



NEWSLETTER

A PUBLICATION FOR MEMBERS
OF THE DISABLED AMERICAN VETERANS
DEPARTMENT OF NEW YORK

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TEAMWORK

Robert J. Finnerty, Department Commander

We had a great football game on Super Bowl Sunday. Both the teams played a fantastic game. Looking back at the game, you could see their teamwork in how well they executed their plays. If you don't agree, you must have been watching the Style Channel.

All our members can take a page out of their playbook, working together to improve our Department and all of our Chapters. It is amazing how much we can accomplish if we all pull in the same direction. This is the best Department in the DAV. We are well respected throughout the country. Support our local Chapters, without our Chapters the Department would lose its strength.

An article recently published in the Army Salute, stated that a Congressional Amendment sponsored by Senator James Imhofe (R-OK) in the national Defense Authorization Act for fiscal year 2009, specifically stated that "members of the armed forces and veterans can salute the flag during the National Anthem as well as during the hoisting, lowering and passing of the flag," that means without a cap, hat or other cover.

Thank you Senator.

Also, it was reported that the GI's new armor was too heavy; and that the Army was concerned that the troops are already carrying too much heavy equipment. Military officials now state that they will not require them to wear the new improved body armor. The manufacturers will have to cut down the weight before the troops will be allowed to use them.

HOW TO AVOID LEADERSHIP MALAISE

Sidney Siller, Sr., PDC; Department Adjutant

Patrick Moynahan, the late Senator from New York, wrote a book some time ago about the "dumbing down of America." What this book still means to me is that our simple virtue of leadership with integrity, is a diminished characteristic.

Applying the principle of leadership with integrity to our DAV mission is very important to us individually as leaders, and important that we keep the trust we have earned from the American public. As a major organization in the State of New York, the Department is always concerned with a few individuals who every so often have the temerity to commit fraud.

It has been reported that United States organizations have lost 7% of their annual revenues to fraud. The Association of Certified Fraud Examiners, Inc. have studied this problem. Applied to the "2008 estimated US GDP, this 7% figure would translate to approximately \$994 billion in fraud losses."

The common vehicle seems to be misappropriation of funds, which includes false invoicing; payroll fraud; and skimming techniques. Corruption in the form of bribery is also practiced.

The methods of preventing fraud in our organization are specifically constructed so that fraudulent activities are usually rare, considering our size. Yet, DAV-NY is a microcosm of our society, and we occasionally have a need for an appropriate Article XVI.

The basic idea in preventing an occurrence of fraud is to manage a transparent organization. It is most important to have open communication and dialogue with your members. Make it easy for them to provide tips, especially anonymously. That is

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TBI 24-HOUR OUTREACH CENTER OPENS

DoD News No. 035-09, Jan 15, 2009

The Department of Defense today announced the opening of a 24-hour outreach center to provide information and referrals to military service members, veterans, their families and others with questions about psychological health and traumatic brain injury.

The new center, which is operated by the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury (DCoE), can be contacted around the clock, 365 days a year, by phone at (866) 966-1020 or by e-mail at resources@dcoeoutreach.org.

"We're providing 24/7 support to assist callers with questions regarding psychological health and traumatic brain injury," said Brig. Gen. Loree K. Sutton, M.D., director of DCoE. "Getting the best possible information and tools, hassle-free, will empower and strengthen warriors and their families to successfully manage what can be confusing and disturbing circumstances."

The center can address everything from routine requests for information about psychological health and traumatic brain injury, to questions about symptoms a caller is having, to helping callers find appropriate health care resources. DCoE promotes resilience, recovery and reintegration of service members facing psychological health and traumatic brain injury issues, and works to advance research, education, diagnosis and treatment of these conditions. "If we need to research a question, we'll do the legwork and quickly reconnect with callers," Sutton said. "We welcome feedback on how we can better meet the needs of those we are so privileged to serve."

The DCoE outreach center is staffed by behavioral health consultants and nurses, most with master's degrees. In addition to answering questions, staffers refer callers to contact centers in other parts of the Department of Defense, other federal agencies, and outside organizations when appropriate. Other contact centers also refer callers to the DCoE outreach center. The center serves members, leaders and healthcare providers of the Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserve and all uniformed services, along with veterans of all the services. The families of service members and of veterans are also served by the new center. For additional info refer to <http://www.dcoe.health.mil>.

