



# **Veterans-For-Change Newsletter**

*A Voice of the Veterans*

Week Ending Sunday, December 08, 2019

Volume 10, Issue 49



## **This-N-That**

Finally some great news for Blue Water Navy Veterans and their claims! As you will read further down the courts ruled that the VA may not extend a stay on claims from Blue Water Navy Veterans who were exposed to Agent Orange beyond January 1, 2020.

Guam Veterans are next on the hit list for Military Veterans' Advocates, and we're right there with them in any way we can be to make sure this too

happens! And now is the time for Guam Veterans to get on the phones and begin calling your Congressmen and Senators asking their full support!

This time of year can be the most harshest for many of our Veterans. No family to be with, no support system in place, and this all can lead to higher suicide rates as well!

So if you know of those who have served, are alone, have no family or support system, please, reach out to them and if possible have them over for Christmas Dinner, just let them know you're with them!

And if you've not done so already, maybe dig a little in those closets and pull out winter clothes you don't wear any longer, put in a call to the local DAV (Disabled American Veterans) and have them pick up those items which can be provided to our Homeless Veterans. In addition to helping our Homeless, you're also helping yourself as all donations are tax deductible.

This time of year there are so many things we all

could do, take us a little out of our way, a little off the beaten path. We have Toys-For-Tots run by the Marine Corps, we have many Veteran Service Organizations who have various programs, some even offering a hot meal on Christmas to our Homeless Veterans, Wreaths Across America to provide a Christmas wreath on each Veterans grave, all you need to do is reach out. Make a few calls and I'm sure you can find something you'd be able to either volunteer time or make a donation to the program.

I know I've asked millions of times, and some have, most have not, but our Homeless Veteran Population even though the VA would have us believe is diminishing when in fact it's gotten worse. Yes some areas of the country have done an excellent job and in fact their numbers have declined, but there are so many other areas especially on the east coast where the population has climbed.

My only Christmas wish this year is that everyone please pick up the phone, call your Congressman and Senator and ask what their office is doing about resolving this serious problem! That's all I

want.

We're finally on the new hosting service, our former web master is making some final repairs before we part company, and I've finally managed to find a new web master, although it's not in concrete yet, but carries the same vision as I do and won't kill me with hefty programming bills.

There are a couple of things our former webmaster won't fix as they require upgrade in specific software, but those will be coming from the new web master, and hopefully over time (as short as I can make it) we will eventually have a new look.

I am still checking a few times a day for new subscribers to the site, and manually approving them as they come up. If you attempted to log on once you were approved and were denied access, please do let me know ASAP and I will fix whatever the issue is, but please keep in mind for security all log in information is "case sensitive" and only allows you three attempts before it blocks you. So be sure to log in and enter passwords as originally entered or it will reject and

after the third try will block you.

I was asked a few weeks ago to write a piece to be included in a publication, however due to personal health issues, changing hosting systems, etc. there simply wasn't enough time to manage that task. But I do want to move forward as there will be other publications in the future.

The areas of interest are as follows:

- Military sexual trauma
- Anger, Social support in U.S. Veterans
- Suicide prevention in the military
- Psychometric evaluation of the Military Suicide Attitudes
- Impact of different types of trauma on suicidality in women Veterans
- Suicide ideation to avoid action among psychiatrically hospitalized military personnel
- Depression and PTSD, trauma, overdose
- Prevention by Pastoral Counseling and mental health treatment.
- Confessions of a Soldier etc.

If you're interested in contributing, have a personal story to share I'd really like to hear from

you, and should you decide to share please also let me know if you'd like to remain confidential so I can and will respect your wishes!

The more we can educate our civilian friends, the better our chances are at getting them to assist in getting various pieces of legislation passed to help all Veterans!

I'm looking to write a piece that will be approximately 20+ pages and will reach millions of people not on our newsletter databases.

Any and all assistance would be greatly appreciated.

On behalf of our Volunteers nationwide and myself, we wish you and your family good health!

Respectfully,

Jim Davis

Founder

[Jim.Davis@Veterans-For-Change.org](mailto:Jim.Davis@Veterans-For-Change.org)



# **MILITARY VETERANS' ADVOCATES URGE EXPEDITED RULES FOR GUAM VETERANS**

A national Veterans organization is asking Secretary of Veterans Affairs Robert Wilkie to expedite the agency's creation of rules to compensate Veterans who served on Guam and Johnston Island and were exposed to Agent Orange.

Military-Veterans Advocacy, a Louisiana-based non-profit, first made the request a year ago. Last Spring, MVA representatives met with Wilkie who said he would look into the issue. Wilkie visited Guam in July, but no policies have yet been crafted or implemented to provide care to sick and terminally ill Veterans with Agent Orange-related illnesses.

"MVA has acquired and presented substantial evidence that Veterans who served on Guam between 1972 and 1980, and on Johnston Island from 1972 to 1977, were exposed to the toxins of Agent Orange," said Cdr. John Wells (USN, Ret.), lead attorney for MVA. "Secretary Wilkie has that information. We understand that federal agencies

require some time to implement policies and new rules, but our first request to Sec. Wilkie on this matter was on Dec. 3, 2018 - 366 days ago. Veterans are sick and dying and can't get proper benefits from the VA."

MVA has long pressed the Department of Veterans Affairs to extend proper benefits to military Veterans who were exposed to Agent Orange and other toxins while serving the country. Last year, MVA won a landmark case, Procopio v. Wilkie, requiring the VA to recognize the exposure of U.S. Navy personnel who served in the harbors and territorial seas of Vietnam. Wilkie placed an administrative stay order on implementation of that recognition.

"More and more, it seems the VA's policy is to stall long enough so that all affected Veterans die," said MVA Executive Director Col. Rob Maness (USAF, Ret.). "We're not going away, and we're not going to stop advocating for these Veterans."

For a recent news article about the Guam and Johnston Island exposure efforts, click [HERE](#).



## **FEDERAL COURT RULING CLEARS WAY FOR BLUE WATER NAVY CLAIMS**

The Federal Circuit Court of Appeals ruled yesterday that the Department of Veterans Affairs may not extend a stay on claims from Blue Water Navy Veterans who were exposed to Agent Orange in the harbors and territorial seas of Vietnam.

Although the Court declined to immediately lift the stay, as requested by Military Veterans Advocacy, it also said the stay may not be extended beyond Jan. 1, 2020, clearing the way for as many as 90,000 affected Veterans to begin seeking

benefits for exposure to the toxin.

President George H.W. Bush signed a law recognizing the legitimacy of such claims, but in 1997 the VA arbitrarily refused to recognize them. Last January, MVA, a Louisiana-based advocacy non-profit, won a landmark case in *Procopio v. Wilkie*, obligating the Department of Veterans Affairs to accept claims from Navy servicemen who were aboard ships in impacted waters. VA Secretary Robert Wilkie issued an administrative stay order through the end of 2019, and MVA sought legal remedy.

