# SOUND OFF!



VOL. VI, NO 5

# THE NEWSLETTER OF VETERANS UNITED FOR TRUTH, INC. "VETERANS STANDING UP FOR EACH OTHER"

# 20 JANUARY 2011

# FIRST CALL - NOTES FROM THE FRONT

# WHAT DOES THE VETERAN OWE THE NATION?

We talk often about what the <u>nation owes the</u> <u>veteran</u> for services rendered, whether wartime or peacetime. Maybe it is about time we talk about what the <u>veteran owes the nation</u> that sends him/her to train and then either to wait, or to go directly into battle.

"Why ask this question?", you might say. "What could the veteran possibly owe the nation that he or she has not already paid in full?"

My answer is that we owe the nation a lot—and, given the chance, it's about time we started to pay up! There is a whole set of skills missing at the top, and we can bring them to the party, and we must!

We can take for our example the Native American warriors of many tribes who, when they aged, entered the tribal councils and were considered among the wisest of the council members. They were consulted not just on military matters; rather their training and experience qualified them in the eyes of the other tribal members to be counselors on all matters. Most of all, they were consulted on ways to improve the future of the tribe and its members, and on how to avoid war so that all could prosper.

Our training and experience as veterans qualify us also to advise on many matters not just defense. Thus I propose that all state and federal legislators and senior officials have a veteran on their staff (paid of course) sitting right beside him or her.

Let's examine that idea.

**The Oath:** First of all, we have all taken an oath at least once. Whether that oath was taken as an enlisted person or as an officer it made little difference (except for that pesky "obey the orders" part of the oath of enlistment). Everyone from private to the Commander

in Chief, including all federal officials and legislators, take essentially the same oath toward the Constitution, but that "support and defend" phrase in the oath has special meaning for veterans. Defend, for us, wasn't rhetorical, it was actual. So in at least a small way we have experience to advise on what <u>defending</u> the Constitution really means.

To defend the Constitution we have to defend it as it was written, amended, and interpreted by the Constitutional authority—the Supreme Court. Veterans, above all others, should know that the Constitution is not scripture, neither is it open to individual casual interpretation. The founders had far less certainty than many modern "originalists" that what they had wrought was final. They knew that interpretation and change would be essential over time, and we are obliged to defend the Constitution as it is today—that's obviously what they wanted.

That's also a very a big job, but as veterans we have been prepared for it.

**Training:** Every one of us veterans has more training in certain important aspects of life than most civilians, and we owe them our advice on the critically important subjects that we have learned so well, both through experience and by direct example.

First and foremost we learned <u>leadership</u>, <u>followership</u>, and <u>teamwork</u>. We learned that good leaders show the way, but we also learned that no one who takes on the cloak of leader can do the job alone. The followers of a good leader can accomplish far more cooperating as a team than any leader can alone, no matter how charismatic or forceful he or she might be.

Congresspersons who refuse to cooperate with each other; business persons who believe that they are successful solely through their own personal genius; seers and pundits who believe that they have special and private knowledge of the world and the way it should work; all could use our advice—some obviously far more than others.

Along with teamwork we learned <u>self-discipline</u>, always a better check on wild or excessive behavior than imposed discipline can ever be. We could advise most of our fellow citizens in this area whether it has to do with excessive consumption, rapacious and greedy behavior, or any other anti-social actions.

We learned <u>loyalty</u>, but we also learned that it is not lightly given. It is free to the nation, but it must be earned by individuals.

We learned that <u>bravery</u> is the willingness to advance toward the problem without undue fear, although fear and caution are natural even for the brave. So many of our compatriots are wallowing in fear—fear of failure in business, marriage, school, life; paranoid fear of "the other" who might, against all odds, attack us. We could really help them with this one big time!

Of course there are those unique skills we gained through our training; for example, how to use guns effectively and accurately, and, maybe most importantly, when not to use them.

Of course, to defend the Constitution we have to defend the basic rights in the Second Amendment. We learned that guns don't make the soldier, and that no gun will turn a coward into a hero. We learned that the gun is a tool, not the reason for our existence. We also learned, however, that you don't pack heat unless there is real danger. We learned that you don't give a gun to someone who isn't completely trained in its use and who knows when to employ it. Especially you don't give it to someone who is bat-shit crazy. A lot of our fellow citizens, including legislators, could use our help on this.

We also received annual training in The Law of Land Warfare (for the Army FM 27-10). Apparently those at the top have never heard of it.

**Soldiering as Citizenship:** During our tours, or careers as the case may be, we learned to <u>respect</u> <u>other's opinions</u> and to give a fair hearing to opinions other than our own. We learned to <u>take responsibility</u> for our actions and for the actions of those whom we led. We learned <u>duty</u>, <u>honor</u>, <u>comradeship</u>, <u>fidelity</u>.

Our experience with all of these would enlighten our politicians and bureaucrats, wouldn't they?

Our everyday soldiering experience taught us <u>problem-solving</u> skills because we were faced with often tough organizational and tactical problems daily. We learned that first we had to define the problem the real problem not some politically or ideologically inspired definition of an imagined problem with the same name. We learned that timely and smart solutions are demanded for even the most difficult problems, and that bad solutions usually have consequences far worse than the original problem. We learned that every solution option raises new problems and that those also have to be analyzed and solutions developed for them. Most of all we learned that we were not allowed to avoid or postpone solutions, since so many others depended on us for action now.

We could take on a whole range of problems because we have already done so. We have seen poverty abroad and at home, since many of us came from circumstances of poverty and we learned how to cope on our own, and we watched others around the world cope with hunger, homelessness, and joblessness, often with great grace.

We could help deal with medical problems since many of us have them after having been exposed to the extraordinary stress of combat, and after suffering the aftermath of system-inflicted wounds such as Agent Orange, Gulf War Syndrome, Post Traumatic Stress, Traumatic Brain Injury, and Depleted Uranium, all problems that currently are treated as near intractable by the legislature and the government.

For those who were in combat, at least for most of us, we learned not to be cavalier about death and wounding, even of the enemy. We learned that when the possibility of life hangs by a thread, our own decisions are really important. We learned that we had to trust that those around us were as serious about life and survival as we were.

**Benefits:** The benefits we enjoyed when we served should have made us aware that there were aspects of daily life that should be available to everyone. We didn't go hungry, we had a roof over our heads, we got some education, we had medical benefits, and our pay was sufficient to pursue some happiness. Upon leaving the service we had education benefits, and if we had served long enough, a small pension. If we had suffered harm during our service we were (supposed to be) afforded lifelong medical benefits. If we thought about those benefits seriously, we should have begun

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to think about them in the context of our lives, not just as soldiers but as Americans. We should have wondered if there wasn't something to be said in favor of basic benefits for all; they seemed to work for us.

If we were not hungry, should others be so? If we were not homeless, should others be so? If we were treated when we were sick, should not others be so? If we were being educated to advance ourselves in the military and in life, shouldn't others be so? Certainly we have something to advise upon in this area.

