



The California Zephyr®

Official Publication of the VVA California State Council

An Organization Chartered By The U.S. Congress



A QUARTERLY NEWSLETTER

VOLUME 16-3

SUMMER II 2011

CSC PRESIDENT'S MESSAGE

My youngest brother, the youngest of all the siblings in my family, just celebrated his birthday. He turned 48 years old on July 16. After talking to him and realizing he was only two years away from 50, I got to thinking about how old I am.

Then I got to thinking about all of the Vietnam Veterans and that we are getting older every day. Chapter 47 has had several of our members pass away in the last year and a half. We have one that we know of who is home on hospice and we have several living in assisted living apartments. George Eldridge from Chapter 391 just passed away. I guess we can't stop the aging process can we?

This brought back a memory of when I was working. I handled a traffic accident that was caused by a young man who, along with his friends, made a beer run (stealing beer) at a local Circle K. The driver ran a red light, fleeing the store, and was hit broadside by another vehicle. The 16 year old passenger in the left rear seat, where the impact took place, was critically injured.

I went to the hospital to check on the 16 year old. When I arrived the 16 year olds father was there waiting to see his son. I started talking to the father and he told me his son and he were not getting along. About two weeks before the accident his son ran away from home. He decided not to chase after his son and to let him have some breathing space. He kept track of him through different friends of his son. The morning before the accident the dad was on his way to work. As he stopped for a red light he saw his son standing on the corner of the intersection. They made eye contact but did not wave. He thought about stopping to tell his son how much he loved him, but decided to give him his space. The light turned green and he drove off to work without saying anything to his son.

A few minutes after the father told me this story, the doctor came out and told him he could see his son, but that his son was in extremely critical condition and was not going to survive. While the father was at his son's bedside in the emergency room, his son went into cardiac arrest. The doctors and nurses did all they could for his son, but it was not enough. His son died. The father was distraught, asking over and over why didn't I stop on my way to work and talk to my son?

I thought how horrible for this father to have to live with this on his mind the rest of his life. I decided right then and there never to take life for granted. I made a promise to myself that I would always say goodbye to my family when we departed for our daily business. I made a point of telling all my coworkers to be careful on the road, even those that I did not particularly like. I always stand when friends are leaving my house telling them goodbye.

After I received the e-mail telling us that George Eldridge had passed away I had to stop and think, did I talk to George after the last CSC meeting? Did I tell him I would see him



Vietnam veteran, Medal of Honor recipient, and former POW Sergeant Major Jon Cavaiani, USA Special Forces (Retired). Behind Cavaiani is JOC George Eldridge, USN (Ret.) who was chair of the American Veterans Traveling Tribute, and Public Relations Chair of the CSC. RIP George...

in August? Did I thank him for being the CSC Public Affairs Officer? Then I remembered he was in the Public Affairs tier on Saturday at the last CSC meeting. I stuck my head in the door and said hi. George smiled back and continued with his program. After we adjourned on Sunday I did talk to George. I asked him if he was going to be bringing his projector with him to the August meeting. I then told him to have a safe trip home and we would see him in August.

It does not really matter what our age is, we should never take life for granted. Never leave home without telling the ones you love that you will see them later. Never leave

a VVA meeting being upset with another member. It is just a meeting. We never know what is in store for us before the next get together. So tell your friends and your so called enemies – "Good seeing you again and I look forward to seeing you at the next meeting". We never know what our future has to hold.

Rest in Peace George Eldridge.

Steve
God Bless America

CA AVVA

CA Associates are anticipating the AVVA National Leadership Conference to be held August 2011 in Reno. As VVA is holding their National Convention, AVVA holds their Leadership Conference - odd numbered years. Starting in 2013, the National AVVA Convention will be held at the same time and location as that of National VVA. We are hoping for greater participation from our members with this change.

During the Leadership Conference, AVVA members will be attending and participating in workshops regarding Elections, Membership, Strategic Planning, Secondary PTSD and all State Presidents will be attending a Presidents Forum. Dr. Tom Berger will be presenting - Caregivers and Grumpy Old Vietnam Vets- Part I & 2. Now that ought to be inspiring! A report will, definitely, be given on this one.

Saturday August 20, AVVA will be holding an Agent Orange Town Hall meeting for VVA, AVVA and anyone that would like to attend. Agent Orange Town Hall meetings are taking place throughout our nation. Have you thought about having one in your area?

As you can see it's going to be a busy but informative time in Reno.

Associate membership totals are as follows:

- Nationwide: 7,689 (7,561 last reporting period)
- CA: 687 (+ 19 since last reporting period)
- NY: 647 (+ 4 since last reporting period)

CA still holds the # 1 membership position in the country. We thank you for your membership and continued dedication to AVVA.

During the Leadership Conference we, also, will be launching a nationwide membership drive. The details will be discussed during the membership tier. So starting at the CSC meeting in August, when you see me or any of the CA Associate members heading towards you in the hallway, better grab the first elevator and yes, we still can run. (I hope)

I am looking forward to seeing everyone in Reno. Hope you are having a wonderful summer.

Lastly, CA Associates would like to take a moment to remember George Eldridge. Thank you George for everything that you did to help everyone; anywhere that you could. You were always willing. There was never a moment of doubt where your dedication was coming from – your loving and caring heart. We will miss you!

Thank you & Welcome Home,
~ Elayne

LEGISLATIVE ADVOCATE'S REPORT

By: Pete Conaty

Update: AB 1209 CVSO/VSO Funding

AB 1209-Cook (VSO/CVSO funding), is now a 2 year bill. It will begin to move through the legislative process in January 2012. AB 1209 seeks to restore funding for the County Veterans Service Officers (CVSO's) local assistance and other veterans outreach programs. Making AB 1209 into a 2 year bill was a strategic move which will allow the veterans community to continue to gather support for the bill. AB 1209 currently has 45 co-authors from the Senate and Assembly.

Status of other key veterans legislation

AB 167-Cook. Stolen Valor Act. Signed by Governor.

Relates to existing law which provides that any person who falsely represents himself or herself to have been awarded any military decoration, with the intent to defraud, is guilty of a misdemeanor. Provides that those provisions shall be known as the California Stolen Valor Act. Requires that certain elected officers forfeit their office upon conviction of any of the crimes specified in the act.

Status: Signed into law by the Governor.

VVA Position: SPONSOR

AB 201-Butler. Veterans Courts. To Governor.

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THE CALIFORNIA ZEPHYR

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Published Quarterly to all members of California VVA and AVVA as part of their membership.

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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.



Authorizes superior courts to develop and implement veterans courts for eligible veterans of the U. S. military with the objective of, among other things, creation of a dedicated calendar or a locally developed collaborative court-supervised veterans mental health program or system that leads to the placement of as many mentally ill offenders who are veterans, including those with post-traumatic stress disorder, traumatic brain injury, substance abuse, or any mental health problem due to military service.

Status: Passed both houses of the Legislature. On its way to Governor.

VVA Position: SPONSOR

AB 557-Speaker John Perez. National Guard: Interagency Council on Veteran Services. Senate Rules.

Creates in state government the Interagency Council on Veteran Services and Programs for the purpose of bringing together key state agencies and departments, federal officials, legislative representatives, local governments, and stakeholder organizations to ensure that the state's programs that serve veterans are efficiently administered and properly integrated with federal and local government and stakeholder organizations.

Status: Senate Rules Committee.

VVA Position: Support

AB 1093-Davis. Student Financial Aid: Military and Veterans Benefits. 2 Year Bill.
Requires the Community Colleges and the California State University, and encourage the University of California, to establish on each of its respective

campuses a Military and Veterans Benefits Office and appoint a full-time Military and Veterans Benefits Advisor for each office to assist a qualified student in determining that student's eligibility for state or federal educational benefits or grants.

Status: 2 Year Bill. Will be taken up in January.

VVA Position: Support

AB 1422-Perea. Fresno and Redding Veterans Homes restoration of funding.

Status: The intent of the Legislature that the Department of Veterans Affairs identify any savings in the operations of the veterans home system and prioritize the allocation of those identified savings to offset any program reductions. Requires the department to make a report to the Legislature that would include information on the savings and the programs that were augmented with those identified savings.

Status: Senate Transportation and Housing Committee

VVA Position: SPONSOR

SB 813-Correa. Public Postsecondary Education: Veterans' Enrollment. Assembly Appropriations.

Grants priority class registration to the California State University and each community college, and requests such priority at the University of California, to members or former members of the Armed Forces of the United States who is a resident of the state within 4 years of leaving active duty.

Status: Assembly Appropriations

VVA Position: Support

SB 888-Lieu. Crime: Picketing (protesting at funerals for fallen military members). Assembly Floor.

Makes it a crime, punishable by a fine, imprisonment in the county jail, or both, for a person to engage in picketing, except on private property which is targeted at a funeral during the time period beginning one hour prior to the funeral and ending one hour after the conclusion of the funeral.

Status: To be heard on Assembly Floor soon after August 15.

VVA Position: Sponsor

PETER JAMES GRAVETT APPOINTED CALVET SECRETARY

Governor Edmund G. Brown, Jr. today appointed Peter James Gravett as Secretary of the California Department of Veterans Affairs. Gravett, of Rolling Hills Estates, is a retired major general with more than 35 years of commissioned service in the California National Guard with service in ten countries. He has been the state chair for the



Southern California Employer Support of the Guard and Reserve Committee since 2007. He is currently a principal business associate at Traiden Global Solutions, where he has worked since 2008.

Previously, Gravett served as president and chief executive officer of Gravett and Associates from 2002 to 2008. Before retiring from the Guard, he served as commander of the 40th Infantry Division from 1999, when he was promoted to major general, to 2002, becoming the first African-American division commander in the 225-year history of the United States National Guard. In this role, Gravett served a dual assignment in Kiev, Ukraine with the Partnership for Peace program.

Previously, Gravett served as assistant division commander-support from 1996, when he was promoted to brigadier general, to 1999. In 1990, Gravett was promoted to colonel, and he served as commander of an armor brigade

from 1993 to 1996, and division chief of staff from 1990 to 1993. He served as division provost marshal, military police battalion commander, armor battalion commander, division civil-military operations officer and armor brigade executive officer after he was promoted to lieutenant colonel in 1981.

