

# MICHIGAN OVERSEAS VETERAN



JANUARY 2012

• Reporting your positive impact on the Michigan community •

SPECIAL ONLINE EDITION



## STATE COMMANDER

Comrades, Sisters and Brothers,  
I hope everyone had safe, healthy and fun holidays.

Welcome to our first online edition of the *Michigan Overseas Veteran*. Thanks to Senior Vice Kirk Kennedy and our editor, Matt David, for bringing up the idea and making it happen.

I recently received a letter of concern from a Post member. He wanted to know why there are no classes of instruction for Post officers at the Department Conferences and Conventions. It seemed to him that meetings for Commander, Senior Vice and Junior Vice were geared for District officers and Post members felt left out.

Let me say this. I agree and as a matter of fact, I had the exact same concern back in 1992-1993 when I held the office of Post Junior Vice Commander. I, too, went to the advertised Junior Vice meeting and all I heard was District this and District that and I sat there and wondered, "What am I doing here?" I do know why these things happen. The Department officers from Junior to Commander are trying to get their C of A members together and make plans for their year as State Commander. You don't have a lot of time from being Department Junior Vice, Senior Vice and the next thing you know...you are in charge. The time goes very fast. I will not make any excuses for what happens other than to say I will do what I can to work on fixing the problem.

Having said all that, let me put this out. The Department starts the VFW year with Officer Training School in June, now called Veterans Training Seminar (VTS). You do not have to be an officer to attend. This training is held at our Camp Trotter for Children. We no longer hold the July C of A meeting. Then we have the Fall



**Jack Pray**  
State Commander

Conference where we have another VTS session and all of our Department program directors and chairmen have tables set up to hand out materials and answer questions on a one to one basis. If a Post member wants to know why they did not get credit for a report, they can go right to the source and ask why. If you don't get an answer, let me know.

In January we have the Mid-Winter Conference, which is geared to honor our youth with the completion of the Voice of Democracy, Patriot's Pen and Teacher of the Year programs. You will also find all the Department directors and chairmen there with information tables and handouts. You should visit and get the information you need to take back to your Post.

What I am trying to say is that although we do not have classroom instruction, everything you need and want to know about any program the VFW has, is available to you at every conference we have. You will need to ask for what you want. I feel that if you go to the program director and ask the questions you have, you will learn more than you would from sitting in a classroom listening to things you are not interested in.

God Bless our Armed Forces who protect our freedom, and God Bless the United States of America.

**Jack Pray**  
State Commander

## DEPARTMENT PRESIDENT



**Mariann Hamann**

The year 2011 has ended and the New Year has begun. Last year brought lots of excitement and fun, along with some difficult times. Looking forward, 2012 will be a good year for our veterans thanks to the many VFW and Ladies Auxiliary members who support our programs and assist veterans and their families.

Congratulations to the Districts who have achieved the goal of 91% before the end of the year. While those District Presidents will be treated to a "night on the town", the Auxiliary and District membership chairmen in those districts are also to be commended.

Many thanks go to all the Auxiliary sisters who paid their 2012 dues. You remain members in good standing. If you have not yet paid your 2012 dues, please do so as soon as possible. If you are in financial distress contact your Auxiliary; they may be able to help.

My gratitude also goes to the members of the Department and District Red Flag Teams who have donated their time and travel expenses to work with Auxiliaries, resolving problems without official suspension. I believe this process is less embarrassing for the Auxiliaries and it is working. KUDOS to these unsung heroes!

Leaders of this organization at all levels need to realize how important their role is; how much of a benefit to the organization they can be and how they unintentionally can harm it. Good leaders earn the support and respect of their team. As leaders, you should be generous with praise for your volunteers and very gentle with corrective criticism. We are all human with different ideas and we all make mistakes. If, in the heat of the moment, you yell at a volunteer or chastise one in public, please apologize. Don't let harsh words cause a hard working volunteer to leave.

God Bless You and God Bless America!

