

SOUND OFF!



VOL. IV, NO 5

THE NEWSLETTER OF VETERANS UNITED FOR TRUTH, INC.

"VETERANS STANDING UP FOR EACH OTHER"

25 OCTOBER 2008

FIRST CALL – NOTES FROM THE FRONT

A VETERAN THINKS ABOUT "MIRANDA"

All of us have watched police procedurals on TV. We are all very familiar with the "Miranda" warning. It is used so often during any episode that commercials are almost a relief from the monotonous repetition of this warning designed to protect the rights of the arrested.

Most of us also favor the use of this warning. We want the Fifth Amendment protections that the warning provides. We don't want innocent citizens arraigned or judged unfairly, and they should not have to condemn themselves.

One current form of this warning is:

"You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while you are being questioned. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning if you wish. You can decide at any time to exercise these rights and not answer any questions or make any statements. Do you understand each of these rights I have explained to you? Having these rights in mind, do you wish to talk to us now?"

For Miranda to apply six factors must be present: (1) evidence must have been gathered (2) the evidence must be testimonial (3) the evidence must have been obtained while the suspect was in custody (4) the evidence must have been the product of interrogation (5) the interrogation must have been conducted by state-agents and (6) the evidence must be offered by the state during a criminal prosecution.

Testimonial evidence is the most basic form of evidence and the only kind that does not usually

require another form of evidence as a prerequisite for its admissibility. [See Evid. Code § 702(b); Fed R. Evid. 602]. It consists of what is said in the court at the proceeding in question by a competent witness.

In general, a witness is competent if he meets four requirements:

1. He must, with understanding, take the oath or a substitute. [Evid. Code §§ 710, 701; Fed. Rules Evid. 603.]
2. He must have personal knowledge about the subject of his testimony. In other words, the witness must have perceived something with his senses that is relevant to the case. [Evid. Code § 702; Fed. Rules Evid. 602.]
3. He must remember what he perceived.
4. He must be able to communicate what he perceived. [Evid. Code § 701(a)(1)].

All citizens have the protection of the law, but the reality of that protection comes where "the rubber hits the road"; the real protection is when they face the law, person-to-person. That is when "Miranda" kicks in. That is when the law and the protections against its abuse come together and make a meaningful difference for the citizen.

It is really too bad that veterans can't get anywhere near that much protection. Our veterans who lay claim for help have none of the protections that a law like "Miranda" provides to suspected criminals, or similar protections relative to their needs.

No one offers them a lawyer: in fact the law denies them a lawyer for the first three years under current experience (*see the table at the end of this issue under "Add-Ons"*). No matter how strong an oath any

veteran affirms, it means nothing unless he or she can produce witnesses. Any veteran's personal knowledge of the incident that caused his or her personal trauma, physical or mental, is considered anecdotal without verification.

Unsupported testimonial evidence by the veterans is thrown out – neither their “personal knowledge” or “perceptions” mean very much at all. Anything veterans say when filing their claims certainly "can be used against" them, but without mountains of external evidence, what the veterans say often cannot be used for them.

While prosecutors are compelled to provide all exculpatory evidence to the defendant and counsel in a criminal case, the veteran has to dig up personally all the supporting evidence necessary to his or her claim, including evidence already held by the government in official files. The veteran has to find supporting witnesses, even though the government often withholds contact information "to protect the privacy of the individual."

[IDEA: Perhaps we ought to provide sign-up sheets on the back of a soldier's body armor so that right after the incident, those who are still left standing can sign their names, SSANs, and permanent home addresses for later reference.]

There are other problems of course. If the problem is not a claim for help subsequent to a trauma, but is a claim for help because the veteran was activated from the Guard or Reserve, left his or her job behind and now wants it back but cannot get it, the law allows the government almost 3 years to resolve a claim -- three years during which the veteran just might need a

paycheck, and the veteran is unlikely to have the wherewithal to hire a lawyer to help pursue the claim. Of course, were this a criminal case, the government would provide the lawyer, or so says “Miranda”.

It doesn't take much to understand that the Veterans Administration has adopted the medical insurance companies' model for claim resolution – or maybe they developed it together. Deny without perfect evidence. Deny if there is any administrative error. Deny if there is the slightest reason to do so. When all else fails, lose the paperwork, shred the paperwork (*see “Tattoo – Current issues” below*), send it back for correction, send it back for more evidence – just send it back – with any luck the claimant will give up. If the claimant dies or gives up – case closed, and mark a positive credit on your performance appraisal. If you can close more than the next guy, write yourself up for an attaboy. If you are an executive, put yourself in for a bonus.

Does anyone remember this line? “...and nobody knows nobody knows what she needs”?

Coincidentally it's a line from **Crazy Miranda** by Jefferson Airplane. It is somewhat descriptive of the VA's working motto, even when she (the veteran) has stated clearly what “she needs”.

And one last quote for all of us who grieve over the plight of our veterans, this one from Shakespeare's *The Tempest*, as Prospero's daughter **Miranda** speaks to her father:

“**The strangeness of your story put heaviness in me.**”

Me too! [Ed.]

REVELLE - WAKE-UP CALLS – CALLS TO ACTION

NEED LEGAL HELP IN AN APPEAL TO THE DVA?

