

SOUND OFF!



VOL. V, NO 12

THE NEWSLETTER OF VETERANS UNITED FOR TRUTH, INC.

“VETERANS STANDING UP FOR EACH OTHER”

20 MARCH 2010

FIRST CALL – NOTES FROM THE FRONT

THIS WE’LL DEFEND!

In the U.S. Army Emblem and Seal a rattlesnake holds a scroll with the words “**This We’ll Defend**”. This motto sets a frame for all veterans today.

The question of course is what is the “This” that we will defend?

To define that just recall the oath we took upon enlistment or commissioning. “*I will support and defend (uphold) the Constitution of the United States against all enemies, foreign and domestic; ... I will bear true faith and allegiance to the same.*”

Two interesting points about our oath. There is no duration defined in the oath: once taken, it is a lifetime affirmation. “*So help me God*” is optional to the individual rendering the oath as Article Six of the United States Constitution requires that there be no religious test for public office.

What is this Constitution that we have sworn to “support and defend”? In plain talk, it is one of the simplest constructs for government ever devised. We vets certainly don’t need some demagogue or ideologue to explain it to us.

The Declaration of Independence had established in 1776 that in the view of Americans, all men are equal, all have equal rights, that the government that they establish for themselves exists to preserve those rights, and that government derives its power solely from the consent of these equal citizens.

Now all of that equality didn’t apply originally to anyone but free, white males, but we straightened that out over the years.

In 1787 the Founders set about to define what sort of government we would have, and in 1789 the Constitution was approved.

The idea is very simple. Following on the original declarations, the Preamble states that this whole government comes from “We the People”, and there is no other source.

Article I recognizes that we can’t run a country on pure participative democracy, where all citizens vote on all issues (true then and more so today), so we established a legislature of elected representatives who will protect our rights through the making of laws, and will ensure the orderly structure and conduct of government through the raising of taxes. The sole power to raise an armed force, to make rules for that force, and to declare war rest with the legislature only.

Article II then addresses how the government will be run and establishes the Executive office of the President. It is his job to get the everyday business of government done. He establishes and fills offices to do the people’s business. He is commander-in-chief of the armed forces. He can make treaties with other governments. Most of these powers are with the “advice and consent of the Senate”.

Article III then sets up the organization to protect the people and to keep the Legislature and the Executive honest – the Courts. It establishes the Supreme Court which may establish lesser courts. Later *Marbury v Madison* empowered the Supreme Court to decide on the Constitutionality of all laws.

Article IV establishes the relationship of the various States to the Federal Government.

Article V says, in essence, “we know we didn’t get it all right for all time, so this is how you may amend this Constitution.” They made it hard to do.

Article VI binds all officers of the government to support the Constitution.

Article VII establishes the criteria for ratification.

That's it. You now know almost as much as the Supreme Court.

There was an obvious need, as expressed by the individual states, to list the rights of citizens within the body of the Constitution; so the very first ten amendments – the Bill of Rights – were added in 1791.

Many of the subsequent amendments were process and housekeeping with notable exceptions:

Amendment XIII abolishing slavery – 1865.

Amendment XIV, Section 1 – due process – 1868.

Amendment XV – the right of all males to vote – 1870.

Amendment XVI – the income tax – 1913.

Amendment XIX – the right of women to vote – 1920.

Amendment XXIV - abolishing poll taxes – 1964.

There you have it. **“This We’ll Defend.”**

So why do so many veterans show up at anti-government rallies – wearing their paraphernalia so that they can be clearly identified as vets – and espouse positions that defy the Constitution?

Why do so many vets oppose others’ free speech when they presents a position on issues they disagree with? The films of this last year’s town meetings on healthcare present too many examples of this anti-Constitutional behavior by vets. **Amendment I.**

Why do so many vets join rallies against the census – a task that is clearly listed in **Article I, Section 2.** [this Section also contains the infamous “three-fifths of all other persons” clause.]

Why do so many vets, in their rightful and proper support of **Amendment II**, insist that there should be no controls whatsoever on owning guns, when we demand controls on almost every other form of ownership from cars, to homes, to banking and investment accounts? Why do those who know guns best demand that any nutcase who wants to can own an assault rifle? Why do they insist that the phrase “A well regulated militia, being necessary to the security of a free State” has no meaning?

Why do so many vets support the view that the President can take us to war? The national vets organizations gave loud support to the President’s initiating the Iraq War despite **Article I’s** prohibition.

Why do so many vets oppose taxes in all forms? We all oppose the misuse of our tax money, but taxes themselves are the price of citizenship – **Article I, Section 8.**

Why do so many vets publicly support a religious basis for government? **Article VI.**

Why do so many vets support illegal acts such as torture, warrantless wire-tapping, and denial of *habeas corpus*? What happened to **Article I, Section 9, Amendment IV** and **Amendment VIII**?

Why do so many vets support inequality, whether it is for women or gays, or people of color? The Declaration and the Constitution throughout trumpet equality for all.

Finally, why do so many vets buy into the current atmosphere of fear, and support the idea that all actions are right and proper – even and especially those that violate our Constitution – if they can be attributed to the need to protect us from everything that might possibly threaten us, real or imagined?

There is no absolute protection from the threats that face us today. One crazy or one resolute effort by a terrorist organization can wreak havoc anywhere and at any time, if they desire. I believe that we should be extra vigilant, but we cannot give up that which makes us different – which is precisely what terrorists oppose.

Must we change the America we are sworn to defend into a cringing, quivering mass willing to throw away the blessings that our Constitution affirms for us on the off chance that someone might attack us?

