



# Communicator

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## President's Message

(Solano CVSO Ted Puntillo, President)

### Greeting Everyone:

This month, I would like to change the President's Letter and make it more informational and I have selected the topic of "Burn Pits—the New Agent Orange" for the more recent veterans.

So here it goes.....As you may already know, it is highly advisable to file claims for disabilities related to exposure to toxins from burn pits in the Iraq, Afghanistan and Horn of Africa (OEF/OIF AOR). In order to do this, veterans would need a currently diagnosed disability, and ideally a medical opinion linking the current disability to the exposure. Absent a nexus opinion, we still recommend filing a claim based on prior precedent established under the Nehmer decision related to Vietnam Veterans and Agent Orange presumptive disabilities." For those who haven't been around for a while, under the Nehmer decision, the VA was required to go back and re-adjudicate claims for AO presumptives that were previously denied due to the disability not being on the presumptive list. We had many Veterans get huge awards for ischemic heart disease, Parkinson years prior to it being added to the list of presumptives in 2010.

*PRESIDENT'S MESSAGE continued on Page 5*

## This Month's Featured County

**Marin County** /mə'rin/ is a county located in the San Francisco Bay Area of the U.S. state of California. As of the 2010 census, the population was 252,409. Its county seat is San Rafael. Marin County is included in the San Francisco-Oakland-Hayward, CA Metropolitan Statistical Area (San Francisco Bay Area) across the Golden Gate Bridge from San Francisco. Marin County is one of the wealthiest localities in the United States, known for its affluence. In May 2009, Marin County had the fifth highest income per capita in the United States at about \$91,480. The county is governed by the Marin County Board of Supervisors. The county is also well known for its natural environment and liberal politics.





# TIME & PLACE COMMITTEE

*(Kern County—CVSO Dick Taylor, Chair)*

## Dates & Locations of Upcoming Conferences



**October 8—13, 2017**  
*Marriott Convention Center  
Riverside, CA*



**February 25—March 2, 2018**  
*Holiday Inn Capitol Plaza, Sacramento, CA*



**June 2 — June 8, 2018**  
*Silver Legacy Hotel, Reno, NV*

# NewsLetter DEADLINE

***Last Thursday of the Month  
Unless Notified Otherwise!***



Department of  
Veterans Affairs

Office of Public Affairs  
Media Relations

Washington, DC 20420  
(202) 461-7600  
www.va.gov

# News Release

## VA Caregiver Support Program Resumes Full Operations

**WASHINGTON** – Today the Department of Veterans Affairs (VA) announced it is resuming full operations of the [Program of Comprehensive Assistance for Family Caregivers](#). The resumption follows an April 17 [decision](#) to temporarily suspend certain clinical revocations from the program to conduct a strategic review aimed at strengthening the program.

“VA has taken immediate steps to improve the program’s operations,” said VA Secretary David J. Shulkin. M.D. “Our top focus during the review has been to listen, evaluate and act swiftly to make changes that will better meet the needs of our Veterans and caregivers. This does not mean our work is done. We will continue to refine and improve this important program.”

VA’s three-month review indicated a need for better communication about clinical revocations, improved internal processes and procedures, and additional staff training.

Following the review, VA issued a new [directive](#) outlining staff responsibilities, Veteran and caregiver eligibility requirements, available benefits and procedures for revocations from the program.

VA also conducted mandatory staff training on the new directive and implemented standardized communications and outreach materials to educate Veterans and caregivers about the program.

Additionally, the VA will be formalizing additional ways to ensure that the experience of Veterans’ families, caregivers and survivors are understood and that, where needed, new, or additional, assistance is explored. The VA is committed to listening to the voices of those who care for Veterans of all eras and to collaborating to improve services, outreach and awareness.

The caregiver program website has also been redesigned, and now includes a section linking caregivers and Veterans of all ages to resources and home- and community-based services available through VA’s [Geriatrics and Extended Care](#) programs.

# LEGISLATIVE ADVOCATE REPORT

*(By Pete Conaty and Dana Nichol, Legislative Advocates)*

CACVSO

Communicator

Legislative Advocate's article

By Pete Conaty

The Legislature is currently on its Summer Recess until August 21. During this recess, legislators are in their District Offices. This is a great time to make an appointment to stop in and meet with your local legislator(s). Educate them on what your CVSO office does for the veterans in your county. You can also provide flyers, pamphlets, outreach info with them that they can make available to their constituents who are veterans.

The legislative year will move quickly after August 21. The legislative year will be over on September 15 and the Governor will have until October 15 to sign or veto all the bills the Legislature sends to him.

I have included a list of the top bills the CACVSO is in support of or closely monitoring.