IF YOU PLAN ON ATTENDING THE STATE EXECUTIVE COMMITTEE MEETING AND SEMINARS MARCH 13TH - 15TH, 2009 AT THE HUDSON VALLEY RESORT IN KERHONKSON, NEW YORK AND NEED A HOTEL RESERVATION FORM, PLEASE CALL HEADQUARTERS AT (516) 887-7100.

why we have involved many members in how the Department of New York operates.

The bigger question is, what do you do if fraud is discovered or suspected. You must make certain to document any losses in a way to protect our organizations legal rights. You must not make charges that are not well founded; that is, have the necessary proof. Consult with the Department should you find a problem to exist. Do not let the issue fester.

It can be upsetting to learn that a good buddy "has lost his way;" however, loyalty to one who is a fraud is okay up to the moment when the proof is beyond a reasonable doubt. Former Mayor Rudy Guiliani, in his book on "leadership" said, and I am paraphrasing, you can cling to loyalty and support up to the last minute when the proof is there.

Integrity is important to leadership, but don't neglect character, and a good attitude.

The following poem by Charles Swindoll says it better than I can:

ATTITUDE

The longer I live, the more I realize the impact of attitude on life.

Attitude, to me, is more important than facts. It is more important than the past, than education, than money, than circumstances, than failures, than successes, than what other people think or say or do. It is more important than appearance, giftedness or skill. It will make or break a company... a church... a home.

The remarkable thing is we have a choice every day regarding the attitude we will embrace for that day. We cannot change our past... we cannot change the fact that people will act in a certain way. We cannot change the inevitable. The only thing we can do is play on the one string we have, and that is our attitude... I am convinced that life is 10% what happens to me and 90% how I react to it.

And so it is with you...we are in charge of our attitudes.

Let's use our leadership with integrity in supporting the DAV mission with character and a great attitude.

DISABLED AMERICAN VETERANS

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VA SUICIDE PREVENTION HOTLINE CREDITED WITH 2,600 “SAVES”

VA Press Release 2/7/09

WASHINGTON – As the military deals with a record number of suicides among active-duty forces, Secretary of Veterans Affairs Eric K. Shinseki reminded Veterans and their families that the Department of Veterans Affairs (VA) has an extensive array of services to help Veterans in distress.

"I urge Veterans and their loved ones to take advantage of our suicide-prevention program," said Shinseki. "Help for these heroes is a phone call away."

Since July 2007, VA has operated an around-the-clock suicide-prevention hotline that has received about 100,000 calls and has been credited with rescuing over 2,600 people. The number for VA's suicide prevention hotline is 1-800-273-TALK.

VA operates the largest mental health program in the country, with special efforts in each of the Department's 153 medical centers and more than 750 outpatient clinics to identify and treat at-risk patients.

In addition to operating the suicide-prevention hotline, VA has given all medical workers training in suicide prevention, created suicide prevention coordinators at each medical center, and given primary care clinics responsibility for mental health screening.

"We are reaching out to our newest generation of heroes – the Veterans of Iraq and Afghanistan – to ensure they are aware of the services available to them," Shinseki added.

New requests or referrals for mental health appointments receive a preliminary evaluation within 24 hours and a comprehensive evaluation within 14 days. Emergency cases are dealt with immediately.

VA operates Readjustment Counseling Centers, commonly called Vet Centers, in 232 communities, where Veterans can receive care for a wide variety of issues related to leaving the military. Vet Center personnel are trained to identify at-risk Veterans and to counsel and connect them to appropriate VA medical services.

VA IMPLEMENTING NATIONAL SAFETY “STEP-UP”

VA Press Release 2/9/09

WASHINGTON (Feb. 9, 2009) - The Department of Veterans Affairs (VA) is calling for a special training campaign on safety - called a "Step-Up" - from March 8 to 14 at all medical centers and outpatient

clinics to ensure VA staff follow the highest standards for patient safety.

