

V.V.A. Chapter 975 Newsletter





POW/MIA Report: April 22, 2011, AMERICANS IDENTIFIED: There are now **1,693** Americans listed by the Defense POW/Missing Personnel Office (DPMO) missing and unaccounted-for from the Vietnam War. DPMO just posted the news that the remains of **U.S. Army Lieutenant Colonel Glenn D. McElroy** and **Captain John M. Nash**, both previously missing from Laos, have been identified and will be returned to their families for interment with the honors earned. The remains of both officers were jointly recovered November 11, 2008 and identified February 5, 2010. No reason was given for the extended delay in posting the accounting for these two US army officers. **The number of Americans returned and identified since the end of the Vietnam War in 1975 is now 890;** another 63 US personnel, recovered post-incident and identified before the end of the war, bring the total to 953. Of the 1,693 unreturned American veterans from the Vietnam War, our POW/MIAs, **90% were lost in Vietnam or in areas of Laos and Cambodia under Vietnam's wartime control:** Vietnam – 1,300 (VN-477, VS-823); Laos – 328; Cambodia – 58; Peoples Republic of China territorial waters – 7. Over 450 were over-water losses.

LEAGUE DELEGATION BACK FROM SOUTHEAST ASIA: League Executive Director Ann Mills-Griffiths and Senior Policy Advisor Richard T. Childress met with US and foreign officials in Laos, Vietnam and Cambodia over the last three weeks. The delegation traveled first to Laos, where they visited two excavation sites in the south, then on to Vietnam on March 16th and to Cambodia on March 20th, before returning to Bangkok on March 23rd and back to the US. A summary report was published in the April 11th League Newsletter.

Discussions in **Laos** brought progress that may, at long last, finally result in Laos Government agreement for participation by DIA's Stony Beach specialist in POW/MIA investigations. Other issues were raised, including the need for Vietnam's archives to address cases' of US personnel missing in Laos. Despite US failure to respond to Vietnam's 2009 proposal to expand the pace and scope of field operations (due to inaction by Congress to allocate funding), **Vietnam**, reiterated its hope that such expansion would soon occur, offered to positively consider any initiatives we wish to propose, agreed more can be done on archival research and provision of records and agreed to work bilaterally and multilaterally (with the US, Laos and Cambodia) to expand opportunities for greater results in locating relevant archives. In **Cambodia**, there is willingness to respond positively to any request made by the US. Authorization comes directly from the Prime Minister to Cambodian POW/MIA Committee Chairman General Pol Saroeun, Chief of the Cambodian Armed Forces and his Deputy, Secretary of State for the Ministry of Interior, Sieng Lapresse. All members of the Cambodian POW/MIA Committee are very senior and cooperate closely with DIA's two Stony Beach specialists in Phnom Penh, as well as with JPAC when conducting joint field operations. .

V.A. News:

VA Medicare Subvention Update 04: American Legion National Commander Jimmie L. Foster is urging the organization's members to push for congressional support of a bill that, if enacted, would allow military veterans to use their Medicare benefits at Department of Veterans Affairs medical facilities. The bill, H.R. 814, was introduced earlier this year by Rep. Bob Filner (D-CA) ranking minority member of the House Veterans Affairs Committee and longtime supporter of veterans. As the law stands, the VA's Veterans Health Administration (VHA) is prohibited from seeking third-party reimbursements from Medicare for the treatment of non-service connected medical conditions suffered by veterans, even if the appropriate treatment is routinely covered under Medicare. This means that many Medicare-enrolled veterans who wish to be treated at VA medical centers – but have their care covered by Medicare benefits – must seek treatment elsewhere. H.R. 814, called the Medicare VA Reimbursement Act of 2011, would lift that prohibition.

V.A. News: Cont.

Foster said —Veterans, like everyone else, pay into Medicare all their working lives. So why should they not be able to use Medicare benefits at the medical facilities of their choosing – namely, VA medical centers – for all medical conditions, both service connected and non-service connected? VA medical care is considered by many to be the best there is, so it should be made available to as many veterans as possible. In our opinion, that is a privilege these men and women have earned through their selfless service to our nation. Not only would passage of the Medicare VA Reimbursement Act correct a great inequity, but Medicare reimbursements to the VHA would help fund VA medical research, education, facilities and personnel. It should be noted that VA's pioneering medical research and education is good not only for veterans, but for all Americans. It's not unlike the benefits we have all derived from research and development done by NASA's space program. A resolution adopted by The American Legion during its annual convention last year in Milwaukee makes those points about the VHA, its contributions, and its need for adequate funding:

- VHA continues to be the nation's largest educator of health-care professionals through its affiliations with medical schools, academic medical centers and other search institutions.
- VHA continues to be a major national research asset conducting, clinical, epidemiological and behavioral studies across the entire spectrum of scientific discipline(s).
- VHA continues to serve as a contingency back-up to Department of Defense medical services and, during national emergencies,

VA Fiduciary Program Update 01: Following on the heels of the Henderson decision by the Supreme Court in which the court relaxed a filing deadline that had denied benefits to disabled veterans., the Court of Appeals for Veterans Claims (CAVC) on 26 APR issued a decision on a petition by William Freeman that ordered VA provide a process for veterans to challenge the appointment of a VA fiduciary to control his or her finances. Mr. Freeman wanted to challenge the appointment of a stranger to handle his finances instead of his sister, a woman who had taken care of him and his father for more than two decades. However, he and his sister were repeatedly told by the VA, along with thousands of other veterans and family members, that there was no appeal of a VA fiduciary decision. VA told Mr. Freeman that he would just have to learn to live with a stranger telling him what he could spend of his own money and when he could spend it. For some being a —federal fiduciary has become a cottage industry where individuals are assigned dozens and dozens of veteran's finances.

The CAVA has now made clear that the VA fiduciary program managers have to precisely comply with the legal requirements for qualifying and appointing fiduciaries and respond to veteran's challenges to fiduciary appointments. In a unanimous opinion CACV rejected every reason offered for keeping the fiduciary system protected from judicial review. Veterans also now have the same right to appeal fiduciary decisions as any other VA decision affecting their benefits. Veterans and their advocates may now appeal to the Board and to the Veterans Court, if needed. The Court made clear that the Secretary is required, among other things, to perform an investigation into the fitness of an individual before that individual may be certified to serve as a fiduciary and perform a credit check on the potential fiduciary. Further, in all instances, the VA is required to conduct a criminal background check on the potential fiduciary. Also, the Court agreed with Mr. Freeman that the law requires that adequate evidence be presented which shows that the certification of a particular individual as a particular beneficiary's fiduciary is in the interest of that beneficiary. Most importantly, the Court recognized and emphasized that VA must show that certification of a certain individual to handle the beneficiary's funds is "in the interest" of the beneficiary. Fiduciaries are paid 4% of the veteran's earned compensation. The CAVC decision is available for review at http://www.vawatchdogtoday.org/uploads/NOVA_amicus_brief_-_10-1462.pdf. VA recently testified that over 110,000 veterans have federal fiduciaries appointed for which over \$96 million is deducted from those veterans benefits. [Source: www.vawatchdogtoday.org 27 Apr 2011 ++]

eBenefits:

Have you heard of the combined effort of DOD and VA to improve communication to veterans, known as eBenefits? The eBenefits portal is an online resource that veterans can use to find and manage benefit-related information. The website is located at www.ebenefits.va.gov and will allow veterans to follow the development process of their claim among many other things. We ask that you all help get the word out to our veterans and to our **active duty** personnel that are about to make the transition from active duty to civilian life. Please view the Site to get a better idea of all that this new website offers to our veterans. As time goes on, the VA is improving this site to be more user-friendly. Note: it also has a link to state benefits.

V.A. News Cont. Note To all Veterans:

ADVS State Veteran Legislation Update April 25th 2011

“VASH” means “Veterans Affairs Supportive Housing www.hud.gov search: VASH or VASH Bridge MOU. Veterans; a message from

Joey Strickland, Tue, April 26, 2011 9:45:28 AM

Sent: Apr 25, 2011 9:59 AM
Cc: carolculbertson@earthlink.net
Subject: Fw: VASH Bridge MOU

We are proud that we are able to do this for our Homeless veterans and working with Non Profits to leverage funds shows true partnership and makes us more effective. We are receiving National attention from Federal VA with our approach to Homeless veterans programs in Arizona.