That doesn’t sound like “Defend”: that sounds more like “Surrender”.

If we change ourselves into what they want us to be – afraid of little ignorant criminals – they win regardless and we lose what we are sworn to defend.

So I ask all of my fellow veterans to reexamine where they stand relative to their oath – remember, oaths aren’t like licenses or fruit; they don’t expire.

Bring the courage you brought with you when you took that oath and when you served.

Reaffirm for yourselves and to your fellow citizens that **“This We’ll Defend”.**

“With courage you will dare to take risks, have the strength to be compassionate, and the wisdom to be humble. Courage is the foundation of integrity.”

Keshavan Nair

[Ed.]

REVEILLE - WAKE-UP CALLS – CALLS TO ACTION

NEED LEGAL HELP IN AN APPEAL TO THE DVA?

Try these two websites: Veterans Consortium Pro Bono Program 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/. Also this site for west coasters <http://www.chapman.edu/law/programs/clinics/amvets.asp>.

ASSEMBLY - PROGRESS OF THE ORGANIZATION

VCS - VUFT LAWSUIT UPDATE:

Class Action Suit: On 12 August we appeared before the 9th Circuit Court of Appeals. An article from the LA Times on 24 August summarizes the results so far < latimes.com/news/nationworld/nation/healthcare/la-me-veterans-suit24-2009aug24_0,1423297_story>

.Case Progress to Date:

7/23/2007 Suit filed w/Federal District Court

9/25/2007 Defendant’s Motion to Dismiss

2/11/2008 Motion for Preliminary Injunction

2/25/2008 Preliminary Injunction Hearing

4/21/2008 Trial

6/25/2008 Judgment based on jurisdiction

7/25/2008 Appeal notice filed w/9th Circuit Court of Appeals

12/10/2008 Appeal brief filed

12/15/2008 *Swords to Plowshares* and *Vietnam Veterans of America* file amicus briefs

12/22/2008 *Military Spouses for Change* and *United Spinal Association* file amicus briefs

3/4/2009 Appeal will not be subject to Mediation

4/6/2009 Requested an extension to reply to the DVA response to our brief

4/22/09 Extension granted to 1 May 2009

5/1/09 Appellants’ Reply Brief filed

6/11/09 Oral Arguments Scheduled for 12 August 2009

8/12/09 Oral arguments

9/14/09 Reply on mediation [changed date]

9/14/09 No agreement on mediation. 9th Circuit accepts the case.

3/20/10 NTR [The courts move veeerrrry slowly]

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 bhandy@vuft.org or the Vice Chair at scook@vuft.org. Watch for details at www.vuft.org.

D O N A T E!

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

ANOTHER “THANKS FOR YOUR SERVICE” MOMENT

My son is a U.S. Army Vet that served in Iraq in 2007-08 as a Medical Corpsman. Since he has returned from Iraq he has been diagnosed with PTSD. He is still serving in the reserves and will be discharge around October of this year. Since he has been back he has been struggling to achieve some normalcy to his life. He has a part-time job, is going to College, and is struggling daily to integrate himself back into the world. Recently he and his brother purchased a home together. They also applied for life insurance to protect each other in case one of them would die. But my son with the PTSD was denied because of his PTSD. We are looking for help. We need to know if there any laws that protect Veterans from being denied life insurance because they have PTSD? What can we do about this? My son just wants to protect his brother and his home. My son is very angry and wants to be able to purchase insurance just like is his brother did for him.

Sincerely, Jo Deen Boncquet

RECALL - FEDERAL AND STATE LEGISLATION AND LEGISLATORS

COMMITTEE PASSES INNOVATIVE BIPARTISAN BILL TO ELIMINATE HOMELESSNESS FOR VETERANS

March 10, 2010

Washington, D.C. – On Wednesday, March 10, 2010, the House Committee on Veterans' Affairs led by Chairman Bob Filner (D-CA), approved five bills that would improve benefits and services to veterans provided by the Department of Veterans Affairs (VA).

H.R. 4810 – End Veteran Homelessness Act of 2010 (Filner);

H.R. 4592 – Energy Jobs for Veterans Act (Teague)

H.R. 3976, as amended – The Veterans Employment and Home Preservation Act of 2010 (Perriello)

H.R. 1879, as amended – National Guard Employment Protection Act of 2010 (Coffman)

H.R. 4667 – Veterans' Compensation Cost-of-Living Adjustment Act of 2010 (Perriello)

<More at: www.vawatchdog.org/10/hcva10/hcva031010-2.htm>

AKAKA AND MAJORITY OF COMMITTEE MEMBERS SUPPORT OBAMA BUDGET FOR VETERANS, URGE ADDITIONAL INVESTMENTS

March 8, 2010

WASHINGTON, D.C. – Senate Veterans' Affairs Committee Chairman Daniel K. Akaka (D-HI) was joined by a majority of Committee members in recommending a \$380 million increase in discretionary funding above the President's VA budget proposal. This recommendation came in the Committee's views and estimates letter on the Fiscal Year 2011 budget for veterans' programs, submitted to the Senate Budget Committee Friday.

... Akaka and co-signers recommended the following additional discretionary investments for veterans programs:

- Upgrading an Aging Hospital Infrastructure: \$235 million for VA construction;
- Supporting Family Caregivers: \$57 million for a new program to support family caregivers, tied to Akaka's effort to establish a permanent caregivers support program;
- Helping Disabled Veterans Train for new Employment: \$20.5 million for Vocational Rehabilitation and Employment;
- Improving Technology: \$30 million for Information Technology;
- Investing for the Future: \$25.5 million for VA Research; and
- Strengthening Oversight within VA: \$12 million for the Office of Inspector General

Akaka and co-signers also recommended that the budget provide mandatory funding to avoid imposing a Cost-of-Living Adjustment round-down in the coming fiscal year and to support a reasonable increase in the Specially Adapted Housing Grant programs which make it possible for severely disabled veterans to live more independently in residential housing.

