







Volume 28 Issue 10

October 2018

Gentleman and Ladies,

Late September has arrived and with it the Autumn Equinox. So what might this mean? At the moment the equinox arrives, neither of earth's hemispheres is 'leaning' towards the Sun, but after October 23rd, the Northern Hemisphere will begin to point away from the Sun, bringing ever longer nights and shorter days. Is this important to us? In a word, yes, because it marks the end of summer and the beginning of fall.

With the beginning of fall, we are reminded that in a few short days we will be well into October, and that means we'll be meeting on October 4th, our last collective opportunity to engage in final planning for our **Texas Hold 'Em Poker Tournament**. Not long after that we will be gearing up for **Victorian Christmas**, which begins December 9, 2018.

Now is the time for self-introspection regarding volunteerism. We need engagement! Without engagement we risk not meeting our goals. Disengagement is bad news and even a threat to our survival as a worthy and proud organization.

Active engagement brings personal and organization rewards. Just ask those who volunteered at our recent Nevada County Fair to set up and take down our booth, and then fill a shift or two to greet the public. I would venture to say to the man it was a fun and interesting time. The hard part is getting started, but once engaged, the rewards are a positive influence on how we feel about ourselves. We tend to feel good about our contributions to the cause.

Volunteerism allows us to feel that we are contributing to the success of VVA-535. Volunteerism gives us a sense of purpose. Volunteerism helps us learn to be a team player. Volunteerism helps us learn interesting things about our cohorts. Almost everything about volunteerism is constructive and positive.

We need volunteers on October 20th and we need volunteers throughout the Victorian Christmas event. Please do step up and help us make successes of these events.

Bart

Nevada County VSO

David West assumed the VSO position on 9/10/2018.

VVA Chapter 535 Mission Statement

To foster camaraderie among members and assist those with disabling mental and physical injuries, to promote the welfare of our brethren affected by the war, and to engender public understanding of the sacrifice, patriotism and bravery of those who served, those who gave all, and those left behind. The **50:50 Raffle** initiated on May 3, 2018 currently has \$172 in the can. If you choose to participate, the Raffle will continue at the meeting of October 4, 2018. At the current \$172, if you drew the Black Marble you would pocket \$86. Surely that sum will grow on October 4th. The odds are getting better as only seven marbles, including the Black Marble, remain in the sock. I plan to buy in and take my chances!

Guest Speaker October 4, 2018

Tom Woollard has worked diligently to engage a guest speaker for our meeting of October 4th. At this juncture, nothing is finalized so this bulletin goes out without a firm commitment. But, stand by for developments. (Thank you, Tom, for your ongoing efforts.)

Attention

If you do not drive and need a ride to a meeting or any VVA-535 function, please contact Bart Ruud or any local VVA -535 member and we will do our best to arrange transportation for you.

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Upcoming Events

General Meeting October 4, 2018 Director's Meeting October 4, 2018 NCCVC meeting: October 4, 2018 Texas Hold 'Em Tournament – October 20, 2018 Nevada County Stand Down – Oct, 19-20, 2018 VVA CSC Fresno – Oct. 26-28, 2018 U.S. Marine Corps 243rd Birthday – Nov. 10, 2019 VVA-535 Christmas Dinner December 6, 2018 Victorian Christmas... Dec. 9, 12, 16, 19, 2018

Chapter 535 Officers

President Bart Ruud bruud45@gmail.com (H) 530-823-1368; (C) 530-305-0493

Treasurer Ralph Remick559-7716

Secretary	
Dave Johnson	

Directors

Dave Chaix	.269-1431
Dale Epps	368-6156
Kent Hawley	432-3551
Bill Holman	265-8387
Chuck Holmes	478-1126
Dave Johnson	887-8297
Dave Middleton	205-9375
Ralph Remick	559-7716
Bart Ruud	823-1368
Ric Sheridan	274-1413
Tom Woollard	432-1212

