



The California Zephyr



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PRESIDENT'S MESSAGE

Alan Cook

Happy New Year, it's 2022, which brings up a big anniversary for me. It was 50 years ago I arrived in Vietnam. In November I attended VVA'S twentieth National Convention. It was my sixteenth convention and this was one of the better ones. There were about 700 delegates all diligently following the corona virus protocol. There were no controversial items during the convention. It was a mellow crowd, for the first time we didn't have a division of the house.

One Decision made by the delegates was Government affairs resolution 11 which declares VVA as a last man standing organization. G11 Vietnam Veterans of America, it's officers and board members are prohibited from changing the organization's and/or creating any new veteran's organization to replace our current one; thus, making us a "last man standing organization" Resolution G11 had to be brought to the floor after being rejected by the government affairs committee. I want to commend George Swift and his chapter delegates for bringing the resolution to the floor. It was almost a unanimous vote by the delegates. Chapter 53 also brought to the floor the safe program resolution, which passed. Each resolution was approved by the California State council at our last convention.

At our October state council meeting we had a small turn out of delegates due to the fact the national convention was starting the next Tuesday. Our next meeting is scheduled for January 14th to the 16th 2022. April 15th to the 17th 2022 is the date of the following meeting after January.

GREENSBORO 2021

Submitted by Steve Crecy, Secretary, Chapter 53

It is my pleasure to share some thoughts and photos on behalf of Chapter 53 regarding the VVA National Convention in Greensboro, North Carolina, November 2-6, 2021. Due to the gravity of the future of VVA and in support of Chapter 47's Resolution, our Chapter sent four delegates and I was one. It must be noted that a generous member/delegate in our group covered his own expenses. You must know by now that the Resolution GA11 (forced to come up from the floor) was approved overwhelmingly and we are now a "last person standing" organization from here on out. I know that we are all waiting to hear from our new President, Jack McManus on plans for our near future.

I've been a member of VVA since 1993 and until this year had only visited one National Convention - 1999, Anaheim, CA. Over the years I have attended a few State Council meetings as well. My reason for bringing this up is to share some positive thoughts I came away with. The Convention was well run and impressive. I think the best part is being in the presence of so many brothers and sisters. We met members from all around the country. We met folks from "Rambo to Radar" and "Florence Nightingale to Flo" as I like to express it. The experience reminded me that the bond is our love of Country. I think we should all strive to promote our bonds within our Chapters. Here are a few photos from the Convention:

Site of Convention



Reception night party



VA Healthcare Worker keeping us safe



One of the General Sessions



FORMER VIETNAMESE PRISONER VISITS CHAPTER 201

VVA Chapter 201 was pleased to have two Vietnamese women, Ngoc Mai and Vanessa Nguyen, who live in San Jose, attend the Chapter meeting on October 18th.



Ngoc Mai and Vanessa

Ngoc Mai, was 22 years old when Saigon was taken over by the Communists, and her father, along with thousands more that served with the ARVN, were sent to re-education camps in remote areas. Mai's father was a ARVN Major, assigned at a headquarters in Saigon. He passed away at home in Saigon, 6 months after he was released, from the re-education camp in 1982. Ngoc Mai's two younger brothers escaped Vietnam by boat in 1978, and were able to make it to southern Thailand, where they lived in a refugee camp, until being allowed to immigrate to the U.S. in 1980. It is estimated that more than 200,000 Vietnamese, who tried to escape by boat, after the Communist takeover of South Vietnam, died or disappeared at sea.

Ngoc Mai was put in jail, two different times, when she was caught trying to escape from Saigon and forced to live in a remote, "New Development Region" area near the Cambodian border. In 1989, Ngoc Mai's, mother, and 8 brothers and sisters, were sponsored to immigrate to the U.S. by the two brothers who came to the U.S. in 1980. They were allowed to immigrate to the U.S. under the humanitarian, "Orderly Departure" program, that was created during the years when Reagan was President. In 1992, Ngoc Mai was able to immigrate to the U.S. along with her husband and their young daughter.

Former ARVN, Cang Kim Dong, who is the President of the Chapter 201 Vietnam Veterans of America Associates in San Jose, also spent time in a refugee camp in Thailand. Cang was a 1stSgt. with the Special Forces, US/ARVN "Mike Force", operating near Pleiku, in the Vietnam Central Highlands, when he was captured on March 27, 1975.

The Mobile Strike Force Command, or MIKE Force, was a key component of United States Army Special Forces in the Vietnam War. They served with indigenous soldiers selected and trained through the largely minority Civilian Irregular Defense Group (CIDG) and were led by American Special Forces and Australian Army Training Team Vietnam (AATTN) personnel.

Cang was later able to escape from the re-education camp located in the forests west of Chu Lai, and managed to evade Communist soldiers, while walking more than 50

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The opinions expressed in this newsletter do not necessarily represent the views of VVA, the State Council or its members.

Who Are The Vietnam Veterans Of America?

Founded in 1978, Vietnam Veterans of America, Inc. is the only national Vietnam veterans organization congressionally chartered and exclusively dedicated to Vietnam-era veterans and their families. VVA is organized as a not-for-profit corporation and is tax-exempt under Section 501(c)(19) of the Internal Revenue Service Code.

VVA'S FOUNDING PRINCIPLE

"Never again shall one generation of veterans abandon another."

PURPOSE

The purpose of Vietnam Veterans of America's national organization, the state councils, and chapters is:

To help foster, encourage, and promote the improvement of the condition of the Vietnam veteran.

To promote physical and cultural improvement, growth and development, self-respect, self-confidence, and usefulness of Vietnam-era veterans and others.

To eliminate discrimination suffered by Vietnam veterans and to develop channels of communications which will assist Vietnam veterans to maximize self-realization and enrichment of their lives and enhance life-fulfillment.

To study, on a non-partisan basis, proposed legislation, rules, or regulations introduced in any federal, state, or local legislative or administrative body which may affect the social, economic, educational, or physical welfare of the Vietnam-era veteran or others; and to develop public-policy proposals designed to improve the quality of life of the Vietnam-era veteran and others especially in the areas of employment, education, training, and health.

To conduct and publish research, on a non-partisan basis, pertaining to the relationship between Vietnam-era veterans and the American society, the Vietnam War experience, the role of the United States in securing peaceful co-existence for the world community, and other matters which affect the social, economic, educational, or physical welfare of the Vietnam-era veteran or others.

To assist disabled and needy war veterans including, but not limited to, Vietnam veterans and their dependents, and the widows and orphans of deceased veterans.

FUNDING

Vietnam Veterans of America relies totally on private contributions for its revenue. VVA does not receive any funding from federal, state, or local governments.

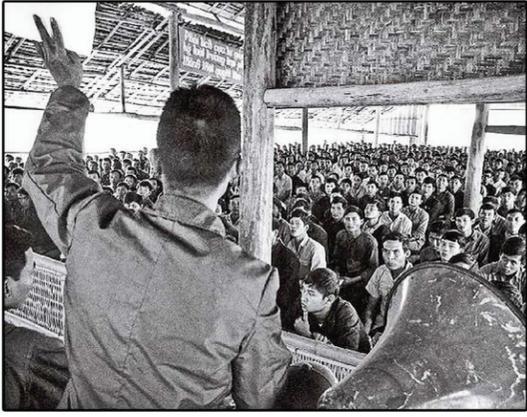


Cang Kim Dong



miles to the Cambodian border, where he was able to take a sampan boat to Thailand, where he lived in a refugee camp, until he was able to immigrate to the U.S. in 1990.

Vanessa Nguyen, pictured with VVA Chapter member, Jack Wells, and Cang Kim Dong, was just 17 years old when Saigon fell to the Communists. The takeover of Saigon, by the North Vietnamese Army, on April 30, 1975, is referred



Communist Re-Education

to, as "Black April" by Vietnamese in the U.S.

One of Vanessa's brothers, who was an ARVN, was 24 years old when he was killed by VC in 1973. After the fall

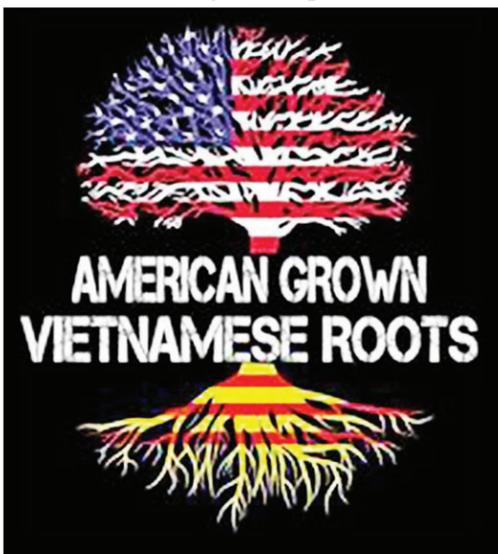


Jack Wells with Cang & Vanessa

of Saigon, her older brother was sent to a "re-education" camp, where he died 3 years later. Some years later Vanessa was married and had two children. Several times, Vanessa and her family tried to escape from Vietnam, and each time were caught by the police and put in jail. In September 1985, Vanessa's husband, along with their daughter, were able to escape by boat to Indonesia, and in 1986 they were able to come to the U.S. Vanessa and her young son tried to escape again, but were caught and put in jail. Tragically, the boat they were in, was rammed by a Communist police boat, and two of Vanessa's friend's children drowned at sea.