**National Defense:** Now here is where some would say we have our expertise. I believe that that is true, however not in the way that is normally understood. A true knowledge of National Defense requires a clear understanding of the need for defense in the first place; that is, a particular need against a specific and real threat. It also requires a clear-eyed view of what is necessary to effect a proper and adequate defense of the nation—no more and no less, because less is never enough, and more can often be too costly to other national goals.

We have seen the needs of the force not just being overlooked, but often being mis-defined and misdirected. We have seen the waste and abuse that is in the system. Those of us who have worked on programs that involved defense contractors have huge suspicions about fraud and abuse.

We saw systems being designed that we knew were of little use to the force, yet millions and billions were being poured into them. We saw military spending being tailored to the job needs of Congressional districts, not to the needs of the force. Most of understood the real questions that should have been posed about these developments, and most of us also knew that those questions weren't being asked.

From Vietnam, and perhaps from Korea on we saw that enormous treasure was being spent to purposes no one could truly define. Wars of various magnitudes were being fought by us with no clear final goal in sight, and no understanding of the long-term effect on the nation and on our reputation in the world.

Most of us understood that America's greatest defense weapon was the reputation we enjoyed in the world not only for strength, but also for fairness and justice. Some of us wondered why we were sacrificing that great weapon for immediate political or economic gain—we still wonder.

We veterans would go again and defend our nation whenever and wherever she needed us. But many of us had been to those many foreign lands, and while we very often saw those who disliked the U.S., we seldom saw anyone who was a real threat to the U.S.. We certainly didn't believe that a threat to U.S. business was a threat to the existence of the nation.

Many of us believe that the most important thing that President Eisenhower said in his farewell speech was not the "military-industrial complex" thing (although that has proven dead-on accurate), but rather his statement that, "Down the long lane of the history yet to be written America knows that this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be, instead, a proud confederation of mutual trust and respect."

Earlier he had defined the overreaching national problem when he stated, "Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children. This is not a way of life at all in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron."

Most veterans find that great and honored veteran's view of the world is accurate and refreshing, and many of us have come to believe it ourselves.

We all knew that if we spent even 30 years or more in uniform and never fired a shot, never earned a medal, and never killed another human being, we would have been successful—perhaps the most successful soldiers in history.

So returning to the original question, "What could a veteran possibly owe the nation?"

My answer is that we owe lifelong service since we have taken the oath and meant it, and we have the skills and the training to deliver real help to our fellow citizens and to the nation as a whole.

Just think! For less than \$10B a year you could put a veteran in the pocket of every state and federal legislator and sprinkle them throughout the executive agencies and pay them \$100K a year. Think of the effect on the unemployment rate! We could save the nation at least ten times that amount every year while helping the to find real solutions to real problems, and we wouldn't be burdened by ideological baggage forcing bad decisions and very bad behavior.

We would be fulfilling our life oath by continuing our defense of the Constitution and the nation.

Give us a chance! What do you have to lose? [Ed.]

#### **REVEILLE - WAKE-UP CALLS – CALLS TO ACTION**

# NEED LEGAL HELP IN AN APPEAL TO THE DVA?

Try these two websites: Veterans Consortium Pro Bono Program <u>www.vetsprobono.org/index.htm</u>. United States Court of appeals for Veterans Claims "Public List of Practitioners" are members of the court's bar <u>www.vetapp.gov/practitioners/</u>. Also this site for west coasters <u>http://www.chapman.edu/law/programs/clinics/amvets.asp</u>.

# ASSEMBLY - PROGRESS OF THE ORGANIZATION

#### VCS - VUFT LAWSUIT UPDATE:

Class Action Suit: On 12 August 2009 we appeared before the 9<sup>th</sup> Circuit Court of Appeals. An article from the LA Times on 24 August summarizes the results so far < <u>http://latimes.com/news/nation/world/nation/healthcare/la-me-veterans-suit24-2009aug24,0,1423297.story</u>>

#### .Case Progress to Date:

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7/23/2007Suit filed w/Federal District Court	3/4/2009 Appeal will not be subject to Mediation		
9/25/2007 Defendant's Motion to Dismiss	4/6/2009 Requested an extension to reply to the DVA response to our brief		
2/11/2208 Motion for Preliminary Injunction			
2/25/2008 Preliminary Injunction Hearing	4/22/09 Extension granted to 1 May 2009		
4/21/2008 Trial	5/1/09 Appellants' Reply Brief filed		
6/25/2008 Judgment based on jurisdiction	6/11/09 Oral Arguments Scheduled for 12 August 2009		
7/25/2008 Appeal notice filed w/9th Circuit Court of Appeals	8/12/09 Oral arguments 9/14/09 Reply on mediation [changed date] 9/14/09 No agreement on mediation. 9 <sup>th</sup> Circuit accepts the case.		
12/10/2008 Appeal brief filed			
12/15/2008 Swords to Plowshares and Vietnam Veterans of America			
file amicus briefs	01/20/11 NTR [The courts move veeerrry slowly] There is a rumor that we may yet be heard this session. NOTE: There is no first-in-first-out rule in the Court of Appeals, and there is no time constraint on the court.		
12/22/2008 Military Spouses for Change and United Spinal Association file amicus briefs			

#### Here is a link to the legal documents on the lawsuit. www.veteransptsdclassaction.org/

**<u>BE A MEMBER</u>** If you are getting this newsletter and have not yet joined, please go to <u>www.vuft.org/membership.html</u> and join. Membership is free. The more our numbers grow, the greater voice we have. It shouldn't be that way, but it is, so join us and help us take the fight to Congress and the state legislatures. Please encourage your friends who either are veterans, are related to veterans, or who support veterans' causes to join VUFT, Inc. at <u>www.vuft.org/membership.html</u>

**<u>SUPPORTING THE CAUSE</u>** If you wish to donate to our work you may now do so via PayPal or Visa on our website "Donate" page at <u>www.vuft.org/donate.html</u>. Every little bit helps. We are a 501(c)(3): your donations are deductible on your federal taxes. You can also buy our handsome pins using the same method.

# PLEASE DONATE!

# MAIL CALL - LETTERS FROM MEMBERS AND OTHERS [SOME EDITED FOR LENGTH]

#### None this issue -

Thanks to all who donated. It's never too late!

#### **RECALL - Federal and State Legislation and Legislators**

# THE NEXT TWO ARTICLES SHOW WHAT IS HAPPENING AROUND THE COUNTRY AMERICORPS FANS OUT TO HELP SAN DIEGO COUNTY VETERANS

Michael Gardner - December 27, 2010.

California is stepping up its already aggressive mission to connect veterans with services, stationing 22 AmeriCorps workers in several offices throughout San Diego County.

"We're going to cast a net," said Nubia Saldana, a La Mesa-based AmeriCorps member who has family and friends serving in the Marines and Navy. "We want to help them find all of the benefits they deserve."