Committee Chairs

FinanceRalph Remick & Dave Johnson Parade and Honor GuardDick Corn
Membership AffairsRic Sheridan
Newsletter Interim editor Bart Ruud
Victorian Christmas Jose Gonzales
NominationsDick Corn
Veterans Assistance Bart Ruud
NCCVC Dick Corn
Speakers Bureau Tom Woollard
Web Master Ralph Remick
Quartermaster Kent Hawley
Facebook Master Mike Laborico
Nevada County Fair Bart Ruud
VSO Liaisons (Open opportunity)
CA State Council Rep Vacant

Nevada County Veterans Service Officer

VSO Officer -David West (530) 273-3396 office (530) 913-5046 cell 988 McCourtney Road, Grass Valley 95949 <u>ncvso@co.nevada.ca.us</u> Thursday, 9:00 to 12:00 and 1:00 – 4:00 is a "Walk-In" day.

Placer County Veterans Service Officer

Suzi Vinci 916-780-3290. 1000 Sunset Blvd, Suite 115, Rocklin, CA Monday – Friday, 8:00 – 12:00 and 1:00 – 5:00 p.m.

Matters of interest as outlined at Board Meeting of September 6, 2018

Given very short notice regarding the Constitution Day Parade, the Board – and the General Membership – elected to forego any planning to participate in the parade. Another year, we'll try to be proactive at an earlier date.

The Roamin Angels Car Club donated \$250 to VVA-535. Mike Hauser, owner/operator of Grass Valley Blueprint spearheaded the drive to make this generous donation. Mike has been granted Life Membership in the VVA. Ralph Remick submitted a reservation to the Grass Valley Chamber of Commerce to hold our position on the street for our Victorian Christmas booth. The fee of \$500 was paid. Dave Chaix spearheaded repairs and maintenance on our utility trailer. Dave was reimbursed \$176.35 for outlays he had made.

The utility trailer is currently being stored at Jose Gonzales home. Thank you, Jose, for the favor.

Past-President Chuck Holmes served as our Californian State Council liaison for the past couple of years. With his relocation out of state, Chuck will no longer serve in that capacity. We thank Chuck for his diligent past service, and we seek a new liaison. The next full council meeting in Fresno is scheduled for October 26 – 28, 2018.

The Board continues to research a fitting legacy project for expenditure of \$3,750 that has been contributed in memory of Past-President Harold Graves. When research is completed, a report will be shared with the membership for its consideration.

U.S. Marine Corps 243rd Birthday Bash

The Marine Corps League has announced plans are being laid for the staging the 243rd Birthday and WW I Centennial Celebration Luncheon on Saturday, November 10, 2018 at the Grass Valley Veterans Memorial Building, 235 S. Auburn Street, Grass Valley, CA. Doors open at 10:00 a.m. Ceremony at 12:00 noon. Lunch at 12:30 p.m. The Nevada Union High School Band and Roseville's John Adams Academy Choir will perform. Menu options: Prime Rib or Roasted Chicken, or Herb-Brushed Salmon at \$30. Vegetarian at \$20. Mail checks to: Placer Bulldogs #1247. 1608 Poppy Circle, Rocklin, CA 95765.

Writing Your Story for INCOMING

(Ongoing repeat solicitation)

Ideas for your story:

- Think about what you appreciated about the Vietnam experience. There is surely a means to segue into that with very little reflection on the negative aspects of war.
- What did you appreciate about the Vietnamese people during your deployment?
- Can you steer away from the bad stuff and \reflect on the best experience you had in the Nam?
- Surely you had a close buddy and you supported each other. Maybe there is a story in that.
- What really got you through the day-to-day anxieties and fears? There might be a positive recollection in that regard.
- How did your experience instill in you a sense of patriotism that you possibly

express every day of your life.

So far we have heard from Ruud, Epps, Chaix, Hamer, Chuck Holmes, current Marine LCpl. Jesse Hernandez, Kent Hawley, and Mike Laborico. (Thank you!)

No writer needs to dwell on the negatives of war. Each of us who was there lived the negatives, and all of us are better people for having served, especially when we look at how we matured as a result of our experiences. Each of us has derived a sense of being and an energy that is different from what it might have been had we not been sent across the pond.