## **SB 725-Jackson; pretrial diversion**

One of the top veterans bills for this year is currently in the Governor's desk. SB 725 by Senator Hannah-Beth Jackson (D-Santa Barbara) will clear the record of a servicemember with a service connected mental health condition (PTSD, TBI, etc) who was charged with a DUI, if they complete court ordered treatment. The goal is to get these men and women into treatment and cured of their underlying problem without ruining their military career.

The main sponsor of this bill is the California Veterans Legal Task Force (CVLTF). On behalf of all of my veterans organization clients, I worked extensively with the CVLTF and Senator Jackson to get this bill through the Legislature. SB 725 is the latest bill in a multi-year series of complex legislation seeking to assist veterans who become involved in the criminal justice system as a result of mental health conditions they incurred as a result of their military service. To learn more about the CVLTF: <http://www.cvltf.org/>



# California Association of County Veterans Service Officers

## IMPORTANT LEGISLATION

JULY 28, 2017

- AB 153      **AUTHOR:**      Chavez [R]  
**TITLE:**              Military Fraud; Stolen Valor  
**SUMMARY:** Requires certain elected officers to forfeit their office upon the conviction of a crime pursuant to the federal Stolen Valor Act or the California Stolen Valor Act that involves a fraudulent claim, made with the intent to obtain money, property, or other tangible benefit, that the person is a veteran or a member of the Armed Forces.  
**Position:**              Support
- AB 242      **AUTHOR:**      Arambula [D]  
**TITLE:**              Coroners Reports: Veterans: Suicide  
**SUMMARY:** Requires a final report of an autopsy to indicate if the deceased person was a member of specified branches of the military, either at the time or prior to death. Provides for such data to be made available to the State Department of Public Health and requires a report.  
**Position:**              Support
- AB 296      **AUTHOR:**      Cervantes [D]  
**TITLE:**              Task Force: Health of Women Veterans  
**SUMMARY:** Require the department to create a task force to study the health of California women veterans comprised of members with specified qualifications. Would require the task force to study the health care needs of women veterans in the state. Would require the task force to submit 2 reports to the Governor and the Legislature that includes the task force's findings and recommendations.  
**Position:**              Support if amended
- AB 386      **AUTHOR:**      Gonzalez [D]  
**TITLE:**              Legal Services for Deported Veterans  
**SUMMARY:** Subject to the availability of funding in the annual Budget Act, require the department to contract with a qualified nonprofit legal services organization to provide legal services to deported veterans. Would also authorize the department to include postconviction relief services to deported veterans in the contract. Would establish the Veteran Reentry Assistance Fund, a continuously appropriated fund, to accept donations from private foundations and other philanthropic entities.  
**Position:**              Support
- AB 665      **AUTHOR:**      Levine [D]  
**TITLE:**              Military Personnel: Veterans: Resentencing  
**SUMMARY:** This bill would prohibit resentencing under these provisions from resulting in the imposition of a term longer than the original sentence. The bill would also require a person who is resentenced pursuant to these provisions to be given credit for time served.  
**Position:**              Support

## *Burn Pits are the “New Agent Orange” for cancer-stricken veterans, California Marine Says*

By [David Whiting](#)



The last casualties of war die at home, yet that is when we look away. No more; and certainly not when we're talking about war deaths connected to the burn pits of Iraq and Afghanistan. A decade ago, Marine Sgt. Brian Alvarado patrolled and supervised burn pits in Iraq, getting rid of everything from plastics and metals to chemicals and human waste. Today, he consumes food through a stomach tube, a side-effect of the diseases that have ravaged his body.

There are, by some estimates, tens of thousands of men and women in uniform who either suffer in the same way or worked the same detail and fear a similar future. These warriors deserve more than they're getting now — more government accountability, rigorous science, accessible treatment.

Veterans of the 1990 Gulf War and beyond call the open air burn pits of our Middle East wars their generation's version of Agent Orange, and they make no exaggeration. The U.S. Department of Veterans Affairs listed 110,989 veterans and service members in its latest burn pits registry.

Yet the statistics and cries from veterans have had all the impact of unexploded ordnance — which the burn pits also consumed. Just as the U.S. Department of Veterans Affairs took years to acknowledge the lethal effects of Agent Orange, the V.A. is once again slow in assessing — or admitting — the long-term impact of the burn pits.

“At this time,” V.A. documents insist, “research does not show evidence of long-term health problems from exposure to burn pits.” By the agency's own account, the pits were built to get rid of anything that the military needed to disappear, regardless of how the process affected human health.

There also is this troublesome nugget from a report on a burn pits study conducted by the National Academies of Science, Engineering, Medicine:

“Because of the carcinogenic nature of many of the chemicals potentially associated with burn pit emissions, it is prudent to continue investigations of cancer end points and other health outcomes that have long latency in exposed military populations.”

