

[The Pentagon's War on America Part III: The Marines](#)



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Poisoned Patriots: Running the Gauntlet.

The military is not the only hurdle in the path of families poisoned at Camp Lejeune. ATSDR faces its own accusations of mishandling and misrepresenting information. When Townsend filed a 2003 Freedom of Information Act request to view some of the supporting documents referenced in ATSDR's 1997 report, he was told by a Health and Human Services Department official that the files "are no longer in CDC's possession.

Specifically, the records were lost during a 1998 office move. As a result, CDC no longer has records that would respond to your request, other than the public health assessment itself." ATSDR had a different explanation: "A search of our record[s] failed to reveal any documents pertaining to your request. Program staff stated that the referenced material was either destroyed or misplaced during an agency physical move this past October" — which would have been in 2002, not 1998.

Pressed to explain this discrepancy, ATSDR Director Howard Frumkin wrote to Jerome Ensminger, a Camp Lejeune veteran who lost his 9-year-old daughter to leukemia and now collaborates with Townsend on information-gathering projects, on May 4, 2007: "We acknowledge that the references used for the development of the 1997 public health assessment are no longer available in [ATSDR's] files. A move of ATSDR staff resulted in our



Dr. Howard Frumkin testifies before the

files of Camp Lejeune-related documents being temporarily relocated. A private contractor mistakenly disposed of the documents. Although unfortunate that the material referenced in the public health assessment is no longer available in ATSDR's files, the original information and data, with the exception of original ATSDR references, may still be available from their original sources.”

House Science and Technology Committee.

Photo provided by the US House of Representatives

Ensminger viewed the message as unresponsive, and as the March report from the House science oversight panel noted a few weeks before ATSDR withdrew its findings, he “legitimately questions how the leader of a federal scientific public health agency can stand behind a document which contains no supporting information or data. He is particularly perturbed by how cavalier Dr. Frumkin has been to this and other critical public health issues.” How cavalier? ATSDR first knew in 2004 that benzene had once contaminated some Camp Lejeune wells, according to Dimond, but did not retract its report until earlier this year. The original report was based on the Marine Corps telling ATSDR that benzene contamination was present at the base but that affected wells were closed. Underselling the point slightly, Dimond said, “We subsequently found that was not the case.”

Between ATSDR's ineptitude and the military's apparent stonewalling, the lack of any clear answers had gotten so bad by 2005 that the EPA opened a criminal investigation led by Tyler Amon, a prosecutor who was then detailed to the Justice Department (DOJ). At Stupak's 2007 “poisoned patriots” hearing, Amon said under oath — eleventh-hour pressure from the Bush Administration not to appear meant that the committee had to subpoena him to force his testimony — that his team had considered charging civilian Navy employees with obstruction of justice. The Navy, which exercises some executive authority over the Marine Corps and owns the land on which Camp Lejeune is located, had resisted funding any health impact studies at the site despite the existence of a statutory requirement, he said; perhaps worse, the Navy failed to close the contaminated water system even years after it knew about the problem. According to a June 13, 2007, AP article titled *Congress probes legacy of poison water in N.C.*, Amon told the committee that “some [Navy] employees interviewed during the criminal investigation appeared coached and were not forthcoming with details,” and that the military had failed to produce documents he had requested.

Despite this evidence of an orchestrated cover-up, Amon would never release any report on the results of the investigation. Townsend, the former major, was present at the DOJ meeting where the announcement was made. “There were about 19 attorneys all wringing their hands saying they decided not to release the report. They gave us all kinds of crocodile tears,” he said. Townsend found it strange that no new information would be released because there was such a wealth of available data and testimony to draw on. “I gave Tyler about 50 names” of affected residents to interview, he said; others did the same. DOJ has never explained its silence on the matter, and Amon referred multiple requests for an interview to an EPA spokesman, who said only that the agency “is not going to speculate on whether the investigation will ever be reopened” and responded to a question about why Amon never released a report by pointing to DOJ’s original statement on the issue, which reads in part: “The fact that the actions in question were taken prior to the promulgation of legally enforceable standards regarding safe drinking water precludes criminal prosecutions against any of the parties involved.”

As part of its investigation, Amon’s legal team interviewed Marie Socha, once an ATSDR health expert overseeing Camp Lejeune issues. According to her, during the course of the investigation the team requested her “green books,”



official government records detailing her conversations with Camp Lejeune veterans and other former residents about their health problems and when they had lived at the base. She moved from ATSDR to CDC, its parent organization, in the middle of the investigation, she said, and as a result, “I was told they couldn’t give my green books back because I wasn’t at ATSDR any more” — an explanation that struck her as odd. Rather than fight the decision, she requested to have the books, with their wealth of first-hand information from dozens of affected residents, stored in ATSDR’s archives, although she is unsure of their status today or whether the EPA retains any copies. Of her time handling Camp Lejeune, she only said, “I loved these people. It was a painful time for them.”

