



March 29, 2019

Happy Vietnam War Veterans Day

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1. VA Recommends Dropping Blue Water Navy Legal Battle: VA Secretary Robert Wilkie said during congressional testimony Tuesday that he would recommend that the Justice Department not contest a recent federal court ruling that will pave the way for the return of earned disability benefits for some 90,000 so-called Blue Water Navy veterans. In [Procopio v. Wilkie](#), the VA secretary was sued by Navy veteran Alfred Procopio Jr., a Life member of VFW Post 6587 in Spring Lake Park, Minn., who was denied service connection for prostate cancer and diabetes mellitus — both illnesses are among the [14 presumptive diseases](#) associated with Agent Orange exposure — because he was assigned aboard an aircraft carrier inside Vietnam's 12-mile territorial waters but never on dry land or within Vietnam's inland waterways. The U.S. Court of Appeals for the Federal Circuit focused on the intent of the 1991 Agent Orange Act, which was to grant a presumption of service connection for certain diseases to veterans who "served in the Republic of Vietnam." At issue was whether service within territorial waters constituted service "in the Republic of Vietnam." By a 9-2 decision, the court ruled it did. "The VFW salutes Secretary Wilkie for his support to move forward and take care of this group of forgotten Vietnam veterans," said VFW National Commander B.J. Lawrence. "We also support his recommendation that some type of historical research division be created within the Department of the Navy to ensure that all such ships are fully accounted-for in the [VA's list of exposed ships](#). After a half-century, we need to get this done to reinforce to tens of thousands of Vietnam veterans that our nation is willing to provide them the care and benefits they have earned and deserve, and we urge Congress to pass H.R. 299, the Blue Water Veterans Act of 2019, to ensure the VA can never again arbitrarily strip veterans of their earned benefits." [Contact your members of Congress here.](#)

2. Overcoming War Legacies – The Road to Reconciliation: On Tuesday, VFW Director of National Security and Foreign Affairs John Towles joined senior U.S. and Vietnamese military

and diplomatic officials at the U.S. Institute for Peace to discuss the steps being taken to strengthen the relationship between our two countries, despite our tense history. Among the attendees were Senator Patrick Leahy (D-VT), Deputy Assistant Secretary of Defense for South and Southeast Asia Dr. Joseph Felter, Vietnamese Deputy Defense Minister Senior Lieutenant General Nguyen Chi Vinh, Defense POW/MIA Accounting Agency Director Kelly McKeague, and former Secretary of Defense Chuck Hagel. The event, entitled “Overcoming War Legacies: The Road to Reconciliation” gave leaders the ability to discuss topics ranging from the need to preserve ongoing unexploded ordinance removal and soil remediation programs inside Vietnam, to the importance of the Vietnam War remains repatriation missions being conducted by our two governments. To learn more about the U.S. Institute of Peace, please [click here](#).

3. Fiscal Year 2020 Budget for Veterans' Programs: On Tuesday, Secretary of Veterans Affairs Robert Wilkie testified before a Senate Committee on Veterans' Affairs hearing regarding the president's Fiscal Year (FY) 2020 budget request for VA. Secretary Wilkie supported the president's 7.5 percent increase of VA's budget and discussed how it enables VA to improve customer service and implement the numerous recently enacted and VFW-supported laws such as the [VA MISSION Act](#), the [Forever GI Bill](#), and the [Appeals Modernization Act](#). Secretary Wilkie also announced that VA has recommended the president drop the [Blue Water Navy legal battle](#) and start providing long-overdue benefits to veterans exposed to Agent Orange while serving off the coast of Vietnam. Committee members expressed concerns with VA's reduction in funds for construction despite having a \$60 billion construction backlog and VA's plans to rely more heavily on private sector doctors. VA also indicated it would make a decision within the next three months on benefits for bladder cancer, hypertension, Parkinson's-like symptoms, and hypothyroidism related to Agent Orange exposure. The VFW and its Independent Budget (IB) coauthors submitted testimony opposing VA's proposal to round-down cost-of-living adjustments for compensation benefits and encouraging Congress to properly fund veterans' care and benefits. [Watch the hearing](#), which starts at the 23-minute mark. [Read the IB testimony](#).

4. DOD Fiscal Year 2020 National Defense Authorization Budget request: On Tuesday, Acting Secretary of Defense Patrick M. Shanahan and the Chairman of the Joint Chiefs of Staff General Joseph F. Dunford testified before the House Committee on Armed Services. The hearing focused on the Department of Defense (DOD) Fiscal Year (FY) 2020 Budget request for the FY2020 National Defense Authorization Act. The president's budget request for overall defense is \$750 billion for the FY2020, a \$34 billion increase from FY2019. The request focuses on military modernization, which the military has been unable to achieve for the past three decades. Acting Secretary Shanahan stated that both China and Russia are aggressively modernizing their militaries, especially in the space and cyber domains, to erode U.S. global hegemony, a “central problem” for DOD. In light of this, the budget will invest heavily in prioritizing innovation and modernization to strengthen competitiveness across all domains — air, sea, land, space, and cyber. \$57.7 billion will go to procurement and modernization for U.S. fighters, \$14.1 billion to space, \$9.6 billion to offensive and defensive cyberspace operations, \$2.6 billion to improving and expanding cyber operations training, \$14.6 billion to fund roughly 6,400 combat and tactical vehicles, and \$14 billion to nuclear capabilities. [Read the testimony or watch the hearing](#).