Statewide, about 80 members of the AmeriCorps have been enlisted in the three-year, \$3.3 million program jointly funded and operated by the state and federal governments. It's designed to bolster "Operation Welcome Home," California's ongoing outreach campaign targeting veterans.<More at: <a href="http://www.signonsandiego.com/news/2010/dec/27/americorps-fans-out-help-veterans/">http://www.signonsandiego.com/news/2010/dec/27/americorps-fans-out-help-veterans/</a>

#### **OOPS!**

#### VFW CALIFORNIA LEGISLATIVE UPATE -

January 10, 2011

Governor Brown released the first version of his State Budget for Fiscal Year 2011-2012 this date. He had stated in advance that many people would be unhappy with his proposals. You can add veterans to those who will be unhappy – very much so.

The major shock is the proposal to eliminate all state funding to the Counties for support of the County Veterans Service Offices. The Governor has clearly stated his intention of transferring some state programs to the local governments, and particularly to the Counties. The withdrawal of support for the county veterans offices fits this pattern. The proposal also eliminates funding for Operation Welcome Home which was started, with much fanfare, by former Governor Schwarzenegger. This means elimination, not only of the increased funding for the County Offices, but also the new funding, estimated at \$1 million, which was supposed to provide a capability for the Department of Veterans Affairs to contract with the Veteran Service Organizations. <More at: <a href="https://www.vfwca.org/images/1-10-11\_LEGISLATIVE\_UPATE.pdf">www.vfwca.org/images/1-10-11\_LEGISLATIVE\_UPATE.pdf</a>

# NOT ALL OF THE NEWS IS BAD

#### ALL TEXAS MILITARY VETERANS NOW QUALIFY FOR STATE BENEFITS

December 23, 2010 9:13 am

AUSTIN — The 1.7 million veterans living in Texas, regardless of when they moved here, now qualify for benefits from the Texas Veterans Land Board as of Tuesday, Dec. 21.

"A veteran is a veteran, and this change opens up VLB programs to all who served and now call Texas home," said Jerry Patterson, chairman of the Texas Veterans Land Board.

Patterson said he is dropping the VLB's one-year residency requirement because too many Texas veterans were not able to access the benefits they've earned. ... Texas is one of only five states to offer a veterans program. <More at: <a href="http://www.alpineavalanche.com/news/article\_3b7e154e-0ea7-11e0-b8de-001cc4c03286.html">www.alpineavalanche.com/news/article\_3b7e154e-0ea7-11e0-b8de-001cc4c03286.html</a>

# **RETREAT** – NEWS

#### ARMY'S "SPIRITUAL FITNESS" TEST COMES UNDER FIRE

Jason Leopold - truthout Investigative Report - 05 January 2011

#### Test Was Designed by Psychologist Who Inspired CIA's Torture Program

An experimental, Army mental-health, fitness initiative designed by the same psychologist whose work heavily influenced the psychological aspects of the Bush administration's torture program is under fire by civil rights groups and hundreds of activeduty soldiers. They say it unconstitutionally requires enlistees to believe in God or a "higher power" in order to be deemed "spiritually fit" to serve in the Army.

<More at: <u>http://www.truth-out.org/armys-fitness-test-designed-psychologist-who-inspired-cias-torture-program-under-fire66577</u>>

#### IN NEW MILITARY, DATA OVERLOAD CAN BE DEADLY

Thom Shanker and Matt Richtel - January 16, 2011

When military investigators looked into an attack by American helicopters last February that left 23 Afghan civilians dead, they found that the operator of a Predator drone had failed to pass along crucial information about the makeup of a gathering crowd of villagers. But Air Force and Army officials now say there was also an underlying cause for that mistake: information overload. <More at: <a href="http://www.nytimes.com/2011/01/17/technology/17brain.html">www.nytimes.com/2011/01/17/technology/17brain.html</a>

# DOES THE PENTAGON REALLY HAVE 1,180 FOREIGN BASES?

Nick Turse

The United States has 460 bases overseas! It has 507 permanent bases! What is the U.S doing with more than 560 foreign bases? Why does it have 662 bases abroad? Does the United States really have more than 1,000 military bases across the globe? In a world of statistics and precision, a world in which "accountability" is now a Washington buzzword, a world where all information is available at the click of a mouse, there's one number no American knows. Not the president. Not the Pentagon. Not the experts. No one. <More at: <a href="http://www.tomdispatch.com/post/175338/tomgram: nick\_turse\_the\_pentagon">www.tomdispatch.com/post/175338/tomgram: nick\_turse\_the\_pentagon</a>>

#### **DECISION SOON ON EUROPE-BASED BRIGADES**

Stars and Stripes - John Vandiver - January 03, 2011

STUTTGART, Germany -- In the coming months, the Defense Department is finally to decide whether to act on a nearly 10year-old plan to return two brigade combat teams to stateside bases or hold steady in a post-Cold War world, even as European militaries are scaling back. < More at: <a href="http://www.stripes.com/news/decision-on-europe-based-brigades-expected-early-this-year-1.130474">www.stripes.com/news/decision-on-europe-based-brigades-expected-early-this-year-1.130474</a>

#### **REPORT: CORNERS CUT ON BODY ARMOR TESTS**

Associated Press - January 06, 2011

WASHINGTON -- The Pentagon inspector general says the Army cut corners when testing body armor used by U.S. troops.

In a report issued Wednesday, the watchdog agency says service officials did not consistently enforce -- and at times lowered -- ballistic testing requirements for protective vests. </br>

#### PENTAGON TO CUT SPENDING BY \$78 BILLION, REDUCE TROOP STRENGTH

Craig Whitlock and William Branigin - Washington Post Staff Writers - January 6, 2011

The Pentagon will have to cut spending by \$78 billion over the next five years, Defense Secretary Robert M. Gates said Thursday, forcing the Army and Marine Corps to shrink the number of troops on active duty and eventually imposing the first freeze on military spending since the Sept. 11, 2001, attacks.

< More at: www.washingtonpost.com/wp-dyn/content/article/2011/01/06/AR2011010603628.html>

# MILITARY COMMISSION: LIFT BAN, ALLOW WOMEN IN COMBAT

Pauline Jelinek - 1/14/2011

WASHINGTON— A military advisory commission is recommending that the Pentagon do away with a policy that bans women from serving in combat units, breathing new life into a long-simmering debate. Though thousands of women have been involved in the fights in Iraq and Afghanistan, they have done so while serving in combat support roles — as medics, logistics officers and so on — because defense policy prohibits women from being assigned to any unit smaller than a brigade whose primary mission is direct combat on the ground. On Friday, a special panel was meeting to polish the final draft of a report that recommends the policy be eliminated "to create a level playing field for all qualified service members."

<More at: www.msnbc.msn.com/id/41083172/ns/us\_news-life/#>

#### **COURT TOSSES BANS ON MILITARY RECRUITMENT OF MINORS**

Steven M. Ellis - Staff Writer Metropolitan News-Enterprise - December 20, 2010

The Ninth U.S. Circuit Court of Appeals on Friday upheld a decision striking down ordinances in two Northern California cities barring military recruitment of minors. A three judge-panel said the Arcata and Eureka ordinances violated the doctrine of intergovernmental immunity by impermissibly seeking to regulate the government directly and by discriminating against it. Voters in each city overwhelmingly approved the ordinances in November 2008 barring the federal government and its agents from recruiting, initiating contact for recruiting purposes, or promoting enlistment of anyone under 18 into the armed forces. The Youth Protection Acts subjected military recruiters to civil penalties for each infraction, but did not prohibit anyone not employed by the government from encouraging military enlistment.