As a major, from 1976 to 1980 Gravett served as an assistant division logistics officer and a division transportation officer. From 1974 to 1975 he served as a logistics officer, intelligence officer and acting operations officer. Gravett also served as an armored cavalry troop commander from 1971 to 1974. He began his commissioned service as a military police platoon leader and an armored cavalry troop platoon leader in 1968.

GOVERNOR BROWN ANNOUNCES APPOINTMENTS

Trevor Albertson, 31, of Folsom, has been appointed to serve as deputy secretary of veterans services at the Department of Veterans Affairs. Albertson is a captain with over nine years of commissioned service in the United States Air Force and Air Force Reserve. He has served as an intelligence officer since 2010, and was director of public affairs from 2009 to 2010, in the Air Force Reserves' 713th Combat Operation Squadron. He also served on the staff of Headquarters US Strategic Command from 2007 to 2009 and held multiple positions in the 11th Mission Support Squadron from 2002 to 2004. He was an adjunct professor at Yuba College from 2010 to 2011, a teaching assistant at the University of California, Merced from 2006 to 2009 and an assistant professor at the United States Air Force Academy from 2004 to 2006. Albertson was a University of California Institute on Global Conflict and Cooperation Dissertation Fellow and served on the staff of Congressman Dennis Cardoza from 2008 to 2010. This position does not require Senate confirmation and compensation is \$119,616 annually. Albertson is a Democrat.

Donna Campbell, 52, of Sacramento, has been appointed deputy secretary for legislative affairs at the California Health and Human Services Agency. Campbell served as the deputy secretary for legislation and general counsel at the Business, Transportation and Housing Agency from 1996 to 2001, and was deputy director for legislation at the Department of Fair Employment and Housing from 1994 to 1995. This position does not require Senate confirmation and the compensation is \$125,196. Campbell is a Democrat.

Sonia Fernandez-Herrera, 48, of Elk Grove, has been appointed chief of administrative and financial services at the California Health and Human Services Agency. Fernandez-Herrera has served as the administrative unit manager at the California Health and Human Services Agency since 2008. Previously, she served as the associate business management analyst at the Department of Fair Employment and Housing from 2007 to 2008, was an associate government program analyst at the Department of General Services from 2000 to 2007 and was a staff services analyst from 1996 to 1999. This position does not require Senate confirmation and the compensation is \$83,064. Fernandez-Herrera is a Democrat.

Lawrence "Larry" Gonzales, 67, of Laguna Niguel, has been appointed to serve as the undersecretary for administration at the Department of Veterans Affairs. Mr. Gonzales is a retired colonel with more than 38 years of enlisted and commissioned service in the United States Marine Corps and is a combat veteran of Desert Storm. He served on the Employer Support of the Guard and Reserve Committee from 2003 to 2009 and as director of the Equal Opportunity Branch for the United States Marine Corps from 2002 to 2003. He also held multiple positions in the Los Angeles Unified School District from 1968 to 2000, including the position of principal at three elementary schools from 1982 to 2000. This position does not require Senate confirmation and the compensation is \$122,464. Gonzales is a Democrat.

Kelly Green, 35, of Sacramento, has been appointed deputy director of legislative and governmental affairs at the Department of Health Care Services. Green has served as a regulatory policy specialist at the California Nurses Association since 2009. She was a consultant for the California State Senate Committee on Health from 2006 to 2009 and was a legislative consultant for Senator Deborah Ortiz in 2005 after serving as a district representative from 1999 to 2004. This position does not require Senate confirmation and the compensation is \$105,528. Green is a Democrat.

CALIFORNIA FEMALE VETERANS BY THE NUMBERS

Women's bureau -US Department of Labor

Female service members:

14% of Active Duty Force
18% of National Guard and Reserve
11% or 30,000 are single parents, compare
To 4% of military males

Increased female deployment:

41,000 in Gulf War to 182,000 in OIF/OEF
Nationwide pop. Of Female Vets to increase
From 8% in 2010 (from 6%in 2000) to 10% by 2020
CA has 161,4000 female vets or 9.1% of nationwide
Female vets.

Female vets are likely to be younger, identify themselves as a racial
Minority, be unemployed, and have lower incomes than male vets.

Median age: 47 for female vets vs. 61 for male vets
Prior to 2007 recession, female vets aged 18-24 had unemployment rate of
16%—double that for non-vet counterparts, significantly higher than
Male vets of same age & higher than current CA wide unemployment rate
Of 12.4%.

CA is home to:

18% of nation's Hispanic female vets
32% of nation's Asian female vets
14% of nation's female vets who id themselves
As multiple races/ethnicities
Non-white female vets expected to increase to 44%
In 2020 compared to 37% for male counterparts.
Median income for female vets is \$31,925 compared to \$42,416
For male vets

For female vets, homelessness is linked to their traumatic experiences

On a given night Female vets comprise 5% of nation's 107,000 homeless vets
11% of current homeless vets and their families receiving vouchers
For permanent housing are female.

Trauma is common denominator for female vets experiencing homelessness
Higher rates of trauma earlier in their lives
Some join military to escape trauma, placing them at greater
Risk of Military Sexual Trauma.
20% of female vets who served in Iraq & Afghanistan diagnosed with MST

Females assaulted in the military:

Nine times more likely to exhibit PTSD Symptoms
More likely to have problems with alcohol or drugs
Lower economic and educational outcomes
Difficulty maintaining relationships and stable housing.

Kate O'Hare-Palmer.

Women Veterans Committee Chair

WOMEN VET CONFERENCE

REGISTER FOR THE 2011 CALVET WOMEN VETERAN'S CONFERENCE!

The California Department of Veterans Affairs (CalVet) and the Inland Empire Veterans Collaborative are joining forces to host the 2011 CalVet Women Veteran's Conference: Enhancing Inner Beauty, Inner Strength on October 7 & 8 at the DoubleTree Hotel, Ontario Airport in Ontario, CA.

The two day conference is designed to educate active duty military, National Guard members, reservists and women veterans on issues that currently impact them. The conference will provide tremendous networking opportunities and will address available benefits, VA health care, employment assistance, rural health and updates from the Center for Women Veterans. Women veterans all share the distinct honor of having served their country, and the 2011 CalVet Women Veteran's Conference gives women veterans the opportunity to share their experiences, career

aspirations, inspiration and family life in this unique forum.

Conference highlights include:

- Motivational Speakers
- Keynote Speakers
- Military Women Veterans Panel: Telling Their Stories
- 2011 California Women Veteran of the Year Award Presentation
- Open California Legislator Forum
- The Play: Into the Fire (an exploration of returning veterans with disabilities and trauma as they integrate into their families, communities and workforce)
- Workshops
- Beauty Makeovers and Message Treatments
- Raffle Drawings
- Free Flu Shots

Visit the conference website for updates and to locate the following:

- Hotel Registration Information
- Draft Conference Agenda
- Corporate Sponsorship Form
- Individual Sponsorship Form
- Vendor Form
- 2011 California Woman Veteran of the Year Award Nomination Form

Please register early for this conference! The cost for registration before September 14 is only \$30.

Click here to register online or visit <http://www.calvet.ca.gov/WomenMinority/Conference.aspx>.

VETS & NATIONAL DEBT

Veterans groups get White House assurances on debt agreement

By Steve Vogel

Representatives of veterans groups were assured by White House officials Monday that veterans benefits and compensation are safe from across-the-board spending cuts that could be triggered by the debt agreement under consideration.

The compromise includes a trigger mechanism to force automatic across-the-board cuts of \$1.2 trillion to agency budgets over the next decade if a special congressional committee is unable to agree on a plan.

Jon Carson, director of public engagement for the White House, told veterans representatives at a White House briefing that veterans benefits would be exempt, according to a veterans' representative at the meeting.

"If the trigger takes place, veterans benefits and compensation will be safe from across the board cuts," said Joseph R. Chenelly, who represented the Disabled American Veterans at the meeting.

"If what we heard was accurate, that veterans would be safe, we're happy about that," Chenelly added.

But he said the group remains concerned about what programs might be targeted for cuts by the special committee. "We're anxious to see how that is assembled," Chenelly said.

BUDGET CUTS MUST NOT IMPACT VETERANS PROGRAMS

(Washington, D.C.) – Vietnam Veterans of America (VVA) was one of the key veterans and military organizations present at a briefing at the White House late Tuesday regarding the potential impacts if the nation defaults on its loans on August 2. The debt ceiling must be raised by next Tuesday to prevent the United States from defaulting on its obligations. While senior Presidential advisors neither endorsed nor opposed any of the competing plans put forth by Democrats and Republicans, they did stress the President's continuing strong commitment to active-duty military, veterans, and our families.

"VVA maintains, and we hope that Democrat and Republican agree, that caring for veterans is part of the continuing cost of the national defense," said John Rowan, VVA National President. "The President and his advisors seem to understand this. Some in Congress, however, seem less conscious of the sacrifices by current military and by veterans in defense of our nation. There needs to be shared sacrifice. It is not right for millionaires who never served to keep their tax breaks, while disabled veterans' compensation payments are delayed or reduced."

1st Annual Orange County Stand Down

September 17-18, 2011

Santa Ana College Lot 13, Santa Ana, CA

Gates are open from 0600–0900 September 17 Only



A two-day event in which the region's homeless and low-income veterans and their families can access basic services, bond with their fellow veterans and start rebuilding lives.

Services to be provided include:

- Medical/Dental/Vision Exams
- Legal Services & Homeless Court
- Mental Health & Substance Abuse Counseling
- Veterans Benefit Assistance
- Showers, Fresh Clothing & Other Grooming Needs
- Employment Training & Placement Assistance
- Housing Assistance



Sponsored By



For More Information

www.ocstanddown.org

For donation, sponsorship or volunteer inquiries, contact Linda Lomask with Veterans First at linda@veteransfirstoc.org

For press and public affairs inquiries, contact Justin Smith with Veterans First at justin@veteransfirstoc.org

"We want to make it clear," Rowan said, "that VVA will oppose any proposal that cuts benefits to veterans, our dependents, or our survivors. These benefits are earned, earned by service, earned by sacrifice, earned by blood spilled from WWII through the current conflicts. Similarly, we will oppose any cuts to already inadequate compensation for active-duty service members and their families, who continue to sacrifice so much."

