

**THE AMERICAN
VETERANS AND
SERVICEMEMBERS
SURVIVAL GUIDE**

For American veterans, servicemembers and their families

**THE AMERICAN
VETERANS AND
SERVICEMEMBERS
SURVIVAL
GUIDE**



HOW TO CUT THROUGH THE
BUREAUCRACY AND GET WHAT YOU
NEED— AND ARE ENTITLED TO

By Veterans for America

With a foreword by Bobby Muller

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A Note to Our Readers

One key feature of this book is one you already know. You're reading the book on your computer screen. Two of the authors of this book were among the authors of a 1985 national bestseller, *The Viet Vet Survival Guide*. The earlier book was published on paper, in the traditional manner. This book is an e-book, published on the Web site of its sponsor, Veterans for America (VFA). Publishing online allows for updating as needed, not just when a new edition might come out in a matter of years. Further, VFA can publish additional chapters as needed. Publishing online also enables VFA to provide the book not in bookstores at a substantial price, but rather without charge to those who have served their country and to their family members and friends.

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Project Management

Craig Kubey has co-managed the project, editing all material in the book (occasionally after David Addlestone has done a preliminary edit), prompting collaborators, co-authoring the introduction, writing other "front matter," and co-authoring the "Basic Survival Skills" chapter.

David F. Addlestone has co-managed the project, recruiting and later following up with the experts who have become our collaborators; writing the chapters on veterans in the criminal justice system and on correcting military records; co-authoring the subchapter on PTSD and the chapter on the Uniform Code of Military Justice; and outlining the book.

Foreword

By Robert Muller
President
Veterans for America

I spent a year in the Kingsbridge Veterans Administration hospital, located in New York City, learning how to live life as a paraplegic confined to a wheelchair. I had been shot in Vietnam, where I served as a Marine infantry officer.

My ward was the focus of a cover story in *Life* magazine which portrayed the conditions within the veterans hospital as a “medical slum.” We had a lot of national media attention, congressional hearings, and a lot of promises. The despair, lack of proper care, and general indifference from the hospital and the Veterans Administration finally became too much for my closest friend to take. He committed suicide, as did several of the other vets I knew. They had been beaten down by a bureaucracy that didn’t respond to their needs, and they were too overwhelmed to battle on.

I knew then that if I didn’t fight the “system,” it would eventually overwhelm me. So I began to fight back for myself and for others who needed a voice and an advocate. I’m still fighting for basic justice to this day.

It’s a hard and bitter lesson that all too often, despite honorable service and real sacrifices, one has to fight the military itself or the Department of Veterans Affairs (the successor to the Veterans Administration), the two largest agencies in our government, to get earned and needed benefits and services.

After leaving the hospital, I went to law school, because I was convinced that I was simply too uneducated as to my rights and entitlements as a combat casualty from America's war.

What I discovered is that there is a lot to learn about the law, both in substance and procedure. In my subsequent work assisting military personnel, veterans, and their family members, I came to appreciate the benefit of having been trained in legal work and the need to relentlessly "work" the system. It was amazing what you could do if properly informed and had competent counsel. I also became aware of how many deserving people were denied assistance for failure to properly pursue their entitlements, due to either their own mistakes or those of inadequately trained veterans service representatives (with crushing caseloads) from veterans organizations or from various state and county offices whose job it was to assist them.

Years later, when I founded a national veterans service organization (Vietnam Veterans of America), I insisted that all the claims work we did on behalf of veterans was overseen by an attorney. We also led the fight to allow veterans to have attorneys represent them and to have access to a court of law to appeal agency decisions.

Good information is critical to accessing the programs and benefits that are available to active military, guard, reservists, veterans, and their family members. That's why we have put together this "Survival Guide." It is a current and very useful guide to what you are entitled to and how to get it. We can provide you with this basic information. You have to provide the time and energy to go after these services and benefits. I've seen far too many people give up on confronting the challenges these mammoth agencies put up. We hope that with this guide you'll be better informed and better able to prevail in the quest for justice.

