

# SOUND OFF!



VOL. VII, NO 6

THE NEWSLETTER OF VETERANS UNITED FOR TRUTH, INC.

*"VETERANS STANDING UP FOR EACH OTHER"*

20 FEBRUARY 2012

## FIRST CALL – NOTES FROM THE FRONT

### VETERANS AND REPRESENTATIVE DEMOCRACY

Recently I received an email which stated, in part, "Why are you always attacking the VA?. They do the best they can. It's not all their fault."

The gentlemen who asked the question had been in the system since shortly after the Korean War and had no complaints.

He went on to say later in that long email (paraphrased), "Most of us are satisfied. Is the problem with you? Are you just angry because your claim is in trouble? Do your job and you'll get service from the VA."

Since I do spend a lot of time attacking the VA for their lack of performance, and will continue to do so whenever it is fair, I hoped that the "Why?" would be obvious. I didn't know how I could make it more so, either through my limited ability with words, or in light of the lawsuit that we have been pursuing for over 4 ½ years.

As for his charge that I was angry because my claim was in trouble, I assure all that I have no claim against the VA.

Full disclosure: I have had two claims in the past. The first for medical support 50 years ago which support I turned down in the end because the VA wanted to hospitalize me for a week for what was outpatient surgery—I paid to have it done myself as an outpatient, thus I lost only one day of work instead of a week. The second was my GI Bill claims over the course of 20 years which were always paid, although seldom on time. I usually had to pay the money and pray for later reimbursement.

My motivation is what is happening to today's veterans, not what is happening to me or to those of my generation who got into the system early on.

I still had to deal with the rest of this man's statement—"It's not all their fault."

You know, he is right. So who else shares the blame?

"Who" is the wrong word. Although it ultimately is individuals with whom the veteran interacts, it is the systems that are dysfunctional. The proper question is:

**"What organizations share the blame with the DVA, and, if possible, tell me why?"**

I'll try, but I doubt if the "why" will be forthcoming. This will take more space than usual so bear with me.

In our tripartite government there are endemic problems within the rest of the Executive, with the Judiciary, and of course with Congress.

**Let's deal with the courts first.**

In Volume VII, Issue 4, two months ago, I shared with all of you our experience with the 9<sup>th</sup> Circuit Court of Appeals.

The problem I see with the courts is that judges are always sensitive to the unforeseen consequences of their rulings, thus they rule as narrowly as they possibly can, restrict the application of their rulings to future cases, or even rule so broadly sometimes as to make the ruling nearly meaningless.

The fundamental problem with the courts above the local court level is that the problems they consider are "cases", and are seldom "people", and are almost never "a person—a veteran".

The local and state courts around the country are coming to grips with this problem for veterans in many jurisdictions as veterans' courts are being set up—more every day. Thank you!

The underlying problem for these courts, of course, is that they most often are having to deal with the failures of the other branches—failures because of lack of legislation, or failures within the various parts of the DoD/DVA complex to deal with the underlying problems of the individual soldier or veteran.

Our real problem as citizens with the courts is that generally we want them to be very impersonal and unbiased. We want them to interpret and apply the law fairly, not wing it based on sentiment or impulse.

But as petitioners we don't want just sterile application of Congress's enacted laws—we want justice. And what is justice?

For most of us, John Rawls' simple explanation of justice suffices:

Justice is fairness.

In his construct, all citizens are equal fully and totally. And perhaps most importantly, "...the rights secured by justice are not subject to political bargaining or the calculus of social interests."

Injustice can never be justified because it results in "the greatest good for the greatest number." Injustice can only be justified rarely, and only if it prevents an even greater injustice.

Justice delayed engenders its own injustice. A judicial system like ours that guarantees not only the rights of criminals and non-veteran victims more assiduously than the rights of veterans is not fair, ergo it is unjust.

Justice that demands timeliness in the one case and ignores it in the veterans' case is not fair, ergo it is unjust.

**What about the Executive?**

The problem with the idea of "The Family of Nations" is that there is no father—at least not one with authority. The result is barely controlled anarchy above the national level.

We have a similar problem in our Executive Branch in that, while the President is the Chief Magistrate and the Commander in Chief, the individual departments are almost as autonomous as nations.

The departments score their performance themselves and, remarkably, they generally find that they are doing a wonderful job.

The president doesn't have an oversight office that is constantly holding executive departments to their budgets, goals, and performance standards.

If anyone gets involved in oversight it has to be the President personally, or his authority in the form of an *ad hoc* commission when things go awry.

Generally, he has to accept that his Secretaries are doing the job they are charged with, and he can't easily determine if things are different from what they tell him unless there is a public outcry.

The Secretaries are political appointees, most often with little experience in the field they are controlling.

Veterans' greatest interest is in the DVA and the DoD. Currently we have very experienced heads of these two Departments, but that is not always the case. However, even though they may be experienced in government at some level, or in academia, they are not experienced bureaucrats.

The bureaucrats run the departments. They are the masters of the performance report and the PowerPoint presentation. They are statistical geniuses who can make the worst negative somehow look positive.

The Secretaries, isolated by the bureaucracies below them, are so far removed from the people they serve that they can say (as one recent Secretary of Defense said in 2004) that soldiers were a fungible commodity—like a drum of oil, a bushel of wheat, or spare parts for your father's Studebaker, I guess.

In their occasional defense, the Secretaries are as unprotected from misrepresentation and lies in their home environment as the President is in his.

The end result is that a President or a Department Secretary can set all of the performance standards he or she wishes. The real performance record will be established by the bureaucrats on their schedule, with their rules. Their performance, no matter how good or bad, will then be presented up the line so favorably as to prove that they have met whatever standards their bosses have set.

While I am not one who believes that governments can or should be run like businesses, businesses, or for that matter any organization that runs that way fails.

The bureaucrats know that come next year or the next campaign, their boss will be gone and they will still be there.

The one tool that the President has at his disposal, the Justice Department, inexplicably seems to be in the business of denying any and all citizen's claims for redress. Our lawsuit and all similar veterans' lawsuits

are being opposed on all counts by the Justice Department, and with every argument—valid, frivolous, or even facetious—that they can conjure.

Maybe we should change the name to the Executive Corporate Defense Department. Whadd’ a’ ya think?

### **Finally we come to the Congress.**

It is difficult to write about the Congress without sounding cynical. Why? Because most of us are cynical!

The email I cited sent me to the books (read internet) to examine what the performance of Congress really is on veterans’ issues.

We don’t get invited to the House or Senate standing committees on Veterans Affairs for hearings. Some of the largest veterans organizations do, but only those organizations chartered by the Congress.

Of course not too long ago those invitations got a little rare, but Congress decided that they were getting really poor PR for ignoring them, so they have resumed scheduling those hearings.

A number of them are coming up in March, conveniently 65% of the way through the current session and only four months before the August recess. Actually, there is less time than that left before the legislators go into full campaign mode, so not much should be expected in response to the petitions taken at those hearings.

A deeper review of the bills discussed below shows that these hearing with the major Veterans’ organizations have little effect on the progress of bills through the Congress, nor do they affect the wording and provisions of the bills except in trivial ways.

Do we all know what Congress’ schedule is really like? Do we all know what they do with their time?

Our current question led me to take a snapshot on 2/11/12 of all legislation before the two Veterans’ Affairs Committees and to examine what they have done with those proposed acts.

To do that I had to determine what was in the mill, how long it had been there, what kind of support they had, what was the last major action, and how much time our friendly representatives and Senators were devoting to our cause.