For years, MVA has presented evidence to Congress and the VA that runoff from Vietnam included the toxins from Agent Orange, which was pulled into water filtration systems on Navy ships offshore, affecting servicemen who never set foot on Vietnamese soil. Despite the *Procopio* win, Congress last spring passed a new bill to serve these Veterans' needs but allowed for administrative tinkering with the implementation. MVA withdrew its support before passage, but other Veterans service organizations maintained pressure on Congress to pass the measure

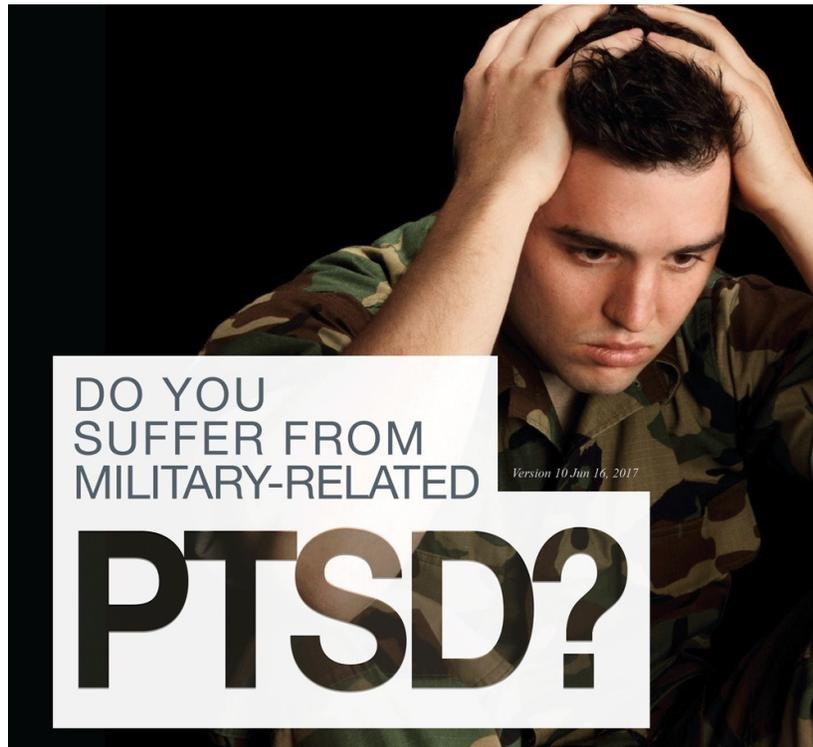
without regard for the unintended consequences.

"This is a great win," said Col. Rob Maness (USAF, Ret.). The court told the government in no uncertain terms that there is no authority to stay anything past January 1. The jurisdictional finding will also be important in future cases. We thank the Court for the quick response and insightful analysis."

Impacted Veterans and their heirs can begin filing claims now. For more information on that process, the VA can be reached at 1-800-827-1000.

Cmdr. John Wells, USN (Ret.)





**Veterans Crisis Line:  
1-800-273-8255 & Press 1  
Ntl Call Center for Homeless Vets  
1-877-424-3838**



## **Christmas all alone**

'T WAS THE NIGHT BEFORE CHRISTMAS,

HE LIVED ALL ALONE,

IN A ONE BEDROOM HOUSE,

MADE OF PLASTER AND STONE.

I HAD COME DOWN THE CHIMNEY,  
WITH PRESENTS TO GIVE,  
AND TO SEE JUST WHO,  
IN THIS HOME, DID LIVE.  
I LOOKED ALL ABOUT,  
A STRANGE SIGHT I DID SEE,  
NO TINSEL, NO PRESENTS,  
NOT EVEN A TREE.  
NO STOCKING BY MANTLE,  
JUST BOOTS FILLED WITH SAND,  
ON THE WALL HUNG PICTURES,  
OF FAR DISTANT LANDS.  
WITH MEDALS AND BADGES,  
AWARDS OF ALL KINDS,

A SOBER THOUGHT,  
CAME THROUGH MY MIND.  
FOR THIS HOUSE WAS DIFFERENT,  
IT WAS DARK AND DREARY,  
I FOUND THE HOME OF A SOLDIER,  
ONCE I COULD SEE CLEARLY.  
THE SOLDIER LAY SLEEPING,  
SILENT, ALONE,  
CURLED UP ON THE FLOOR,  
IN THIS ONE BEDROOM HOME.  
THE FACE WAS SO GENTLE,  
THE ROOM IN DISORDER,  
NOT HOW I PICTURED,  
A TRUE MODERN SOLDIER.

WAS THIS THE HERO,  
OF WHOM I'D JUST READ?  
CURLLED UP ON A PONCHO,  
THE FLOOR FOR A BED?  
I REALIZED THE FAMILIES,  
THAT I SAW THIS NIGHT,  
OWED THEIR LIVES TO THESE SOLDIERS,  
WHO WERE WILLING TO FIGHT.  
SOON ROUND THE WORLD,  
THE CHILDREN WOULD PLAY,  
AND GROWNUPS WOULD CELEBRATE,  
A BRIGHT CHRISTMAS DAY.  
THEY ALL ENJOYED FREEDOM,  
EACH MONTH OF THE YEAR,

BECAUSE OF THE SOLDIERS,  
LIKE THE ONE LYING HERE.  
I COULDN'T HELP WONDER,  
HOW MANY LAY ALONE,  
ON A COLD CHRISTMAS EVE,  
IN A LAND FAR FROM HOME.  
THE VERY THOUGHT BROUGHT,  
A TEAR TO MY EYE,  
I DROPPED TO MY KNEES,  
AND STARTED TO CRY.  
THE SOLDIER AWAKENED,  
AND I HEARD A ROUGH VOICE,  
"SANTA DON'T CRY,  
THIS LIFE IS MY CHOICE;

I FIGHT FOR FREEDOM,  
I DON'T ASK FOR MORE,  
MY LIFE IS MY GOD,  
MY COUNTRY, MY CORPS.."  
THE SOLDIER ROLLED OVER,  
AND DRIFTED TO SLEEP,  
I COULDN'T CONTROL IT,  
I CONTINUED TO WEEP.  
I KEPT WATCH FOR HOURS,  
SO SILENT AND STILL,  
AND WE BOTH SHIVERED,  
FROM THE COLD NIGHT'S CHILL.  
I DID NOT WANT TO LEAVE,  
ON THAT COLD, DARK, NIGHT,

THIS GUARDIAN OF HONOR,  
SO WILLING TO FIGHT.  
THEN THE SOLDIER ROLLED OVER,  
WITH A VOICE SOFT AND PURE,  
WHISPERED, "CARRY ON SANTA,  
IT'S CHRISTMAS DAY, ALL IS SECURE."  
ONE LOOK AT MY WATCH,  
AND I KNEW HE WAS RIGHT.  
"MERRY CHRISTMAS MY FRIEND,  
AND TO ALL A GOOD NIGHT."

This poem was written by a Peacekeeping soldier stationed overseas. The following is his request. I think it is reasonable

PLEASE. Would you do me the kind favor of sending this to as many people as you can? Christmas will be coming soon and some credit is

due to all of the service men and women for our being able to celebrate these festivities. Let's try in this small way to pay a tiny bit of what we owe. Make people stop and think of our heroes, living and dead, who sacrificed themselves for us. Please, do your small part to plant this small seed.