Bobby Muller is the founder and President of Veterans for America, which is sponsoring this book. After graduating from Hofstra University in 1968, he served in combat in Vietnam with the Marines. As a lieutenant, he was a combat infantry officer. In April 1969, Muller was leading an assault when a bullet severed his spinal cord and left him paralyzed from the chest down.

His service in Vietnam and his injury changed his life forever. During rehabilitation at the VA hospital in the Bronx, Muller experienced first-hand the neglect, frustration, and inadequate care faced by numerous Vietnam veterans. In the aftermath of this experience, he began fighting for fair treatment for Vietnam veterans by enrolling in law school at Hofstra. Later he served as le-

gal counsel for the Eastern Paralyzed Veterans Association. In 1978 he founded Vietnam Veterans of America. In 1980 he founded the Vietnam Veterans of American Foundation, which later was renamed Veterans for America.

In 1991, Muller co-founded the International Campaign to Ban Landmines, which received the Nobel Peace Prize in 1997.

For Muller's full VFA biography, please visit www.veteransforamerica.org/about/who-we-are/bobby-muller/

Introduction

There are nearly 24 million American military veterans and approximately 1.5 million active-duty servicemembers. An additional 650,000 men and women voluntarily serve in the various state national guards and the services' active reserve components, and are therefore subject to call-up to active duty. Thousands of others have had their active-duty commitments involuntarily extended or been recalled from the Individual (inactive) Ready Reserve after serving their obligated enlistments. Nearly 1.7 million servicemembers have served in the Southwest Asia theater (especially Iraq and Afghanistan). Veterans and their families account for nearly one-third of the population of the United States.

The wars in Iraq and Afghanistan are increasingly costly in deaths, wounds and illnesses. Recent statistics show a military death count of more than 4,500. Those who have been wounded, been injured or become ill exceed 75,000. Some 320,000 (20 percent of troops deployed) already have suffered a traumatic brain injury (TBI). Some 300,000 (18 percent of troops deployed) already have suffered from Post-Traumatic Stress Disorder (PTSD).

For 300 million Americans, World War II ended in 1945, the Vietnam War ended in 1975 and other wars ended in various other years over the long history of our country. One day, Americans will believe that the wars in Iraq and Afghanistan ended in a particular year.

But for a large fraction of the men and women who served in past wars and who serve today, the wars are not over. Many, many veterans carry with them the physical scars of battle or the psychological trauma of witnessing disturbing acts, mostly in combat. Many will never fully heal.

Servicemembers and veterans who are serving or have served in the current wars have special problems not recognized in earlier conflicts. Many have been killed or injured by new types of improvised explosive devices (IEDs, usually roadside bombs). Others have been killed or injured by suicide bombers.

They often have been inadequately equipped. The situation became so absurd that often family members of servicemembers felt forced to purchase and ship them the body armor the military was not providing. Still, servicemembers often had to drive Humvees without adequate armor plating. Many have been asked to do jobs for which they have not been adequately trained.

Many in the “regular” military and the National Guard and Reserves have had their tours extended or been called back for a second, third or even fourth tour. Each deployment, of course, increases the servicemember’s exposure to death, injury, disease and family stress. (55 percent of servicemembers are married; more than 100,000 women and more than 16,000 single parents have served in the current wars.)

Although it is the veterans and servicemembers of Iraq and Afghanistan who today hold the headlines, compelling problems remain for veterans of every era. Things have pretty well settled down for the “Class of ‘46,” the veterans of World War II, most of whom were discharged one year after the end of the war. And, sadly, most veterans of that war have now died of old age or other causes. (A veteran who was 20 in 1946 is 81 today—if he or she has survived.) According to VA statistics, of 16,112,566 who served in World War II, only 3,242,000 survive. (All statistics of this type are for those who served anywhere during the war; it does not mean that a particular member of the military served in a particular country or in combat. For the Vietnam Era, for instance, only about one in three who served in the military was stationed in Vietnam.)