Let me fill you in.

There have been 247 bills placed before these two committees this session, starting from 1/5/11 to date.

Of these:

- 3 have been signed into law
  - Veterans Health Care Improvement Act of 2011 (10/5/11)
  - Restoring GI Bill Fairness Act of 2011 (8/3/11)
  - Veterans Compensation Cost of Living Adjustment Act of 2011 (11/9/11)
- 1 Resolution has been passed in both houses (“expressing support for designation of a “Welcome Home Vietnam Veterans Day.”)
- 168 or 68% have had no hearings—none.
- 11 in the House have never been assigned to a subcommittee (the Senate VA Committee does not have subcommittees)
- 13 in the House currently have been passed in subcommittee and returned to the full committee where they have languish for many months with no vote.
- The Disability Assistance and Memorial Affairs subcommittee has 58 bills sitting without formal action; the oldest has been there 410 days
- The Health Subcommittee has 50 bills sitting without formal action; the oldest has been there 410 days.
- The Economic Opportunity Subcommittee has 36 bills sitting without formal action; the oldest has been there 410 days.
- The Investigations & Oversight Subcommittee has 3 bills sitting without formal action; the oldest has been there 239 days.

How can this be, you may ask? What do these Congresspersons do with their time?

We all know that veterans’ issues are only a part of our representatives’ jobs. There are 19 other Senate committees and 20 more in the House.

Nonetheless, 15 Senators and 26 Congress-people signed up to work on your issues. But what about their time?

As nearly as I can figure the following describes your legislator’s schedule during the two years of a session:

- They take the following time off
  - 9 National Holidays

- Days in Recess
  - Senate 67 days
  - House 78 days
- Pre and post-session non-working days
  - Senate 36
  - House 18
- Mondays & Fridays off during working sessions
  - Senate 57 days
  - House 52 days
- Weekends
  - Senate 87 days
  - House 95 days
- Remaining days to work
  - Senate 109
  - House 113
- Total work days of legislators and principal staff for the 112<sup>th</sup> Congress
  - 22,200
- Amount budgeted for this work (salaries and allowances of representatives and principal staff, office and travel expenses only—total costs for Congress are much higher).
  - \$1,166,336,165 total, or
- Cost per actual legislative working day of every one of these senior people who are supposed to be working on the nation’s business
  - \$47,050

Now don’t start jumping me stating that this is a simplistic view. I know that. However it puts a general size to the problem that is in the ball park.

If we are spending very nearly \$50K a working day for a legislator or a staff member, why are there so many things not done?

Why do bills languish instead of being given an up or down vote in subcommittee, committee and on the floor of the respective bodies?

Why are those bills that are deemed important by all of us veterans allowed to die with every session of Congress, while resolutions to re-name post offices and federal buildings, or to hurry another load of pork to some district pass through so swiftly?

As a veteran, a citizen, and a taxpayer, why am I paying so much for so little?

If Congress will not or cannot act, then why do we have them?

If Congress does not represent me, why do I even bother voting for them?

But forget new legislation for the moment!

Why can’t Congress provide the oversight necessary to insure that previously passed laws are being implemented correctly and fairly? (My research may be incomplete, but I cannot find any record of the House Veterans’ Affairs Oversight Subcommittee even meeting, let alone holding a hearing.)

Why can’t Congress do the job we elected them to do? After all, if our Declaration is correct, we and our rights are the reasons that governments are formed. And yes, despite the Justice Department’s recent contention in court to the contrary, we believe that veterans benefits are a right enshrined in law.

We send people to Congress to do our will. We do not send them there so that they can just get a paycheck, get on TV, and raise enough money so that they can go back again.

We ask them for their judgment, but we most especially ask them for their energies and their vigorous pursuit of the nation’s business. If they were to just do the minimum of what we sent them to do, most of the problems would probably go away.

Of course “We” are apparently a faceless notional element to most of them. For your Representative you are one of approximately 625,000 constituents. Most of them don’t see your face when they think about legislation, at least not as clearly as they see the faces of the 30,000 lobbyists on K Street, a few blocks over from their offices.

Please note that I have given neither major party good or bad grades for these problems. The problem is universal, or as what is now a cliché holds, it is an “American problem”.

So, back to the original question as re-written:

**“What organizations share the blame with the DVA, and, if possible, tell me why?”**

Well, I guess all three branches share the blame. What share each holds remains to be seen.

I still hold the DVA largely responsible for the problems that today’s veterans are facing.

If anyone from the DVA reads this, please stop thinking of us as a statistic, neither are we a fungible commodity.

If a claim is rotting in a DVA in-box, that claim is not a “case to be closed”.

That claim is John, or Ethel, or Henry, or George, or Shirley, or Cesar, or Lee, or Juwan, or Douglas, or some other real person for whom the interminable wait and uncertainty is new and unwarranted pain.

Every suicide that occurs because of hopelessness in the face of DVA non-response is on you, and on any of us who let you get away with not performing.

Your comfort or your statistics or your inattention to that claim is not just dereliction, it is a new injustice.

What you are doing with your 800,000 backlog is so unfair—so unjust as to defy description. This neglect of veterans has gone beyond injustice and is now a crime.

I leave apportionment of blame to the reader, but no office goes blameless.

Apply the blame where you will, but be fair.

The White House does not have the wherewithal to oversee the vast bureaucracy of our government in any of its roles, not just benefits for veterans.

The DoD is damaging our brothers and sisters and dumping them on the DVA.

The Congress talks about veterans all the time, but the talk is largely to garner votes; they do little to alleviate the situation, although some do try.

The bureaucrats of the DVA have lost their sense of mission—they have lost their sense of purpose. They have relegated real people to statistics and briefing points.

All praise citizens' voluntary, non-government efforts to relieve the pain and suffering—the frustration and hopelessness that so many veterans experience. It is tempting to believe that they praise the citizen volunteers for the wrong reasons. It is not just that volunteers are doing good works in some small

percentage of cases, it is that they are doing the job the government in all its branches should be doing. Volunteer efforts shouldn't be needed.

Generalization is dangerous. I do not mean to denigrate the service of any civil servant or Congress person or staffer who is diligent in his or her job, and there are many. The problem, of course, is that there are not enough.

Among all of these actors in the veterans' realm we know there are those who strive mightily to help. It is a shame that so much of their energy must go to fight the system, rather than being expended in the service of veterans themselves.

The other, and perhaps far greater problem is that there seems to be no criteria against which they can be judged by those of us who pay for them, or at least none that count.

I hope that those who do perform their jobs thoroughly, rapidly, and well begin to understand that despite the history or the *modus operandi* of their organization, they are the only hope that we all have.

I hope that they gain or re-gain a sense of urgency, because the situation is urgent and becoming more so every day.

At this point hope is all I have.

Thus, I hope that to some extent I have answered my correspondent, and I hope that he will take it as the truth as I understand it.

**“I should know that what I have said is truth, had I the confirmation of an oracle; but this I will affirm, that what I have said is the most likely to be true of anything I could say.”**

Plato quoting Socrates in “Timaeus”

[Ed.]

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

### NEED LEGAL HELP IN AN APPEAL TO THE DVA?

Try these two organizations: Veterans Consortium Pro Bono Program [www.vetsprobono.net/](http://www.vetsprobono.net/); National Organization of Veterans' Advocates (NOVA) [www.vetadvocates.com](http://www.vetadvocates.com) .

