



**For Immediate Release
Monday, July 13, 2020**

**VETERANS ADVOCACY GROUP FILES SUIT AGAINST
SECRETARY OF VETERANS AFFAIRS TO FORCE
COVERAGE FOR HERBICIDE EXPOSURE ON GUAM,
AMERICAN SAMOA AND JOHNSTON ATOLL**

Military-Veterans Advocacy, a Slidell, Louisiana-based veterans advocacy group, filed suit against Secretary of Veterans Affairs Robert L. Willie in a Washington, DC, court late Friday. The suit seeks a review of a decision by Undersecretary for Benefits Paul Lawrence refusing to issue rules to govern herbicide exposure. No hearing date has been set.

MVA Board Chairman and Director of Litigation Commander John B. Wells (USN, Ret.) said the suit was necessary to force the VA to comply with the realities of toxic exposure on the Central Pacific Islands.

"We have definitive proof of the presence of dioxin and other toxic chemicals on Guam 40 years after the last known use," Wells noted. "We also have affidavits, that we have provided the VA, from personnel who sprayed the herbicide."

A recent report prepared for the U.S. Environmental Protection Agency analyzed soil samples taken in October of 2019 noted: "It is probable that TCDD dioxin congener concentrations detected in soils are associated with chlorinated herbicides. Records of chlorinated herbicide use by the military on Guam (Navy, 1958) and veteran affidavits documenting the use of 2,4,5-T and 2,4,5-TP along with data collected from previous soil sampling events suggest the presence and use of chlorinated herbicides was likely. Finally, the herbicides in question were known to contain TCDD."

The soil samples were taken at locations identified by former MVA board member Brian Moyer who also founded the Agent Orange Survivors of Guam. Moyer served as a Marine on Guam and vividly remembers the spraying. That report can be found [here](#).

MVA Executive Director Col. Rob Maness, (USAF, Ret.), who also served on Guam, said as follows: "It is a shame that veterans have to fight for their benefits when the vast weight of the evidence indicates exposure. The VA's denial was simply irrational."

Current MVA Director of Central Pacific Islands, Technical Sergeant Gary-Noy Garvin, (USAF, Ret.) also decried the VA action.

"The evidence is clear," Garvin said. "We were exposed to the chemicals on Guam while we were doing our duty. The VA has promised to take care of us, but has not."

Wells, who along with Moyer have advocated in Congress and with the VA to provide coverage predicted that the court would be sympathetic to the veterans.

"Unfortunately, the VA has a well-deserved reputation of delaying and denying claims until the veteran dies," Wells said. "Hopefully the court will force them to do their job."

The lawsuit can be found [here](#).

Media Contact:

Point of contact

CDR John B. Wells, USN (ret)

985-290-6940