## Veterans-For-Change Web Site

The Veterans-For-Change website has been around since 2009. The looks pretty much stay the same, but in the background constant improvement and change is being done to make our website the most user friendly “**One-Stop-Shop**” website to find almost everything you might have tried to find searching the internet.

Almost a hundred people have been involved; collecting web links to documents now houses on the VFC website, collecting thousands of web links for various issues, illnesses and benefits. Creating forums for all eras of service and two

forums one just for men and one just for woman where you can go question, comment, share medical and personal concerns, what ever you'd like it to be.

We also have a forum with for Mental Health and are currently seeking a new Licensed Mental Health Worker, where you can seek help or just ask questions.

We average **3,439** hits per day, and downloads average **5,827** per day with a total **5,599,830** visitors as of Friday.

If you subscribe you will have full access to the entire website and best of all it's **FREE of charge!** You just need a valid E-mail address so the system can send you a confirmation E-Mail. Once received, click on the link to be authorized automatically.

[www.Veterans-for-change.org](http://www.Veterans-for-change.org)

- Documents Library with over **18,004** documents in 149+ Libraries, added **67** documents on-line (Updated: 12/04/19)

- FAQ's on-line with **1,790** FAQ's on 101 topics!  
(Updated 08/29/19 - 128 NEW)
- Multiple Forums
  - o Afghanistan Veterans
  - o FMP - Foreign Medial Program
  - o Gulf War & Desert Storm Veterans
  - o Iraq Veterans
  - o Korean Veterans
  - o Men Veterans Forum
  - o Mental Health for Veterans (Counselor Needed)
  - o Political Issues
  - o Suggestion Box
  - o The Mess Hall
  - o VA Hospitals and Medical Centers
  - o Veteran Affairs
  - o Vietnam Veterans
  - o Welcome Mat
  - o Women Veterans Forum
  - o WW II Veterans
- Job Postings
- Memorial Pages (Updated: 10/30/18) (37 Added)
- News (Articles On-Line: **9,200**)
- Polls
- Web Links, more than **5,617**, Added **110** New Links (Updated: 11/21/19)

If you have a submission for the memorial pages,  
E-Mail: [Jim.Davis@Veterans-for-change.org](mailto:Jim.Davis@Veterans-for-change.org)



## **One Week Until TRICARE, FEDVIP Open Seasons End on Dec. 9**

Do you want to make changes to your TRICARE health plan, or enroll in a dental or vision plan with the Federal Employees Dental and Vision Insurance Program? You have one week left to take action for 2020 coverage. Two open seasons are underway. They both end next Monday, Dec. 9.

To learn more, [read the full article](#).



Below are links to all currently active pre-written E-Mails to many pieces of legislation. We ask that you go to each one, and send the pre-written E-

Mails, and to also call your Reps or Senators and ask for their support on a weekly basis!

You don't need to be Active Duty or a Veteran, in fact we ask all Veteran friends to also help!

1. [Allow Active Duty to Sue Military for Medical Malpractice \(H.R. 2422\)](#)
2. [H.R. 1527, the Long-Term Care Veterans Choice Act](#)
3. [Action Alert: Tell Congress to End the Widow's Tax Now!](#)
4. [H.R. 303, the Retired Pay Restoration Act](#)
5. [H.R. 2359, the Whole Veteran Act](#)
6. [S. 514, the Deborah Sampson Act to Improve VA Services for Women Veterans](#)
7. [H.R. 445, Help Hire Our Heroes Act](#)
8. [S. 2022, Specially Adaptive Housing Improvement Act of 2019](#)
9. [H.R. 96, to Provide Dental Care for All Veterans Enrolled in Veterans Health Care](#)
10. [S. 555 and H.R. 1377, Mark Takai Atomic Veterans Healthcare Parity Act](#)
11. [H.R. 840, the Veterans' Access to Child Care Act](#)
12. [S. 179/H.R. 712, Legislation Calling for](#)

- Clinical Trials to Evaluate the Effectiveness of Medical Cannabis for Chronic Pain and PTSD
13. S. 980, the Homeless Veterans Prevention Act of 2019
  14. H.R. 2201, Include Military Installations in Thailand as exposed to Agent Orange
  15. H.R. 444, Reduce Unemployment for Veterans of All Ages Act of 2019
  16. S. 2216, Transparency and Effective Accountability Measures for Veteran Caregivers Act
  17. H.R. 2200, the Keeping Our Promises Act
  18. H.R. 553, Military Surviving Spouses Equity Act
  19. Senate Bill Introduced to Protect Active Duty from Medical Malpractice
  20. H.R. 1182, Veterans' Access to Acupuncture Services
  21. Support SBP/DIC Offset Repeal (S. 622/H.R. 553)!
  22. S. 374/H.R. 1092, the Servicemembers and Veterans Empowerment and Support Act of 2019
  23. H.R. 2568, the Vietnam Veterans Liver Fluke Cancer Study Act
  24. Urge Congress to Pass the Retired Pay Restoration Act

25. Protect Bankrupt Disabled Veterans from Losing Benefits
26. S. 318, the VA Newborn Emergency Treatment Act
27. S. 785, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act
28. Blue Water Navy Veterans Need Your Help
29. H.R. 713, Provide Beneficiary Travel Funds to Veterans Seeking Specialized Treatment for Military Sexual Trauma
30. Urgent Action Needed to End "Widow's Tax"
31. S. 154, VA CLEAR Act of 2019
32. H.R. 663/S. 191, Burn Pits Accountability Act
33. S. 1392, the Support for Suicide Prevention Coordinators Act
34. S. 1881 and H.R. 3356, Veterans Expedited TSA Screening Safe Travel Act
35. H.R. 1963, Expanding Care for Veterans Act
36. NDAA and Spending Bills
37. H.R. 4137, Healthcare for Open Air Burn Pit Exposure Act
38. H.R. 2982, Women Veterans Health Care Accountability Act
39. H.R. 4451, Support Our Services (SOS) to Veterans Caregivers Act
40. H.R. 3036, Breaking Barriers for Women

Veterans Act

41. S. 2950, the Veterans Burn Pits Exposure  
Recognition Act of 2019



**New Sponsor for Military Retiree  
Survivor Comfort Act**

In the wake of Rep. Walter B. Jones (S.C.) passing, Rep. John Garamendi (Calif.) has become lead sponsor of FRA-supported Military Retiree Survivor Comfort Act (H.R.463). This bill would authorize the retention of the full final month's retired pay by the surviving spouse (or other designated survivor) for the month in which the member was alive for at least 24 hours.

Surviving spouses who are unaware that the Defense Finance and Accounting Services (DFAS) should be immediately notified about the death of the military retiree, are surprised to learn of this requirement. Those who had joint bank accounts, which retirement payments were made electronically, gave little if any thought that DFAS could swoop down and recoup any overpayments of retirement pay from such accounts. This action could easily clear the account of any remaining funds whether they were retirement payments or money from other sources. All these proposals go to the Senate for further consideration.