<More at: www.vawatchdog.org/10/scva10/scva030810-1.htm>

BUYER-BOOZMAN BILL SPARKS ACTION TO HELP HOMELESS WOMEN VETERANS

7 March 2010

Washington, D.C. – Today, Congressmen Steve Buyer and John Boozman expressed appreciation that one of their legislative efforts, previously passed by the House to provide assistance to homeless women veterans, was emulated in the President's 2011 budget request.

The U.S. Department of Labor fiscal year 2011 budget request for its Veteran Employment and Training Service (VETS) includes an additional \$5 million to help homeless women veterans and homeless veterans with children. The request is similar to the Buyer and Boozman provisions, which were unanimously approved by the House of Representatives last year.

<More at: www.vawatchdog.org/10/hcva10/hcva022310-1.htm>

FAREWELL BUT NOT GOODBYE TO A GREAT SOLDIER

On 10 April 2010, at 1100 in Hangar 1050 of Naval Air Station, Forth Worth, TX, James L. Williams, MajGen USMC, CG, 4th Marine Division, Marine Forces Reserve will retire.

Then BrigGen Williams and his ACE staff at Camp Pendleton were the inspiration in 2005 for the founding of Veterans United For Truth. It was their concern for the troops, and their account of the difficulty that serving Marines and their families were having in 2004 that sparked us to action. Their plight was the impetus for the "Wartime Shared Sacrifice Act" which we wrote and which, in somewhat changed form, was passed without a dissenting vote by both the Assembly and the Senate of California in 2006, but was subsequently vetoed by Governor Schwarzenegger.

All of us at VUFT wish General Williams a long and healthy retirement, and we hope that the Marine Corps continues to find such inspirational leaders.

VETERAN SUES VA OVER REMOVAL OF UPSIDE-DOWN FLAG

Bob Pool – LA Times - March 17, 2010

The West L.A. man joins with the ACLU in a lawsuit that alleges his free-speech rights were denied in his protest of what he sees as commercialization of the VA's Brentwood medical center grounds.

Robert Rosebrock didn't see any action during his two-year stint as an Army draftee in the mid-1960s. He was a corporal who worked as a clerk and a driver for the commanding general at Schofield Barracks in Hawaii, after all. But he's made up for it with his two-year skirmish with officials at the Veterans Affairs hospital in Brentwood.

For 103 Sundays in a row, Rosebrock has led a group of military veterans in a protest of what they claim is the VA's commercialization of the sprawling Wilshire Boulevard medical center's grounds.

VA officials paid little attention for the first 65 Sundays to the small band of mostly aging veterans holding protest signs and displaying American flags outside the medical center's gates. Then Rosebrock turned that around by turning the flag upside down. When the 67-year-old West Los Angeles event planner attached the upended stars and stripes to the hospital grounds' fence as "a symbol of distress," federal police swooped in. An associate director of the hospital said she ordered police to take action because she considered the display to be "a desecration of the flag" and feared that mental health patients might have been sensitive to an "inappropriate display on VA property."

After that, Rosebrock and the other protesters were confronted each time they attached the flag to the fence upside down. Six times police cited Rosebrock for unauthorized demonstrations on VA property. The VA later requested that a federal court dismiss the citations. But on Feb. 28, VA police confiscated the protesters' upside-down flag when they refused to remove it from the fence.

On Tuesday, Rosebrock fired back by joining with the American Civil Liberties Union in a lawsuit that alleges the VA has denied his free-speech rights. The U.S. District Court complaint names Donna Beiter, director of the VA's Los Angeles healthcare system, and Ronald Mathis, the VA's police chief. <More at: latimes.com/news/local/la-me-vets17-2010mar17.0.2014226.story

OBAMA DONATES NOBEL PRIZE MONEY TO 10 CHARITIES

Brian Montopoli

The White House has announced that President Obama has donated the \$1.4 million given to him in conjunction with the Nobel Peace Prize to ten charities, including the Clinton-Bush Haiti Fund and the United Negro College Fund. ... The most money -- \$250,000 -- went to Fisher House, which provides housing for families of patients being cared for at major military and VA medical centers. <More at: www.cbsnews.com/8301-503544_162-20000311-503544.html>

CHIEF JUSTICE 'STARTLED' BY GOVERNMENT ERRORS IN VETERANS CASES

Marcia Coyle - The National Law Journal - February 24, 2010

When he was in private practice at Hogan & Hartson, Chief Justice John Roberts Jr. did not handle veterans' benefits claims. So, he understandably found "startling" information with which lawyers for veterans are only too familiar: In litigating with veterans, the government more often than not takes a position that is substantially unjustified.

In oral arguments Monday in *Astrue v. Randall*, an attorney fee case under the Equal Access to Justice Act, James Leach of Rapid City, S.D., told the Court that 42 percent of Social Security cases result in an EAJA attorney fee award.

"If it's 42 percent, that's quite a high number of cases in which the government's position is found substantially -- not substantially justified as well as legally erroneous," Leach said. "In veterans cases, it's even worse."

... ROBERTS: Counsel do you -- do you dispute your friend's statement that 42 percent of the time in Social Security cases the government's position is unjustified, and 70 percent of the time in veterans' cases?