Also, United States Court of appeals for Veterans Claims “Public List of Practitioners” are members of the court's bar <http://www.uscourts.cavc.gov/practitioners/>

### OPPOSE DISPROPORTIONATE TRICARE FEE HIKES

USDR Action Alert – 2/13/12

The Administration proposes significant increases in health fees for nearly all categories of beneficiaries, including TRICARE Prime, TRICARE Standard, and TRICARE For Life. The proposal includes shifting about \$13 billion in health care costs from the Pentagon to retirees over the next five years. Additionally, the proposal envisions doubling retail pharmacy copays next year, and tripling them over the next five years. These fee hikes will impact nearly all of the military population including active duty, drilling Guard and Reserve members, retirees of all ages, and family members.

Retirees and family members age 65 and older would start paying annual TRICARE For Life (TFL) enrollment fees of up to \$135 per person beginning Oct 1, 2012. This fee would be graduated based on retired pay amount and could rise to as much as \$475 per year within the next five years. This TFL fee would be in addition to the Medicare Part B premium that must be paid to have access to TFL.

Please click this link <http://capwiz.com/usdr/utr/1/DLGSRJDCDU/OJBSRJDCQE/7924517431> to send an editable suggested message to your Representative and Senators urging them to oppose this effort to shift disproportional costs to military beneficiaries.

**ASSEMBLY - PROGRESS OF THE ORGANIZATION**

**VCS - VUFT LAWSUIT UPDATE: STATUS OF OUR CLASS ACTION LAWSUIT**

Case Progress to Date:

Date	Action	Days since previous action	Days since start of case
7/23/2007	Suit filed w/Federal District Court	-	0
9/25/2007	Defendant's motion to dismiss	64	64
2/11/2008	VUFT motion for preliminary injunction	139	203
2/25/2008	Preliminary injunction hearing – denied	14	217
4/21/2008	Trial before Judge Conti	56	273
6/25/2008	Judgment unfavorable (based on jurisdiction)	65	338
7/25/2008	Appeal notice filed w/9th Circuit Court of Appeals	30	368
12/10/2008	Appeal brief filed	138	506
12/15/2008	<i>Swords to Plowshares &amp; Vietnam Veterans of America</i> file amicus brief (not accepted by court)	5	511
12/22/2008	<i>Military Spouses for Change &amp; United Spinal Association</i> file amicus brief (not accepted by court)	7	518
3/4/2009	Appeal will not be subject to Mediation	72	590
5/1/2009	VUFT's brief filed	58	648
8/12/2009	Oral arguments before 3-judge panel	103	751
9/14/2009	No agreement on mediation. 9 <sup>th</sup> Circuit agrees to adjudicate	33	784
<b>2010 No Action</b>			
5/20/2011	The 9 <sup>th</sup> Circuit Court of Appeals rules in part in our favor, specifically on the Constitutional issues in our claim.	613	1397
5/27/2011	Case Management Conference before the original trial judge, Judge Conti, in Federal District Court in San Francisco	7	1404
7/20/2011	VA has requests a hearing by the full court.	54	1458
8/10/2011	VA appeals to undo everything that has transpired over the last three years; claims veterans have no constitutional right to benefits.	21	1479
11/16/2011	Back to square 2—9 <sup>th</sup> Circuit panel ruling withdrawn	98	1577
12/13/2011	<i>En banc</i> hearing before 11 judges	27	1604
2/20/2012	<i>Today - waiting</i>	69	1673
<b>1673 days = 4 years, 6 months, 27 days</b>			

We will keep you posted

Here is a link to the legal documents on the lawsuit. [www.veteransptsdclassaction.org/](http://www.veteransptsdclassaction.org/)

**BE A MEMBER** If you are getting this newsletter and have not yet joined, please go to [www.vuft.org/membership.html](http://www.vuft.org/membership.html) 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 [www.vuft.org/membership.html](http://www.vuft.org/membership.html)

**SUPPORTING THE CAUSE** If you wish to donate to our work you may do so via PayPal or Visa on our website "Donate" page at [www.vuft.org/donate.html](http://www.vuft.org/donate.html). 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, or donate \$10 or more and we'll send you one anyway.

**The case is moving on and we must support our legal team. Please dig down and help us if you can. Any amount helps.**

**P L E A S E D O N A T E !**

[www.vuft.org/donate.html](http://www.vuft.org/donate.html)

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

Let me start off by introducing myself; my name is Julia Young; I am married to Andrew Young, a Sergeant in the United States Army. My husband has done two tours, in Iraq and Afghanistan respectively.

I am emailing you today, very frustrated and extremely sad with the conditions our veterans are forced to endure. PTSD is a severe disease that takes many great men, women, husbands, wives, mothers, fathers, daughters and sons away from their families. Just recently my husband received the news that a very good friend of his, a man he honorably served with had committed suicide. His name is Sonny Mazon.

You may have seen the story on CBS, however it was not the story that should have been told. Sonny served in Afghanistan with my husband in 2008; they were 101st Airborne. When Sonny Mazon returned state-side he reached out for help with PTSD. He never received any. Whether as the article above states it was long lines, or too much paperwork; this young man, and I am sure many others slipped through the VA's cracks. Sonny Mazon domestically assaulted his girlfriend, was arrested, went to prison, and hung himself while on suicide watch.

The media portrayed him as a woman beating madman; when in reality he was suffering horrible depression, and I am sure many episodes of PTSD. Reading this article breaks my heart. Reading the news stories breaks my heart even more. This young man is a tragic example of how the VA fails many young men and women. I am hoping something can be done to help fix this situation. I am emailing every senator, governor, representative, and of course the President and Vice-President. Not only do I hope for a response; I would like a meeting with whomever has the decency to agree with me. I am just a simple Army Wife; but I believe one person reaching out can make the biggest difference. I hope to hear from you soon.

Regards, Julia L. Young.

#### **RECALL - FEDERAL AND STATE LEGISLATION AND LEGISLATORS**

**CORRECTS AN OVERSIGHT IN USERRA BUT BETTER OVERSIGHT OF THE ORIGINAL BY CONGRESS MAY HAVE MADE THIS LAW UNNECESSARY**

#### **BILL WOULD FORCE REHIRING OF MORE RESERVISTS**

[Rick Maze](#) - Staff writer - Feb 2, 2012

A California lawmaker wants to block most U.S. companies from using the excuse of poor economic times for not rehirng National Guard and reserve members who try to return to work following a mobilization.

The Veterans Reemployment Act of 2012, introduced Wednesday by Rep. John Garamendi, D-Calif., would allow only small businesses to use a loophole in law that permits a company to not rehire a veteran because of economic hardship. Garamendi said current law is failing service members.

Endorsed by the American Legion, the nation's largest veterans' organization, the bill "rights a terrible wrong," said Garamendi, a member of the House Armed Services Committee. "Because of a loophole in existing law, when National Guard and reserve members return from the front lines, too often they come home to see their job taken away from them."

The bill, HR 3860, was referred for consideration to the House Veterans' Affairs Committee, the panel responsible for the Uniformed Services Employment and Re-employment Rights Act that includes the rehiring rules. <More at: <http://www.armytimes.com/news/2012/02/military-bill-would-force-rehiring-of-more-reservists-020212w/>>

## **RETREAT – NEWS**

### **VA BUDGET REQUEST TOPS \$140 BILLION FOR VETERANS PROGRAMS**

DVA Press Release - Feb. 13, 2012

WASHINGTON, Feb 13, 2012 (BUSINESS WIRE) -- With more than 1 million active-duty personnel scheduled to join the ranks of America's 22 million Veterans during the next five years, the President has proposed a \$140.3 billion budget for the Department of Veterans Affairs for the fiscal year beginning Oct. 1.

