



(516) 887-7100 Fax (516) 887-7175

DISABLED AMERICAN VETERANS

DEPARTMENT OF NEW YORK, INC.
200 Atlantic Avenue, Lynbrook, New York 11563



**April 2009 Newsletter
Volume 17 Number 10**

Membership Status as of 4/3/09

Trial Members 2,542

Part Life Members 2,709

Full Life Members 49,608

Total Members 54,859

Goal for Full Life Members (100%) 49,606

MARCH MADNESS

Robert J. Finnerty, Department Commander

The month of March went by very quickly. I visited the VAMC in Albany along with Adjutant Sidney Siller. We received a warm welcome by the hospital staff. Then, it was off to Hudson Valley for the SEC Meeting. At the meeting we discussed the new building we are purchasing. The building will be the site of the new headquarters. More about the building later on in this newsletter.

Saturday night was my Testimonial Dinner. I was happy to have my wife Margaret (CSM), my children Margaret and Bobby, and my grandchildren Lauren, Arianna, and little Nicholas there. That night I received many gifts. Special thanks to the Department for a beautiful men's bracelet and to my family for the gold chain. I would like to thank my Chapter #118 for the generous gift and the support they have given me this year. I was also surprised to receive the Certificate of Recognition from the Governor of Tennessee; presented by National 2nd Jr. Vice Commander Donald Samuels. I want to thank those who were kind enough to honor me with their special symbols of appreciation.

As Commander of the great Department, I want to thank everyone for the support I have received, and I know that you will support the next Commander.

On March 28th, the Department held an open house inspection tour of the new building. The new building is about 600 feet north of the present Headquarters, with parking for fifteen cars. If all goes well and the building passes all the tests and the inspections that are required, the Department will take another step forward and upwards. (Excelsior – the motto of New York State.)

The latest Department project is the Department Service Officers. Under the direction of Robert (Bob) Dolan, this project is moving along. We still need more



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dedicated volunteers for certain upstate areas to help our veterans. If you can help out, call Headquarters and get in touch with Bob Dolan.

Looking ahead to seeing all of you at El Caribe on our 88th Anniversary.

THE REAL DEAL

Sidney Siller, Sr., PDC, Department Adjutant

In the earliest times of the 20th century, that is, before the schemers of our world decided that everyone was “fair game,” and a promise with a handshake was not a solemn pact. When the most powerful in our country can perjure themselves without involving severe punishment or retribution in kind, it sends the wrong message. Lesser office holders and the “great unwashed” impliedly received a message that “they can do wrong, and get away with it, why can’t I?” Someone recently told me that there are more convicts serving in Congress than currently playing in the National Basketball Association.

If this observation is valid, I would not be the least surprised. But this I do know, that elected officials are in the habit of verbally supporting us with all kinds of promises of their support. This especially is true during periods of military activity such as police actions, war, or national periods of distress such as Katrina.

At the exact time my last column “1929 Redux” was distributed, it coincided with a statement floated by the White House, that those disabled veterans that were treated at Veteran Administration Medical Centers would have their private health insurance billed for the treatment.

I can’t presume to understand what happened, but if you don’t mind, I’d like to try an “educated guess.” My last column on “Redux” was an alert, based on various administrations before and after World War II who attacked the issues of veteran benefits; and the closed VA offices and hospitals.

The recent concept would have complicated the lives of not only those disabled veterans and their families, but would have created untold burdens on our newly minted; the disabled young men and women who fought and are still fighting in Iraq and Afghanistan.



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My suspicion is that the National Officers of the DAV along with our brothers in the other Veteran Service Organizations did a magnificent job in having the Administration withdraw the private insurance payment concept.

Unprincipled concepts like the insurance issue violates the promise of our government to care for our sick and wounded men and women who bear the “scars of war,” which we all hold as a sacred promise. After all is said and done we have to be pragmatists, don’t we? Many of our elected officials read and understand mortality tables. Liars do not figure, and figures do not lie!

As of September 20, 2008, there were just 2,306,000 veterans left out of over 16 million that served in WWII. The fragility of our aging veteran population, and the need to care for those disabled men and women requires all of us to be alert as to the always present subliminal opposition to all of our cumulative efforts in defending our nation at home and abroad.