YANG: Well, I think that reflects the stakes often, Your Honor. Oftentimes the government does not contest, for instance, the \$2,000 EAJA award and because it's the government, has to --

ROBERTS: So whenever it really makes a difference, 70 percent of the time the government's position is substantially unjustified?

... ROBERTS: Well that's really startling, isn't it? In litigating with veterans, the government more often than not takes a position that is substantially unjustified? <More at: www.law.com/jsp/article.jsp?id=1202444391590>

VA STAFFERS FACE DISCIPLINE OVER TRAVEL, PORN

Jim McElhatton - March 3, 2010

Department of Veterans Affairs investigators are calling for disciplinary action against several officials following an internal probe into the VA's special-events office in Washington. The officials include a director who took taxpayer-funded trips to Las Vegas and San Diego that included a sailing trip and a golf outing, records show.

The same official - Diane Hartmann, director of national programs and special events - also authorized herself to receive hundreds of hours of leave to which she wasn't entitled, according to a new report by the VA Office of Inspector General.

Another employee, whose name and job title VA officials so far have withheld, was caught with thousands of pornographic images on his work computer. <More at: www.washingtontimes.com/news/2010/mar/03/va-staffers-facing-discipline-over-travel-porn/>

FEMALE SOLDIERS STEP INTO NEW ROLE

Staff Sgt. Jeff Lowry - Task Force 38 Public Affairs - Mar 18, 2010

JOINT BASE BALAD, Iraq -- Two female Soldiers with Task Force 38, 3rd Battalion, 158th Aviation Regiment, exemplified the "we can do it" motto of women's history month. Spc. Crisma Albarran and Spc. Jessica Sprung, stationed here, volunteered as UH-60 Black Hawk door gunners, a role primarily occupied by male Soldiers.

"The majority of door gunners are dominated by males, and when you have a female come into the job it reminds us that we're not the only ones who can do the job," said Sgt. Daniel Rice, a crew chief and standardization instructor from New Ipswich, N.H. "They (women) can do the job just as well and in some cases better than us."

<More at: www.army.mil/news/2010/03/18/35987-female-soldiers-step-into-new-role/>

GAYS IN MILITARY RULING CREATES DILEMMA FOR BRASS

Gene Johnson - Associated Press Writer -- Mar 6, 2010

SEATTLE -- A pressing legal reality for the "don't ask, don't tell" standard for gays serving in the military is that the 9th U.S. Circuit Court of Appeals has already struck down the way it's practiced in much of the Western United States. The 2008 ruling, while largely overlooked, would force the military to apply a much higher threshold in determining whether a service member should be dismissed for being gay.

The government declined to appeal the ruling by the three-judge panel, which leaves it standing as law in the nine states covered by the court. That means gay military members at bases in the West technically have greater protections than their colleagues across the world. <More at: <http://newsmax.com/InsideCover/Military-Gays-Legal-ruling/2010/03/06/id/351844>>

DUTCH LEADERS ANGRILY REJECT CONTENTION THAT ALLOWING GAY TROOPS UNDERMINED THEIR MILITARY

Henry Chu LA Times - March 19, 2010

"Scandalous," declared one. "Way off the mark," fumed another.

Top Dutch leaders ditched their usual diplomacy Friday in an angry reaction to suggestions by a retired U.S. general that allowing openly gay soldiers to serve in their military was partially to blame for Europe's worst massacre since World War II.

The statement was made by John Sheehan, a former Marine general, before a Senate hearing Thursday on the U.S. military's "don't ask, don't tell" policy regarding gays and lesbians in its ranks. Sheehan opposes President Obama's pledge to lift the ban on openly homosexual soldiers, and tried to cite the Dutch as an object lesson.

... On Friday, Dutch Defense Minister Eimert van Middelkoop labeled Sheehan's comments "scandalous, and unworthy of a soldier."

"I have nothing more to say about it," Van Middelkoop added. But his boss, Prime Minister Jan Peter Balkenende, did.

"Toward Dutch troops, homosexual or heterosexual, it is way off the mark to talk like that about people and the work they do under very difficult circumstances," Balkenende told reporters.

He called Sheehan's remarks "irresponsible," but said he didn't intend to bring up the matter with Obama, since Sheehan, a former NATO commander, is already retired.

Sheehan said it was former Dutch defense chief of staff, Gen. Henk van den Breemen, who had suggested to him that allowing gays to serve openly in the military had undermined its readiness.

But the Dutch Defense Ministry said that Van den Breemen had never expressed such sentiments, and that he considered them "absolute nonsense." <More at: www.latimes.com/news/nationworld/world/la-fg-dutch-gays20-2010mar20.0.3253940_story

NO PROBLEM! WE'LL JUST ENLIST MORE SKINNY GANGBANGERS AND FELONS GROWING NUMBER OF OBESE RECRUITS COULD MAKE IT TOUGHER TO FIELD A FIT MILITARY

Andy Dworkin - The Oregonian - March 17, 2010

The increased number of obese/overweight recruits has become a weighty problem for the armed forces.