"As our newest Veterans return home, we must give them the care, the benefits, the job opportunities and the respect they have earned, while honoring our commitments to Veterans of previous eras," said Secretary of Veterans Affairs Eric K. Shinseki.

Shinseki said the budget proposal, which must be approved by Congress, would fund services for newly discharged Veterans, continue the drive to end homelessness among Veterans, improve access to benefits and services, reduce the disability claims backlog, improve the Department's collaboration with the Defense Department and strengthen its information-technology program that is vital for delivering services to Veterans.

<More at: <http://www.marketwatch.com/story/va-budget-request-tops-140-billion-for-veterans-programs-2012-02-13>>

## **YOUR JUSTICE DEPARTMENT AT WORK!**

### **QUIETLY, U.S. MOVES TO BLOCK LAWSUITS BY MILITARY FAMILIES**

Andrew Cohen - Jan 30 2012

Politicians and bureaucrats of all persuasions typically trip over themselves when it comes to praising the values and virtues, the courage and the sacrifice, of America's military families. East Coast. West Coast. Red State. Blue State. Democrats. Republicans. It doesn't matter. Everyone wants to stand up in public and say that brave and stoic military families should get the best that America can offer (cue the applause). Take the First Lady herself, Michelle Obama, who has worked consistently with and for these families since 2009.

Commemorating the 10th anniversary of the terror attacks on America, Mrs. Obama [wrote in USA Today](#): As we reaffirm our commitment to hold dear the heroism, strength and compassion we saw on Sept. 11, let's also pledge to keep our military families in our hearts long after this anniversary has passed. These men, women and children have served valiantly in the decade since that fateful day. Now it's up to us to serve them as well.

Amen. But while public officials are out waving the flag toward these families, federal lawyers in court are now quietly trying to expand the U.S. government's legal immunity from exposure to medical malpractice claims brought by those very same military folks. Now, the feds want the courts to recognize a bold application of an old doctrine -- an already *heavily criticized* old doctrine -- that would bar many plaintiffs, whose loved ones serve their country, from exercising the right merely to be able to present the substance of their claims at trial.

Worse, Congress has consistently refused over the past 60 years to ensure that courthouse doors remain open to military personnel and their families.

<More at: <http://www.theatlantic.com/national/archive/2012/01/quietly-us-moves-to-block-lawsuits-by-military-families/252171/#.TychsCLV8DY.gmail>>



## **“32 STARS+” WEIGH IN**

MOAA – 3 Feb 2012

Last week we reported on the Pentagon's initial roll-out of the FY2013 defense budget that would hike health fees for all retirees, impose means-testing of health care fees, chop force levels, curtail future pay raises, close bases, and seek a commission to reform retirement for new entrants.

On January 25, the Joint Chiefs and the Services' Senior Enlisted Advisors added their support for military compensation reforms included in the Pentagon's proposal by writing to House and Senate Armed Services Committee leadership.

In what's being dubbed the "32-star letter", the Services' officer and enlisted leadership called the proposed cutbacks as "sensible" and characterized TRICARE enrollment and deductible fee increases for retirees as "comparatively moderate and tiered based on retirement income."

... This proposal actually undermines the whole basis of a health care benefit, switching from one that is "earned by service" to one based on "level of need"

<More at: [http://www.moaa.org/Main\\_Menu/Take\\_Action/Legislative\\_Update/2012\\_Legislative\\_Updates/February\\_3\\_2012.html#Stars](http://www.moaa.org/Main_Menu/Take_Action/Legislative_Update/2012_Legislative_Updates/February_3_2012.html#Stars)>

## **MUST BE THE SAME “RECORDS MANAGEMENT ISSUE” THAT PLAGUES THE DVA AUDIT: U.S. DEFENSE DEPARTMENT CAN'T ACCOUNT FOR BILLIONS FOR IRAQ**

CNN's Josh Levs 30 Jan 2012

The U.S. Defense Department cannot account for about \$2 billion it was given to cover Iraq-related expenses and is not providing Iraq with a complete list of U.S.-funded reconstruction projects, according to two new government audits.

... Although the Department of Defense (DoD) had "internal processes and controls" to track payments, the "bulk of the records are missing," the report says, adding that the department is searching for them. Other documents are missing as well, including monthly reports documenting expenses, the audit says. "From July 2004 through December 2007, DoD should have provided 42 monthly reports. However, it can locate only the first four reports."

... In a response letter also contained in the report, Defense Under Secretary Mark Easton acknowledges "a records management issue." <More at: <http://security.blogs.cnn.com/2012/01/29/audit-u-s-defense-department-cant-account-for-billions-for-iraq/>>

## **SOME MORE “RECORDS MANAGEMENT” ISSUES??**

### **9 YEARS AFTER LEAVING ARMY, VETERAN MISTAKENLY DECLARED AWOL IS ARRESTED, JAILED**

Bill Murphy Jr. - Stars and Stripes - February 10, 2012

WASHINGTON — Louie Castro is a 28-year-old religion major at Florida State University who should have started the final semester of his senior year last month. Instead, he spent 12 days in jail after being arrested at Miami International Airport because of an administrative error the Army apparently made when he left the service more than nine years ago.

The Army considered him absent without leave.

Castro was told he must fly to Fort Carson, Colo. — a base where he never served, but where his old Fort Hood unit, the 4th Infantry Division, relocated in 2009 — to resume his old life as an Army private long enough for military personnel officers to fix his paperwork. In the meantime, he missed the start of classes and was forced to withdraw, costing him his financial aid. He will not graduate on schedule.

...conversations with Fort Carson officials indicate that many others have been arrested on similar warrants and that potentially hundreds of other former soldiers once based at Fort Hood could be unaware that warrants are out on them.

<More at: <http://www.stripes.com/9-years-after-leaving-army-veteran-mistakenly-declared-awol-is-arrested-jailed-1.168215>>

### **PALM BAY ARMY VETERAN TO VA: I'M NOT DEAD**

R. Norman Moody - FLORIDA TODAY - Feb. 3, 2012 |

PALM BAY -- Army veteran Jerry Miller held up a letter referring to him from the Department of Veterans Affairs that reads: "We're are sorry to learn of the death of the beneficiary and wish to express our sympathy."

"I really thought it was a joke," Miller said of the letter addressed to the Representatives of The Estate of Jerry L. Miller. "I'm still alive. I'm very much alive."

Frustration began to build after Miller, a former drill sergeant who served in the military for 10 years, received the fourth letter saying he was deceased, including one that said his estate had to pay back \$94,509 in benefits.

Miller, 57, said the first letter came in June of last year and after being cut off from receiving his VA check for about three months, he started falling behind on paying bills. It apparently was corrected, but only a few months later, the problem resurfaced. "Nobody knows what happened," he said. "They are trying to correct it, but I don't have faith in them." The VA said it is aware of the problem and is working to find out how the mistake happened and to resolve it once and for all. "It's become a national concern," said Angela Wilson, a spokeswoman at the St. Petersburg VA Regional Office. "We're working through a resolution right now." <More at: <http://www.floridatoday.com/article/20120203/NEWS01/120203005/Palm-Bay-Army-veteran-VA-m-not-dead>>

## **YEA ARMY! THEY FIGURED OUT WHAT THE TROOPS HAVE KNOWN ALL ALONG.**

### **DEVELOPING POST-WAR SOLDIERS**

Bob Brewin - 01/20/12

The Army [released](#) yesterday what amounts to a well-thought-out guidebook on how to care for and manage troops after eleven years of constant combat in Iraq and Afghanistan.

