



January 2010

# Sound Off!



Editor-Dennis Thomas Sr.

**Newsletter of the  
Vietnam Veterans of America Chapter 404, Borger, Texas**



## Help Preserve the Vietnam Veterans Memorial!

Greetings!

Three men stand proudly at the Vietnam Veterans Memorial every day of the year, watching over their comrades in arms whose names are on The Wall.



These vigilant men are, of course, the Three Servicemen statue, which has been a vital part of the Vietnam Veterans Memorial site since it was dedicated in 1984.

Unfortunately, time, the elements and the touch of visitors have all worked to damage the finish of the statue. Parts of it are turning green, especially the soldiers' arms, weapons and noses. As you can imagine, this greatly detracts from the aesthetics of this noble piece of sculpture and is not what the artist intended.

As part of our ongoing efforts to help the National Park Service keep the Vietnam Veterans Memorial a place of beauty and reverence for all visitors, the Vietnam Veterans Memorial Fund (VVMF) -- the founders of the Memorial -- has been performing much-needed work on the site, including repairing the irrigation system, maintaining the landscape and refinishing the metal on the flagpole and directory stands. Now, we are turning our attention to the Three Servicemen.

We want to begin work on the Three Servicemen statue next spring, but the repairs will be extensive and costly, and we need your help. Will you please consider a donation of \$10, \$25, \$50 or more to help us restore the site of one of the most-visited memorials on the National Mall?

- With a \$10 donation, we'll send you the VVMF "Honor Our Heroes" decal and our 2010 calendar.
- With a \$25 donation, we'll send you the VVMF book, *Never Forget*, the decal and the calendar.
- With a \$50 or higher donation, we'll send you the limited edition, 25th anniversary of The Wall commemorative coin, as well as the *Never Forget* book, the 2010 calendar and the "Honor Our Heroes" decal.

\*In order to receive this exclusive e-news offer, please type "Memorial Maintenance" in the "In Honor of" section of the donation.

Please go to this website to make your donation today: <https://www.vvmf.org/index.cfm?SectionID=36>



**VIETNAM MEMORIAL WALL:** Repair work was under way 21 OCT at the Vietnam Veterans Memorial on the National Mall as a private memorial fund took over landscaping and maintenance of 13 acres from the National Park Service. Over the next two weeks, workers are restoring the flagpole's bronze finish and its decorative base with five military branch insignias. They will also restore the bronze finish for five stands that hold directories that help people find names on famous V-shaped memorial wall, which draws millions of visitors each year. The Vietnam Veterans Memorial Fund, which built the memorial, also has repaired an irrigation system and is reseeded and sodding the grass. Last month, the group announced plans to pay for maintenance at the site because of scarce funding from the federal government. They plan to raise more than \$1 million to care for the memorial and grounds, including \$500,000 to buy replacement granite if sections of the wall need to be replaced in the future. "Everybody has the same goal: We want it to look good," said fund spokeswoman Lisa

Gough. "We want it to shine." The memorial's bronze fixtures — including the flagpole and a statue of three soldiers — will be restored for the first time since they were installed more than 25 years ago, said James Cummings, who was part of the memorial's original architecture team the project. The fund is working to raise \$100,000 to restore the statue in the next year. The bronze is worn down and has turned green on the soldiers' noses and arms, Cummings said. The weather caused some of the damage, along with the hands of many visitors. "No one expected the memorial itself would have such an impact with the culture," said Cummings. "There's a plan now to take care of it." [Source: MarineCorpsTimes Brett Zongker article 21 Oct -09



**SBP LAWSUIT:** On 22 OCT the Defense Department announced it will not appeal the AUG 09 ruling of the U.S. Court of Appeals in the case of three widows who sued the government to keep both their VA survivor benefits and their military Survivor Benefit Plan annuities. At issue is a 2004 law that restored DIC payments to veterans' surviving spouses who remarry after their 57th birthday. Before the law change, survivors lost DIC upon remarriage at any age. In JUL 07 three widows filed a lawsuit claiming that the unique wording of the 2004 law entitled widows who remarry after age 57 to receive both Survivor Benefit Plan (SBP) annuities from DoD and VA Dependency and Indemnity Compensation (DIC), without any offset between the two. Defense Department lawyers argued that was a flawed interpretation, arguing that the 2004 law's language barring offset for any other "veteran's benefit" didn't apply to SBP, because SBP is a DoD benefit, not a VA benefit. After the U.S. Court of Federal Claims ruled in favor of the widows, the government filed an appeal. But the U.S. Court of Appeals issued a strong rejection of the government's appeal, and the Pentagon's decision not to appeal the case to the U.S. Supreme Court ends the discussion.