The mission conceived by our founder Judge Robert Marx and those who followed; will attest to the one virtue that is our truth; to care for our comrades, is indeed the “Real Deal,” and we aim to honor it.

WHITE HOUSE DROPS PLAN TO BILL DISABLED VETERANS’ INSURANCE FOR CARE

DAV Press Release 3/18/09

The Disabled American Veterans commended the Obama administration for backing down from a controversial proposal that would force private insurance companies to pay for the treatment of military veterans who suffered service-related disabilities and injuries.

The proposal that had been considered as part of the president’s budget would require private insurance companies to reimburse the Department of Veterans Affairs in such cases. But the idea was unanimously opposed by the DAV and other leaders of the veterans community who were invited to the White House on March 16 to discuss the plan directly with President Obama. Veterans were again united in opposing the plan in a follow-up meeting with White House Chief of Staff Rahm Emanuel on Wednesday.

The decision to drop the idea was announced by Speaker of the House Nancy Pelosi at a meeting with veterans groups after the meeting with Emanuel.



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“The President was very open and candid when he met with veterans groups earlier this week, and we are pleased that he has heard our concerns and taken them to heart,” said Washington Headquarters Executive Director David W. Gorman. “Our message to the President was simple and direct: That our government must not abandon its moral responsibility to the men and women who have sacrificed so much for our freedoms.”

“Now that this ill-advised proposal is off the table, the DAV looks forward to working with the administration and Congress on crafting a good budget that will include sufficient appropriated dollars to cover veterans’ health care needs,” Gorman said. “We also urge the president to fulfill his pledge to include advance appropriations for veterans health care in his budget submission.”

A top priority for the DAV and other groups is passage of the recently introduced Veterans Health Care Budget Reform and Transparency Act. The measure would authorize Congress to approve VA medical care appropriations one year in advance of the start of each fiscal year. The legislation also would add needed transparency to the process by having Government Accountability Office review and report on the VA budget request.

“This budget reform legislation would ensure sufficient, timely and predictable funding for veterans’ health care. It has the added benefit of making government more efficient, transparent and accountable. These are three key elements that President Obama, Congress and veterans all agree are needed in these challenging times. And if enacted in conjunction with the fiscal year 2010 budget, advance appropriations for 2011 would not add one dime to the 2010 deficit,” Gorman said.

PLEASE ASK YOUR ELECTED REPRESENTATIVES TO SUPPORT WOMEN VETERANS

DAV Website 4/2/09

With an unprecedented number of women serving in the military, many of whom are being exposed to combat situations in Iraq and Afghanistan, it is essential that VA be prepared for the corresponding number of women veterans coming into the VA system. In fact, 1.8 million of the 23 million living U.S. veterans are women, and they have a wide array of unique health care needs. Our members of Congress must make good on our country’s promise to all of its veterans, including women who served. Please ask them to support H.R. 1211 (House) and S.597 (Senate), the *Women Veterans Health*



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Care Improvement Act, which seeks to do this by taking better care of women who have answered the call to serve.

More specifically, the *Women Veterans Health Care Improvement Act* would require a study of barriers to women veterans seeking VA health care; assessment of all of VA women's health care programs; provides authority for VA to reimburse the cost of medical care for the newborn children of women veterans; enhancement of VA sexual trauma counseling and PTSD treatment for women; establishment of a pilot program for child care services; and, requires the addition of recently separated women veterans to serve on various VA advisory committees.

Please ask your Congressional Representative and Senators to actively support, co- sponsor and vote for H.R. 1211 in the House, and S.597 in the Senate, respectively, the *Women Veterans Health Care Improvement Act*, to ensure that VA gains these important tools to improve care for all our women veterans, including our newest generation.

An easy way to send letters to your Congressional Representatives and Senators is to go to www.dav.org and click on the link for **Legislation** and then **Take Action**. With a click of a button you can send prewritten letters to your representatives.

SETTLEMENT PROPOSED IN THEFT OF VA COMPUTER EQUIPMENT

DAV Website 3/25/08

The United States District Court for the District of Columbia has begun notifying veterans, spouses of veterans and members of the military of a proposed \$20 million settlement reached with the United States Department of Veterans Affairs in a class action lawsuit about the theft of computer equipment which was reported to contain personal information.