### **Flip flop studies**

At a recent event to honor a Medal of Honor recipient, Alvarado stands with his wife, Rocio, and their 10-year-old daughter, Rhiana. But he stays in the shadows to avoid the sun; his skin is fragile and gauze covers the hole in his throat that allows him to breathe.

The Marine's immune system no longer functions properly. After a series of diseases — some diagnosed, some mysterious — the only nourishment the three-stripe sergeant gets is with the plastic tube stuck in his abdomen. Back when the 5-foot-9 Marine served two tours of duty in Iraq, he was a lean 146 pounds. Today, he can't get his weight above 116 pounds.

He's so frail and emaciated that approaching him feels like an intrusion.

During a recent meet-up at a Spires restaurant near the Alvarado's home live in Long Beach, the Marine can only stare at a big plate of crispy fries ordered by another veteran.

Alvarado gets up and returns with a small bag, opens it and lays out his lunch on the Formica table. There is a can of milk and protein made by Nestle called “Isosource.” There also is a packet of “Real Food Blend” with orange chicken, carrots and brown rice.

The packet is orange with glossy photos of grilled chicken, fresh carrots and rice. But it's a cruel bit of misdirection. Alvarado doesn't expect to taste food again.

A study by the V.A.'s Public Health Department hints at what has become of Alvarado and other veterans. In it, the agency admits that short-term burn pit effects "may result in burning, dry or tearing eyes, nasal congestion, sneezing, sore throat, cough, etc."

The study also goes on to acknowledge "service members with pre-existing asthma or a natural tendency for asthma, chronic lung problems, or allergies may have respiratory symptoms for a longer period of time."

It even states, "Some of these individuals may still have symptoms years after leaving the theater."

But when it comes to long-term problems for veterans without previous chronic lung problems, the study flip-flops.

Some of the conclusions are bold, deeply disturbing and clear: "Exposures to high levels of specific, individual chemicals that may be present in burn pit smoke have been shown to cause long-term effects on the skin, respiratory system, eyes, liver, kidneys, central nervous system, cardiovascular system, reproductive system, peripheral nervous system, and gastrointestinal tract in some cases."

But then the study melts into bureaucratic, no doubt cost-efficient muck:

"Currently, there is not enough medical or scientific information (to know the) potential for long-term health effects."

### **Early deaths**

It has been a decade since Alvarado left Iraq and yet the war has never left him.

A year after he departed Iraq, in 2007, the Marine was diagnosed with throat cancer. Radiation took away his vocal chords, reducing his speech to a soft, buzzy whisper. Most of what he says is indistinguishable to everyone but his wife and daughter.

That was the beginning. Over the next several years, it was one malady after the next; one surgery after another.

The latest attack on his body is an untreatable rash that starts on Alvarado's face and covers his chest. It is called Dermatomyositis and it also weakens muscles.

It usually only affects adults in their late 40s to early 60s.

Yet Alvarado, doesn't complain. Not for a second. Marines don't cry for themselves. If they cry at all it's for others. And Alvarado talks about the burn pits only because he and other Iraq and Afghanistan veterans believe that their country has abandoned them, not out of self-pity.

The only people who know how much Alvarado suffers are his wife and daughter. And even they can only guess at the truth depths of his pain.

"I've learned you don't push too much," says Rocio of uncovering details of what happened at the burn pits in Iraq and how her husband feels today. She knows he appeared in excellent health immediately after his second deployment, that the couple found jobs, married, had a child. Their future looked perfect.

Then her Marine got a sore throat.

According to an online registry called BurnPits360, Alvarado's hell is shared by many.

In 2008, Army Sgt. Steven Ochs died from leukemia after burn pit exposure; he left a daughter. In 2009, Army Sgt. Danielle Nienajadlo died of leukemia; she left behind three sons. Also in 2009, Air Force Major Kevin Wilkins lost his life to burn pit exposure; the 51-year-old left three children.

The online list goes on. It includes Army Sgt. Amanda Downing, a 24-year-old with adrenal cancer. And it names a recent casualty, retired Army Sgt. Frederick Slape, father of three children.

BurnPit360's advisory board includes retired Col. David Sutherland, retired Lt. Col. Gregg Deeb, a doctor, a lawyer and an epidemiologist. Their mission is to speak for the men and women who no longer have a voice.

## **Fighting for others**

Rocio Alvarado worries that effects from the burn pits could be passed along to her daughter who was conceived shortly after her husband returned from Iraq.

She says Rhianna has ADHD as well as symptoms of Asperger's. Are they caused by the burn pits?

After years of battles with the V.A., struggles with doctors, stares from strangers — leaving behind much of what approaches a healthy life — the couple look ahead and sees both bleakness and hope.

The veteran now receives full disability, and Rocio cares for him full-time. And the veteran remains determined to win the battle, keeping optimism alive even as his body appears to be losing.

