



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

DISABLED AMERICAN VETERANS

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



AUGUST 2008 NEWSLETTER

COMMANDER'S COLUMN

Robert J. Finnerty, Department Commander

I attended the Commanders and Adjutants meeting with Sidney Siller, our Adjutant, and Prospero Sodano, Executive Director at National Headquarters. At this meeting, the Commander from Connecticut informed us about Hepatitis C. All veterans who were vaccinated with the air guns have a high chance of having this disease. I suggest that all veterans who were subjected to this type of injection be tested for Hepatitis C.

Congratulations to Prospero, Recruiter of the Year. He was honored at the National Convention in Las Vegas.

On Monday, July 26th, I attended the Yankee game, where I along with six other veterans, were honored by being on the Yankee field and introduced to all in attendance. It was an honor and a privilege to represent the Department. I will forever remember the night. The crowd went wild with their support for our veterans.

The fans made me proud to be an American and especially since I represented our Department. I would like to thank the one thousand DAV members, their families and their friends who attended the game.

I received a newsletter from National Headquarters. Here is a precise of this newsletter and the information it contained.

House Crafts a VA Appropriations Bill. DAV National Legislative Director Joseph A. Violante reports we are close to getting the funds the VA needs to carry out the programs for the beginning of fiscal year.

Veterans Travel Equity Act. Veterans would receive the same amount of mileage expense as the Federal employees. This also will eliminate all income and eligibility requirements and a service connected rating. The increase will be to 50.5 cents per mile up from 28.5 cents.

A Bill to Honor Disabled Veterans for one week was passed by the House of Representatives, and now the Senate will review the Bill.

Congress passed a Disabled Veterans Memorial Coin Bill. It was sent to the President for his signature. It was passed by the House in May 2007 and the Senate on June 11th.



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LET'S 'STAND UP' FOR OURSELVES

Sidney Siller, Sr., PDC; Department Adjutant

As we enter our 88th year of continuous service to America's wartime service connected, their widows and orphans; let's "Stand Up" for ourselves.

This year in political respects is one for the ages in that the major participants are ground breaking candidates. All of us, I am certain, have our favorites, either through party loyalties or personal ideology. Of course, this is our individual constitutional prerogative and guaranteed right. A constitutional right that we all had a share in preserving during our military careers.

Inherent in the Disabled American Veteran's organizational constitution is our non-partisan caveat that we do not take political positions. Our forefathers, in particular our founder Judge Robert Marx, was a member of President Franklin Roosevelt's "brain trust." A group of FDR's intellectual "giants" who were called upon for their personal input during America's greatest depression. A real dark and tragic time in the then still early one-third of the 20th century. In spite of his politics Judge Marx and the Disabled American Veteran's leadership and members have consistently remained steadfastly neutral when it came to supporting a particular party or candidate.

And so it is still our motto that we have to preserve our neutrality in order to remain loyal to our mission and to our constituents, our members.

The imperative of our mission, the 1.4 million members we serve, and the disabled veterans who are eligible deserve our efforts.

To be politically non-partisan as a VSO does not in any way diminish our civic responsibilities. For it is every citizen's duty to vote in local and national elections. In fact, the Disabled American Veteran's have always advocated the principle that "VETS VOTE."

This year, more than ever, it is singularly important that we be neutral organizationally, for the best interests of the Disabled American Veteran's because we have successfully kept the non-partisan legacy forged by the founder's of our great organization. And it is in our best interest to maintain our present state.

At the 87th Convention, Senator McCain appeared and addressed our Convention. Senator Obama had a televised statement played to all the delegates. Each candidate was gracious, and our organization handled their appearance with an even handed neutral approach. This posture no doubt was respected by both men.



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And most importantly, when you vote and cast your personal ballot, you “stand up,” with all the other citizen soldiers, all 24 million of us.