**Mariann Hamann**  
Department President



\*\*\*\*\* SPECIAL ONLINE EDITION \*\*\*\*\*

## STATE SERVICE OFFICER

### Advocating for Others

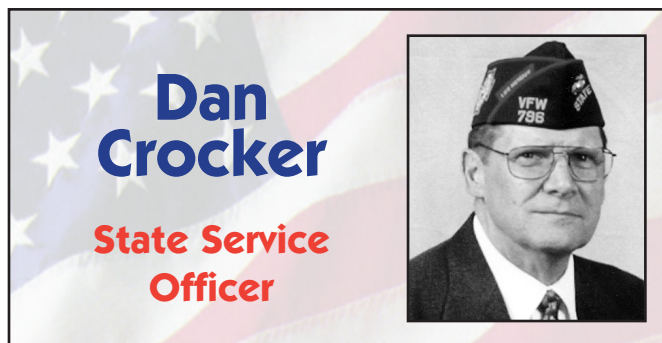
The Department of Veterans Affairs published a final rule in the Federal Register on January 25, 2011, that amended 38 CFR § 3.307 by adding a new section (a) (6)(iv). The new section establishes presumptive herbicide exposure for certain veterans who served in, or near, the Korean demilitarized zone (DMZ) between April 1, 1968 and August 31, 1971. The Department of Defense (DoD) provided VA with the identity of certain military units operating along the DMZ during that timeframe.

A veteran with confirmed service in one of these units during the designated timeframe qualifies for the presumption of herbicide exposure. This regulation is a change from previous VA policy, which acknowledged herbicide exposure on a facts-found basis for veterans of designated units who served from April 1968 to July 1969.

Because the new regulation represents a liberalization, the provisions of 38 CFR § 3.114 regarding effective dates of service connection apply. Veterans who were denied service connection based on the previous policy may now receive a grant, with an effective date “no earlier” than January 25, 2011.

After reviewing documents related to herbicide used in Vietnam and Thailand, the VA has determined that there was significant use of herbicides on the fenced in perimeters of military bases in Thailand intended to eliminate vegetation and ground cover for base security purposes. Evidence of this can be found in a declassified Vietnam era Department of Defense (DoD) document titled Project CHECO Southeast Asia Report: Base Defense in Thailand. Therefore, when herbicide related claims from veterans with Thailand service are received by the VA, they are required to evaluate the treatment and personnel records to determine whether the veteran’s service activities involved duty on or near the perimeter of the military base where the veteran was stationed.

DoD has provided information that commercial herbicides, rather than tactical herbicides, were used within the confines of Thailand bases to control weeds. These commercial herbicides have been, and continue to be, used on all military bases worldwide. They do not fall under the VA regulations governing exposure to tactical herbicides such as Agent Orange. However, there is some evidence that the herbicides used on the Thailand base perimeters may have been either tactical, procured from Vietnam, or a commercial variant of much greater strength and with characteristics of tactical herbicides. Therefore, the VA has determined that a special consideration of herbicide exposure on a facts found or direct basis should be extended to those Veterans whose duties placed them on or near the perimeters of Thailand military bases. This allows for presumptive service connection of the diseases



associated with herbicide exposure.

The majority of troops in Thailand during the Vietnam era were stationed at the Royal Thai Air Force Bases of U-Tapao, Ubon, Nakhon Phanom, Udorn, Takhli, Korat, and Don Muang. If a US Air Force Veteran served on one of these air bases as a security policeman, security patrol dog handler, member of a security police squadron, or otherwise served near the air base perimeter, as shown by MOS (military occupational specialty) performance evaluations, or other credible evidence, then herbicide exposure should be acknowledged on a facts found or direct basis. However, this applies only during the Vietnam era, from February 28, 1961 to May 7, 1975.

Along with air bases, there were some small Army installations established in Thailand during this period, which may also have used perimeter herbicides in the same manner as the air bases. Therefore, if a US Army Veteran claims a disability based on herbicide exposure and the veteran was a member of a military police (MP) unit or was assigned an MP MOS and states that his/her duty placed him at or near the base perimeter, then herbicide exposure on a facts found or direct basis should be acknowledged for this veteran. The difference in approach for US Army Veterans is based on the fact that some MPs had criminal investigation duties rather than base security duties. The veteran’s lay statement is required to establish security duty on the base perimeter. This also applies to US Army Personnel who served on air bases in Thailand. During the early years of the war in Vietnam, before Air Force security units were fully established on air bases in Thailand, US Army personnel may have provided perimeter security. In such cases, if a veteran provides a lay statement that he/she was involved with perimeter security duty and there is additional credible evidence supporting this statement, then herbicide exposure on a facts found or direct basis can be acknowledged for this Veteran.

