The WARRIOR

VVA San Jacinto Chapter 343 Newsletter

2014-2015 BOARD OF DIRECTORS: PRESIDENT: Wolf Biedenfeld - VICE PRESIDENT: Carlos Uresti - SECRETARY: Bill Meeks, Jr.

TREASURER: Steve Jaffe - SGT-at-ARMS: John McLeod - DIRECTORS: Jim Dennis - Henry Rutledge - Chan Sharpe - Paul Washington

ARMY

NAVY

MARINES

AIR FORCE

COAST GUARD

Texas State Council Meeting



Killeen – The VVA Texas State Council held their Spring Meeting in Killeen, Texas as the guest of VVA Chapter 1000 and there were thirty-four of the thirty-seven chapters present for the election meeting.

Election Committee Chair Greg Beck (278) conducted the election and when the election was over the results were announced.

<u>President</u> Buster Newberry (404) - <u>Vice</u> <u>President</u> Kerwin Stone (292) -<u>Secretary</u> Stephen Brady (343) -<u>Treasurer</u> Jim W. Boyd (574)

Chapter Annual Meeting Election Results

Well the "Chapter Elections" are over and the members have elected our chapter leadership for the next year.

President Wolf Biedenfeld - Vice President Carlos Uresti - Secretary Bill Meeks, Jr. - Treasurer Steve Jaffe

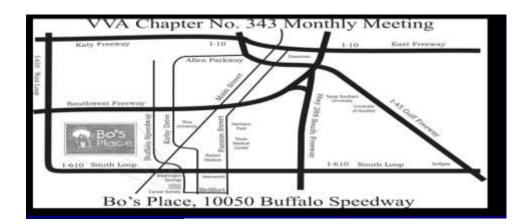
SGT-at-Arms John McLeod - Directors: Jim Dennis - Henry Rutledge - Chan Sharpe - Paul Washington



The WARRIOR is published monthly by Vietnam Veterans of America San Jacinto Chapter No. 343, Inc. The content of this newsletter is solely the responsibility of the Editor. Opinions expressed are not necessarily those of the Chapter, its Officers, Directors, Membership or Vietnam Veterans of America, Inc. Address correspondence and changes of address to: VVA Chapter No. 343, C/O Editor Bill Meeks, Jr., P.O. Box 310306, Houston, Texas 77231.

Get Involved Today...By Attending the VVA Chapter No. 343's May 9th Meeting on Friday Night 7:30

PM at Bo's Place......





Good Members of VVA Chapter 343:

Our standing with the Randall's Good Neighbor Program has been reinstated, making us available as a charity to receive cash rewards. That

is some really good news and hopefully will have a positive effect on our chapter's bank account. Remember that these cash rewards are based on shoppers spending money at Randalls and having our chapter pre-establish to be a recipient of them.

To do that, what we need from each of our members is to do the following:

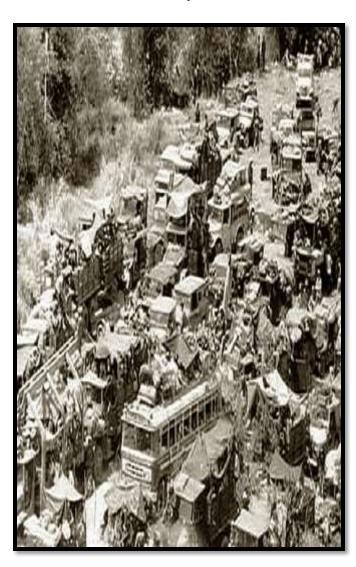
- 1. check your personal Randalls account and ensure that 1610 (Chapter 343's GNP #) is setup.
- 2. in 1610 is not setup as a charity on your Randalls card, fill out the attached from and take to your nearest Randalls store and turn in at the Services desk. **Stephen Brady**