VETERANS DISABILITY CLAIMS MODERNIZATION ACT OF 2008

Senate Passage Needed

Please contact your Senators today and urge them to vote in favor of the Veterans Disability Claims Modernization Act of 2008 (H.R. 5892). This important legislation will essentially direct the Secretary of Veterans Affairs to modernize the disability benefits claims processing system of the Department of Veterans Affairs (VA) to ensure the accurate and timely delivery of compensation to veterans and their families and survivors. H.R. 5892 passed the House unanimously on July 31, 2008 and was referred to the Senate Committee on Veterans' Affairs. The bill contains a number of favorable provisions, such as:

- Requires improvements in VA's work credit, quality assurance, and management systems in order to improve accuracy and accountability in decisions affecting disability compensation;
- Implements enhanced training, including certification, for VA employees responsible for processing claims
- Requires VA to immediately assign temporary, partial ratings for severe disabilities that are indisputably related to military service;
- Allows for substitution by surviving spouses as claimants when a veteran spouse dies while a claim is pending; and
- Mandates that the Court of Appeals for Veterans Claims must address issues raised by an appellant in court decisions rather than remanding or deny an appeal without addressing such issues.

Contact your senators immediately to urge them to vote in the passage of the Veterans Disability Claims Modernization Act of 2008.

SENATE NEEDS TO SCHEDULE VOTE ON VA APPROPRIATIONS

Please Contact Your Senators Today

On August 1, the full House of Representatives passed the Fiscal Year 2009 Military Construction and Veterans Affairs Appropriations bill, H.R. 6599, with a nearly unanimous vote of 409 to 4. The 2009 bill builds on the historic increases for veterans and troops passed into law last year, and, if signed into law, it would be the largest funding increase in the 78-year history of the Department of Veterans Affairs (VA).



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For the VA, the bill would provide \$47.7 billion in health and other discretionary funding, \$4.6 billion above 2008 and \$2.9 billion over the Administration's request. These funds would provide substantial relief in improving veterans' medical care, hiring more claims processors, conducting new research, expanding VA efforts to combat homelessness, and helping VA make improvements to its facilities. The Veterans Health Administration estimates VA will treat more than 5.8 million patients in 2009 including more than 333,275 veterans of Iraq and Afghanistan (40,000 more than 2008).

The Senate Appropriations Committee has reported a separate funding bill, S. 3301 – a bill that DAV strongly supports as well – but the Senate bill was not scheduled for a vote before the summer recess. Please write your U.S. Senators to urge them to schedule a vote on veterans funding for fiscal year 2009 *immediately* after they return to Washington in September. It is intolerable that as VA expects to care for over a third of a million injured and ill veterans of the wars in Iraq and Afghanistan, plus continues to care for millions of sick and disabled veterans of prior military service, that yet another year would begin without full VA funding. Unless the Senate acts quickly, then conferences with the House, this new funding for veterans will be in jeopardy and at minimum will be significantly delayed, perhaps as long as March 2009.

Please write to your senators today.

AMERICAN VETERANS DISABLED FOR LIFE COMMEMORATIVE COIN ACT

The American Veterans Disabled for Life Commemorative Coin Act was passed by both the House and the Senate and signed into law by the President. The coin is to be minted in 2010.

NATIONAL POW/MIA RECOGNITION DAY

September 19, 2008

The DOD announced on 8/13/08 that the remains of 2nd Lt. Howard Enoch, Jr., an Army-Air Force pilot from Marion, KY, missing since WWII, have been identified. Enoch went missing on March 19, 1945 when his P-51D fighter crashed while engaging enemy aircraft about 20 miles east of Leipzig, Germany.

Please remember National POW/MIA Recognition Day on September 19, 2008. Our work is not done until all have been accounted for.



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MOBILE SERVICE OFFICE PROGRAM

The work of NSOs extends well beyond their offices and extends deep within the veterans community.

Part of their outreach activities involves DAV's Mobile Service Office (MSO) Program. This program is designed to educate disabled families on specific veteran's benefits and services.

These well-equipped "offices on wheels" will eliminate long trips some veterans must take to visit our National Service Offices. This means providing better service to more veterans and their families. NSO's, often aided by Department and Chapter Service Officers who are staffing the MSO's, will stop in communities across the country and assist veterans in completing applications for benefits from the VA and other government agencies.

The following is the September 2008 MSO stops in our area. The time for all stops is from 9:00 am until 4:00 pm. Please contact NSO Supervisor Jeff Hall with any questions you may have at (212) 807-3157.