When Vanessa's husband received the tragic news about another failed escape attempt, he told them to stay in Saigon, and in February 1992, they were able to come to the U.S. under the humanitarian Orderly Departure program. Vanessa said she was "reborn" when she was able to immigrate to the U.S, which is a common feeling expressed by Vietnamese in the San Jose area. Those who were able to be "reborn" in the U.S. are forever indebted to former President Ronald Reagan for authorizing the humanitarian, "Orderly Departure" program, that allowed Vietnamese from the former South Vietnam, to be able to immigrate to the U.S. and they continually, thank the people of USA for giving them a new life and freedom.

Ngoc Mai and Vanessa Nguyen shared with VVA 201: "We always appreciate America, and Americans who opened their arms to let Vietnamese refugees come to the U.S. We never will forget American soldiers who sacrificed their lives to try and keep South Vietnam free."



CHAPTER 201 PARTICIPATES IN UVC VETERANS DAY PARADE

VVA and AVVA Chapter 201 members participated in the United Veterans Council 2021 Veterans Day Parade

in downtown San Jose on November 11th, the first parade in the Bay Area in two years.



Chapter 201 in 2021 Veterans Day Parade

The Chapter 201 Color Guard included Richard Francis, Stephen Thompson (Secretary/Treasurer), Lin Malaznik and Gerald Arnold. In addition to the normally large contingent of Chapter 201 Associates, the formation was joined by veterans from the San Jose Veterans Center.

CHAPTER 201 DONATES TO PAWS FOR PURPLE HEARTS

Paws For Purple Hearts Advancement Associate Megan Franke provided a demonstration of the skills of their Service Dog, Timmy, a beautiful highly trained Black Labrador, during the November 15, 2021 meeting of Darwin J. Thomas Chapter 201 of Vietnam Veterans of America. Paws provides Service Dogs for Veterans with service connected disabilities.



Megan "Timmy" & Jack Wells

Chapter 201 member Jack Wells invited Megan Franke and Timmy to the November Chapter meeting after witnessing a Paws For Purple Hearts demonstration during a recent Military Officers Association of America meeting.



Warren Finch "Timmy" & Megan

In addition to a significant donation from Chapter 201 during the November meeting, President Warren Finch Presented Certificates of Appreciation to both Megan Franke and Timmy.

CHAPTER 201 CONDUCTS FUNDRAISER

The VVA Chapter 201 holds periodic fundraisers at the former Naval Base at Moffett Field to support Chapter events and activities. Chapter 201 held a Thanksgiving fundraising event on November 20th and 21st at the Moffett Field Commissary in Mountain View, California. In addition to collecting contributions, the Chapter provided information on Agent Orange and the Vietnam Veterans of America and its Associates.



Moffett Field November 20th Fund Raiser

On Saturday, Past President Dave Sanders, Stephen Thompson (Secretary/Treasurer), Wayne Heimsoth and Dennis Foggie (Sergeant At Arms), participated in the fundraiser. The event Commemorated the 56th Anniversary of the Battle of Ia Drang, Vietnam; the first major battle between U.S. Army and North Vietnam -- The battle that changed the war in Vietnam.



Moffett Field November 21st Fund Raiser

On the following Sunday, Gene Fanucchi (Vice President), Stephen Thompson, Dennis Foggie, Jack Wells and Gerald Arnold solicited donations during the VVA-201 Moffett Field Fund Raiser and provided additional information on Chapter 11 of the Disabled American Veterans (DAV).

The Theme of the November fund raising was the commemoration of the 56th anniversary of the Battle of Ia Drang, Vietnam -- the first major battle between the U.S. Army and North Vietnam.



"We Were Soldiers Once"

Ia Drang – The Battle That Changed The War In Vietnam

CHAPTER 756

Activities 2019-2020-2021

1. Purchasing 20 movie tickets for Long Beach VA Hospital so Veterans who are there can be treated to Night out at the movies about five to seven Veterans go and with their escorts also includes popcorn, candy and soda pop once a month been doing that for over 14 years. Knotts Berry Farm Dinner in November.

2. Chapter Honored by City of Lakewood for their Veterans community work.

3. Chapter donating help to Patriots and Paws (supports Veterans with furniture and house hold goods for free), Air Force Sergeant Assoc. , supporting Veterans

Service Officers at Long Beach VA , Vets to Vets (PTSD group) at the Long Beach VA and the 13th MEU Marines in (Anaheim) with Diapers and wipes program for deployed Marines.

4. Was involved in the American Gold Star Manor Memorial ceremony as color guard . 5. Members showed up in support of the Westminster Memorial 1st Sunday of the month event every month. For the "Flag Salute" 6. Will sponsor two Art Contest one Westminster and other at Woodbridge High school. Not done during virus issues. Scholarship money given outfor Price of Freedom.

7.Educating Veterans on benefits and prevention of suicide and directing them for proper help. Giving out food cards at Gold Star Manor.

CHAPTER 500

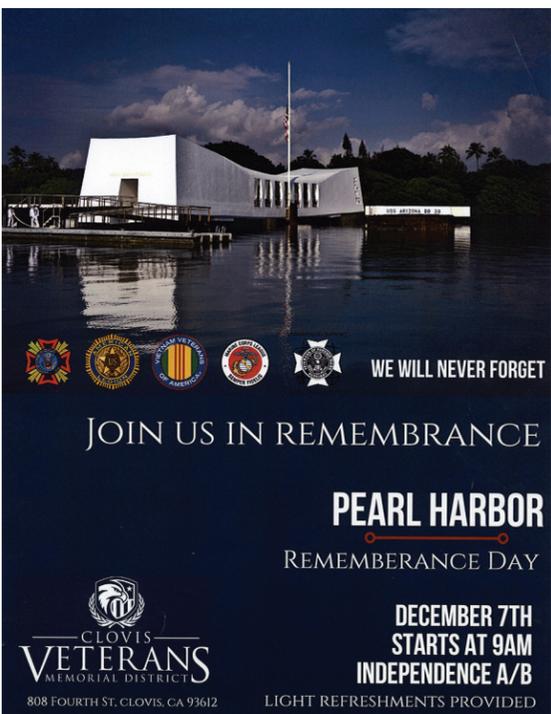
On National POW/MIA Recognition Day, Members of VVA Chapter 500 gathered at the California Vietnam Veterans Memorial to honor those who were captured in conflict and imprisoned by our enemies and those who remain missing. This day of remembrance draws attention to the more than 81,600 service members who are still missing in action, our promise to continue searching for



them, and the families who still wait for their loved ones' return.

Chapter 500 State Delegate Douglas Mitten led the Pledge of Allegiance.

CHAPTER 933



1. Pearl Harbor Day Remembrance poster - Clovis Veterans Memorial District, CVMD

2. Chapter members participated in this year's annual Peral Harbor Remembrance event in Clovis. Shown (back row, seated, L-R): Don Hayhurst, Paul Kaser, Andy Wulf.



Next row: Sam Banuelos (Korean War ex-POW) and 933 member John Sturdivant.

3. Chapter 933 members meet at a different restaurant each month for dinner, games and conversation. Among those at Fresno's Golden Dragon were (clockwise) John



Sturdivant, Michael Kaser (AVVA) Paul Kaser, and Norma Kaser and Henrietta Sturdivant (AVVA).

4. The Veterans Day Dinner at CVMD annually hosts several hundred vets or all eras and their guests. Seen here (clockwise) are VVA Chapter 933 members Norma Kaser, Paul Kaser, Ken Kemmerer, Albeza Kemmerer, Jim



Johnson, Jeanne Johnson, and Justin Tallmadge (Afghan War Marine vet).

CHAPTER 47



1-2. Chapter participated in the Yucaipa Christmas

Parade

3. The chapter presented two \$1000 Scholarships



4. Chapter members placed Wreaths Across America wreaths at Riverside National Cemetery

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HISPANIC HERITAGE MONTH: HISPANIC/LATINO VETERANS' LONG FIGHT TO ACCESS THE AMERICAN DREAM

By Eileen Moore

Mexican-Americans faced horrifying discrimination in this country. In her book "All For One & One For All," author Amy Waters Yarsinske wrote that more Mexicans were lynched in the Southwest between 1865 and 1920 than Blacks in other parts of the South in the same time frame. It was Mexican-American veterans who launched a lasting struggle to attain civil rights for all Hispanic and Latino Americans.

