteran in jail and was looking for answers as to why this Vietnam thought his exposure to "Agent Orange" was responsible for his actions. Deitrich (Steve Landsburg) mentioned a study that showed immunological dysfunction in Vietnam vets.

The next morning I spent hours on the phone tracing the study mentioned by "Deitrich". Eventually, I actually contacted the researcher who had done this study. This study, although small, showed that 65% of those Vietnam veterans who were ill had antibodies to their own DNA. With a possible explanation of my own previously undiagnosed illness at hand I became an activist in the "Agent Orange" issue.

As I gathered information on the possible health effects of exposure to "Agent Orange", I found a 1979 General Accounting Office report wherein they instructed the Veterans Administration to pay particular attention for damage to the immune system of those exposed to "Agent Orange". Next, I found a 1981 American Medical Association report that showed damage to the thymus (part of the

immune system) in animals exposed to Dioxin (a contaminant in Agent Orange). Shortly thereafter, during the EPA scandal of 1982, Congress turned up a study done in England, of people exposed to 2,4,5-T (half of Agent Orange), that again showed immune system damage. Our own EPA not only had knowledge of the previous study, but did a similar study and found much the same results. The EPA chose to suppress this information. This all occurring while Congress was unraveling and proving corporate (DOW) interference with EPA documentation.

My wife and I encouraged four Vietnam veterans to have blood drawn in an effort to duplicate the results of the study mentioned on "Barney Miller". This blood was not sent to the university that did the "Barney Miller study" but, coincidentally, sent to a university where a researcher had discovered a rare disease in the early 1970s. Not only did the blood work return as expected (having similar results to the "Barney Miller study" - 3 out of 4 veterans had antibodies to their own DNA), but a diagnosis was sent back with the test results: MIXED CONNECTIVE TISSUE DISEASE (MCTD), an AUTOIMMUNE DISEASE.

I feel it is imperative that Viet-

nam Veterans, who become ill, avail themselves of an ANA profile, looking for antibodies to their own DNA to the FLORESENT SPECKLED PATTERN. These tests should be done periodically: 1) to ensure early detection of a serious disease, 2) if you are ill with an Autoimmune Disease the test will only show positive at specific times of flare up. These tests should be done outside the VA system.

Veterans who are ill or become ill with an undiagnosed illness should consult with their family doctor about the possibility of having an ANA profile done particularly if they have some of the following symptoms: arthritis/arthralgias (inflammation and pain in the joints), swollen hands, Raynaud's phenomenon (abnormal redness, heat, and tingling in the fingers after exposure to cold weather), abnormal esophageal mobility (difficulty in swallowing), myositis (inflammation of muscle tissue), lymphadenopathy (disease of the lymph nodes), fever, hepatomegaly (enlarged liver), serositis (inflammation of the serous membrane), splenomegaly (enlarged spleen), renal disease, anemia, leukopenia (abnormally low white blood cell count), and/or hypergammaglobulinemia (abnormally high immunoglobulin levels).

I recently spoke to a Vietnam veteran with symptoms of MCTD who was suicidal because of attempting to function with an undiagnosed illness. As we went over his VA medical records we found lab work that clearly indicated MCTD. The VA had refused to inform him of the problem;

thus, creating undue stress, and leaving him with a chronic, debilitating, life-threatening disease and no medical care.

Thus, I feel obligated to share the good news that we have uncovered about toxic poisoning. Previously, the U.S. Government's constant denial of the damage from diseases that may be caused by exposure to the various chemical warfare agents (herbicides and insecticides) used in Vietnam has forced many veterans to try to function with undiagnosed illnesses and no medical care.

Vietnam veterans and other victim groups can take heart in the fact that many of the illnesses caused by exposure to chemical warfare agents can be diagnosed. Once a "civilian diagnosis" is made, the veteran can then remove himself/herself from the Agent Orange controversy, the denial of truth, the lack of due process, which has held him/her a political prisoner, and then one can take a positive course of action. First move through the Social Security system with "timely" appeals, approach the Administrative Law Judge with the disease, not the Agent Orange controversy, and find the Administrative Law Judge more reasonable than the Veterans Administration.

When retirement through Social Security is achieved and the veteran once again has medical insurance (Medicare), he/she can start the second course of action - treatment. The treatment I will mention is the hardest