Try these two websites: Veterans Consortium Pro Bono Program www.vetsprobono.org/index.htm. United States Court of appeals for Veterans Claims “Public List of Practitioners” are members of the court's bar www.vetapp.gov/practitioners/

DOD SEARCHES FOR TEST VETERANS

In September, the DoD Office of Force Health Protection & Readiness announced the launch of the Chemical-Biological Warfare Exposures Website, which presents extensive information on testing conducted during World War II, Project 112/SHAD (Shipboard Hazard and Defense) and the Cold War. <more at: <http://fhp.osd.mil/CBexposures/>>.

PTSD -- TELLING FAMILIES' STORIES

Military Families Speak Out www.mfso.org is gathering stories about the impact the hidden wounds of Post Traumatic Stress Disorder have had on their lives. MFSO isn't just looking for dramatic stories -- they want to be able to convey the day to day realities of living with PTSD to Congress, the media, and the American people.

They know these issues can be hard to write about -- so if you want to tell your story but don't know where to begin, send an e-mail to member@mfso.org (requires signing up) and they will have another MFSO member or their Communications

Director call and interview you, write up the interview, and then work with you until the finished project reflects exactly what you want to say.

WAKE UP! SPREAD THE NEWS!

Membership is open, free, and very worthwhile! Get your fellow veterans, and veterans' family members to join VUFT! We are beginning to be heard, and we need you to help us get the message out. If each of us would bring in one new member every month, what an impact we could have!

ASSEMBLY - PROGRESS OF THE ORGANIZATION

VCS - VUFT LAWSUIT UPDATE:

Class Action Suit: Our advocates are currently working on the appeal to the 9th Circuit Court of Appeals.

Case Progress to Date:

7/23/2007 Suit filed w/Federal District Court	4/21/2008 Trial
9/25/2007 Defendant's Motion to Dismiss	6/25/2008 Judgment based on jurisdiction
2/11/2008 Motion for Preliminary Injunction	7/25/2008 Appeal notice filed w/9 th Circuit Court of Appeals
2/25/2008 Preliminary Injunction Hearing	11/10/2008 Appeal brief to be filed

Here is a link to the legal [documents](#) on the lawsuit.

BE A MEMBER If you are getting this newsletter and have not yet joined, please go to [our website](#) 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.

SUPPORTING THE CAUSE If you wish to donate to our work you may now do so via PayPal or Visa on [our website](#) "[Donate](#)" page. 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. If you wish to volunteer your services to the organization, please contact the Chair at rhandy@vuft.org or the Vice Chair at scook@vuft.org. Watch for details at www.vuft.org

DO YOU PASS THIS NEWSLETTER ON TO ANYONE?
IF YOU DO. PLEASE LET US KNOW HOW MANY PEOPLE YOU SEND IT TO
NO NAMES, JUST NUMBERS

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

No letters this issue

RECALL - FEDERAL AND STATE LEGISLATION AND LEGISLATORS

OMNIBUS VETERANS' BENEFITS BILL NOW LAW

October 10, 2008

Akaka's legislation improves veterans' housing, disability, and employment benefits

WASHINGTON, D.C. – U.S. Senator Daniel K. Akaka (D-HI), Chairman of the Veterans' Affairs Committee, issued the following statement today regarding enactment of S. 3023, the [Veterans' Benefits Improvement Act of 2008](#).

"Veterans have earned these benefits and more through their honorable service to our country and I am proud that this legislation to improve veterans' housing, disability claims processing, judicial review and employment rights is now law," said Akaka.

S. 3023 is an omnibus veterans' benefits bill that includes a wide range of provisions, including claims processing improvements, compensation enhancements, employment and education assistance, and housing benefits for veterans.

KEY LAWMAKER SAYS HE'S LOSING FAITH IN VA

Rick Maze - Staff writer - Oct 20, 2008

The chairman of the House Veterans' Affairs Committee says he completely understands why many veterans have lost confidence in the Department of Veterans Affairs.

"I am sure there are good people working there who are trying very hard and have the best of intentions, but they are bunglers," said Rep. Bob Filner, D-Calif. "You lose confidence in these people by watching them."

Filner, a frequent critic of VA, cited two examples: the department's abandoned plans to use a private contractor to help launch the new GI Bill benefits program next year, and VA's order Thursday to its 57 regional offices to stop shredding documents after veterans' claims materials were found in piles of paper waiting to be destroyed.

<More at: http://www.armytimes.com/news/2008/10/military_filnerva_lostconfidence_101708w/>

THE RECORD – ALL THE WORK THE 110TH CONGRESS HAS DONE FOR YOU

This session 7,271 new bills were introduced in the House and 3,676 in the Senate. Of these, 337 (4.6%) and 145 (3.9%) bills, respectively, were of interest to non-active duty veterans.

The numbers coming out the other end of the paper mill were far different. The amount of substantive legislation that became actual law with the President's signature on the bottom was miniscule. (I have excluded the many bills designating, naming, or re-naming post offices and VA clinics after veterans; also I have left out any resolutions "honoring" or "praising" or "expressing support" of which there were quite a few.)

The Senate managed to get eight substantive veterans' bills out, six of which have been signed into law, although only three are unique to the Senate.

S 423	See HR 1284
S 479	See HR 327
S 1163	See HR 797
S1315	In House
S 1396	PL 110-168
S 2162	On President's desk
S 2617	PL 110-324
S 3023	PL 110-389

The house managed to get only five substantive veterans' bills out, four of which have become Public Law.