Members are strongly urged to go to the [FRA Action Center](#) to weigh in on this issue.



## **Remembering Our Fallen at Pearl Harbor**

On the 78th anniversary of the attack on Pearl Harbor, the VFW solemnly honors the 2,403 men and women who died in the devastating attack Dec. 7, 1941. VFW National Commander William “Doc” Schmitz, along with VFW Auxiliary National President Peggy Haake, will travel to Pearl Harbor Saturday to lay a wreath in remembrance of the 2,008 sailors, 109 Marines, 218 soldiers, and 68 civilians we tragically lost without warning and without a declaration of war. “December 7, 1941, remains one of the most-heartbreaking days in our history as a nation,” said Schmitz. “And while we suffered tragic loss that day, our nation stood in unity and quickly recovered. Today, I ask every American to pay their respects to these patriots, and their loved ones, for making the ultimate sacrifice. You will, and must, never be forgotten.”



**~Follow us on MEWE ~**

Follow us on [MEWE](#)! The support staff at [MEWE](#) is responsive, open to suggestions and works very hard to protect your personal information.

We hope you will join us on this new site.

**VETERANS-FOR-CHANGE**

**HOMELESS HEROES PROGRAM OF  
VETERANS-FOR-CHANGE**

**AMVETS GROUP**

**VETERANS SOCIAL GROUP**

**{USAVET} SUPPORTING GOD & ALL WHO  
SERVED OUR GREAT NATION**

**AMERICANS FOR SOVEREIGNTY**





## Links to Other Stories

1. [Number of homeless Vets in state is up this year](#)
2. [‘Don’t nobody listen’: Why a disabled Mississippi Veteran is fighting to buy a new home — with his own money](#)
3. [A new way to address Veteran and military suicides](#)
4. [Coloradans dealing with lung diseases after working on military bases with garbage burn pits](#)
5. [How to use your GI Bill benefits at a foreign university](#)
6. [When's the new VA clinic coming to Ocean](#)

County? Congressmen demand answers

7. Buttigieg unveils support from thousands of Veterans and military community members

8. Barstool Sports racks up \$182G for Veterans after 'spur of the moment' campaign takes off

9. Everything You Need to Know About Vets' and Caregivers' New Base Access

10. Man Schemed Nearly \$30M of Education Benefits From Veterans Affairs: US Attorney

11. Senators ramp up pressure on proposed Agent Orange presumptive conditions

12. VA employees stop to salute Veteran funerals

13. Military commissaries, exchanges will have wider customer base in 2020

14. Five highly valued skills Veterans bring to VA careers

15. DAV, VSOs call on VA Secretary to add 4 illnesses to list of Agent Orange presumptive conditions

16. Peters seeks answers on Agent Orange coverage at VA

17. Vietnam Veterans of America urges Vets to file claims if they were impacted by Agent Orange exposure

18. Here's how Veterans stack up financially, compared to their non-Veteran peers

19. A Brief Overview of New VA Appeals System
20. Getting creative: Reducing opioid use for returning warriors
21. Warrior Care Month: Supporting the strength, resilience of service members
22. Vietnam Veterans, families honored, thanked through program
23. Former VA Employee And Two Family Members Indicted With Defrauding Veterans Healthcare In The Villages
24. New video series teaches Veterans how to file disability claims online
25. Former Bedford VA Nursing Assistant Sentenced for Making False Statements
26. 3D printing solutions exceed Veterans' expectations
27. 8-year-old makes 'hero bags.' He's helped nearly 3,000 homeless Veterans
28. Veteran speaks out on military receiving 'cold' treatment on college campuses
29. VA, Prostate Cancer Foundation seek solutions for aggressive prostate cancer
30. Warrior Care means more than expert medical treatment
31. Antibiotic resistance a serious threat that's growing, CDC warns

Check us out today: [www.Veterans-for-change.org](http://www.Veterans-for-change.org)



## **TRICARE Expands Care With New Policy Changes**

TRICARE recently expanded coverage for beneficiaries who meet certain criteria. Coverage now includes: concurrent pediatric hospice and curative care, portable continuous positive airway pressure (CPAP) machine, and platelet rich plasma injections.

"TRICARE is always working to improve the benefit," said Elan Green, chief of the Medical Benefits and Reimbursement Section for the TRICARE Health Plan at the Defense Health Agency. "We want to advance health care for our beneficiaries, and we hope these changes improve treatment options for you and your family."

To learn more, [read the full article](#).



**CONTACT YOUR  
MEMBERS OF CONGRESS!**

To Call your Representative:

202-225-2305

To Call your Senators:

202-224-3841 or 202-224-3553

To call Different Members of Congress:

202-224-3121

TOLL FREE: 866-272-6622

**PLEASE... STOP Making Excuses!**

[www.veterans-for-change.org](http://www.veterans-for-change.org)



**House Committee Passes the  
IMPROVE Well-Being for Veterans  
Act**

On Thursday, the House Veterans' Affairs Committee held a markup hearing to consider H.R. 3495, the IMPROVE Well-Being for Veterans Act. The bill passed the committee and can now be voted on by the full House of Representatives. H.R. 3495 creates a three-year pilot program that would offer grants to community providers who offer services that target factors that contribute to suicide such as financial stress, relationship, stress, readjustment and community integration issues, housing insecurity, and others. The goal is to reach the two-thirds of Veterans who commit suicide and have not utilized VA prior to their suicides. [Watch the hearing.](#)



## **Choose to Quit Tobacco: TRICARE Can Help**

Do you want to quit tobacco, including smoking, vaping, or smokeless tobacco? TRICARE can help you. Using these products is harmful to your health. Over time, using them can shorten your lifespan and quality of life. You don't need to have a tobacco-related illness to use these benefits.

To learn more, [read the full article](#).



**Military Members, DoD Civilians Are Eligible for Free TSA Precheck**

Did you know that as a service member or DoD civilian you are automatically enrolled in the TSA Precheck program? That's right. You can avoid the lines at many airports just by flashing your CAC (Common Access Card). Read more [here](#).



## **Blue Water Navy Vietnam Veterans eligible for benefits on 1 January 2020 by P.L. 116-23**

Important information if you are a Blue Water Navy Vietnam Veterans or a surviving spouse you are entitled to VA benefit starting 1 January 2020, in accordance with P.L. 116-23. Please read the FAQs below provided by the National Veterans Legal Service Program (NVLSP). For legal assistance go to:

<https://www.va.gov/ogc/apps/accreditation/index.asp> and search for Accredited Attorneys, Claims Agents, or Veterans Service Organizations (VSO) Representatives.

A major change in law occurred in 2019 that should enable thousands of Veterans who served on ships in the waters offshore Vietnam to obtain

VA disability benefits for diseases associated with exposure to Agent Orange. The change in law should also enable survivors of these Veterans to obtain VA death compensation for deaths due to diseases associated with Agent Orange exposure.

**Frequently Asked Questions (FAQs):** This document provides answers to the most frequently asked questions we are getting from Blue Water Vietnam Veterans (as those who served in the waters offshore Vietnam are commonly called) and their survivors about the recent change in law.