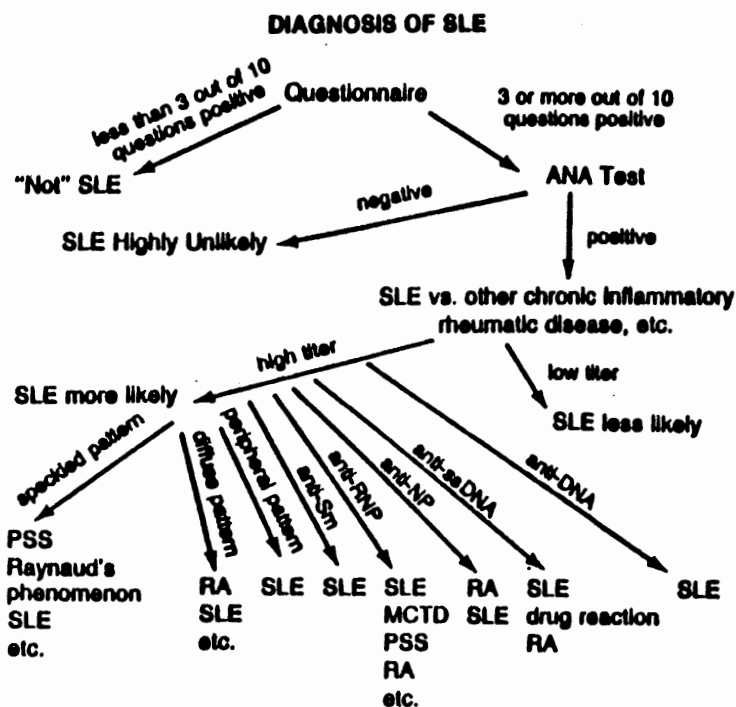
to find because it is out of the mainstream of the American medical establishment, whose schools have been biased by the VA and corporate research and development funding. If the veteran has an Autoimmune Disease or an undiagnosed illness, it is my personal opinion that he/she must seek a "clinical ecologist" in order to receive lifesaving treatment. This type of physician, who believes in environmentally caused diseases, can explain how to function with a compromised immune system. **BEWARE OF THE DANGERS OF REEXPOSURE TO SYNTHETIC CHEMICALS.**

The physician that saved my life and made me feel more physically comfortable after years of suffering from an undiagnosed illness is Dr. William J. Rhea, from the Environmental Health Center, 8345 Walnut Hill Lane, Suite 205, Dallas, Texas, 75231-4262. Thank you Dr. Rhea - David Carter.

The Oklahoma Agent Orange Foundation and the Oklahoma State Council of the Vietnam Veterans of America would like to tabulate immune system damage/dysfunction in Vietnam veterans. This data will be kept confidential. If you would like to participate have your family doctor run an ANA profile and then send a copy to: Oklahoma Agent Orange Foundation, ANA Profiles, P.O. Box 849, Lexington, Oklahoma 73051.

Participate or not, use this information for better health.

**Jobs For Veterans - Good For Business
- Good For Country -**



Pos. ANA test + low levels of total hemolytic complement CH50 and low levels of complement components C1q, C4 = SLE or severe rheumatoid arthritis

Pos. ANA test + low levels of the complement component C3 = SLE

SLE = Systemic Lupus Erythematosus
 ANA = Antinuclear Antibody
 RA = Rheumatoid Arthritis
 MCTD = Mixed Connective Tissue Disease
 anti-DNA = antibodies to DNA
 anti-ssDNA = antibodies to single-stranded DNA
 anti-NP = antibodies to nuclear protein
 anti-RNP = antibodies to ribonucleoprotein
 anti-Sm = antibodies to Sm nuclear protein

Figure 2. Diagnosis of SLE.

Modulation of Serum Complement Levels following Exposure to Polychlorinated Dibenzo-*p*-dioxins¹

Modulation of Serum Complement Levels following Exposure to Polychlorinated Dibenzo-*p*-dioxins. WHITE, K. L., JR., LYSY, H. H., MCCAY, J. A., AND ANDERSON, A. C. (1986). *Toxicol. Appl. Pharmacol.* 84, 209-219. Subchronic 14-day exposure to 2,3,7,8-tetrachlorodibenzo-*p*-dioxin (TCDD) suppressed serum total hemolytic complement activity (CH50) in female B6C3F1 mice at doses of 0.01, 0.05, 0.1, 0.5, 1.0, and 2.0 $\mu\text{g}/\text{kg}$. Serum levels of complement component C3 were also suppressed at doses of 0.5, 1.0, and 2.0 $\mu\text{g}/\text{kg}$. Another dioxin isomer, 1,2,3,6,7,8-hexachlorodibenzo-*p*-dioxin (HCDD), also produced dose-dependent suppression of complement activity at doses of 0.1, 1.0, and 10 $\mu\text{g}/\text{kg}$ with decreased C3 levels at 10 $\mu\text{g}/\text{kg}$. Both TCDD and HCDD enhanced susceptibility to *Streptococcus pneumoniae*, a bacterial pathogen whose host defense is complement mediated. Recovery studies demonstrated that complement activity in TCDD (1 $\mu\text{g}/\text{kg}$) and HCDD (10 $\mu\text{g}/\text{kg}$)-treated animals was suppressed until 50 days post-treatment, while low doses of HCDD (0.1 and 1.0 $\mu\text{g}/\text{kg}$) elevated CH50 levels. Acute exposure to TCDD (14 $\mu\text{g}/\text{kg}$) also suppressed complement CH50 and C3 levels. These studies demonstrate that the complement system and innate immunity represent potential target sites for polychlorinated dibenzo-*p*-dioxins. © 1986 Academic Press, Inc.

ferent from the controls, the data may indicate the initiation of a rebound response. We have previously observed rebound in complement activity after sustained periods of complement depletion following the administration of cobra venom factor (White and Anderson, 1984). Additional studies will be needed to determine whether complement levels do rebound following exposure to high doses of TCDD or HCDD.