HR 327	PL 110-110
HR 797	PL 110-157
HR 1284	PL 110-111
HR 1538	In Senate
HR 6580	PL 110-317

So if you compare laws enacted to veterans' bills submitted, and even giving them double-dipping credit, the Senate has a batting average of .041, and the House is even worse at .012. Neither one looks like a candidate for the Hall of Fame.

But, just think of all the speeches those legislators have given about all the going-nowhere bills they are flooding Congress with just for you. Does make one a bit skeptical, doesn't it?

Maybe someday I'll get the energy and time to analyze the meat of just what veterans' legislation got "left behind". That's probably where the real "support" lies.

RETREAT – NEWS

FINAL TEXT OF IRAQ PACT REVEALS A U.S. DEBACLE

Analysis by Gareth Porter*

WASHINGTON, Oct 22 (IPS) - The final draft of the U.S.-Iraq Status of Forces agreement on the U.S. military presence represents an even more crushing defeat for the policy of the George W. Bush administration than previously thought, the final text reveals.

The final draft, dated Oct. 13, not only imposes unambiguous deadlines for withdrawal of U.S. combat troops by 2011 but makes it extremely unlikely that a U.S. non-combat presence will be allowed to remain in Iraq for training and support purposes beyond the 2011 deadline for withdrawal of all U.S. combat forces.

Furthermore, Shiite opposition to the pact as a violation of Iraqi sovereignty makes the prospects for passage of even this agreement by the Iraqi parliament doubtful. <More at: <http://www.ipsnews.net/news.asp?idnews=44394>>

IRAQ SEEKING CHANGES TO US DEAL

Iraq's cabinet is demanding changes to a draft agreement with Washington that would allow US forces to stay until 2011, a government spokesman has said.

"The cabinet have agreed that necessary amendments to the pact could make it nationally accepted," Ali Dabbagh said, without specifying the changes.

The draft was presented last week after months of painstaking US-Iraq talks. US officials have not said if they are willing to renegotiate the Status of Forces Agreement (SOFA). The draft agreement calls for a drawdown of US combat forces from Iraq by the end of 2011 and includes US concessions on immunity for US troops who break Iraqi law.

The US and Iraqi governments had previously said the pact was final and could not be amended - only accepted or rejected by the Iraqi parliament. <More at: http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/middle_east/7682213.stm>

WASHINGTON WARNS BAGHDAD ABOUT REJECTING SECURITY DEAL

Minneapolis Star-Tribune - October 22, 2008

The United States on Wednesday warned of "real consequences" for Iraq if it rejects a newly negotiated security pact. Without a deal, U.S. military operations could be forced to end. <More at: <http://www.startribune.com/world/32648824.html>>

BUSH AUTHORIZES RECORD DEFENSE BUDGET

Maya Schenwar - truthout Report - 22 October 2008

Last week, [President] Bush signed the 2009 Defense Authorization Act, allowing \$611 billion to be spent this fiscal year on defense. Though the number was not a surprise - the money in the bill had already been appropriated over the last few months - this bill makes it official, placing ceilings on spending, granting authority on who gets to spend what, and nailing the 2009 defense budget into place. <More at: <http://www.truthout.org/102208A>>

PENTAGON WANTS \$450 BILLION INCREASE OVER NEXT FIVE YEARS

Josh Rogin - Congressional Quarterly - 09 October 2008

Pentagon officials have prepared a new estimate for defense spending that is \$450 billion more over the next five years than previously announced figures.

The new estimate, which the Pentagon plans to release shortly before President Bush leaves office, would serve as a marker for the new president and is meant to place pressure on him to either drastically increase the size of the defense budget or defend any reluctance to do so, according to several former senior budget officials who are close to the discussions.

Experts note that releasing such documents in the twilight of an administration is a well-worn tactic, and that incoming presidents often disregard such guidance in order to pursue their own priorities.

<More at: <http://www.globalresearch.ca/index.php?context=va&aid=10583>>

MILITARY: BOTH MCCAIN AND OBAMA WOULD REBUILD U.S. FORCES

Nancy A. Youssef - McClatchy Newspapers - Oct. 23, 2008

WASHINGTON — Barack Obama and John McCain each promise that as president they'd continue to transform the U.S. military into a bigger, more agile force that can tackle insurgencies and help allies thwart terrorism.

However, the candidates differ on what role the military should play in global affairs.

"The Department of Defense has been the preemptive force of the last eight years," said Col. Michael Meese, a professor and the head of the department of social sciences at the United States Military Academy at West Point. Whether Defense continues in that role — or the State Department, with the U.S. Agency for International Development, picks it up — is a question for the next administration, Meese said.

While there may be big differences in how the presidential candidates would use the military, they generally agree on what kind of force the U.S. needs. <More at: <http://www.kansascity.com/449/story/854292.html>>

IS THIS WHAT THEY NEED THE MONEY FOR?

US MILITARY CHIEF SAYS NATO TO DEFEND BALTICS IN ANY MILITARY ATTACK

VOA News - 22 October 2008

The United States has assured the three Baltic countries bordering Russia that they can rely on NATO protection in case of a military attack. <More at: <http://www.voanews.com/english/2008-10-22-voa39.cfm>>

HAS MY DEAR OLD ARMY BECOME AT LAST SO TERRIFIED OF CRITICISM THAT IT HIDES SCIENTIFIC TRUTHS THAT COULD HELP ITS OWN MEMBERS AND THEIR FAMILIES? THIS IS A NEW LEVEL OF INSTITUTIONAL COWARDICE THAT NEEDS TO BE EXPUNGED.