The federal government quickly sued seeking a declaration that both ordinances were invalid under the Supremacy Clause <More at: <a href="http://www.metnews.com/">www.metnews.com/</a>

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# **23 PERCENT CAN'T PASS MILITARY EXAM**

The Associated Press - New York Times - December 21, 2010

MIAMI (AP) — Nearly one-fourth of the students who try to join the military fail its entrance exam, painting a grim picture of an education system that produces graduates who can't answer basic math, science and reading guestions.

The report by The Education Trust found that 23 percent of recent high school graduates don't get the minimum score needed on the enlistment test to join any branch of the military. The study, released exclusively to The Associated Press on Tuesday, comes on top of Pentagon data that shows 75 percent of those aged 17 to 24 don't gualify for the military because they are physically unfit, have a criminal record or didn't graduate high school. < More at: www.armytimes.com/news/2010/12/ap-military-exam-122110/>

# THE BIG (MILITARY) TABOO

Nicholas D. Kristof - New York Times - December 25, 2010

We face wrenching budget cutting in the years ahead, but there's one huge area of government spending that Democrats and Republicans alike have so far treated as sacrosanct.

It's the military/security world, and it's time to bust that taboo. A few facts:

• The United States spends nearly as much on military power as every other country in the world combined, according to the Stockholm International Peace Research Institute. It says that we spend more than six times as much as the country with the next highest budget, China.

• The United States maintains troops at more than 560 bases and other sites abroad, many of them a legacy of a world war that ended 65 years ago. Do we fear that if we pull our bases from Germany, Russia might invade?

• The intelligence community is so vast that more people have "top secret" clearance than live in Washington, D.C.

• The U.S. will spend more on the war in Afghanistan this year, adjusting for inflation, than we spent on the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War and the Spanish-American War combined.

This is the one area where elections scarcely matter. President Obama, a Democrat who symbolized new directions, requested about 6 percent more for the military this year than at the peak of the Bush administration.

"Republicans think banging the war drums wins them votes, and Democrats think if they don't chime in, they'll lose votes," said Andrew Bacevich, an ex-military officer who now is a historian at Boston University. He is author of a thoughtful recent book, "Washington Rules: America's Path to Permanent War."

The costs of excessive reliance on military force are not just financial, of course, as Professor Bacevich knows well. His son, Andrew Jr., an Army first lieutenant, was killed in Irag in 2007. < More at: www.nytimes.com/2010/12/26/opinion/26kristof.html

# AGENT ORANGE CLEANUP TO START AT FORMER US BASE IN VIETNAM

AFP - December 31, 2010

HANOI (AFP) - Vietnam and the United States aim to start cleaning up contamination from Agent Orange at a former wartime US base in the middle of next year, the US embassy said Thursday. A memorandum signed between the two sides "confirms the mutual desire of both governments to cooperate in hopes that cleanup can begin in July 2011 and be completed in October 2013," the statement said. The agreement covers contamination at the Danang airport in central Vietnam. <More at: http://nz.news.yahoo.com/al-/world/8581102/agent-orange-cleanup-to-start-at-former-us-base-in-vietnam/>

# **TO THE COLORS – GATHERINGS**

<u>Date</u>	<u>Time</u>	<u>Where</u>	<u>What</u>	<u>Who</u>	<u>Notes</u>
1/27/11		Austin Ranch 2009 Anderson Gibson Road Grapevine, TX	Southwest Regional Career Event		<u>Register</u>
2/10		TBD	Northeast Regional Career Event		<u>Register</u>

We are a non-partisan organization. We will advertise all legitimate veterans' events, regardless of purpose or affiliation.

# **TATTOO - CURRENT ISSUES**

# DEFENSE DEPARTMENT WRONGFULLY DISCHARGES NEARLY 26,000 VETERANS, REFUSES TO RELEASE RECORDS

Monday, December 20, 2010

Washington, D.C.--The Defense Department's (DoD) failure to comply with the law in releasing records that show it has blocked disabled veterans from receiving disability compensation and other benefits, earned as a result of service to our nation has prompted Vietnam Veterans of America (VVA) and VVA Chapter 120 in Hartford, Connecticut, to file a federal Freedom of Information Act (FOIA) lawsuit.

The complaint, filed today at the U.S. District Court in New Haven by the Veterans Legal Services Clinic of the Jerome N. Frank Legal Services Organization at Yale Law School, charges that, since the beginning of the Global War on Terrorism, DoD has systematically discharged nearly 26,000 veterans, wrongfully classified as suffering from Personality Disorder, a characterization that renders the service member ineligible for receiving rightful benefits. Personality Disorder is a disability that begins in adolescence or early adulthood and can present with symptoms which may mimic Post-traumatic Stress Disorder (PTSD). <More at: <a href="http://www.vva.org/PressReleases/2010/pr10-024.html">www.vva.org/PressReleases/2010/pr10-024.html</a>

#### NATION'S FIRST VETERANS COURT COUNTS ITS SUCCESSES

Neale Gulley - Reuters - 2011-01-09

Buffalo's Veterans Court, the first of its kind when it began three years ago, has proven so successful it is a model for the 46 such courts that have sprung up since in 20 states, largely to address the needs of veterans returning home from Iraq, Afghanistan and Vietnam. Among the most recent, a veterans' court was started less than a month ago in New York City.

So successful is Buffalo's Veterans Court that it boasts a zero recidivism rate -- none of the participants have been rearrested and returned. < More at: <a href="http://www.publicbroadcasting.net/wxel/news.newsmain/article/0/0/1746820/National/Nation%27s.first.veterans.court.counts.its.successes">www.publicbroadcasting.net/wxel/news.newsmain/article/0/0/1746820/National/Nation%27s.first.veterans.court.counts.its.successes</a>

#### PRESIDENT SIGNED IMPROVEMENTS TO POST-9/11 GI BILL

VA Press Release - January 5, 2011

WASHINGTON – To bring the educational benefits of the Post-9/11 GI Bill closer to more Veterans and Service Members, President Obama signed legislation Jan. 4 that streamlines the 18-month-old education program administered by the Department of Veterans Affairs (VA). Among the provisions of the legislation are:

- Paying for on-the-job training, some flight training; apprenticeship training and correspondence courses;
- Allowing reservists and Guardsmen to have their time supporting emergencies called by their state governors credited to the time needed to qualify for educational benefits;
- Providing one half of the national average for the program's housing allowance to students enrolled in distance learning;
- Pro-rating the housing allowance to exclude payments when students are not in class;
- Allowing students on active duty receive the stipend for books and supplies;
- Allowing people eligible for the Post-9/11 GI Bill, but participating in VA's Vocational Rehabilitation and Employment (VR&E) benefits to choose between the GI Bill's housing allowance or VR&E's subsistence allowance;
- Permitting reimbursement for more than one "license and certification" test;
- Reimbursing fees to take national admission tests, such as SAT, ACT, GMAT and LSAT; and
- Establishing a national cap of \$17,500 annually for tuition and fees in a private or a foreign school, not including contributions by educational institutions under the "Yellow Ribbon" program.