For the Korean War, 5,720,000 served and 3,086,400 are still living. For the Vietnam War, those who served total 8,744,000 and those surviving are 7,286,500. Those serving in the first Gulf War (Desert Shield and Desert Storm) numbered 2,322,000 and those still living are 2,260,000.

So Vietnam Era vets are still very much around. They are the largest group since Korea. And their problems (and this is not to minimize those problems of any other era of veterans) have been devastating. Many continue to suffer from the often disabling and disfiguring injuries of combat, from the physical ravages of the herbicide known as Agent Orange and from the psychological damage known as Post-Traumatic Stress Disorder (PTSD). More than 59,000

died during the war or from injuries sustained there. More than 153,000 were wounded.

As two of the authors of this book noted in a late-1980s court brief, Viet Vets (those who served in-country):

- Fought in jungles against a native revolutionary army. Success was measured not by territorial conquest but by body count.
- Unlike in other wars, went to the war zone individually and came home individually. Most Viet Vets were therefore forced to deal with stress by themselves.
- Felt to a greater degree than other Vietnam Era Vets the impact of serving during a war opposed by most of their fellow citizens: those who served in Vietnam were seen as bearing a special responsibility for the war.
- Served in a war that by many measures the United States lost. (This was despite the fact that the U. S. won nearly every battle.) The returning Viet Vet was met not by victory parades but by condemnation or apathy.

The approximately 1.5 million veterans of Iraq and Afghanistan have had characteristics and experiences that are both the same as and different from those of their brothers and sisters from Vietnam. The average combat soldier is 26 (in Vietnam he or she was 19, in World War II also 26). More than at any time except World War II, troops have been called up, from the National Guard and the Reserve and also from the Individual Ready Reserve. This means many soldiers have been jerked out of fairly stable lives, and often more than once. In particular, it means many have been taken from jobs that they will want to regain after discharge. Among those called up, professionals and small business owners have been particularly likely to suffer financial disaster.

One similarity between the Vietnam War and the war in Iraq is that both eventually became highly unpopular in the United States. But another difference is the greater popularity of those who have fought in the current wars. Viet Vets still suffer from having not only fought in an unpopular war but having been to a considerable extent blamed for it. Some of the authors of this book have noted a repeat of veterans problems seen 35 years ago. For example, there have been large numbers of bad discharges as well as an inadequate or careless administration of veterans educational benefits.

On the good side, military and veterans medicine is much improved. Just as Viet Vets were evacuated to field hospitals dramatically faster than had been the case in World War II (or Korea), evacuations in Iraq and Afghanistan have

been accomplished with even greater speed. Once wounds are stabilized, many servicemembers are rushed to U. S. military facilities in Germany for state-of-the-art care. Those needing it also receive improved medical care in the U. S. More than one-third of Iraq and Afghanistan vets have already sought medical care since returning to the U. S.

Once home, servicemembers with medical problems find new difficulties that bring their own trauma. Treatment facilities are limited, especially for TBI (traumatic brain injury, the “signature wound” of the wars in Iraq and Afghanistan) and PTSD (Post-Traumatic Stress Disorder) and especially in areas where National Guard and Reserve troops live. Little is known about TBI, but public pressure has forced DoD and the VA to commit increased resources to it.

In addition, servicemembers awaiting the complex system of separation for medical reasons often have to wait far from home for four to ten months, often without family or organized military support. Disciplinary problems are common among these idle troops, often ending in a bad discharge or inadequate disability rating. The Department of Defense (DoD) has promised to fix these problems, but many doubt its resolve to invest the necessary funds.

Even in the medical improvements can be found problems of the most grave nature. Because medical care is often so fast and effective, many servicemembers are saved who would have died in any other U. S. war. That’s the good news and that’s also the bad news: thousands survive with injuries horrendous enough that in any previous war they would have been fatal. These include countless disfiguring head wounds. Many will be disabled for life and many will require care for life. Many of the people with severe disabilities have serious difficulty “transitioning” to life back in the United States.