1) What is this change in law and how did it come about?

Earlier this year in a case called *Procopio v. Wilkie*, the U.S. Court of Appeals for the Federal Circuit concluded that the Agent Orange Act of 1991 requires VA to presume that those who served in the territorial waters offshore Vietnam were exposed to Agent Orange. The Court ruled that this presumption applies to all Veterans who served within 12 nautical miles of Vietnam during the Vietnam War.

Congress then enacted the Blue Water Navy Vietnam Veterans Act of 2019 Public Law 116-23 and incorporated the Procopio decision. The Act states that a Veteran who, during active military, naval, or air service, served offshore of the Republic of Vietnam during the period of beginning on January 9, 1962, and ending on May 7, 1975, shall be presumed to have been exposed to Agent Orange. The term offshore is defined as no more than 12 nautical miles seaward of a line commencing on the southwestern demarcation line of the waters of Vietnam and Cambodia.

The full Procopio decision can be read here:

<http://www.cafc.uscourts.gov/sites/default/files/opinions-orders/17-1821.Opinion.1-29-2019.pdf>

The entire Blue Water Navy Vietnam Veterans Act of 2019 can be read here:

<https://www.congress.gov/bill/116th-congress/house-bill/299/text>

2) What does this change in law mean for Blue Water Vietnam Veterans?

It means that a Veteran covered by Procopio and

the Blue Water Navy Vietnam Veterans Act of 2019 should become entitled to service-connected disability benefits if the Veteran (1) files a claim for disability benefits with the VA and (2) suffers from one of the diseases that VA recognizes as associated with Agent Orange exposure.

3) What does this change in law mean for survivors of deceased Blue Water Vietnam Veterans?

It means that a qualifying survivor, such as a surviving spouse, of a Veteran who (1) is covered by Procopio and the Blue Water Navy Vietnam Veterans Act of 2019 and (2) died from a disease that VA recognizes as associated with Agent Orange exposure, should become entitled to service-connected death compensation (known as DIC) if the survivor files a DIC claim.

4) What diseases are now recognized by the VA as associated with Agent Orange?

A full list of diseases recognized by VA as associated with Agent Orange can be found here:  
<https://www.va.gov/disability/eligibility/hazardous->

## [materials-exposure/agent-orange/related-diseases/](#)

These diseases include:

- Cancer of the larynx
- Lung cancer
- Prostate cancer
- Cancer of the trachea
- Hodgkin's disease
- Multiple myeloma
- Non-Hodgkin's lymphoma
- Chronic lymphocytic leukemia
- Hairy cell leukemia
- Ischemic heart disease (including, but not limited to: acute, subacute and old myocardial infarction; atherosclerotic cardiovascular disease, including coronary artery disease (including coronary spasm) and coronary bypass surgery; and stable, unstable, and Prinzmetal's angina)
- Type 2 diabetes (also known as adult-onset diabetes, non-insulin dependent diabetes mellitus, and type II diabetes mellitus)
- AL amyloidosis (also known as primary amyloidosis)
- Parkinson's disease
- Soft tissue sarcomas

- Acute lymphoblastic leukemia, mature B-cell type
- B-cell prolymphocytic leukemia
- Precursor B lymphoblastic leukemia
- Diffuse large B-cell lymphoma
- Follicular lymphoma
- Mucosa-associated lymphatic tissue lymphoma (MALT)
- Small cell lymphocytic lymphoma
- Mantle cell lymphoma (MCL)
- Burkitt lymphoma
- Mediastinal large B-cell lymphoma
- Waldenström macroglobulinemia
- Nodal marginal zone B-cell lymphoma
- Splenic marginal zone lymphoma
- Extranodal marginal zone B-cell lymphoma
- Intravascular large B-cell lymphoma
- Primary effusion lymphoma
- Lymphomatoid granulomatosis
- Early-onset peripheral neuropathy
- Chloracne
- Porphyria cutanea tarda

5) Do I need to file another claim if I already filed a VA claim for benefits for an Agent Orange-related disease and that claim is still pending at

the VA?

No. If you are sure that your claim for an Agent Orange-related disease is still pending, you do not need to file another claim. However, you may wish to file a statement with VA in support of your pending claim stating that you are entitled to benefits under Procopio and the Blue Water Navy Vietnam Veterans Act of 2019.

6) Do I need to file another claim if my previous claim for an Agent Orange-related disease was finally denied by the VA and is no longer pending?  
Yes. You need to file another claim.

7) How do I file a VA claim for service-connected disability benefits?

If you have **not** previously filed a disability claim for a disease VA now recognizes as associated with Agent Orange, you should file a claim for these benefits using VA Form 21-526EZ

(available here:

<https://www.vba.va.gov/pubs/forms/VBA-21-526EZ-ARE.pdf>).

If you previously filed a disability claim for a disease VA now recognizes as associated with Agent Orange and the VA finally denied that claim, you should file a supplemental claim for disability compensation for that disease using VA Form 20-0995 (available here: <https://www.vba.va.gov/pubs/forms/VBA-20-0995-ARE.pdf>). On that form, you should check the box for “compensation” in block 12, and write the following language in box 13A: “I am entitled to disability benefits for [put in name of your Agent Orange related disease] under the Blue Water Navy Vietnam Veterans Act of 2019 and Procopio.” In block 13B of that form, you should write the date of the VA decision that denied you benefits for that disease. If you don’t know the date, we suggest that you write the following language in block 13B: “See my claims file for date of denial of my claim for [put in name of your Agent Orange related disease].”

In order to help ensure you are awarded the earliest possible effective date for benefits, you should not delay in filing a VA claim.

8) How do I file a DIC claim?

If you have not previously filed a claim for DIC, you should file an initial claim for DIC using a VA Form 21P-534EZ (available here:

<https://www.vba.va.gov/pubs/forms/VBA-21P-534EZ-ARE.pdf>).

If you previously filed a claim for DIC and the VA finally denied that claim, you should file a supplemental claim for DIC using a VA Form 20-0995 (available here:

<https://www.vba.va.gov/pubs/forms/VBA-20-0995-ARE.pdf>).

On that form you should check the box for “pension/survivors benefits” in block 12, and write the following language in box 13A: “Because of the Blue Water Navy Vietnam Veterans Act of 2019 and Procopio, I am entitled to DIC given that [put in name of the Agent Orange related disease that led to the Veteran’s death] led to the Veteran’s death.” In block 13B of that form, you should write the date of the VA decision that denied you DIC benefits. If you don’t know the date, we suggest that you write the following language in block 13B: “See my claims file for date VA denied DIC.”

In order to help ensure you are awarded the

earliest possible effective date for benefits, you should not delay in filing a VA claim.

9) If my claim is granted, how much will I be entitled to in retroactive benefits?

The effective date assigned by the VA to awards of disability and DIC benefits is usually the date the claim was received by the VA. For example, if VA grants benefits based on the Veteran's first claim for an Agent Orange-related disease and that claim was filed in January 2019, the Veteran will be assigned an effective date in (and will be paid retroactive compensation to) January 2019.