Elevated complement levels have been associated with numerous autoimmune diseases, including rheumatoid arthritis (Williams and Law, 1958) and systemic lupus erythematosus (SLE) (Ruddy *et al.*, 1971). However, additional research is needed to determine if animals exposed to PCDDs are more susceptible to the expression of autoimmune disease. Similarly, properly conducted epidemiological studies might reveal a prevalence of autoimmune dysfunctions in high-risk groups exposed to dioxins.

Our observation that exposure to PCDDs produces an elevation of the complement system is unique in that our mouse model reflects one of the most consistent immunological findings in humans exposed to dioxins. Immunological evaluation of children exposed to PCDD-contaminated material released during the Seveso accident revealed a consistent elevation of complement levels over a 3-year period (Tognoni and Bonaccorsi, 1982; Sirchia, 1982). Complement levels from children who also showed chloracne were higher than those of children who were exposed but did not show dermatological lesions. The CH50 levels from all exposed children were significantly higher than unexposed age- and sex-matched control populations (Tognoni and Bonaccorsi, 1982; Sirchia, 1982). As such, evaluation of complement activity may represent a diagnostic tool in determining if PCDD exposure has occurred and a possible aid in determining the level of exposure.

Inadvertent Modification of the Immune Response

The Effects of Foods, Drugs,
and Environmental Contaminants

Proceedings Of The Fourth
FDA Science Symposium

Held At The US Naval Academy
August 28-30, 1978

IMMUNOTOXICITY ASSESSMENT OF DIOXINS
Ronald Hinsdill,* P. T. Thomas* and D. Couch*
*FDA/National Center for Toxicological Research
and the *University of Wisconsin

Edited By
I. M. Asher

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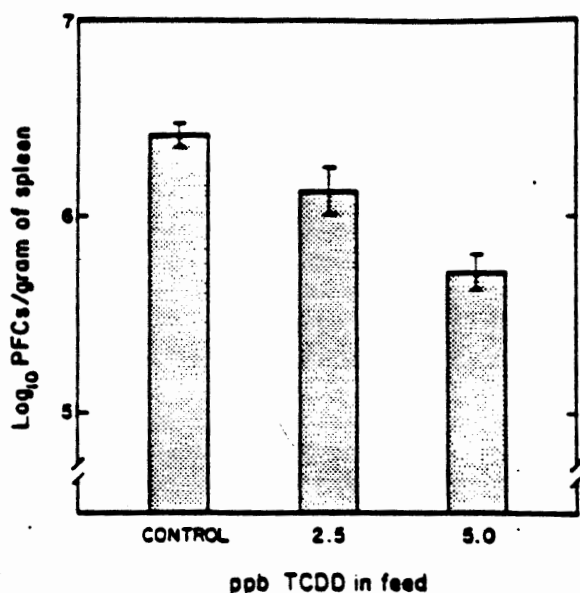


Figure 7. Effect on plaque-forming cells (PFC) from spleens of mouse offspring of mothers fed TCDD.

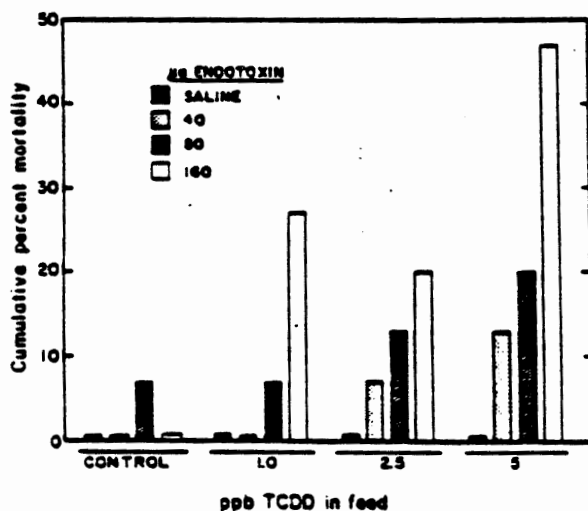


Figure 8. Mortality following endotoxin challenge in mouse offspring of mothers fed TCDD.

specific antibody titers or bacterial challenge, no significant differences were noted between the control, 1.0, 2.5 and 5.0 ppb TCDD groups. There was a significant decrease in contact sensitization between

the control and 5 ppb exposure level, but the effect was not clearly dose dependent at the 1.0 and 2.5 ppb level.

In summary, the common environmental contaminant TCDD can be immunosuppressive in the ppb range when ingested. The effect is enhanced in young animals. Damage is also caused to neonates and fetal lymphoid tissue at even lower dosages, although the scope of such damage is not yet clear. The immunosuppression noted in older animals results in increased susceptibility to bacterial challenge. Agents, such as TCDD, which are both immunosuppressive and carcinogenic may be far more dangerous than those possessing only one of those properties. We are currently examining several cancer "promoters" to see if they are immunosuppressive as well.