<More at: http://www1.va.gov/opa/pressrel/pressrelease.cfm?id=2029

# FAMILIES BEAR BRUNT OF DEPLOYMENT STRAINS

James Dao and Catrin Einhorn - December 30, 2010

The work of war is very much a family affair. Nearly 6 in 10 of the troops deployed today are married, and nearly half have children. Those families — more than a million of them since 2001 — have borne the brunt of the psychological and emotional strain of deployments.

Siblings and grandparents have become surrogate parents. Spouses have struggled with loneliness and stress. Children have felt confused and abandoned during the long separations. All have felt anxieties about the distant dangers of war. </br>

# **COMING HOME HOMELESS: THE NEW HOMELESS AMONG VETERANS**

Bob Woodruff and Ian Cameron – WASHINGTON - Dec 26, 2010

Jose Pagan is a decorated veteran who survived two tours of duty in Iraq as a road clearance specialist. Just three days after leaving the military he was homeless and living on the streets of the Bronx.

Jose says being homeless after his service is something he never would have imagined. "It was embarrassing," Pagan says. "Honor, pride, duty, loyalty, all these things that we -- that kick in as a soldier, you know. And then to find yourself here," as he points to the park benches where he slept for almost two months.

Pagan is one of an estimated nine thousand returning servicemembers from Iraq and Afghanistan that the Department of Veterans Affairs estimates have been homeless. Paul Rieckhoff, director of Iraq and Afghanistan Veterans of America, calls that a conservative estimate.

"I think even if there's one, it should be a national outrage. I mean a day when it's twenty degrees outside and the idea that some men or woman who got home from Iraq or Afghanistan maybe just a couple of months ago are homeless, that should outrage everybody in America."<More at: <u>http://abcnews.go.com/ThisWeek/coming-home-homeless-homeless-veterans/story?id=12478952</u>>

# **STRESS OF SEPARATION TAKES TOLL ON MILITARY FAMILIES**

Dallas Morning News - January 03, 2011

Two wars and multiple deployments have caused enormous strains within the ranks, contributing to a rising military divorce rate that is outpacing the civilian divorce rate, as well as a sharp increase in mental health problems. While e-mail and video chats have made it easier for couples to stay in touch, the dangers of war can wear down the feelings of intimacy and togetherness that keep marital bonds strong. "It's all on you," said Russell. "You have to make so many decisions, and you don't get to bounce ideas off each other. And even when you do talk, you lose a lot of personal connection in the conversation."

In response to the strain on families, the Pentagon has increased spending to a record \$9 billion on family support programs, including more for child-care services and family counseling.

<More at: www.dallasnews.com/news/state/headlines/20101219-stress-of-separation-takes-its-toll-on-military-families.ece>

# MILITARY KIDS TAKING MORE PSYCHIATRIC DRUGS

Karen Jowers and Andrew Tilghman - Staff writers - Jan 2, 2011

The use of psychiatric medications by military children is on the rise. Overall, in 2009, more than 300,000 prescriptions for psychiatric drugs were provided to children under 18 who are Tricare beneficiaries. That's up 18 percent since 2005, according to data provided to Military Times — a period when the under-18 population increased by less than 1 percent. And some drug categories have shown even higher rates of increase — antipsychotic drugs are up about 50 percent and anti-anxiety drugs are up about 40 percent. That mirrors a similar trend in the active-duty force, which has seen a 76 percent increase in prescriptions for psychiatric medications since the start of the war in Afghanistan. <More at: www.armytimes.com/news/2011/01/military-children-taking-more-psychiatric-drugs-010211w/>

# ARMY MINIMIZES STRESS SUFFERED BY VICTIMS OF DOMESTIC, CHILD ABUSE

Rob McIlvaine - FMWRC Public Affairs - Jan 19, 2011

ALEXANDRIA, Va. - The Army Family Action Plan has once again proved invaluable for Soldiers and families. On Jan. 21, eligible enlisted family members will begin receiving 36 months of Transitional Compensation, the same as officer family members, rather than the average of 22 months of payments they formerly received. The change ensures payments are standardized for all approved applications. Transitional Compensation is a congressionally-authorized program. The TC benefits help ease the transition from military to civilian life by providing temporary payments and benefits for Families in which a Soldier has been court-martialed or is being administratively separated from the Army because of a dependent-abuse offense such as domestic or child abuse.

<More at: www.army.mil/-news/2011/01/19/50521-army-minimizes-stress-suffered-by-victims-of-domestic-child-abuse/>

# FOR MANY RETURNING VETERANS, HOME IS WHERE THE TROUBLE IS

Lawrence Downes – NY Times OpEd - January 2, 2011

Across the country a tide is reversing. Soldiers deployed to two long wars are coming back, bringing some of the anguish home with them. Those who leave the service are trying to restart civilian lives, rejoining their families, going to college, trying to find jobs. It doesn't always work out.

... Someday the country will recognize that the population of veterans is growing, and that yellow-ribbon magnets aren't enough to help them. Unfortunately, Congress hasn't figured it out. Veterans Affairs Secretary Eric Shinseki has a welcome campaign to end the problem of veterans' homelessness in five years. But a bill to give the V.A. \$50 million more to address homelessness went nowhere in the lame-duck session. The next Congress must do better.

<More at: www.nytimes.com/2011/01/03/opinion/03mon4.html</pre>

#### **THIS IS PURE CRAP!**

#### BANK ADMITS OVERCHARGING MILITARY FAMILIES ON MORTGAGES

Lisa Myers - NBC News - January 17, 2011

One of the nation's biggest banks, JP Morgan Chase, admits it has overcharged several thousand military families for their mortgages, including families of troops fighting in Afghanistan. The bank also says it improperly foreclosed on more than a dozen military families. <More at: <u>http://today.msnbc.msn.com/id/41043127/ns/today-today\_home\_and\_garden/></u>

# THIS IS PURER CRAP! HE PAID FOR IT AND SHE EARNED IT! WE EXPECT THIS FROM BANKS, BUT NOT FROM OUR OWN!

#### MILITARY WIDOWS ASKED TO REPAY BENEFITS AFTER REMARRIAGE

Daniel Trotter 1/15/11

Brooksville, Florida (CNN) -- Freda Green thought the battle was over when her husband returned from the Vietnam War. But more than seven years after his death in 2003, she says the U.S. Defense Department is demanding she repay more than \$41,000 in benefits the government shelled out as part of an insurance policy he paid into.

"They gave me 45 days to pay it back," said Green, 74, who claims the federal government began garnishing her benefit payments when she couldn't pay it all back at once. "They said 45 days, and two weeks later they started taking it out of my check," she said.