Do share with us, in your own words, something of that chapter of your life. And, thank you for your service.

Forward your story to Bart Ruud at <u>bruud45@gmail.com</u> or hand deliver to Bart.

A Link to the Friends of Vinh Son Orphanage website:

https://www.friendsofvso.org

VA Agent Orange Claim Submission

VA Rating Specialist Tells All

If you served in Vietnam between 1962 and 1971, as I did, there is a pretty good chance that you were exposed to Agent Orange. The VA acknowledges that some 20 million gallons of herbicides were sprayed across South Vietnam in an attempt to destroy foliage used to conceal enemy forces and supply lines. Spraying was also intended to deny access to agricultural crops used by the enemy. Recently, I tried to determine exactly where all this spraying occurred. I had always thought it was in the north along the DMZ or along the Laos-Cambodian borders. I was wrong. Dead wrong. The chart I found looked like one of those modern artworks where the painter takes his bucket and throws it at the canvas. It was a map of Vietnam with long streaks covering the entire country from top to bottom.

Agent Orange related conditions.

The VA has determined that a positive association exists between exposure to herbicides and the subsequent development of 11 conditions.

- • Chloracne
- • Non-Hodgkin's lymphoma
- • Soft tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma, or

mesothelioma)

- • Hodgkin's disease
- • Porphyria cutanea tarda (PCT)
- • Multiple myeloma
- • Acute and subacute peripheral neuropathy
- • Prostate cancer
- • Respiratory cancers (cancers of the lung, bronchus, larynx and trachea)
- • Type 2 diabetes (also known as Type II diabetes mellitus or adult-onset diabetes)
- • Chronic lymphocytic leukemia (CLL)

Of note, there are numerous conditions that are not associated with Agent Orange. Service connection for them must, by law, be denied.

- • Hepatobiliary cancers
- • Nasal and nasopharyngeal cancer
- • Bone cancers
- • Breast cancer
- • Cancers of the female reproductive system
- • Urinary bladder cancer
- Renal cancer
- Testicular cancer
- • Leukemia (other than chronic lymphocytic leukemia)
- • Reproductive effects (abnormal sperm parameters and infertility) Parkinson's disease
- • Chronic persistent peripheral neuropathy
- • Lipid and lipoprotein disorders
- • Gastrointestinal and digestive disease (other than diabetes mellitus)
- • Immune-system disorders
- • Circulatory disorders

Respiratory disorders (other than certain respiratory cancers)

- Skin cancer
- • Cognitive and neuropsychiatric effects
- Gastrointestinal tract tumors
- • Brain tumors

Amyloidosis

What to do if your condition is listed as not Agent Orange related.

If you have one of these orphaned conditions you can apply for service connection secondary to Agent Orange exposure; however, your claim will be denied. What should you do?

My advice would be to apply any way, and let the VA deny the claim. Then appeal the decision. A timely appeal keeps your claim in the mill. Also, keep in mind that somewhere down the road some or all of these conditions might be approved. By having a denial on record, you stand a chance of having it approved retroactively. Additionally, the medical evidence you submitted will always be in your VA claims file. However, if you wait several years to file a claim, you should keep in mind that physicians don't keep their records forever. So get your claim submitted before your records wind up in the trash bin or shredder.

One additional cautionary word: exposure to Agent Orange, in and of itself, is not a disability. That is, you can receive service connection only for the 11 disabilities listed here.

Getting started with your claim.

So, what do you need to get your Agent Orange claim approved by the VA? There are three basic requirements and all of them must be met:

- • A medical diagnosis of a disease with the VA recognizes as being associated with Agent Orange.
- • Evidence of service in Vietnam.
- • Medical evidence that the disease began within the deadline (if any).