"VVA is a non-partisan organization, and our members follow all political persuasions," Rowan said. "However, the ill-advised and serious attempt in the Senate last week to curtail benefits to Vietnam veterans who are ill as a result of exposure to Agent Orange should have convinced all of us that veterans' benefits are in jeopardy."

"We fought for the ideals of America, for life, liberty, and the pursuit of happiness for all who come to our shores. We fight, mostly, for our buddies next to us. We didn't leave them behind on the field of battle, and we won't leave them behind here at home. And neither should our elected officials in the corridors of Congress."

AGENT ORANGE - IMPORTANT SENATOR COBURN TO VIETNAM VETERANS: NO MORE JUSTICE FOR AGENT ORANGE VETERANS

(Washington, D.C.) – "Sooner or later, some senator or congressman was going to target benefits earned by veterans," said John Rowan, National President of Vietnam Veterans of America (VVA). "It seems that Senator Tom Coburn (R-Oklahoma) is the one who has taken aim and fired."

Senator Coburn, a medical doctor with a well-earned reputation as a fiscal conservative, has offered an amendment to H.R. 2055, the Military Construction and Veterans' Affairs and related Agencies Appropriations Act, 2012. His amendment would require proof of a "causal relationship" rather than a "positive association" of certain illnesses to

Agent Orange exposure. "If enacted, this measure will significantly restrict Agent Orange benefits and care. VVA vigorously opposes this amendment," Rowan said.

"This measure is wrong-headed. It is out of touch with science – and with the intent of the Agent Orange Act of 1991. It attempts to undo two decades of policy. Currently, veterans are presumed to have been exposed to Agent Orange if they served 'boots-on-the-ground' in Vietnam and, in some instances, along the demilitarized zone in Korea," Rowan said. "If they develop certain maladies that the VA Secretary has determined, on the basis of sound scientific and epidemiological research, that a positive association exists between the exposure and the occurrence of the disease, they are entitled to health-care and disability compensation."

"Congress, in part, settled on this mechanism because it was nearly impossible for Vietnam veterans to prove that their exposure to Agent Orange caused their health conditions, many of which are ultimately fatal," Rowan said. "Requiring a causal relationship, which is well nigh impossible to demonstrate, would essentially mean that benefits due to Agent Orange exposure would be out of reach for Vietnam veterans."

"If the senator feels that Agent Orange benefits and needed medical care ought to be stripped from Vietnam veterans and their families, then he should introduce a bill and arrange to hold a hearing," Rowan said. "But there has been no bill, and no hearing. And if his colleagues really do care about the health of Vietnam veterans, they ought to stand with Vietnam Veterans of America, with all Vietnam veterans and our families, and with most of our colleagues in other Veterans Service Organizations. We call on a bipartisan majority of Senators to reject the ill-advised Coburn amendment out of hand."

SENATOR MURRAY HELPS DEFEAT AMENDMENT THAT WOULD HAVE BLOCKED COMPENSATION FOR AGENT ORANGE EXPOSURE

(Washington, D.C.) – Today, U.S. Senator Patty Murray, Chairman of the Senate Veterans' Affairs Committee, helped defeat an amendment that would have created a nearly impossible standard that must be met before VA can establish a presumption of service connection based on exposure to Agent Orange. In a speech before the vote, Senator Murray described the amendment as another hurdle Vietnam veterans would have to overcome in their 40 year struggle for compensation. The amendment, which Murray led the fight against on the floor of the U.S. Senate, ultimately failed to be included in the Military Construction and Veterans Affairs Appropriations bill when Murray successfully asked that the amendment be tabled and prevailed by a vote of 69-30.

"These veterans have been waiting, and getting sicker, and dying for 40 years or more. How much longer do we think they should wait? The time for waiting is over," said Senator Murray on the Senate Floor before the vote. "Vietnam veterans have paid enough for that war. They should not end up paying for our debt. It is us who owe them a debt."

Read the full text of the speech below:

"Mr. President, I rise to oppose the amendment that has been offered by the Senator from Oklahoma that would undo decades of policy on how we treat veterans suffering from diseases associated with Agent Orange exposure. "And that violates the promise we have made to a generation of veterans.

"Mr. President, the legacy of Agent Orange exposure among Vietnam veterans is one of tragedy, roadblocks, neglect, pain, and then more roadblocks.

"It's the legacy of our military spraying millions of gallons of poisonous herbicide indiscriminately, without thought of consequences, and without any repercussions.

"At the time of the Vietnam War – and for far too long after it – the U.S. government neglected to track Agent Orange exposures.

"Then in the decades following the war – our government stonewalled veterans who developed horrible ailments of all kinds from those exposures.

"And to further compound the problem, for decades our government also failed to fund any research on Agent Orange and other toxins that Vietnam veterans were exposed to.

"These mistakes, these decades of neglect, have a cost. "It's a cost to veterans and their loved ones, a cost to the government that sent them to war, and a cost to all of us as Americans.

"And it's a cost that, even in difficult budget times, even with our back against the wall, we can't walk away from.

"Now Mr. President, I'm not here to question any Senator's commitment to our veterans.

"But what I am here to question is the standard by which this amendment says they should be treated.

"This amendment says we should change the standard by which we have judged Agent Orange cases for two decades.

"Currently – Vietnam veterans are presumed to be service-connected when the VA Secretary determines that a positive association exists between exposure to Agent Orange and a certain disease.

"One of the reasons that Congress chose this mechanism is because it was impossible for these veterans to prove that their exposure to Agent Orange caused their cancers or other diseases.

"These veterans were exposed decades ago.

"They do not know where they were exposed, or how much they inhaled.

"However, under the Senator from Oklahoma's amendment, Vietnam veterans would be asked to prove the impossible.

"They'd be asked to prove that they would never have gotten cancer, or heart disease, or any other disease or condi-

tion, if not for Agent Orange.

"Vietnam veterans who have diabetes, prostate cancer, lung cancer, and blood borne diseases would be denied care and benefits under this amendment.

"And not only would this be a new hurdle Vietnam veterans could never overcome – It would change the rules midstream.

"It would treat Vietnam veterans whose diseases have already been presumptively service-connected different than those whose diseases have not yet been positively associated with Agent Orange exposure.

"Now Mr. President, I won't deny that compensation for exposures is a difficult issue and one that we continually have to look at.

"We've grappled with this issue in relation to Vietnam veterans and exposure to Agent Orange.

"And today we continue to deal with this issue as Iraq and Afghanistan veterans come home with illnesses potentially associated with their exposure to toxins released from burn pits and other environmental exposures.

"But ultimately, you have to look at the facts with reason and compassion, and weigh the years of our military's failure to track exposures, the inevitable existence of uncertainty, and the word of our veterans.

"And that is exactly what we have to do here.

"On the one hand, we have thousands of veterans who have come forward and believe their cancers and ailments were caused by an exposure to a known killer.

"You have studies that show veterans exposed to Agent Orange are more likely to have heart disease, cancer, and other conditions

"You have the Institute of Medicine that has recommended giving veterans the benefit of the doubt.

"And you have the Secretary of Veterans Affairs who has decided that we must move forward to provide compensation to presumptively service-connected veterans exposed to Agent Orange for cancer and heart disease.

"On the other hand – you may have a compelling fiscal case....

"But the Senator from Oklahoma hasn't presented one shred of evidence that Agent Orange does not cause heart disease, cancer, or any condition.

"What has been presented is an amendment that asks veterans to wait until there is more scientific evidence.

"Well, Mr. President, these veterans have been waiting for 40 years or more.

"How much longer should they wait?

"The Secretary of Veterans Affairs decided that the time for waiting was over.

"I ask that we respect and support this decision.

"And that we also remember that – even in the midst of this whirlwind debt and deficit debate – we have made a promise to our veterans.

"One that doesn't go away.

"Mr. President, Vietnam veterans have paid enough for that war.

"They should not end up paying for our debt.

"It is us who owe them a debt.

"Thank you."

STOLEN VALOR

STOLEN VALOR IS A COMMON PROBLEM

EXPERTS SAY MILITARY AWARDS, DOCUMENTS

FAKED REGULARLY

Jane Moon, Staff Writer

In a story in the July 3 edition of The Free Press, Jeff "Rock" Harris falsely claimed awards and service in the military, including participating in the events in the movie and book "Black Hawk Down" as an Army Ranger. Several members of the Ranger community have since refuted Harris' claims, including soldiers and the author of the book, Mark Bowden.

Cases of people falsely claiming military achievements and awards is called stolen valor, and it happens on a regular basis, according to Doug Sterner. "The most frequent victims of stolen valor are media," Sterner said. "I have cases like (Harris') every week." Sterner authored the Stolen Valor Act of 2005, which makes it illegal to fraudulently claim receipt of military awards and decoration. Sterner said Harris could be prosecuted under the act if authorities find enough evidence. President George W. Bush signed the Stolen Valor Act into law in 2006, though it has been contested by a federal judge. The act states "false claims to military awards punishable by up to six months in federal prison (are) distinguished service cross, silver star and purple heart."

In an extensive interview that lasted nearly an hour with a Free Press reporter for the July 3 article, Harris claimed all three. Sterner said anyone can request a Freedom of Information Act request for official military documents, but it takes several weeks for the Department of Defense to process and fulfill the request.

He said he has seen thousands of fake or altered DD214 forms — official records of military service — and fake certificates. The Free Press has filed a request for Harris' DD214. On Thursday, Harris' lawyer, Josiah J. Corrigan of Kinston's Perry, Perry & Perry law firm, e-mailed The Free Press what Corrigan said was Harris' DD214 form. The form — which has not officially verified — showed that Michael Jeffery Harris served in the U.S. Army from Feb. 26, 1987 through March 12, 1992, leaving the Army as a corporal. The DD214 shows he received an honorable discharge and was separated from the service as part of an early transition program.

The DD214 provided by Corrigan revealed Harris received several medals in his time of service, including a Bronze Star for Valor, an Army Commendation Medal and an Overseas Service Ribbon. However, that is a far cry from what Harris claimed in the July 3 article. He told a Free Press staff writer in a digitally-recorded interview he received three Purple Hearts, a Silver Star and two Bronze Stars for Valor among more than two dozen awards. Among his spectacular claims, he said he had 316 confirmed kills as an Army sniper; it's believed by experts the record for confirmed kills by a sniper to be about 90.

