

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

VIETNAM VETERANS OF AMERICA, *et al.*,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY, *et al.*,

Defendants.

Case No. CV 09-0037-CW (JC)

DECLARATION OF TONYA KREPS

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I, Tonya Kreps, declare as follows:

1. I am the Chief, Services Branch 3, U.S. Army Medical Research Acquisition Activity (USAMRAA). I am the Contracting Officer for the contract (hereinafter Contract) that is pertinent to this litigation.

2. As described below, I provide the following statements based on my personal knowledge, as well as information made available to me during the course of this litigation in my official capacity.

3. I have been asked to describe generally the contract recently executed between U.S. Army Medical Research and Materiel Command (USAMRMC) and Blue Earth Marketing Company. The contract was executed September 30, 2014.

4. Blue Earth Marketing is a business with significant experience in conducting extensive and in-depth scientific literature searches.

5. Under the Contract, Blue Earth is to identify information that may be relevant to the long-term effects of exposure to the chemical and biological agents identified in the Court's injunction. Blue Earth will also evaluate the information obtained from the literature searches

for its significance on the potential long-term health of human volunteers who were exposed to these agents. Blue Earth will then prepare a report that will summarize the findings and their significance relative to the long-term health of these populations. The report will identify the potential long-term health effects of exposure of military volunteers to specific chemical and biological agents, if any, based on any new information that has been published in the scientific literature since June 30, 2006. The report is intended to supplement previous findings published over the years.

6. Dr. Mark Dertzbaugh, a Department of the Army employee, has been assigned as the Contracting Officer Representative (COR). Dr. Dertzbaugh is a Biological Sciences Administrator, with more than 22 years of DoD service. He is Defense Acquisition University (DAU) certified at Level III in S&T Management and Level II in Program Management. His Ph.D. is in the fields of Microbiology and Immunology. He is responsible for monitoring Blue Earth's performance under the Contract and to ensure quality control. Dr. Dertzbaugh was assigned to this role in September 2014 at contract award.

7. In addition to Dr. Dertzbaugh's oversight, a Quality Assurance Surveillance Plan (QASP) has been prepared such that the literature search findings and report generated by Blue Earth will be reviewed by an internal panel of subject matter experts.

8. Once the panel of subject matter experts has agreed with the content of the report generated by Blue Earth, the report will be formally accepted by the COR from the contractor as a deliverable product under the Contract. The report will then be formally forwarded to the USAMRMC Commander for further analysis to determine whether and which information contained in the report should be further disseminated, including dissemination to the individuals who participated in the chem-bio testing that is the subject of this litigation.

9. The period of performance for the Contract is September 30, 2014 through September 29, 2015. The Contract permits an option for an additional six months of services. This option may be exercised at the discretion of USAMRMC.

10. If MEDCOM and/or USAMRMC wishes to supplement the requirements of the Contract with additional performance requirements, depending on the scope of such additional requirements and other circumstances, it may re-open negotiations with Blue Earth to add the additional work under the existing Contract or it may execute another contract(s) with the Contractor or other contractors.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Fort Detrick, MD (location) on 3 November 2014 (date).

E-Signed by USAMRAA
Monday, 03 November, 2014 11:26:58 


Tonya Kreps
Contracting Officer
USAMRAA