LULAC

The League of United Latin American Citizens was founded by World War I veterans in 1929 in Corpus Christi, Texas by Mexican-Americans struggling against discrimination. It merged with Sons of America, which had been launched in San Antonio shortly after the war, in 1921.

In addition to battling oppression and terror, LULAC's early activists wanted to retain their Latino heritage in a country they felt rejected them and their culture. From its inception, LULAC members have been required to take an oath swearing their loyalty to the government of the United States and their support of its Constitution and laws. LULAC was then and still is primarily a civil rights organization.

A LULAC council was founded in San Bernardino, California, in the early 1930s.

By the late 1930s, LULAC had established other councils in California and New Mexico.

The American GI Forum

At the beginning of World War II, LULAC almost ceased to exist because so many of its members volunteered or were drafted into the armed forces. After taking part in the preservation of freedom in World War II, sol-

diers of Mexican descent returned home eager to be part of the American dream. Many were awarded congressional medals of honor, distinguished service crosses, and silver and bronze stars for their courage and valor. In his book "The American GI Forum," author Henry A.J. Ramos wrote that not a single Spanish surnamed soldier deserted or was charged with cowardice or treason.

After clearly establishing their patriotism, Mexican-Americans returning home were filled with intense optimism. But they were greeted with degrading restaurant and restroom signs declaring "No Dogs or Mexicans Allowed" and "No Mexicans served here." They were refused service in barber shops and entrance into movie theaters. They could not own property in designated areas. They were not permitted to serve as jurors and their children's education was dismal. Many employers refused to hire Hispanic persons. One veteran, John J. Herrera, lamented, "we were serving in the foxholes of the South Pacific, so why couldn't we at least grow up as other Americans?" According to Ramos, compensation checks for Mexican-American veterans from what we now know as the Department of Veterans Affairs, but was then known as the Veterans Administration, were reduced or totally eliminated without due process of law. They were denied health and education benefits they earned under the GI Bill, which benefits were afforded their Anglo counterparts. When they were treated in VA hospitals, they were placed in segregated wards.

Traditional veterans' organizations such as the American Legion and Veterans of Foreign Wars lacked awareness of the concerns of Mexican-Americans. In March 1948, representatives of LULAC and a group of more than 700 Mexican-American veterans met in Corpus Christie to form the American GI Forum. They elected Hector P. Garcia, a medical doctor who rose to the level of major in the Army Medical Corps, as its leader.

The objectives of the GI Forum included aiding needy and disabled veterans, securing and protecting all veterans and their families, preserving and protecting the basic principles of democracy, and defending the United States of America.

The need for assistance to veterans kept growing as thousands of Mexican-American soldiers returned from serving in the Korean War. By the mid-1950s, there were GI Forum chapters in 13 states with sizeable Mexican-American populations. By the mid-1960s, the GI Forum had spread to many other states. Its membership exceeded 100,000.

Whereas early on, the GI Forum focused on securing VA benefits for veterans, before long it joined in LULAC's broader civil rights efforts. Beginning in the late 1950s the two organizations created a series of landmark programs for the Latino community for the advancement of all Hispanics.

The GI Forum's rapid expansion might be attributed, at least in part, to an issue that drew national attention shortly after the organization was formed.

Felix Longoria

Four years after her husband was killed in action in the Philippines, a Mexican American soldier's widow was informed the body of Felix Longoria would be returned to his home town of Three Rivers, Texas. The widow was told by the town's only funeral home that it would arrange for the burial, but only in the town's segregated "Mexican cemetery." The family was also told it could not hold a wake to honor Private Longoria in the funeral home's chapel because "whites would not like it." A friend of the widow contacted the GI Forum, and Dr. Garcia explained to the funeral home to no avail that the family wanted to hold the wake for a man who died defending America. The owner of the funeral home told a local newspaper reporter: "We never made a practice of letting Mexicans use the chapel and we don't want to start now." Dr. Garcia telegraphed many politicians seeking their assistance. The GI Forum staged a peaceful protest, attended by 1,000 persons. National attention grew.

Newly elected Sen. Lyndon B. Johnson received one of Dr. Garcia's telegrams. Johnson wrote to the family that he deeply regretted the prejudice they faced. He explained he had no authority over civilian funeral homes, and neither did the federal government. Johnson did, however, arrange for burial at Arlington National Cemetery with full military honors. And that's where Felix Longoria was interred.

Dangers Faced By Both the American GI Forum and LULAC

Ramos's book describes the physical dangers GI Forum leaders faced as they tried to spread word to veterans across Texas. When they visited towns in South Texas, they were met with "welcoming committees" who threatened and humiliated them.

Menacing phone calls, some to Dr. Garcia's home,

promised violence. This was the McCarthy era, so some called the GI Forum a Communist-inspired subversive organization. Dr. Garcia was called an agitator, a red and a threat to American society.

Yarsinske describes similar resistance to LULAC's efforts at helping Mexican American communities. When members were interacting with Mexican-American workers in Orange County, California in 1947, several LULAC members were rounded up by police and taken to the district attorney's office. Representatives of Associated Farmers, an anti-labor organization, apparently afraid of LULAC's efforts, watched and listened when LULAC members were detained. One of the LULAC members, who had two years of college, asked to speak with his lawyer. Apparently hearing someone request a lawyer, the district attorney emerged from an inner office and told the men from Associated Farmers, "You don't have a case." At that point, the police ordered LULAC organizers to stay out of Orange County. A publication of the Old Courthouse Museum Society says James Davis was the Orange County district attorney in 1947.

LULAC member Hector Godinez said the incident shook him up. He recalled that in the mid to late 1930s, his father took part in a strike in an orange orchard, and many of the strikers were unceremoniously driven south and taken across the border.

Legal Actions

In 1930, LULAC filed an action involving a school district's segregating children of Mexican descent into separate schools, arguing segregation was illegal. The trial judge issued an injunction prohibiting segregation based on Mexican ancestry. In *Del Rio Independent School District v. Salvatierra*, 33 S.W.2d 790, the Texas Court of Civil Appeals vacated the injunction and held the school district could segregate so long as its reason was not race or color. That holding left room for all sorts of mischief, such as contentions that children of Mexican descent had poor English skills, even when they spoke English, or contending that Mexican children working in the fields during part of the school year disrupted classes when they returned to school. The U.S. Supreme Court declined to take the case. 52 S. Ct. 28.

Members of the Santa Ana LULAC Council Number 147 helped organize a class action in California. *Mendez v. Westminster School District*, 161 F.2d 774 (9th Cir. 1947), was decided in 1947. A federal appeals court held that segregating Mexican-American children in public schools violated California law.

Likely inspired by the success in California, LULAC tried to challenge segregated schools in Texas again, the first time since 1930. In *Delgado v. Bastrop Independent School District*, Civil No. 388 (W.D. Tex., June 15, 1948), a federal district court declared the school district could segregate, but only after an individual student's English proficiency was tested.

LULAC and the GI Forum achieved a huge victory in 1954 before the U.S. Supreme Court in *Hernandez v. Texas*, 347 U.S. 475. The two organizations hired San Antonio lawyers Luis Cadena and Gustavo Garcia to defend Pete Hernandez, who had been sentenced to life in prison for murder. The attorneys contended Hernandez had been denied due process and equal protection under the 14th Amendment because all persons of Mexican descent were excluded from jury service by the state of Texas. The state's lawyers argued that persons of Mexican descent were White and that Whites were not excluded from jury service.

In the high court's analysis, it quoted a sign on a restroom door in the courthouse where Hernandez was convicted. There were two men's rooms. Other than indicating it was a restroom for men, one had no sign. The other men's restroom read: "Colored Men and Hombres Aqui." In a unanimous opinion authored by Chief Justice Earl Warren, the high court concluded petitioner "succeeded in his proof ... that persons of Mexican descent constitute a separate class in Jackson County, distinct from 'whites.'" It is of interest that the decision in *Hernandez* came down on May 3, 1954. The decision in *Brown v. Board of Education*, 347 U.S. 483, the school desegregation case, also a unanimous opinion authored by the chief justice and based on a violation of equal protection, came down on May 14, 1954.

In 1968, LULAC created the Mexican American Legal Defense and Education Fund to provide legal services to the Hispanic community. For many decades, MALDEF has served as the legal arm of the Hispanic community in America.

400Words

To try to deal with the language issue in schools, and wage a claim that students were being segregated on the basis of ethnicity rather than language, in the late 1950s, the GI Forum assisted LULAC in developing the Little

Schools of the 400 program. Its objective was to teach pre-school children the 400 most commonly used English words. The program was very successful, and Yarsinske says it was the model used for the Headstart program the federal government launched in 1965.

The Little Schools of the 400 program was the idea of Houston Judge Alfred Hernandez. He had met a psychology professor years earlier at the University of Houston. They discussed the inability of many Mexican-American children to test well on examinations designed for mainstream America. The professor had a theory that with 400 basic words, a Latino first grader could get along in English.