The 211-page report and the work that went into it was spearheaded by Vice Chief of Staff Gen. Peter Chiarelli, who said it lays out the biggest challenges the Army faces as "our soldiers return home and begin the process of reintegrating back into their units, families and communities."

The report, which goes by the long title of "Generating Health and Discipline in the Force Ahead of Strategic Reset" acknowledges up front that the shift from combat will not be easy and that soldiers cannot easily flip a switch from multiple deployments to garrison duty overnight. The report also says upfront that multiple post-combat problems troops face are intertwined. "One of the most important lessons the Army has learned is that many health and disciplinary issues, ranging from post traumatic stress to illicit drug use to suicide, are interrelated," the report said.

<More at: [http://whatsbrewin.nextgov.com/2012/01/developing\\_post-war\\_soldiers.php](http://whatsbrewin.nextgov.com/2012/01/developing_post-war_soldiers.php)>

## **GUESS WE HAVE TO HAVE A WAR SOMEWHERE**

### **NAVY WANTS COMMANDO 'MOTHERSHIP' IN MIDDLE EAST**

Craig Whitlock - January 27

The Pentagon is rushing to send a large floating base for commando teams to the Middle East as tensions rise with Iran, al-Qaeda in Yemen and Somali pirates, among other threats.

In response to requests from U.S. Central Command, which oversees military operations in the Middle East, the Navy is converting an aging warship it had planned to decommission into a makeshift staging base for the commandos. Unofficially dubbed a "mothership," the floating base could accommodate smaller high-speed boats and helicopters commonly used by Navy SEALs, procurement documents show.

<More at: [http://www.washingtonpost.com/world/national-security/pentagon-wants-commando-mother-ship/2012/01/27/gIQA66rGWQ\\_story.html](http://www.washingtonpost.com/world/national-security/pentagon-wants-commando-mother-ship/2012/01/27/gIQA66rGWQ_story.html)>

### **PHILIPPINES MAY ALLOW GREATER U.S. MILITARY PRESENCE IN REACTION TO CHINA'S RISE**

Craig Whitlock - January 25, 2012

Two decades after evicting U.S. forces from their biggest base in the Pacific, the Philippines is in talks with the Obama administration about expanding the American military presence in the island nation, the latest in a series of strategic moves aimed at China. Although negotiations are in the early stages, officials from both governments said they are favorably inclined toward a deal. They are scheduled to intensify the discussions Thursday and Friday in Washington before higher-level meetings in March. If an arrangement is reached, it would follow other recent agreements to base thousands of U.S. Marines in northern Australia and to station Navy warships in Singapore.

<More at: [http://www.washingtonpost.com/world/national-security/philippines-may-allow-greater-us-presence-in-latest-reaction-to-chinas-rise/2012/01/24/gIQA66rGWQ\\_story.html](http://www.washingtonpost.com/world/national-security/philippines-may-allow-greater-us-presence-in-latest-reaction-to-chinas-rise/2012/01/24/gIQA66rGWQ_story.html)>

## GOOD IDEA: I AGREE – BUT WHY ARE THEY FIGHTING OUR CASE SO HARD?

### JUSTICE DEPT. BACKS EQUAL BENEFITS FOR GAY COUPLES IN MILITARY

Charlie Savage - February 18, 2012

WASHINGTON —The Obama administration on Friday said it would not defend the constitutionality of statutes blocking same-sex military spouses from receiving marriage benefits — including rights to visitation in military hospitals, survivor benefits, and burial together in military cemeteries. In a letter to the House speaker, John A. Boehner, Attorney General Eric H. Holder Jr. said that the Justice Department shared the view of plaintiffs in a lawsuit in Massachusetts that such laws — including a part of the Defense of Marriage Act, and statutes governing veterans' benefits —are unconstitutional.

<More at: <http://www.nytimes.com/2012/02/18/us/holder-backs-equal-benefits-for-gay-couples-in-military.html>

### ODIERNO OK WITH CUTS, WANTS LARGER GUARD ROLE

The Associated Press - Jan 27, 2012

WASHINGTON — The Pentagon's decision to cut the size of the Army by 80,000 soldiers will force the military to rely more on the National Guard and reserves, particularly if the U.S. gets into two major, long-term combat operations at the same time, according to the top Army officer. Gen. Raymond Odierno, chief of staff of the Army, said he is comfortable with the mandate to go from 570,000 soldiers during the height of the Iraq war to 490,000 by 2017. But he suggested that the U.S. will now have to keep its reserve forces at a higher level of readiness than it did before the wars in Iraq and Afghanistan pressed tens of thousands citizen soldiers into service to buttress the active duty Army. <More at: <http://www.armytimes.com/news/2012/01/ap-odierno-ok-with-cuts-wants-larger-reserve-role-012712/>>

## THINK WE SHOULD WARN THEM WHAT THEY ARE IN FOR??

### VVA ATTORNEYS FILE FOR CLASS CERTIFICATION IN CHEMICAL-BIOLOGICAL WEAPONS TESTING CASE

VVA Press Release - Washington, D.C. - February 13, 2012

"Tens of thousands of service personnel participated in chemical, biological, and radiological experiments," said John Rowan, national president of Vietnam Veterans of America. "Years later, many of these veterans are afflicted with health conditions that may have originated from exposures during these tests.

"Efforts to prove the connection between past exposures and current health conditions have been stymied by the very agencies of government that ought to be advocating for these veterans rather than taking an adversarial stance against them.

<More at: <http://www.vva.org/PressReleases/2012/pr12-004.html>>

## TO THE COLORS – GATHERINGS

Date	Time	Where	What	Who	Notes
Every Sunday	1300-1600	Wilshire & San Vicente Blvds. NE Corner, Los Angeles, CA	Save Our Veterans Land	Veterans Revolution	
3/2	0900-1700	War Memorial Veterans Building 401 Van Ness Avenue, San Francisco, CA	Veteran & Servicemember Resource Fair	Swords to Plowshares & others	<a href="http://www.communitycovenantsf.org">http://www.communitycovenantsf.org</a>
3/6	0900-1630	War Memorial Veterans Building 401 Van Ness Avenue, San Francisco, CA	Veteran/Domestic Violence In-Service	Swords to Plowshares	<a href="mailto:mmoran@stp-sf.org">mmoran@stp-sf.org</a>
3/26-4/1		March Field Museum Riverside, CA	The Wall That Heals		
3/28-3/31		Near Yosemite National Park	Coming Home's Retreat for Student Veterans	Coming Home Project	<a href="http://www.cominghomeproject.net">www.cominghomeproject.net</a>
4/11		Winston Salem NC	Resource Fair	<a href="#">Teri Hairston</a>	336-721-9378
4/19-4/21		Simms Center Harrisonburg, VA	The Wall That Heals	Harrisonburg Rockingham Chamber of Commerce	
4/20		Hickory NC	Resource Fair	<a href="#">Larry M. McMullen</a>	828-758-7892

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

## TATTOO - CURRENT ISSUES

### AND YOU THOUGHT THAT YOU HAD A LONG WAIT!!

#### **FOR A VETERAN, DISABILITY PAYMENT IS LONG IN COMING**

James Dao - January 25, 2012

The year Leroy MacKlem lost his veterans disability compensation for a bad hip, gasoline cost 27 cents a gallon, a Yankee shortstop named Rizzuto was the American League's most valuable player and President Harry S. Truman ordered production of the hydrogen bomb. It was 1950.

