

EXHIBIT 76

Washington, DC

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

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VIETNAM VETERANS OF :
AMERICA, et al., :

Plaintiffs, : No. CV 09-0037-CW

v. :

CENTRAL INTELLIGENCE :
AGENCY, et al., :

Defendants. :

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Washington, D.C.

Friday, June 3, 2011

Deposition of WILLIAM F. BLAZINSKI, a
witness herein, called for examination by counsel for
Defendants in the above-entitled matter, pursuant to
notice, the witness being duly sworn by ANDREA P.
HUSTON, a Notary Public in and for the District of
Columbia, taken at the offices of the Department of
Justice Federal Programs Branch, 20 Massachusetts
Avenue, N.W., Washington, D.C. at 8:26 a.m., Friday,

1 June 3, 2011, and the proceedings being taken down in
2 Stenotype by ANDREA P. HUSTON, RPR, CRR, and
3 transcribed under her direction.

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1 Q. What relief are you contemplating or
2 referring to?

3 A. Having -- using the VA in case my
4 condition becomes aggressive.

5 Q. I'm not sure I understand you. Are you
6 saying that the VA is not providing compensation for
7 service-connected medical conditions based upon
8 Edgewood exposures?

9 A. They are not providing anything.

10 Q. What's your basis for saying that? What
11 personal knowledge do you have on that issue?

12 A. Well, for one thing, they turned me down
13 because I make too much money.

14 Q. Uh-huh.

15 A. When I was originally drafted, we were
16 told that if you get an honorable discharge, you
17 won't have to worry about anything medical. The VA
18 will be there to protect you.

19 Q. Uh-huh.

20 A. That went away sometime, based on the
21 amount of money that I make.

22 Q. Okay.

1 Q. I see. Beyond that initial discussion at
2 Fort Sill about the general top secret nature of the
3 program, and the indication that the specific tests
4 you were being tested with were top secret, was there
5 any other instruction to you that you couldn't
6 disclose things about your time at Edgewood, that you
7 can recall?

8 A. Yeah, it was like it was hammered into
9 you, that you can't say anything about this.

10 Q. And how was it hammered into you? When
11 would that have been conveyed to you beyond --

12 A. Each and every time we took a test.

13 Q. And that was my question. We talked about
14 every time before a test, so those five occasions,
15 plus the presentation at Fort Sill. Beyond those six
16 times, is there any circumstance or instance you can
17 recall where you were instructed not to talk about
18 your time at Edgewood?

19 A. No, I can't recall.

20 Q. Okay.

21 A. No.

22 Q. I take it you can't recall signing any

1 sort of secrecy agreement?

2 A. Again, I may have. As you can see, they
3 had us signing everything. Normally, when the Army
4 has you sign something, it's sign it all, you can
5 read it later or whatever, like that, you know.

6 Q. I mean I will represent to you I have not
7 been able to find any sort of secrecy document in
8 your files. And I take it your testimony is you just
9 don't recall one way or the other --

10 A. Right.

11 Q. Okay. So, it's possible you did, and it's
12 possible that you didn't?

13 A. Right. I don't recall.

14 Q. Just don't know. Okay. Fair enough.

15 Did there come a time when you ultimately
16 felt comfortable discussing your time at Edgewood
17 after you had left?

18 A. Yeah, I guess I did.

19 Q. And what changed? What happened, just the
20 course of time?

21 A. Well, something -- the National Institute
22 of Health or whatever, Medicine, whatever like that,

1 when I did those surveys with them like that --

2 Q. Yeah.

3 A. -- and got copies of the results --

4 Q. Sure.

5 A. -- I mean somebody was looking into
6 something there. And, again, all those findings
7 didn't mean anything to me.

8 Q. Yeah.

9 A. I had no idea what they were talking
10 about.

11 Q. Yeah. I take it today, you don't feel
12 inhibited in any way from sharing what you know about
13 Edgewood, correct?

14 A. Correct.

15 Q. Okay.

16 I'm trying to actually cut through a few
17 things.

18 A. Good. Yes.

19 Q. I do have one question for you: Have you
20 ever seen the Department of the Army or the
21 Department of Defense's chemical and biological
22 exposure web site?

1 A. Yesterday.

2 Q. Have you seen them before yesterday?

3 A. I don't recall.

4 Q. I'll represent to you, Mr. Blazinski, that
5 I actually found these in your files. But I don't
6 see a cover letter from VA that accompanies most of
7 the fact sheets and the frequently asked questions.
8 The reason I give you that preface is I was curious
9 if you knew how you came into possession of the two
10 documents that are marked as Exhibit 167?

11 A. No, I don't recall.

12 Q. Okay. Do you recall, though, that at some
13 point in time, prior to your, I presume, discussions
14 with counsel yesterday, that you did come in fact
15 into possession of Exhibit 167?

16 A. I looked at a lot of stuff, and there were
17 articles, newspaper articles.

18 Q. I see.

19 A. So -- and this could have been part of
20 that.

21 Q. Okay. But sitting here today, you don't
22 know how you actually came into possession of

1 Exhibit 167?

2 A. No.

3 Q. Okay. And just so I have a clear record,
4 you don't even know exactly if you in fact received
5 Exhibit 167?

6 A. I don't recall.

7 Q. Okay. When you looked at it yesterday,
8 did it refresh your recollection that you had seen
9 these two documents before?

10 A. No.

11 Q. Okay. Mr. Blazinski, have you ever made a
12 claim for benefits with the VA?

13 A. Yes.

14 Q. Okay. Can you describe those
15 circumstances?

16 A. When I got my two diagnoses of leukemia
17 and colitis, I went to the VA, and I guess you have
18 to sign up and register, and I was refused because I
19 make too much money, like that. And then I filled
20 out forms for disability, which was subsequently
21 turned down because I couldn't prove that I've had it
22 since 1968.

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me. Any additions or corrections that I feel are necessary, I will attach on a separate piece of paper to the original transcript.

Signature of the Witness

CERTIFICATE OF NOTARY PUBLIC

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this ____ day of _____, 2011, and executed the above certificate in my presence.

Notary Public

In and for the County of _____

MY COMMISSION EXPIRES: _____