If you or someone you know served in one of these areas, assigned to the specific detail noted above and have one of the listed presumptive conditions relative to herbicide exposure have them file a claim. The VFW Service Office contact information is as follows:

**VFW Service Office**  
**477 Michigan Avenue, Suite 1215**  
**Detroit, MI 48226-2588**  
**PH: 313-964-6510**  
**FAX: 313-964-6545**  
**E-mail: vfwmiadvocates@gmail.com**

## Department Service Officer SUCCESS STORY

Paul Harvey was well known for his “The Rest of The Story” – a column that many found insightful and interesting. This is one of those cases that fit within the scope of Mr. Harvey’s, The Rest of The Story.

In 2002, a county office contacted us regarding a claim that was submitted for a Navy veteran for a condition that had become quite debilitating. Unfortunately, the claim folder was not in Detroit, but was located in St. Louis, Missouri. The claim folder had been there for some time, so it was a safe bet that the claim the veteran had filed was probably denied.

After numerous attempts to get the veteran’s folder transferred to the Detroit Regional Office, it was finally transferred in mid-2004. A thorough review found that, in fact, the veteran had been denied in 1988. During the review, it was determined that medical evidence submitted with the claim had not been reviewed by the VA examining physician before an opinion was offered. Based on that finding, we opened the claim to have the evidence reviewed, and once again, the claim was denied on the basis of it not being a well-grounded claim.

In 2007, additional private treatment records were provided to the VA and a VA examination was ordered in 2008. On November 3, 2008 the VA conceded and granted service connection at a 100% evaluation.

Now, for the Rest of The Story! We disagreed with this decision as to the effective date of the grant of service connection. We claimed that a Clear and Unmistakable Error (CUE) had been committed by omitting the previous medical reports. Finally, after the claim went through all the administrative appeal processes at the Regional Office, it was sent to our office to prepare a legal brief before it went to the Board of Veterans Appeals in Washington, D.C.

Our staff member handling the case reviewed the file from back to front and came to the conclusion that virtually all the evidence used in 2008 to grant service connection was the same evidence that was submitted in the veteran’s original claim of 1988, excluding an updated report that was submitted with the 2007 claim.

So an in-depth conversation ensued with our Advocate and the VA over the merits of the evidence. On December 6, 2011 the VA agreed with us and retroactively granted entitlement back to the original filing of 1988.

In the rating decision of December 6, 2011 the examiner related that the VA examiner in 1988 stated that the history the veteran provided was consistent with the veteran’s military records. Further, the examiner reported that the veteran’s military medical records and private treatment records were not made available for review. Really?!!

In addition, it was determined that the VA failed to properly adjudicate the veteran’s claim by not supplying the VA examiner with the veteran’s military and private treatment records and as such conceded that, essentially, the VA’s failure to properly adjudicate that claim in 1988 makes it as if the VA never made a decision on the claim until November 3, 2008 – hence a CUE.

One catch. The evaluation from 1988 to the 2007 grant would only be at the 70% evaluation, based on the previous medical evidence of record at the time the decision was made. However, it is apparent to the VFW that the veteran probably could not work because of the severity of the condition. So, we will be asking for a claim of Individual Unemployability (IU) from 1988 to 2007, when the VA finally granted service connection. A grant of IU would establish payment at the 100% rate, even though the veteran was only rated at 70%.

For the better part of twenty years, the veteran was without acknowledgement of a condition that affected his quality of life. For the better part of twenty years, the persistence of a county office working in concert with the VFW was able to turn an injustice around.

For this veteran, “The Rest of The Story” has not been fulfilled until the check is in the mail and the quality of life has been turned around. We will keep our readership abreast of the final amount when all claims have been resolved.