He is about to get it back. All of it.

In a case as much about government bungling as one man's perseverance, the Department of Veterans Affairs said last week that it would end years of litigation and repay Mr. MacKlem, 88, for six decades' worth of disputed disability compensation, about \$400,000.

"This case has been resolved, and Mr. MacKlem will receive V.A. disability compensation retroactive to April 1, 1950," the department said in a statement.

To which Mr. MacKlem, a World War II veteran from Portland, Mich., replied, "I'll believe it when I get the settlement."

Mr. MacKlem's case shines new light on a process, later disallowed by federal courts, that the department used in 2007 and 2008 to review large awards. The number of cases reversed under that process is not known, but Mr. MacKlem's victory is sure to give hope to scores of veterans looking to appeal decisions from that period. The case is also a reminder of how disputes over veterans' benefits can drag on for decades after wars end.

Of the 850,000 disability claims currently pending before the department, more than 35,000, or 4 percent, are from World War II veterans. <More at: <http://www.nytimes.com/2012/01/26/us/veteran-denied-disability-to-be-repaid-after-60-years.html>>

#### **NUMBER OF HOMELESS FEMALE VETERANS MORE THAN DOUBLES**

Jeff Black - msnbc.com - 24 Jan 2012

The number of homeless female military veterans more than doubled from 2006 to 2010, according to new government estimates. Acknowledging "limited VA data," homeless female vets numbered 3,328 in 2010, according to [a report by the General Accounting Office](#) published on Monday, up from 1,380 in 2006.

The report says actions are necessary to ensure homeless female veterans get the housing and services they need.

The GAO says a lack of coordination among the Veteran's Administration and Housing and Urban Development, two government agencies that provide housing and services to homeless veterans, is hampering efforts to help these.

<More at: <http://usnews.msnbc.msn.com/news/2012/01/24/10227869-number-of-homeless-female-veterans-more-than-doubles>>

#### **SCIENTISTS FOCUS ON HEAVY METALS IN COMBAT VETS**

Patricia Kime - Staff writer - Jan 27, 2012

Researchers at Stony Brook University Medical Center in New York have determined that a soldier who deployed to Iraq is now carrying particles of titanium, iron and copper in his lungs.

In a letter published this month in the Journal of Occupational and Environmental Medicine, Stony Brook Assistant Professor of Surgery and Medicine Dr. Anthony Szema wrote that samples of a service member's open lung biopsy were found to contain the heavy metals.

Open lung tissue biopsies done on troops who deployed to Iraq and Afghanistan have been shown to sparkle with crystalline material, as noted by researchers Dr. Robert Miller of Vanderbilt University and Dr. Matthew King of Meharry Medical College, Nashville, Tenn.

But until now, scientists have not determined exactly what the particles were.

<More at: <http://www.airforcetimes.com/news/2012/01/military-heavy-metals-veterans-012712w/>>

## **WHAT IS IT WITH MADIGAN??**

### **MADIGAN HOSPITAL PSYCHIATRIC TEAM ALTERED SOLDIERS' PTSD DIAGNOSES**

Hal Bernton - January 28, 2012

The Army is reviewing the actions of a Madigan Army Medical Center psychiatric team that reversed the diagnoses of more than a dozen soldiers previously found to have post-traumatic stress disorder.

All these soldiers have been under consideration for medical retirement, which offers considerably more financial benefits than alternative forms of discharge.

Some have complained that doctors at the hospital on Joint Base Lewis-McChord unfairly stripped them of the PTSD diagnoses, which would help qualify them for a medical retirement, and instead tagged them as malingerers.

In an unusual intervention, the office of the Army Surgeon General has arranged for the soldiers to fly to Walter Reed National Military Medical Center in Bethesda, Md., where they are scheduled to be examined by another team of Army doctors.

Sen. Patty Murray, D-Wash., confirmed details of the review to The Seattle Times. "I'll be monitoring the decisions made at Walter Reed closely because they have major implications not only on the benefits and care of these service members and their families, but also on the military's medical-evaluation process as a whole," she said in a statement. <More at: <http://www.theolympian.com/2012/01/27/v-print/1967301/madigan-hospital-psychiatric-team.html>>

## **NOBODY WORRIED ABOUT "THE TAXPAYERS' DOLLARS" WHEN THEY SENT THEM TO AN UNNECESSARY WAR**

### **MADIGAN MEMO ON PTSD COSTS SPARKED ARMY REVIEW**

Hal Bernton - Seattle Times staff reporter - February 6, 2012

In a lecture to colleagues, a Madigan Army Medical Center psychiatrist said a soldier who retires with a post-traumatic-stress-disorder diagnosis could eventually receive \$1.5 million in government payments, according to a memo by an Army Medical Command ombudsman who attended the September presentation. The psychiatrist went on to claim the rate of such diagnoses eventually could cause the Army and Department of Veterans Affairs to go broke.

"He (the psychiatrist) stated that we have to be good stewards of the tax payers' dollars, and we have to ensure that we are just not 'rubber stamping' a soldier with the diagnoses of PTSD," stated the ombudsman's memo.

That memo has helped spark what the Army Medical Command calls a "top-to-bottom" review of a Madigan forensic psychiatric team charged with screening soldiers under consideration for medical retirement.

<More at: [http://seattletimes.nwsource.com/html/localnews/2017443047\\_madiganfolo07m.html](http://seattletimes.nwsource.com/html/localnews/2017443047_madiganfolo07m.html)>

## **RISE IN SUICIDES LEADS TO 1-DAY STAND-DOWN**

Brian Everstine - Staff writer Air Force Times - Jan 30, 2012

The Air Force has begun 2012 with a spike in suicides, prompting leadership to direct bases to stand down for resiliency training even as additional airmen have taken their lives. As of late January, the Air Force has recorded 15 suicides — including active duty, National Guard, Reserve and civilians — up five from the same period last year. The increase in the beginning of the year led Chief of Staff Gen. Norton Schwartz and Chief Master Sergeant of the Air Force James Roy to issue a memorandum to major commands requiring that all units schedule a one-day stand-down to "refocus on resiliency."

"Our Airmen are too important to lose in this manner, and the costs to individuals, families, friends, co-workers, and our mission are beyond measure," the Jan. 12 memorandum states.

Suicides through Jan. 26 total almost half of the 29 active-duty suicides in 2011. No January in the past eight years has had more than 10 airmen commit suicide. In 2011, the Air Force confirmed 29 active-duty suicides, along with 27 in the National Guard and Reserve. An additional 13 active-duty cases were still pending confirmation.

The memorandum directing the stand-down includes all bases, including those in the area of operations, "at a time appropriate for the mission," said Lt. Col. Gregory Laffitte, headquarters Air Force resiliency branch chief.