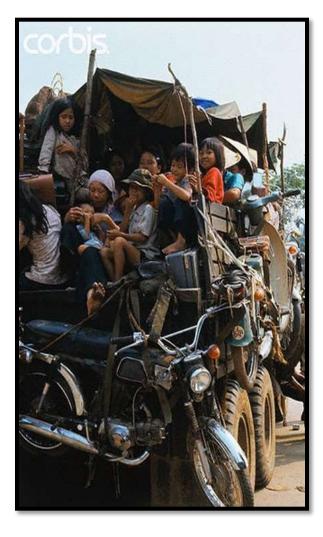
SPECIAL NOTICE: If you are a veteran in emotional crisis and need help RIGHT NOW, call this toll-free number 1-800-273-8255, available 24/7, and tell them you are a veteran. All calls are confidential.



The Editor's Feedback on April 1975.....

Greg Beck sent an e-mail out which brought back some memories on April 1975. For those of us who served in Vietnam our memories center on the buddies we served with, those who are still MIA's and of course, the 58,000 plus men and women who gave their lives during the Vietnam War. But the e-mail contained some pictures of the South Vietnamese ...the last week of April 1975...before the communists from the North invaded the South of Vietnam













The Vietnamese lost their country, but many were able to start over in *Our Country* and *Thank God for our freedom!*

Hoax E-mail

In the middle of April there was an incorrect e-mail message making the rounds through Texas and that e-mail is below:

Subject: [EXTERNAL] VERY IMPORTANT NOTICE Regarding DV plates

TO ALL

The Fort Bend County toll road authority has decided to charge veterans with DV and purple heart plates, toll fees on the new 99 section from 59 north to I-10 Please call this number and voice your opinion, 281-242-9740. They used Texas Tax Dollars to help build the road and now they are ignoring Texas law and not giving us our free tolls. Please tell everyone you know to call this number and tell them to honor DV and PH plates. 281-242-9740. It's time for us to stick together and make some noise!!!

Call 281-242-9740 and let your family and friends know to also call! Let's burn the phones off the hook.

Thank you

To set the record straight, here is the response from Mike Stone General Manager Fort Bend County Toll Road Authority:

You are mistaken; the information you cite is incorrect. The Fort Bend County Toll Road Authority has a policy that offers qualifying veterans under the State Transportation Code 372.053 a 100% discount on all of its toll roads.

This policy has been in effect for several years for the FBCTRA and the portion of the Grand Parkway within Fort Bend County will be treated the same way. On the portions of Fort Bend Parkway and the Westpark Tollway in Fort Bend County we currently contract with Harris County Toll Road Authority to collect our tolls and they follow our policy and waive tolls for all of the veterans who qualify for the discount.

On the Grand Parkway and on the latest section of the Fort Bend Parkway we have a new toll system and there have been some issues implementing the veteran discount policy on those two roads. We are working as quickly as possible to resolve that issue but let me assure you that the policy is, and continues to be, a 100% waiver of tolls for all veteran who qualify.

Qualifying veterans with a valid EZ-Tag are seeing the toll charges on their statements. We are working on a system to prevent this from happening which we should be able to implement in May. Later this summer all of those qualifying veterans who were charged the tolls on their EZ-Tag accounts on Fort Bend's portion of the Grand Parkway will have those tolls refunded to them by the Fort Bend County Toll Road Authority. Again, your information is incorrect, neither the Authority nor anyone within Fort Bend County has elected to not offer the discount to qualifying veterans. If you have any questions concerning this matter please contact me.

Email: MikeStone@MikeStoneAssociates.com<mailto:MikeStone@MikeStoneAssociates.com>

Telephone: 281.343.0712

Texas History Was Made!



On March 29, 2014, the Texas Capitol Vietnam Veteran Monument was unveiled in Austin to a large crowd of Vietnam Veterans, their families, and fellow citizens who all came to view this monument to all who served and were lost during the war. Each Vietnam Veteran in attendance must have reflected on the monument, it's meaning and by flashing back to our time in the "Nam". We each lost someone and entombed in this monument are 3,417 Hero Tags for each Texan we lost. May we always keep them in our thoughts and prayers.