In the summer of 1957, LULAC arranged for a high school sophomore to test a program with 45 students. Isabel Verver taught the students five new words a day. Eventually the program spread throughout Texas, but only after LULAC and the GI Forum were able to convince the state it saved money when children didn't have to repeat the first grade.

Today, LULAC's National Education Service Centers has a nationwide network of education centers. LNES provides tutoring, mentoring, educational advice and millions of dollars in scholarship funds.

SER Jobs for Progress

In 1964, LULAC and the GI Forum collaborated in creating the SER Jobs for Progress program. SER is the acronym for service, employment and redevelopment, and means "to be" in Spanish. The name was selected to inspire Hispanics to be their best.

SER was run by volunteers at first, and later sought funding from the U.S. Department of Labor. Its placement centers were designed specifically to address Latinos' employment needs. The program was modeled after the Navy's Equal Opportunity Program.

By 1968, there were placement centers in San Jose, Santa Clara, Santa Ana and San Diego, California. The program quickly drew advisors from Fortune 500 companies. In 1970, SER included its Veterans Outreach Program, VOP, to assist Hispanic Vietnam veterans in finding jobs. By the 1990s, SER was a national private nonprofit organization operating 43 centers throughout the nation.

Voting Rights

Each year, both LULAC and the GI Forum made significant efforts to register Mexican American voters. Critics said their efforts were "Communist inspired." Texas Gov. Allan Shivers, who was elected to the office in 1950, called for an investigation of the GI Forum, alleging misuse of public funds. The state attorney general cleared the Forum of any wrongdoing.

Author Edna Ferber contacted the GI Forum as part of her research for her book "Giant," published in 1952 and later made into a motion picture about Texas. Dr. Garcia spent three weeks with Ferber, providing accounts of what life was like for Mexican Americans in Texas. The film portrays a scene where a woman from the north is shocked to learn that the gates of ranches are locked shut on election days to prevent Mexican-American workers from voting.

The GI Forum was denounced by other veterans groups for its drive to get out the vote in 1955-56. Chapters of the American Legion, Veterans of Foreign Wars and National Guardsmen refused to march with the GI Forum on Veterans Day. One Forum member published an op-ed, stating: "Members of the GI Forum paid for the right to participate in poll tax drives with the blood, the guts and the lives of their comrades left overseas." In 1959, while running for president, Sen. John F. Kennedy became a member of the American GI Forum. He called it "a splendid organization of Spanish-speaking ex servicemen." In the 1980s, the GI Forum was the principal advisor to President Ronald W. Reagan on Latino civil rights issues.

The GI Forum's efforts to get out the vote in Texas spread to California. In 1960, the Mexican American Political Association, MAPA, was formed and based in California. Its goal was to incorporate Spanish speaking people into American politics and society in general.

Conclusion

Among other readings to prepare for this article were four books, one of them specifically about the American GI Forum and another specifically about LULAC. Each attributes many of the same endeavors to its subject organization. I infer that veterans in each worked so closely at times that the two groups were inextricable.

As the years went by, and the leaders of the American GI Forum aged, that organization's impact was reduced. But in its heyday, it was quite influential. Its founder, Dr. Hector Garcia was appointed by President Johnson as alternate ambassador to the United Nations. The founder of the Forum's New Mexico chapter, Vicente Ximheenes, was both a commissioner on the Equal Employment Op-

portunities Commission and chair of the Inter-Agency Cabinet Committee on Mexican American Affairs. In 1983, President Reagan presented Dr. Garcia the Presidential Medal of Freedom, the highest honor the president can bestow upon a civilian.

LULAC, however, has continued to flourish. Its mission today is to advance the economic condition, educational attainment, political influence, housing, health and civil rights of the Hispanic population of the United States and Puerto Rico. Its website says it's the largest and most active membership organization serving the Latino community.

All of these developments occurred because returning veterans of Mexican descent wanted all Hispanics and Latinos to have access to the American Dream.

ARE WE TURNING OUR BACK ON OUR VETERANS... AGAIN?

By Eileen Moore

It's beginning to look a lot like bias / Everywhere you go / Take a look at Cal and the feds, not listening once again / Just like our country acted long ago.

Marine Nick Bernardino, president of the Veterans Alliance of Orange County, says appearing at Irvine City Council meetings makes him feel like he did when he returned from Vietnam. At those meetings, when he stands to discuss a veterans' cemetery, he is booed.

Even though I served as a combat nurse in Vietnam, I didn't recognize the full impact of how poorly we treated our Vietnam vets until long after that war. It was sometime in the 1990s that the local chapter of Vietnam Veterans of America asked me to speak at a special event at the Richard Nixon Presidential Library. Off to the side of the auditorium were three rows of pitiful looking men wearing tattered fatigues and looking lost. I thought to myself "homeless, self-medicated, PTSD." After I spoke, those men completely surrounded me. I can't remember if they even said anything. They just wanted to touch me. Some had a hand on my shoulder or back or arms. One stroked his pointer finger over and over the back of my hand. They didn't care that I was a judge. I realized those men had absolutely no good memories about Vietnam except the nurses. I remembered how during the war our soldiers would open their eyes after surgery and see an American girl standing over them. Their eyes filled with tears and they'd reach out to touch us, just to make sure we were really there. Even when we had to tell them they lost an arm or a leg or an eye, they'd always say something about home, about America. I heard "Charlie can't get me now; I'm goin' home" more than once.

But when they flew home, they were warned to change out of their uniforms before getting off the plane because they might run into groups hostile to the war. Many never told anyone they served. Later, of course, we saw some, and still see them, wandering along public streets, looking hopeless and lost.

Since Vietnam, we've learned that even when we hate a war, we can still love our warriors. At least I thought we learned that lesson. But maybe not.

Increasingly, I've seen signs America may be turning its back on those who served. I'll tell you about these signs, and you can decide for yourself.

Federal

THE DEPARTMENT OF VETERANS AFFAIRS AND CONGRESS

Congress passed legislation in 2010 that provides benefits to caregivers of seriously injured combat veterans to help the caregivers provide the most effective care to those vets. 38 U.S.C. Section 1720G(a). But when the Department of Veterans Affairs passed the regulations to implement that statute, the VA adopted a rule that barred any appeal when it denied caregiver benefits. Then the VA proceeded to deny caregiver benefits across the country, even to veterans missing up to three limbs and veterans blinded in war.

One of the vets denied caregiver benefits is a Marine. He completed five combat tours in Iraq and Afghanistan and was medically discharged after he suffered multiple concussions resulting in traumatic brain injury that ultimately blinded him. He is 100% disabled. Jeremy Beaudette and his wife Maya were denied caregiver benefits by the VA.

Two California lawyers, Amanda Pertusati and Andy LeGolvan, took the Beaudettes' case. Last April, they obtained a ruling from the Court of Appeals for Veterans Claims. The CAVC certified a class action for all veterans who were denied caregiver benefits and not afforded the right to appeal. The CAVC also enjoined the secretary of the VA from denying review of future benefits decisions

under the program.

Before the ink was dry on that injunction giving veterans and caregivers the right to appeal, two members of the House of Representatives introduced legislation to amend the caregiver statute. The bill of Reps. Mike Bost [R-Ill.] and Jack Bergman [R-Mich.] is to amend 38 U.S.C. Section 1720G(a) to say that the VA's caregiver denials "may not be appealed." Democrats also sit on the committee and they voted for the amendment as well. HR 4625 advanced out of the House Committee on Veterans' Affairs, chaired by Mark Takano [D-Calif.]. Who knows where the bill will end up.

THE DEPARTMENT OF VETERANS AFFAIRS AND THE COURT

It is unbelievable that the VA is still resisting providing veterans their benefits for diseases incurred as a result of exposure to Agent Orange in Vietnam. In 1989, veterans pursued a class action in federal district court. *Nehmer v. United States Veterans' Administration*, 712 F. Supp. 1404 (N.D. Cal. May 3, 1989). Eventually, the case settled. Supposedly.

But Vietnam vets have had to go back to court many times over the years to seek help in making the VA comply with the settlement. A federal appeals court stated: "What is difficult for us to comprehend is why the Department of Veteran Affairs, having entered into a settlement agreement and agreed to a consent order some 16 years ago, continues to resist its implementation so vigorously, as well as to resist equally vigorously the payment of desperately needed benefits to Vietnam war veterans who fought for their country and suffered grievous injury as a result of our government's own conduct. One thing is clear. Those young Americans who risked their lives in their country's service and are even today suffering greatly as a result are deserving of better treatment from the Department of Veterans Affairs than they are currently receiving. We would hope that this litigation will now end, that our government will now respect the legal obligations it undertook in the Consent Decree some 16 years ago, that obstructionist bureaucratic opposition will now cease, and that our veterans will finally receive the benefits to which they are morally and legally entitled." *Nehmer v. U.S. Department of Veterans Affairs*, 494 F.3d 846, 864-65 (9th Cir. 2007).

