

JUL 10 1992

VIETNAM VETERAN
AGENT ORANGE HEALTH STUDY
P.O. Box # 1236
Eatontown, NJ 07724



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James H. Budge, Sr.
National Coordinator & Founder

To: Admiral Elmo R. Zumwalt, Jr., (Ret.)
Chairman-Agent Orange Coordinating Council.
From: James H. Budge, Sr.,
National Coordinator & Founder. *(Signature)*
Re: Agent Orange Hearings.

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Enclosed you will find a letter that I sent to the Honorable William J. Hughes, Chairman of the Subcommittee On Judicial Administration, in the House Of Representatives.

I have also enclosed a mailing list of names and addresses of those Congressman who are members of this Subcommittee.

I would suggest that members of the Agent Orange Coordinating Council, send a letter such as the enclosed, to Chairman Hughes, and all members of his subcommittee, right away.

I would have sent the enclosed to all of the members of the AOCC, but I do not have a list of the members. With this in mind, I would request that your office, send out a special mailing, to the members of the Agent Orange Coordinating Council, to alert them of what I have done, and to request that they too, send letters such as the enclosed, to the Chairman, and all subcommittee members, so there can be an investigation as to how MDL-381, and the Ivy Case, has been handled.

If all of the subcommittee members are aware of what is going on with this issue, then maybe we can get hearings.

I trust that you will comply with my request, as this matter can not wait until our next meeting in September. Do you agree???

With the best interest of the Vietnam Veteran, their families, and those who STILL feel the effects of exposure to herbicides in mind,

(jhb) *(Signature)*

SEARCHING FOR THE TRUE ANSWERS!!!

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AGENT ORANGE HEALTH STUDY

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America is #1
Thanks to our
Veterans



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Thanks to our
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James H. Budge, Sr.

National Coordinator & Founder

13th June, 1992

Congressman William J. Hughes
Chairman;
Subcommittee On Judicial Administration;

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Re: Agent Orange Hearings.

Dear Chairman Hughes;

The purpose of my Letter today, is in regards to a matter of great importance to myself, and Vietnam Veterans' and their families, and that would be exposure to Agent Orange, and other herbicides that contained Dioxin, which is known to be the cause of many different health problems in the Vietnam Veteran Community.

As you may be well aware of, there is a growing concern with the propriety of Federal District Court decision making, in the case that is known as "Ivy vs. Diamond Shamrock". As you know, this is a Class-Action Case, originally filed and entered in the State Of Texas, in which a trial was sought to obtain relief from several chemical companies on behalf of Vietnam Veterans' and their families, whose diseases have been said to have been the result from the Vietnam Veterans' exposure to Agent Orange, and other highly toxic herbicides used in Vietnam, that contained the unwanted by-product, known as 2-3-7-8-TCDD, also known as Dioxin.

This case was removed from the State Courts in Texas, and sent to the Federal District Court for the Eastern District of New York, as per the request of the chemical companies. This is the same court, and the same Judge, who had presided over the original Class-Action suit, known as (MDL-381), that was settled by Judge Weinstein on 7th May, 1984. In early October, the Federal Judge Presiding over the "Ivy" trial, dismissed the case, basically ruling the "Class" who was petitioning in the "Ivy" case, were part of the same class, that had accepted the settlement in the previous Agent Orange (MDL-381) trial.

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SEARCHING FOR THE TRUE ANSWERS!!!

Congressman William J. Hughes

13th June, 1992

Re: Agent Orange Hearings.

There are many, many issues raised by the recent Court decisions, that are troubling. The purpose of this letter, is to add my feelings as National Coordinator and Founder of the Vietnam Veteran/Agent Orange Health Study, who is conducting a National Health Effects Study on the Vietnam Veteran, and his/her family members, who with regards to the Veterans' exposure to Agent Orange, and other herbicides that contained Dioxin. I am also sending this letter, on behalf of the Vietnam Veterans' and their families, who are taking part in my study.

I am very interested in seeing Vietnam Veterans' and their families, treated as fairly as possible, by the United States Courts' system, as others in this country, who are not Vietnam Veterans', in their legal trials against chemical companies for exposure to chemicals such as Agent Orange, and chemicals such as Dioxin.

With this in mind, there does appear to be a difference in the way the courts in this country are treating non-veterans', in their legal trials, against the treatment of Vietnam Veterans and their families, in their trials with regards to Agent Orange and Dioxin, as Vietnam Veterans' and their families, can not obtain a "day in court", before a jury of their peers. A few cases have been brought by farmers, and/or other workers where Dioxin has been present.

It is a known fact, that Vietnam Veterans' and their families are being denied the same opportunity, as those who are not Vietnam Veterans', and those people obtain a trial, with a Jury. Now I ask you, "Is The Law Different For Vietnam Veterans, And Their Families, With Regards To Trials By Junys"??? Vietnam Veterans' fought for that right in Vietnam!!!

The extent to which this different treatment of Vietnam Veterans' and their families, and Non-Veterans' is a result of the 5/7/84 (MDL-381) settlement. But the extent to which all of the Judges in the (MDL-381) trial, and the "Ivy" case, should not be allowed to permanently close legal avenues, for Vietnam Veterans' and their families, and is not fair to this group of people in this country, who served their country with Honor, and it remains unsettled.