... As American youth get fatter, an increasing number of would-be recruits are too pudgy to qualify for the military. More than a sixth of U.S. teens are now obese, and many experts predict the number will grow. Already, weight is the main medical reason recruits are rejected for military service, accounting for a quarter of medical failures. That's almost twice the rate of marijuana use, the No. 2 cause of medical failure. <More at: www.oregonlive.com/news/index.ssf/2010/03/growing_number_of_obese_recrui.html>

TO THE COLORS - GATHERINGS

Date	Time	Where	What	Who	Notes
3/18-3/21		Elmer Thomas Park Lawton, Oklahoma	The Wall That Heals	VVA Chapter 751	
3/20		Cocoa, FL	Resource Fair	John Carroll/Ernest Duncklee	321-637-3788
3/24		Las Vegas NV	Resource Fair	Shalimar T. Cabrera	702-366-0456 x-226
3/25		Raleigh NC	Resource Fair	Frank Lawrence	919-508-0718
3/25		Crowne Plaza Hotel 7050 Stemmons Frwy, Dallas, TX	Southwest Regional Career Event		Register
3/25-3/28		Main St. & Mallard Ln. Taylor, TX	The Wall That Heals	Taylor Chamber of Commerce & Visitor Center	
3/27		Los Angeles CA	Resource Fair	Doris Nickelson	810-545-2937
4/7		Veterans Building Santa Barbara, CA	Tax Preparation Assistance (Vets w/income <\$49K)	John Chaing CA State Controller	
4/15		Sheraton San Diego Hotel 1380 Harbor Island Drive San Diego, CA	Western Regional Career Event		Register
4/16		Jacksonville FL	Resource Fair	Travis Sims	904-630-3680
4/17		Columbus GA	Resource Fair	A. Harrison	706-593-3393
4/22		Wilmington NC	Resource Fair	Frank Roberts	910-279-0823
4/22-4/25		Veterans Park Washington, NC	The Wall That Heals	VFW Post 6088	

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

A 4-MONTH OLD STORY THAT RESONATES WITH CURRENT ISSUES

OVER 2,200 VETERANS DIED IN 2008 DUE TO LACK OF HEALTH INSURANCE

Harvard researchers say 1.46 million working-age vets lacked health coverage last year, increasing their death rate
Physicians for a National Health Program - Nov. 10, 2009

A research team at Harvard Medical School estimates 2,266 U.S. military veterans under the age of 65 died last year because they lacked health insurance and thus had reduced access to care. That figure is more than 14 times the number of deaths (155) suffered by U.S. troops in Afghanistan in 2008, and more than twice as many as have died (911 as of Oct. 31) since the war began in 2001.

The researchers, who released their analysis today [Tuesday], pointedly say the health reform legislation pending in the House and Senate will not significantly affect this grim picture. <More at: www.pnhp.org/news/2009/november/over_2200_veterans_php>

VA SEEKS TO MAKE GETTING BENEFITS EASIER FOR VETS

Kimberly Hefling (AP) – 18 March 2010

WASHINGTON — The Veterans Affairs Department took steps Thursday to make it easier for veterans of the Iraq or Afghanistan wars to get disability benefits. To qualify for the new streamlined status, they must have malaria, West Nile Virus or one of seven other diseases.

The VA has proposed a regulation change that lets veterans qualify for benefits by showing only that they served in the recent conflicts, or in the Gulf War, and have a diagnosis of any of nine diseases. Called "presumptive status," it's easier to prove an illness stems from war service.

... The seven other diseases are brucellosis, campylobacter jejuni, coxiella burnetii, mycobacterium tuberculosis, nontyphoid salmonella, shigella and visceral leishmaniasis. <More at: www.salon.com/wires/allwires/03/18/D9EH60L80_us_veterans_claims/index.html>

VA TO AUTOMATE AGENT ORANGE CLAIMS PROCESS

Gregg Zoroya - USA Today - Mar 8, 2010

WASHINGTON — The Veterans Affairs Department plans to announce Tuesday that it will fully automate how it pays claims for illnesses related to exposure to the chemical Agent Orange to keep an overburdened system from collapse.

It is the VA's first effort at automating claims processing in its 80-year history, VA chief technology officer Peter Levin said. It comes as the agency struggles to cut a backlog of more than 1 million disability claims, appeals and other cases.

The system "is likely to break" if nothing is done, Levin said.

"Look, the bottom line is why the hell they didn't do [automation] 30 years ago," said John Rowan, national president of Vietnam Veterans of America. "The question is whether they will do it right."

VA Secretary Eric Shinseki took office last year and said no disability claim should take longer than four months to process. However, department records show that almost 40 percent take an average of 161 days to process, VA records show, and that will increase to 190 days without automation.

The increase is largely the result of Shinseki's efforts to allow more Agent Orange disability claims. <More at: www.navytimes.com/news/2010/03/usat_va_agent_orange_030810/>

SHINSEKI PLEDGES TO FIX BROKEN VETERANS' SYSTEM

USA Today – 22 February 2010

CHILLICOTHE, Ohio (AP) — Veterans Affairs Secretary Eric Shinseki said he's making it a top priority this year to tackle the backlog of disability claims that has American veterans waiting months — even years — to get financial compensation for their injuries.

Among those waiting for relief are sick Vietnam and Gulf War veterans to whom the former Army commander feels an allegiance and who have long felt ignored.

"I'm a kid out of the Vietnam era, I just have enough firsthand knowledge of folks walking around with lots of issues. If there's a generation of veterans that have had a tough row to hoe, it's the Vietnam generation," said Shinseki, 67, in an exclusive interview with The Associated Press as he traveled through snowcapped mountains in Ohio and West Virginia between meetings with veterans. <More at: www.usatoday.com/news/nation/2010-02-22-shinseki-veterans-claims_N.htm>

VA TO RECONSIDER BENEFITS FOR ILL GULF WAR VETS

Kimberly Hefling - The Associated Press - February 26, 2010

WASHINGTON -- The Veterans Affairs Department says it will look again at the rejected claims of veterans who say their Gulf War service caused a mysterious illness, the first step toward potentially compensating them nearly two decades after the war ended.

