



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

June 9, 1997

David A. Butler, Ph.D.  
Study Director  
Div of Health Promotion & Disease Prevention  
National Academy of Sciences  
INSTITUTE OF MEDICINE  
2101 Constitution Avenue, NW  
Washington, DC 20418

Dear Dr. Butler:

With regard to your letter I submit the following as Chairman of the Agent Orange Coordinating Council:

1. A summary of the way in which I became involved in the Agent Orange issue.
2. Two proposed agenda items for consideration by IOM's Scientific Panel.

#### SUMMARY OF INVOLVEMENT

I became involved in great detail in the Agent Orange issue in the following manner.

I commanded U.S. Naval Forces, Vietnam, from 1968 until 1970 and had further responsibilities for forces fighting in Vietnam while I served as a member of the Joint Chiefs of Staff from 1970 to 1974.

In 1989 the Secretary of Veterans Affairs, The Honorable Edward Derwinski, asked me to serve as an unpaid special assistant to do an analysis for him of the Agent Orange issue. I spent seven months, in conjunction with respected scientists, reviewing the studies on dioxin. In May 1990, I submitted a report which listed numerous health effects which, in my judgment and that of my scientific advisors, were as likely as not to result from exposure of Vietnam veterans to Agent Orange and its dioxin contaminant.

This report, among other things, commented on the flawed nature of the scientific analyses done by the statutory committee advising the Secretary of Veterans Affairs, the Committee on Environmental Health Hazards, whose deliberations had, in my opinion, been heavily weighted by those of its members who had associations with corporations whose products generated dioxin.

In addition, I was able to establish that it had been the policy of the U.S. Government in the early '80s to instruct government agencies involved in Agent Orange studies that it would be most unfortunate if a correlation between Agent Orange and health effects were to be found.

David A. Butler, Ph.D.  
June 9, 1997  
Page Two

A copy of my report to Secretary Derwinski is attached.

Soon thereafter, the House Committee on Government Operations on August 9, 1990, submitted its 12th report entitled *The Agent Orange Coverup: A Case of Flawed Science and Political Manipulation*, copy attached, which, in my judgment, constituted a devastating indictment of the U.S. Government's interference with science.

I quote two of the findings of that report:

"The White House compromised the independence of the CDC and undermined the study by controlling crucial decisions and guiding the course of research at the same time it had secretly taken a legal position to resist demands to compensate victims of Agent Orange exposure and industrial accidents."

"The Federal Government has suppressed or minimized findings of ill health effects among Vietnam veterans that could be linked to Agent Orange exposure."

I should note that industry weighed in by insuring that a minority of the committee took issue with the findings concerning the interference of the government with science.

My report stated that based on my review with respected scientists of all available studies, there were 28 diseases which met the statutory test that it was "as likely as not" that exposure to Agent Orange caused them. At about the same time, the Agent Orange Scientific Task Force, commissioned by veterans organizations to study the issue, found that a large number of diseases were as likely as not a result of exposure to Agent Orange.

To his credit, President Bush on being apprised of the foregoing overruled the Bureau of the Budget and accepted Secretary Derwinski's recommendations, as a result of which three diseases: chloracne, soft tissue sarcoma, and non-Hodgkin lymphoma were approved as diseases for which Vietnam veterans or their families should receive compensation.

Soon after the foregoing events, Congress disestablished the Committee on Environmental Health Hazards and assigned the responsibility for Agent Orange studies to the National Academy of Sciences which contracted with the Institute of Medicine (IOM) to produce such studies.

Dr. Kenneth Shine, President of the Institute of Medicine, agreed to establish the policy that no scientists would be on the panel who had taken a position pro or con on the correlation between exposure to Agent Orange and health effects. Highly credible scientists who had not previously taken such positions were named to a panel which reviewed all the literature. In July of 1993, the IOM panel issued its first report as a result of which seven more diseases have been authorized for compensation.

David A. Butler, Ph.D.  
June 9, 1997  
Page Three

Thus in the case of the study of dioxin done by IOM to get to objective conclusions for veterans exposed to Agent Orange, the elimination of scientists who had corporate conflicts has led to a total of ten diseases being found, as likely as not, associated with such exposure.