Proving you actually served in Vietnam

To determine if you had service in Vietnam, the rating specialist looks at your DD Form 214 to see if there is a statement showing dates of in-country service. If nothing is found on your DD Form 214, the next source will be your military 201 Claims File which shows records of duty assignments, etc. A further resort will be your service medical records (SMR's). Sick-call entries or hospital reports often list the name of a dispensary or hospital and, sometimes, its location in Vietnam. Unfortunately, many such entries list the facility, but not its location. If such a record is found indicating the facility was in Vietnam, however, proof of service in RVN is conceded. The main point is that you must have had your feet on the ground in Vietnam (fly-overs don't count). However, a recent court decision has opened the way to those vets who served off the coast of Vietnam.

You will note that the Vietnam Service Medal is not among those decorations considered conclusive proof of service in RVN. This is because the medal was awarded to anyone who served in Vietnam, the waters offshore, or the airspace above. It was also awarded for service in Thailand, Laos, or Cambodia.

Very few claims are granted based on direct exposure to Agent Orange. On the contrary, the majority of claims granted are based on presumption. Technically speaking, this means the condition did not

happen in military service, nor was it aggravated or caused by service, or manifested to a compensable degree within the one-year presumptive period after service. Simply put, if you were in Vietnam it is acknowledged, or presumed, that you were exposed to Agent Orange.

Present specific details of your disability

Once it has been determined that you served in Vietnam, the VA will send you a Chemical Defoliant development letter, asking about specific details concerning your disability. Answer the questions to the best of your ability, as this information is necessary to gather evidence and process your claim.

After you have responded to the development letter, the VA will obtain any pertinent medical records, and then schedule you for a VA examination to determine the severity of your condition(s). At the examination, the physician will review your claims file and ask you specific questions about your disability. When he is finished he will write a summary of his findings. The rating specialist in the regional office will transfer these findings to what is called a Rating Decision, and assign a percentage evaluation for each disability granted. You will then be notified in writing as to the decision.

The rating decision, if done properly, will consider service connection for diabetes, for example, on a direct basis, and then again on a presumptive basis. That is, the rating specialist will peruse your service medical records to see if you had a diagnosis of diabetes while on active duty. Most likely, there was none. Then, the rating specialist will consider a grant of diabetes secondary to Agent Orange exposure.

Ratings for diabetes, prostate cancer, and non-Hodgkin's lymphoma seemed to be the most prevalent conditions among Vietnam veterans, though this is not meant to downplay the significance of the other eight disabilities. They are all serious conditions for anyone who has them.

Specifics of compensation

A grant of service connection for diabetes associated with herbicide exposure is usually a straightforward grant of benefits based on a medical doctor's diagnosis of that condition. Usually, a 20% evaluation is given when the veteran is on a restricted diet and taking insulin or using an oral medication such as Metformin or Glucotrol.

A word of caution: Even though a veteran served in Vietnam and has a diagnosis of diabetes, service connection could still be denied. Your doctor must state that you have Type 2 diabetes in order for benefits to be granted. Having Type 1 diabetes will result in a denial because it is not one of the disabilities associated with herbicide exposure, as stated above.

Common complications of diabetes may be found in medical journals and treatises, such as the Merck Manual and the Physician's Desk Reference. Such conditions are rated separately from the grant of diabetes.

For example, if the veteran complains of partial paralysis, pain, or numbness below the knee, an evaluation of 10% might be granted for left leg peripheral neuropathy. If the same condition is present in the other leg, a separate 10% evaluation might be given for that condition. Other conditions arising from the diabetes might include nephropathy with hypertension, and hypertensive retinopathy.

Renal insufficiency secondary to diabetes, in particular, is another example of an extremely serious condition resulting from diabetes. It is diagnosed from laboratory tests showing elevated blood urea nitrogen (BUN) and/or other such tests. A VA rating of 30% or 60% for service connection would not be uncommon, depending on the severity of symptoms.

Amputation of a lower extremity is another serious side effect of diabetes. For example, a veteran might have diabetic ulcers on his feet which could conceivably turn into gangrene. A subsequent amputation of both feet might result in a bilateral grant of service connection for the feet, rated 40% each, with the additional benefit of Special Monthly Compensation (SMC) being paid for the loss of both feet.

