



E. R. ZUMWALT, JR.
ADMIRAL, U. S. NAVY (RET.)

FACSIMILE TRANSMISSION

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DATE: 1-28-92

TO: Richard Christian

COMPANY: American Legion

FROM: E. R. Zumwalt, Jr

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ADMIRAL, U. S. NAVY (RET.)

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M E M O R A N D U M

TO: Richard Christian
FROM: E. R. Zumwalt, Jr.
DATE: 27 January 1992

I attach a copy of a letter from Rob Hager who lists American Legion as one of the organizations which has not endorsed the idea of holding Congressional hearings to look into Judge Weinstein's judicial performance.

Before I initiated a letter to the Legion, I wanted to get your personal view as to whether this would cause you a problem in any way.

Attachment

JAN 23 1992

ROBERT M. HAGER
PUBLIC INTEREST LEGAL
2020 PENNSYLVANIA AVENUE, N. W.
WASHINGTON, D.C. 20006

PHONE 202-331-9831

January 21, 1992

Admiral Elmo R. Zumwalt, Jr., USN Ret.
1500 Wilson Blvd.
Arlington, VA 22209

Dear Admiral Zumwalt:

Thank you for inviting me to address the Coordinating Council last week, and also for a copy of your letter to Rep. Edwards. As you said, this is a great cause - there having been no greater injustice perpetrated in any single case in American legal history. If everyone works together I believe we can restore justice for the veterans. But the opposition is strong, motivated, and clever.

Now that all of those on your list of service organizations (except those receiving money, directly or indirectly, from Judge Weinstein's foundation, AOCAP) have endorsed your call for hearings, it may be time for two initiatives to enable us to move ahead.

One initiative would be to request meetings with key members of Congress, especially those who are Vietnam veterans. This would include David E. Bonior, Democratic Whip, and, if possible, Bob Kerrey. The purpose of the meetings would be to explain the wide support among the service groups for your proposal, to ask the members to endorse the bill being prepared by Edward's committee, and to request hearings on the bill. I am enclosing here a recent draft of the bill, modified in light of the judge's recent orders.

A second initiative would be a letter from you to the top officer in each of the service organizations from whom you have not yet received a written endorsement. This letter would list all of the organizations who have endorsed, stress the importance of unity on this issue, and request an opportunity to discuss any reservations the organization may have to your call for legislation that would restore the rights of Vietnam veterans to a fair trial.

As I mentioned at the meeting, the only organizations on your Council who have not provided a letter of endorsement are those who have received money from AOCAP, the Paralyzed Veterans of America (\$318,125, and 95,200), the American Legion (\$904,932, \$544,962 and \$699,621) and the VVA, whose legal arm, the National Veterans Legal Services Project has received over \$2.5 million from AOCAP. This information is taken from Attachment #1 to Judge Weinstein's order, enclosed here.

A letter from you to their leadership might overcome any hesitancy these organizations seem to be experiencing in endorsing your call for justice for all veterans who were victims of Agent Orange in Vietnam.

If you think appropriate, other organizations not now on your list of Council members might also be approached, such as:

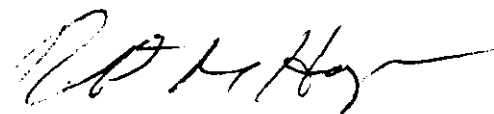
Mr. Robert Jones
National Executive Director
AMVETS
4647 Forbes Bvd.
Lanham Md. 20706

At the Council's January 14 meeting Paul Egan of VVA raised again the question of the class action nature of the Ivy suit. He seems to be having some trouble with this legal concept though I had already explained this issue in detail in a personal meeting with him. To prevent any further spread of his confusion on this issue, in case he raises the question again elsewhere, enclosed here is a copy of the class definition presented to Judge Weinstein as it appears in the first two pages of the brief to which your Affidavit was attached. This definition attempts to include all victims of Agent Orange whose injuries arose after the settlement, who have not knowingly accepted money from Judge Weinstein in settlement of their claim.

Also enclosed here is my latest brief which discusses Judge Weinstein's conflict of interest in a somewhat broader context, such as that which you suggested. You may also be interested in a document provided to me apparently from "Vetnet," the AOCAP grantees' computer network. This document suggests the political control the judge exercises over those who accept his money.

Until early February I will be out of town taking depositions in Tennessee and New Mexico. Perhaps we could meet to discuss these issues on my return, if you are available then?

Very truly yours,



Robert M. Hager