As you know, the second report of the IOM panel led to a decision by the Secretary of Veterans Affairs, based upon that report, that three more (for a total of 12) of the 28 diseases listed in my report would be authorized for compensation.

### TWO RECOMMENDED AGENDA ITEMS

1. I call to the attention of the panel the outstanding piece of work done by the EPA scientists who produced the draft report by EPA. Since the process used by EPA, unlike the process of IOM, permits the purely scientific outcomes in the draft to be affected in final form by the input from scientists on the Scientific Advisory Board, some of whom because of corporate affiliation are less than objective, I believe it very important for the IOM panel to be aware of the draft reassessment.

2. I want to cite for the panel the importance of causing research to be done on Agent Orange in Vietnam. This is because it is important to have many exposure and health related research projects conducted. No one project can answer all questions. Some projects should be in Vietnam. This is because Vietnam was where Agent Orange with its dioxin contaminant was sprayed. It is essential to learn where these chemicals did--and did not--actually get into people. There were more Vietnamese exposed for longer periods of time to herbicides than American veterans. If dioxin got into Vietnamese in certain geographical areas, it is more probable it got into Americans. The opposite is also true. With large exposed and also not exposed populations, it is easier to do health studies than if smaller numbers were available for study.

Thank you for permitting the Agent Orange Coordinating Council to comment.

Sincerely,



E. R. Zumwalt, Jr.  
Admiral, USN (Ret.)  
Chairman, Agent Orange Coordinating Council

1000 Wilson Boulevard, Suite 3105  
Arlington, VA 22209-3901

Tel: (703) 527-5380  
Fax: (703) 528-5795

Enclosure



State University of New York  
Health Science Center  
Syracuse

**College of Medicine**

Clinical Campus  
P.O. Box 1000  
Binghamton, NY 13902  
(607) 770-8521

June 4, 1997

Admiral Elmo R. Zumwalt, Jr.  
FAX only

Dear Admiral *Zum* Zumwalt:

1. With respect to your comments to IOM for June 19: It is important to have many exposure and health related research projects conducted. No one project can answer all questions. Some projects should be in Vietnam: This is because Vietnam was where Agent Orange with its dioxin contaminant was sprayed. It is essential to learn where these chemicals did, and did not, actually get into people. There were more Vietnamese exposed for longer periods of time to herbicides than American veterans. If dioxin got into Vietnamese in certain geographical areas, it is more probable it got into Americans. The opposite is also true. With large exposed and also not exposed populations, it is easier to do health studies than if smaller numbers were available for study.
2. With Secretary of State Albright about to visit Vietnam soon, we might wish to get her to say something about Agent Orange research. We can at least alert the press to ask her about US policy on this issue.

Warmest regards,

Arnold Schechter

June 3, 1997

DRAFT  
talk to me first

David A. Butler, Ph.D.  
Study Director  
Div of Health Promotion & Disease Prevention  
National Academy of Sciences  
INSTITUTE OF MEDICINE  
2101 Constitution Avenue, NW  
Washington, DC 20418

Dear Dr. Butler:

With regard to your letter I submit the following, as Chairman of the Agent Orange Contaminants Council

1. A summary of the way in which I became involved in the Agent Orange issue
2. Two proposed agenda items for consideration by IOM's Scientific Panel which concludes with the agreement made with Dr. Ken Shine which was followed by the superior 1993 report of the IOM panel.

SUMMARY UP INVOLVEMENT

I became involved in great detail in the Agent Orange issue in the following manner.

I commanded U.S. Naval Forces, Vietnam, from 1968 until 1970 and had further responsibilities for forces fighting in Vietnam while I served as a member of the Joint Chiefs of Staff from 1970 to 1974.

In 1989 the Secretary of Veterans Affairs, The Honorable Edward Derwinski, asked me to serve as an unpaid special assistant to do an analysis for him of the Agent Orange issue. I spent seven months, in conjunction with respected scientists, reviewing the studies on dioxin. In May 1990, I submitted a report which listed numerous health effects which, in my judgment and that of my scientific advisors, were as likely as not to result from exposure of Vietnam veterans to Agent Orange and its dioxin contaminant.