MILITARY ATTACK ON SCIENCE: ARMY CENSORS, ALTERS, AND DELAYS STUDIES ON IRAQ, AFGHANISTAN, AND GULF WAR CASUALTIES

Bryant Furlow - epiNews - Oct 22, 2008

U.S. Army delays, alters medical studies under little-known scientific censorship program; Policy 'stifles scientific discourse,' says an Army epidemiologist

Since 2006, U.S. Army censors have scrutinized hundreds of medical studies, scientific posters, abstracts, and PowerPoint presentations authored by doctors and scientists at Walter Reed and other Army medical research centers, documents obtained with the Freedom of Information Act (FOIA) reveal—part of a little-known prepublication review process called "Actionable Medical Information Review."

The program is intended to deny Iraqi and Afghan insurgents sensitive data such as combat injury and death rates. But dozens of studies reviewed under the program did not involve research related to combat operations. They did, however, include potentially controversial research, such as studies of the effects of war on soldiers' children and families, hospital-acquired infections, veterans' post-deployment adjustment issues, refugees, suicide, alcoholism, vaccines, cancer among veterans of the 1991 Gulf War, and problems with military health care databases.

More than 300 scientific documents have been reviewed by Army censors to date. Overall, fewer than half have been cleared for publication in their original form. In 2007, 6 percent of papers were denied permission for public disclosure, but so far this year that denial rate has nearly tripled to 17 percent. <More at: <http://www.epinews.com/>>

GUANTANAMO COUNSEL RESIGNS IN DISGUST

Juan Cole - Oct 13, 2008

Lt. Col. Darrel J. Vandeveld resigned from the military commissions tribunals at Guantanamo convinced that the system denies defense attorneys exculpatory evidence that the government knows about, which might prove the innocence of the defendant. <More at: www.juancole.com/2008/10/guantamo-counsel-resigns-in-disgust.html>

VETS GROUP PLANS TO SUE OVER HOMELESS SWEEP

Lance Benzel - October 21, 2008

A veterans advocacy group Tuesday blasted a city-sponsored effort to clean up homeless camps in Colorado Springs, alleging the monthly sweeps involve improper searches and that personal belongings are routinely tossed out with the trash.

"Homeless veterans have had VA paperwork, medications, photographs, identification and service medals taken from their possession," said Rick Duncan of Colorado Veterans Alliance.

The group, which advocates for post-Sept. 11, 2001, veterans in Colorado, plans to file a federal lawsuit in Denver today alleging civil rights abuses by the city's contractor for the cleanups, Keep Colorado Springs Beautiful.

The lawsuit will seek not money, but an end to illegal practices, said Duncan, a retired Marine captain who was wounded during his third tour in Iraq. <More at: http://www.gazette.com/articles/veterans_42179_article.html/homeless_colorado.html>

ANOTHER ERA GRADUALLY CLOSING

VETERAN'S REUNION TO BE GROUP'S LAST

Associated Press - October 18, 2008 11:15 AM ET

OKLAHOMA CITY (AP) - World War II veterans who are members of the P-40 Warhawk Pilots Association are wrapping up their last reunion. About 25 members of the group, all in their 80s, are meeting through today at an Oklahoma City motel.

Philip Adair, a Walters farm boy now living in Gold Vein, Va., was awarded the Silver Star for bravery for attacking a formation of 24 Japanese bombers and 40 Zero fighters on Dec. 13, 1943, disrupting their mission to bomb an Army Air Corps headquarters in India.

Bud Jones of Jefferson City, Mo., flew the P-40 Warhawk in Europe, including the last P-40 combat mission of World War II.

The combat missions Jones flew in the P-40s involved attacking tanks, enemy troops, railroads and railroad tunnels.

<http://www.kswo.com/Global/story.asp?S=9199476>

PAY TO VETERANS IS OFF BY \$20 MILLION

Jim Abrams - The Associated Press - 10/22/2008

WASHINGTON (AP) — The Pentagon, in a rush to shrink a backlog of unprocessed claims, wrongfully denied money to nearly 2,000 severely disabled veterans, a House lawmaker said Wednesday.

Rep. Dennis Kucinich, D-Ohio, said his staff also calculated that the Pentagon made inaccurate payments of about \$20 million to approximately 2,500 veterans who received payments in excess of \$2,500 under a specific claims program.

Kucinich, in a letter to Teresa McKay, director of the Defense Finance and Accounting Service, urged quick action to recalculate all "no pay due" determinations and payments in excess of \$2,500 made for the claims program.

"Errors of that magnitude are disgraceful," Kucinich wrote, saying the Pentagon's contractor for the VA Retro program, Lockheed Martin, had miscomputed and mishandled awards for veterans equivalent to an entire combat brigade.