Support was provided by the Food Research Institute, College of Agricultural and Life Sciences at the University of Wisconsin at Madison.

* * *

A. AHMED: Could you briefly describe your PCB results?

HINS DILL: I am more excited about TCDD because parts per billion is a very "real life" situation; however, PCB's do induce some immunosuppression. For example, adult mice given near-borderline toxic doses of roughly 1000 parts per million in the feed for 30 days will show immunosuppression. They do have enhanced sensitivity to endotoxin and also decreased contact sensitization to DNFB. But these doses are so unrealistic that we can't get terribly excited about them. We have looked at the offspring of rabbits receiving PCB's; they are supposed to form a toxic arene oxide intermediate (as in Rhesus monkeys). We thought there might be damage in the offspring, but there wasn't—at least not at any realistic doses.

REFERENCES

1. R. H. Alexander, Effects of Low Levels of Lead on Host Defenses of Mice and Rhesus Monkeys, Ph.D. Thesis, University of Wisconsin, Madison, Wisconsin, 1975.
2. P. T. Thomas, An Assessment of the Immunosuppressive Effects of a Polychlorinated Biphenyl and 2,3,7,8-Tetrachlorodibenzo-p-dioxin on the Offspring of Adult-Exposed Laboratory Animals, Ph.D. Thesis, University of Wisconsin, Madison, Wisconsin, 1978.

OKLAHOMA AGENT ORANGE FOUNDATION

P.O. BOX 849
LEXINGTON, OKLA. 73051

Chemically Induced Illness

*By Alan S. Levin, M.D.
San Francisco, California*

This presentation was made in August, 1983, at a Keystone Conference in Colorado. Keystone Center brings together industry representatives and their lawyers, insurance company representatives, legislators and EPA representatives to exchange ideas and debate the impact of chemicals on health.

My topic is the medical (immunological) considerations in toxic chemical exposures. I have only a few minutes so I will outline the subject and cover each heading briefly.

1. Do the so-called toxic chemicals cause alterations of the immune system in man and animals?
2. If they do, how do they cause this damage?
3. Why are we just becoming aware of this problem?
4. How is the diagnosis of chemically-induced immune dysregulation made?
5. How is the disease treated?
6. How can we prevent the disease?
7. Summarize with general considerations.

1. DO THE SO-CALLED TOXIC CHEMICALS CAUSE ALTERATIONS IN THE IMMUNE SYSTEM OF MAN AND ANIMALS?

The answer is a definitive and unequivocal "yes." Large numbers of studies have been performed and are being performed showing that this is a fact.

2. HOW DO THESE CHEMICALS CAUSE DAMAGE?

The immune system is a delicately balanced control mechanism which involves the activity of many cells, both to induce and to inhibit reactions. Health depends upon the appropriate balance of these forces. Chemicals which can alter this balance will cause the disease "immune dysregulation." Chemicals can act in many ways to cause damage. A few of these ways include:

A. ALKYLATION OF CELLS AND PROTEINS. Many petrochemicals, both natural and synthetic, have the intrinsic ability to alkylate proteins in the peripheral circulation or in and on cells. This process damages the cell or protein, altering its function in the delicate balance of the immune system. This single event may not cause clinical symptoms.

Cumulative insults to the immune system will eventually result in clinical disease. This is like damaging the autopilot of an aircraft. The damage may cause the plane to veer off course. This damage can be overridden by the pilot. If the damage increases or the pilot tires, the plane could veer off course and crash.

B. FREE RADICAL GENERATION. Toxic chemicals can cleave off electrons from proteins or cells causing them to become highly reactive. This causes the damaged moieties (parts) to become "glued" to other cells or proteins. The resultant damage will manifest itself the same as in the alkylation process.

C. GENERATION OF IMMUNOGENIC AND ANTIGENIC HAPTENS. Small molecules which in themselves are incapable of inducing an immune reaction, bind to larger molecules. This binding causes the small molecule to become capable of inducing an immune reaction. Incidentally, proteins and cells which have been damaged by alkylation and free radical generation can also act as potent immunogens and antigens.

In these ways, toxic chemicals not only damage the delicately balanced immune system but also tax the damaged system to its utmost.

3. WHY ARE WE JUST BEGINNING TO BECOME AWARE OF THIS PROBLEM?

INCREASED AWARENESS. With the increasing knowledge of the basic biochemical mechanisms of the immune system, we are beginning to develop an understanding that many diseases whose etiologies were previously unknown (e.g., heart disease, hypertension, schizophrenia) are immunologically mediated.

CHANGING POPULATION.

1. We are now living with the first and second generation of individuals who previously wouldn't have survived without antibiotics. I like to tell the medical students that the average American in 1983 is genetically different from the average American of 1970.

2. With the birth control pill and the change in sexual practices, as well as the rise in homosexuality, coupled

with jet air travel, the manner in which we transmit viruses, parasites, and bacteria is markedly different from a decade ago. New diseases are being discovered regularly.