"The safety of our patients is our foremost concern at VA," said Dr. Michael J. Kussman, VA's Under Secretary for Health. "Therefore, I am ordering all of our centers and clinics to re-examine their procedures and safeguards so we know that Veterans will not be put at risk by the people they have come to trust."

The nationwide Step-Up is the culmination of a VA education program to implement stronger procedures and better accountability at VA health care facilities. The training was triggered by VA inspections that found reprocessing of endoscopic equipment did not follow the manufacturer's exact instructions at two VA medical centers. The facilities -- located in Murfreesboro, Tenn., and Augusta, Ga. -- have already taken corrective action.

VA officials are not aware of any patients having been harmed by improperly reprocessed equipment. Although risks are small, the department is being very conservative and notifying patients who might have been treated by the affected equipment.

Normal activities will continue during the Step-Up at all VA facilities, but with extra emphasis on safety and proper processing protocols. Specific efforts will include retraining on reprocessing endoscopes, establishment of easily-tracked accountability for instrument processing, and training on standard operating procedures by facility leadership.

Patient appointments should not be affected, but individual facilities will notify patients if schedule changes are necessary.

LEGISLATIVE UPDATES

DD-214's are now online at <http://vetrecs.archives.gov/>. The National Personnel Records Center is making it easier for veterans with computers to get copies of documents from their military files. Military veterans and the next of kin of deceased former military members may now use this service to request documents. This website will hopefully reduce waits in requests by eliminating the records centers mailroom and processing time.

For veterans struggling financially due to a job loss or decreased income, VA offers an assortment of programs that can relieve the costs of health care. Veterans whose previous income was ruled too high for VA health care may be able to enter the VA system based upon a hardship if their current year's income is projected to fall below federal income thresholds due

to separation from service or financial setback. The 2009 Financial Income Thresholds for VA Health Care Benefits can be found at <http://www.va.gov/healtheligibility/Library/pubs/VAIncomeThresholds/VAIncomeThresholds.pdf>. Remember veterans who recently returned from a combat zone are entitled to five years of free care that begins with the day of discharge, not the departure from the combat zone. If needed, contact VA's Health Benefits Service Center at 1-877-222 VETS (8387).

Tricare User Fees – A report from the Congressional Budget Office shows that some military retirees and veterans could face high out-of-pocket costs. Beginning in 2010, TRICARE Prime beneficiaries who pay enrollment fees will need to make fee payments via electronic means by either allotment from the sponsor's retired military pay, by electronic funds transfer from your financial institution, or by recurring credit card. To get started, go to the TriWest website.

Parkinson's Disease is a progressive neurological disorder affecting some 1.5 million Americans, with 50,000 new cases diagnosed annually. VA treats at least 40,000 veterans with the disorder each year. Most patients are over 50, but some forms of the disease can strike younger adults. Electrical stimulation of the brain – a treatment in which a pacemaker-like device sends pulses to electrodes implanted in the brain – is riskier than drug therapy, but may hold significant benefits for those with Parkinson's disease who no longer respond well to medication alone. That is the conclusion of VA and National Institutes of Health following a six-year study on this disease. The study included 255 Parkinson's patients at seven VA medical centers and six university hospitals.

Disabled Iraq war veteran Tammy Duckworth has been chosen to be VA's Assistant Secretary of Public and Intergovernmental Affairs. At this time National Guard Major Duckworth is serving as the Director of the State of Illinois's Department of Veterans Affairs. Her duties will include VA's public affairs, internal communications, intergovernmental relations, programs for homeless vets, consumer affairs and special rehabilitative events. Major Duckworth, a major in the Illinois National Guard was serving in Iraq in 2004 when the combat mission she was flying was struck by a rocket-propelled grenade that cost both her legs and partial use of one arm.

Support Advanced Funding for Veteran's Healthcare – Senate Bill (S.423) and House Bill

(H.R.1016) were introduced on February 12, 2009 to reform the VA Budget process to assure sufficient, timely and predictable funding for veterans' health care programs. The new legislation is called the Veterans Health Care Budget Reform and Transparency Act and would require Congress to approve health care funding for VA a year in advance of the beginning of its fiscal year. This action should break the cycle of late budgets that disrupt operations and delayed veterans' care in the nations largest health care system. VA has increased budgets in recent years, but they have been consistently late. This action should help our veterans in need receive the care they have earned. You are urged to contact your Congressmen and ask them to co-sponsor these important bills.