I was so proud to be in the presence to so many warriors like, Don Dorsey, Robert Floyd, Mike Barry, Jim Bell, Frank Gutierrez, Steve

Tanner, Bill Meeks, Kerwin Stone, Simm Powell, Ron Miller, Dan Medrano, as well as Congressman Sam Johnson (who was a prisoner of war for 7 years of which 42 months were spend in solitary confinement),



Joseph L. Galloway (Galloway was present as a journalist, and during the fighting he repeatedly disregarded his own safety to rescue wounded soldiers under fire. His was the only Bronze Star for Valor awarded by the Army to a civilian for actions in Vietnam. His actions are depicted in the film We Were Soldiers in which he is portrayed by Barry Pepper.), VFW Texas Commander Sylvia Sanchez, Texas Supreme Court Justice Phil Johnson (F100 Pilot in Vietnam) and VVA President John Rowan (USAF Security Service), just to mention a few. So many, many warriors, who were had loving family members to help them make the transition to "The World" after enduring the battlefields of Vietnam, whether on land, sea or in the air.

It is my wish that all our members and their families have the opportunity to take the trip to Austin to view and reflect on what the monument means to each of us, as well as our hero's who gave the ultimate sacrifice.

I salute each and every one for your service to our country and families for caring for us all!







Arlington National Cemetery Turns 150 Years Old

Arlington National Cemetery is hosting a series of events to commemorate the 150th anniversary of the cemetery. ANC 150 will begin May 13 with a wreath-laying ceremony at the gravesite of Army Pvt. William Christman, the first military burial at Arlington, and concludes with a wreath-laying ceremony at the Tomb of the Unknown Soldier on June 16, the day after Arlington officially became a national cemetery. The cemetery will also offer lectures and tours highlighting U.S. history through the eyes of the heroes buried at

Arlington and the military conflicts that shaped the cemetery and the nation.

"Arlington at 150" events (Free and open to the public)

- Wreath-laying ceremony Christman's grave, Section 27, by the Ord and Weitzel Gate, 9 a.m., May 13.
- "The History of Arlington National Cemetery," Women In Military Service for America Memorial, 10:30 a.m., May 13.
- Renaming ceremony for the Old Amphitheater and Decoration Day observance, 5 p.m., May 30.
- "Arlington at 150 Observance Program: A tribute to Arlington's Past, Present, and Future," featuring historical vignettes and musical performances, pre-show starts at 8 p.m., June 13.
- Wreath-laying ceremony, Tomb of the Unknown Soldier, 9 a.m., June 16.

Details about ANC 150 events are available at: http://www.arlingtoncemeterv.mil/Events/ANC150.aspx

Article from the VVA's Web Weekly

Military Sexual Assault Survivors Sue VA for Discrimination

VVA, SWAN Sue VA for Refusal to Change Discriminatory Regulations

(Washington, D.C.)—Today, Vietnam Veterans of America (VVA) Service Women's Action Network (SWAN) jointly filed a lawsuit against the U.S. Department of Veterans Affairs (VA) for ignoring a petition on behalf of the thousands of veterans suffering from PTSD related to Military Sexual Trauma (MST) caused by military rape, harassment, and/or assault. The suit, filed in the U.S. Court of Appeals for the Federal Circuit, addresses VA's failure to revise its discriminatory disability claim review process.

Veterans who experience PTSD-related to their service are entitled to seek disability compensation to offset the costs associated with this diagnosis. However, for those veterans whose PTSD stems from military sexual trauma, the VA both imposes a greater procedural burden on them to prove their claims and denies their claims at a significantly higher rate than other PTSD claimants.