Green says \$577 is now being deducted from her military benefit check each month. The reason: She got remarried last year. </br>
More at: <a href="http://www.wtsp.com/news/local/story.aspx?storyid=168629&catid=8">www.wtsp.com/news/local/story.aspx?storyid=168629&catid=8</a>

# MORE GUARD, RESERVE SOLDIERS ARE COMMITTING SUICIDE

Spencer Ackerman January 19, 2011 |

Citizen soldiers are killing themselves at record rates, the Army announced on Wednesday. Last year, 145 Army Reservists and National Guardsmen committed suicide, compared with 65 suicide deaths across the entire Guard and Reserves in 2009. Worse, Army leaders aren't entirely sure what's caused the increase.

<More at: www.wired.com/dangerroom/2011/01/more-guard-reserve-soldiers-are-committing-suicide/>

#### A GLIMMER OF HOPE

#### **NOT YOUR FATHER'S VETERANS AFFAIRS**

Joe Ingram - Vets Edge, Vol: 18, No: 01 - Jan 5, 2011

It was a bold statement: "My name is Shinseki, and I am here to end veteran homelessness."

Yeah, right. I did not expect much change on the streets here in Seattle or King County when I heard Edwin K. Shinseki, Secretary of Veterans Affairs, utter those words at a national conference on homelessness.

... But Shinseki has brought change.

The VA has quadrupled its investment in nearly 500 programs across the country through its Homeless Providers Grant and Per Diem Program. This program provides transitional housing and supportive services to homeless veterans for up to 24 months. The great majority of these clients advance to independent living during that eligibility period.

The Homeless Veterans Reintegration Program has more than tripled in capacity to serve homeless veterans, and has become one of the most successful employment assistance programs in the Department of Labor portfolio. </br><More at: <a href="http://www.realchangenews.org/index.php/site/archives/5127/">www.realchangenews.org/index.php/site/archives/5127/</a>>

#### TRICARE TO EXTEND DEPENDENT COVERAGE TO AGE 26

Donna Miles - American Forces Press Service - Jan 18, 2011

WASHINGTON, Jan. 14, 2011 -- To ensure military families don't get left out as the new national health care reform law extends parent's health insurance to their children up to age 26, TRICARE plans to roll out its new Young Adult Program by spring, and to provide an option to make coverage retroactive to Jan. 1.

The new program will allow qualified, unmarried military children up to age 26 to buy health care coverage under their parents' TRICARE plans through age 26, defense officials announced yesterday. That's up from the current maximum age of 21, or 23 for full-time college students whose parents provide more than half their financial support. <More at: <a href="http://www.army.mil/news/2011/01/18/50479-tricare-to-extend-dependent-coverage-to-age-26/">www.army.mil/news/2011/01/18/50479-tricare-to-extend-dependent-coverage-to-age-26/</a>

#### **JOB-KILLER FOR MILITARY RETIREES**

Col. Steve Strobridge, USAF-Ret. - 2011/01/14

We've seen a lot of counterproductive ideas over the years. But few have been so half-baked as the proposal by the president's National Commission on Fiscal Responsibility and Reform to make civilian employers reimburse the Pentagon for health care costs incurred by their retired military employees who use TRICARE.

... It's in vogue in the new Congress to rail against "job-killing" programs. If you want to kill post-service job opportunities for military retirees — and deter good people from serving military careers to boot — could there be a more creative way than making civilian employers pay a stiff annual fine for every military retiree they hire? </ vol>

#### PENTAGON PLAN WON'T COVER BRAIN-DAMAGE THERAPY

T. Christian Miller and Daniel Zwerdling - December 20, 2010

During the past few decades, scientists have become increasingly persuaded that people who suffer brain injuries benefit from what is called cognitive rehabilitation therapy — a lengthy, painstaking process in which patients relearn basic life tasks such as counting, cooking or remembering directions to get home.

Many neurologists, several major insurance companies and even some medical facilities run by the Pentagon agree that the therapy can help people whose functioning has been diminished by blows to the head.

Tricare is an insurance-style program covering nearly 4 million active-duty military and retirees. It is refusing to pay for a therapy that teaches life basics, otherwise known as cognitive rehabilitation, to troops with traumatic brain injuries.

#### CIA SEEKS TO HAVE COURT DISMISS CLAIMS

Week of December 20, 2010

The Central Intelligence Agency will argue on January 13 for dismissal of Vietnam veterans' claims that the CIA must provide them with information about the health effects of chemicals used on them during Cold War-era human experiments. In a 2009 federal lawsuit, Vietnam Veterans of America claimed that the Army and CIA had used at least 7,800 soldiers as guinea pigs in "Project Paperclip." In its 32-page motion to dismiss the group's third amended complaint, the CIA claims it has no legal obligation to provide the veterans with notice of the drugs' health effects.

A copy of the brief is available at www.military.com/veterans-report/cia-seeks-to-have-court-dismiss-claims>

# THESE ANIMALS ARE EXCLUDED FROM MY PROPOSAL IN THE EDITORIAL

# **RAPE RAMPANT IN US MILITARY**

Dahr Jamail - 24 Dec 2010

Statistics and soldiers' testimonies reveal a harrowing epidemic of sexual assault in the US military.

Sexual assault within the ranks of the military is not a new problem. It is a systemic problem that has necessitated that the military conduct its own annual reporting on the crisis.

A 2003 Air Force Academy sexual assault scandal prompted the department of defense to include a provision in the 2004 National Defense Authorization Act that required investigations and reports of sexual harassment and assaults within US military academies to be filed. The personal toll is, nevertheless, devastating.

Military sexual trauma (MST) survivor Susan Avila-Smith is director of the veteran's advocacy group Women Organizing Women. She has been serving female and scores of male clients in various stages of recovery from MST for 15 years and knows of its devastating effects up close.

"People cannot conceive how badly wounded these people are," she told Al Jazeera, "Of the 3,000 I've worked with, only one is employed. Combat trauma is bad enough, but with MST it's not the enemy, it's our guys who are doing it. You're fighting your friends, your peers, people you've been told have your back. That betrayal, then the betrayal from the command is, they say, worse than the sexual assault itself." <More at: <a href="https://www.theinvestigativefund.org/investigations/iragafphanistan/1444/rape\_rampant\_in\_us\_military/">wour friends, your peers, people you've been told have your back. That betrayal, then the betrayal from the command is, they say, worse than the sexual assault itself." <More at: <a href="https://www.theinvestigativefund.org/investigations/iragafphanistan/1444/rape\_rampant\_in\_us\_military/">wour back.</a>

#### TAPS - PASSINGS AND WAR STATISTICS

#### OIF/OEF - HACK DATE THURSDAY 20 JANUARY 2011

OPERATION IRAQI FREEDOM/NEW DAWN (2,864 DAYS)