Sadly, navy vets had to take the VA back to court a year ago, and the case is still ongoing, a half century later.

California

HIRING VETERANS

At the California Assembly Labor and Employment Committee public hearing on June 22, 2021, Senate Bill 665 was discussed. The bill concerned preference for veterans by private employers -- a preference which is available in 40 other states and analogous to what public sector employers do in all 50 states and the federal government. It also provided that those who were discharged from the military due to their sexual orientation be considered as veterans for all purposes. It was introduced by Sen. Tom Umberg [D-Orange], a retired Army Colonel. The bill had bipartisan support, as well as the support of dozens of local, state and national veterans' organizations. Two persons spoke in opposition to the bill. Kevin Baker, director of governmental relations for the Americans Civil Liberties Union, said "it does not honor veterans to practice discrimination in their name, nor is it necessary to do so." He also said veterans don't need such protections "any more than Senator Umberg does." The second person who spoke in opposition was Jennifer Pizer of Lambda Legal, a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals and transgender people. She said women, transgender people and people living with a disability would be burdened by this bill. She added that those who served in the military tend to be male, white and not transgender and they don't need advantages.

And the opposition prevailed. Gov. Gavin Newsom returned SB 665 without his signature, explaining: "I am concerned that the veterans' preference policies that would be permitted by this legislation could negatively impact employment opportunities for women and other protected groups underrepresented among veterans, such as people with disabilities."

Diversion

Diversion is a way of providing treatment for some accused of crimes without any prosecution at all. The courts send those persons directly to programs. If they wash out, of course, they are prosecuted.

In recent years, the California Legislature has enacted two important diversion statutes. Penal Code Section 1001.36 permits diversion for mentally ill persons accused of a crime. The mentally ill are diverted for both felonies and misdemeanors.

The second recent diversion statute is found in Pe-

nal Code Section 1001.80. That is commonly known as military diversion. For some unknown reason, however, the Legislature has limited diversion for veterans to misdemeanors. Thus, veterans who commit felonies cannot be diverted, even if the crime was committed while suffering from an injury sustained while protecting this country.

Penal Code Section 1170.91

Section 1170.91 first came into effect in 2015. It mandates that judges sentencing veterans consider post-traumatic stress disorder, traumatic brain injury, sexual trauma and other conditions resulting from military service as a mitigating factor in the sentence. But that left out veterans who were in prison before the statute was enacted. To address that issue, as of, 2019, the statute was amended to permit incarcerated veterans to come back to court and ask for a lower sentence if they were sentenced prior to January 1, 2015.

The problem still wasn't solved, however, because there were veterans who were sentenced after January 1, 2015, but who had not been diagnosed with PTSD, TBI, etc. until after their sentencing. They were left out in the cold.

This problem was highlighted by two courts in *People v. Valliant*, 55 Cal. App. 5th 903 (2020). The Court of Appeal ended its opinion with a message to the Legislature: "While Valliant's position here may be unusual, we doubt it is unique. With that thought in mind, we invite the Legislature to revisit this issue and, if it believes it is appropriate to do so, to provide Valliant and any other veteran in a similar position, with statutory relief." And when the Supreme Court denied review, Justice Goodwin Liu took the unusual step of writing separately: "I agree with the Court of Appeal that it is unlikely the Legislature specifically intended this result." In 2021, California Sen. Dave Min [D-Orange] introduced SB 763. Senator Min's bill eliminated the date in the statute and proposed it simply say that if the court had not already considered those conditions as a mitigating factor, the incarcerated veteran could come back to court and ask for a lower sentence.

That seemed simple enough. But the bill couldn't get passed Sen. Anthony Portantino's [Dem-Los Angeles] Appropriations Committee. Since the slight change in the statute would cost nothing, then why?

The courts

I'm not sure why there has been such a problem getting the word out to veterans accused of a crime that there are several statutes enacted just for their benefit. I suspect it has something to do with the business model of criminal defense firms. That is, they tend to charge by the number of appearances, such as three appearances for X dollars. But with Veterans Treatment Courts and diversion, since it takes a lot more time for a veteran to heal through therapy than it takes to plead guilty, there are more than the usual number of court appearances, which situation would require the charge to be X-plus dollars. Some think that private criminal defense lawyers don't want to lose business by having to quote higher charges for the increased number of court appearances required for therapy courts, so they simply don't inform veterans of the options available to them.

Because veterans were not being told of their options, the Legislature amended Penal Code Section 858, the arraignment statute that has been in effect since 1872. That amendment was an attempt to get the word to veterans in a few different ways.

First, it ordered the Judicial Council, the governing body for all California courts, to amend an existing form, MIL-100, created several years earlier by the Council's Veterans and Military Families subcommittee. The mandate was to revise the form to include information about the statutes passed for the benefit of veterans. The form was timely revised as of January 1, 2015, the same date the amendment went into effect.

Second, the amendment requires arraignment courts to inform the defendant there are certain provisions of law specifically designed for individuals who have active duty or veteran status. The courts are supposed to offer form MIL-100 to all persons arraigned, thus capturing all those who serve or previously served in the military.

To this day, many arraignment courts up and down California are ignoring those requirements at arraignments. As a consequence, many veterans are not being informed of statutes beneficial to them.

Conclusion

Our veterans come home with all sorts of wounds, visible and invisible. When, as now, some are turning their backs on veterans, they need others to step forward and help them. It's simply not enough to say "thanks for your service," and then forget about them. Lawyers are in an ideal position to help. The best part of the holiday season is being able to touch somebody's life. Please try to help

a veteran.

EILEEN C. MOORE

Associate Justice, California Courts of Appeal

In a former life, Justice Eileen Moore served as a combat nurse in Vietnam in the Army Nurse Corps. She was awarded the Vietnam Service Medal, the National Defense Service Medal and the Cross of Gallantry with Palm. She is a member of Vietnam Veterans of America. Since 2008, she has chaired the Judicial Council' Veterans and Military Families Subcommittee. She is a member of the American Bar Association's Standing Committee on Armed Forces Law, is an advisor to the California Lawyers Association's Military and Veterans Committee and the Orange County Veterans & Military Committee as well as a founding member of USVets' Women's Advisory Committee. She is the author of two award-winning books, *Race Results* and *Gender Results*.

ARE YOU ELIGIBLE TO FILE FOR BENEFITS BASED ON PRESUMPTIVE EXPOSURE?

News Sections: Benefits

Bryan Lett is a USMC Veteran and public affairs specialist for VBA's Office of Strategic Engagement

Were you exposed to hazardous materials while serving in the military, such as from Agent Orange or burn pits? Did you serve in Vietnam, Thailand or Southwest Asia? If so, you may be eligible to file for service-connected benefits based on presumptive exposure.

Over the course of the last six months, VA has begun processing service-connected disability claims for six new presumptive conditions related to exposure to hazardous materials.

In May 2021, VA started implementing provisions of the William M. Thornberry National Defense Authorization Act for Fiscal Year 2021 (NDAA), adding bladder cancer, hypothyroidism and Parkinsonism to the list of medical conditions presumptively associated with exposure to Agent Orange. A few months later, VA added asthma, rhinitis and sinusitis (to include rhinosinusitis) on a presumptive basis based on particulate matter exposures during military service in Southwest Asia and certain other areas.

Any Veteran who was previously denied service-connection for any of these six conditions but had symptoms manifest within 10 years of military service would need to file another claim. Be sure to use VA Form 20-0995, "Decision Review Request: Supplemental Claim" when filing. The claim form should include the name of the medical condition and also specify that the medical condition is being claimed due to in-service exposure to environmental hazards.

VA is committed to assisting Veterans who may have been exposed to hazardous materials during their military service.

Be sure to stay plugged in to www.va.gov for the most recent developments around environmental hazards; VA is constantly conducting research and surveillance, as well as reviewing scientific literature for conditions that may be related to exposure during military service.

If you feel you have a chronic condition attributed to an in-service exposure, we highly encourage you to file a claim. For more information about VA benefits and eligibility, or how to file a claim, Veterans and survivors can visit VA's website at www.va.gov or call toll-free at 1-800-827-1000.

VA EXTENDS AGENT ORANGE PRESUMPTION TO 'BLUE WATER NAVY' VETERANS

The U.S. Department of Veterans Affairs (VA) is preparing to process Agent Orange exposure claims for "Blue Water Navy" Veterans who served offshore of the Republic of Vietnam between Jan. 9, 1962, and May 7, 1975.

These Veterans may be eligible for presumption of herbicide exposure through Public Law 116-23, Blue Water Navy Vietnam Veterans Act of 2019, which was signed into law June 25, 2019, and goes into effect Jan. 1, 2020. They may also qualify for a presumption of service connection if they have a disease that is recognized as being associated with herbicide exposure.