Aid and Attendance – VA offers a special pension known as Aid and Attendance (A&A) that is largely unknown. This pension allows for veterans and surviving spouses who require the regular attendance of another person to assist in eating, bathing, dressing or taking care of the needs of nature to receive additional monetary benefits. It also covers blind or patients in a home, nursing home, or assisted living facility who qualify due to mental and physical incapacities. A veteran is eligible for up to \$1,554 per month, while a surviving spouse is eligible for up to \$998 per month. A couple is entitled for up to \$1,842 per month. This pension benefit is not dependent on service-related injuries for compensation.

A & A Benefit is the third tier of a VA program called Improved Pension. The other two tiers are Basic and Housebound. Each tier has its own level of benefits and qualifications. If needed, you are encouraged to contact VA to get more information on this program, its levels of benefits and the qualifications for each. Any wartime veteran with 90 days of active duty, even with only one day during a period of war, is eligible to apply for the A & A. A surviving spouse of a wartime veteran may also apply, if the marriage ended due to death of veteran. The individual applying must qualify both medically and financially. Eligibility must be proven by filing the proper VA application for Pension or Compensation that requires a copy of DD-214 or separation papers, medical evaluation from a physician, current medical issues, net worth limitations, and net income, along with out-of-pocket medical expenses. To qualify, an applicant must have less than \$80,000.00 in assets excluding their home and vehicles.

Veterans with amyotrophic lateral sclerosis (ALS) can receive support for themselves and their families after the Department of Veterans Affairs (VA) announced that ALS is a presumptively com-

BURN PIT TOXIC EMISSIONS

NavyTimes Kelly Kennedy article 4 Jan 09

pensable illness for all veterans with 90 days or more of continuously active service in the military.

ALS causes degeneration of nerve cells in the brain and spinal cord that leads to muscle weakness, muscle atrophy, and spontaneous muscle activity. Currently, the cause of ALS is unknown, and there is no effective treatment.

The new interim final regulation applies to all applications for benefits received by VA on or after September 23, 2008, or that are pending before VA, the United States Court of Appeals for Veterans Claims, or the United States Court of Appeals for the Federal Circuit on that date.

VA will work to identify and contact veterans with ALS, including those whose claims for ALS were previously denied, through direct mailings and other outreach programs.

VARO's everywhere are processing these claims pretty quickly.

The Walt Disney Company has started a "Disney's Armed Forces Salute" offer. This program offers two special programs for active or retired military personnel (included activated members of the National Guard and Reserve). At Disneyland in California through June 12th, all qualified members can receive one complimentary three-day pass for admission to both Disneyland and Disney's California Adventure parks. The member can also purchase an adult or child three-day "Disney's Armed Forces Salute Companion Ticket" for up to five family members or friends for the price of a 1-day Park Hopper ticket. For more information call (714) 956-6424. At Walt Disney World Resort in Florida, through December 9th, active or retired members may obtain one complimentary five-day "Disney's Armed Forces Salute" ticket with Park Hopper and Water Park Fun & More Options. This ticket is valid for five days of admission to all four theme parks, plus a total of five visits to either the Walt Disney water parks or the DisneyQuest indoor Interactive Theme Park. The member may also purchase up to five 5-day "Companion" tickets for \$99.00 per ticket, plus tax. For more information or reservations call an ITT military ticket office or refer to:

http://bookwdw.reservations.disney.go.com/ibcwwd/en_US/specialOfferDetails?name=Promo&promotionCode=fy09military&market=fy09military&CMP-VAN-WDWFY09MilitaryOfferVanity

Seven members of Congress have added their names to a growing list of legislators concerned about service members who say burn pits in Iraq and Afghanistan have made them sick. "It has come to our attention that a growing number of veterans who served in Iraq and Afghanistan are becoming sick and dying from what appears to be overexposure to dangerous toxins produced by burn pits used to destroy waste," reads a letter from Rep. Tim Bishop (D-NY), to Eric Shinseki, the new secretary of veterans affairs. "Further conversations with other veterans have revealed that the armed forces have not investigated this threat adequately." Bishop's office sent the letter February 2nd. It was also signed by Reps. Earl Blumenauer (D-OR 3rd); Bill Delahunt (D-MA 10th); Maurice Hinchey (D-NY 22nd); Keith Ellison (D-MN 5th); Sander Levin (D-MI 12th); and Allyson Schwartz (D-PA 13th).