In the cover letter from Corrigan addressed to Free Press Managing Editor Bryan Hanks, it states "Mr. Harris retracts any and all claims he made to Ms. (Free Press staff writer Jane) Moon that are not recorded in his official military service record and reflected on his DD214." The statement concludes, "Mr. Harris apologizes to you and Ms. Moon for any embarrassment or difficulty that this unfortunate incident has caused."

Raleigh Cash, a former Army Ranger who fought in the events depicted in "Black Hawk Down," said documentation of awards should always be checked, as anyone can purchase copies of many awards and diplomas online. "They're novelty diplomas," Cash said. "I can go online right now and get a diploma from the University of Michigan with a master's degree in business administration. I can also go to some military sites and get (awards)." After seeing Free Press photos of what Harris claimed were his three Purple Hearts, Cash said they were "completely fake." He said the actual awards are printed on parchment-type paper and Harris' looked like they were printed on a computer.

Michael Kurth, who served in Mogadishu with Cash and co-authored a book with him called "The Battle of Mogadishu," said he has seen his fair share of "posers," but has never seen one with such outrageous claims. "If you're not familiar with the situation, you wouldn't expect people to embellish that much and get away with it," Kurth said. "(Stolen valor) happens quite a bit, actually."

Cash said military events that receive a lot of public attention are especially susceptible to people falsely claiming to have been there. "Unfortunately, (stolen valor) is going to continue," Cash said. "Wait till the fake Navy SEALs (who killed Osama Bin Laden) start coming out. There, unfortunately, will be a very predictable onslaught

of stuff as whether guys claim they were Rangers, SEALs or Delta guys."

Free Press Managing Editor Bryan C. Hanks contributed to this report. Jane Moon can be reached at 252-559-1082 or jmoon@freedmenc.com.

STOLEN VALOR ACT FIGHTING FOR THE RIGHT TO TELL LIES-- "STOLEN VALOR ACT" By Dan Frosch

DENVER — In 2009, a burly Colorado man named Rick Duncan was a rising star among local veterans groups, advocating on behalf of struggling soldiers and holding forth about his own powerful experiences returning from Iraq as a wounded Marine.

The problem was none of it was true, not even his name.

Mr. Duncan was actually Richard G. Strandlof, a troubled drifter who had never served in the military. Instead, he used his bogus story to work his way into the company of prominent politicians and admiring veterans.

Mr. Strandlof was eventually arrested by the F.B.I. and charged with violating the Stolen Valor Act, a 2006 law that makes it a federal crime to lie about being a military hero.

But though he admitted conjuring the entire tale, Mr. Strandlof has been fighting the case against him, arguing that the law violates his right to free speech. Simply telling a lie, his lawyers assert, does not always constitute a crime.

Now, a federal appeals court in Denver is weighing whether the act is indeed unconstitutional. Last July, a judge dismissed the case against Mr. Strandlof on First Amendment grounds, but prosecutors appealed.

Mr. Strandlof's case is the latest legal challenge to the Stolen Valor Act. The appellate court's ruling in Colorado — expected in the next few months — is being eagerly awaited by legal experts and veterans groups, as it will most likely determine whether the United States Supreme Court takes up the matter.

"Stolen Valor is not just lying: it is stealing an identity of a combat hero or a wounded soldier," said Doug Sterner, a Vietnam veteran who helped draft the law's language and who has spent years tracking down those who falsely claim to be war heroes. "Why should the Army give out a Silver Star to someone who performs heroically if anybody who wants one can buy a medal, print a citation and claim it with impunity?"

Since Congress passed the Stolen Valor Act, the Justice Department has prosecuted more than 60 people for violating it — penalties can range from up to a year in prison to fines and community service. Mr. Sterner says thousands of cases are reported each year.

But the recent challenges have left the law's future uncertain.

Last year, the United States Court of Appeals for the Ninth Circuit ruled the law unconstitutional in the case of Xavier Alvarez, a former board member for a municipal water district near Los Angeles. Mr. Alvarez had bragged about being wounded in combat and claimed he had received the Medal of Honor. In truth, he never served in the military.

In 2008, Mr. Alvarez pleaded guilty on the condition that he could appeal. He was sentenced to three years of probation, ordered to perform 416 hours of community service and fined \$5,000. But the appeals court reversed his conviction, ruling in a 2-to-1 decision that the false statements covered under the act were overly broad.

In the majority opinion, Judge Milan D. Smith Jr. wrote that if the court upheld the act, "then there would be no constitutional bar to criminalizing lying about one's height, weight, age or financial status on Match.com or Facebook, or falsely representing to one's mother that one does not smoke."

But a federal judge in Virginia upheld the law in January in the case of Ronnie L. Robbins, a former revenue commissioner of Dickenson County who had claimed while campaigning that he was a decorated Vietnam veteran.

Mr. Robbins, in fact, was never deployed overseas while in the Army.

In his ruling, the judge, James P. Jones, said that lying about being a decorated soldier did not warrant First Amendment protection, and that privacy laws would be sufficient to keep the government from intruding into everyday exaggerations. In March, a jury found Mr. Robbins guilty, and he is scheduled for sentencing in July.

With such divergent rulings, eyes are turned toward the case of Mr. Strandlof, whose tales were so convincing he was able to start his own veterans group.

Oral arguments before the federal appeals court here in Denver were heard last week. Mr. Strandlof's federal public defender, John T. Carlson, has said that false statements covered by the law could not be grouped with other free speech exceptions like defamation, fraud and perjury. If Stolen Valor is upheld, he argued, the government could find itself regulating any false statements, whether harmful or not.

"For good or bad, we live in a world that tolerates considerable amounts of false speech," Mr. Carlson wrote in an e-mail response to questions about the case, "from the exaggerations, omissions and little white lies that we all tell sometimes to the big, ideologically inflected lies that dot our culture."

Conversely, federal prosecutors in the case contend that lying about being a war hero is inherently harmful — to the military awards system and to the soldiers who truly earned their honors. Indeed, proponents of the act maintain that the yarns spun by war fabulists almost always lead to monetary gain or acclaim.

This month, Representative Joe Heck, Republican of Nevada, introduced a revised Stolen Valor Act that would make it a crime of fraud to benefit, or intend to benefit, from lying about military awards.

"It's not O. K. to misrepresent yourself as a physician and practice medicine," Mr. Heck said. "It's not O. K. to misrepresent yourself as a police officer. Why should you be able to misrepresent yourself as member of the military, specifically if you're trying to gain something of value?"

WEST LA VETERAN LAND ISSUE

FEDERAL COURT DECLARES VETERANS ADMINISTRATION VIOLATED FREE SPEECH RIGHTS OF VETERAN

(Los Angeles) - A federal court has ruled that the Veterans Administration (VA) violated the free speech rights of a veteran who protested the agency's failure to use part of its property in west Los Angeles for the benefit and care of veterans, particularly those who are homeless.

The ACLU filed the lawsuit in U. S. District Court in Los Angeles in March 2010 on behalf of Robert Rosebrock. The 69-year-old Vietnam-era Veteran has protested the VA's land-use policies every Sunday since 2008, along with other veterans. During the protests, Rosebrock often displays the American flag upside down on a fence outside VA property in west Los Angeles as a distress symbol to draw attention to the group's cause. Police demanded that he remove the flag, and when Rosebrock refused, the police removed it themselves. Previously, VA police had allowed Rosebrock to display the flag right side up at the same site.

Fellow Veterans and Friends of Veterans

It was a real honor to have Veterans from Whittier join our consecutive Sunday Rally



(Left to Right) Joe Leal, Iraqi and Afghanistan War Veteran, Jose Ramos, Vietnam War Veteran and Chairman / Founder of "Welcome Home Vietnam Veterans Day" and Manny Antillan, Vietnam War Veteran.

Also in attendance were loyal members of the Old Veterans Guard: Newt Young, 83-year old Korean War II Veteran from Torrance, John Stamatiades, 75-year old Korean and Vietnam War Veteran from Los Angeles, Larry Kegel, 73-year old Vietnam War Veteran from Santa Clarita, David Bischoff and his Wife Eileen from Los Angeles. David is a Vietnam War Combat Veteran who was awarded two Bronze Stars with Valor.

This Sunday, Steve Mackey, President of the California State Council of Vietnam Veterans of America will be driving in from Riverside with his Wife Elayne, Organizer-in-Chief of the Veterans Summer Celebration that will be held on August 6th. Conrad Gomez, Secretary of the Long Beach Chapter of Vietnam Veterans of America, and also a major leader and



Steve Mackey President, California State Council, Vietnam Veterans of America

Steve and his wife Elayne drove in from Riverside, which is more than a 150 mile round trip, to participate in our 176th consecutive Sunday Rally, and they will be back for our 177th Sunday Rally as well. Join the Veterans Revolution to "Save Our Veterans Land" and "Bring Our Homeless Veterans HOME."

"Hanging the flag upside down was an important and necessary message for Mr. Rosebrock," said Peter Eliasberg, ACLU/SC legal director. "He fought to defend the First Amendment, and the Court decided correctly that the very right he fought for was violated."

For 66 weeks in a row, Rosebrock hung the flag right side up without any interference from the VA police. However, after he started hanging the flag upside down in June 2009, he was quickly cited six times for "unauthorized demonstration or service in a national cemetery or on other VA property." Rosebrock also received an e-mail from Lynn Carrier, associate director of the Veterans Administration Greater Los Angeles Healthcare System, which said in part that he and his fellow demonstrators "may not attach the American flag, upside down, in VA property including our perimeter gates."

