

VETS FOR FULL REPRESENTATION

JANUARY 2016 ISSUE

NO ONE LEFT BEHIND

It is Vets For Full Representation's goal that no veteran be left behind on obtaining maximum VA benefits. This issue is of the utmost importance. It does not matter if you have benefits that you are entitled to or if you do not receive them as a veteran. Sometimes veterans still face the issue of inadequate representation by the traditional representatives. Words such as these are still haunting veterans: Don't file, don't appeal, don't get the VA mad, you may be reduced. Sometimes VA claims are missed or not appealed. A salary employee does not have a financial interest in the outcome of any veteran's VA claim. Maybe having an interest in the outcome is a better solution for some veterans. After attorneys were allowed fees for veteran's claims on appeal, after 2008, instead of fixing the problem congress created new problems. Attorneys do not have incentives for claims which they cannot receive a fee. The conflict of interest and ethical dilemmas between the veteran and attorney are problematic as explained in much of the VFFR literature on the VFFR website, www.vets4fullrepresentation.com. Even if an attorney assists the veteran in filing new claims, the free assistance creates additional ethical dilemmas and conflicts of interest. It is not fair to you as a veteran. Traditional free representation is the best option when a veteran is confident that the representation will be as good as hiring an attorney. Be sure to read the different writings on the VFFR website to become more knowledgeable. Contact your legislators concerning VFFR. If you have any questions call Vets For Full Representation at Veterans Crossing 740-989-2015 or 844-638-8606.

VFFR President, David Huffman, on behalf of the VFFR Board of Directors and the Executive Director, Sheri Jarvis, wish all VFFR members, family and friends a very Merry Christmas and a Happy New Year. There is nothing more joyful than enjoying a Merry Christmas. There is nothing more precious than giving to others a part of what was given to us during our lives. Hopefully that is what our children and grandchildren will learn from Christmas. The joy of giving rather than just the joy of receiving. It all started when Jesus was born to give his life for us. There was no greater gift.

Phone number: 844-638-8606 or
740-989-2015
www.vets4fullrepresentation.com
vffr@veteranscrossing.com

SPECIAL POINTS OF INTEREST:

- ◆ Watch your mail for your VFFR re-newals
- ◆ If you have a change of address please contact us.
- ◆ VFFR website is being updated.

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THE BROKEN SHIELD
BY: JIM LOHR (WW II VETERAN)
CONTINUED FROM THE OCTOBER ISSUE

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While all of this was happening, the first of the story in the October issue, this part of the story is what James Lohr was involved in beginning the day before, on April 5, 1945.

My post was just inside the ship in the bow section. Outside the ship on the forecastle was a quad 40mm gun, with pointers. These men sat in a small metal seat, in front of them are two round metal wheels like small steering wheels. During the battle of Okinawa our ship had been in some rough seas and one of the 1/2 inch armor steel gun shields had been bent placing the shield in a position so as to impede the operator from sitting in the seat. The ship had retired to a refueling area and I along with another ship fitter was given an order to go to the forecastle and remove the shield and brace. We removed them all in one piece. We did this early in the morning and proceeded to get everything ready in the ship to start the forge up to heat the brace with the shield left intact. By the time we talked about how we were going to do the repair it was just about noon chow time. After our noon chow we headed back to our job.

We finally got the forge burning. This forge was fired with what was called bunker oil, or what they ran or fired the ship's fore room with, engine steam to be exact. We used compressed air which was piped to our ship along with the coal black oil. We didn't have a hood with exhaust ventilation, imagine what it was like with the smoke, fire and noise with no ear plugs. After we got the forge going we jockeyed the bent brace into position with the hot blow torch and began heating it up. After the metal was heated I used a 10 lb sledge hammer to pound out the bend in the metal. We started this about 12:30 p.m. and at around 3:30 p.m. we decided we had it the way we wanted and would return it to the gun mount. The fellow I was working with was senior to me in rank and he thought we should quit for the day and wait until the next day to return the shield to its proper place. Well, guess what, we didn't get the shield bolted back in place on that gun mount.