The bipartisan Blue Water Navy Vietnam Veterans Act gives VA until Jan. 1, 2020, to begin deciding Blue Water Navy related claims. By staying claims decisions until that date, VA is complying with the law that Con-

gress wrote and passed.

"VA is dedicated to ensuring that all Veterans receive the benefits they have earned," said VA Secretary Robert Wilkie. "We are working to ensure that we have the proper resources in place to meet the needs of our Blue Water Veteran community and minimize the impact on all Veterans filing for disability compensation."

Blue Water Navy Veterans are encouraged to submit disability compensation claims for conditions presumed to be related to Agent Orange exposure. Veterans over age 85 or with life-threatening illnesses will have priority in claims processing.

Veterans who previously were denied for an Agent Orange related presumptive condition can file a new claim based on the change in law. Eligible survivors of deceased Blue Water Navy Veterans also may benefit from the new law and may file claims for benefits based on the Veterans' service.

The new law affects Veterans who served on a vessel operating not more than 12 nautical miles seaward from the demarcation line of the waters of Vietnam and Cambodia, as defined in Public Law 116-23. An estimated 420,000 to 560,000 Vietnam-era Veterans may be considered Blue Water Navy Veterans.

To qualify under the new law, these Veterans must have a disease associated with herbicide exposure, as listed in 38 Code of Federal Regulations section 3.309(e).

Agent Orange presumptive conditions are:

- AL amyloidosis
- Chloracne or similar acneform disease
- Chronic B-cell leukemias
- Diabetes mellitus Type 2
- Hodgkin lymphoma, formerly known as Hodgkin's disease
- Ischemic heart disease
- Multiple myeloma
- Non-Hodgkin lymphoma, formerly known as Non-Hodgkin's lymphoma
- Parkinson's disease
- Peripheral neuropathy, early-onset
- Porphyria cutanea tarda
- Prostate cancer
- Respiratory cancers (lung, bronchus, larynx or trachea)

Soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma or mesothelioma).

For more information about Agent Orange exposure in Vietnam waters (Blue Water Navy Veterans), visit <https://www.va.gov/disability/eligibility/hazardous-materials-exposure/agent-orange/navy-coast-guard-ships-vietnam/>.

Veterans seeking more information should contact their Veterans Service Officer, call VA's toll-free number at 800-827-1000 or visit the VA Blue Water Navy Agent Orange website.

VA releases updated DOD list identifying Agent Orange sites outside of Vietnam

The U.S. Department of Veterans Affairs (VA) has released an updated Department of Defense (DOD) list of locations outside of Vietnam where tactical herbicides were used, tested or stored by the United States military.

"This update was necessary to improve accuracy and communication of information," said VA Secretary Robert Wilkie. "VA depends on DOD to provide information regarding in-service environmental exposure for disability claims based on exposure to herbicides outside of Vietnam."

Thorough review

DOD conducted a thorough review of research, reports and government publications in response to a November 2018 Government Accountability Office report.

"DOD will continue to be responsive to the needs of our interagency partners in all matters related to taking care of both current and former service members," said Defense Secretary Mark T. Esper. "The updated list includes Agents Orange, Pink, Green, Purple, Blue and White, and other chemicals and will be updated as verifiable information becomes available."

See the full list of locations at https://www.publichealth.va.gov/docs/agentorange/dod_herbicides_outside_vietnam.pdf.

Veterans who were exposed to Agent Orange or other herbicides during service may be eligible for a variety of VA benefits, including an Agent Orange Registry health exam, health care and disability compensation for diseases associated with exposure. Their dependents and survivors also may be eligible for benefits.

HISTORICAL REFLECTIONS OF THE VIETNAM WAR

Joseph Montoya

THE TOMB OF THE UNKNOWN



On 11 November 2021, Veterans Day – the United States celebrated the 100th anniversary of the Tomb of the Unknown Soldier located at Arlington National Cemetery in Virginia, within the shadows of Washington D.C. It is now referred to as "The Tomb of the Unknown", a more politically correct term since the remains "... known only to God ..." could be those of an American military personnel from any one of the branches of services: an airman, a marine, a sailor or a soldier. Yet the history of the Tomb of the Unknown by both the United States and other countries is an interesting story in itself.

Human beings have been at war with one another since the start of time and, as part of any armed conflict, the treatment of the dead – especially those left unknown – has evolved over the years. Historical recollections shed some light into the military traditions of the past to honor dead unknown military personnel with the most famous – and perhaps oldest tribute – being an engraved tablet honoring the 300 Spartans who were killed, and later buried, as "unknowns" from the Battle of Thermopylae which was fought in the middle of 480 BC over a course of three days between 7,000 +/- Greek protectors – a figure recently re-estimated down to 2,300 troops [i.e., 900 Helots, 400 Thebans, 700 Thespians and 300 Spartans] – and an invading Persian force of 150,000 +/- troops. At the end of the battle, fearing defeat, the bulk of the Greek Army retreated from the battlefield.

Persian Gates



At a location commonly referred to today as the "Persian Gates", the Greek army's retreat was guarded at a narrow pass by a unit of 300 Spartans who were reported to have been the only ones to have fought to the death. After the battle, a monument was erected by the Greeks regarding the 300 dead Spartans – whom they referred to as "Lacedaemonians" – because Sparta was located within the Lacedaemonia region and they were known for obeying their laws which meant even fighting to the death as ordered. Years later at the abandoned battlefield, a stone tablet was discovered with an engraved epitaph credited to the poet-propagandist Simonides [556 BC – 468 BC] which reads as follows:

"... Ω ΕΙΝ ΑΓΓΕΛΛΕΙΝ ΛΑΚΕΔΑΙΜΟΝΙΟΣ ΟΤΙ ΤΗΔΕ ΚΕΙΜΕΘΑ ΤΟΙΣ ΚΕΙΝΩΝ ΠΗΜΑΣΙ ΠΙΘΟΜΕΝΟΙ ...".



"... Oh Stranger, Tell The Lacedaemonians That Here We Lie, Obedient To Their Laws. ...".

A review of military history indicates dedicating a "Tomb Of The Unknown" is not an original American

idea.

Four years after the 28 July 1914 start of World War I, as the final days of the war were approaching, both Great Britain and France decided to prohibit the repatriation of the remains of their dead military personnel killed in Europe. The war finally came to an end on 11 November 1918. For two years thereafter, the respective families of the dead and the populations in general from both countries publicly protested these decisions to such an extent that in actions intended to appease their citizenship, both Great Britain and France repatriated one unknown soldier back to their native soil for burial, be-



Westminster Abbey

coming the first two countries in the modern world to pay tribute to their fallen and unknown military personnel. The plans for the British "Unknown Warrior" began on 8 November 1920 when British Army Brigadier General Louis John Wyatt [1874 – 1955], General Officer in



British Tomb of the Unknown

charge of British troops in France and Flanders, selected one set of remains from four as the unknown. Thereafter, on 11 November 1920, with King George V in attendance along with 100 women selected as "guests of honor" because they had each lost their husband's and all their sons in the war, the British "Unknown Warrior" was buried at the west end of Westminster Abbey in London.

The French "Unknown Soldier" process began at 1500 Hours on 10 November 1920 at the Citadel of Verdun when French Army Private Auguste Thien, Infantryman, 123e Régiment d'Infanterie, reviewed eight identical coffins, each bearing the remains of an unknown French soldier who had been killed during the Great War. Thien then selected the sixth of the eight coffins. He later disclosed he selected the 6th coffin because his regiment's number (1+2+3) added up to 6. The remains were then transported to Paris to rest in the chapel on the first floor of the Arc de Triomphe until 28 January 1921 when they were buried at the base of the Arc. An eternal "flame of remembrance" was installed at the base of the tomb and on 11 November 1923 it was lite for the first time. Thereafter – and every evening since at 1830 Hours – the flame is lite so as to illuminate the darkness as a permanent reminder of the sacrifice of an unknown French soldier who gave his life for France during World War I.

Arc de Triomphe French Tomb of the Unknown In 1961, U.S. President John Fitzgerald Kennedy [29 May



Arc de Triomphe

1917 – 2 November 1963] and First Lady Jacqueline Lee "Jackie" Bouvier Kennedy [Onassis] [28 July 1929 – 19 May 1994] paid their respects at the Tomb of the Unknown Soldier, accompanied by French President Charles André Joseph Marie de Gaulle [22 November 1890 – 9 November 1970]. Thereafter, following the 1963 assassination of President Kennedy, Mrs. Kennedy remembered the eternal flame at the Arc de Triomphe and requested a similar eternal flame be installed next to her husband's grave at Arlington National Cemetery in Virginia. French President de Gaulle went to Washington to attend the state funeral for the assassinated President Kennedy, and witnessed Mrs. Kennedy lighting the eternal flame that had been inspired by her earlier visit to France.