<More at: <http://www.cleveland.com/newsflash/index.ssf?/base/politics-15/122471161317670.xml>>

TO THE COLOR - GATHERINGS

Date	Time	Where	What	Who	Notes
10/30-11/2		Memorial Park 92 Rosemary St. Needham, MA	The Wall That Heals	Town of Needham Board of Selectmen	
10/31		St. Cloud. MN	Resource Fair	Nick Johnston	320-255-6320
11/1		Port Charlotte FL	Resource Fair	Catherine Alexander-Ponder	727-398-6661 x-4711
11/1		West Palmetto FL	Resource Fair	Catherine Alexander-Ponder	727-398-6661 x-4711
11/1		Lancaster CA	Resource Fair	Steve Baker	661-940-5272
11/3	1830	Newton Free Library 330 Homer St. Newton Centre, MA	Brain Injury Exposed: TBI and our Vets	Brain Injury Assoc. of Massachusetts & Newton Free Library	617-796-1360
11/5	1100-1400	Holiday Inn Rosslyn at Key Bridge 1900 N. Ft Myer Bridge, Arlington, VA	Washington DC Military Career Fair		703.807.2000
11/6	1100-1400	Radisson Martinique Hotel 49 West 32nd Street, New York, NY	New York Military Career Fair		212-736-3800
11/7		Roanoke VA	Resource Fair	Gayle Sanford	540-982-2463 x-1230
11/8		Los Angeles CA	Resource Fair	Doris Nickelson	310-545-2937
11/10-11		Crystal Lake IL	Resource Fair	Amy Johnson	815-455-5190
11/11	1300	Nationwide – Release orange balloons in memory of those taken by Agent Orange	Veterans Day Agent Orange Balloon Release	Everyone	Get some Orange Balloons and release them

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

TATTOO - CURRENT ISSUES

FINAL COLA ANNOUNCED ~ 5.8%

The 2009 cost-of-living adjustment (COLA) for military retired pay, SBP annuities, Social Security checks, and VA disability and survivor benefits will be 5.8%, effective December 1, 2008. It will first appear in the January checks.

SUSPICIONS CONFIRMED!

VA'S REGIONAL OFFICES IN TURMOIL AS MANAGERS SEARCH FOR "MISHANDLED" PAPERWORK

Larry Scott – 10/18

The shredder story from the Department of Veterans' Affairs (VA) continues to grow.

Original story and follow-ups...
<http://www.vawatchdog.org/08/nf08/nfoc08/nf101308-1.htm>
<http://www.vawatchdog.org/08/nf08/nfoc08/nf101408-3.htm>
<http://www.vawatchdog.org/08/nf08/nfoc08/nf101508-1.htm>
<http://www.vawatchdog.org/08/nf08/nfoc08/nf101708-3.htm>

The VA's Office of Inspector General (VAOIG) found documents pertinent to veterans' claims in shredder bins at the Detroit Regional Office (VARO). And, the VAOIG has been investigating a number of VAROs for "timeliness" issues regarding paperwork.

Yesterday, VACO (VA Central Office) and VBA (Veterans' Benefits Administration) put out a press release admitting problems and outlining action to be taken. That press release is here... <http://www.vawatchdog.org/08/vap08/vap101608-1.htm>

VA Watchdog dot Org has learned that VARO management teams will spend the weekend, if necessary, "dumpster diving" at their offices to find "every" piece of "mishandled" paperwork. This would include going through desks, closets, storage areas or anyplace a document could be stored or hidden. They must report their findings to VACO by Monday morning (Oct. 20, 2008). It is expected that there will be problems at every VARO. One source has stated that if any VARO claims they are "clean" when it comes to handling documents, this will raise immediate suspicion of the operation.

<More at: <http://www.vawatchdog.org/08/nf08/nfoc08/nf101708-7.htm>>

PTSD: OUR MOMS WERE FIRST TO KNOW

Cynthia Aukerman - News-Gazette reporter – 10/20

Speaking to H Troop Vietnam veterans about Post Traumatic Stress Disorder, Jim Linton said, "Our mothers were the first to know we had it, even when there was no name for it. They were the first to realize we weren't the same as we were before we went to Vietnam."

Looking out over his audience of aging veterans, Linton said, "Every one of you has PTSD, and over time it will get you down."

The divorce and suicide rate is "off the scale" for Vietnam veterans, Linton said. Some move from job to job, some from wife to wife, some from place-to-place. "How many of us have the same issues?" Linton asked. Then he declared, "It's not a coincidence." <More at: <http://www.winchesternews gazette.com/articles/2008/10/20/news/news.txt>>

HARVARD PROFESSOR LINDA BILMES' RESEARCH LEADS TO IMPROVED COMPENSATION FOR INJURED VETERANS

Lindsay Hodges Anderson - Harvard Kennedy School of Government - Oct 24, 2008

Research spearheaded by Harvard Kennedy School lecturer Linda Bilmes is making an impact on the lives of injured American veterans.

One of the signature injuries of the wars in Iraq and Afghanistan is traumatic brain injury (TBI), usually caused by the blast waves from roadside bombs. Estimates indicate 320,000 returning U.S. troops have suffered a TBI during their deployment. Many of these will also suffer from post-traumatic stress disorder and other psychological conditions.

"Disabilities among returning troops now appear to be a greater problem than we had assumed," said Bilmes. "If we fail to provide these veterans with a basic living stipend, we will see increasing rates of suicide, homelessness, domestic violence and substance abuse. These consequences will raise the true cost of the war even higher."