The Defense Department has issued guidance to the services and Defense Finance and Accounting Service to identify all SBP annuitants who are eligible for DIC and who remarried after their 57th birthday. Qualifying survivors will be eligible to receive both payments in full, retroactive to 1 JAN 04 or the date of their remarriage, whichever is later. Payments will be reduced by the amount of any previous SBP premium refund and by the amount of any Special Survivor Indemnity Allowance payments the survivor may have received. Although the number of survivors affected is relatively small, this decision gives us yet another equity argument to change the law for all remaining SBP-DIC widows. It simply doesn't make sense to have two separate standards in the law, one that allows payment of full SBP and DIC for survivors who remarry after age 57 and another that forces a dollar-for-dollar offset between the two benefits for all others.



**VA BURIAL BENEFIT:** Hmong and Laotian war veterans could secure treasured burial spots in U.S. national cemeteries under legislation now being drafted by California San Joaquin Valley lawmakers. Prompted by the natives of Laos who fought side by side with U.S. Special Forces and CIA officers during the Vietnam War, the region's House members are seeking support for the burial benefit. Supporters call this fair compensation for those who sacrificed much. "We helped the United States fight that war," said Wangyee Vang, president of the Fresno-based Lao Veterans of America. "We deserve to have this." In a letter circulating among congressional colleagues, Reps. Jim Costa, D-Fresno, George Radanovich, R-Mariposa, Devin Nunes, R-Visalia, Jerry McNerney, D-Pleasanton, and Dennis Cardoza, D-Merced, are rallying additional support for the Hmong burial bill.



Obama thanked several members of Congress for their efforts in getting the advance funding bill passed noting that it was an example of what Democrats and Republicans can do when they join forces to do right by our veterans. " Let me say that I take special pride in this legislation", Obama said. "Because as a senator, I was a proud co-sponsor of this legislation, I served on the Veterans' Affairs Committee, and in the campaign last year you all remember I had promised to pass it and today as president I'm fulfilling that promise." Obama told the audience that with the new legislation veterans medical care will be funded one year in advance. "For VA this means timely, sufficient, and predictable funding from year to year. Most of all for our veterans it will mean better access to doctors and nurses and the medical care that they need." Akaka introduced the VA advance funding bill in Congress on 12 FEB, guided it through committee hearings, and gathered 56 co-sponsors. On 13 OCT the Senate approved the legislation unanimously. [Source: American Legion Online Update 22 Oct 09



**PTSD Update:** Veterans with post-traumatic stress disorder face an increased risk for dying after surgery, even if the surgery is performed years after they have completed their service, according to a U.S. study. Researchers analyzed data on 1,792 male veterans who had major non-cardiac, non-emergency surgeries between 1998 and 2008. Of that group, 129 (7.8%) had been diagnosed with post-traumatic stress disorder (PTSD) before their surgery. Men with PTSD were an average of seven years younger than those without PTSD -- 59 versus 66 years old -- but were much more likely to have cardiac risk factors, the study noted. One year after surgery, the death rate among men with PTSD was 25% higher than for those without PTSD -- 8.5% versus 6.8%. After the researchers adjusted for age and preexisting medical conditions -- including heart disease, high blood pressure, diabetes, high cholesterol, smoking and depression -- they found that veterans with PTSD were 2.2 times more likely to die within a year of surgery than those without PTSD.

The findings were scheduled to be presented at the annual meeting of the American Society of Anesthesiologists 17-21 OCT in New Orleans. "This study is the first of its kind, with groundbreaking findings," the study's lead author, Dr. Marek Brzezinski, of the San Francisco VA Medical Center and University of California, San Francisco, said in a news release from the society. "The magnitude of the detrimental effect of PTSD diagnosis on postoperative mortality is unexpectedly large -- greater than that of diabetes, which is an established risk factor for patients undergoing surgery." The results highlight "the need to consider potential treatments to help reduce risk in the veteran PTSD population," Brzezinski said. "The number of veterans returning from our current conflicts with PTSD who require surgical treatment is expected to increase in the future." PTSD affects 15 to 31% of Vietnam veterans and 20% of veterans returning from Iraq and Afghanistan, according to background information in the news release. For more info on PTSD refer to The U.S. National Institute of Mental Health site [www.nimh.nih.gov/health/topics/post-traumatic-stress-disorder-ptsd/index.shtml](http://www.nimh.nih.gov/health/topics/post-traumatic-stress-disorder-ptsd/index.shtml). Source: American Society of Anesthesiologists news release Oct 09