## Remembering Pearl Harbor

**VFW pauses to remember America's 'greatest generation'**



December 7, 2011, marks the 70th anniversary of the attack on Pearl Harbor, the day that does in fact live "in infamy." For on that fateful day in history, America suffered great loss: 3,500 dead or wounded, more than 350 aircraft destroyed and 18 ships sunk or severely damaged.

Many dark days followed the unthinkable ambush that occurred on U.S. soil. But, throughout its history America has never accepted defeat or lasting despair, nor has it succumbed to intimidation. The attack instead served as impetus for a renewed sense of national pride and spirit, and produced America's "greatest generation." America was strengthened by the very values upon which this great country was founded. Freedom, tolerance and service carried our great country to victory in WWII.

Though a great many of the survivors of the attack on Pearl Harbor are no longer with us, we remember their contributions through service, devotion to duty and strive to emulate their selflessness and sense of patriotism daily. As we pause to remember the brave Americans who perished in the attack, as well as those who subsequently defended our nation, we remain inspired by their diligence, perseverance and sense of patriotic pride.

## Michigan National Guard Buddy to Buddy: Peer Support and Resilience Teams

### What is Buddy to Buddy? (B2B)

**Mission:** To provide training and resources to Michigan Army National Guard Soldiers in order to enhance peer support and resilience, and to facilitate access to Systems of Care (community resources).

Military service is unlike any other human experience. No one knows more about the issues facing a veteran -- in combat or on the home front -- than another veteran.

### Why is B2B important?

All veterans face some challenges adjusting to life when returning home from deployment. Some may face more serious challenges including psychological wounds or invisible injuries such as post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI). Regardless of the challenge, growth and resilience can occur for veterans.

### What can I do as a Volunteer Veteran?

It can be difficult to ask for help, know where to go or who to talk to. No one knows more about the issues facing a Veteran than a fellow Veteran. That's why the Buddy program was developed -- to train Michigan vets to mentor OEF / OIF veterans in adjusting to life back home.

Volunteer Veterans from all eras can provide needed support to current era Veterans. Assigned to MIARNG Armories across the state of Michigan and near your hometown, **you** could provide the connection and support a Soldier may need.

**From family concerns, to financial struggles, to psychological and invisible wounds, trained Buddy to Buddy: Volunteer Veterans are there to listen and help OEF/OIF veterans get the community resources they need.**

### Where can I get more information?

**Please continue to serve – be a Volunteer Veteran member!** To be a volunteer veteran, please contact CSM Sam Scarbrough at 231 286 2811, or e-mail: [sam.scarbrough@us.army.mil](mailto:sam.scarbrough@us.army.mil)

To learn more about the B2B program, please visit [www.buddytobuddy.org](http://www.buddytobuddy.org) or contact CPT Jennifer Pacurari, LLMSW at 517 481 8319 or e-mail: [jennifer.m.pacurari@us.army.mil](mailto:jennifer.m.pacurari@us.army.mil)

## Vet Groups Urge Court to Uphold Stolen Valor

**VFW leads twenty-five veterans' organizations in their request to Supreme Court**

By Rick Maze, Staff writer, Navy Times

Twenty-five organizations representing millions of veterans have asked the U.S. Supreme Court to uphold a federal law making it a crime to falsely claim receiving a military award for valor.

The case pits First Amendment rights of free speech against allowing impersonators to erode the meaning and prestige of military medals. Oral arguments are planned for sometime in 2012.

"Imposters, who have included state and federal officials as well as many other successful, prominent people, have enjoyed undeserved praise, honors and other intangible and non-pecuniary benefits by wrongfully taking advantage of the goodwill associated with those awards," the groups say in a briefing filed in the case involving the constitutionality of the Stolen Valor Act, a 2006 law that makes it a federal crime to falsely claim to have received military medals.

Two federal courts, one in Colorado and one in California, have ruled the law is unconstitutional because it restricts the right of free speech. The case before the U.S. Supreme Court, *U.S. vs.*

*Xavier Alvarez*, involves a man who claimed he was a Marine retiree who had received the Medal of Honor but had, in fact, never even served in the military. Alvarez was convicted by a lower court, but the Ninth Circuit Court of Appeals decided this summer in a split decision that while his lies were "deliberate and despicable," the First Amendment's free speech protection applied even to lies.