The VA eventually dismissed the citations against Rosebrock, but the action of the VA police in removing a flag that Rosebrock had hung upside down made clear the agency's unconstitutional policy of denying him his free speech rights. The VA complex was specifically deeded to the United States in 1888 as a home for disabled veterans. Rosebrock and his fellow veterans demonstrated in front of a portion of the complex that the VA is planning to lease for use as a public park. Another portion of the land is now leased to a nearby private school for tennis courts, which veterans are not allowed to access. Other buildings on the land are leased for use as theaters. Rosebrock was particularly incensed last year when the VA allowed a "celebrity carnival" to take place on the property, at a time when there are more than 6,500 homeless veterans in Los Angeles, including some who sleep on the sidewalk adjacent to the VA land that has been leased to build a public park. "On this Memorial Day weekend, it's good to know that the courts recognize the right to free speech that veterans have fought and died to defend," said Robert Rosebrock. "This land was deeded for the use and care of veterans and is being stolen away and leased to private, special interest groups with no transparency or accountability for the money generated. The Flag Code allows for the flag to be displayed upside down when property is in danger. It's clear to us that this property is in danger, and has been for a long time."

Judge Rules that VA Violated Our Freedom of Speech

FELLOW VETERANS AND FRIENDS OF VETERANS

A Federal Judge has ruled that the VA violated our First Amendment Rights during our Sunday Rallies. See attached ACLU Press Release

This is no surprise, since we knew all along that the VA bureaucrats were trying to censor our "Distress" signal when we hung the American Flag with the Union down to send the message that the lives of 20,000 homeless Veterans were in danger because the property at the National Veterans Home was being pillaged and plundered for non-Veteran use.

U.S. Flag Code - Sec. 8.

a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

Perhaps at no other time in modern-day history has any group had the right to hang the American Flag in distress than in our case. After all, it is the Veterans who defend the American Flag and our Nation's Homeland. However, when Veterans have their own Veterans Home Land stolen from them, then they have every right to follow the U.S. Flag Code in exercising their First Amendment Right to protest against the very government our Military serves under

God Bless America and the Veterans Revolution.

Please Join Our Sunday Rally.

Robert L. Rosebrock Director,
Old Veterans Guard Director,
Veterans Revolution



www.VeteransRevolution.com

LAWSUIT CHALLENGES VA'S MISUSE OF LAND GIVEN TO HOUSE INJURED VETS

(Los Angeles) - Four homeless veterans suffering from Post Traumatic Stress Disorder and other disabilities today sued Department of Veterans Affairs Secretary Eric Shinseki and the director of the VA Greater Los Angeles Healthcare System for misusing the VA campus in West Los Angeles. They filed suit on behalf of hundreds of other severely disabled homeless veterans in the Los Angeles area. Vietnam Veterans of America joined the four individuals as plaintiff in the suit, which was filed in U. S. District Court for the Central District of California.

The land on which the VA campus now sits was deeded to the United States in 1888 for the specific purpose of providing a home for disabled veterans, which it did for nearly 80 years. But the

VA has eliminated permanent housing for disabled veterans, many of whom now literally sleep outside its walls, and it now leases portions of the property to private companies, such as a rental car business and Sodexo Marriott for a laundry facility. The VA has not publicly disclosed how much it is being paid for these private deals, which now cover almost 30 percent of the 387-acre campus, or where the money from them is going.

"War can take a serious toll, both physical and emotional, and it is shameful when our wounded warriors return home and are left to live on our streets," said former Adjutant General of the California National Guard, Maj. General Paul Monroe. "California has an incredible campus that was given to the U. S. government to permanently house our disabled vets. It's past time we stopped renting it out to private companies and started using it to house and care for those who have sacrificed so much for our country." "If they can house Enterprise Rent-A-Car, they can house our homeless veterans," said Mark Rosenbaum, Chief Counsel of the ACLU Foundation of Southern California. "This is VA-Gate, because the VA could quite literally end veteran homelessness in Los Angeles if this land were used as it was intended."

The suit also contends that the VA's benefits program discriminates against veterans with severe mental disabilities. A robust body of research has established that homeless individuals with severe mental disabilities cannot access neces-

sary



(l to r) Steve Mackey, CSC President, Frank LaRosa, Chapter 355 President, Mike Kennedy, CSC So. District Director

medical and mental services without stable living conditions combined with supportive treatment services. Although the VA has recognized the importance of such supportive housing for seriously disabled homeless veterans, it has refused to offer them to Plaintiffs and other disabled veterans in Los Angeles and around the country.

"This lawsuit exposes the truth of how the VA's policies exclude veterans with serious mental disabilities," said Melissa Tyner, a staff attorney with Inner City Law Center's Homeless Veterans Project. "Rather than honoring their sacrifice, VA policies deny access to needed services. As a result, many veterans become homeless."

Los Angeles is the capital of homeless veterans in the United States. There are an estimated 107,000 homeless veterans nationwide, and by conservative estimates 8,200 live in the Greater Los Angeles area. "Four presidential administrations have continued to allow the injustice of encroaching on land deeded solely for the purpose of caring for our nation's disabled veterans. This lawsuit gives us the opportunity to restore integrity to this bequest and allow many more homeless and disabled veterans to live out their years with dignity," said John Rowan, National President, Vietnam Veterans of America.

"If our nation's laws are enforced, soldiers who risked their lives on the battlefield won't be condemned to live in dumpsters or under freeways while land donated to house them is used instead to house a rental car company and a laundry facility for luxury hotels," said Laurence Tribe, the Carl M. Loeb University Professor and Professor of Constitutional Law at Harvard Law School and the nation's preeminent constitutional scholar.

A descendant of the family that donated the land to the government is also a plaintiff in the suit. Plaintiffs and their attorneys are also calling for congressional hearings to investigate the misuse of the West Los Angeles Campus and the VA's failure to ensure its benefits programs are accessible to seriously disabled veterans.

In addition to the lawsuit, the Plaintiffs and their attorneys are calling for congressional hearings to investigate the misuse of the West Los Angeles Campus and the VA's failure to ensure its benefits programs are accessible to seriously disabled veterans. The misuse of the West Los Angeles campus is documented in detail in a Position Paper issued in January 2011 by the Metabolic Studio, a direct charitable activity of the Annenberg Foundation led by artist Lauren Bon, entitled "Preserving a Home for Veterans." "The missing link to ensure disabled veterans are helped is on-campus supportive housing. That is what this lawsuit hopes to remedy," said Ron Olson, of Munger, Tolles & Olson LLP.

Plaintiffs are represented by Laurence Tribe, a Harvard law professor; Ronald Olson, of Munger, Tolles & Olson LLP; Arnold & Porter LLP; Inner City Law Center; Gary Blasi, a UCLA law professor; Massey & Gail LLP; and the ACLU Foundation of Southern California.

HOMELESS VETS SUE VA OVER HOUSING

A coalition representing homeless veterans sued the U.S. Department of Veterans Affairs Wednesday, alleging the federal agency failed to provide stable housing at its West Los Angeles facility for vets suffering from mental disorders.

The American Civil Liberties Union of Southern California filed the proposed class-action lawsuit in U.S. District Court in downtown Los Angeles on behalf of four

homeless veterans, the Vietnam Veterans of America and Carolina Winston Barrie, a descendant of one of the property's original owners.

More: ACLU Complaint

According to the ACLU/SC, about 8,200 homeless veterans live in the Los Angeles area, many without access to the 387-acre VA campus donated more than 100 years ago to provide shelter and support to service members.

The complaint -- which, according to the ACLU, is the first of its kind -- seeks to compel federal officials to use the campus to care for and house mentally disabled vets.

"Homelessness itself exposes veterans to further trauma that itself can both cause and aggravate PTSD (post-traumatic stress disorder) and other disorders," the lawsuit states.

A VA spokesman said the agency cannot comment on ongoing litigation.

In a speech to the National Coalition for Homeless Veterans, VA Secretary Eric K. Shinseki said that in 2009, there were an estimated 131,000 homeless veterans in the country. He said, that figure is down to 75,600 largely as a result of the work of the coalition. "Veterans lead the nation in homelessness, depression, substance abuse, suicides, and we rank right up there in joblessness, as well," Shinseki said. "Our goal must remain focused on getting individual veterans back on the path to stability, independent living, and gainful employment," he said. "We intend to devise better solutions for housing those who are homeless and preventing those at risk from becoming homeless."

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VA SUED FOR MISUSE OF WEST L.A. PROPERTY

Willie, a homeless Vietnam war veteran, lived outside the West Los Angeles VA last summer, when this picture was taken, though he has not been seen in the area for some months now. An 1888 deed to provide a home for veterans initially established the property, which is today the largest VA campus in the country. Some are challenging non-veteran-related uses of the land when Los Angeles County is the veteran homeless capital of America.



ACLU representative addresses the crowd at the press conference announcing the law suit on the use of the West LA VA land.

The U.S. Department of Veterans Affairs (VA) has been sued to enforce the 1888 deed that dedicated the original West Los Angeles VA property -- the largest VA facility in the country -- to be used to permanently maintain a home for military veterans.



A class action complaint filed June 8 in Los Angeles federal court charges "the VA has eliminated permanent housing for disabled veterans, many of whom now literally sleep outside its walls, and it now leases portions of the property to private companies, such as a rental car business and Sodexo Marriott for a laundry facility," according to a statement released by the plaintiffs.

Named as plaintiffs in the lawsuit are four homeless veterans suffering from Post Traumatic Stress Disorder and other disabilities, suing for themselves and for other disabled homeless veterans in the Los Angeles area. Vietnam Veterans of America joined the four individuals as plaintiff in the suit, as did Santa Monica resident Carolina Winston Barrie, a descendant of Arcadia Bandini de Baker, one of the grantors on the 1888 deed. Defendants sued in their official capacities are VA Secretary Eric Shinseki and Donna M. Beiter, Director of the VA Greater Los Angeles Healthcare System (GLAHS), which operates the West L.A. property.

The present-day 387-acre campus grew out of a 300-acre gift of land from the Rancho San Vicente y Santa Monica by Bandini de Baker and U.S. Senator John P. Jones, who founded the city of Santa Monica on other land from that rancho. That deed restricted the use of the land to a permanent home for veterans. Today, Los Angeles is the capital of homeless veterans in the United States. "There are an estimated 107,000 homeless veterans nationwide, and by conservative estimates 8,200 live in the Greater Los Angeles area," said the plaintiffs.