**TEXAS VETERAN LOTTERY:** The Texas Lottery Commission on 9 NOV (two days before Veterans Day) started selling the first scratch-off ticket dedicated to a cause other than public education. The Veterans Cash scratch-off ticket is predicted to pour \$9 million a year into veterans' services when fully operational, and \$5 million through the end of next August. The tickets will cost \$2 each, with a top prize of \$20,000. Officials said the lottery commission has printed more than 8.1 million of the scratch-offs, comparable to other \$2 games. Sen. Leticia Van de Putte, D-San Antonio, and Rep. Chris Turner, D-Burleson, said 19 OCT the dedicated ticket, backed by veterans' groups and created under a

new state law, was a tough sell. "I found out quickly that there's a reason we've had a lottery for nearly 20 years in Texas and no one has ever managed to pass a bill to create a dedicated game like this," said Turner. The lawmakers said they assured colleagues that, based on the experience of other states with similar games dedicated to veterans, the new approach would not siphon money from education. Backers said they expect that people who normally may not play the lottery will buy the vet tickets, as well as others. Veterans groups plan a push to let their members know about the new game. John Miterko of the Vietnam Veterans of America called it "veterans helping veterans." After the usual deduction for prizes and other costs, 23% of ticket proceeds will go to the Permanent Fund for Veterans' Assistance. The fund was created by the Legislature in 2007 to be funded by grants and gifts. The money will be used for such services as transportation to veterans' hospitals, counseling and housing for homeless veterans. Source: Houston Chronicle Peggy Fikac article



**CAMP LEJEUNE TOXIC EXPOSURE Update:** A former Camp Lejeune Marine who received partial disability benefits because of exposure to contaminated water on base believes other veterans should go to their doctors to get their claims substantiated. John Hartung of Waukesha, Wis., was awarded a 30% disability from the Veterans Benefits Administration in SEP 09 after his doctor drafted and signed a "nexus letter" verifying his medical belief that Hartung's ailments were more likely than not caused by exposure to toxic water. Hartung was stationed at Lejeune for six months in 1977 and said he "got sick right away" after exposure to base water, which contained significant amounts of leaked solvents including TCE and PCE between the 1950s and the 1980s. Hartung said he developed large cysts on the back of his neck as well as chronic fatigue and was discharged from the Marine Corps in 1978 because of continuing medical problems. Hartung said he learned about the possibility of writing a nexus letter from Terry Dyer, a Wilmington resident who lived on Camp Lejeune as a civilian and now runs a Web site, [watersurvivors.com](http://watersurvivors.com), that reaches out to other former Lejeune residents who believe their medical problems can be linked to the water. Dyer said she links to information about drafting a letter on the Web site links page and in the newsletters she sends out. "It's a welcome, exciting time for us," she said of Hartung's success in securing benefits. "My doctors believe me 100% and are behind me 100 percent," Hartung said. He said that he is not stopping with 30% of his benefits, but will continue to work with his doctor on letters specific to the various other ailments he has identified, including bone spurs and degenerative joint disease, to get full coverage.

Jerry Ensminger, a Richlands resident and former Marine who works full-time to lobby for legislation that will grant VA healthcare to all who were affected by contact with Lejeune water, said he believes the number of veterans who have been granted benefits because of ties to the base is small. "Every case is different," he said. "You're not going to find a doctor who's going to sign a letter for everybody for every type of ailment they have." Ensminger said the process of trying to prove a case for healthcare individually is prohibitive for most veterans. "What we're trying to do with this legislation is to try to take these hoops and hurdles away from the people so they don't have to deal with this stuff," he said. "The only hurdle these people will have to clear is to prove they were at Camp Lejeune during the years of contamination." Two pieces of legislation concerning Camp Lejeune veterans and toxic water are now in the U.S. Legislature. An amendment that would prevent the military from adjudicating water cases until water testing is complete has passed the Senate and is now in conference committee, with action expected near the end of OCT. And a bill, the Caring for Camp Lejeune Veterans Act, which would grant VA healthcare to all with links to the contaminated water, is in the Senate Veteran's Affairs Committee. North Carolina Congressman Brad Miller is expected to introduce a companion bill in the House in coming weeks. Meanwhile, the number of former Lejeune residents who have the rare condition of male breast cancer that they've been able to locate has increased to 51, Ensminger said. [Source: Jacksonville [www.jdnews.com](http://www.jdnews.com) Hope Hodge article 29 Oct 09]

# “NEVER AGAIN WILL ONE GENERATION OF VETERANS ABANDON ANOTHER”

## WHO WE ARE

Founded in 1978, Vietnam Veterans of America is the only national Vietnam veteran’s 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 will one generation of veterans abandon another."

## GOALS

VVA's goals are to promote and support the full range of issues important to Vietnam veterans, to create a new identity for this generation of veterans, and to change public perception of Vietnam veterans.