However, if the VA grants benefits based on a Veteran's second or third claim for the same Agent Orange-related disease, the effective date of the award should be retroactive to the date the VA received the Veteran's first claim for that disease -- as long that claim was received by VA after September 24, 1985.

This means, for example, that if a Veteran filed a disability claim for type 2 diabetes that VA received in 2003 and the VA denied it, and the

Veteran now files a second disability claim for type 2 diabetes, the Veterans should receive disability compensation retroactive to 2003 -- as long as the Veteran served within the 12 nautical mile limit and has suffered from diabetes since at least 2003.

10) Do I need to add evidence to my claim to prove that I served within 12 nautical miles of Vietnam?

Maybe yes. Maybe no. VA has a duty to Veterans (and survivors) who apply for VA benefits to assist them in obtaining the evidence necessary to substantiate their claims. In many cases, it may be clear to the VA from the military service and VA documents already in your claims file that you served within 12 nautical miles of the shore. For example, if these records show you served on a ship when it was located in a harbor of Vietnam, then it will be obvious to the VA that you served within the 12 nautical mile limit.

In other cases, it may not be obvious from a review of the documents in your VA claims file. In these cases, you should inform the VA of the

name of the ship on which you served and the dates you were on the ship, and ask the VA to obtain a copy of the deck logs of the ship. You should also ask the VA to send you a copy of the deck logs that they obtain.

11) What if the VA is unable to obtain the deck logs of my ship?

In the unlikely event that the VA is unable to obtain the deck logs of your ship, you should submit a statement to the VA with your claim explaining why you believe your ship was within 12 nautical miles of the shore (for example, “during our deployment in 1967, we could see the landmass of Vietnam. My division officer informed me that the land we saw was Vietnam;” or, “I was a quartermaster and know from our plotted position on navigation charts that the ship was within 12 nautical miles of the coast of Vietnam.”). You should also try to obtain written statements from fellow crewmembers who were aware that the ship was within 12 nautical miles of the coast and submit them to the VA.

12) How long will it take for VA to decide my claim

for a disease recognized by VA as associated with Agent Orange?

In June 2019, VA Secretary Wilkie ordered the VA regional offices and the Board of Veterans' Appeals to hold off making any decisions on claims that are based on service in the offshore waters of Vietnam and a disease that VA recognizes as associated with Agent Orange exposure. This includes disability compensation and DIC claims. This moratorium on deciding claims will remain in effect until January 1, 2020. Therefore, do not expect a decision on your claim until next year.

13) Will NVLSP be able to represent Veterans and their surviving family members before the VA on their Agent Orange claims?

We regret that the answer is no. We advise you to obtain a representative from a Veterans service organization located in your state. You can find a Veterans service organization that will assist you for free at

<https://www.benefits.va.gov/vso/varo.asp>

For more information on the legal services NVLSP

provides please go to:

<https://www.nvlsp.org/what-we-do/lawyers-serving-warriors/>

<https://www.nvlsp.org/what-we-do/class-actions/>

Source: <https://www.nvlsp.org/news-and-events/news-articles/nvlsp-faqs-for-blue-water-vietnam-Veterans>

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Click the link below to sign the petition:

[https://www.voterve.net/BroadcastLinks/yXOfELy6nRwiq\\_6jyEkOMw](https://www.voterve.net/BroadcastLinks/yXOfELy6nRwiq_6jyEkOMw)



## **Citizenship for Children of Military Members and Civil Servants Act Passed**

This Tuesday, the House passed H.R. 4803, Citizenship for Children of Military Members and Civil Servants Act. This bipartisan legislation was introduced by Representatives Doug Collins (R-Ga.) and Jerrold Nadler (D-N.Y.) to ensure that children of deployed military and government families benefit from provision of U.S. law that confers automatic U.S. citizenship and are not disadvantaged because their parents are serving our country abroad.



# Even if All Goes Right with Overhaul, Veterans Still Face a Health Records Mess

A House hearing this week exposed a major roadblock to the \$16 billion plan to put in place a single electronic health record system for the Departments of Defense and [Veterans Affairs](#). And it has nothing to do with technological challenges. The VA and Pentagon have not yet begun to address old bureaucratic turf wars on data sharing that scuttled past efforts to let Veterans and doctors have access to their entire health records, according to testimony Nov. 20 by VA officials. Read more [here](#).



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[www.veterans-for-change.org](http://www.veterans-for-change.org)

## **Senate Holds Hearing on Military Housing**

This Tuesday, the Senate Committee on Armed Services held a hearing on "Government Accountability Office on Privatized Housing Findings to Include Responses from the Military Services on Ongoing Reports of Substandard Housing Conditions and Services." The Secretaries and Joint Chiefs testified on the progress being made to bring back the level of quality living our military families deserve. [Watch the hearing.](#)



## **Tricare Website Glitch Causes Problems as Open Season Gets Underway**

Active-duty families and military retirees will not be able to enroll in or change their 2020 Tricare health insurance plans online despite previous reports about the open enrollment period process, the Defense Health Agency (DHA) announced Nov. 22. This means eligible beneficiaries have only two options to sign up for Tricare or change their plans for next year during open season: call or mail. The enrollment period ends Dec. 9; it began Nov. 11. Read more [here](#).



# House Holds Hearing on Military Housing

On Thursday, the House Armed Services Subcommittee on Readiness held a hearing, “Privatized Housing: Are Conditions Improving for Our Military Families?” to discuss improving privatized military housing for our military families. The CEO’s from the five largest privatized military housing companies gave their perspectives and plans for bringing family housing back to the level our military families deserve. The subcommittee has been conducting extensive oversight of the privatized military family housing program and expressed concerns over systemic failures with the military and provided graphic and disturbing testimony about lead and mold exposure, rodent infestations, rude and dismissive from military spouses. [Watch the hearing.](#)





## National Wreaths Across America Day is December 14

To honor and remember Veterans during the holiday season, the nonprofit organization, Wreaths Across America, organizes the annual event of laying Christmas wreaths on Veteran's graves. The event is held every December, on the second or third Saturday of the month. This year's National Wreaths Across America Day takes place on Dec. 14. Wreaths Across America's annual escort to Arlington National Cemetery kicks off on Saturday, Dec. 7. National President of American Gold Star Mothers, Mona Gunn, will lead the caravan as this year's Grand Marshal. The escort will travel down the east coast, stopping at schools, memorials and other locations to REMEMBER, HONOR and TEACH. It will make stops in Maine, Massachusetts, Connecticut, New Jersey, Delaware, Maryland and Washington D.C. The escort's final stop will be Arlington National Cemetery on the morning of Saturday, Dec. 14. [Learn more.](#)





## **Alaska Guardsman Awarded Bronze Star**

A member of the Alaska Army National Guard was presented with a Bronze Star medal Nov. 19 for service during a deployment to Afghanistan from 2012 to 2013. Maj. Javier Lopez serves as a legal adviser to the adjutant general. But when he deployed to Afghanistan he was the first Puerto Rico Army National Guard trial defense service attorney assigned to a deployed active-duty trial defense field office. During the deployment, he successfully supported many legal actions including three contested courts-martial, six summary courts-martial and more than 200 administrative actions, according to a recent release. He managed Army cases around the Middle East including one murder case in which he advised a material witness. Read more at [Army.mil](http://Army.mil).