The 25 organizations, led by Veterans of Foreign Wars, the nation's largest organization for combat veterans, say in their brief that lying about military service has become common, making it difficult for the public to know who has rightly earned an honor.

"Whether a person is masquerading as a decorated general at a veterans' celebration or a braggart whose false claims of receiving prestigious decorations move a neighbor to write a school essay about him entitled 'The Hero Next Door', lies about military honors take advantage of the public's trust. They allow con men to benefit in innumerable tangible and intangible ways from the virtually inexhaustible reservoir of goodwill, admiration and honor that military heroes have earned over the past 235 years," the brief says.

## VFW, USO Team Up to Support Troops and Their Families

**Partnership gives VFW members additional volunteer opportunities**

The VFW is excited to announce a new partnership with the USO, providing VFW and Ladies Auxiliary members with additional volunteer and service opportunities in their local communities. This partnership brings together two organizations that share common missions and rich histories supporting our troops and military families.

VFW members have a proud tradition of community service with volunteerism benefiting education, America's youth and civic projects. Each year VFW and Ladies Auxiliary members donate more than 11 million volunteer hours to community service projects and local VA medical facilities.

The USO is a private, nonprofit organization that lifts the spirits of America's troops and their families. It provides a touch of home through centers at airports and military bases, top-quality entertainment and innovative programs and services. The USO also provides critical support to those who need it most, including forward-deployed troops and their families, wounded warriors and their families and the families of the fallen.

Here are just a few of the many ways VFW members can get involved with the USO:

### Host a Book Drive to support United Through Reading's Military Program

United Through Reading's Military Program enables a service member to video record themselves reading a children's book to their little ones back home. The USO then ships the DVD and book home to their family, free of charge. You can help by hosting a book drive. Groups may also include bookmarks with their donation. Contact Lisa Ferrari at [lferrari@uso.org](mailto:lferrari@uso.org) or 703-740-4938

to request your book drive how-to guide.

### Holiday Box Item Drive

The USO's new Holiday Box program is aimed at bringing some holiday cheer to our troops stationed in Areas of Responsibility. The goal is to offer a touch of home to those serving in dangerous and harsh conditions during major U.S. holidays throughout the year. Each Holiday Box contains decorations, treats and a unique way to connect troops to their loved ones back home. Currently, the USO offers four different Holiday Boxes: Valentine's Day/Super

Bowl, Memorial Day/Independence Day (Summer), Halloween/Thanksgiving, Winter Holiday (to include optional Christmas/Hanukah). Contact Lisa Ferrari at [lferrari@uso.org](mailto:lferrari@uso.org) or 703-740-4938 for a list of pre-approved items for the Holiday Box program.

### USO Center Supply Drive

Provide the troops and their families with extra comforts of home! Donate food, books, school supplies and other items that our centers need most! With thousands of people using USO centers, supplies can run out faster than expected. Work with your local USO center to determine any product or amenity needs they might have.

### Get Involved With Your Local USO Center

Thanks to dedicated volunteers, more than 160 USO centers provide a place where troops can unwind, connect with family back home and take a break from the daily stresses of military duty. Even if you are unable to volunteer on a regular basis, local USO centers often have programs and events that need your support.

For more information about these opportunities and other ways to get involved, please visit [www.uso.org](http://www.uso.org). To find your local USO center, call 703-740-4938.





*Members of VFW Post 7309 and its Men's Auxiliary stand in front of the newly moved Military Service Monument in the Dansville Fairfield Cemetery. The previous location forced members to walk on a grave to lay floral tribute during Memorial Day ceremonies. Left to right: Ivan Kerr, Nolan Douglas, Rod Hunt, Jim Hinshaw and Larry Launstein.*

## VFW Welcomes Iraq Vets –

**Obligation to 'pay it forward' keeps organization relevant**

WASHINGTON – With the war in Iraq officially over, the National Commander of America's oldest and largest major combat veterans' organization is now urging his membership to redouble their efforts to welcome home this new generation of warrior, and to offer to serve as mentors through their transition to civilian status.