VA Secretary Eric Shinseki said the decision is part of a "fresh, bold look" his department is taking to help veterans who have what's commonly called "Gulf War illness" and have long felt the government did little to help them. The VA says it also plans to improve training for medical staff who work with Gulf War vets, to make sure they do not simply tell vets that their symptoms are imaginary - as has happened to many over the years.

"I'm hoping they'll be enthused by the fact that this ... challenges all the assumptions that have been there for 20 years," Shinseki told The AP in an interview. <More at: www.signonsandiego.com/news/2010/feb/26/va-to-reconsider-benefits-for-ill-gulf-war-vets/>

RE-LOOK BOARD NEEDS MANY MORE DOCS

Tom Philpott - March 18, 2010

A special board established by Congress to review and raise any low-ball disability ratings the services awarded to injured or ailing members since 9-11 needs four times as many physicians as it has now to ensure timely action on a rising number of applications, says the board's top officer.

Michael F. LoGrande, president of the Defense Department's Physical Disability Board of Review, said the PDBR, in its first 10 months, has received only 876 applications. It adjudicated 235 cases so far and recommended higher disability ratings for 136 veterans -- 58 percent of cases reviewed. <More at: www.fra.org/AM/template.cfm?ContentID=10024&template=/CM/ContentDisplay.cfm>

VA EDUCATION CALL CENTER AGAIN OPERATING FIVE DAYS A WEEK

February 23, 2010

WASHINGTON – The Department of Veterans Affairs (VA) today announced that the Education Call Center, closed on Thursdays and Fridays over the past two months, is again operating five days a week.

"I am pleased by the progress these call center employees made in significantly cutting our pending inventory of education claims," said Secretary of Veterans Affairs Eric K. Shinseki. "As a result of their efforts, 30,000 additional student Veterans received their checks, bought books, paid the rent, and stayed in school."

By temporarily reassigning call center employees on Thursdays and Fridays to process Post-9/11 GI Bill claims, VA was able to complete a significant number of education claims from mid-December through mid-February. VA's goal was always to return call center employees to their permanent duties. <More at: www.vawatchdog.org/10/vap10/vap022310-3.htm>

NEW DOCUMENTS REVEAL DEPTH OF VA'S SHREDDER SCANDAL

Larry Scott - VA Watchdog dot Org – 9 March 2010

In October of 2008, *VA Watchdog dot Org* broke the story about employees of the VA's Veterans' Benefits Administration (VBA) shredding documents vital to veterans' claims.

Full details are available on our Shredder page VAshredderscandal.htm

Shredder-Gate, as it came to be known, kept expanding as we learned that the VBA wasn't just shredding documents but was throwing them out, misfiling, hiding and mishandling them. Then, we also learned that VBA employees were changing the dates on claims.

All of this led to media attention, more investigations by the VA's Office of Inspector General (VAOIG), Congressional hearings and a great deal of anger in the veteran community.

In September of 2009, VAOIG tried to close the door on all of this by releasing the following report:

Audit of VA Regional Office Claim-Related Mail Processing -- [Report Number 08-01759-234](#), 9/30/2009

But, it wasn't over. What about the information contained in documents VAOIG didn't release?

<More at: www.vawatchdog.org/10/nf10/nfeb10/nf021110-3.htm>

RANKS OF HOMELESS VETERANS DROP 18 PERCENT

March 10, 2010

Wide-Ranging Partnerships and VA Commitment Credited

The number of Veterans homeless on a typical night dropped 18 percent as the Department of Veterans Affairs (VA) entered the second year of its campaign to eliminate homelessness among Veterans within five years.

"It will take the dedication, creativity and hard work of many parts of American society to end homelessness among Veterans," said Secretary of Veterans Affairs Eric K. Shinseki. "But mostly it takes the resolve to say: It is unacceptable for a single Veteran to spend the night on the streets of America."

VA's Community Homeless Assessment Local Education and Networking Groups (CHALENG), which conducts a widely cited, annual census of homeless Veterans, estimated 107,000 Veterans were homeless each night last year. That figure was 131,000 in 2008 and 154,000 in 2007.

"The reduction was achieved through VA's commitment to end homelessness among Veterans through enhanced collaboration with other federal, state, faith-based, Veteran service organizations and community partners," Shinseki said.

VA has approximately 4,000 agreements with community partners. Last year, more than 92,000 homeless Veterans were served by VA's specialized homeless programs. This is an increase of 15 percent from the previous year.

<More at: www.vawatchdog.org/10/vap10/vap031010-1.htm>

YOUNG VETERANS FACE STEEP UNEMPLOYMENT

Robert Faturechi - March 12, 2010

More than 20% ages 18 to 24 can't find work, a problem attributed to a lack of education and job experience before entering the service.

Young combat veterans from Iraq and Afghanistan have another challenge waiting for them when they return home: steep unemployment.

More than 1 in 5 can't find work, according to data released Friday by the Labor Department.

The unemployment rate last year for veterans ages 18 to 24 reached 21.1%, compared to 16.6% for that age group as a whole.

In addition to the recession, veterans groups attribute the high jobless rate to a lack of education, job experience and job training in the years before entering the service. Also, many return home with health and mental health problems that make it difficult to find work.

... Reserve officers, who can face multiple deployments in just a few years, can often be especially vulnerable to chronic joblessness. Sharpe said many companies, particularly smaller ones, are hesitant to hire Reserve and National Guard veterans for fear of losing those employees after costly training. <More at: <http://latimes.com/news/la-na-vet-unemployment13-2010mar13.0.7495345.story>>

SEXUAL ASSAULTS ON FEMALE SOLDIERS: DON'T ASK, DON'T TELL

Nancy Gibbs - Mar. 08, 2010

What does it tell us that female soldiers deployed overseas stop drinking water after 7 p.m. to reduce the odds of being raped if they have to use the bathroom at night? Or that a soldier who was assaulted when she went out for a cigarette was afraid to report it for fear she would be demoted — for having gone out without her weapon? Or that, as Representative Jane Harman puts it, "a female soldier in Iraq is more likely to be raped by a fellow soldier than killed by enemy fire."