3. The widespread use of prescription, over-the-counter, and illicit drugs has made the American population of 1983 the highest drug-consuming society in history. Many, if not most, of these drugs have profound effects on the delicate immune system.

4. The massive increase in our exposure to chemicals, both natural and synthetic, often prompts the question: "How can formaldehyde or ammonia be harmful when these are natural chemicals which our ancestors confronted for thousands of years?" Cavemen and cavewomen confronted these chemicals and their ancestors evolved biochemical scavenger systems to protect them from damage caused by chemically-altered cells and proteins. We, however, are exposed to many orders of magnitude higher concentrations of these natural chemicals than were our ancestors. Add to this the fact that we are being exposed to massive amounts of synthetic chemicals to which our ancestors were never exposed, and it is easy to see that we are taxing our protective resources to the utmost.

4. HOW IS THE DIAGNOSIS OF CHEMICALLY INDUCED IMMUNE DYSREGULATION MADE?

The diagnosis is made by history, physical examination and laboratory tests.

HISTORY: The typical chief complaint is the acquired intolerance to cigarette smoke, alcoholic beverages, and perfumes. When questioned further, the patient often complains of hair loss, headaches, skin rashes, mood swings, arthralgias, decreased libido, and fatigue, etc.

PAST MEDICAL HISTORY: The past medical history often reveals allergies which have become more intense after exposure, indicating a change in the immune status of the individual. History also includes arthralgias, skin disorders, and possibly past surgeries for undefined pain syndromes.

FAMILY HISTORY: The family history almost always shows autoimmune disease, cancer, and/or mental illness.

LABORATORY TESTS: Laboratory tests usually show the stigmata of immune dysregulation and immune complex mediated complement consuming processes similar to the disease systemic lupus erythematosus. Alterations include alterations in total T cell, total B cells, total Helper/Inducer T cells, total Cytotoxic/Suppressor cells, altered helper/suppressor ratios, changes in complement components, and changes in the biochemical markers of inflammation such as the prostaglandins.

How do doctors know somebody has been injured by chemicals?

- A. We know these chemicals can cause immune alterations.
- B. We know the patient's symptoms are consistent with diagnosis of chemically induced immune dysregulation.
- C. The patient's blood tests demonstrate immune dysregulation.
- D. There is a temporal association of the onset of symptoms of chemically induced immune dysregulation and the exposure to the chemicals in question.

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5. HOW IS THE DISEASE TREATED?

The best treatment is avoiding the chemicals. Specific antigen immunotherapy (ordinary allergy treatment for dust, grass pollens, molds, tree pollens, and weed pollens) can be instituted to take the pressure off the damaged immune system. Fortunately, this treatment is not often necessary. In refractory cases, non-specific immunotherapy with thymosin, transfer factor, interferon, and/or gamma-globulin is indicated.

6. HOW CAN THE DISEASE BE PREVENTED?

This is the most important and simplest aspect of this problem. First, and foremost, we must recognize the disease exists; that it is a reality, and, that it is preventable. Adequate ventilation of the plants (factories), appropriate protective clothing and respirators, coupled with appropriate waste disposal techniques, will avoid contamination of workers and others with toxic chemicals and the spread of the problem.

7. GENERAL CONSIDERATIONS:

- OSHA standards are only helpful guides. They measure the acute toxic effects of one and only one chemical on a healthy adult male volunteer.
- They do NOT measure the chronic effect of that exposure on that subject.
- They do NOT measure the cumulative effect of multiple exposures of that chemical on that subject.
- They do NOT measure the effect of acute, chronic, cumulative, or interactive effects of that or any other chemical on healthy females, pregnant females, males and females with chronic diseases, males or females with family histories of chronic diseases, or children.

OSHA STANDARDS ARE THEREFORE ONLY HELPFUL GUIDES AND MUST IN NO WAY BE CONSIDERED STANDARDS FOR SAFETY!

Let me add here that it would be absolutely impossible for anybody, let alone OSHA, to appropriately measure the toxic effects of all chemicals on all people. What, then, is the solution? **COMMON SENSE!**

First, try not to hurt anybody. Provide adequate ventilation, respirators, waste disposal, and medical screening to avoid toxic exposures. Second, if you do hurt somebody, say you're sorry and compensate him (or her) for his (or her) injury. Then, alter your systems so that no one else gets hurt. Lastly, we must recognize that these people are genuinely made ill by these chemicals. We must then ask, are these people just different in that they are more vulnerable - or are they the "canaries" of our society? **ARE WE THE NEXT TO GO?**

34x



Vietnam Veterans of America, Inc.
2001 S St., NW
Suite 700
Washington, DC 20009-1125
(202) 332-2700

FEB 28 1989

February 22, 1989

Governor Thomas H. Kean
Office of the Governor
New Jersey State House
Trenton, New Jersey 08625

Dear Governor Kean:

The New Jersey legislature will soon consider the funding needs of the New Jersey Agent Orange Commission. By a unanimous vote of our National Board of Directors, we urge you to take an active leadership role in the passage of legislation to continue the funding for the New Jersey Agent Orange Commission.