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## **20th Chief of Naval Operations Dies**

The retired admiral who led the Navy in the first half of the 1970s has died, Navy officials announced. Adm. James L. Holloway, 20th chief of naval operations, died Nov. 26 at age 97 in Alexandria, Virginia, according to a news release. Holloway served as CNO from July 1, 1974, to July 1, 1978. He retired from the Navy in 1978 with 36 years of service and went on to serve as president of the Naval Historical Foundation. During his tenure as CNO, Holloway convinced President Gerald Ford to end the Strategic Arms Limitation Talks (SALT) II, avoiding a ban on the cruise missile. He also established the Battle Force Fleet organization to employ surface combatants more broadly, according to the release. Read more at [Navy.mil](https://www.navy.mil).





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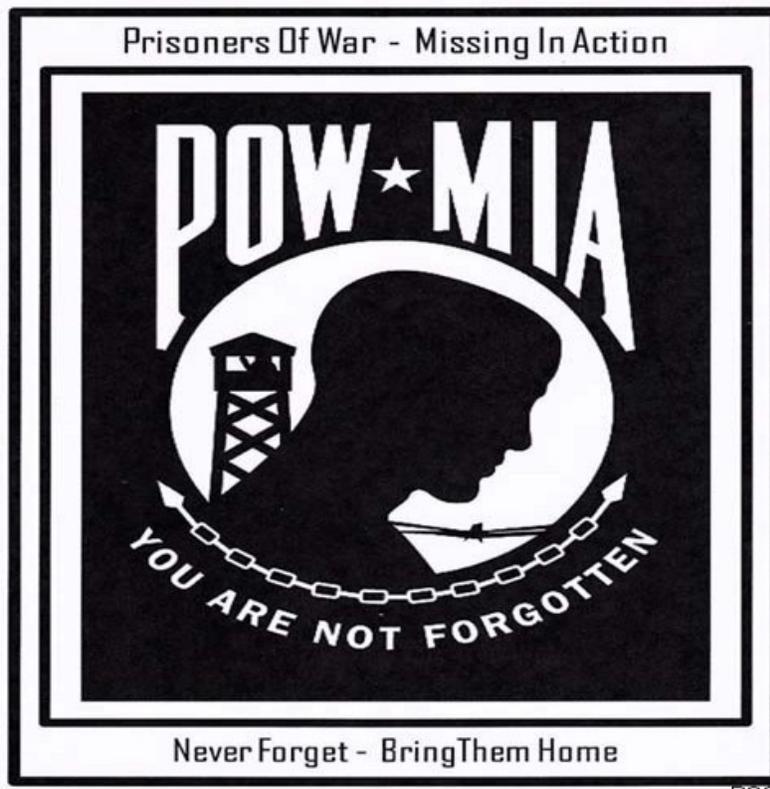
VeteransCrisisLine.net



## **VA Offers Tips on Coping with PTSD During Holiday Season**

The holidays are a time for coming together with family and friends, but they can also bring on added stress for Veterans dealing with PTSD, according to the Department of Veterans Affairs. Often, there is a person at holiday gatherings who just has to ask awkward questions of the Veteran with post-traumatic stress, the VA said in a list of tips on its Vantage Point blog. Rather than blow that person off, the Veteran should first consider cutting them some slack, the post noted, adding that the person asking the annoying questions is probably doing so out of genuine concern, however misdirected, for the Veteran's well-being. Read more [HERE](#).





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## Office of Inspector General

1. [Technology Assessment Design Handbook](#)
2. [Veterans Health Care: Services for Substance Use Disorders, and Efforts to Address Access Issues in Rural Areas](#)

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## DHA Monitoring Payment Processing Error in TRICARE East Region

The Defense Health Agency (DHA) and Humana Military are working closely to quickly assist approximately 75,000 TRICARE beneficiaries affected by a payment processing error that occurred on Thursday, Dec. 5. For those affected, health care coverage remains uninterrupted.

Humana Military is the TRICARE regional contractor that supports the TRICARE East Region. According to Humana Military, the processing error resulted in inaccurate charges that were as much as 100 times larger than the accurate bill.

To learn more, [read the full article](#).



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## **Don't Be Scammed**

Below are the details of the latest scam targeting Veterans. This scam is particularly scary because it imitates the 1-800-827-1000 number as well as

VA identity verification protocol. There is never a need to provide VA with credit card information.

Veterans beware! There is a new scam sweeping the country targeting U.S. Veterans. This one involves the use of new telephonic technology, and a well-orchestrated cast of scam artists who mimic Veterans Affairs (VA) culture.

Unfortunately, the scam has already ripped off thousands of Veterans – don't be the next victim.

The scam uses sophisticated telephonic technology that imitates VA operating signatures, thus, giving the impression via caller ID that the Veteran is receiving a telephone call from the VA. Most Veterans will see the following on their call ID system: "Department of Veterans Affairs, 1-800-827-1000." The second part of the scam involves scam artists pretending to be VA personnel. The scam artists are using scripted material to mimic the culture of VA personnel by implementing processes that would be used when a Veteran contacts the VA. Most Veterans are getting the following:

**PHONE CALL SCAM/MESSAGE:**

**Scam artists:** “Hello, Mr. Smith, this is John from the VA, I’m contacting you because the VA is reaching out to Veterans to ensure the accuracy of their records with us. Do you have a minute to go over your records at the VA?”

Veteran: “Yes!”

**Scam artists:** “Before I get started, thank you for your service.”

Veteran: “No problem.”

**Scam artists:** “Mr. Smith, can you verify what branch of the military you served?”

Veteran: “The Army.”

**Scam artists:** “Ok. Thank you. Can you verify your current address?”

Veteran: “555 Main St., Topeka, Kansas.”

**Scam artists:** “Ok. Great! Can you verify your birthday?”

Veteran: “July 10, 1947.”

**Scam artists:** “Please verify your last compensation payment amount.”

At this point, if the Veteran provides information and gives an amount, the scam artists are using another script that eventually leads to asking the Veteran to verify their social security number. If the Veteran refuses to give information, the scam artists inform the Veteran that he/she needs to be transferred to the Finance department. Then, the scam continues as:

**Scam artists:** “This is Mike in the Finance department. How are you, Mr. Smith?”

Veteran: “I’m ok.”

**Scam artists:** “As John mentioned to you, we [VA] are reaching out to Veterans to ensure the accuracy of their information on file with the VA. We want to make sure nothing happens to your current or future payments from the VA. Is that ok with you Mr. Smith?”

Veteran: “Sure.”

**Scam artists:** “Mr. Smith can you verify your social security number on file with the VA?”

Veteran: “123-12-1234”

**Scam artists:** “Great! Thank you. Also, can you

verify the credit card we have on file for you?”