<More at: <http://www.hks.harvard.edu/news-events/news/articles/linda-bilmes-injured-veterans-compensation-oct>>

SOMATIC SYSTEMS, INC. PLANS MILITARY CLINIC CHAIN

Oct. 21, 2008

NORTHAMPTON, MA, Oct 21, 2008 (MARKET WIRE via COMTEX) -- Somatic Systems, Inc. (PINKSHEETS: SMAS) is pleased to announce plans to launch a series of pain treatment clinics specifically designed for the military community. The clinics will employ the company's proprietary Clinical Somatics method, which provides unprecedented relief from pain and injuries, without the use of drugs, surgery, or invasive procedures -- even in many cases where conventional physical therapies, surgeries, and other treatments have failed.

Following a series of successful meetings with the US military about providing Somatics services to active personnel and veterans, a need has been identified for specialized Somatics clinical facilities located near US military installations.

Nearly 26 million living Americans have served in the military, and pain is the most common symptom and cause of disability amongst veterans, with more than 40% of returning service members reporting musculoskeletal pain-related problems and symptoms. In the face of this, military officials, medical authorities, and government officials have reported frustration that the military does not yet have a satisfactory pain care program for their population. <More at: <http://www.msnbc.msn.com/id/27293602/>>

VETERAN'S FAMILY GETS BACK PAY WITH INTEREST

Mike Schneider - Associated Press Writer 10/23

ORLANDO, Fla. – It took six decades, but a wrongly convicted World War II veteran's family is finally getting his back pay with interest.

Samuel Snow's widow, Margaret, and son, Ray, received a check for \$27,580 on Thursday, 64 years after Snow was wrongly convicted of participating in a riot that led to his imprisonment for more than a year. Snow died at age 83 in July, hours after the Army apologized and reversed his dishonorable discharge.

... A year ago, the Army Board for Correction of Military Records set aside Snow's conviction, noting that prosecutors had withheld important evidence and that the defendants were denied access to their attorneys. The board also ruled that four soldiers who petitioned the board, including Snow, should be given honorable discharges and compensated.

Not long afterward, Snow received a check for \$725 — the amount the Army said he would have been paid between the time he was convicted and the time he was released from prison about 15 months later. It was not adjusted for inflation and failed to include 64 years worth of interest. At the time, the Army claimed the amount was in keeping with regulations.

<More at: http://news.yahoo.com/s/ap/20081023/ap_on_re_us/wwii_convictions_1>

NEW GI BILL TO START ON TIME

Tom Philpott - October 23, 2008

Va Vows Post-9/11 GI Bill Payments To Begin On Schedule

The new Post-9/11 GI Bill, which on average will double the value of education benefits for eligible veterans, will be launched on schedule next August and begin making payments to students and colleges next fall, just as Congress intended, says a senior Department of Veterans Affairs official.

... However, Wilson said, payments will have to be processed manually, as occurs now with Montgomery GI Bill and other education benefit claims, because an automated processing system won't be ready for two more years.

<More at: <http://www.military.com/features/0.15240.177836.00.html>>

AS ALWAYS, MANY VETS GET LEFT OUT, BUT EVERYONE PATS HIMSELF ON THE BACK ABOUT "SUPPORTING THE TROOPS"

EXPANDED GI BILL TOO LATE FOR SOME

Christian Davenport - Washington Post Staff Writer - October 21, 2008; A01

Delayed Rollout by VA Feared The new GI Bill passed by Congress over the summer, which dramatically expands veterans benefits, was lauded as a sign that the country was looking after this generation of warriors. But don't extol its virtues to Grey Adkins, who served two tours with the Navy off the coast of Iraq, is \$10,000 in debt and won't see a dime of the new benefits.

Even though it is called the Post-9/11 GI Bill, the new legislation won't take effect until Aug. 1, 2009 -- eight years after jets felled the twin towers and other planes crashed into the Pentagon and a field in Pennsylvania. By then, Adkins will have graduated from Towson University. And because the bill is not retroactive, it won't help him at all.

The difference it would make is stark. Currently, he receives \$1,600 a month during the school year, or about \$15,000. Under the new bill, he would be eligible for up to twice that amount each school year.

So far, more than 410,000 Iraq and Afghanistan veterans have used the current GI bill, according to the Department of Veterans Affairs -- and many, like Adkins, will finish school before the new benefits start.

Many advocates for veterans say that it took too long to update a GI Bill that has not kept pace with the escalating price of college tuition. But now there is also concern that the VA won't be able to meet the August deadline after it abruptly abandoned its plan to hire a private contractor this month and instead will implement the new program itself.

<More at: <http://www.washingtonpost.com/wp-dyn/content/article/2008/10/20/AR2008102003409.html>>

THE BIGGEST UNTOLD MORTGAGE CRISIS: HELP FOR FAMILIES FACING MILITARY FORECLOSURES

Carla Douglin , October 08, 2008

More and more military families are finding themselves in the middle of a mortgage nightmare. Soldiers are returning after several tours of duty, only to find they are on the verge of losing their homes. While trying to rebuild their lives, they face the additional pressure and stress of a looming foreclosure.

According to one recent study, the number of foreclosures in military towns are four times the national average. Why?