A Contract With Servicemembers And Veterans

In Iraq, Afghanistan, Vietnam, World War II and other wars, the United States has taken men and women into military service and sent them to war. In so doing it took upon itself moral and legal obligations of the most serious nature. But the United States has not fulfilled its duties. It has breached its contract with the men and women who risked—and sometimes ruined—their lives in service to their country.

The federal government has responded to the needs of veterans primarily through the Department of Veterans Affairs (previously called the Veterans Administration, in both cases referred to as “the VA”).

Although the VA has always provided vast amounts of assistance to veterans and has even taken some innovative steps to deal with the distinct problems of the veterans of the current wars and Vietnam, respectively, it has not done enough. Many vets say VA assistance has been too little and too late. Too many VA staff members are insensitive to the special needs of certain vets. As of this writing, the VA has a claims backlog of some 600,000 and takes about 180 days to process claims. The VA has become known for inaction, extreme delay and regulations that even lawyers sometimes cannot understand.

For example, it takes approximately four months to process a simple claim for educational benefits leaving the vet to live off credit cards or loans from family. This is less than for more complicated claims, but it’s still far too long. In many instances over the past 15 years, Guard and Reservists were given inaccurate information about their eligibility for educational entitlements.

In addition to the federal Veterans Administration, there is a veterans department in almost every state. Among other things, the job of these departments is to assist veterans and their families with VA claims. State agencies vary in size, facilities and quality.

A New, Web-Based Guidebook

In 1985, Ballantine Books in New York published *The Viet Vet Survival Guide*, the only major guidebook ever dedicated to the interests of Vietnam Era veterans. The book became a national bestseller and received strong endorsements from the media, including “Dear Abby.” A veterans newsletter wrote, “If a Vietnam veteran only owns one book, this is the one he should have.”

No important guidebook has yet been published to assist the servicemembers and veterans of Iraq and Afghanistan. Into the void come two of the co-authors of *The Viet Vet Survival Guide*, along with approximately 30 other experts on issues regarding servicemembers and veterans.

As with the previous book, the new one is comprehensive and easy to read. Unlike the original, however, this one covers not just veterans but also servicemembers.

Also, instead of being exclusively for veterans of one era, the new book is for veterans (and, as stated, for servicemembers) of all periods. The book gives particular emphasis to servicemembers and veterans of Iraq and Afghanistan, while providing adequate information for vets of all other eras.

The American Servicemembers and Veterans Survival Guide describes in depth the problems of the vet and servicemember (and his or her family), the benefits and services available to him or her (and family) and the veterans and servicemembers issues that will be decided in the next several years. Most important, it helps the veteran and servicemember understand how various agencies work not just in theory but in practice and how he or she can cut through the bureaucracy and confusion and get the benefits and services to which he or she is entitled. The book therefore is a consumer guide for veterans and servicemembers.

We plan to publish 28 chapters. Topics include, among others, frequent call-ups from the Guard and Reserve, getting out of the military, the Department of Veterans Affairs, disability compensation, pensions, medical care, educational benefits, housing benefits, claims and appeals, discharge upgrading, the criminal justice system, employment, reemployment rights, benefits for family members, the special problems of women servicemembers and veterans and domestic relations issues.

One key new feature of the new book is one you know already. You're reading this introduction on your computer screen. The 1985 book was published on paper, in the traditional manner. This one is published on the Web site of our sponsor, Veterans for America. It allows for updating as needed, not just when a new edition might come out in a matter of years. Similarly, we can begin publishing this book not when a whole, long manuscript is in final form, but rather as soon as one or several chapters are ready. (Similarly, we can publish additional chapters as they become available.) Publishing online, rather than in the traditional manner, also enables us to provide the book not in bookstores at a substantial price, but rather without charge to those who have served their country and to their family members and friends.