For years, serving both as a model and inspiration for other states, New Jersey has been on the leading edge of dioxin research. Such a commitment by your state is not only a source of valuable scientific information but also stands as a source of immeasurable stature for the state of New Jersey. The concern underlined by the state of New Jersey for the health and well-being of its veteran citizens serves as a beacon for the rest of the nation.

Significant new scientific studies, often with a genesis in the work done by the New Jersey Agent Orange Commission, have demonstrated the adverse health effects of dioxin exposure. There is a realistic chance that the United States Congress will enact legislation during its current term to begin compensating and caring for those who have suffered and continue to suffer from military related dioxin exposure. The work of your state's Agent Orange Commission is responsible in no small way for the attitude changes here in Washington, D.C. on this vital issue.

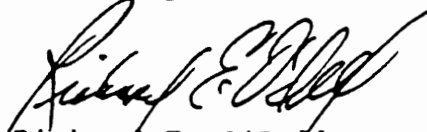
Dioxin poisoning is often viewed as a parochial concern for veterans. However, dioxin is readily found in the civilian environment, particularly in heavily industrialized areas such as New Jersey. The research of the New Jersey Agent Orange Commission is focused on veterans, however, its work has obvious broader implications for the general public as well.

Governor Thomas H. Kean
Page 2
February 22, 1989

Governor Kean, we believe it would be catastrophic for your state's citizens, and perhaps millions of others across the country, if the New Jersey Agent Orange Commission were forced to abandon its unique and creative role in dioxin research.

Again, we urge and encourage you to take an active leadership role in securing full funding for the New Jersey Agent Orange Commission.

Sincerely,



Richard E. O'Dell
Vice President

CC: Chairman, NJ Senate Appropriations Committee
Chairman, NJ Assembly Budget & Appropriations Committee
Adjutant General, NJ Dept. of Military and Veterans Affairs
Sharon Vennel, VVA NJ State Council Chair
NJ VVA Chapters
VVA National Board of Directors

BCC: Wayne Wilson

36x

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February 6, 1989

Dear Bill & Paul,

Words can not express the shock that we feel over the loss of your commission. Over the years, you both have become trusted and valuable friends of the veteran community. Please know that your efforts gave us all hope when no one in our federal government cared enough to even listen. The hours that all of you worked and the travel you made across the country, also the care you gave the veterans during the Pointman project, clearly signify your devotion and integrity to such an emotional and devastating issue. We hold you in the highest respect, and know that you deserve our everlasting gratitude for the work that you have done.

If we at VietNow can be of any service or help to you, please don't hesitate to call us. We know that you were close to many answers that would have unlocked the secrets of Agent Orange and its health effects. We appreciate your help more than we can ever say.

Sincerely,

Sandra Davis

Sandra Davis

National Agent Orange Chairpers

Steve Walz

National Agent Orange Assistant

sg

A Not-For-Profit Organization of Vietnam Veterans

37x

2/13/89

Dear Wayne.

Just seen and read Dan Weissman's column
in Sunday's Star Ledger.

Hoping you and the A.O. Commission are
going to fight this budget cutback. ~~and~~ Plus
finish up the Pontman Projects and Cancer phase of diopim

I would also present the fact to the Governor
of all the Veterans Death notices your office
has on file.

Please keep me informed.

Led Homanick
Viet Nam Veteran

Kearny N.J.

Klim Nessmith
411 N. Virginia Ave
Regency Apts. F-1
Tifton, Ga. 31794

New Jersey Agent Orange Commission
Agent Orange Up Date
Broad Street Bank Bldg.
10th Floor,
143 East State Street
Trenton, New Jersey 08608

Dear ; Sir

In writing this letter, I realize that I'm not from your state, but due to the fact, we have been trying from several sources, to secure information on the up date on Agent Orange.

As of this day, we haven't been able to gather information concerning our rights and benifits, due to exposure to different chemicals while in Vietnam.

If your group should have any available information, our organization would appreciate anything you would forward us.

Also we would information concerning the effects of Agent Orange.

Sincerely

Klim Nessmith Commander
Veterans of the Vietnam War, Inc.
Georgia Post 10

FEB 22 1989

2/23/89

Klim:

I am sending along a good info packet on AO that you may use as you wish. Feel free to copy any of the material. I think it may also be wothwhile to really hone in on PL 97-72 which spells out the rights Viet Vets have for priority health care and treatment from the VA. See attached.

Good Luck,

Wayne Wilson

37x

#1 English Village
Apartment 3 C
Cranford, NJ 07016
20 February 1989

General Francis Gerrard
The New Jersey Department of Defense
Eggerts Crossing Road
Trenton, New Jersey

Dear General Gerrard,

As a Vietnam Veteran, I want to register my dismay over the recent decision to eliminate the New Jersey Agent Orange Commission. First, the 1st rate professionals conducting research under the Commission have conducted 'outstanding research' of international importance. Second, the research conducted by this group has been less distorted by political biases than much of the other research conducted by national organizations, i.e. the CDC. In fact, the willingness to fund the commission has taken political courage, given the number of chemical companies who operate in the State of New Jersey.