Monday, September 18, 2008 - Kingston

VFW Post #1386
708 East Chester Street

Tuesday, September 19, 2008 - Amenia

Sheriff's Sub Station, Route 22

Wednesday, September 20, 2008 – Castle Point

Castle Point VA Medical Center
Route 9D

Thursday, September 21, 2008 – Goshen

Dikeman Engine Hose Company #3
Dikeman Drive

The following is the October 2008 MSO stops in our area. The time for all stops is from 9:00 am until 4:00 pm. Please contact NSO Supervisor Bryan Held with any questions you may have at (716) 857-3354.

Monday, October 6, 2008 - Watertown



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DAV Jefferson County Chapter #18
231 Bellew Avenue

Tuesday, October 7, 2008 - Utica
American Legion Post #229
409 Herkimer Road

Wednesday, October 8, 2008 - Cortland
DAV Cortland Memorial Chapter #153
91 Owego Street

Thursday, October 9, 2008 – Elmira Heights
DAV S/Sgt. Jack Swan Chapter #13
434 Garrison Place

LEGISLATIVE UPDATE

Still on the legislative front are numerous bills that merit **your influence with Congress**. Perhaps the greatest need is to get the Senate to pass the comprehensive 2009 NDAA. The House passed its version, **HR 5658**, in July and now Congress remains on vacation until September 8th while much work is needed. Although both chambers of Congress reject the Pentagon's proposed health/drug increases, **we need to be pro-active** in getting the Senate to move forward. This bill is critical on many issues and is being delayed by disagreements on non-defense related issues such as controversy over expanding oil drilling.

Both the House and the Senate have passed the "Hubbard Act," which ensures that sole survivors are entitled to the same benefits as others who are honorably discharged. Sole survival policy was established in WWII when five Sullivan brothers were lost in the Battle of Guadalcanal. The new act is named in honor of California's Hubbard brothers. In November 2004 Jared Hubbard, a Marine, was killed by a roadside bomb in Iraq. Six months later, his brothers Nathan and Jason Hubbard enlisted together in the Army – to honor Jared and serve their country. While in the same unit, the brothers were returning from a scouting mission in separate Blackhawk helicopters south of Kirkuk when the crash of one of the helicopters killed Nathan. Jason's helicopter landed nearby so he helped secure the crash site. Jason was thus discharged as a sole survivor, but was denied separation benefits as he left the Army early. The policy at that time required sole survivors who leave the military early to repay all or part of their enlistment bonuses, denied access to other benefits such as the GI Bill, transitional



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veterans' health care, and the Veterans Home Loan Guarantee Program. Jason is one of 51 sole survivors identified since September 11, 2001.

Recent bills passed by the House include **H.R. 2192**, which establishes an office in VA to provide patient advocacy, and serve as a central source of information. The office would track patient complaints throughout the VA system. **H.R. 5892**, the Veterans Disability Benefits Claims Modernization Act of 2008, would modernize the disability claims processing system by better use of information technology. Improved training for claim processors would be required in order to increase the accuracy and timeliness of claim completion. A Survivor Affairs Office would also be established. **H.R. 6445**, the Veterans Health Care Policy Enhancement Act of 2008, would exempt veterans with non-service connected catastrophic injuries from co-payments at VA. Pain management policy, encouragement of HIV testing, and expansion counseling for family members are included.

The VA is now accepting online applications from veterans, survivors, and other claimants filing initial applications for disabilities, education, and vocational rehabilitation / employment benefits without signature. Submission may be made at the [Veterans Online Applications \(VONAPP\) Web site](#). Normal rules of evidence still apply. More information is available at www.va.gov or call (800) 827-1000.

TAPS

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

Harold O. Mawhiney, Chapter #194, 5/08/08

Otto R. Witko, Chapter #194, 7/21/08

Joseph Fisco, Commander Chapter #186, 8 /24/08

Raymond Desmond, Past Department Commander 1987-88, Chapter #95,
8/24/08

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.



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DATES FOR YOUR DIARY

2008 DAV Auxiliary Fall Conference

October 2, 2008 to October 4, 2008
Eastgate Holiday Inn
Cincinnati, OH

2009 Mid-Winter Conference

February 22, 2009 to February 25, 2009
Crystal Gateway Marriott
Arlington, VA 22202

2009 National DAV Convention

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

2009 DAV Auxiliary Fall Conference

September 24, 2009 to September 26, 2009
Drawbridge Inn
Fort Mitchell, KY