This report, among other things, commented on the flawed nature of the scientific analyses done by the statutory committee advising the Secretary of Veterans Affairs, the Committee on Environmental Health Hazards, whose deliberations had, in my opinion, been heavily weighted by those of its members who had associations with corporations whose products generated dioxin.

In addition, I was able to establish that it had been the policy of the U.S. Government in the early '80s to instruct government agencies involved in Agent Orange studies that it would be most unfortunate if a correlation between Agent Orange and health effects were to be found.

A copy of my report to Secretary Derwinski is attached.

Soon thereafter, the House Committee on Government Operations on August 9, 1990, submitted its 12th report entitled *The Agent Orange Coverup: A Case of Flawed Science and Political Manipulation*, copy attached, which, in my judgment, constituted a devastating indictment of the U.S. Government's interference with science.

I quote two of the findings of that report:

"The White House compromised the independence of the CDC and undermined the study by controlling crucial decisions and guiding the course of research at the same time it had secretly taken a legal position to resist demands to compensate victims of Agent Orange exposure and industrial accidents."

"The Federal Government has suppressed or minimized findings of ill health effects among Vietnam veterans that could be linked to Agent Orange exposure."

I should note that industry weighed in by insuring that a minority of the committee took issue with the findings concerning the interference of the government with science.

My report stated that based on my review with respected scientists of all available studies, there were 28 diseases which met the statutory test that it was "as likely as not" that exposure to Agent Orange caused them. At about the same time, the Agent Orange Scientific Task Force, commissioned by veterans organizations to study the issue, found that a large number of diseases were as likely as not a result of exposure to Agent Orange.

To his credit, President Bush on being apprised of the foregoing overruled the Bureau of the Budget and accepted Secretary Derwinski's recommendations, as a result of which three diseases: chloracne, soft tissue sarcoma, and non-Hodgkin lymphoma were approved as diseases for which Vietnam veterans or their families should receive compensation.

Soon after the foregoing events, Congress disestablished the Committee on Environmental Health Hazards and assigned the responsibility for Agent Orange studies to the National Academy of Sciences which contracted with the Institute of Medicine (IOM) to produce such studies.

Dr. Kenneth Shine, President of the Institute of Medicine, agreed to establish the policy that no scientists would be on the panel who had taken a position pro or con on the correlation between exposure to Agent Orange and health effects. Highly credible scientists who had not previously taken such positions were named to a panel which reviewed all the literature. In July

of 1993, the IOM panel issued its first report as a result of which seven more diseases have been authorized for compensation.

Thus in the case of the study of dioxin done by IOM to get to objective conclusions for veterans exposed to Agent Orange, the elimination of scientists who had corporate conflicts has led to a total of ten diseases being found, as likely as not, associated with such exposure.

2. As you know, the second report of the IOM panel led to a decision by the Secretary of Veterans Affairs, based upon that report, that        more ~~diseases~~ would be authorized for compensation.

*TWO RECOMMENDED AGENDA ITEMS*

I call to the attention of the panel the outstanding piece of work done by the EPA scientists who produced the draft report by EPA (copy attached). Since the process used by EPA, unlike the process of IOM, permits purely scientific outcomes to be affected by the input from scientists who are less than objective, I believe it very important for the IOM panel to be aware of the draft reassessment ~~in addition to taking cognizance of all new studies.~~

*(for a total of 13) of the 25 diseases listed on my report*

*in the draft in final form*

Thank you for permitting the Agent Orange Coordinating Council to comment.

Sincerely,

*on the Scientific Advisory Board, some of whom because of corporate affiliations*

E. R. Zumwalt, Jr.  
Admiral, USN (Ret.)  
Chairman, Agent Orange Coordinating Council

1000 Wilson Boulevard, Suite 3105  
Arlington, VA 22209-3901

Tel: (703) 527-5380  
Fax: (703) 528-5795



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

May 28, 1997

David A. Butler, Ph.D., Study Director  
Division of Health Promotion & Disease Prevention  
National Academy of Sciences  
INSTITUTE OF MEDICINE  
2101 Constitution Avenue, NW  
Washington, DC 20418

Dear Dr. Butler:

Regrettably, I must be out of town on a long-term commitment and am therefore unable to participate in the subject meeting on June 19.