Having only moved to New Jersey in the last two years; and having encountered barriers to research involving Dioxin elsewhere; I've been extremely impressed to find that a 'Commission' on the topic of Agent Orange (or Dioxin) existed somewhere in the United States. Rather than being an anomaly, the State has taken a leadership role in funding the Commission and research on Veterans and Agent Orange. Perhaps, the investigators were too successful!

I would be very interested to know the pressures which came to bear in making this decision; and to what extent the 'moneyed industries' influenced this decision. This decision reminds me of how the native Indians have been treated by Union Carbide; that is, the Vietnam Vets have also been given the royal 'shaft'. I would like to appeal to you to use whatever influence you have to appeal to the Governor. The Commission is in the midst of a vital studies: the second phase of the Pointman Study, and involved in the 1st study of Female Viet Vets. Please do what you can to help us by using your influence to assist the members of the Commission.

Sincerely,

Patsy G. Goodman
Patsy G. Goodman, Ph.D.
US Air Force Nurse Corp,
Cam Ranh Bay, R.V.N., Feb. 66 to Oct. 67.

40x

MAR 11 1989

R.D. 2 Box 169
Boonton, NJ 07005

February 27, 1989

Governor Thomas Kean
The State House
Trenton, NJ 08625

The Honorable Governor Kean:

On a recent business trip I was heartened to read in the *Japan Times* that you had been selected to assume the position of Dean of Drew University at the end of your tenure as governor. Your selection was undoubtedly made based on your commitment to raising the country's education standards, unfortunately your administration does not have a similar commitment to educating the general public about the effects of exposure to Agent Orange on the Vietnam veteran. As a member of A TEAM, the first group of Vietnam era veterans to undergo intensive physical and psychological testing related to Agent Orange exposure, I feel compelled to add my voice to those of the New Jersey Agent Orange Commission and its special consultants to condemn the elimination of public funding.

I would also like to take exception to comments made by Captain Guarascio, spokesman for the Department of Military and Veteran Affairs. Grouping the services provided by the Agent Orange Commission into the department's eighteen veterans outreach centers only tends to dilute the efforts and influence of those affected. Maybe this was the intention of such a proposal. Quoting Captain Guarascio: "We're looking at a one-step service for the veteran. We're doing what any business would do for the sake of efficiency." Dealing with the documented physical and psychological problems attributed to those who served in the unpopular and indecisive war in Vietnam should not be handled like a drive-thru fast foods operation. Rather, distinct and specific public funding should be provided to obtain, compile and disseminate the facts about exposure to Agent Orange.

If we've learned anything from the wars the United States fought in the last half century, it is that each group of veterans has diverse problems as a direct or indirect result of service in these conflicts. The service related physical and psychological problems should be quantified by diligent independent research unencumbered by those whose previous actions may have contributed to these problems initially. This

4/x

is the same rationale used in the appointment of independent prosecutors to investigate cases where undue influence could adversely affect the flow of evidence. In the final analysis it should be the citizenry of this country who make the final decision based on evidence gathered by as many independent sources as possible. Economy when dealing with the physical and psychological problems of those who served their country fighting on foreign soil is a poor excuse for impeding the flow of this valuable information. A commitment to public funding of the New Jersey Agent Orange Commission's work, on the other hand, would surely be a step forward in meeting the informational and hopefully the medical needs of the exposed veterans.

Very truly yours,

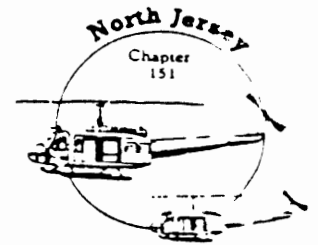
JW Stanek
J. W. Stanecki

cc: Wayne F. Wilson
Senator Richard Van Wagner
General Francis Gerard
Newark Star Ledger
Trenton Times
Courier-Post

42x



VIETNAM VETERANS OF AMERICA
NORTH JERSEY CHAPTER
"151"



P.O. BOX 1345
BAYONNE, NEW JERSEY

VIETNAM VETERANS OF AMERICA
"IN SERVICE TO AMERICA"

February 16, 1989

New Jersey Agent Orange Commission
Box 1717
Trenton, New Jersey 08607-1717

Dear Commission Members,

North Jersey Chapter 151 of the Vietnam Veterans of America applauds the work of the New Jersey Agent Orange Commission. We feel that through your efforts in research and documentation of the health problems associated with exposure to Agent Orange, we may be finally on the right track to finding answers to questions which are of great importance to each of us.

In light of recent reductions in state funding for the remainder of this fiscal year, and the total abolishment of funding for the next fiscal year, we see that the Governor does not share our views of your accomplishments. However, we stand behind you. The New Jersey Agent Orange Commission and its work are far too important to let this stand in the way.

We offer our support in your endeavors and will assist you in any and all ways possible to insure the continuation of this research. Please feel free to call upon us at any time.