Let me read to you, from the ship's history book, what happened on that gun mount: The ship had traveled at a high rate of speed from sunset until early morning the next day back into the combat area where the Kamikazes had been hitting our ships. The ship's history says, "A few minutes later another Japanese suicide burst out of low clouds less than 4000 yards away and began diving at our bow from dead ahead. Our guns opened concentrated fire at a short range and poured repeated hits into him, but he came on in and finally crashed into the sea less than 50 feet off our starboard bow. The ensuing explosion splattered the flight deck and bridge with pieces of plane, pilot, shrapnel, oil and water. One officer and four men were wounded, one man fatally and miscellaneous superficial damage to the ship. "

On this day other things took place that in some way, somehow distracted our priorities and led me and the other guy, I was working with, away from returning the gun shield to the 40mm gun on the bow of the ship. As it turned out we went to General Quarters not knowing what was coming for our ship. We were all on alert with our steel helmet, our flash gear for fire protection, life belts and our K-bar knife, lying in the dark. Hot sweat running inside our flash goggles, just waiting. Within 10 to 15 minutes all hell broke loose with our guns firing. The smoke from the gun came into the small area where we were and it was becoming hard to breathe. With gun still firing, I said to the two guys with me, "He's coming all the way!" All of a sudden we were hit by the shock wave from the Japanese plane exploding. The gun stopped firing with the explosion. We just lay there in the dark. I couldn't hear anyone breathing, that is how silent it was. Then all of a sudden, Lt. Frank Cortese, the officer in charge of our repair group yelled, "Lohr take the men with you, there's a magazine on fire on the forecastle!" We all stood up facing each other in the dark except for a red battle light. No one spoke and I hadn't answered Lt. Cortese when he yelled at me. He yelled again, "Jim, God damn you, you better answer me!" I immediately yelled back, "Would you repeat sir?" We charged out the quick action door to the forecastle where the magazine was located behind the 40mm gun. But there was no fire. We became involved in catching a body of a sailor dangling over the side of the gun tub by two or three men holding him by his feet, head down his helmet still on. As we tried to get him on the deck he was really fighting and the reason his helmet was still on his head was because when the Japanese plane exploded a chunk of metal hit him while in a bent over position in the seat where me and my partner had not replaced the shield for that gun. The metal hit his helmet and penetrated the helmet turning the metal into his head. By that time a 1st class medic and chaplain were there at his side. I was on my knees helping hold on, and the medic whipped out a syringe. He looked at the chaplain. The chaplain shook his head, yes, and the medic plunged the needle into the left of his chest. He broke out another syringe and the chaplain nodded yes and the medic shoved another needle into his chest. Was this to finish killing him? I don't know, but it did something to me. It comes and goes in my mind, in my thinking. Would he not have been killed if I had insisted we put that shield back on that gun before going back into a kill or be killed war?



VFFR's Legislative Action Center

VFFR has a new section on its website called the Legislative Action Center that allows you (as a veteran or a supporter of veterans) to follow national and state legislation that may be of interest to veterans and their supporters. This new section not only allows you to follow federal and state legislation, but to contact your federal and state elected officials informing them of your support or opposition to pending legislation.

The Legislative Action Center also includes a letter to indicate your support for legislation that puts “start to finish representation” in veteran’s hands rather than in the hands of veterans organizations and/or attorneys from start to finish; For free or for fee needs to stand on its own merits, rather than being legislatively imposed at the expense of your VA claims as a veteran.

The ability to contact both your federal and state elected officials allows veterans & supporters of veterans to comment & provide their own stories of any inadequate representation or lack of representation to their elected officials.

VFFR will be following national and some state legislation on your behalf to bring these issues to your attention as a veteran or supporter of veterans.

There are many bills involving veterans that may be of interest to you; such as:

HR:4087 Fair Treatment for Families of Veterans Act

Which would change the effective date for discontinuing benefits when a surviving spouse of a service member dies or remarries from the last day of the month before their marriage or death to the last day of the month, allowing them to receive their monthly benefits for the month they got married or died in.

When VFFR brings a bill to your attention you will have the opportunity to inform your elected officials of your support or opposition to a bill as a veteran or supporter of veterans through our Legislative Action Center.

The VFFR Legislative Action Center can be selected from the menu on the VFFR homepage; it is between the Home button and the Newsletter button on the left side of the screen.

The main page of the Legislative Action Center will have a summary of current issues affecting veterans, a section on key bills congress is working on, a section on state legislation that you may be interested in, as well as, a section to find your elected officials. One of the more interesting features is the ability to contact Media and create Letters to the Editor just like you can for your elected officials. You can find how your officials voted on legislation from the Votes page link which is located at the top of the page.

Visit the VFFR homepage at www.vets4fullrepresentation.com and checkout our Legislative Action Center.