One sexual assault survivor, who wished to remain anonymous, said of the VA's 2011 rejection of her 2010 claim, "even though they found my statements to be 'compelling and believable,' they said my own testimony and corroborating statements from my family was not enough to prove that I was raped. The VA also claimed that I did not have PTSD, even though I was undergoing treatment for PTSD at the VA itself and with private practitioners."

From 2009 to 2012, MST-related PTSD claims were approved 16-30% less than other PTSD claims.

"The VA knows the current process makes veterans who've been harmed by military sexual harassment and assault jump through more hoops than other PTSD claimants to apply for and receive PTSD disability benefits. But they refuse to change their regulations," said Anu Bhagwati, Service Women's Action Network executive director and former Marine Corps captain. "The result of this discrimination is that survivors of military sexual harassment and assault are denied life-saving benefits and critical income to support themselves and their families."

The current rules also discriminate on the basis of gender, against men and women, in a number of ways. By imposing a higher legal burden on MST survivors, the rules discriminate against women, who are sexually assaulted at disproportionately higher rates than men in the military. Nearly one in three service women are raped during service (28%), more than half experience unwanted sexual contact (54%), and more than three-fourths experience some form of sexual harassment (79%). Yet, these women face an uphill battle in securing benefits for injuries related to these assaults.

VA's refusal to revise the regulations discriminates against men, as the VA grants benefits to men with MST-related PTSD disabilities at an even lower rate than it does for women. In 2011, for example, VA granted nearly 49% of PTSD claims from female survivors, but only 37% of claims from male survivors.

"Veterans Affairs cannot continue to turn a blind eye to the terrible harms our service women, and men, are suffering," said Dr. Tom Berger, a former Navy Corpsman and Executive Director of the Veterans Health Council at VVA.

On June 27, 2013, SWAN and VVA submitted a petition for rulemaking to VA under the Administrative Procedure Act. The petition sought to end this discriminatory treatment and eliminate the barriers that exist specifically for MST survivors seeking compensation. VA, however, has ignored the petition and has failed to respond to the proposed rule, leaving co-petitioners no recourse other than to file this suit.

"VA's failure to respond means MST claims will continue to be disproportionately denied, or delayed, jeopardizing the health and welfare of so many military families," said Service Women's Action Network policy director and former Marine Greg Jacob. "They can't afford to wait any longer."

In the lawsuit filed this morning, SWAN and VVA argue that the VA's failure to respond to their original petition violates the Administrative Procedure Act, which requires the agency to respond within a reasonable time. SWAN and VVA also argue that current VA rules are unconstitutional because they discriminate against service women on the basis of gender.

"Federal law requires VA to respond in a timely and well-reasoned manner, which it has failed to do" said Daniella Rohr, a Law Student Intern at the Veterans Legal Services Clinic at Yale Law School, which represents VVA and SWAN in this petition. "VA's discriminatory rules are subject to review and if we're successful, MST survivors would finally be on equal footing with other veterans seeking disability compensation."

A copy of the Petition for Review can be found at http://bit.ly/Saea29. The original Petition for Rulemaking can be found at http://www.law.yale.edu/academics/vlsc_swan.htm.

Vietnam Veterans of America (VVA) is the nation's only congressionally chartered veterans service organization dedicated to the needs of Vietnam-era veterans and their families. VVA's founding principle is "Never again will one generation of veterans abandon another." www.vva.org

SWAN (www.servicewomen.org) is a national nonpartisan civil rights organization founded and led by women veterans. SWAN's mission is to transform military culture by securing equal opportunity and the freedom to serve in uniform without discrimination, harassment or assault; and to reform veterans' services to ensure high quality health care and benefits for women veterans and their families.