Prostate cancer, another of the presumptive conditions associated with Agent Orange exposure, is a very serious, and life-threatening, condition. This condition is usually first diagnosed when there is evidence of an enlarged prostate or a rise in your Prostate Specific Antigen (PSA). Treatment with radiation and chemotherapy is standard. Treatment with surgery is another alternative. This procedure is called a radical prostatectomy, and such cases qualify for what is called Special Monthly Compensation K for loss of a creative organ (in this case for impotency resulting from the surgery).

While undergoing treatment for prostate cancer, a temporary 100% evaluation is granted. Six months following cessation of treatment a mandatory VA examination is required to determine any residuals. This means that your claim will be rated on residuals of voiding dysfunction or renal dysfunction, whichever is predominant. Usually, this means the 100% evaluation will be terminated and replaced with another evaluation, 30% for example. However, this reduction from 100% to 30% will not take place until 60 days has elapsed.

Another serious condition which arises as a result of Agent Orange exposure is non-Hodgkin's Lymphoma. The same procedure is followed as stated above: while undergoing treatment a temporary 100% evaluation is granted. Six months after treatment ends, a mandatory VA examination will be given to determine any residuals.

Agent Orange exposure outside Vietnam

In regard to Agent Orange exposure in Korea, most claims are denied. A Veterans Health Administration Directive (2000-027 dated 9-5-2000) indicated that some 21,000 gallons of Agent Orange were sprayed in Korea between 1968 and 1969 in an area from the Civilian Control Line to the southern boundary of the Demilitarized Zone. Only Republic of Korea troops were involved in the actual spraying. However, elements of the American 2nd and 7th Infantry divisions were deployed on four-month rotations up to the DMZ from April, 1968 to July, 1969. A rating specialist will need to obtain your military 201 Claims File to determine if you were in the affected areas. If no record is found in the 201 Claims File, the rating specialist will attempt to obtain Unit Histories and/or Morning Reports. If no verification is found, the claim will be denied.

Can you prove your case with evidence from the Internet?

Sometimes veterans deluge the rating specialist with pages of Internet evidence that was used to obtain approval for another veteran's claim. These decisions are considered general in nature and specific only to that particular veteran's case. They are also not precedent-setting for any other veteran's claim, and will result in a denial of your claim.

On the other hand, such Internet sites may prove helpful in locating witnesses. For example, your claim may be strengthened by the statement of a veteran who was on the ground in Vietnam, and can testify that you were there, too. Check out these sites, and don't be afraid to post to them if you are looking for military buddies.

Effects of Agent Orange on children

Claims for spina bifida in children of veterans who served in Vietnam is another area of paramount importance. Spina bifida is a serious birth defect. These claims are handled only by the VA Regional Office in Denver, Colorado. If your son or daughter is affected with spina bifida, you can apply for benefits at any regional office, and your claim will then be transferred to the Denver office.

Claim denied or delayed? Don't give up.

If your claim for Agent Orange residuals is denied, do not lose hope! First of all, read the letter the VA sent you, and look specifically at the reasons why your claim was denied. Next, send a one-sentence letter to the VA stating you disagree with the decision. This protects your appeal rights; but your letter must be received within one year of the VA denial letter. In your letter, you can submit any additional evidence you feel is relevant to your claim, or any information the VA requested but you failed to send.

Since the VA appeals process is a precise yet often difficult process to understand, I would strongly advise contacting a local service organization for help. One of their service representatives will explain exactly why your claim was denied, and will help you process your appeal. Sometimes, it's as simple as not sending in that one piece of information you thought was a waste of time. So don't lose hope.

The grant of an Agent Orange disability is often a satisfying conclusion to a long, drawn-out struggle. The grant is satisfying to you, the veteran, but it is equally satisfying to the rating specialist. It always gave me great pleasure to prepare a rating granting this benefit.

In essence, it helps fulfill the legacy of Abraham Lincoln, when he said, "To bind up the wounds; to care for him who shall have borne the battle, and for his widow, and his orphan – to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations."

Ray Gustavson served with the U.S. Army in Vietnam, and is a retired VA Rating Specialist. He is currently working on a novel about the Civil War, and also is writing a self-help book for veterans who want to better understand the complexities of the VA claims process.