"Coming home is easy, the next step isn't because the checklists are gone," said Richard L. DeNoyer, the National Commander of the 2 million-member Veterans of Foreign Wars of the U.S. and its Auxiliaries. "Whether you return to college – thanks to the Post-9/11 GI Bill that the VFW was instrumental in getting passed – or use your benefits to learn trades, obtain professional licenses or just jump right into employment, I want everyone to know that the VFW has your back."

DeNoyer, a retired Marine and Vietnam combat veteran from Middleton, Massachusetts, said the greatest guidance VFW members can provide is perspective, since every VFW member once returned home from their wars and has successfully moved on with their lives. He also said VFW families are also a rich source of "how to" advice, since they all experienced the anxiety that came from sending a loved one to war.

Another key VFW resource is its nationwide network of service officers, who last year helped 96,000 disabled veterans to recoup \$1.4 billion in earned compensation and pension from the Department of Veterans Affairs. This free service also extends to more than a dozen active-duty military installations through a Defense Department Benefits Delivery at Discharge program that allows VFW service officers to help transitioning service members with their VA claims paperwork prior to separating or retirement.

These service officers, as well as VFW legislative efforts on Capitol Hill, are also there for the families of the fallen and almost 32,230 wounded, to help ensure survivor benefits, as well as VA healthcare programs and services, are fully funded, accessible and available.

The end of the Iraq war fulfills a campaign promise by President Obama, but with almost 100,000 troops still stationed in Afghanistan, the war on terrorism is far from finished, which means the VFW's veterans' service, legislative and grassroots troop support programs are even more important.

DeNoyer is now asking all Iraq and Afghanistan veterans to join the ranks of the VFW to help "pay it forward" for future generations of warriors.

"The VFW has survived over the past 112 years because of our relevance to each ensuing generation of warrior," he said. "This is due to the common thread of war that easily unites 85-year-old Iwo Jima veterans with 25-year-old Fallujah veterans, and which amplifies our obligation to make things even better for the next generation to follow in our footsteps."

## VFW Announces Annual Publications Contest

Kansas City, MO – The VFW Publications Department announced today that it is accepting submissions for VFW's 2012 National Publications Contest. All publications will be categorized by the membership size of the Department, District or Post they represent. For the contest:

**Departments will be defined as:**

- large (24,000 or more members),
- medium (10,000-23,999) and
- small (9,999 or fewer).

**Districts will be defined as:**

- large (2,100 or more),
- medium (1,300-2,099) and
- small (1,299 or fewer).

**Posts will be defined as:**

- large (180 or more),

- medium (100-179) and
- small (99 or fewer).

All national entries must place first in Department-level contests. One copy of each winning Post and District publication – as well as one issue of the Department newspaper – must be mailed by Department Adjutants, Department Quartermasters or Department Editors by April 6, 2012, to:

**Publications Contest**  
**406 W. 34th Street, Suite 523**  
**Kansas City, MO 64111**

Issues published between Jan. 1, 2011 and Dec. 31, 2011 are eligible.

**Kelly Gibson**  
**kgibson@vfw.org**

### 2012 National Publications Contest Entry Form

**Department Adjutants:** Please include a copy of this form with each winning entry. Include a separate form for each entry. For example: one copy with Department entry, one with District and one with Post. Indicate membership size for each publication.

**DEPARTMENT PUBLICATION**

Name of Publication: \_\_\_\_\_

Editor: \_\_\_\_\_

Editor's address (street): \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Large (24,000 or more) \_\_\_\_\_ Medium (10,000-23,999) \_\_\_\_\_ Small (9,999 or fewer) \_\_\_\_\_

**DISTRICT PUBLICATION**

Name of Publication: \_\_\_\_\_

Editor: \_\_\_\_\_

Editor's address (street): \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Large (2,100 or more) \_\_\_\_\_ Medium (1,300-2,099) \_\_\_\_\_ Small (1,299 or fewer) \_\_\_\_\_

**POST PUBLICATION**

Name of Publication: \_\_\_\_\_

Editor: \_\_\_\_\_

Editor's address (street): \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Large (180 or more) \_\_\_\_\_ Medium (100-179) \_\_\_\_\_ Small (99 or fewer) \_\_\_\_\_