

EXHIBIT 77



DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Washington, D.C. 20420

WILLIAM FRANCIS BLAZINSKI

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Dear William Francis Blazinski,

According to records released by the Department of Defense (DoD), you may have participated in tests at **Edgewood Arsenal, Maryland** during your tour of service in the **Army**. The purpose of this letter is to inform you about the tests and what to do if you have related health concerns.

Information About the Tests

The tests at **Edgewood Arsenal, Maryland** exposed some participants, with their consent, to a number of different chemicals. The tests' objectives were to determine specific health effects associated with exposure, to assess various pre-and post-exposure medical treatments, and to evaluate the effectiveness of personal protective equipment. Not all volunteers were exposed to chemical agents; some received placebos (harmless substances with no health risks). Others performed stress tests without exposure to chemicals. Please see the enclosed DoD fact sheet, Chemical and Biological Agent Exposures, for additional information.

What You Can Discuss About the Tests

You may be concerned about releasing classified test information to your health care provider when discussing your health concerns. To former service members who participated in these tests, DoD has stated:

"You may provide details that affect your health to your health care provider. For example, you may discuss what you believe your exposure was at the time, reactions, treatment you sought or received, and the general location and time of the tests. On the other hand, you should not discuss anything that relates to operational information that might reveal chemical or biological warfare vulnerabilities or capabilities."

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If You Have Questions About the Tests

If you have questions about chemical or biological agent tests, or concerns about releasing classified information, contact DoD at (800) 497-6261, Monday through Friday, 7:30 a.m. to 4:00 p.m. Eastern Standard time.

If You Have Health Concerns

Although there is no specific medical test or evaluation for the types of exposures you might have experienced more than 30 years ago, VA is offering a clinical examination to Veterans who receive this notification letter. If you have health concerns and wish to be medically evaluated, *please bring this letter with you to the nearest VA Health Care Facility*. This letter will help you apply for the examination by providing needed documentation. Additional medical information about potential exposures is available through the "Environmental Health Coordinators," who are located in every VA medical center.

Note: The examination itself does not constitute, or provide eligibility for, enrollment in the VA health care system. If you are not already enrolled, you are encouraged to apply for VA health care benefits at the time you apply for the examination.

In addition to this clinical examination, if you think that you suffer from chronic health problems as a result of these tests, **contact VA toll free at (800) 827-1000** to speak to a VA representative about filing a disability claim. You may also contact your local Veterans service organization for assistance.

Scientists know much about many of the agents used in these tests. In order to best serve Veterans and their families, VA continues to study the possibility of long-term health effects associated with in-service exposure to chemical and biological agents. If the medical community identifies such health effects, I assure you that we will share this information with you and other Veterans as it becomes available to us.

Sincerely yours,

Thomas J. Murphy
Director,
Compensation Service

Enclosure: Chemical And Biological Agent Exposures Fact Sheet

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FACT SHEET

Force Health Protection and Readiness

Chemical and Biological Agent Exposures

The Department of Defense (DoD) is committed to share with the Department of Veterans Affairs its databases on military personnel who participated in prior military chemical and biological (CB) operational testing or were accidentally exposed to these agents. During the 1990s, the DoD compiled the World War II Mustard Participant Database and, from 2000 to 2003, the Project 112/SHAD (Shipboard Hazard and Defense) Database.

DoD is currently working to catalogue exposures since 1942 that were not included in these earlier databases. DoD developed a prioritized list of sites where chemical and/or biological testing involving human subjects potentially occurred and is systematically investigating documentation contained at these sites for potential exposures. This database includes accidental exposures that occurred during the transportation, storage, or production of chemical agents.

The most important chemical agent-testing site was Aberdeen Proving Ground – Edgewood Area (Edgewood Arsenal), Maryland. Chemical agent testing principally involved nerve agents, nerve agent treatment (antidotes), psychochemicals (hallucinogenic drugs), irritants, and blistering agents. In addition, the Army conducted field-testing of hallucinogenic drugs (e.g., LSD) at Forts Benning and Bragg.

The principal biological agent-testing site was Fort Detrick, Maryland. Testing involved exposure to biological agents and simulants. Additionally, experimenters tested the effectiveness of vaccines designed to offer protection against known or suspected biological agents.

The individuals involved in these testing programs were volunteers. For example, for the Edgewood Arsenal testing, the Army recruited volunteers from its units throughout the United States and from other Services. About 75 Service members participated during each 30-60 day testing period. The volunteer program at Fort Detrick was different. Individuals participated in Operation Whitecoat. They were normally assigned to Fort Detrick for two years during which time they could volunteer to participate in a test.

Not all Service members who participated in chemical or biological testing programs were exposed to agents. Some individuals, for the most part, participated in performance or equipment tests where no agent was employed. DoD chose to include these individuals in the exposure database for two reasons. First, these Service member volunteers were specifically assigned to the chemical and biological agent-testing program at the facility, and second, inclusion in the database allows DoD to quickly and easily provide these Service members with details of their tests.

DoD began collecting data for its latest chemical exposure database in 2004 and anticipates that work will be completed in 2011.

Frequently Asked Questions Chemical and Biological Agent Exposures

Q: Where do you intend to collect data relating to exposures?

A: DoD has visited or intends to visit the following sites.