"The [current] misuse of the West Los Angeles campus is documented in detail in a Position Paper issued in January 2011 by the Metabolic Studio, a direct charitable activity of the Annenberg Foundation led by artist Lauren Bon, entitled 'Preserving a Home for Veterans,'" said the plaintiffs' statement. That Position Paper was a product of Strawberry Flag, an artwork by Bon and the Studio that took place on the VA land in question from July 2009 to October 2010. "An artwork in the form of a veterans' program, Strawberry Flag nurtured reclaimed strawberry plants using an experimental aquaponic system," said Bon. "In addition to creating significant veteran training and employment opportunities, Strawberry Flag brought out the potential for meaning and value inherent in often-underutilized resources. Most particularly the artwork proposed ways in which the property itself can be used to create a home-like place while the land use issues are being considered."

The lawsuit filed June 8 also contends that the VA's

benefits program discriminates against veterans with severe mental disabilities. "A robust body of research has established that homeless individuals with severe mental disabilities cannot access necessary medical and mental services without stable living conditions combined with supportive treatment services," the plaintiffs said. "Although the VA has recognized the importance of such supportive housing for seriously disabled homeless veterans, it has refused to offer them to Plaintiffs and other disabled veterans in Los Angeles and around the country."

Defendants did not immediately respond to requests for comments on the 70-page complaint.

In addition to the lawsuit, the Plaintiffs and their attorneys are calling for congressional hearings to investigate the misuse of the West Los Angeles campus and the VA's failure to ensure its benefits programs are accessible to seriously disabled veterans. In January of this year, the VA GLAHS issued a draft master plan that had been mandated by Congress 13 years ago; although veterans, neighboring residents, and the Metabolic Studio filed objections to the



THE BUSHMAN OF BRENTWOOD

Veronique de Turenne

Driving down San Vicente in Brentwood yesterday, lodged in the usual backwash of traffic. Saw this guy standing in the street, waving at the cars, a cardboard sign held aloft. No one looked, no one stopped. Nothing new. Except there was: "POETRY TO GO" the sign said. And the guy, tall and bearded, in his 60s, was smiling, gleeful, even. I went around the block, wound through some magnificent streets with magnificent houses - no one hungry behind those walls - and back toward the poet. Still there. Pulled over in a red zone, cars honking, pedestrians grinning. Gave the poet a dollar and he gave me a poem. "Ballad of a Bushman," by Wendell Brown. Copyrighted.

"You're pretty," he said. "So are you," I told him, and he was, this genuine joy coming off him. The poem's about his service in Viet Nam, being homeless, living in the bushes, being lonely. ("But wait, I say, don't pity me/I have the mountains and the sea./I've watched the cities sprawl and grow,/With 'people boxes' row on row ...")

I'm told Mr. Wendell has been plying his trade there in Brentwood for the last 15 years. And I can't help wonder what he can buy with that measly dollar.

Ballad Of A Bushman

Some clustered bushes shelter me.
In loneliness and misery,
They shield me from the wind and cold.
And help me keep what hopes I hold.

I gave my best for Uncle Sam,
And came back dead from Viet Nam,
When afterwards at home again,
Just one among forgotten Men.

My world had changed, I was alone.
Nobody Cared. No welcome shown.
From eyes of strangers, eyes of friends.
My heart was broken, would not mend.

Such awful Scenes of dead mankind
Blood-soaked the regions of my mind.
For me the loss of days, long gone,
Leave me no choice, but to wander on.

What do I seek and not find?
Where is the comfort for my kind?
No cheerful hearth awaits for me.
My days plod on eternally.

But wait, I say, don't pity me.
I have the mountains and the sea.

I've watched the cities sprawl and grow,
With "people-boxes" row on row.

I've seen men slaving lives away,
Pursuing Money night and day,
Confined in concrete kennels high,
Commercial treadmills in the sky.

I too need money, that is true.
In meager bits I beg from you.
I am not proud, I have no wealth.
I am thankful just to have my health.

My wants are few, but this I've found,
What peace is mine, comes from the ground.
God's friendly bushes are my "pad."
They gave me what little ease I've had.

They know full well I sometimes cry.
They know, as I, that men must die.
Before that time I want a life
With simple comforts, kids and wife.

For now, I live the life I've got.
A victim of the war I fought.
The bushes know I'm sure they do
They shelter me, and others too.

They always greet me as a man.
They keep me warm as best they can.
They shade me from the blazing sun,
And welcome me when the day is done.

But how long will my bushes stand
As urban growth spreads cross the land?
I pray for bushes. Let them be.
They make a "home" for now, for me.

Wendell Brown ©

plan during a 30-day comment period, no congressional hearings have yet been scheduled.

"War can take a serious toll, both physical and emotional, and it is shameful when our wounded warriors return home and are left to live on our streets," said former Adjutant General of the California National Guard, Maj. General Paul Monroe. "California has an incredible campus that was given to the U.S. government to permanently house our disabled vets. It's past time we stopped renting it out to private companies and started using it to house and care for those who have sacrificed so much for our country." "It's a scandal that the Department of Veterans Affairs is not using this land for the sole benefit of disabled veterans," said Mark Rosenbaum, Chief Counsel of the ACLU Foundation of Southern California. "This is VA-Gate, because the VA could quite literally end veteran homelessness in Los Angeles if this land were used as it was intended."

Plaintiffs in the class action suit are represented by Harvard law professor Laurence Tribe; Ronald Olson, of Munger, Tolles & Olson LLP; Arnold & Porter LLP; Inner City Law Center; UCLA law professor Gary Blasi; Massey & Gail LLP; and the ACLU Foundation of Southern California.

ACLU SUES VETERANS AFFAIRS OVER MISUSED WEST L. A. COMPLEX THAT ONCE SERVED THOUSANDS OF RETIRED SOLDIERS

By DANIEL SCHONHAUT

Once a thriving haven for thousands of retired soldiers, portions of the West Los Angeles Medical Center & Community Living Center now lie dormant, falling into disrepair. A recently filed lawsuit claims that the site lacks permanent supportive housing for disabled veterans.

Buildings that were intended to house homeless veterans remain empty while waiting to be renovated. In January, the Department of Veterans Affairs agreed to spend \$20 million to convert one building into therapeutic housing, but construction has yet to begin.

On the other side of the 405 Freeway, a site nearly as large as UCLA is entering a legal battle years in the making. The 387-acre West Los Angeles Medical Center & Community Living Center was originally donated to the federal government in the late 19th century under condition that it

be converted into a permanent home for disabled veterans. It was one of only a few such places in the country. For decades, the property housed thousands of retired soldiers and included amenities like a library, a band and its own baseball team. For veterans who qualified, it was all free of charge. But a lot has changed since then. The veterans who once occupied the site have vanished, discharged during the late '70s and '80s as a result of politics at the time.

Now there is a modern ghost town nestled oddly in the heart of America's second most-populated city. Walking through in the mid-afternoon, nearly no people are visible - only scores of abandoned buildings and row after row of mostly empty parking lots.

Aside from the faint drone of cars passing by on Wilshire Boulevard, everything is silent.

The space is still used to a limited extent. On the southern end of the property, the West Los Angeles Medical Center provides extensive care to hundreds of veterans at a time, with help from UCLA physicians. North of that are a couple of nursing homes, research programs and administrative services. But according to a group of advocates for homeless veterans, portions of the site are being misused or not used at all.

A 72-page lawsuit demands that the West L. A. site provide

permanent supportive housing for disabled veterans, many of whom are homeless. It also calls for disclosure of how much money is made from renting parts of the property to private interests like Enterprise Rent-A-Car and the UCLA baseball program.

The class-action suit was filed by the American Civil Liberties Union on June 8 against representatives of the Department of Veterans Affairs. There are a number of plaintiffs, including the grand-niece of the land's original donor. The VA declined to comment on the lawsuit and referred inquiries to the U. S. Department of Justice, which also declined to comment. The suit claims there is no permanent supportive housing offered on the West L. A. site, which has shifted from housing permanent residents to only temporary patients. This type of housing is essential for veterans to receive effective treatment for severe disabilities, the lawsuit adds.

Meanwhile, the population of homeless veterans in L. A. is high and rising, said Gary Blasi, one of several lawyers for the plaintiffs and a professor at the UCLA School of Law.

An estimated 8,131 veterans are homeless in L. A. County, according to the Los Angeles Homeless Services Authority. Although overall homelessness has decreased slightly

MEMBERSHIP APPLICATION

Individual membership is open to Veterans who served on active duty in the US Military (for other than training purposes) from February 28, 1961 to May 7, 1975 or from August 5, 1964 and May 7 1975 for Vietnam-era Veterans.

Name _____ Address _____

City _____ State _____ Zip _____ + _____

Phone _____ e-mail _____

Individual membership or Associate membership Dues:

\$20 for Annual ____ / \$20 for Renewal ____ / \$50 for 3 Year Membership ____

Life Memberships:

\$250 ____ (age 49 and under) \$225 ____ (50-55) \$200 ____ (56-60) \$175 ____ (61-65) \$150 ____ (66+)

For individual membership a DD214 is required if not already on file.

Associates of Vietnam Veterans of America is an adjunct organization with VVA, Both Veterans and non-Veterans may join. If joining AVVA you are eligible to be a member of VVA Yes ____ No ____

Print this page and fill out and mail with DD214 (if needed) to our address above.

If you are a current member, to renew provide your Membership # _____ Chapter _____

since 2009, the veteran homeless population has increased by 24 percent. Blasi attributed this spike to veterans returning from the wars in Iraq and Afghanistan. The VA has worked to address some public concerns. Under pressure from local activists and politicians, in June 2010 the agency agreed to spend \$20 million to renovate one building on its site into therapeutic housing for chronically homeless veterans. A year later, however, no construction has begun. The \$20 million was set aside for the project in the president's 2011 budget, but it still needs to be authorized by Congress, according to an email from a spokeswoman for U. S. Rep. Henry Waxman (D-Beverly Hills), who supports the project. Although no supportive housing for homeless veterans is yet available, in January the VA of West L. A. proposed turning an additional two buildings into therapeutic housing. Blasi and the lawsuit's plaintiffs claim the VA fully understands its failings but has been slow to act, which Blasi said comes down to the government's priorities in approving funds. "When we want to invade a country and provide billions in cash we can do that very quickly," he said. "We seem to not have the same urgency or competence in caring for the men and women we sent to war when they return."