Several sources described Socha as sympathetic to sick residents’ concerns about the water they drank, and she herself said she worked “12-hour days five days a week” answering phone calls, taking notes and compiling a record of the scope of victims’ health problems. However, upon leaving CDC, she left

it all behind. "Because this project consumed my life for so long, when I left it I just stepped out and haven't gone back," she said. After two brief phone interviews for this story, one of which included her description of being inaccurately quoted by a journalist in the past, she abruptly declined any further contact, writing in a brief e-mail that "I have decided to abstain." A subsequent phone call was not returned.

For sick former residents, it can be difficult to know where to turn for accurate information about Camp Lejeune. As a result, they have formed their own information-sharing networks that rely as little as possible on official pronouncements. Groups with names like The Few, The Proud, The Forgotten and Toxic Homefront Empowered Survivors Take All Necessary Defense (THE STAND) have sprung up over the years, attempting to get federal lawmakers' attention. There have been a few successes: Sen. Kay Hagan (D-N.C.), who sits on the Armed Services Committee, sent a May 13 letter to acting Secretary of the Navy B. J. Penn requesting a meeting "to determine what has caused these information gaps" in the historic record, noting that some victims "have been waiting more than two decades for closure." Following the release of the recent NAS report, she called for hearings on whether it adequately considered previous scientific analyses of the site. She was joined in these efforts by Sen. Richard Burr, her Republican counterpart in the state who is the ranking member of the Veterans Affairs Committee.

However, it is unlikely, if history is any guide, that new legislation will result. What little Congressional attention has been paid to Camp Lejeune over the years has come in the form of either just such meetings or scattered hearings, at most resulting in mandates for further studies by federal agencies. A congressional aide in Hagan's office declined to comment on the conversation with Penn because it was not a public event. A staff member with the House Science and Technology Committee, which held detailed hearings on ATSDR's poor information management and decision-making processes, said that despite some Committee interest, there are no concrete plans to further address Camp Lejeune at this time.

What would resolution really look like? It is a difficult question to answer, especially because the collected story of

up to a million people made sick by decades of contaminated water is a hard one to tell. To put it in measurable terms, the \$33.8 billion sought by the relatively few Camp Lejeune victims who have filed official claims is equivalent to, according to the Navy's own numbers, the entire outstanding Navy order for 48 V-22 Osprey airplane/helicopters, which have become an infamous boondoggle because of maintenance and performance problems with their "vertical takeoff and landing" technology. As just one example of multiple technical failures, the *Marine Corps Times* in February 2009 reported that the Osprey's rotors could literally blow other helicopters off amphibious assault ships' flight decks. Yet the military continues to purchase Ospreys. It offers no compensation to Camp Lejeune victims.



Marines load onto an MV-22 Osprey tilt-rotor aircraft during jump training at Camp Lejeune, June 5, 2009.

Photo by USMC Lance Corporal John A. Faria

What about putting the story in more human terms? Townsend related previous efforts by several news outlets, including *Redbook*, *People* and CNN, among others, to contact victims at various times and report on their lives. Townsend has a list of sick former residents who agreed to be interviewed for those stories, as well as their contact information and even which organization first contacted them for a proposed article or broadcast. For one reason or another, none of these projects ever came to fruition, he said. Their stories have largely never been told.

Dimond, the CDC spokesman, said that even at the end of ATSDR's lengthy research efforts, people made ill at Camp Lejeune may not have the full accounting they want. "It would take a lawyer to answer any death or disability claims," he said. "Our guys will come up with the science. . . . How that data is used is not something we can answer." Ultimately, he suggested, nothing short of Hollywood could truly capture the depth and scope of what Camp Lejeune has come to mean to some people, and could come to mean to others who remain unaware of its role in their lives. While the 1995 book *A Civil Action* focused on a small group of people and two potentially TCE-contaminated wells in Woburn, Mass., he pointed out, "Camp Lejeune has over 100 wells" and hundreds of thousands of people. "If two wells will create a bestselling book and movie, you tell me what 100 will get you."

The Pentagon's War on America

Next: An Interview with Ray DuBois – The Bush Administration's Top Military Environmental Official.

DuBois said, "When I was presented with these environmental challenges, my immediate thought, quite frankly, was not the birds and bees but families. I've lived in military installations. We have to keep them safe for the people who live, work, train and visit there."

See how he responded to these challenges.

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