Because military families were targeted as customers during the boom in subprime lending. Their frequent moves, overseas stints, and low pay meant they were likely to have weak credit ratings. The initial low rates and easy terms of these loans made them more attractive than the traditional route of taking out a Veterans Administration (VA) loan. In fact, at the peak of the U.S. subprime lending, the number of new VA loans fell to their lowest level in 12 years.

<More at: <http://www.americanchronicle.com/articles/76821>>

ENHANCED VA MORTGAGE OPTIONS NOW AVAILABLE FOR VETERANS

Of Potential Benefit to Those in Financial Distress

WASHINGTON (Oct.24) -- Veterans with conventional home loans now have new options for refinancing to a Department of Veterans Affairs (VA) guaranteed home loan. These new options are available as a result of the Veterans' Benefits Improvement Act of 2008, which the President signed into law on October 10, 2008.

"These changes will allow VA to assist a substantial number of veterans with subprime mortgages refinance into a safer, more affordable, VA guaranteed loan," said Secretary of Veterans Affairs Dr. James B. Peake. "Veterans in financial distress due to high rate subprime mortgages are potentially the greatest beneficiaries."

<More at: http://www.earthtimes.org/articles/show/enhanced-va-mortgage-options-now-available-for-veterans_593795.shtml>

THIS EXPERIMENT LOOKS A LITTLE SCARY TO ME ~ WHAT IF THE SOLDIER FOLLOWS THE WRONG PATH?

ARMY'S LIFE-OR-DEATH DRAMA

Ann Scott Tyson - Washington Post Staff Writer - October 8, 2008; A17

Alarmed by a record rate of suicide in its ranks, the Army yesterday unveiled a unique prevention tool -- an interactive video to be mandatory viewing Army-wide -- in which soldiers will play the role of an anguished infantryman and make virtual choices that lead the character to get help or, in the worst case, shoot himself in the head.

"This is you: Specialist Kyle Norton," a male narrator begins, putting soldiers in the boots of a 19-year-old Midwesterner after a bomb-clearing mission in Iraq.

The video, titled "Beyond the Front," leads the viewer through a detailed drama in which Norton is hit by relationship troubles, financial problems and scrapes with the law -- what Army research shows are major events that precipitate suicide. Norton is blindsided by an e-mail from his fiancée, who has become pregnant by another man. He is devastated further when one of his best friends is killed in an ambush.

Questions pop onto the screen at key moments, prompting the viewer to decide whether to get help -- by opening up with buddies, Norton's sergeant or a chaplain. Depending on the choices, Norton edges toward recovery or sinks deeper into suicidal thoughts. The goal is to immerse the viewer into Norton's life in a way that makes preventive lessons stick, say Army officials and the video's creators.

The video is one of several initiatives launched by the Army to try to stem the suicide rate among active-duty soldiers. That rate increased from 12.4 per 100,000 in 2003, when the Iraq war started, to 18.1 per 100,000 last year. This year, 93 active-

duty soldiers killed themselves through the end of August, the latest data show.

<More at: <http://www.washingtonpost.com/wp-dyn/content/article/2008/10/07/AR2008100702780.html>>

GATES: MILITARY WORKING TO CURB DOMESTIC VIOLENCE

Estes Thompson - Associated Press Writer – 10/23

FORT BRAGG, N.C. – The military is working to ease the stigma for soldiers seeking help with domestic problems, which have been blamed for the deaths of four North Carolina military women this year, U.S. Defense Secretary Robert Gates said Thursday.

Gates said this year's defense budget includes \$900 million for work to end domestic violence, which can be exacerbated by multiple stressful deployments. He also said the military is working to slow the pace of deployments so troops can spend more time at home and less time in war zones. <More at: <http://www.miamiherald.com/news/nation/AP/story/738829.html>>

VA TO DEPLOY MOBILE COUNSELING CENTERS ACROSS AMERICA

October 22, 2008

WASHINGTON – The first of a fleet of 50 new mobile counseling centers for the Department of Veterans Affairs (VA) Vet Center program was put into service today with the remainder scheduled to be activated over the next three months. "Our widespread distribution of this fleet from coast to coast marks a new chapter in VA's innovation to reach rural and underserved veterans with high-quality readjustment counseling," said Secretary of Veterans Affairs Dr. James B. Peake.

Each vehicle will be assigned to one of VA's existing Vet Centers, enabling the center to improve access to counseling by bringing services closer to veterans. The 38-foot motor coaches, which have spaces for confidential counseling, will carry Vet Center counselors and outreach workers to events and activities to reach veterans in broad geographic areas, supplementing VA's 232 current Vet Centers, which are scheduled to increase to 271 facilities by the end of 2009.

<More at: <http://www.vawatchdog.org/08/vap08/vap102208-1.htm>>

SOME STATES STEP UP WHERE THE FEDS ARE FAILING

VETERANS' ADVOCATE PROMOTES PTSD SITE

Mark Abramson - Stars and Stripes - Mideast edition - October 20, 2008

Nearly four years after Tammy Duckworth lost her legs in Iraq, she is breaking new ground in her role as director of the Illinois Department of Veterans Affairs.

As an Illinois National Guard major and former Black Hawk pilot, Duckworth is no stranger to the emotional and physical toll of war. She lost her legs when a rocket-propelled grenade hit her chopper in November 2004.