In the past week, the lawsuit has been picking up steam. On Tuesday, the Santa Monica City Council unanimously approved a motion to support the suit and offered to provide legal assistance.

The motion was introduced by city council member Bobby Shriver, who said he has spent seven years unsuccessfully trying to get the three buildings on the VA site renovated. "After six years of trying, they agreed to build a pilot program in one building and said they had \$20 million to do it," Shriver said. "But they don't have the \$20 million. And no one can say when they will get it."

If a judge rules the buildings must be renovated, the VA will be forced to comply. While renovating three buildings will ultimately not solve L. A.'s veteran homeless problem, Shriver said he believes it's a necessary start.

The defendants have 60 days to file an answer to the lawsuit, Blasi said. After this, the case might settle or go to court.

VETERANS' MENTAL HEALTH

Recognition of mental health needs is a start; programs must follow

As the drawdown of troops in Iraq and Afghanistan proceeds, thousands of U.S. war veterans are returning home. One in five may be suffering from traumatic brain injuries, post-traumatic stress disorder or other psychological wounds. A Department of Veterans Affairs study put the number at 418,000 of 1.9 million who've served on those fronts.

What are these vets returning to? What can they expect in the way of support and treatment in adapting to civilian life? What is the country doing for the returning troops, many of whom have served multiple tours of duty in brutal war zones?

Post-war transition has always been tough. But while the lingering trauma of war service is slowly becoming recognized and acknowledged, the system still isn't geared to help the unprecedented numbers of those needing help. In the most recent quarterly report, Veterans Affairs facilities recorded an increase of 10,000 over the previous quarter of those seen for potential PTSD. And there are many, many more still waiting.

Earlier this month, President Barack Obama announced that as commander-in-chief he would start sending condolence letters to the families of service members who commit suicide while deployed in a combat zone. "This issue is emotional, painful, and complicated, but these Americans served our nation bravely. They didn't die because they were weak. And the fact that they didn't get the help they needed must change," the president said.

It's a small, but important step in recognizing the country's extended responsibility for the well-being of those who serve. It's a small step because military suicides, which have spiked over the past decade, occur mostly outside combat zones, which the new condolence policy doesn't address. Various studies have shown that in the past two years, suicide has claimed almost as many active-duty military personnel as has combat.

Even more important is the need for preventive services to ensure service members "get the help they need." At recent Senate hearings before the Committee on Veterans

Affairs, veterans testified about long waits for treatment and endless red tape that increase the risks for suicide. Early intervention is considered key in achieving successful outcomes. One retired Army specialist reported that when he tried to reschedule his appointment so he could testify, he was told it would be a 4-month wait.

Another barrier to services is that symptoms of TBI and PTSD often take months or even years to manifest after the initial injury. Many times, consequently, service members leave with either an inaccurate diagnosis or no diagnosis. The Daily Press recently chronicled the case of Monte Webster, a former Army staff sergeant wounded in Iraq. Unable to find help within the system, Webster finally connected with the Veterans Benefit Clinic staffed by law students at the College of William and Mary.

The economy is another stressor faced by those returning from war. Unemployment among recently returned veterans is at 13.3 percent, according to the U.S. Bureau of Labor Statistics, up almost 2 percentage points from last year, and way above the nation's 9 percent rate.

Incredibly, here in Hampton Roads where there's a concentration of veterans there's no House representative charged specifically with having their interests at heart. While Virginia Sen. Jim Webb has been active on the Senate's Veterans' Affairs Committee, there's no local voice on the House committee. This lack of representation needs to be addressed at the earliest opportunity.

The Virginia General Assembly made inroads this spring when it passed legislation allowing judges to direct vets with mental health problems, those in trouble with the law, to specific treatment programs.

There is much more to be done for our veterans.

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TBI MAY DOUBLE DEMENTIA RISK

By: Sharon Worcester, Internal Medicine News Digital Network

PARIS – Traumatic brain injury may double the risk of developing dementia, according to findings from a study of more than 280,000 U.S. veterans.

The risk of dementia over 7 years was 15.3% in 4,902 veterans who had a traumatic brain injury (TBI) diagnosis in 1997-2000, compared with 6.8% in those without a TBI diagnosis. The comparison yielded a hazard ratio of 2.3 for those with any TBI diagnosis after adjustment for age, sex, race, and multiple medical and psychiatric conditions.

The difference was statistically significant for all TBI types, including intracranial injury (the most common form, which accounted for 40% of the injuries among the veterans) as well as for concussion, postconcussion syndrome, head fracture, and unspecified head injury. Dr. Kristine Yaffe and her colleagues reported in a poster on July 18 at the International Conference on Alzheimer's Disease.

The findings also offer some hope that early treatment and rehabilitation after TBI could help ward off dementia, and they underscore the need for monitoring affected older adults for signs of cognitive impairment following a TBI, Dr. Yaffe said at the conference.

"The issue is important because TBI is very common," according to Dr. Yaffe, professor of psychiatry, neurology, and epidemiology at the University of California, San Francisco, who noted that the condition is common in the general population as well as among veterans.

About 1.7 million people experience a TBI each year in the United States, most often as a result of falls and car crashes, according to data from the U.S. Centers for Disease Control and Prevention. About 2% of the veterans included in this study had a TBI diagnosis during the study period.

In fact, TBI is known as the "signature wound" incurred by soldiers involved in conflicts in Iraq and Afghanistan, because it accounts for 22% of casualties and 59% of blast-related injuries.

Findings from this and prior studies that suggest an association between such injuries and the development of symptomatic dementia raise concern about potential long-term consequences for affected veterans, as well as for older adults in the general population who experience a

TBI, said

Dr. Yaffe, who is also director of the memory disorders clinic at the San Francisco VA Medical Center.

That is particularly true because amyloid plaques similar to those seen in the brains of Alzheimer's patients are also present in nearly a third of TBI patients who don't survive their injuries.

"It is possible that these injuries result in the death of axons and neurons, even after a single TBI. Loss of axons and neurons could result in earlier manifestation of Alzheimer's symptoms," the researchers said in a statement regarding the findings.

Veterans included in the study were aged 55 years or older with no dementia diagnosis at baseline. Each veteran had received care through the Veterans Health Administration, had at least one visit during 1997-2000, and had a follow-up visit from 2001-2007.

Dr. Yaffe's research was funded by the U.S. Department of Defense. She had no other relevant disclosures.

MENTAL HEALTH PROGRAMS FOR SOLDIERS COSTS

Adam Ashton; Staff Writer

A four-year-old Pentagon effort to improve psychological health services across the military is spending tens of millions – some of it at Joint Base Lewis-McChord – without providing a clear picture of how the money is used, according to a new report from the Government Accountability Office. The report reflects the Pentagon's rush to expand research on post-traumatic stress through the Defense Centers of Excellence, which oversees a program at Lewis-McChord that develops mental health applications and spent \$21.9 million last year.

It is the second report this year to criticize the Defense Centers of Excellence; both were produced by the GAO, the non-partisan investigating arm of Congress. The local subordinate center, known as the National Center for Telehealth and Technology, is on a growth swing. It recently moved into a new building at the base south of Tacoma and has designed several technology tools to educate service members about post-traumatic stress and other reactions to war. One tool uses virtual reality to walk soldiers through a combat incident that could trigger post-traumatic stress. Others use cell phone applications to put anxiety-coping techniques in the pockets of war veterans.

The News Tribune last October ran a story about the center's new T2 Mood Tracker, a smart-phone app that lets a soldier privately rate his emotions on 10 scales he can slide with his fingertip on his phone's screen. "We need to be building tools that are meeting the needs of our population, which is predominantly young and tech-savvy," Robert Ciulla, a division chief at the center, told The News Tribune at the time.

A spokesman for Rep. Norm Dicks, D-Belfair, says the new GAO report – "Defense Centers of Excellence: Limited Budget and Performance Information" – isn't a sign that purse strings will tighten for the project at Lewis-McChord. Dicks was among the congressmen who requested the study after hearings were held last year on progress being made at the Defense Centers of Excellence. "It seems the Defense Department did not give the GAO enough information," Dicks spokesman George Behan said, citing the GAO's inability to get spending information quickly.

The June 30 report reflects the Pentagon's push to fund psychological health programs in the wake of critical stories showing poor care of Iraq and Afghanistan veterans. The report notes that 44,000 service members have been wounded in the wars. "No limits were imposed on (psychological health) and (traumatic brain injury) budget requests, and no trade-off decisions were made," a defense official told the GAO about the 2009 budgeting process for the Defense Centers of Excellence.

In 2009, the Defense Department spent \$770 million on psychological health and traumatic brain injury programs. It spent another \$638 million on those programs last year. The Army got the largest share in both years. The Defense Centers of Excellence received \$168 million in 2010, up from \$119.2 million in 2009, according to GAO reports. The study criticizes the budget documents the GAO obtained as lacking in standard information, such as prior-year spending levels and detailed descriptions of how additional money would be used to achieve Pentagon goals.

VVA 47 OCC MOTORCYCLE RAFFLE

WINNING TICKET PULLED JULY 4, 2011

On Monday, July 4, VVA Chapter 47 held the long awaited drawing for the winning ticket for the custom Orange County Chopper.



With the assistance of Jon Hemp, Co-Founder, Feed the Dawgs, Chapter 47 invited Daniel Blasjo, a Gold Star father to draw the winning ticket. Daniel's son, Sgt Aaron J. Blasjo from Riverside, CA, a US Army Special Forces K-9 handler was killed along with his military working dog, Hunter, and two other Special Forces soldiers on 29 May 2011, in Wardak Province, Afghanistan in an IED attack on their Humvee.

The winning ticket belonged John Hodges, a Vietnam veteran. John, a Vietnam veteran and two co-workers, Lonny Grant, a post Vietnam Marine Corps veteran and George Archibald pooled their funds to purchase tickets in the raffle. The three winners are employees of Stater Bros. and work at the Distribution Center in San Bernardino. Steve Mackey, President of VVA Chapter 47 met with the winners to present them with the key to the motorcycle and get pictures in front of the Stater Bros. Headquarters.