The Unknown Of World War I Regarding America's Tomb of the Unknown, it's roots begin prior to World War I. Between the end of the Revolutionary War and the start of the Civil War, the remains of unknown military personnel were typically buried in mass graves. Although the 1862 establishment of a nationwide system of cemeteries began to provide a sense of order to the treatment and burial of the dead American active duty military and veteran population, the repatriation of the dead from overseas assignments and the unsuccessful attempts to reduce the number of unknown dead American military personnel continued to plague the military.

Following the 28 July 1914 start of World War I, the War Department [later to become the Department of Defense on 10 August 1949] began issuing to all U.S. service members aluminum identification discs to be worn around the neck [later referred to as "dog tags"], becoming the first tool to aid in the process of identifying both the wounded and the remains of the dead. Another War Department improvement was the creation of the Quartermaster Corps and the Graves Registration Service to aid in the coordination of the burial of dead American military personnel overseas and in the continental U.S. Still unresolved however, was the issue of repatriating the World War I remains of more than 100,000 U.S. casualties.

To solve this issue, the War Department gave the next of kin and families of the war dead the choice of either having the remains of service members who died in Europe to either be transported to anywhere in the United States at no cost to the family or to bury their dead at permanent U.S. military cemeteries that were being established throughout Europe. World War I finally came to an end on 11 November 1918.

After reading the announcements of the efforts by

Great Britain and France to honor their "unknown" dead military personnel, in December 1920, Hamilton Fish, Jr., [7 December 1888 – 18 January 1991], a World War I army veteran with the 369th Infantry Regiment [the "Harlem Hellfighters"] and later a State of New York Congressman, proposed legislation that would provided for the interment of one unknown dead American military personnel at a special tomb to be built in Arlington National Cemetery. The purpose of the legislation was "... to bring home the body of an unknown American warrior who in himself represents no section, creed or race in [World War I] and who typifies, moreover, the soul of America and the supreme sacrifice of her heroic dead. ...".

Construction – June 1921 Following the approval by Congress, in October 1921 four bodies of unidentified U.S. military personnel were exhumed from different



Construction – June 1921

American military cemeteries in France. On 23 October 1921, the four caskets arrived at the City Hall of Châlons-sur-Marne (now called Châlons-en-Champagne), France.

Early on the morning of 24 October 1921, Army Major Robert Pattison Harbold, [22 January 1881 – 11 November 1952], the officer in charge of the Unknown selection ceremony by the Quartermaster Corps, with the aid of French and American soldiers, rearranged the caskets so that each rested on a shipping case other than the one in which it had arrived. Harbold then selected Army Infantry Sergeant Edward F. Younge, [24 September 1898 – 6 August 1942], Headquarters Company, 2nd Battalion, 50th Infantry, American Forces in Germany, originally assigned as one of six pallbearers for the service, to select the Unknown Soldier. Younger selected the Unknown by placing a spray of white roses on one of the caskets. After traveling from France aboard the USS Olympia (C-6), the Unknown Soldier's casket arrived in Washington, D.C., and lay in state in the U.S. Capitol Rotunda. On 11 November 1921, the Unknown was placed on a horse-drawn caisson and moved from Washington, D.C. to Arlington National Cemetery's new Memorial Amphitheater, where it was interred in the Tomb of the Unknown Soldier. Nationwide, Americans observed two minutes of silence at the beginning of the ceremony. President Warren Gama-liel Harding [2 November 1865 – 2 August 1923] officiated at the ceremony which included Harding awarding the Unknown the Medal of Honor posthumously which was placed on the casket. Multiple foreign dignitaries also presented the Unknown with their nations' highest military awards as well. President Harding thereafter presented the Medal of Honor posthumously to the Unknown Soldiers from Belgium, France, Great Britain, Italy, and Romania – the only time the Medal of Honor has ever been awarded to foreign combatants.

Years later, the simple marble slab was modified with the construction of a sarcophagus decorated as follows: 1. North facing side panel with three wreaths; 2. East facing front panel with figures representing Peace, Victory and Valor; 3. South facing side panel with three wreaths; and 4. West facing rear panel with the inscription: "... Here rests in honored glory an American soldier known but to God. ...".

The Unknown Of World War II And The Korean War Twenty years later, following the 7 December 1941 Japanese attack on Pearl Harbor, Hawaii, America was at war again. Four years after that "... day of infamy ...", the defeat of Germany on 8 May 1945 – Victory in Europe [V-E] Day, and the deployment of 2 atomic bombs over Japan, on 14 August 1945 – Victory In Japan [V-J] Day, World War II came to an end. Thereafter, circa 1950, Congress and the Department of Defense were planning the interment of the World War II Unknown Soldier. However, following the 25 June 1950 attack by North Korean troops into South Korea, the World War II Unknown Soldiers burial was postponed. Three years later, on 27 July 1953, an armistice went into effect suspending – but not ending – the Korean War. Thereafter, Congress and the Department of Defense resumed the process to select and



French Tomb of the Unknown

bury the Unknown Soldier of World War II as well as the Unknown Soldier of the Korean War. Another three years later, on 3 August 1956, President Dwight David "Ike" Eisenhower [14 October 1890 – 28 March 1969] approved the selection and interment of the Unknowns from both World War II and the Korean War.

Regarding the Korean War Unknown, 4 unknown bodies were exhumed from the National Memorial Cemetery of the Pacific in Honolulu, Hawaii, and transported to Hickam Air Force Base, Hawaii. On 15 May 1958, Army Master Sergeant Ned Lyle [5 September 1925 – 10 April 1987], a Korean War combat veteran and recipient of the Distinguished Service Cross, selected the Korean War Unknown. Thereafter, on 26 May 1958, while on the deck of the USS Canberra (CA-70), the selected Korean War Unknown was placed between two World War II Unknown candidates [one representing the Trans-Atlantic (Europe and North Africa) Theater and the other representing the Pacific Theater]. Navy Hospital Corpsman 1st Class William R. Charette, a Medal of Honor recipient from the Korean War, then selected the World War II Unknown. The caskets of the World War II and Korean War Unknowns were then transported to Washington, D.C. The unselected remaining World War II Unknown then received a solemn burial at sea.

Upon arriving in Washington, D.C. on 28 May 1958, the caskets of the World War II and Korean War Unknowns were transported to the U.S. Capitol Rotunda where they laid in state for two days. Thereafter, on 30 May 1958, the Unknowns were transported to Arlington National Cemetery and interred in ground crypts to the west of the World War I Unknown. President Eisenhower then presented the Medal of Honor posthumously to the Unknown Soldiers of World War II and the Korean War.

The Unknown Of The Vietnam War Blassie Following the fall of Saigon on 30 April 1975, the Department of Defense pursued every means possible to identify all of the unknown remains of the Vietnam War. Using new forensic science techniques including, but not limited to, DNA comparisons, by May 1984 only one set of recovered American remains from the Vietnam War had not yet been identified.

of Honor to the Unknown Soldier of the Vietnam War.

Fourteen years thereafter, on 14 May 1998, the remains were disinterred for more advanced DNA analysis. On 30 June 1998, the body buried as the Unknown Soldier of the Vietnam War was identified as Michael Joseph Blassie, 24, Air Force 1st Lieutenant, Pilot, 8th Special Operations Squadron, 377th Air Base Wing, 7th Air Force, who on 11 May 1972, was piloting an A-37B Dragonfly fighter jet [No. 69-6345] when he was shot down and killed in combat near An Loc, Binh Long Province, South Vietnam. On 11 July 1998, Blassie's remains were reburied with full military honors at the Jefferson Barracks National Military Cemetery in St. Louis, Missouri. Notwithstanding the efforts of the Blassie family to retain the Medal of Honor, the Department of Defense reclaimed the Medal which is now on public display in the "Display Room" Museum near the Tomb of the Unknown, alongside the Medals of Honor awarded to the Unknown Soldiers of World War I, World War II and the Korean War.

The Tomb Guards Beginning on 1 March 1926, the Tomb of the Unknown was guarded during daylight hours by soldiers from the Army's Fort Myer. Thereafter, in 1937, the guards began a 24 hours a day / 7 days a week

during sunshine, rain or snow presence while standing guard over the Unknowns. On 6 April 1948, the Army's 3rd Infantry Regiment – "The Old Guard" – was assigned as the permanent guard of the Tomb of the Unknown. The men – and now women – who serve as the "Tomb Guards" continue to do so with the same pride and honor exhibited by the first guard shift which began over 95 years ago.

I have had the opportunity to visit the Tomb of the Unknown and to view the changing of the guard. It is a ceremony all Americans should witness in person as a reminder not only of the attention to duty and respect by the Tomb Guards, but also as a reminder of the military service – and at times the loss of life – of American military personnel since 1776.