[Source: USVCP | Ray Gustavson | May 20, 2018

SAVE THE DATE 30TH ANNIVERSARY OF THE DEDICATION OF THE CALIFORNIA VIETNAM VETERANS MEMORIAL OCTOBER 13, 2018 VIETNAM VETERANS MEMORIAL, STATE CAPITOL PARK, SACRAMENTO, CALIFORNIA 10:00 a.m. - 30th Anniversary Memorial Ceremony begins. 6:00 p.m. - Banquet. Downtown Sacramento. Location to be determined.

THIS EVENT IS FOR ALL VETERANS AND THE PUBLIC TO HONOR THOSE CALIFORNIANS WHO SERVED IN VIETNAM "ALL GAVE SOME, SOME GAVE ALL"

For more information or sponsorships, contact:

Ken Holybee President California Veterans Benefit Fund holybee@comcast.net (707) 887-8891 Pete Conaty Event Organizer Sponsorship Coordinator pconaty@sbcglobal.net (916) 768-8940

Dana Nichol Reeb Government Relations dana.nichol@sbcglobal.net (916) 558-1926

Application For Membership VIETNAM VETERANS OF AMERICA, INC., CHAPTER 535

P.O. Box 37, Grass Valley, CA 95945

Membership is open to U.S. armed forces veterans who served on active duty (for other than training purposes) in the Republic of Vietnam between February 28, 1961, and May 7, 1975, or in <u>any duty location</u> between August 5, 1964 and May 7, 1975.

Name:	Date of Birth:					
Mailing Address:						
City:	State: Zip:					
Home Phone: ()	Cell Phone: ()					
Email Address:	Gender:					
(Optional) Chapter Number:	Sponsor:					
I am already a VVA member and I want to be	ecome a Life Member. My VVA Number is					
Type of Membership : Individual Life Membership:\$100. (Check ty	1 year @ \$20. Individual3 years @ \$50. pe of membership)					
ATTENTION New members and new DD-214 form along with this application	life members : You must submit a copy of your n and dues payment.					
Payment Method:CheckMoney Or	rderCredit Card (Visa, MasterCard, AMEX, Discover)					
Credit Card Number	Exp. Date					
Signature						
Return your completed application, payment and a	a copy of your DD-214 to:					
Vietnam Veterans of America, Inc., Chapter P.O. Box 37	r 535					
Grass Valley, CA 95945	Revised: January 2017					

September

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 WW II began (1939)
2 V.J. Day: Japan signed formal surrender (1945) Ray Shine Wake	3 Labor Day	4	5	6 VVA General Meeting & Board Meeting	7	8
9 Grandparents Day	10	11 Patriot Day	12	13	14 "Star Spangled Banner" written by Frances Scott Key (1814)	15
16	17 U.S. Constitution Approved (1787) Citizenship Day	18 U.S. Air Force established (1947)	19 Yom Kippur	20	21 POW/MIA Recognition Day	22
23 First Day of Autumn	24	25	26	27	28	29
30						

October

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4 VVA General Meeting & Board Meeting	5	6
7	8 Columbus Day	9 Invasion of North Korea (1950). Fire Prevention Day	10	11	12 Bombing of USS Cole (2000)	13 U.S. Navy established (1775) 30 th Anniversary Vietnam Memorial. Sacramento
14	15	16	17	18	19 Stand Down Revolutionary War ended (1781)	20 Stand Down Texas Hold 'Em
21	22	23 Bombing of Marine Barracks, Beirut (1983)	24 United Nations Day	25	26	27 Navy Day
28	29	30	31 Halloween			

November

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 VVA General Meeting & Board Meeting	2	3
4 Daylight Savings Time Ends	5	6 Election Day	7	8	9	10 U.S. Marine Corps established (1775)
11 Veterans Day Signing of WWI Armistice (1918)	12	13	14	15	16	17
18	19 Gettysburg Address (1863)	20	21	22 Thanksgiving	23	24
25	26	27	28	29	30	