But as far as the couple is concerned, that is only part of their war.

“We have to fight for the veterans. If we don't speak up some of them will give up,” says Rocio as she recalls a 27-year-old burn pit veteran who recently died.

“At least give them the proper care because they're here one day and gone the next.”

As the festivities begin for the Medal of Honor recipient, a woman sings the Star-Spangled Banner and several hundred Marines salute. Alvarado manages to stand tall, hand cocked firm at his brow.

At this moment, Alvarado is with his blood brothers and all is right with the world. If he was called back to duty — even in his current state — the Marine wouldn't hesitate to re-up.



The Santa Clara County Veteran Services Office  
is delighted to announce that we are hiring:

## ***Veteran Services Representatives***

Applications will be accepted through 08/21/17.

Thank you in advance for your interest.

<https://www.governmentjobs.com/careers/santaclara/jobs/1801861/veteran-services-representative-i?keywords=veteran%20services&pagetype=jobOpportunitiesJobs>

AB 737      **AUTHOR:**            Baker [R]  
**TITLE:**                    California Vietnam Veterans Memorial  
**SUMMARY:** Extends provisions relating to the listing of names on the California Vietnam Veterans Memorial and the existence and operation of the a specified committee. Provides  
for the establishment of an In-Memory plaque to honor those veterans who died as a result of subsequent illness or injury, including physical or mental injury, that can reasonably be presumed to have resulted from military service during the Vietnam War.  
**Position:**                Support

AB 1249      **AUTHOR:**            Gray [D]  
**TITLE:**                    Property Taxation: Exemptions: Veterans  
**SUMMARY:** Provides that the veterans' organization exemption shall not be denied to a property on the basis that the property is used for fraternal, lodge, or social club purposes to any portion of a property that consists of a bar where alcoholic beverages are served.  
**Position:**                Support

SB 339      **AUTHOR:**            Roth [D]  
**TITLE:**                    Veterans Treatment Courts: Judicial Council Assessment  
**SUMMARY:** Requires the Judicial Council to report to the Legislature on a study of veterans and veterans treatment courts that includes a statewide assessment of veterans treatment courts currently in operation and a survey of counties that do not operate such courts. Creates the Veterans Court Assessment Fund.  
**Position:**                Support

SB 694      **AUTHOR:**            Newman [D]  
**TITLE:**                    Community Colleges: Veteran Resource Centers  
**SUMMARY:** Require the California Community Colleges to ensure that each of its campuses provides a dedicated on-campus Veteran Resource Center that offers services to help student veterans transition successfully from military life to educational success through the core components of academics, wellness, and camaraderie. Establishes hour, space, service, and staffing requirements for Veteran Resource Centers.  
**Position:**                Support

SB 725      **AUTHOR:**            Jackson [D]  
**TITLE:**                    Veterans: Pretrial Diversion  
**SUMMARY:** Specifies that a misdemeanor offense for which a defendant may be placed in a pretrial diversion program includes a misdemeanor violation of driving under the influence.  
**Position:**                Support

SB 776      **AUTHOR:**            Newman [D]  
**TITLE:**                    Corrections: Veterans Benefits  
**SUMMARY:** Requires the Department of Corrections and Rehabilitation to provide one employee, other than a correctional officer or other custodial employee, for every 5 state prisons who is trained and accredited by the California Department of Veterans Affairs to assist incarcerated veterans in applying for and receiving any federal veterans benefits for which they may be eligible.  
**Position:**                Support

◇ **TO ACCESS THE LEGISLATURE’S WEBSITE WHICH HAS THE LANGUAGE, STATUS, VOTES, AND ANALYSES OF ALL LEGISLATION FROM 1999 TO THE PRESENT, GO TO:**    <https://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>

◇ If you have any questions, please contact:

Scott Holwell, Chair, CACVSO Legislative Committee    [scott.holwell@co.kings.ca.us](mailto:scott.holwell@co.kings.ca.us)



**Statement by VA Secretary David J. Shulkin**  
**Congressional Approval**  
**of VA Choice Funding Legislation**

Congress took an important step last night in helping the VA to continue to build an integrated system that allows Veterans to receive the best healthcare possible, whether from VA or the private sector. The \$2.1B in Choice funding ensures there will be no disruptions to quality care for our Veterans. Our Veterans have earned and deserve the best care possible and we will keep raising that bar with the help and support of our Congressional leaders.



**Veterans Choice  
Program**

# DATES OF INTEREST



## JULY 2017

- 4 Independence Day
- 23 Parent's Day

## AUGUST 2017

- 6 Friendship Day
- 7 Purple Heart Day
- 19 National Aviation Day
- 21 Senior Citizens Day
- 26 Women's Equality Day



**Freedom isn't Free**



**Support Our Troops**