Sincerely,

President, Chapter 151

43x

Michael J. Giurato
145 S. Ashland
Palatine, IL 60067

February 16, 1989

Governor Thomas Kean
State House
Trenton, NJ 08625

Dear Governor Kean:

My name is Michael Giurato. I am the Agent Orange Chairman of a Vietnam Chapter located in Evanston, Illinois.

I am extremely upset by your decision to cease funding of the New Jersey Agent Orange Commission.

With a State Budget of some 12 billion dollars, your savings of roughly \$220,000 by the dismantling of the Commission has about the same impact as removing a grain of sand from the beach.

As you know, the Commission has been working very hard for Vietnam Veterans and their families since 1980. They are extremely dedicated, underpaid, working beyond burn-out; transferring their function to another state agency where the people won't have the dedication, knowledge, or experience of the current Commission is not going to help the many Veterans who need help.

Once again, it slowly appears that anytime someone i.e. any person, group, zeroes in on the truth, whether it be Agent Orange, P.O.W, M.I.A, or the like, immense pressure arrives from government sources to disrupt the various movements.

You have chosen to ignore the feelings of large voting bloc. You are quite a gambler.

Regards,

Michael J. Giurato
Michael J. Giurato

44x

MG Francis R. Gerard
Dept. of Military & Veterans Affairs
State of New Jersey
CN 340
Trenton, NJ 08625

Dear General:

Recent news reports we are hearing and reading indicate that your Department has recommended not funding the State of New Jersey Commission on Agent Orange.

A number of states around the Nation have had commissions with no funding or members who have had no direct impact on helping to resolve the Agent Orange question. That has not been the case in New Jersey which has been the leader across this Country in the effort to advocate for Vietnam VETERANS AND THEIR FAMILIES! The Commission's research projects have made important strides and more are needed. For many of us there is absolutely no where else to turn for help.

The federal government has abandoned its efforts to seek the truth and only New Jersey has had the courage and fortitude to press forward for answers. They have worked with our leaders and understand how important this is to us.

I urge you to do what is right and restore full funding to your Commission and to work with them to "seek the truth" on the agent orange issue once and for all. I hope you recognize that studies alone will only provide part of the solution and that the need to have good care and treatment and compensation are battles that New Jersey can continue to wage. It is up to you.

Sincerely,


Donald D. Sassen

FEB 27 1989

JUL 21, 1981
JOHN STOPERA
6365 COURTLAND DRIV.
CANTON, MI 48187

Dear Mr. Wilson,

Thank you so much for all the information you sent me concerning the Agent Orange matter. The information was very informative and answered many of my questions.

Your "Agent Orange Up Date" newsletter is put together very well. Very compact and concise, but yet contains alot of good information. It's too bad we veterans in Michigan don't have a resource such as yours.

Thanks once again. And if you ever have any information to pass on about my old unit, I'd be happy to hear about it. I served with the 199th Light Infantry Brigade (11B40) 1969-1970.

Sincerely,

John Stopera



VCVC P.O. Box 3290 Trenton, NJ 08619

A POSITION PAPER

February 9, 1989

It's the studied position of Vietnam Combat Veterans Coalition that Wayne Wilson should be terminated as executive director of the New Jersey State Commission On Agent Orange. His paid staff, except for the clerical staff, should also be terminated. We propose that the research scientists, all past and present ongoing research, and such clerical and administrative staff as is necessary, be transferred to the Department of Health. Further, VCVC proposes all Agent Orange claims work, PTSD work, all files be directed to the Department of Military and Veterans Affairs. Specifically to the Division of Loans, Grants, and Services VSO district offices. We also suggest that the Department of Military and Veterans Affairs Division of Information and Outreach be charged with outreaching to Vietnam veterans within the State of New Jersey with regards to Agent Orange referrals and information. The Veterans Advisory Committee of the Agent Orange Commission should be brought under the Department of Military and Veterans Affairs as well to act as a point of information and monitoring of the research, claims work and dissemination of accurate information.

Vietnam Combat Veterans Coalition maintains that Vietnam veterans have waited long enough for Wayne Wilson to explain his policies of ^{alleged} fiscal irregularities, out-of-state travel, dissemination of misinformation, aggravating the PTSD levels of combat veterans, foot dragging on research, misplaced priorities, chronic hindering on implementing the Open Public Meetings Act, misdirection and misuse of taxpayers limited resources, refusal to adhere to expert advice with regards to the direction and nature of Agent Orange studies, manipulation of veteran allies for personal political reasons, and unwillingness to resolve problem issues when they first appear but rather wait until they blossom into ugly, counterproductive hyperbole.

The Governor has correctly stated, "N.J. and You, Perfect Together", as an apropos slogan for our state. N.J. is a fine state with many resources. Our best resource is the people. Vietnam veterans have given much to be called a citizen. Vietnam Combat Veterans Coalition firmly believes we have been shortchanged by the way Wayne Wilson has run the Commission. The Commission is under investigation by the Public Advocates Office. We ask the Governor to intervene on behalf of the best resource the State has; its veterans. Vietnam veterans have waited long enough.

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1) paid for everything
2) Questioning this
3) Public records?

Separate
Special
hearing