Congress first heard about the issue, the letter states, after a series of stories came out in Military Times showing that service members were exposed to everything from burning petroleum products to plastics to batteries in burn pits used to dispose of waste at every base in Iraq and Afghanistan. Tests showed the fires released dioxins, benzene and volatile organic compounds, including substances known to cause cancer. So far, 150 people have contacted Disabled American Veterans (DAV) to say they are sick, and they believe the burn pits caused their ailments. Of those 150, about 30 have lymphoma and leukemia. Other reported conditions include asthma, bronchitis, sleep apnea, chronic coughs, allergy-like symptoms and heart problems. "After years of helping veterans of the Vietnam and Gulf wars cope with the health effects of toxic battlefields, we have learned that we must take exposures to toxins seriously to ensure that this generation of service members does not face the same difficulties," the letter states. The lawmakers ask Shinseki to use the Gulf War Advisory Committee to "investigate the combined effect of sand, burn pits, dioxins, benzene and volatile organic compounds" on veterans. They also want VA to compile statistics for the toxin levels in the blood of those who have served in Iraq and Afghanistan compared to those who have not. And they ask that VA notify its doctors that "veterans have been exposed to chemicals from fires in Iraq and Afghanistan."

Meanwhile, Burke O'Neil LLC, a Washington, D.C., law firm that has filed a class-action lawsuit

against defense contractor Kellogg, Brown & Root LLC for improperly disposing of waste and insufficiently sanitizing water supplies for U.S. troops in Iraq, has invited the 150 ill service members to join the suit, said Kerry Baker, DAV's assistant legislative director. So far, about 30 have done so, according to Elizabeth Burke, a lawyer with the firm, which plans to file its suit soon. Burke O'Neil also filed a third class-action suit in Montgomery County, Md., dated January 21st, focusing on the way KBR disposed of waste in burn pits in Iraq and Afghanistan after several people came forward with cancer that they believe came from exposure to the burn pits, Burke said. The lawsuit states that KBR "illegally burned biohazard materials, hydraulic fluids, lithium batteries and other hazardous materials in the open-air burn pits, causing noxious and unsafe smoke to drift over the base. Defendants burned tires, trucks, munitions boxes, and items containing pesticide residue."

The suit accuses KBR of negligence, battery, nuisance, negligent and intentional infliction of emotional distress, product liability, willful and wanton conduct, negligent hiring, breach of duty to warn, and medical monitoring. It asks for compensation for physical injuries, emotional distress, fear of future disease, and need for continued medical treatment and monitoring. It also asks that KBR be stripped of all revenue for the contracts the plaintiffs say the company violated. Four plaintiffs have chronic respiratory illnesses, one has "weeping lesions" on his arms and feet, one has gastrointestinal illness, and one has reactive airways disease. Baker is compiling a list of service members and veterans who believe they were exposed to the burn pits to make a case that VA should compensate people for their illnesses. His e-mail address is kbaker22@comcast.net.

TAPS

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

Norman Payne

Chapter #200, 1/17/09

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

DAV National Commander Testimonial Dinner

Saturday, March 21, 2009

Fountain Blue Banquet and
Conference Center, Des Plaines, IL

Department of New York's 88th Anniversary Celebration

Sunday, May 17, 2009

El Caribe Country Club, Brooklyn, NY

Department of New York Convention June 28, 2009 to July 1, 2009

Hudson Valley Resort
Kerhonkson, New York

Rehab Cruise XVII

July 14, 2009

Nautical Empress
Freeport, NY

2009 National DAV Convention August 22, 2009 to August 25, 2009

Sheraton Hotel Denver
Denver, CO 80202

Membership Status as of 2/17/09

Trial Members: 2,522

Part Life Members: 2,713

Full Life Members: 49,481

Total Members: 54,481

Goal for Full Life Members: 49,606 (99.75%)