KILLED US	4,436/14
WOUNDED US [1/3/11]	31,935/77
OTHER US CASUALTIES [1/3/11]	40,447/ <mark>639</mark>
DIED OF SELF-INFLICTED WOUNDS [1/3/	[11] 223/ <mark>0</mark>
MISSING OR CAPTURED US	- 1
KILLED UK	179
KILLED OTHER COALITION	139
WOUNDED/INJURED COALITION	1,819
**KILLED CONTRACTORS [11/9/08]	1,182
KILLED IRAQI POLICE/MILITARY [1/25/09	] ≥ 48,874
KILLED IRAQI CIVILIANS [1/20/11] ≥ 108	,501–1,421,933
WOUNDED IRAQI MIL/CIVILIANS[9/20/10	] ≥ 400K–1.556M
IRAQ REFUGEES INT./EXT. [9/27/07]	2.1M/2.5M

**OPERATION ENDURING FREEDOM (3,393 DAYS)** 

KILLED US	1462
WOUNDED US [1/3/11]	9,971
OTHER CASUALTIES US [1/3/11]	12,227
DIED OF SELF-INFLICTED WOUNDS [1/3/11]	55
MISSING OR CAPTURED US	0
KILLED COALITION	841
WOUNDED/INJURED COALITION (12/2/07)	1,602
KILLED AFGHANI POLICE/MILITARY[7/4/09]	≥ 11,152
KILLED AFGHANI CIVILIANS (9/10/2010)	≥ 8,813
WOUNDED AFGHANI MIL/CIVILIANS (2/24/20	009)46,322
AFGHAN REFUGEES INT./EXT. [9/27/07] 1	.75M/4.8M
COST OF IRAQ WAR TO DATE \$769,82	8,930,362
COST OF AFGHAN WAR TO DATE \$370,64	7,598,098

NOTE: SOME NUMBERS DO NOT CHANGE BETWEEN ISSUES BECAUSE UPDATED FIGURES ARE NOT AVAILABLE AT PRESS TIME \* This entry has been changed to "Non-mortal casualties" which includes wounded, non-hostile casualties, and diseased where medical air transport was required. \*\* Includes 280 additional contractor casualties reported in international press but not in US official figures

#### MASS BURIAL FOR VETERANS HELD ON LONG ISLAND

Katie Honan - Jan 8, 2011

"A hard stretch of road is always made easier when traveling with brotherhood," a Marine Corps saying goes.

The unclaimed remains of twenty veterans were buried Saturday at Calveton National Cemetery on Long Island in a show of pomp and respect they might not have seen in life. The veterans, some who died as long ago as 2006, served in various branches of the military, and their service spanned decades and wars. The majority of the veterans were from the New York area, one source said.

<More at: www.nbcnewyork.com/news/local-beat/Mass-Burial-For-Veterans-Held-On-LI-113134744.html>

# 'BAND OF BROTHERS' INSPIRATION DIES AT AGE 92

Jan 10, 2011

HERSHEY, Pa. – Maj. Richard "Dick" Winters, the man whose quiet leadership was chronicled in the World War II book and television miniseries "Band of Brothers," has died in central Pennsylvania. Winters died Jan. 2, a family friend confirmed Monday. Winters was 92. He lived in Hershey but died in Palmyra, Pa.

In September 1944, Winters led 20 men in a successful attack on 200 German soldiers. He and his men later helped hold the Bastogne (bas-TOHN') area of Belgium during the Battle of the Bulge.

The exploits of Winters and the other members of Easy Company were chronicled in the Stephen Ambrose book "Band of Brothers" and later the HBO miniseries of the same name. Winters also published a memoir in 2006 entitled "Beyond Band of Brothers."

Winters was buried in a private funeral. Arrangements for a public memorial service are pending.

# NATIONAL GUARD AND RESERVE ACTIVATED AS OF JANUARY 4, 2011

This week the Army, Navy, Marine Corps and Coast Guard announced a decrease in activated reservists while the Air Force announced an increase. The net collective result is 733 fewer reservists activated than last week. At any given time, services may activate some units and individuals while deactivating others, making it possible for these figures to either increase or decrease. The total number currently on active duty from the Army National Guard and Army Reserve is 71,003; Navy Reserve, 5,707; Air National Guard and Air Force Reserve, 8,819; Marine Corps Reserve, 5,051; and the Coast Guard Reserve, 769. This brings the total National Guard and Reserve personnel who have been activated to 91,349, including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found on line at <a href="https://www.defense.gov/news/d20110104ngr.pdf">www.defense.gov/news/d20110104ngr.pdf</a>.

#### AFTERTHOUGHTS ~ MISCELLANEOUS AND OTHER STUFF

# TWO PEOPLE MAKING A REAL DIFFERENCE

#### **REACHING OUT TO THE VETERANS**

Debbie Pfeiffer Trunnell - Staff Writer -: 12/26/2010

Two days a week, Kismet Evans and Leroy Huff don backpacks and walk across empty river beds and through parks looking for homeless veterans. When they find them, they provide toiletries, socks, food cards and advice on how they can better their lives.

"We do the outreach to let them know the resources available so they can get off the streets," Huff said.

It is a huge effort as the couple, founders of Inland Empire Veterans Stand Down, encounter not only Vietnam veterans but a growing number of men and women recently returned from Iraq and Afghanistan. </br><More at: <a href="http://www.redlandsdailyfacts.com/sanbernardinocounty/ci\_16948473">www.redlandsdailyfacts.com/sanbernardinocounty/ci\_16948473</a>

# **ADD-ON** ~ **STUFF OF INTEREST**

#### **DISABLED TROOPS, VETS MISLED ON SERVICE DOGS**

Rick Maze - Staff writer - Thursday Dec 30, 2010

Some service members and veterans are being misled and possibly harmed by well-meaning charities promising to provide a trained service dog to help with medical needs, according to representatives of a major veterans service organization.

What often happens, according to officials from the organization AmVets, is that disabled veterans who might benefit from a dog trained to do certain tasks may end up with an animal that a charity group has rescued from a pound, has been taught no special skills and might not be a true "service dog" for legal purposes.

Solution 
More at: <a href="http://www.armytimes.com/news/2010/12/military-disabled-troops-veterans-misled-on-service-dogs-123010w/">www.armytimes.com/news/2010/12/military-disabled-troops-veterans-misled-on-service-dogs-123010w/</a>

# VETERAN-OWNED SMALL BUSINESSES NOW MUST PROVE THEIR STATUS

Robert Brodsky - January 4, 2011

Small or veteran-owned businesses now must provide the Veterans Affairs Department with documentation proving their status before being considered for priority set-aside contracts, VA announced on Monday. The rule change, which implements a provision in the 2010 Veterans Benefits Act, is the department's latest effort to prevent unqualified firms from winning small business awards. <More at: <a href="http://www.govexec.com/dailyfed/0111/010411rb1.htm">www.govexec.com/dailyfed/0111/010411rb1.htm</a>>

#### SUBWAY MAKES IT EASIER FOR VETERANS TO OWN AND OPERATE THEIR OWN BUSINESSES

PRNewswire - Milford, Conn. - Dec. 29, 2010

The SUBWAY® restaurant chain is proud to announce that it has introduced a new program for military Veterans designed to greatly reduce their costs associated with the purchase of a new SUBWAY® franchise.