The Veterans Legal Services Clinic at Yale Law School was founded in 2010 to train law students and to serve the legal needs of veterans. Within the clinic, law students represent individual veterans and their organizations under the supervision of clinical professors. Students engage in litigation before

administrative agencies and courts on a range of matters including disability benefits claims, discharge upgrades and other record corrections, Freedom of Information Act requests, deportation defense, class-action litigation, and civil rights lawsuits. In addition, students represent local and national organizations in non-litigation matters relating to the legal needs of veterans, including regulatory and legislative reform efforts, media advocacy, and strategic planning. The Veterans Legal Services Clinic is one of only a handful of law school clinics in the country dedicated exclusively to serving veterans. **VVA Press Release Mokie Porter**

VA suspends 3 officials amid Phoenix VA probe



By Brian Skoloff - The Associated Press - Published:

May 1, 2014

PHOENIX — Three executives of the veterans hospital in Phoenix have been placed on administrative leave amid an investigation into allegations of corruption and unnecessary deaths at the facility, federal officials announced Thursday.

Phoenix VA Health Care System Director Sharon Helman and associate director Lance Robinson would be placed on leave "until further notice," U.S. Veterans Affairs Secretary Eric K. Shinseki said. The third employee was not identified in a statement Shinseki issued from Washington.

The Phoenix facility has been under fire in recent weeks over allegations that up to 40 patients may have died because of delays in care and that the hospital kept a secret list of patients waiting for appointments to hide the treatment delays.

Earlier Thursday, before the announcement that she would be placed on leave, Helman and the hospital's chief of staff denied any knowledge of a secret list and said they had found no evidence of patient deaths due to delayed care. "We take those allegations very seriously," Helman told The Associated Press Thursday morning, noting she welcomed an independent review by the VA Office of Inspector General. Helman's office declined to comment after the announcement Thursday afternoon.

The claims are the latest to come to light as VA hospitals around the country struggle to handle the huge volume of patients who need medical attention, including aging vets from World War II, Korea and Vietnam and a newer influx from wars over the last decade. In the past year, VA facilities in South Carolina, Florida, Georgia and Washington state have been linked to delays in patient care or poor oversight.

Shinseki said the move to put the Phoenix officials on leave was requested by the inspector general's office, which has sent investigators to the facility. "We believe it is important to allow an independent, objective review to proceed," Shinseki said. "These allegations, if true, are absolutely unacceptable and if the Inspector General's investigation substantiates these claims, swift and appropriate action will be taken."

Helman said before the announcement that she takes her job very seriously and is personally offended by the claims of misconduct. "I have given over 20 years of service to this mission. I am proud to lead this hospital," Helman said. "I have never wavered from the ethical standards that I have held my entire career, and I will continue to give these veterans what they deserve, which is the best health care."

On Tuesday, three Arizona congressmen called for Helman to step down amid allegations of gross mismanagement and neglect at the facility. Republican Reps. David Schweikert, Matt Salmon and Trent Franks also sent a letter to Shinseki, asking him to remove Helman and her leadership team. Salmon said Thursday that the VA chief made the right decision. "Hopefully, this is the first step in rebuilding the trust and restoring the confidence that our Arizona veterans have lost in our VA system," the congressman said in a statement.

But the nation's head of veteran health services told a Senate Veterans Affairs Committee hearing Wednesday in Washington that a preliminary review found nothing to support the allegations leveled against the Phoenix hospital system and its leadership. "To date, we have found no evidence of a secret list, and we have found no patients who have died because they have been on a wait list," said Robert Petzel, undersecretary for health at the VA's Veterans Health Administration.

Dr. Samuel Foote, who had worked for the Phoenix VA for more than 20 years before retiring in December, brought the allegations to light and says supervisors ignored his complaints. He accused Arizona VA leaders of collecting bonuses for reducing patient wait times, but he said the purported successes resulted from data manipulation rather than improved service for veterans, and that up to 40 patients died while awaiting care.

Associated Press Writer Pauline Jelinek in Washington contributed to this report.

Documents reveal Southeast Asian remains buried with US vet at Arlington

By Matthew M. Burke Stars and Stripes Published: April 21, 2014

shipped to Arlington for burial.



