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U.S. COURT OF APPEALS

JAN 20 2015

The James R. Browning Courthouse
The Honorable William A. Fletcher
95 7th Street
San Francisco, CA 94103

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RE: Case number: 13-17430, Vietnam Veterans of America, et al., plaintiffs, v. Central Intelligence Agency, et al., defendants, Case Number CV 09-0037-CW

Your Honor:

Let me introduce myself: My name is Arlo L. Christy. I currently reside at 149 Silverstone Circle, Byrnes Mill, Missouri 63051. I was a participant in the medical experiments conducted by the US Army at Edgewood Arsenal, Maryland. I was a participant in the program from January to February 1968. I am also a Vietnam veteran. More importantly, I guess, is the fact that I was only 17 years old at the time.

I became aware of this litigation as a result of a news story by CNN narrated by Doctor Sanjay Gupta, which aired on March 1, 2012. It was then that I realized I knew one of the plaintiffs in the case, Mr. Tim Josephs. After a little research I discovered that Tim (Mr. Josephs) was added as a plaintiff in Case Number CV 09-0037-CW on or about July 15, 2010.

Both Mr. Josephs and I were in the same "class" of participants; the photograph used by CNN documents this fact. I have first-hand, personal knowledge of the discussions and threats made toward Mr. Josephs by US Army officers in January 1968 with respect to our maintaining our secrecy oath about the program and retaliatory, adverse action against participants who were considering withdrawing from the program.

The reason for my letter is not rehash what has happened to the thousands of veterans like Tim, and myself, but to inform the court that the Government has not fulfilled its obligations, whether its health care for the numerous medical and mental maladies that have befallen us, or a simple notification that they know who we are, where we are, and the long-term impact of the various and sundry drugs and other experiments that were performed on us.

Not once in the 47 years since I took part in the medical experiments have I received a letter or notice from the Department of the Army or the Department of Veterans Affairs indicating they are aware of my participation or their obligations resulting from my participation.

Today I listened to the oral arguments presented in the referenced case. I am encouraged in one respect and discouraged that the case is still on-going after all these years when the facts are clear. As you indicated in the argument "'I simply do not understand why the government is fighting this, because it seems to be such an elemental obligation of the army,' referring to its duty to warn test subjects; 'you've got patriotic volunteers to engage in dangerous experiments for the good of their country. Some of the dangers were understood at the time, some of them were not...and the army is now saying, 'we are not going to do everything we can; we have no legal obligation to inform you of what we now know of the dangers of the tests you underwent.'"

I agree with your arguments. Clearly you understand the case and what is at stake for veterans like Tim and me. Here is what Tim said to CNN back in 2012: "'They're hoping we die off, so you apply [for benefits], you get turned down, ...And it just goes on for years and years, and they just want to wear us down. They want to use young men as guinea pigs and throw them away." Your Honor, I couldn't agree more. We are men; we served our country with honor and pride, and dignity. Many of whom have now passed away, not knowing what caused their deaths so tragically. Those of us that remain are now in our mid-60s waiting for the truth; waiting for the Government to take responsibility for what it has done to us, while some are just waiting to die.

Just to echo Tim's remarks, I filed a claim with the Department of Veterans Affairs citing my participation in the medical research program. Although I received a disability, it was not for the reasons that I applied; the VA indicated, "We (the VA) determined that the following conditions were not related to your military service, so service connection couldn't be granted." Sound familiar?

Your Honor, do not let our service be in vain; do not let our story go untold; we are not guinea pigs, we are MEN.

Respectfully,

Arlo L. Christy