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13th June, 1992

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The Veteran plaintiffs and their families, with regards to the "Ivy" case, have claimed that their illnesses/diseases had manifested themselves, after the 1984 (MDL-381) settlement of Judge Weinstein, and therefore, should not be part of the same class of the 1984 (MDL-381) settlement. I am also inclined to agree with this class known as "Ivy", as the original (MDL-381) case was settled by Judge Weinstein, and the Plaintiffs Management Committee, (who were the lawyers who were appointed by Judge Weinstein), to represent Vietnam Veterans', and their families, as the original lawyer, Mr. Victor Yannacone, from Patchogue, Long Island, could not continue, due to financial reasons.

Even tho Judge Weinstein held hearings around the country, to hear from Vietnam Veterans' and their families, on how the settlement of \$180 million would be spent, (and Veterans' were mostly against the settlement), Judge Weinstein ruled as to the way he, and the chemical companies wanted. Whatever Vietnam Veterans' and their families said during the whole "trial", went in one ear, and out the other. There is also proof that the Agent Orange Class Assistance Program Providers have been told not to give out any information on the Agent Orange issue, (this proof will be provided to you, and your committee, from me, if needed).

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Also, significant scientific evidence/information, (that was not released in the MDL-381 trial), proves a relationship between exposure to Dioxin and many different diseases. This would indeed, make the "Ivy" case, and "MDL-381", stronger now, than back in 1984. Also, some of these same chemical companies are continuing to manufacture products that contain Dioxin, and other Toxic By-Products.

Many Vietnam Veterans' and their families, are not clear about the differences between a tort trial, providing compensation based on negligence by a chemical company, and compensation provided by the Department Of Veterans' Affairs, from disabilities due to active military service.

To help clean up alot of the confusion, I urge you to hold oversight and investigative hearings, for the purpose of sorting out some of the legal questions, with regards to the "Ivy" case, and "MDL-381", and the way the Department Of Veterans' Affairs, has treated Vietnam Veterans', with regards to the Agent Orange and Dioxin issue.

Congressman William J. Hughes

13th June, 1992

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It is a well known fact, that the makers of Agent Orange, The Centers For Disease Control, and many branches of the Federal Government, (through their studies), have covered-up or botched the results of these studies, as Congressman Ted Weiss, (NY), discovered this in his investigation some time ago. And the reason for all of this "cover-up", is that if the Truth came out, it would not only show what Vietnam Veterans' and their families have been saying for years, but it could also help the Vietnam Veteran, and his/her family, get their day in court, in front of a jury of their peers, but it would also open up the court systems for the people who are still living in all of this Dioxin, for some twenty-five (25) years in South Vietnam.

To make you aware of something, (that was published in the Federal Register on 12/26/91), The National Archives And Records Administration, under Pending Records Schedule, and job #N1-442-90-5, are planning on destroying the files from the Agent Orange Project Files, and some records from the Health And Human Services, and the office of the Centers For Disease Control, with regards to the Agent Orange issue. Is this the right thing to do, since there are so many unanswered questions with regards to the Agent Orange and Dioxin issues????

I know that you will agree with me on this, that the Federal Government, (who did the spraying of Agent Orange, and knew back in the early days of what it would do), should still be holding the responsibility for compensating Vietnam Veterans', and that the Chemical Companies, should also assume some of the responsibility, for making Agent Orange, with their full knowledge that it contained Dioxin.

Vietnam Veterans' fought in the military for Freedom, and Vietnam Veterans' and their families, are the only group of people in this world, who can not "get their day in court", in front of a trial jury of their peers. I am starting to really wonder why I fought for this country in Vietnam!!!!

If your subcommittee does not look into the Agent Orange issue, and how the Department Of Veterans' Affairs and the court systems have handled the Agent Orange and Dioxin issue, then this would be a far bigger travesty than the whole Vietnam War itself...

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Congressman William J. Hughes
13th June, 1992
Re: Agent Orange Hearings.

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I have spent almost twenty (20) years of my life, to try and get the Agent Orange issue resolved, either good or bad, and I have seen many Vietnam Veterans' and their family members die, and I ask you: "How Many More Must Die, Before This Issue Is Resolved".

I urge you to hold hearings, and to look into this dishonest treatment, over the Agent Orange issue, and the Vietnam Veteran, and his/her family member.

I would also be willing to come to your committee and give testimony, on what I have seen over almost twenty (20) years of my suffering, and the suffering of my Brothers and Sisters, and their families.

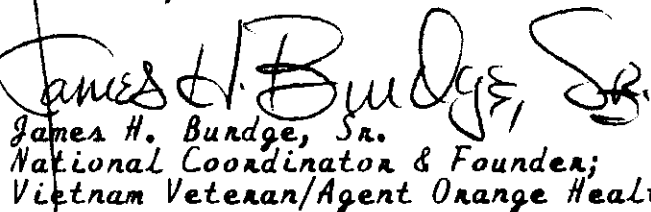
I trust that you will comply with my request, to hold hearings, and investigate what has went on with the Agent Orange issue.

Thank you in advance, for your time in reviewing my letter, and I trust that I will be hearing from you in the near future. Remember, time is running out for the Vietnam Veteran Community. Will you and your Committee help us, or will we still be treated unjustly, because the saying has been for years, that:

"Vietnam Veterans' Have Been Sprayed,
And Betrayed".

With the best interest of the Vietnam Veteran, their families, and those who STILL feel the effects of exposure to herbicides in mind,

I remain;


James H. Burdge, Sr.
National Coordinator & Founder;
Vietnam Veteran/Agent Orange Health Study

cc/file
agent orange coordinating council

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