The grave of William Arthur Smith Jr. at Arlington National Cemetary - Mededith Tibbetts/Stars and Stripes

Remains from an indigenous Southeast Asian were buried with those of an Army Reserve pilot from the Vietnam War at Arlington National Cemetery, America's shrine for its fallen heroes.

According to internal POW/MIA documents, when the remains of Chief Warrant Officer 3 William Smith Jr. were turned over to investigators in Vietnam in 1999, a portion belonged to someone else.

Central Identification Laboratory documents stated that the unrelated remains had been identified and segregated from those of the pilot and that only Smith's remains were

However, an internal memo from the laboratory obtained by Stars and Stripes said that did not happen. After a ceremony that included a slow march, a horse-drawn caisson and a lone bugler, Smith was buried with foreign remains. Laboratory anthropologist Gwen Guinan wrote in the internal memo that "subsequent to the shipment and the burial" it was discovered that a fragment of a leg bone that should have been separated from Smith's remains "had been inadvertently included." The memo, addressed to "record" and included in Smith's case file, was dated Sept. 20, 2000, 12 days after Smith was buried.

No details were available on how the error was discovered or whether there is protocol that should have been followed after the discovery. "That was a long time ago," Guinan, who now goes by Haugen, wrote in an email to Stars and Stripes. "Unfortunately, I am unable to comment."

Joint POW/MIA Accounting Command officials, who now oversee the identification laboratory, declined to comment. Officials from the Office of the Secretary of Defense also declined to comment. Arlington Cemetery officials said they received a sealed casket and followed the protocol in interring it. "According to our records, we received the remains of CW03 William A. Smith, Jr. in a sealed casket," Arlington spokeswoman Jennifer Lynch wrote in a statement to Stars and Stripes. "Arlington National Cemetery interred the sealed remains in Section 66, Grave 6129, and appropriately marked the grave with a government headstone, bearing CW03 Smith's name."

Smith's son, William "Bill" Smith III, told Stars and Stripes that the family was never told of the mistake. "It doesn't make me feel real good, but that was 13½ years ago," Smith said, referring to his father's burial. He said he had no plans to tell his father's surviving family, which includes a brother and a sister. "You bring up the word 'Vietnam' and they start to get upset. About something like that, I'm afraid they'd go ballistic."

Smith believes the laboratory employees named in the documents — many who head the organization today — were cutting corners by not verifying that the separation had taken place before signing documents. This is the latest blemish on the Defense Department's accounting apparatus, and the latest in a string of embarrassments for JPAC and its laboratory. Just last month, Secretary of Defense Chuck Hagel announced he was reforming the Defense Department's accounting operations after an internal review found them rife with mismanagement, waste and incompetence. "You take care of the people who gave their lives to this country and you take care of their families," Hagel said in announcing the reorganization.

Dedicated to serving US

William Smith Jr. was born to a military family in Georgia on June 24, 1945, at the tail end of World War II. During his youth, the son of an Army captain bounced around between locales like Germany before settling in for his teenage years in Battle Creek, Mich., according to his son. Smith was outgoing, laid back and very difficult to anger, family members told his son, who was born after his father's death.

On Dec. 22, 1967, Smith married Leslie Kay Harding, the son said. She quickly became pregnant. The Army pilot dreamed of the day after his service was complete, when he could raise his son and care for his younger brother while making a living as a pilot for a major airline. Due to injuries received during his first tour in Vietnam, Smith had an out for not going back, but he didn't take it. "That is how dedicated he was to the service of the country," his son said. He told his wife he wanted to be buried at Arlington if something happened.