5. Bill Introduced to Stop Veterans from Being Punished for VA's Miscalculations: Last week, Senators Tester (D-Mont.), Boozman (R-Ark.), and Brown (D-Ohio), introduced the VFW-supported Veterans Debt Fairness Act, which would reduce VA overpayment errors and require VA to hold itself — not veterans — accountable for its mistakes. [Learn more](#) or [read the bill](#).

6. National Vietnam War Veterans Day: Today is National Vietnam War Veterans Day, a day to salute more than 8.7 million servicemen and women who served during the Vietnam era, the 3.4 million who served in-theater, and to recognize and remember the 58,000 who paid the ultimate price and the 1,589 who remain missing and unaccounted-for. In a nation where less than one percent of the population wears the uniform and less than seven percent has ever worn the uniform, today, like every day, is a great opportunity to say “Welcome home” and “Thank you for your service.”

7. Army SSG Receives Posthumous Medal of Honor: On Wednesday, President Trump presented the Medal of Honor posthumously to the son of Army Staff Sgt. Travis Atkins, of Bozeman, Mont., who was killed in action southwest of Baghdad after using his body to shield three other soldiers from a suicide bomber on June 1, 2007. [Watch video of the White House ceremony here](#).

8. McConville Picked to Lead Army: The president this week nominated Army Gen. James McConville to become the service's next chief of staff. Once confirmed by the Senate, he will replace Army Gen. Mark Milley, who President Trump announced was his choice to become the next chairman of the Joint Chiefs of Staff when Marine Gen. Joseph Dunford retires sometime this year. McConville has served as the Army vice chief of staff since June 2017. The 59-year-old from Quincy, Mass., is a 1981 graduate of West Point, who spent much of his career in Army aviation flying the AH-64 Apache, OH-58 Kiowa Warrior and the AH-1 Cobra. The general has commanded troops in both Iraq and Afghanistan, to include the 101st Airborne Division in Afghanistan, and earlier, the 4th Brigade, 1st Cavalry Division, in Iraq. Prior to his current assignment he was the Army deputy chief of staff for personnel. [Read more here](#).

9. Berger Picked to Lead Marine Corps: The president this week also nominated Lt. Gen. David Berger to be the next commandant of the Marine Corps, as well as promotion to the rank of general. If confirmed, he will replace Gen. Robert Neller, who is set to retire after leading the Corps since 2015. Berger, 59, of Woodbine, Md., was commissioned in 1981 as an infantry officer after graduating from Tulane University in New Orleans. He was a battalion operations officer with 2nd Reconnaissance Battalion during Operation Desert Storm, commanded Regimental Combat Team 8 during Operation Iraqi Freedom, and was the commanding general of 1st Marine Division during Operation Enduring Freedom. Berger has been the commanding general of Marine Corps Combat Development Command and the Deputy Commandant for Combat Development and Integration since August. Prior to his current assignment, Berger commanded I Marine Expeditionary Force and U.S. Marine Corps Forces, Pacific. [Read more here](#).

10. MIA Update: This week the Defense POW/MIA Accounting Agency (DPAA) announced the identification of five U.S. personnel, previously unaccounted for from our nation's past wars and conflicts. Returning home with full military honors are:

-- **Navy Reserve Journalist 3rd Class Raul A. Guerra** was a passenger on board an E-1B Tracer when radar contact with the aircraft was lost just outside of Da Nang. Several days later, wreckage was spotted in the area where contact was lost, but because of the location and very steep terrain, a ground recovery could not be conducted. Guerra and the four other service members on board were declared killed in action. Interment services are pending. [Read about Guerra.](#)

-- **Army Pfc. Herschel M. Riggs** was an infantryman with Headquarters Company, 19th Infantry Regiment, 24th Infantry Division. In July 1950, his unit was involved in combat actions against North Korean forces near Taejon, South Korea. Riggs was declared missing in action on July 16, 1950, when he could not be accounted for by his unit. Interment services are pending. [Read about Riggs.](#)

-- **Army Cpl. Benjamin W. Scott** was a member of Company M, 3rd Battalion, 21st Infantry Regiment, 24th Infantry Division. In July 1950, his unit was engaged in combat actions against the North Korean forces in the vicinity of Choch'iwon, South Korea, when he was declared missing in action. Interment services are pending. [Read about Scott.](#)

-- **Seaman 2nd Class Calvin H. Palmer and Seaman 2nd Class Wilferd D. Palmer** were stationed aboard the USS Oklahoma, which was moored at Ford Island, Pearl Harbor, when the ship was attacked by Japanese aircraft on Dec. 7, 1941. The battleship sustained multiple torpedo hits, which caused it to quickly capsize. The attack on the ship resulted in the deaths of 429 crewmembers, including Calvin and Wilferd Palmer. Interment services are pending. [Read about the Palmer brothers.](#)

To sign up new veterans' advocates, click here: <http://capwiz.com/vfw/mlm/signup.htm>.

As always, we want to hear your advocacy stories. To share your stories or photos with us, simply email them directly to vfwac@vfw.org.