## ORGANIZATION

- Over 50,000 individual members
- 46 state councils
- 630 local chapters

## SPECIAL PROGRAMS

- Aggressively advocate on issues important to veterans
- Seek full access to quality health care for veterans
- Identify the full range of disabling injuries and illnesses incurred during military service
- Hold government agencies accountable for following laws mandating veteran’s health care
- Create a positive public perception of Vietnam veterans
- Seek the fullest possible accounting of America's POW/MIAs
- Support the next generation of America's war veterans
- Serve our communities

## 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.

### NATIONAL OFFICERS

John Rowan – President  
Jack Devine – Vice President  
Barry Hagee – Secretary  
Alan Cook – Treasurer

### TEXAS STATE OFFICERS

Buster Newberry – President  
Don Kennedy – Vice President  
Jim Boyd – Secretary  
Lee Derby – Treasurer

## VVA CHAPTER 404 BORGER, TEXAS

### Chapter Officers, Committee Chairs and Directors

Myron Peterson – President 806-857-3950  
Dennis Thomas – Vice President 806-898-8762  
Dick Divis – Secretary 806-274-5165  
Buster Newberry – Treasurer  
AVVA Representative – Percilla Newberry  
Directors: Place 1 – Ken Gipson 806-867-5714, Place 2 – Johnny Garrard 806-273-9605  
Gary Heeter – Sgt of Arms  
Scholarship – Dick Divis  
Membership Chair – Johnny Garrard  
Homeless Veterans – Richard Collins

### Chapter 404 National and State Council Delegates

Dennis Thomas / Myron Peterson, Alternate Delegates - Johnny Garrard / Dick Divis

The Monthly Chapter meeting is the second Tuesday of each month at the Red Cross Building located at 614 Weatherly in Borger, Texas. Pot Luck Dinner is at 5:30 pm and the meeting starts at 6:00 pm.

“Sound Off” Publisher and Editor: Dennis Thomas Box 715 Stinnett, Texas 79083 (806) 898-8762

“Sound Off” is the official publication of the Borger Chapter 404 Vietnam Veterans of America Inc. The newsletter is published once a month as a service to our membership and to any other interested organization.

The views and comments that are expressed in this publication are those of the authors and do not necessarily reflect the official position of the Vietnam Veterans of America Inc. or the Vietnam Veterans of America Texas State Council or Borger Chapter 404. The editors reserve the right to print any article of interest to the veteran. The newsletter staff reserves the right to edit any material that is libelous or obscene. The editorial staff invites the Chapter membership to submit articles. The articles are due at the chapter meeting for the next month’s newsletter.

## THE SYMBOLISM OF THE FLAG OF THE VIETNAM VETERANS OF AMERICA



- THE GOLDEN YELLOW BACKGROUND IS THE MAJOR COLOR OF THE VIETNAM SERVICE RIBBON.
- THE SEVENTEEN CAMPAIGN STARS REPRESENT THE SEVENTEEN OFFICIAL CAMPAIGNS OF THE VIETNAM WAR.
- IN THE CENTER BETWEEN THE CAMPAIGN STARS IS THE VVA OFFICIAL DESIGN.
- A WREATH SURROUNDING THE INSIGNIA IS IN NATURAL COLOR AND MADE UP OF A LAUREL BRANCH AND A BUNDLE OF RICE STALKS BOTH TIED TOGETHER AT THE BOTTOM WITH A STRAND OF BARBED WIRE.
- THE RICE STALKS REPRESENT SOUTHEAST ASIA.
- THE LAUREL SIGNIFIES HONOR TO ALL WHO SERVED THERE.
- THE BARBED WIRE REMINDS US OF THE POW'S AND MIA'S FOR WHOM THERE STILL MUST BE A PROPER ACCOUNTING

### MEMBERSHIP IN THE VVA

Membership is open to U.S. armed forces veterans who served on active duty (for other than training purposes) in the Republic of Vietnam between February 28, 1961 and May 7, 1975, or in any duty location between August 5, 1964 and May 7, 1975.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_  
Email Address \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Sex \_\_\_\_\_

#### Type of Membership:

- |                                                                            |                                                                |
|----------------------------------------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> Individual Member -1 year: \$20                   | <input type="checkbox"/> Life Member-Ages 49 and Under : \$250 |
| <input type="checkbox"/> Individual Member- 3 years: \$50                  | <input type="checkbox"/> Life Member-Ages 50-55: \$225         |
|                                                                            | <input type="checkbox"/> Life Member-Ages 56-60: \$200         |
|                                                                            | <input type="checkbox"/> Life Member-Ages 61-65: \$175         |
| <input type="checkbox"/> Optional Time Payment plan- \$50 down, \$25/month | <input type="checkbox"/> Life Member-Ages 66+: \$150           |

#### Payment Method:

Check       Money Order       Credit Card (Visa, MasterCard, American Express, Discover)  
Credit Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Return your completed application, payment, and a copy of your DD Form-214 to:  
Vietnam Veterans of America | P.O. Box 64299 | Baltimore, MD 21264-4299**

**Or to**

**VVA Texas State Council / Luther Newberry – President / PO Box 1860 / Fritch, Texas 79036-1860  
Make Checks or Money order - Payable to VVA**