The franchise fee of \$15,000, already one of the most reasonable in the quick service restaurant (QSR) industry, is now waived for any honorably discharged veteran who wishes to open a SUBWAY® restaurant on a government or military installation. In addition, the franchise fee will be reduced by 50-percent for any veteran opening a SUBWAY® restaurant at any non-military or non-government location.

<More at: http://www.dailyfinance.com/article/subway-makes-it-easier-for-veterans-to/1485281/>

#### LOST MONEY FOR VETERANS

Emily Glazer - January 2, 2011

Millions of dollars for veterans and their families are sitting unclaimed.

The money typically represents life-insurance policy payouts or dividend checks and premium refunds that were mailed to policyholders. If payments couldn't be delivered, the Department of Veterans Affairs holds the money indefinitely, says Thomas Lastowka, the department's director for insurance.

To see if you or a family member has any unclaimed money, check on the Veterans Affairs website (<u>https://insurance.va.gov/liability/ufsearch.htm</u>). You'll need to plug in the veteran's full name, date of birth and date of death (if applicable).

Be careful when searching common names -- say, John Smith. To verify an identity, you also may need the veteran's VA insurance file number or service number, which can be found on enlistment or discharge documents (many of which are on file at county courthouses).

You also can claim money by calling 1-800-669-8477 or writing to the Department of Veterans Affairs Regional Office and Insurance Center.

Between January 2007 and November 2010, \$6.4 million have been claimed, Mr. Lastowka says. Life-insurance claims usually average about \$4,500 while other checks range from \$1 to \$750.

When it comes to collecting money owed to a deceased veteran, generally the surviving spouse has access first, followed by children and parents

http://online.wsj.com/article/SB10001424052748703384504576056192816899906.html

#### PENTAGON FEDERAL CREDIT UNION HACKED

News Herald - January 17, 2011

PANAMA CITY -- Personal information has been stolen from the Pentagon Federal Credit Union, officials confirmed last week.

PenFed's executive vice president of operations, Roderick B. Mitchell, confirmed in a letter to customers that names, addresses, Social Security numbers, and credit and debit card numbers were stolen from the company database. PenFed said no personal identification numbers or passwords were obtained by the hackers. <More at: <a href="http://www.military.com/news/article/pentagon-federal-credit-union-hacked.html">www.military.com/news/article/pentagon-federal-credit-union-hacked.html</a>

#### A STORY FROM LAST FALL THAT DESERVES TO BE WIDELY KNOWN VA TAKES BACK SLAIN MILITARY VET'S BENEFITS

#### Baltimore -- October 27, 2009

At 17, Daniel Hoeck needed his parent's permission to drop out of high school and fight a war in Vietnam. Two tours of duty later, he made it home safely with a Purple Heart and a deep conviction, according to his sister, Marie Davidson.

"My brother always loved his country. It didn't stop," she told 11 News I-Team reporter Deborah Weiner.

His love for country didn't stop as his body wore down from Agent Orange exposure and disease.

On Feb. 12 at age 62, Hoeck was slain in his Westfield home during a burglary. "(The culprit) not only stabbed him once, he stabbed him twice so he wouldn't live -- right through the heart," Davidson remembered.

Before he was killed and at the urging of family, Hoeck sought medical help from the Department of Veterans Affairs in Baltimore. About 18 months after he first applied for benefits, a lump sum retroactive payment finally came in the mail for him and monthly checks were soon to follow, but the problem was, Hoeck was dead, Weiner reported.

At the advice of an attorney, Hoeck's sister deposited the check of \$13,694 in an estate account for him at First Mariner Bank. Hoeck never married or had children, so Davidson was considered his legal and personal representative. While she didn't say she thought that monthly benefits should be sent to a deceased person, her issue was the retroactive lump sum payment, which would help cover her brother's debts. "They just never managed the affairs to get him the money," she said.

"It was something that was owed to him prior to his death, and whether it was payable to him individually or his estate, it was owed," said estate attorney Gina Shaffer.

But Veterans Affairs officials saw the case very differently. Soon after learning from the family that Hoeck had been killed, they took the benefits check back, demanding First Mariner return the money to the U.S. Treasury Department.

"They just reclaimed the money from the bank, and we just got a letter from the bank. The VA never, ever told us," Davidson said. "It was something that was owed to him prior to his death, and whether it was payable to him individually or his estate, it was owed."

Officials with the VA are standing by protocol in the case. They insisted they only acted according to federal law, which mandates the money be reclaimed if the recipient has died but, if Hoeck had a wife or children, they could petition the VA to get that money returned to his estate. That's not the case for single veterans.

"Absolutely everything that comes from them restates that, sadly, a service person who did two tours in Vietnam and offers his life for his country, that in his time of need, if he didn't marry or have any children, he actually just vaporizes in the system," Davidson said.

"It's a shame. A shame," said Bernard Edelman of the group Vietnam Veterans of America.

The group said that part of the blame goes to the 18 months Hoeck had to wait before the VA determined his benefit eligibility. They said long waits can be common, but not if veterans get help from service representatives that organizations like the VA offer.

"Have someone be your advocate," Edelman said.

After the I-Team's inquiry, the Department of Veterans Affairs agreed to pay Davidson more than \$2,700 to cover expenses related to Hoeck's death, but they made it clear that it was a one-time payout.

Shaffer said it was never about collecting the money. "It's about honoring a veteran -- a contract you made for him," she said.

The VA called the case quite unusual but pointed out that the military rules are different if a veteran dies alone without a spouse or children.

Hoeck is buried at Arlington National Cemetery.

www.wbaltv.com/news/21429584/detail.html

If at any time you cannot open a link in this newsletter to an article or web page that interests you, please let me know at <u>scook@vuft</u>; I keep a copy of most of the full articles, or can research an alternative route to the information. [Ed.]

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EDITOR'S NOTE: I have been asked what guides my selection of articles. In general, I try to stick with articles that deal exclusively with our target group: serving military, veterans, retirees, and their families. I also favor articles that deal with the effect of Legislative or Executive inaction or bad actions that adversely affect our target group. I try not to pick those articles that have already been beaten to death in the regular press, but rather try to bring the reader articles that he or she might not run across in another medium. While we are non-partisan, I do not believe articles critical of government actions to be partisan as long as they are accurate and fair. Criticism, like dissent, is fair. Finally, I screen hundreds of articles for inclusions and for every article I include, I throw five or six away – good articles, but not as important as the ones selected.

I always appreciate contributions, whether it is opinion in Letter-to-the-Editor form, or articles that the reader believes would be good for our readership. Since I get a chance to vent once in awhile in these newsletters, I will certainly consider Op-Ed copy for inclusion. I always welcome reader comment or complaint. Sandy Cook, Editor <u>mailto:scook@vuft.org</u>

If you need to call us, our number is 1.805.530.6417.

The phone is covered by a voice recorder 24 hours a day. We'll get back to you ASAP.