Even while bases around the world were holding their resiliency days, two more airmen were suspected of committing suicide

<More at: <http://www.airforcetimes.com/news/2012/01/air-force-suicides-rise-lead-to-standdown-013012w/>>

## **UNDERESTIMATING THE TRUE PREVALENCE OF WAR STRESS INJURY IN THE MILITARY**

Mark C. Russell, Ph.D., ABPP - Retired U.S. Navy Commander, Military Clinical Psychologist - 02/ 5/2012

Media and official reports on prevalence rates of military war stress injury have focused almost exclusively on escalating rates of well-known war stress injuries such as PTSD, depression, generalized anxiety, substance abuse, and traumatic brain injury (TBI). Take a look at some of this week's headlines:

However, the true impact from war trauma cannot be reduced to a handful of psychiatric diagnoses, as some may want. It is a well-established, albeit uncomfortable, and conveniently ignored historical, medical and scientific fact that human adaptation to uncontrollable, unpredictable and potentially traumatic stress "causes" or significantly contributes to a wide-range of neurobiological, physical, cognitive, emotional and behavioral changes that, when chronic and/or severe enough, will inevitably cause significant physiological alterations in the brain-mind-body, eventually leading to physical and/or psychological breakdown. It's not just me saying it.

According to the National Institute of Medicine's exhaustive review of deployment-related stress effects on health:

"In the brain, there is evidence of structural and functional changes resulting directly from chronic or severe stress." The changes are associated with alterations of the most profound functions of the brain: memory and decision-making.

<More at: [http://www.huffingtonpost.com/mark-c-russell-phd-abpp/ptsd-military-b\\_1250227.html](http://www.huffingtonpost.com/mark-c-russell-phd-abpp/ptsd-military-b_1250227.html)>

### **IT'S ABOUT TIME**

#### **VA DISABILITY RATING BEFORE THEY LEAVE THE SERVICE**

12/19/11

DoD outlined new and clearer guidance for the Integrated Disability Evaluation System (IDES). This includes several major changes to streamline the process for wounded warriors. DoD uses IDES to determine a service member's fitness for duty. If the service member is found medically unfit for duty by DoD, then they are informed of the proposed VA disability rating before they leave the service so the member will know the approximate amount of compensation and benefits they will receive from the VA.

IDES medical examinations will include a general medical examination and any other applicable medical examinations performed to Department of Veterans Affairs (VA) compensation and pension (C&P) standards. Collectively, the examinations will be sufficient to assess the member's referred and claimed condition(s) and assist VA in ratings determinations and assist military departments with unfit determinations.

<More at: <http://www.dtic.mil/whs/directives/corres/pdf/DTM-11-015.pdf>>

### **THE MOVEMENT SPREADS**

#### **VETERANS COURT: 'IT'S NOT A FREE RIDE'**

Shawn Hogendorf January 31, 2012

Washington County [MN] Attorney Pete Orput, a Vietnam combat veteran, launched a new Veterans Court diversion program on Monday that is designed to address the underlying psychological issues that have led an increasing number of combat veterans into run-ins with the law.

"We don't leave any troops on the battlefield," said John Baker, a 22-year Marine Corps veteran and White Bear Lake defense attorney. "We take care of ourselves, and that's what this program does." <More at: <http://oakdale.patch.com/articles/veterans-court-it-s-not-a-free-ride#photo-9007174>>

#### **VETERAN'S COURT 'GRADUATES' FIRST CLASS**

William R. Levesque, Tampa Bay Times Staff Writer - Tuesday, January 24, 2012

Army veteran Lester Saylor might have been talking about a drill instructor whose training regimen helped save his life. "She's a very tough character," said Saylor, 55, of Clearwater. "She really gave me a chance for life. She lifted me up and kept me going in the right direction. I don't ever want to disappoint her."

He was talking about Judge Dee Anna Farnell.

Saylor was one of eight veterans who appeared in Farnell's courtroom on Monday as the first graduates of the year-old Pinellas Veterans Drug Court. The court, in partnership with the Department of Veterans Affairs, addresses the special needs of veterans fighting substance abuse addictions.

The graduates, who all faced drug felonies, had completed all court requirements, from paying fines to getting the required substance abuse or mental health counseling. Most important, they are clean and sober.

As a result, their probation was ended or charges dismissed at the end of the ceremony by a beaming Farnell. Saylor, charged with cocaine possession, had his charge dismissed.

More at: <http://www.tampabay.com/news/courts/criminal/veterans-court-graduates-first-class/1211980>>

## **BUT IF YOU WERE BORN SOMEWHERE ELSE, IT'S A DIFFERENT STORY**

### **U.S. VETERANS DEPORTED AFTER THEY SERVED**

Cindy Carcamo - The Orange County Register - Feb. 9, 2012

ROSARITO, BAJA CALIFORNIA – Keeping tabs on his U.S. citizenship application wasn't much of a priority for [Marine Cpl. Rohan Coombs](#) when he served in the Persian Gulf War.

The aircraft maintenance specialist had more pressing concerns: the safety of his comrades as bombs rained down and people died around him in the desert. Coombs, who came to the U.S. legally from Jamaica as a child and enlisted in the Marine Corps at age 20, served six years in the military. Eventually, he settled in Tustin and figured he was a U.S. citizen because he'd gone to war for his country. He was wrong. Like hundreds of other men and women who served in the U.S. military, Coombs faces deportation and banishment from the country he went to war for after being arrested. In his case, he was arrested several times on charges of possession for use or sale of marijuana.

Just south of the U.S.-Mexico border in Rosarito, a contingent of about a dozen veterans who call themselves the "Banished Veterans" are lobbying to change an immigration act that allows legal residents who commit certain crimes to be deported, despite his or her military service. <More at: <http://www.ocregister.com/news/veterans-339558-immigration-law.html>

### **NONCITIZEN VETERANS PROTEST POSSIBLE DEPORTATION TO MEXICO**

Richard Marosi - Los Angeles Times - February 18, 2012

Brothers Manuel and Valente Valenzuela still don their dress blue military uniforms with the ramrod-straight posture from their Vietnam War days. Manuel, a former Marine, carried out rescue missions. Valente, an Army soldier, was wounded and received a Bronze Star. The brothers, both in their 60s, are now waging a legal battle against an unexpected foe: the U.S. government. They are trying to stop the country they served from deporting them to Mexico.

<More at: <http://www.latimes.com/news/local/la-me-deported-veteran-20120218,0,2322586.story>>

## **THE DVA'S M.O. ~ DON'T FIX IT, FIGHT IT!**

### **VA BLASTS GAO IN REPORT**

Jill R. Aitoro - Senior Staff Reporter - *Washington Business Journal* - January 23, 2012

The Department of Veterans Affairs delivered the latest punch in an ongoing battle with the Government Accountability Office, calling the watchdog agency's interpretation of a law that requires the VA to set aside contract awards for veteran-owned small businesses "defectively incomplete" and conflicting with precedent.

The VA delivered the report Jan. 4 in response to a request from the GAO, which is in the process of deciding a protest filed by Portage, Mich.-based small business Aldevra LLC that claimed the VA violated the law when it acquired an ice-maker dispenser through the General Service Administration's Federal Supply Schedule, which allows agencies to purchase goods and services at pre-negotiated discount prices.

This is the second protest filed by Aldevra claiming that the VA violated the 2006 Veterans Benefits, Health Care and Information Technology Act, which requires the VA to give priority to veteran-owned small businesses if they can meet the requirements of the contract. In the earlier protest, the GAO decided in Aldevra's favor on Oct. 11, which spurred a showdown of sorts between the two agencies, as well as veterans, about interpretation of the law.

<More at: [http://www.bizjournals.com/washington/blog/fedbiz\\_daily/2012/01/va-blasts-gao-in-report.html](http://www.bizjournals.com/washington/blog/fedbiz_daily/2012/01/va-blasts-gao-in-report.html)>

## VETERANS CRISIS HOTLINE

The hotline for anyone needing immediate help with mental health issues is **800-273-8255**.