On May 3, 2006, computer equipment, which was reported to contain personal information of military veterans, spouses of veterans and military personnel, was stolen from the home of a VA employee. The equipment was reported to contain information such as names, social security numbers and dates of birth for up to 17.5 million individuals, as well as some disability ratings. The data did not include any health records or financial information. The computer equipment was later recovered on June 28, 2006, by the Federal Bureau of Investigation, whose review of the equipment indicated that the data had not been accessed.



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The class includes all veterans, spouses of veterans and military personnel who had actual damages from May 3, 2006, through Feb. 11, 2009, that were directly related to the theft of computer equipment. The Actual damages include out-of-pocket expenses incurred as a direct result of the theft, including those that were used to protect or monitor personal or financial information or were the result of physical symptoms of severe emotional distress. Out-of-pocket expenses may include, for example, the purchase of credit monitoring to protect against identity loss. Any money remaining in the settlement fund after paying class members, lawyers' fees, costs and expenses will be donated to the Fisher House Foundation, Inc. and The Intrepid Fallen Heroes Fund.

Notices informing class members about their legal rights are scheduled to appear in consumer and military publications in the United States leading up to a hearing on July 28, 2009, when the Court will consider whether to grant final approval to the settlement.

Those affected by this settlement can send in a claim form to ask for a payment, or they can ask to be excluded from, or object to, the settlement and its terms. The deadline for exclusions and objections is June 29, 2009. The deadline to file a claim is Nov. 27, 2009.

A toll-free number, 1-888-288-9625, has been established in the case (called In Re: Department of Veterans Affairs Data Theft Litigation, MDL No. 1796), along with a Web site, www.VeteransClass.com, where notices, a claim form and the settlement agreement may be obtained. Those affected may also write to VA Settlement, P.O. Box 6727, Portland, OR 97228-6727.

VA CLAIMS PROCESSING

Source: NMFA Government and You E-News f10 Mar 09

The Department of Veterans Affairs (VA) is piloting two new programs for Claims Processing. The first involves a comprehensive checklist that lays out information and evidence veterans and families need to support their disability compensation and pension benefits claims. Four regional offices were selected for the pilot. They are: Cleveland, OH; Boise, ID; Waco, TX; and Louisville, KY. The second pilot is designed to help reduce the claims processing time. The VA will accept certified, fully developed claims and place them into a separate process. This alternative process is expected to provide results within 90 days after the claim was submitted. According to the VA, the definition of "fully developed" is when the veteran submits a certified statement that he or she does not intend to submit any additional information or evidence in support of their claim, and it will not require any assistance. The 10 regional offices selected for the



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one-year pilot are: Montgomery, AL; Columbia, SC; Boston, MA; Manchester, NH; Providence, RI; Chicago, IL; Milwaukee, WI; Boise, ID; Denver CO; and Portland, OR.

VA OFFICE OF SURVIVORS ASSISTANCE

Source: CFL News & Chat 10 Mar 09

Survivors of veterans have a new voice. VA's Office of Survivors Assistance will advise the Secretary of Veterans Affairs on all matters pertaining to policies, programs, legislation and issues affecting the survivors of veterans. Established in December 2008 under public law, the office will serve as an advocate for survivors, develop outreach programs to keep them informed and serve as VA liaison with agencies inside and outside of government on survivor issues. The Office will serve as a primary advisor to the Secretary on all matters relating to the policies, programs, legislative issues and other initiatives affecting survivors. Though it will not process or handle individual claims inquiries, the new office will regularly monitor the delivery of benefits and services of the Department. It will explore innovative opportunities to reach those survivors who are eligible for but not currently receiving VA benefits. Input will be sought from interested stakeholders. Though not fully staffed, the office is already busy gathering survivor data and identifying programs and benefits currently available to veterans' survivors. For more information, contact the office at 202-461-5159.

**2009 – 2010 CHAPTER SERVICE OFFICER CERTIFICATION
TRAINING**

Once again, DAV National Service Officers from the New York City, Albany, and Buffalo National Service Offices are pleased to be conducting the 2009-2010 Annual Department and Chapter Service Officer Certification Training at the Hudson Valley Resort and Spa, 400 Granite Road, Kerhonkson, NY, 12446. This year training will be held on **Monday, June 29, 2009, starting at 2:00 p.m. and Tuesday, June 30, 2009, starting at 2:00 p.m. until completion.** in conjunction with the DAV Department of New York's Annual Convention.