Duckworth, who spoke in Heidelberg, Germany, on Thursday about overcoming her disability, is credited with starting a program that helps veterans and servicemembers get help for post traumatic stress disorder and traumatic brain injuries. The program is called the Illinois Warrior Assistance Program, and its Web site, www.illinoiswarrior.com, can be accessed by anyone.

"It was something that I approached our governor about doing when I realized that many of our returning veterans had never been screened for post traumatic stress disorder or specifically the traumatic brain injury component of it," Duckworth said.

<More at: <http://www.stripes.com/article.asp?section=104&article=58264>>

TAPS – PASSINGS AND WAR STATISTICS

NATIONAL GUARD AND RESERVE ACTIVATED AS OF OCTOBER 22, 2008

This week the Army and Coast Guard announced an increase, while the Navy, Marine Corps and Air Force announced a decrease. The net collective result is 599 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 94,777; Navy Reserve, 6,334; Air National Guard and Air Force Reserve, 10,891; Marine Corps Reserve, 7,197; and the Coast Guard Reserve, 754. This brings the total National Guard and Reserve personnel who have been activated to 119,953, including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated can be found at <http://www.defenselink.mil/news/Oct2008/d20081021ngr.pdf>

NOTE: STATISTICS FOR WOUNDED ARE GETTING SHAKIER - DoD REVISES NUMBERS – DROPS NON-HOSTILE “OTHER”

OPERATION IRAQI FREEDOM (2,046 DAYS)		OPERATION ENDURING FREEDOM (2,575 DAYS)	
KILLED US	4,187	KILLED US	622
WOUNDED US [10/25/0810]	30,702	OTHER CASUALTIES US [10/2007]	1,994
OTHER US CASUALTIES [10/25/08]	≥43,472	KILLED COALITION	378
DIED OF SELF-INFLICTED WOUNDS [10/25/08]	160	WOUNDED US [8/2/08]	2,309
MISSING OR CAPTURED US	1	WOUNDED/INJURED COALITION (12/2/2007)	1,472
KILLED UK	176	KILLED AFGHANI POLICE/MILITARY	≥ 8,619
KILLED OTHER COALITION	138	KILLED AFGHANI CIVILIANS (7/2004)	≥ 3,525
WOUNDED/INJURED COALITION	1,819	WOUNDED AFGHANI MIL/CIVILIANS (7/2004)	32,034
**KILLED CONTRACTORS [6/30/07]	1,001	AFGHAN REFUGEES INT./EXT. [9/27/07]	1.75M/4.8M
KILLED IRAQI POLICE/MILITARY	≥ 47,555		
KILLED IRAQI CIVILIANS [10/25/08]	≥ 96,719- 638,579		
WOUNDED IRAQI MIL/CIVILIANS	≥ 400K – 1.246M		
IRAQ REFUGEES INT./EXT. [9/27/07]	2.1M/2. 5M	COST OF IRAQ WAR TO DATE	\$565,509,677,541

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. To see detailed demographic data on the casualties go to <http://siadapp.dior.whs.mil/personnel/CASUALTY/castop.htm>

** Includes 280 additional contractor casualties reported in international press but not in US official figures

AFTERTHOUGHTS ~ MISCELLANEOUS AND OTHER STUFF

THIS GIVES “RAPID DEPLOYMENT” AND “QUICK TURNAROUND” A NEW MEANING!

DOD EYES ROCKETS FOR TROOP TRANSPORTS

Stars and Stripes - October 17, 2008

The Pentagon wants to rocket troops through space to hot spots anywhere on the globe within two hours, and planners spent two days last month discussing how to do it, USA Today reported Wednesday, citing military documents.

Civilian and military officials held a two-day conference at the National Security Space Office to plan development of the Small Unit Space Transport and Insertion -- or SUSTAIN -- program. Attendees included senior Army, Marine, Navy and Air Force officers. No further meetings have been scheduled, according to the report.

... The concept defies physics and the reality of what a small number of lightly armed troops could accomplish in enemy territory, John Pike, a military analyst who runs Globalsecurity.org, told USA Today. "This isn't even science fiction," Pike said. "It's fantasy." <More at: <http://www.military.com/features/0,15240,177362,00.html>>

ADD-ON ~ STUFF OF INTEREST

SO YOU WANT TO FILE A CLAIM?

Stage	Time	Source
1. Initial Decision	196 days	DVA FYH 06 Performance and Accountability Report
2. Board of Veterans Appeals (BVA)	971 days	BVA Chairman's Report '06
3. Court of Appeals for Veterans' Claims (CAVC)	1286 days [120 notice of appeal + 254 docketing, briefing + 912 judicial consideration]	Testimony of CAVC Court administrator
Federal Circuit Court	317 days	Review of Federal circuit docket sheets on veterans appeals
US Supreme Court	386 days	Review of Supreme Court docket sheets on cases in 2005 term
TOTAL:	3,156 days	8 yrs, 7 mos, 23 days

These numbers are based on the sources as shown.

If you filed your form today Saturday, October 25, 2008

**and it was denied at each level, as they often are,
you could get a ruling by the Supreme Court on Friday, June 16, 2017**

The BVA calls death a resolution of the claim. Remove those who died without collecting and the living spend 1,419 days waiting for the BVA.

**Using these more realistic figures, your claim - if you live to
see it completed - would be ruled by the Supreme Court on Monday, December 17, 2018**

or 10 years, 1 month and 23 days

NOTICE

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 scCook@vuft; 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