Joey
Director

----- Original Message -----

From: Brad Bridwell
Sent: Mon Apr 25 09:37:07 2011
Subject: VASH Bridge MOU

Okay Ladies and Gentleman, mark the date as this is a small piece of positive history. Attached you will find a fully executed Memorandum of Agreement between the Arizona Department of Veterans Services, the Phoenix Military and Veterans Commission Foundation and United For Change to create a joint pool of funds to finance a robust VASH Bridge program to cover the needs of chronically homeless veterans entering HUD VASH and helping those already in it to retain their housing by intervening in the small financial gaps that often occur and put housing at risk for our most vulnerable veterans. Joint funding initiatives help move the philanthropic community toward a shared mission and enhanced outcomes that are otherwise out of reach due to particular funding restrictions, limitations and resources spread too thin among too many objectives. While this first proposal is expected to serve approximately 31 veterans, this is only about 1/3 of the estimated need. I sincerely hope this is just the beginning of a collaborative, collective approach to solving the most pressing issues for vulnerable veterans and more organizations will be brought on board in future iterations. Finally, it makes sense that the VASH Bridge Program would be joint-funded in the same spirit of HUD and VA's joint funding partnership through HUD VASH.

V A News (Cont.)

Note from the editor: This is not a complete report as submitted, but just a list of the issues discussed

ADVS State Veteran Legislation Update May 6th 2011

We have no Action Alerts today

Issue1. May is National Military Appreciation Month

May is National Military Appreciation Month. It's a time to thank those who have served, continue to serve, and remember all Americans who paid the ultimate price in service to our nation.

ADVS State Veteran Legislation Update May 6th 2011 (Cont.)

Also, today is Military Spouse Appreciation Day - a day to honor the contributions and sacrifices of military spouses. We recognize one of the challenges for spouses is building and maintaining a career and next week MOAA will host a free Military Spouse Symposium and Career Fair in Virginia Beach (Click on Defense Bill Coming Up Next Week here or above or go to "Here are the processes" below to send a message to our Representatives urging them support these three key issues.

Issue 2.Attention Commissary Shoppers.

A group conducting a Commissary study is looking for single service members and military families to participate in an online survey on improving commissary products and services. Participants of this 20 minute survey will be rewarded with a \$10 Amazon.com gift certificate.

Issue 3 CHCBP Enrollees to get rebate. Last week we reported on the rollout of the TRICARE Young Adult program (TYA). We told you MOAA had asked whether CHCBP participants now eligible for TYA would receive a rebate for premiums paid back to January 1, 2011. TRICARE officials confirmed there will be retroactive premium rebates for the cost differential for any already-purchased 2011 CHCBP coverage - and more details are still to come. (Click on CHCBP Enrollees to Get Rebate here or above to see the details.

Issue 4 Defense Bill Mark-up The House Armed Services Military Personnel Subcommittee released their mark-up of the 2012 defense authorization bill that addresses some of the very issues MOAA stormed the Hill on last month.

The mark-up matches the 1.6% across-the-board pay raise as submitted by the Administration for 2012 and includes an "expressed concern" over future Army and Marine Corps force reductions - both issues we addressed on behalf of our currently serving members.

The mark-up also proposes another one-year freeze on TRICARE fees, essentially blocking the Pentagon's 13% increase in enrollment fees for working age military retirees.

Although the mark-up includes a fee freeze, this is in direct conflict with earlier reports from HASC Chairman Howard "Buck" McKeon (R-CA) who has signaled that some form of a boost in fees for fiscal 2012 will be included in the his mark scheduled for next week.

"TRICARE is something we will have to address," he said. "I think it has been so long that they have not had any kind of increase."

The final issue the MOAA "Stormers" took to the Hill was the remaining inequities that exist for survivors and retirees: the "widow tax", concurrent receipt, and Guard/Reserve retirement credit.

Although the mark-up does not address these issues, both Chairman Joe Wilson (R-SC) and ranking member Susan Davis (D-CA) stated they hoped to make some progress in the full committee mark-up.

MOAA should know more on what that proposal will look like when the full committee marks-up next week.

The proposed mark also:

Establishes requirements for the management and measurement of dwell time.

Modifies recruitment standards for those persons who receive a secondary education level diploma from a non-traditional secondary school program.

Reforms, consolidates, and simplifies travel and transportation authorities.

Provides ; \$40M in impact aid to assist civilian schools serving military children, including those impacted by Base Realignment and Closure actions.

Establishes and clarifies the authorities and responsibilities of the Secretary of the Army to oversee, the Army National Military Cemeteries, including Arlington National Cemetery.

Makes mental health assessments available for members of the reserve components at the location of their unit during unit training and assemblies

Provides; Legal counsel to service members who are victims of sexual assault.

Requires; the Secretary of Defense to establish a unified medical command.

ADVS State Veteran Legislation Update May 6th 2011 (Cont.)

Issue 5 DHS Hiring Vets; The Department of Homeland Security (DHS) is well on track to reach its goal of hiring 50,000 veterans into its workforce. Secretary Janet Napolitano outlined her department's efforts in a meeting with military and veteran service organizations this week. MOAA Deputy Director for Government Relations Colonel Bob Norton represented the Association.