## TAPS – PASSINGS AND WAR STATISTICS

### OIF/OEF – HACK DATE MONDAY 20 FEBRUARY 2012

#### OP’N IRAQI FREEDOM/**NEW DAWN** (2,721/538 DAYS)

KILLED US	4,408/77
WOUNDED US [2/6/12]	31,921/2,514
OTHER US CASUALTIES [2/6/12]	40,374/2,623
DIED OF SELF-INFLICTED WOUNDS [2/6/12]	223/12
MISSING OR CAPTURED US	1
KILLED UK	179
KILLED OTHER COALITION	139/1
WOUNDED/INJURED COALITION	1,819
**KILLED CONTRACTORS [1/19/08]	1,182
KILLED IRAQI POLICE/MILITARY [1/25/09]	≥ 48,874
KILLED IRAQI CIVILIANS [2/19/12]	≥ 115,099–1,455,590
WOUNDED IRAQI MIL/CIVILIANS[9/20/10]	≥ 400K–1.556M
IRAQ REFUGEES INT./EXT. [9/27/07]	2.1M/2.5M

#### OP’N ENDURING FREEDOM (3,789 DAYS)

KILLED US	1,901
WOUNDED US [2/6/12]	15,322
OTHER CASUALTIES US [2/6/12]	15,693
DIED OF SELF-INFLICTED WOUNDS [2/6/12]	74
MISSING OR CAPTURED US	0
KILLED COALITION	996
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 (2/24/2009)	46,322
AFGHAN REFUGEES INT./EXT. [9/27/07]	1.75M/4.8M
COST OF IRAQ WAR TO DATE	\$801,244,108,575
COST OF AFGHAN WAR TO DATE	\$503,134,886,822

*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

### NATIONAL GUARD AND RESERVE ACTIVATED AS OF FEBRUARY 14, 2012

This week the Army, Navy, Air Force and Marine Corps announced a decrease in activated reservists, while the Coast Guard announced no change. The net collective result is 960 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 54,440; Navy Reserve, 4,555; Air National Guard and Air Force Reserve, 8,984; Marine Corps Reserve, 5,211, and the Coast Guard Reserve, 761. This brings the total National Guard and Reserve personnel who have been activated to 73,951, 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 <http://www.defense.gov/news/d20120214ngr.pdf>.

## AFTERTHOUGHTS ~ MISCELLANEOUS AND OTHER STUFF

### DOCUMENTARY EXAMINES HOW TOXIC WATER AT THE NATION’S LARGEST MARINE BASE DAMAGED LIVES

Darryl Fears – January 21, 2012

Mike Partain didn’t believe the rumors about a place called Baby Heaven until he visited a Jacksonville, N.C., graveyard and wandered into a section where newborns were laid to rest. Surrounded by hundreds of tiny marble headstones, he started to cry. A documentary film crew that followed him for a story about water contamination at Camp Lejeune heard his whimpers through a microphone clipped to his clothes. The crew dashed from another part of the graveyard and found him asking, “Why them and not me?” The scene at Jacksonville City Cemetery is among the more poignant moments in the documentary [“Semper Fi: Always Faithful,”](#) about the men, women and children affected over three decades by contaminated water at the nation’s largest Marine base.

<More at: [http://www.washingtonpost.com/national/health-science/documentary-reveals-how-contaminated-water-at-the-nations-largest-marine-base-damaged-lives/2012/01/10/gIQAfpy4GQ\\_story.html](http://www.washingtonpost.com/national/health-science/documentary-reveals-how-contaminated-water-at-the-nations-largest-marine-base-damaged-lives/2012/01/10/gIQAfpy4GQ_story.html)>



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

### **VA ANNOUNCES CHANGES TO EMERGENCY CARE PAYMENT POLICY**

January 12, 2012

WASHINGTON – The Department of Veterans Affairs announced today a change in regulations regarding payments for emergency care provided to eligible Veterans in non-VA facilities.

“This provision helps ensure eligible Veterans continue to get the emergency care they need when VA facilities are not available,” said Secretary of Veterans Affairs Eric K. Shinseki.

The new regulation extends VA’s authority to pay for emergency care provided to eligible Veterans at non-VA facilities until the Veterans can be safely transferred to a VA medical facility. More than 100,000 Veterans are estimated to be affected by the new rules, at a cost of about \$44 million annually.

VA operates 121 emergency departments across the country, which provide resuscitative therapy and stabilization in life-threatening situations. They operate 24 hours a day, seven days a week. VA also has 46 urgent care units, which provide care for patients without scheduled appointments who need immediate medical or psychiatric attention.

For more information about emergency care in non-VA facilities, visit [www.nonvacare.va.gov](http://www.nonvacare.va.gov).

<http://www.va.gov/opa/pressrel/pressrelease.cfm?id=2245>

### **WALGREEN TRICARE CONTRACT EXPIRES**

Week of January 16, 2012

The expiration of the retail pharmacy contract between Express Scripts, Inc. And the Walgreens pharmacy chain means Walgreens is no longer a TRICARE pharmacy network provider as of Jan. 1. TRICARE beneficiaries changing from Walgreens pharmacy can simply take their current prescription bottle to their new network pharmacy to have the prescription transferred. To find a nearby network pharmacy, use the "find a pharmacy" feature on Express-Scripts website at [www.express-scripts.com/tricare](http://www.express-scripts.com/tricare). Beneficiaries who want help finding a pharmacy, changing their medications to Home Delivery, or who have other questions can contact Express Scripts at 877-885-6313. For more information, visit the TRICARE website at [www.tricare.mil/walgreens/](http://www.tricare.mil/walgreens/).

## **THERE ARE SOME GOOD GUYS OUT THERE**

### **GE TO HIRE 5,000 VETERANS OVER NEXT 5 YEARS**

ASSOCIATED PRESS - February 13, 2012

WASHINGTON — General Electric Co. plans to hire 5,000 veterans over the next five years and invest \$580 million to expand its aviation business. The announcements Monday were part of a four-day event that the global conglomerate is hosting with partners in Washington, D.C., that focuses on issues such as manufacturing and job creation in America.

GE CEO Jeffrey Immelt heads up President Obama’s 27-member jobs council, which also includes AFL-CIO President Richard Trumka, AOL co-founder Steve Case and Facebook chief operating officer Sheryl Sandberg.

GE said Monday that its “Hiring Our Heroes” partnership will help match veterans with jobs. The company, whose products range from jet engines to light bulbs, will also team with the U.S. Chamber of Commerce to sponsor 400 veterans’ job fairs this year. GE currently employs more than 10,000 veterans and has about 100 U.S. employee reservists currently serving overseas.

<More at: <http://www.suntimes.com/business/10613823-420/ge-to-hire-5000-veterans-over-next-5-years.html>

### **NAVY NAMES LITTORAL COMBAT SHIP GABRIELLE GIFFORDS**

February 10, 2012

Secretary of the Navy Ray Mabus announced today that the next Independence variant littoral combat ship (LCS) will be named the USS Gabrielle Giffords. <More at: [http://www.navy.mil/navydata/fact\\_display.asp?cid=4200&tid=1650&ct=4](http://www.navy.mil/navydata/fact_display.asp?cid=4200&tid=1650&ct=4)>

## 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 [scook@vuft.org](mailto:scook@vuft.org); 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 <mailto:scook@vuft.org>

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.