**MEMBERSHIPS CAN
MAKE A DIFFERENCE.
ADDING YOUR VOICE
TO OUR CAUSE WILL
HELP OUR FIGHT TO
SECURE FAIR
TREATMENT FOR
VETERANS SEEKING
THE RIGHTFUL &
DESERVED BENEFITS
PROMISED TO THEM
FOR SERVICE-
RELATED
DISABILITIES.**

TIPS ON CHOOSING A REPRESENTATIVE

The VFFR website has on it numerous considerations in choosing a veteran's representative for free or for hire. The website provides questions to ask your attorney or non-attorney representative. Go to the website, click on "Choosing a Veteran's Representative" left hand side, scroll down click on "Questions to ask your VA attorney or accredited representative (PDF)" or "Questions to ask representatives from veterans organizations (PDF)".

It's good to start with the concept "With everything being equal, free is always better." Free is not better if the representative doesn't have the emotional investment, resources or skills to cover your back. Financial interest in the outcome might have something to do with it, which could be a problem with salary employees and/or volunteers. What's important for you to know is that most attorneys are not interested in claims that are not on appeal. That includes claims that are re-open on new and material evidence or worsening condition. It includes some clear and unmistakable error claims, it includes new claims that are primary or secondary to other claims, it includes 11-51 claims that occurred as a result of VA carelessness. To complicate matters when you have an attorney for claims that are not on appeal, the attorney may not be interested in the claims not on appeal because the attorney cannot obtain a fee for those claims that are not on appeal. Nevertheless, an attorney can charge a consultation fee for those new claims giving you a disincentive to talk to the attorney about those new claims. After you receive advice the attorney may tell you to come back later when those new claims are on appeal, even if the attorney represents you for other claims that are on appeal. If you only have new or re-opened claims, in most cases, you won't be able to obtain an attorney until your claim is on appeal. You will need to see a traditional representative. Some of them are very good while others don't have the skills, resources or attitude to cover your back. It's up to you to look for the best representative for you.

There are various veteran's organizations that do VA claims work, there are state representatives in most states that do VA claims that work as well. The problem that you may run into is that some of the representatives may not talk to you when you have an attorney. Even when your attorney is not assisting you on your new claims. One reason is because the VA gets easily confused. Sometimes you may have multiple claims on multiple paths. In these circumstances if you have an attorney for assistance with the filing your new claims new issues may occur as your health declines while your new claims on appeal or pending. There are conflicts of interest between you and your attorney as a veteran between assisting you or your new claims and your claims on appeal. Even when your good Samaritan attorney assists you with your claims there is additional conflicts of interest and ethical dilemmas that you need to know about. The attorney may not assist you as hard in obtaining a medical or psychiatric opinion until your claim is on appeal because it is not in his financial interest to work hard on your behalf, until your claim is actually on appeal. Beware of the good Samaritan attorneys motive. The attorney by assisting you, a little before an appeal, may be investing in a larger fee after an appeal. If his willingness to represent you fully is limited, it is up to you to be armed with knowledge as you seek or change representatives. If an attorney assists you on a new claim that is not on appeal, make sure the attorney tells you up front that his representation is limited until your new claims are on appeal. That way you and your attorney are speaking to each other honestly and at arms length with you being aware of the situation.

CURRENT EVENTS

On October 4th Vets For Full Representation held a bingo, at Veterans Crossing, as a fund raiser. It was a fun evening. Approximately \$600.00 was raised for VFFR.

On November 11th Veterans Crossing, firebase for VFFR, provided a free lunch from 12-4 for Veterans and their families. Veterans Crossing provided chicken, ham, vegetables and other food items for the veterans as a thank you for their service on Veteran's Day. Many veterans and members of their family rang the bell for freedom at Veterans Crossing and were also informed about Vets For Full Representation.

On November 30th another bingo was sponsored by Bankers Life, which talked about Humana insurance for a Medicare supplement. Humana provides free insurance premium payments to veterans as a supplemental insurance. Prescriptions are not covered. This particular plan is good for veterans who use a civilian doctor as their primary care and then receive their prescriptions thru the VA. This may be a plan for VFFR members that receive Medicare to consider for next year. For more information on this contact Ben Hupp 304-420-2414.

On December 5th Veterans Crossing took part in Barlow Area Christmas in the Village. There were 10 vendors that participated in selling Christmas gifts. Many gifts were hand crafted. It was a fun day. Vets For Full Representation received \$57.65 in donations.

VETS FOR FULL REPRESENTATION

A Constitutional Right

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