The fight over "Don't ask, don't tell" made headlines this winter as an issue of justice and history and the social evolution of our military institutions. We've heard much less about another set of hearings in the House Armed Services Committee.

Maybe that's because too many commanders still don't ask, and too many victims still won't tell, about the levels of violence endured by women in uniform

The Pentagon's latest figures show that nearly 3,000 women were sexually assaulted in fiscal year 2008, up 9% from the year before; among women serving in Iraq and Afghanistan, the number rose 25%. When you look at the entire universe of female veterans, close to a third say they were victims of rape or assault while they were serving — twice the rate in the civilian population. <More at: <http://www.time.com/time/magazine/article/0,9171,1968110,00.html>>

RESPECT FOR WOMEN IN UNIFORM

Editorial - February 15, 2010

The Pentagon's decision to begin making so-called morning-after emergency contraception available at military bases around the world marked welcome, if overdue, progress in meeting the health needs of women serving the United States in the military. The decision followed a recommendation by the Pentagon's Pharmacy and Therapeutics Committee. The medical advisory panel voted in November to add emergency contraception, which can prevent pregnancy if taken within 72 hours of unprotected sex, to the list of drugs required to be stocked at every military facility.<More at:

www.nytimes.com/2010/02/15/opinion/15mon3.html>

LAW OFFICERS STRUGGLE TO READJUST AFTER WAR

Todd Richmond - Associated Press Writer - Mar 10, 2010

MADISON, Wis. (AP) -- For soldiers patrolling in Iraq and Afghanistan, death can come from a bomb hidden in a trash pile or an innocent-looking face in the crowd. Returning home alive can depend on the quick turn of a steering wheel or pull of a trigger. Those heightened survival instincts don't always translate when those soldiers return home to their jobs as law enforcement officers.

In interviews with The Associated Press and in dozens of anecdotes compiled in a survey by the International Association of Chiefs of Police and the U.S. Bureau of Justice Assistance, officers described feeling compelled to use tactics they employed in war zones after they returned to work in the U.S. and feeling less patient toward the public they serve.

<More at: http://ap.stripes.com/dynamic/stories/u/us_reintegrating_police_vets>

EQUIPMENT AT PR VETERANS CLINICS NOT CLEAN

(AP) – 17 March 2010

SAN JUAN, Puerto Rico — Federal inspectors found medical equipment not properly cleaned or inspected at some of the clinics for veterans in Puerto Rico, a U.S. government report said Tuesday. Senior staff knew about the problem but did nothing to assess the risk to patients, added the report by the inspector general's office for the Department of Veteran Affairs.

<More at: www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2010/03/16/international/i170740D94.DTL>

VA MEDICAL ERRORS RESULT IN SECOND LARGEST FINE FOR NRC VIOLATIONS

March 17, 2010

Washington, D.C. –Today, the U.S. Nuclear Regulatory Commission (NRC) levied the second largest fine the agency has ever imposed for several incidents at the Department of Veterans Affairs (VA) medical center in Philadelphia, Pennsylvania, in which patient safety was compromised during prostate cancer treatments.

<More at: <http://www.vawatchdog.org/10/hcva10/hcva031710-1.htm>>

VA INVESTIGATING SECURITY BREACH OF VETERANS' MEDICAL DATA

Bob Brewin - 03/09/2010

The Veterans Affairs Department's inspector general has launched a criminal investigation into a physician assistant's alleged downloading of veterans' clinical data at its Atlanta medical center, sources have told Nextgov.

The assistant allegedly recorded two sets of patient data on to a personal laptop for research purposes. One set included three years' worth of patient data and another held 18 years of medical information, according to a source familiar with the incident and who asked not to be identified.<More at: http://www.nextgov.com/nextgov/ng_20100309_9888.php>

TAPS – PASSINGS AND WAR STATISTICS

NATIONAL GUARD AND RESERVE ACTIVATED AS OF MARCH 16, 2010

This week the Navy, Marine Corps and Air Force announced a decrease in activated reservists, while the Coast Guard announced an increase. The Army had no change. The net collective result is 51 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 108,647; Navy Reserve, 6,228; Air National Guard and Air Force Reserve, 16,062; Marine Corps Reserve, 6,515; and the Coast Guard Reserve, 714. This brings the total National Guard and Reserve personnel who have been activated to 138,166, including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found at <http://www.defense.gov/news/d20100316ngr.pdf>.