- Aberdeen Proving Ground – Edgewood Area (to include U.S. Army Medical Research Institute of Chemical Defense, U.S. Army Research, Development and Engineering Command Historical Office and Edgewood Chemical Biological Center Technical Library Laboratory Notebooks)
- Fort Detrick – US Army Medical Research Institute of Infectious Diseases (USAMRIID)
- Dugway Proving Ground (to include West Desert Technical Information Center Classified holdings)
- Naval Research Laboratory
- Naval Medical Research Center
- Walter Reed Army Institute of Research
- Naval Medical Research and Development Command
- Eglin Air Force Base
- Military History Institute
- Kirtland Air Force Base
- Air Force Institute of Operational Health
- U.S. Army Chemical, Biological, Radiological and Nuclear School

Q: Were study participants volunteers?

A: The Army obtained the voluntary consent of volunteers and provided them with study information.

Q: What was Operation Whitecoat?

A. Operation Whitecoat volunteers largely consisted of Seventh-Day Adventists, who were trained as medics but whose religious convictions forbade combat. They were assigned to Fort Detrick and could volunteer to participate in the biological testing program. Approximately 2300 individuals participated in the program. The Army completed about 150 studies during the Operation Whitecoat years. Experimenters exposed volunteers to disease-causing agents such as Q fever and tularemia under strict protocols to study immunity to disease and conduct drug therapy. Whitecoat volunteers also participated in safety studies of vaccines designed for protection against plague: tularemia; Q fever; yellow fever; chikungunya virus and Rift Valley fever; and Venezuelan, Eastern and Western equine encephalitis. There were no fatalities or long-term injuries among Whitecoat volunteers. The program ended in 1973 upon termination of the military draft.

Q. How could a volunteer participate in a performance or equipment test and not be exposed to an agent?

A. Many times DoD was interested in the degradation in performance of specific tasks caused by wearing protective gear. These tests required volunteers to don appropriate protective gear and perform particular task(s). It was not necessary to use agents to conduct these tests.

Q: What substances were used during testing?

A. DoD has identified over 400 substances used during testing. Not all the substances were harmful as DoD tested many medicines and antidotes. These substances may be broken down as follows:

- Chemical Agents (e.g., nerve agents, irritants).
- Biological Agents (e.g., tularemia)
- Vaccines (e.g., tularemia vaccines)
- Hallucinogenic drugs (e.g., LSD)
- Antidotes (e.g., atropine)
- Medicines (e.g., Benadryl)
- Other (e.g., alcohol, saline solution)
- Placebos

Q: Did the Army expose volunteers to hallucinogenic compounds?

A: Yes, studies at Edgewood exposed some volunteers to hallucinogenic drugs like LSD. Although the current medical literature indicates that such exposures may have some long-lasting effects among some individuals, such as flashbacks (visual hallucinations without new drug exposure), the volunteer records from the time of the Edgewood studies did not record these kinds of aftereffects among the Edgewood study volunteers.

While the Medical Research Volunteer Program conducted at Edgewood Arsenal collected information on the effects of psychochemicals (hallucinogenic drugs) on individuals, there was no information on how these drugs would affect groups of people. Specifically, it is unknown if the exposed volunteers produced disorganizing and disruptive effects on military units. To gather the required information, Service members from Edgewood Arsenal conducted field-testing of LSD at Fort Bragg (1958) and Fort Benning (1960). Everyone involved in the testing were volunteers and medical personnel closely monitored their condition.

Q. What type of accidents occurred during the Chemical and Biological Agent Testing Program?

A. Accidents during transportation and storage of weapons resulted in leaking munitions. Individuals were exposed either directly to the leak or in the clean up. Other accidents occurred in laboratories from dropped containers containing agent or poor safety practices.

Q: Does the Department of Defense still conduct human experimentation with chemical or biological agents?

A: No. Current medical chemical and biological defense programs involving human subjects do not involve the exposure of human subjects to chemical or biological agents.

There are medical chemical and biological defense programs that involve the use of human subjects in controlled clinical trials to test and evaluate the safety and effectiveness, of medical products (drugs, therapies, etc.) to protect against chemical and biological agents. The use of human subjects in these trials involves volunteers who have provided informed consent. All use of human subjects in these trials is in full compliance with the "Common Rule," Federal Policy for the Protection of Human Subjects, Food and Drug Administration (FDA) regulations, Federal Acquisition Regulations (FAR), DoD Directives and Instructions, and all other applicable laws, regulations, issuances, and requirements.

Q: What databases is the Department of Defense maintaining on veterans exposed to chemical and biological agents?

A: DoD maintains a Project 112/SHAD (Shipboard Hazard and Defense) database. This database contains the names of veterans who participated in Project 112/SHAD testing in the 1960s and 1970s. It contains more than 6,000 names and is updated as needed when we discover additional veterans who were part of this testing. We also maintain a database containing the names of veterans who participated in mustard agent tests during World War II. We are currently populating our third exposure database. This database contains the names of veterans not included in other databases who participated in chemical and biological testing since 1942.

Q: Besides names and service numbers, what other information do the DoD databases contain?

A: For each individual, the database will contain the following:

- Type of test (e.g., performance, equipment etc.)
- Type of exposure (e.g., injection, intravenous (IV) etc.)
- Date of exposure
- Agent/simulant name
- Agent/simulant amount, if recorded
- Treatments required as a result of the exposure
- Documents describing the test procedures, if available.

Q: Who maintains the database for veterans exposed to radiation?

A: The Defense Threat Reduction Agency, Fort Belvoir, VA, maintains information on veterans exposed to radiation during the Nuclear Test Personnel Review Program.