I will plan to submit a paper to you by June 12.

All best wishes.

Sincerely,

E. R. Zumwalt, Jr.  
Admiral, USN (Ret.)  
Chairman, Agent Orange Coordinating Council

1000 Wilson Boulevard, Suite 3105  
Arlington, VA 22209-3901

Tel: (703) 527-5380  
Fax: (703) 528-5795

INSTITUTE OF MEDICINE  
NATIONAL ACADEMY OF SCIENCES  
2101 CONSTITUTION AVENUE, N.W., WASHINGTON, DC 20418

Division of Health Promotion  
and Disease Prevention

Phone: (202) 334-2357  
Fax: (202) 334-2939

received 5/27/1997  
June 17, 1996

E.R. Zumwalt, Jr.  
Admiral, USN (Ret.)  
Chairman, Agent Orange Coordinating Council  
1000 Wilson Blvd., Suite 3105  
Arlington, VA 22209-3901

Dear Admiral Zumwalt:

The Institute of Medicine will hold a public meeting on June 19 in Washington, DC to solicit scientific information on the health effects of exposure to dioxin and the other chemicals and contaminants which made up the herbicides used in Vietnam. Because of your past interest in IOM's work in this area, I am writing to ask whether you would be interested in participating in this meeting. We are soliciting both oral presentations and written submissions of information, and would welcome either from you.

The enclosed flier contains details on the meeting and on the types of information that would be most helpful to this research effort. Please contact Mr. James Bowers at 202-334-2357 or e-mail us at [veterans@nas.edu](mailto:veterans@nas.edu) with any questions or if you would like to schedule a presentation or submit written testimony.

We greatly appreciate your keeping us informed of the new dioxin literature that comes to your attention. Your prior submissions are already part of the database now being reviewed by the committee we have assembled for our latest review. We hope you'll be able to join us in June and share your expertise with our committee.

Sincerely yours,



David A. Butler, Ph.D.  
Study Director

Enclosure

**INSTITUTE OF MEDICINE  
NATIONAL ACADEMY OF SCIENCES**

---

---

**PUBLIC MEETING  
REGISTRATION FORM**

**VETERANS AND AGENT ORANGE**

**June 19, 1997  
9:00 AM - 5:00 PM**

**Room 2004  
National Academy of Sciences  
1055 Thomas Jefferson Street, NW  
Washington, DC**

**Send to: Veterans and Agent Orange: Update 1998  
Institute of Medicine  
National Academy of Sciences (FO 3025)  
Washington, DC 20418**

**Fax: (202) 334-2939**

**Email: veterans@nas.edu**

**Phone: (202) 334-2357**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Affiliation:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**I would like to make an oral presentation at the public meeting:** Yes:  No:

**Topic of presentation:** \_\_\_\_\_

**I plan to submit written testimony:** Yes:  No:

**I am interested in the public meeting in Irvine, CA in October:** Yes:  No:

**An agenda including specific presentation times will be sent at a later date.**

**REGISTRATION DEADLINE: JUNE 4, 1997**

# INSTITUTE OF MEDICINE

## PUBLIC MEETING ANNOUNCEMENT

# VETERANS AND AGENT ORANGE

June 19, 1997

### BACKGROUND

As called for in Public Law 102-4 and at the request of the Department of Veterans Affairs, the Institute of Medicine (IOM) of the National Academy of Sciences (NAS) will review and evaluate the available scientific evidence regarding statistical associations between diseases and exposure to dioxin and other chemical compounds in herbicides used in Vietnam. For each disease or condition, the NAS will determine, to the extent that available scientific data permit meaningful determinations:

- whether a statistical association of disease with herbicide exposure exists, taking into account the strength of the scientific evidence and the appropriateness of the statistical and epidemiological methods used to detect the association;
- the increased risk of the disease in question among those exposed to herbicides during Vietnam service; and
- whether there exists a plausible biological mechanism or other evidence of a causal relationship between herbicide exposure and the disease in question.

The NAS will not make recommendations regarding specific individual cases. While the report will provide scientific information for the secretary of veterans affairs to consider in making determinations about compensation, these decisions remain the responsibility of the secretary. Thus, presentations and submissions should be focused on interpretations of the existing scientific literature relevant to the statutory charge.