On Sept. 27, 1968, the 23-year-old warrant officer commanded a UH-1D Huey helicopter on a mission over Kien Hoa province, South Vietnam, according to the internal laboratory documents. Lt. Quentin Hurst, Spc. 4 Kevin Green and Pvt. Jeffrey Niles were also onboard when the helicopter was struck by enemy ground fire as it approached the My

The River. The helicopter crashed in flames. Within minutes, U.S. patrol boats were on the scene, according to the documents. They found an oil slick in the area where the helicopter had entered the water, along with scattered aircraft debris and three flight helmets. Two days later, the bodies of Hurst, Green and Niles were found floating in the vicinity of the crash site. No sign of Smith was found, and he was listed as missing in action.

According to his son, Smith's wife held out hope that he was alive for years. Some in his family swore he was alive, based on persistent rumors that Smith was a prisoner of war. The accounting organizations gave family members just enough information to keep them at bay, Smith's son said, but never enough to make them whole. "I had more questions than answers," he said. A military review board pronounced Smith dead Oct. 29, 1976. A funeral was held and a marker placed in the ground next to family in Augusta, Ga.

In 1993, a joint U.S./Socialist Republic of Vietnam team traveled to the area of Smith's loss, looking for witnesses to the crash, but found none, according to documents.

Another joint team traveled to My Tho City in Tien Giang province, which is north of the former Kien Hoa province, in 1999. They spoke with three informants who said they had recovered remains and artifacts from a river while salvaging metal in 1976 or 1977. They took investigators to a site near the coordinates on file for the crash. The remains were handed over to Vietnamese officials and repatriated to the United States on May 5, 1999.

Two sets of remains

Central Identification Laboratory officials quickly realized there were two sets of remains in what they were given. The remains included fragments of right and left pelvic bones, three fragments of left femur, a left fibula shaft, a fragment of left tibia, two fragments of right tibia and two rib fragments. Those remains were consistent with Smith's stature, according to a memo to the Army CIL commander dated July 25, 2000. Also included was a tibia shaft determined to belong to a smaller individual: "Anthropological analysis reveals that the remains are those of two individuals."

The documents, signed by current JPAC CIL scientific director Dr. Thomas Holland, state that the tibia shaft "was segregated" and designated as unassociated remains. The document confirmed that the majority of the remains were matched to Smith using mitochondrial DNA and that of his sister. "Conversely, the remains of the smaller individual are assumed to be those of an indigenous Southeast Asian unrelated to the incident."

The forensic anthropology report, dated June 7, 2000, and signed by current CIL director Dr. John Byrd, states that the Southeast Asian remains were removed. That never happened, according to the memo by Guinan. For Bill Smith III, a pall has now been cast over the laboratory's success in recovering his father's remains. He wonders why the leadership said the unrelated remains had been removed when they hadn't been.

Despite it all, he doesn't want his father's remains be exhumed. He wants to let his father rest peacefully. "What's done is done," he said.

Stars and Stripes researcher Catharine Giordano contributed to this report. burke.matt@stripes.com

APPLICATION FOR VVA MEMBERSHIP			
(Return to: Vietnam Veterans of America San Jacinto Chapter No. 343, P.O. Box 310306, Houston, Texas 77231)			
Name	Sex	_ Date of Birth	ı
Address			
City	State	Zip	_ Chapter No. 343
Home Phone () Work Phone ()_			
E-mail			
Type: Individual member – 1 year @ \$20 Individual member – 3 years @ \$50			
Life member: \$200 (ages 56-60) \$175 (ages 61-65) \$150 (ages 66-71) \$100 (ages 72+)			
Optional Life member time payment plan - \$50 down, \$25/month			
Incarcerated Veterans (IVI) \$0: TDCJ # orIncarcerated Veteran Associate (IVA) \$7: TDCJ #			
Associate member – 1 year @ \$20			
Payment Method: Check Money Order Credit Card (Visa, Master Card, American Express, Discover)			
Credit Card Number	Exp. 1	Date	
Signature			
Eligibility: Membership is open to U.S. armed forces Republic of Vietnam between February 28, 1961 and 1975.			

New members and new life members \underline{must} submit a copy of their DD-214 along with this application and dues payment.



The End!