Veteran: “I don’t have a credit card on file with the VA. Do I need to have a credit card on file?”

**Scam artists:** “Yes! To make sure any incidentals are covered. In 99.9% of the cases, the credit card is never used, and if the credit card is used it will never exceed \$10. Public law and VA policy make it necessary we have a credit card on file just in case something comes up that is not covered by the VA. So, what card would you like to keep on file? We take Visa, MasterCard, American Express or Discover. Which would you like to use?”

If you get a call from the “VA” and the scenario resembles anything close to the narrative above, terminate the telephone call. It is likely you are being scammed.

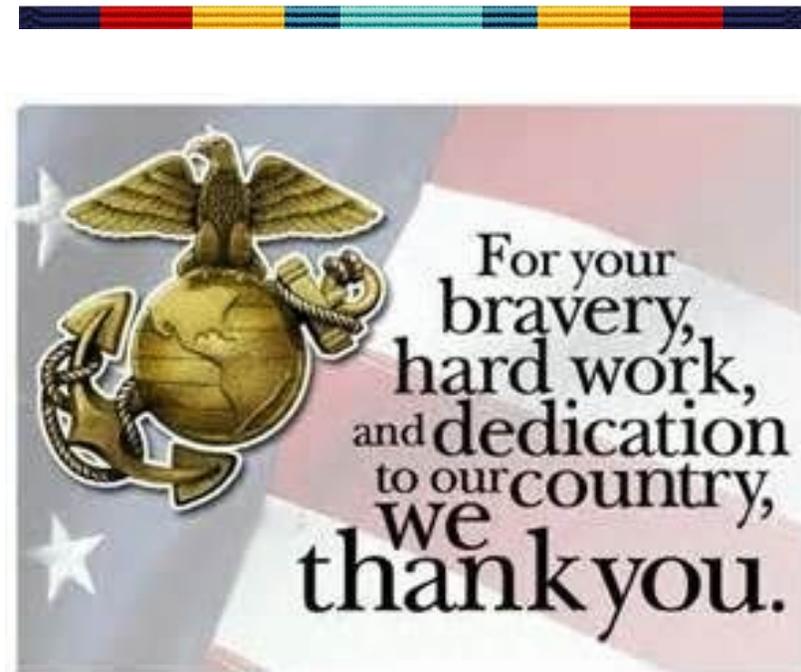
Timothy M. Napier  
Chief of Police

**Source:** Tucson Chapter 106 Vietnam Veterans of America

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## Tax & Credit Information



1. [IRS: Eligible employees can use tax-free dollars for medical expenses](#)
2. [Taxpayers can find answers to questions about private collection agencies on IRS dot gov](#)
3. [IRS updates guidance for deductible business, charitable, medical and moving expenses](#)
4. [Security Summit marks 4th National Tax Security Awareness Week](#)  
[Taxpayers can take steps now to Get Ready to file their taxes in 2020](#)
5. [It's time again for folks to renew their ITINs... here are some things to remember](#)
6. [IRS reminds tax professionals of tasks to get ready for 2020](#)
7. [IRS Advisory Council issues 2019 Annual](#)

## Report

8. Drought-affected farmers and ranchers have extra time to sell livestock
9. Four common tax errors that can be costly for small businesses
10. Final regulations confirm: Making large gifts now won't harm estates after 2025
11. IRS announces 2020 Tax Counseling for the Elderly Grants
12. Get ready for taxes: Important things to know about refunds
13. Taxpayers in private debt collection can now make payments with direct debit
14. Four common tax errors that can be costly for small businesses
15. Taxpayers should watch out for gift card scam



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MIA  
Update



The Defense POW/MIA Accounting Agency announced three new identifications, and four burial updates for service members who have been missing and unaccounted-for from WWII and the Korean War. Returning home for burial with full military honors are:

**Navy Fireman 1st Class Leo T. Keninger**, 20, was stationed aboard the USS Oklahoma, which was moored at Ford Island, Pearl Harbor, when the ship was attacked by Japanese aircraft on Dec. 7, 1941. The USS Oklahoma was hit multiple times which caused it to capsize quickly and caused the deaths of 429 crewmen, including Keninger. Interment services are pending. [Read about Keninger.](#)

**Navy Seaman 1st Class Orval A. Tranbarger**, 20, was stationed aboard the USS Oklahoma, which was moored at Ford Island, Pearl Harbor, when the ship was attacked by Japanese aircraft on Dec. 7, 1941. The USS Oklahoma was hit multiple times which caused it to capsize quickly and caused the deaths of 429 crewmen, including Tranbarger. Interment services are pending. [Read about Tranbarger.](#)

**Army Master Sgt. Harold F. Drews**, 21, was assigned to King Company, 3rd Battalion, 31st Infantry Regiment, 7th Infantry Division. For several days, his unit was engaged in intense fighting with the Chinese People's Volunteer Forces near the Chosin Reservoir in North Korea. Drews went missing in action on Dec. 12, 1950. His remains could not be recovered. Interment Services are pending. [Read about Drews.](#)

**Army Sgt. 1st Class Riley Burchfield**, 22, of Cleveland, was a member of Company D, 1st Battalion, 24th Infantry Regiment, 25th Infantry Division. He was captured by enemy forces near Kunu-ri, North Korea on Nov. 26, 1950. He reportedly died while in custody of the Chinese People's Volunteer Forces at Prisoner of War Camp 5 in February 1951. Burchfield will be buried Jan. 10, 2020, in his hometown. [Read about Burchfield.](#)

**Army Air Forces 1st Lt. Steve Nagy**, 23, of Lorain, Ohio, was a member of the 407th Bombardment Squadron (Heavy,) 92nd Bombardment Group (Heavy,) 40th Combat Bombardment Wing, 1st Air Division, 8th Air

Force. On Aug. 24, 1944, Nagy piloted a B-17G Flying Fortress aircraft, carrying nine crewmembers, which was struck by German anti-aircraft fire and crashed during a bombing raid over Merseburg, Germany. Four crewmembers survived and were captured by German forces, while five, including Nagy, were killed. Nagy will be buried in his hometown. The date has yet to be determined. [Read about Nagy.](#)

**Navy Quartermaster 2nd Class Daryle E.**

**Artley**, 21, of Maywood, Nebraska, was stationed aboard the USS Oklahoma, which was moored at Ford Island, Pearl Harbor, when the ship was attacked by Japanese aircraft on Dec. 7, 1941. The USS Oklahoma was hit multiple times which caused it to capsize quickly and caused the deaths of 429 crewmen, including Artley. Artley will be buried May 15, 2020, in Vancouver, Washington. [Read about Artley.](#)

**Navy Chief Water Tender Frances D. Day**, 37, of Milburn, New Jersey, was stationed aboard the USS Oklahoma, which was moored at Ford Island, Pearl Harbor, when the ship was attacked by Japanese aircraft on Dec. 7, 1941. The USS

Oklahoma was hit multiple times which caused it to capsize quickly and caused the deaths of 429 crewmen, including Day. Day will be buried at the Punchbowl. The date has yet to be determined.

[Read about Day.](#)



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