Diseases and adverse effects to be considered include: (1) cancers of the stomach, colon, hepatobiliary tract, respiratory tract, testis, prostate, kidney, and brain, Hodgkin's disease, non-Hodgkin's lymphoma, leukemia, soft tissue sarcoma, nasopharyngeal cancer, and other cancers; (2) metabolic disorders including altered lipid metabolism, porphyria cutanea tarda, and diabetes; (3) autoimmune and other immunological disorders; (4) neurologic and neurobehavioral disorders, including peripheral neuropathy; (5) disorders of the digestive system including gastrointestinal ulcers and hepatotoxic effects; (6) reproductive disorders including spina bifida and other birth defects, miscarriages, and abnormal sperm morphology; (7) chloracne and other skin disorders; (8) circulatory disorders; (9) respiratory disorders; and (10) other health conditions.

The IOM is now assembling the information that will be used in the update to this research which will be published in 1998. This update will consider all of the literature reviewed in two prior reports—*Veterans and Agent Orange: Health Effects of Herbicides Used in Vietnam* and *Veterans and Agent Orange: Update 1996*—but will focus on studies that have been published since the writing of the last report. This review could lead to revisions in the findings of these reports with respect to conclusions regarding health effects.

In order to enable members of the public to provide their views regarding the three statutory considerations, the IOM is conducting this public meeting and inviting interested individuals to offer their views. Both written and oral submissions are welcome. A second public meeting will be held in Irvine, California in October.

### DATES AND REGISTRATION

The meeting will be held on Thursday, June 19, 1997, from 9:00 AM until 5:00 PM, in Room 2004 at the National Academy of Sciences, 1055 Thomas Jefferson Street, NW, Washington, DC. Members of the public are invited to attend. On site registration for observers only will be held from 8:00 AM until 8:45 AM if sufficient seating space is available. Seating is limited and advance registration is highly recommended. **All registration forms must be received by June 4, 1997.**

To register to attend the meeting, e-mail the registration information to [veterans@nas.edu](mailto:veterans@nas.edu), or fill out the enclosed form and fax it to (202) 334-2939, or mail it to: Mr. James Bowers; National Academy of Sciences; Institute of Medicine, FO-3025a; 2101 Constitution Avenue, NW; Washington, DC 20418.

Individuals wishing to make brief oral presentations (limited to 10 minutes) must submit their name, affiliation, address, and the general topic of their comments by fax or mail by June 4, 1997. Those desiring to offer written input are encouraged to submit such material before June 15. A final agenda will be sent to all registrants indicating the time of specific presentations.

Presenters will be accommodated to the extent possible within the time limits of the meeting. However, individuals may be asked to summarize their oral remarks or submit their comments in writing. All presentations, whether oral or written, will be given full consideration by the committee. Individuals and groups with similar comments and from the same or similar organizations are asked to consolidate their comments into a single submission to the extent possible.

### FOR FURTHER INFORMATION

Please call (202) 334-2357 or e-mail your queries to: [veterans@nas.edu](mailto:veterans@nas.edu).



## **RECENT INSTITUTE OF MEDICINE PUBLICATIONS REGARDING VETERANS HEALTH**

**Veterans and Agent Orange: Update 1996**

**Characterizing Exposure of Veterans to Agent Orange and Other Herbicides: Scientific Considerations Regarding a Request for Proposals for Research (1997)**

**Adequacy of the Comprehensive Clinical Evaluation Program — Nerve Agents (1997)**

**Health Consequences of Service During the Persian Gulf War: Recommendations for Research and Information Systems (1996)**

**INSTITUTE OF MEDICINE  
National Academy of Sciences**

**Public Meeting  
Veterans and Agent Orange  
June 19, 1997**

**To Register:**

Send the enclosed registration form to: Mr. James Bowers; National Academy of Sciences; Institute of Medicine, FO-3025a; 2101 Constitution Avenue, NW; Washington, DC 20418; or fax to (202) 334-2939; or e-mail the registration information to: [veterans@nas.edu](mailto:veterans@nas.edu).

**Registration deadline: June 4, 1997**