20 MARCH 2010 – 7 YEARS!

OPERATION IRAQI FREEDOM (2,557 DAYS)

KILLED US	4,385
WOUNDED US [2/6/10]	31,716
OTHER US CASUALTIES [3/6/10]	≥47,541
DIED OF SELF-INFLICTED WOUNDS [3/6/10]	204
MISSING OR CAPTURED US	1
KILLED UK	179
KILLED OTHER COALITION	139
WOUNDED/INJURED COALITION	1,819
**KILLED CONTRACTORS [11/9/08]	1,182
KILLED IRAQI POLICE/MILITARY [1/25/09]	≥ 48,874
KILLED IRAQI CIVILIANS [3/19/10]	≥ 104,382 – 1,366,350
WOUNDED IRAQI MIL/CIVILIANS [1/20/10]	≥ 400K – 1.432M
IRAQ REFUGEES INT./EXT. [9/27/07]	2.1M/2.5M

OPERATION ENDURING FREEDOM (3,086 DAYS)

KILLED US	1024
WOUNDED US [3/6/10]	5,190
OTHER CASUALTIES US [3/6/10]	11,239
DIED OF SELF-INFLICTED WOUNDS [3/6/10]	35
MISSING OR CAPTURED US	1
KILLED COALITION	668
WOUNDED/INJURED COALITION (12/2/07)	1,602
KILLED AFGHANI POLICE/MILITARY [7/4/09]	≥ 11,152
KILLED AFGHANI CIVILIANS (7/14/2009)	≥ 7,589
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	\$712,790,229,938
COST OF AFGHAN WAR TO DATE	\$260,294,631,661

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

THE FERES DOCTRINE HORROR SHOW

John McCarthy - Salem-News.com - Mar-10-2010

Vietnam Army veteran John McCarthy writes about the restrictions imposed on those injured on active duty by the Supreme Court's Feres Doctrine.

(LOS ANGELES) - The Feres Doctrine prevents military personnel and veterans from filing a tort claim for any injuries on active duty, even when the government is grossly negligent. It was adopted by Congress in 1950 and, with the approval of the Supreme Court, The Feres Doctrine became Law Of The Land the same year.

Lieutenant Feres was killed in a barracks fire on a military installation in New York State in 1946. His wife filed suit under the Federal Tort Claim Act of 1946. She lost in 1950 when the "Feres" Doctrine was adopted.

<More at: <http://salem-news.com/articles/march102010/feres-doctrine-jm.php>>

ELEVATING AMERICA ONE VETERAN AT A TIME

Pamela Passman - Corporate Vice President, Global Corporate Affairs – 9 March 2010

Earlier today while speaking to the annual conference of the National Association of Workforce Boards in Washington, D.C., I announced that Microsoft is forming a coalition of public, private and non-profit organizations to help our country's veterans and their spouses get the additional skills they need to succeed in today's economy.

The initiative is an extension of [Elevate America](#), a program Microsoft launched just over a year ago. Working in partnership with state governments, Elevate America provides free technology training and certification to help workers secure, and retain, 21st century jobs.

<More at: <http://microsoftontheissues.com/cs/blogs/mscorp/archive/2010/03/08/elevating-america-one-veteran-at-a-time.aspx>>

OUTBACK STEAKHOUSE TO SUPPORT U.S. TROOPS AND THEIR FAMILIES WITH \$1 MILLION DONATION

TAMPA, Fla., March 3, 2010 /PRNewswire

Outback Steakhouse, a longtime supporter of U.S. military troops, today announced its commitment to donate \$1 million to Operation Homefront, a non-profit organization that provides emergency and morale support for active troops, veterans and their families.

"The sacrifices that our troops and their families make so we can enjoy the freedoms we have in the United States is something Outback employees have recognized and appreciated since we opened our doors 22 years ago," said Liz Smith, CEO of OSI Restaurant Partners, parent company of Outback Steakhouse. "Our commitment to donate \$1 million to Operation Homefront reflects our appreciation to those who give so much."

Also starting today, Outback is holding a month-long "Thanks for Giving" effort in participating restaurant locations in the U.S. and Hawaii. Restaurant-goers are invited to express their appreciation to our country's dedicated servicemen and women by visiting Outback restaurants this month and ordering from the "Red, White and Bloomin'" menu. Proceeds from menu sales during the month of March will help to meet the \$1 million commitment to Operation Homefront. The menu will be available through March 31.

<More at: www.veteransresources.org/2010/03/outback-steakhouse-to-support-u-s-troops-and-their-families-with-1-million-donation/>

ADD-ON ~ STUFF OF INTEREST

WEB SITE OFFERS SINGLE ACCESS POINT FOR WOUNDED WARRIORS

February 25, 2010

Three Federal Departments Collaborate on National Resource Directory

WASHINGTON — The federal departments of Veterans Affairs, Labor and Defense unveiled today an improved Web site for wounded warriors.

"VA is committed to tapping into the full powers of the Internet to provide accurate, timely, easy to find and easy to understand information that improves the lives of Veterans, service members, their families and all who care for them," said Secretary of Veterans Affairs Eric K. Shinseki.

The National Resource Directory is a comprehensive, free, online tool for wounded, ill and injured service members, Veterans and their families. Visitors to the site can find an extensive range of information about Veterans' benefits, including disability and pension benefits, VA health care and educational opportunities. Visit the site at www.nationalresourcedirectory.gov. <More at: www.vawatchdog.org/10/vap10/vap022510-1.htm>

THE PHASE NAMES ARE INTERESTING, GIVEN THE HISTORY PHASES IDENTIFIED FOR IRAQ CAMPAIGN MEDAL

Liberation of Iraq – March 19, 2003 to May 1, 2003.

Transition of Iraq – May 2, 2003 to June 28, 2004.

Iraqi Governance – June 29, 2004 to Dec. 15, 2005.

National Resolution – Dec. 16, 2005 to Jan. 9, 2007.

Iraqi Surge – Jan. 10, 2007 to Dec. 31, 2008.

Iraqi Sovereignty – Jan. 1, 2009 through a date to be determined.

DIDN'T SOVEREIGNTY HAPPEN IN 2004?

"9 June 2004 – Iraq's new government was given international legitimacy last night when the UN security council voted unanimously to support the transfer of sovereignty from the US-led occupation."

www.guardian.co.uk/world/2004/jun/09/iraq.iraq1

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

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.