

US Veterans Affairs Recognizes Health Hazard on Vieques

By JOHN McPHAUL

The U.S. Department of Veterans Affairs recently became the first federal government entity to recognize a connection between U.S. Navy activities and human health problems on Vieques with the awarding of a judgment in favor of a former Vieques security guard who suffers from a variety of ailments as a result of his exposure to toxic substances on the island. U.S. Marine veteran Hermogenes Marrero worked as the head of security at Camp Garcia in the island municipality of Vieques where he was exposed to toxic chemicals including arsenic, lead, depleted uranium, napalm and cadmium, and with no protection was ordered to dump chemical weapons into the sea or burn them in open pits. Forty-six years later, Marrero has every physical ailment imaginable including cancer, partial blindness, Lou Gehrig's disease, diabetes and heart failure.

For 14 years, the Department of Veterans Affairs (VA) denied Marrero's disability claim, saying the links between Navy activity on Vieques and health

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hazards were unproven.

But recently, the VA finally approved a 100 percent disability rating pension, awarding Marrero around \$3,000 a month tax-free.

“The judgment is the first time that the federal government has recognized that the toxins on Vieques have had a human health impact,” said Eric Gang, Marrero's lawyer. “It is an official recognition of a causal connection between Navy operations and human health conditions.”

Unfortunately for those civilians who have suffered health problems as a result of exposure to toxins at Vieques, despite the VNs ruling in Marrero's case, they still have no legal recourse.

A class action lawsuit filed by residents of Vieques against the Navy seeking redress for health problems suffered as a result of Navy activity on the island went all the way to the Supreme Court where the Justices threw out the suit, ruling that the government had sovereign immunity.

“It means basically that you can’t sue the king,” Gang said.

Marrero lived for many years in Pennsylvania, but recently moved back to Puerto Rico in part to try to raise awareness among Puerto Ricans about the implications of his VA victory.

“There are thousands and thousands of soldiers who were exposed like I was,” Marrero said.

He also says he hopes to be able to somehow help the people of Vieques.

“I hope that we can pass a law that permits the people of Vieques to sue the government of the United States,” Marrero said.

Marrero has yet to find any politician willing to take up his cause.

The Navy pulled out of Vieques in 2003 after mass protests following the accidental death of Navy Security Guard David Sanes in a bomb training accident in 1999.

The former Navy land was declared a SuperFund site by the U.S. Environmental Protection Agency, which is currently overseeing a cleanup on the island. ■