Although all are encouraged to attend this training, certification and training materials will be limited to Department Service Officers and newly elected or appointed Chapter Service Officers for 2009-2010. NSO Supervisor Bryan Held has sent official notification and instructions to each Chapter regarding this training. It is vital for this information to be shared at Chapter meetings and the registration information properly completed and returned as soon as possible.



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If you have any questions or concerns regarding this training, please contact NSO Supervisor Bryan Held at (716) 857-3354.

OPEN LETTER TO VETERANS FROM SECRETARY SHINSEKI

VA Press Release 3/13/09

"My name is Ric Shinseki, and I am a Veteran. For me, serving as Secretary of Veterans Affairs is a noble calling. It provides me the opportunity to give back to those who served with and for me during my 38 years in uniform and those on whose shoulders we all stood as we grew up in the profession of arms.

"The Department of Veterans Affairs has a solemn responsibility to all of you, today and in the future, as more Veterans join our ranks and enroll to secure the benefits and services they have earned. I am fully committed to fulfilling President Obama's vision for transforming our department so that it will be well-positioned to perform this duty even better during the 21st Century. We welcome the assistance and advice of our Veterans Service Organizations, other government departments and agencies, Congress, and all VA stakeholders as we move forward, ethically and transparently, so that Veterans and citizens can understand our efforts.

"Creating that vision for transforming the VA into a 21st Century organization requires a comprehensive review of our department. We approach that review understanding that Veterans are central to everything VA does. We know that results count, that the department will be measured by what we do, not what we promise, and that our best days as an organization supporting Veterans are ahead of us. We will fulfill President Lincoln's charge to care for ". . . him, who shall have borne the battle, and for his widow, and his orphan . . ." by redesigning and reengineering ourselves for the future.

"Transforming any institution is supremely challenging; I know this from my own experience in leading large, proud, complex, and high-performing organizations through change. But the best organizations must be prepared to meet the challenging times, evolving technology and, most importantly, evolving needs of clients. Historically, organizations that are unwilling or unable to change soon find themselves irrelevant. You and your needs are not irrelevant.

"Veterans are our clients, and delivering the highest quality care and services in a timely, consistent and fair manner is a VA responsibility. I take that responsibility



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seriously and have charged all of the department's employees for their best efforts and support every day to meet our obligations to you. Our path forward is challenging, but the President and Congress support us. They have asked us to do this well-for you. Veterans are our sole reason for existence and our number one priority-bar none. I look forward to working together with all VA employees to transform our department into an organization that reflects the change and commitment our country expects and our Veterans deserve.

"Thank you, and God bless our military, our Veterans, and our Nation."

Signed: Eric K. Shinseki

TAPS

Department has been notified that the following comrades have been called into final formation above:

Mary Ann Tucci Cesta, PSC DAVA, 3/14/09

Fred Brehl, Chapter #19

James Cain, Chapter #19

Frank Capapano, Chapter #19

George E. Dunn, Chapter #19

Frederick J. Fredrickson, Chapter #19

Hyman Hirsch, Chapter #19

Joseph H. Niski, Chapter #19

John F. Phillips, Chapter #19

Caswell R. Snak, Chapter #19

Department and the membership extend deepest sympathies to the family members, friends and comrades of these fallen heroes. May each one rest in honor.

Please feel free to call, write or e-mail davny@optonline.net Headquarters if you have a loss in your Chapter that you would like to include in this column.

DATES FOR YOUR DIARY

Department of New York's 88th Anniversary Celebration



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Sunday, May 17, 2009
El Caribe Country Club
Brooklyn, New York

Department of New York Convention

June 28, 2009 to July 1, 2009
Hudson Valley Resort
Kerhonkson, New York

Rehab Cruise XVII

Tuesday, July 14, 2009
Nautical Empress
Freeport, NY

Buffalo Bisons DAV Day at the Ballpark

Sunday, July 19, 2009
Coca-Cola Field
Buffalo, NY

For information call (716) 857-3354

2009 National DAV Convention

August 22, 2009 to August 25, 2009
Sheraton Hotel Denver
Denver, CO 80202