In August 2009, DHS had 46,000 veteran 'full-time equivalent' (FTE) employees. Today, there are 48,174 veterans in its workforce. The department plans a summit on hiring veterans this summer, but the time and place have not been set. DHS leads the Federal government in allocating funds to service-disabled veteran-owned and veteran-owned businesses for contracting services. Some \$1.1 billion (3.2%) of DHS contracting resources have been directed to veteran-owned firms, exceeding the government's goal of 3%.

MOAA applauds the efforts of DHS and will continue to work with our partners to improve veteran employment opportunities.

Issue 6. Wounded Warrior Caregiver Benefits; The VA released new rules this week that will allow more caregivers of wounded warriors to apply for new benefits enacted last year. The caregiver benefits include special training, mental health services access to "CHAMPVA" health insurance, respite care, a stipend and other services. Earlier, the VA proposed to restrict the benefits to approximately 850 caregivers. The new rules will allow approximately 3,500 caregivers to apply for the benefits.

Disabled veterans must meet certain criteria for their caregivers to receive benefits. The disability must be a serious injury, including traumatic brain injury, psychological trauma or other mental disorder, incurred or aggravated in the line of duty in the armed forces on or after Sept. 11, 2001. Starting May 9th, veterans and their caregivers may download a copy of the Family Caregiver program application.

MOAA strongly supported the VA Caregivers Act legislation and we are pleased that the VA responded to the concerns of severely wounded warriors and their caregivers, and is addressing their special needs as Congress intended.

Issue 7. Conference focuses on Family Resilience; Last week MOAA representatives attended the DOD and the Department of Agriculture (USDA) sponsored 2011 Family Resilience Conference - aptly named "Forging the Partnership."

The conference provided MOAA and other participants with an opportunity to share tools and techniques to improve family resiliency with others who face the challenge of providing support to the military family. Senior Enlisted Advisors from the Military Services held a town hall meeting discussing what they saw as the keys to maintaining family resilience. They addressed the concerns that many military families and service providers share surrounding funding for military family programs.

Mr. Chuck Milam, Principal Director, Military Community & Family Policy commented that DOD has seen tremendous support from folks and organizations (including MOAA) to make sure that family support doesn't go away.

With almost 2,000 attendees present this year, DOD and the USDA signed an official proclamation of support for military families as a symbol of their long-standing partnership and common mission of support as both entities venture forward. (Click on official proclamation of support here or above to see the details.

That's it for this week - thanks for your continuing support.

VVA National News:

Region (8/9) Conference: One piece of exciting news about the Region 8/9 Conference. We will have a guest singer for the National Anthem at the opening of the conference.

The singer will be **Lacy J. Dalton**. <http://www.lacyjdalton.com/index.html>

Hotel cut off for this conference is just about a week away.....get those registrations in. If you have already sent in your registration, we thank you.

VVA National News: (Cont.)

A message from Joe Sternburg:

Please let your chapters know that when they file a 990-N they will receive two E-mails from the IRS. The first IRS E-mail simply acknowledges that the IRS has received their submission. The second IRS E-mail, and the one we want, is the one that "ACCEPTS" the submission.

Chapter News:

Lake Havasu February Meeting: General Meeting will be at 6:00 PM on May 26th, 2011.

At the Lake Havasu Knights of Columbus Hall, 186 London Bridge Rd.

Bullhead March Meeting: General Meeting will be at 6:00PM on June 23rd 2011

At the Sunridge Village Retirement Complex, 839 Landon Drive, Bullhead City

Kingman April Meeting: General Meeting will be at 6:00 PM on July 28th 2011

At the Kingman VFW Post, 10386-3036 John L Ave.

Editors Notes:

Chapter Newsletters are via Email only. Newsletters will also be available at the meetings and in the "Comm's Quarters" on the website.

Please note that Dave has set up all the Chapter Officers with an official Email Address. The new Email addresses are in the **Contacts List. Our Policy; concerning Email address are: Email addresses will only be given to officers of the chapter and others** with need to know, to be used for chapter business only, and will be kept confidential. All Emails will be sent "Bcc". This keeps your address from being seen by others on the list. If you request the Email address of a member, **YOUR Email address will be provided to that person and they will contact you if they choose to communicate with you via Email.**

Any and all submissions are greatly appreciated and will be used as space permits. **Deadline for the next Newsletter will be May 3rd 2011.**

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Website: www.vva975.org Please check out our website for upcoming events, and the current Newsletter

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