Below are the photo of Dan Blasjo pulling the winning raffle ticket outside the Auto Club Speedway grandstands during the Red, White and Cruise event on July 4 (top), Steve Mackey presenting the key to the Orange County Chopper to John Hodges as Lonny Grant (standing) and George Archibald (sitting on bike) look on (middle) and the winners (Lonny Grant, John Hodges and George Archibald) in front of the logo emblazoned trailer used to transport the motorcycle (bottom).



Congratulations to the winners!

Some of that information was relatively thin because the program is so new. It's gone through only two federal budget cycles since its creation in 2007. "It's not a blank check," Behan said. "To some extent, it was just stood up two budget years ago so you don't have a long track record."

The GAO report encourages the Defense Centers of Excellence to:

- * Provide more detailed budget requests.
- * Develop a process to track funding at its six component centers, including the one at Lewis-McChord.
- * Review the effectiveness of the six component centers.

It followed a February report from the GAO that criticized the program for writing vague goals and failing to prioritize its projects. The Defense Department has declared that it will work toward improving transparency in its psychological health programs. Kathleen Taylor, a spokeswoman for the Defense Centers of Excellence, said the program has created a committee to respond to the GAO critiques since the first report came out earlier this year. She said its budgets have been drafted with extensive Defense Department oversight, including reviews from the military's surgeons general.

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COURT ORDERS MAJOR OVERHAUL OF VA'S MENTAL

HEALTH SYSTEM

By Carol J. Williams, Los Angeles Times

9th Circuit says treatment delays for PTSD and other disorders are so 'egregious' that they violate veterans' rights. Judges say they waited 'long enough' for the VA to act and were compelled to intervene.

A federal appeals court Tuesday lambasted the Department of Veterans Affairs for failing to care for those suffering post-traumatic stress disorder and ordered a major overhaul of the behemoth agency.

Treatment delays for PTSD and other combat-related mental illnesses are so "egregious" that they violate veterans' constitutional rights and contribute to the despair behind many of the 6,500 suicides among veterans each year, the U.S. 9th Circuit Court of Appeals said in its 2-1 ruling.

Noting that an average of 18 returning service members commit suicide each day, the court directed a district judge in San Francisco to order sweeping reform of the VA's mental health care system.

The appeals court took nearly two years to issue its decision, in part because the court attempted to force the government to negotiate with the two veterans' groups that sued over mental health care and benefits that had been delayed or denied.

Citing the court's inability to order the government "to work faster," Chief Judge Alex Kozinski had urged lawyers for the VA and the veterans groups to use the court's mediation services to work out a plan for meeting the wounded veterans' needs. The talks deadlocked and no settlement was reached.

"There comes a time when the political branches have so completely and chronically failed to respect the People's constitutional rights that the courts must be willing to enforce them. We have reached that unfortunate point with respect to veterans who are suffering from the hidden, or not hidden, wounds of war," said the ruling written by Judge Stephen Reinhardt and joined by Senior Judge Procter Hug Jr., both appointees of President Carter.

"The VA's unchecked incompetence has gone on long enough; no more veterans should be compelled to agonize or perish while the government fails to perform its obligations," the ruling said. Kozinski dissented, saying that "much as the VA's failure to meet the needs of veterans with PTSD might shock and outrage us, we may not step in and boss it around."

He predicted that the majority's directive would only prolong litigation and complicate the agency's efforts to improve services. "We would have preferred Congress or the President to have remedied the VA's egregious problems without our intervention when evidence of the department's harmful shortcomings and its failure to properly address the needs of our veterans first came to light years ago," the majority said in heeding the chief judge's concerns.

Veterans for Common Sense and Veterans United for Truth sued the VA four years ago, alleging systemic failures in the government's processing of disability claims and appeals of denied coverage. U.S. District Judge Samuel Conti denied the groups' claims on procedural grounds following a seven-day trial in 2008. The judge said he lacked the authority to order the VA to implement the Mental Health Strategic Plan it drafted in 2004 to overhaul its care system within five years.

Gordon Erspamer, the San Francisco attorney who represented the veterans groups pro bono, said he provided Conti three years ago with remedial plans for the VA to improve services to veterans, proposing firm deadlines for dealing with treatment requests and benefit claims. He said he was concerned, though, that the government would continue to appeal the case, further delaying the needed reforms. "We're not dealing with the rights of convicted criminals here, or the rights of foreign combatants. We're dealing with our people, our veterans. It's a tough issue to be so inflexible on," he said of the federal government's resistance to direction from the courts. Charles S. Miller, a spokesman for the Justice Department whose lawyers argued the case in defense of the VA, said the department had no immediate comment except to say that it was reviewing the 9th Circuit ruling.

Treatment of war wounds has been a legal guarantee to soldiers since Abraham Lincoln was president, and the law was enhanced in 1998 to promise free care for "any medical condition, even if the condition is not attributable to military service." Tuesday's ruling noted that there are 25 million veterans in the United States, including 1.6 million who served in Iraq or Afghanistan over the past decade. "PTSD is a leading mental health disorder diagnosis for those veterans," the appeals panel said, citing a Rand Institute study in 2008 estimating that 300,000 returning war veterans currently suffer from PTSD or major depression. The VA is obliged to provide a mental health assessment within 30 days for any veteran requesting help, but many applications languish for months or years, and tens of thousands of those deemed in need of care are relegated to waiting lists because of chronic shortages, the judges noted. The ruling also cited a 2007 report by the Office of the Inspector General that there were no suicide prevention officers at any of the VA's 800 community-based outpatient clinics, where most veterans receive their medical care.

carol.williams@latimes.com

VIETNAM WAR MEMORIAL WALL:

There are 58,267 names now listed on that polished black wall, including those added in 2010.

The names are arranged in the order in which they were taken from us by date and within each date the names are alphabetized. It is hard to believe it is 36 years since the last casualties.

Beginning at the apex on panel 1E and going out to the end of the East wall, appearing to recede into the earth (numbered 70B - May 25, 1968), then resuming at the end of the West wall, as the wall emerges from the earth (numbered 70W - continuing May 25, 1968) and ending with a date in 1975. Thus the war's beginning and end meet. The war is complete, coming full circle, yet broken by the earth that bounds the angle's open side and contained within the earth itself.

The first known casualty was Richard B. Fitzgibbon, of North Weymouth, Mass. listed by the U.S. Department of Defense as having been killed on June 8, 1956.

His name is listed on the Wall with that of his son, Marine Corps Lance Cpl. Richard B. Fitzgibbon III, who was killed on Sept. 7, 1965.

There are three sets of fathers and sons on the Wall.

39,996 on the Wall were just 22 or younger.

The largest age group, 8,283 were just 19 years old

3,103 were 18 years old.

12 soldiers on the Wall were 17 years old.

5 soldiers on the Wall were 16 years old.

One soldier, PFC Dan Bullock was 15 years old.

997 soldiers were killed on their first day in Vietnam.

1,448 soldiers were killed on their last day in Vietnam.

31 sets of brothers are on the Wall.

Thirty one sets of parents lost two of their sons.

54 soldiers on the Wall attended Thomas Edison High School in Philadelphia. I wonder why so many from one school.

8 Women are on the Wall. Nursing the wounded.

244 soldiers were awarded the Medal of Honor during the Vietnam War; 153 of them are on the Wall.

Beallsville, Ohio with a population of 475 lost 6 of her sons.

West Virginia had the highest casualty rate per capita in the nation. There are 711 West Virginians on the Wall.

The Marines of Morenci - They led some of the scrappiest high school football and basketball teams that the little Arizona copper town of Morenci (pop. 5,058) had ever known and cheered. They enjoyed roaring beer busts. In quieter moments, they rode horses along the Coronado Trail, stalked deer in the Apache National Forest. And in the patriotic camaraderie typical of Morenci's mining families, the nine graduates of Morenci High enlisted as a group in the Marine Corps. Their service began on Independence Day, 1966. Only 3 returned home.

The Buddies of Midvale - LeRoy Tafuya, Jimmy Martinez, Tom Gonzales were all boyhood friends and lived on three consecutive streets in Midvale, Utah on Fifth, Sixth and Seventh avenues. They lived only a few yards apart. They played ball at the adjacent sandlot ball field. And they all went to Vietnam...

In a span of 16 dark days in late 1967, all three would be killed. LeRoy was killed on Wednesday, Nov. 22, the fourth anniversary of John F. Kennedy's assassination. Jimmy died less than 24 hours later on Thanksgiving Day. Tom was shot dead assaulting the enemy on Dec. 7, Pearl Harbor Remembrance Day.

The most casualty deaths for a single day was on January 31, 1968 ~ 245 deaths.

The most casualty deaths for a single month was May 1968 - 2,415 casualties were incurred.

That's 2,415 dead in a single month.



VVA Chapter 223 - Postal Permit
PO Box 1583
Santa Rosa, CA 95402

VVA CA State Council contact info inside - page 2

Coming to Santa Barbara...

"THE MOVING WALL"



SEPT. 29
TO
OCT. 3
» » »
CHASE
PALM
PARK

(Ocean Side of Cabrillo)

Dedication Ceremony with Flyover | Saturday, October 1 | 12 Noon
Candlelight Service | Sunday, October 2 | Sunset
The Wall Will Be Open and Staffed 24 Hours a Day

The Vietnam Veterans of America, Chapter 218 of Santa Barbara, is proud to again bring "The Moving Wall" to Chase Palm Park, September 29 to October 3, 2011.

Join us to honor and remember the lives, service and sacrifice of over 58,000 men and women whose names are forever etched on The Vietnam Veterans Memorial in Washington, D.C.

Opportunities are available for individuals, businesses or organizations to support the exhibition of The Moving Wall in Santa Barbara by visiting our website at:

vvachapter218.org and on our Facebook page 

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IN THIS ISSUE:

- Updates on the West LA VA Land Issue
- Legislative Information
- Veteran Health Information
- Chapter Activities
- And more...

VVA & CSC MEETING DATES & EVENTS

CSC Meeting - August 26-28, 2011 - Fresno, CA
CSC Meeting - October 21-22, 2011 - Fresno, CA
CSC Meeting - February 3-4, 2012 - Fresno, CA
CSC Meeting - April 27-28, 2012 - Fresno, CA
CSC State Convention - June 29-30, 2012 - Fresno, CA