Tomb Of The Unknown

Joseph Montoya

Associate Member Liaison 1990 – 2022 Vietnam Veterans Of America / Chapter 526 – West Los Angeles

The original version of this article first appeared in the VVA Chapter 526 meeting agenda of 4 November 2021.

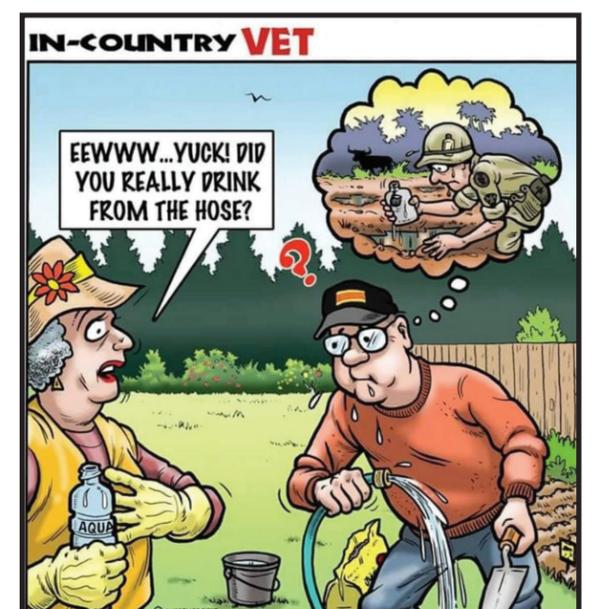
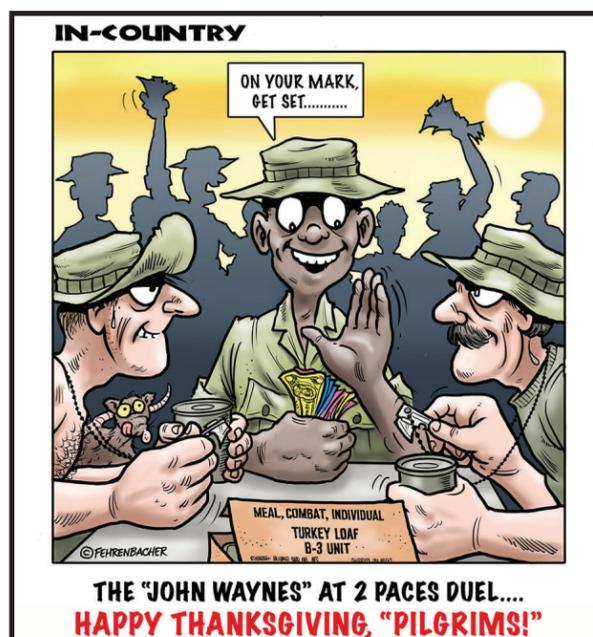
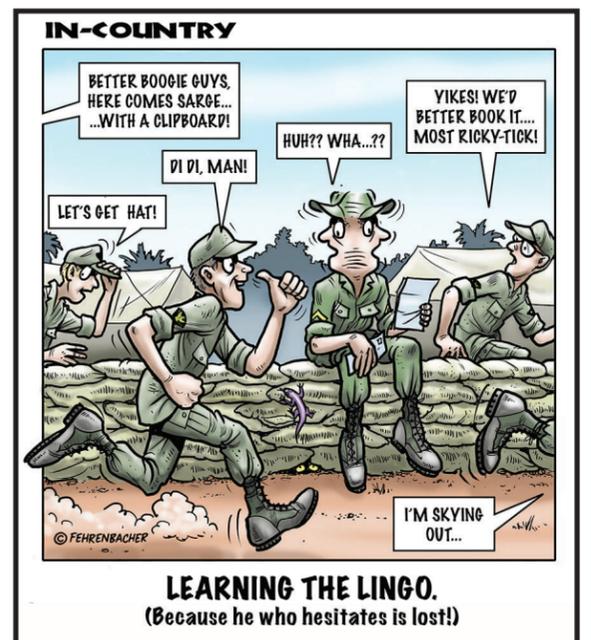
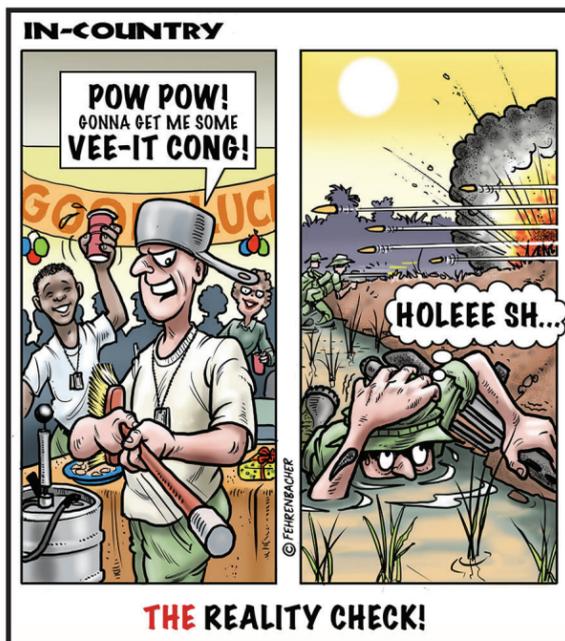


Blassie

On 17 May 1984, in a ceremony held at Pearl Harbor, Hawaii, Vietnam War Medal of Honor recipient Marine Corps Sergeant Major Allan Jay Kellogg, Jr., designated those remains as the Vietnam War Unknown. The casket was then transported aboard the USS Brewton (FF-1086) to Travis Air Force Base, California, where it was then loaded on an Air Force C-141B Starlifter and flown to Andrews Air Force Base, Maryland.

The Vietnam War Unknown lay in state in the U.S. Capitol Rotunda for three days beginning on 25 May 1984. On that same date, the 98th Congress approved awarding the Vietnam War Unknown the Medal of Honor posthumously via Public Law 98-301.

On Memorial Day, 28 May 1984, a military procession transported the casket to Arlington National Cemetery for burial. President Ronald Wilson Reagan [6 February 1911 – 5 June 2004] presided over the interment ceremony at Arlington. As in prior similar ceremonies, President Reagan then posthumously awarded the Medal





HEADQUARTERS 101ST AIRBORNE DIVISION
Office of the Division Commander

24 December 1944

What's Merry about all this, you ask? We're fighting - it's cold we aren't home. All true but what has the proud Eagle Division accomplished with its worthy comrades of the 10th Armored Division, the 705th Tank Destroyer Battalion and all the rest? Just this: We have stopped cold everything that has been thrown at us from the North, East, South and West. We have identifications from four German Panzer Divisions, two German Infantry Divisions and one German Parachute Division. These units, spearheading the last desperate German lunge, were headed straight west for key points when the Eagle Division was hurriedly ordered to stem the advance. How effectively this was done will be written in history; not alone in our Division's glorious history but in World history. The Germans actually did surround us their radios blared our doom. Their Commander demanded our surrender in the following impudent arrogance.

December 22nd 1944

"To the U. S. A. Commander of the encircled town of Bastogne.

The fortune of war is changing. This time the U. S. A. forces in and near Bastogne have been encircled by strong German armored units. More German armored units have crossed the river Ourthe near Ortheville, have taken Marche and reached St. Hubert by passing through Nombres-Jibret-Tillet Libramont is in German hands.

There is only one possibility to save the encircled U. S. A. Troop from total annihilation: that is the honorable surrender of the encircled town. In order to think it over a term of two hours will be granted beginning with the presentation of this note.

If this proposal should be rejected one German Artillery Corps and six heavy A. A. Battalions are ready to annihilate the U. S. A. Troops in and near Bastogne. The order for firing will be given immediately after this two hour's term.

All the serious civilian losses caused by this Artillery fire would not correspond with the well known American humanity.

The German Commander

The German Commander received the following reply:

22 December 1944

"To the German Commander:

N U T S I

The American Commander

Allied Troops are counterattacking in force. We continue to hold Bastogne. By holding Bastogne we assure the success of the Allied armies. We know that our Division Commander, General Taylor, will say: "Well Done!"

We are giving our country and our loved ones at home a worthy Christmas present and being privileged to take part in this gallant feat of arms are truly making for ourselves a Merry Christmas.

A. A. Auliffe
A. A. AULIFFE,
Commanding.



VVA CA State Council (contact info inside - page 2)

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In this issue:

- Chapter/Council Activities-Events/Photos
- Council Officer/Committee Reports
- Legislative News
- Veteran Info
- And more...

CSC Meeting Dates & Events

- Full Council Meeting - January 14-16, 2022 - Visalia
- Full Council Meeting - April 15-17, 2022 - Visalia
- Enhanced Quarterly Meeting - June 16-19, 2022 - Visalia
- Full Council Meeting - August 19-21, 2022 - Visalia
- Full Council Meeting - October 14-16, 2022 - Visalia
- Zephyr deadlines 2 weeks AFTER each CSC meeting**