



PDC Autrey B. James, p.5



PFA Exposure Benefits, p.8

WATCHDOG REPORT FINDS VA FAILED TO INFORM 87,000 VIETNAM VETERANS ABOUT AGENT ORANGE BENEFITS

By Rikki Almanza
Staff Writer

A report this summer from a government watchdog estimates that the VA has failed to inform up to 87,000 Vietnam War Veterans and their survivors that they may now

qualify for retroactive compensation benefits due to exposure to toxic herbicides like Agent Orange, according to Military.com.

This oversight could mean that Veterans and their families are missing out on more than \$844 million in benefits, exposing a significant gap in the VA's outreach efforts. Bart Stichman, co-founder of the National Veterans Legal Services Program, stressed the importance of ensuring that these Veterans receive the compensation they deserve.

"There are millions of dollars at stake that Vietnam Veterans and their survivors should be receiving," Stichman said.

This issue comes as the VA faces growing pressure due to the recently passed PACT Act, which



Vietnam Veterans salute during a 10th annual Vietnam Veterans Day Celebration hosted by the Vietnam Veterans of America Chapter 1067 (Photo: Lindsay Grant/ U.S. Army)

has expanded coverage for potentially six million more Veterans exposed to toxins from burn pits and other sources during the Vietnam, Persian Gulf, and post-9/11 wars. Linda Bilmes, a public policy professor at the Harvard Kennedy School, pointed out that the U.S. will soon

owe trillions of dollars in medical and disability compensation to Veterans. "We don't really understand the cost... We don't have a function that is keeping track of all of the accrued promised benefits the way we should," she said, despite pledging

support.

The VA's current financial challenges are significant, with the department facing a \$15 billion budget shortfall that could impact millions of Veterans' benefits as soon as October.

See WATCHDOG REPORT page 10

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Legion-Backed Bill Proposes Expanded Naloxone Access for Veterans and Caregivers

By Rikki Almanza
Staff Writer

A new bill backed by The American Legion, The Veterans Naloxone Access Expansion Act, was recently introduced by Rep. Anthony D'Esposito (R-N.Y.) to address opioid overdose concerns among Veterans. This legislation proposes a two-year pilot program within the VA to improve access to Naloxone, a life-saving opioid overdose reversal medication. Under the program, Veterans and their registered caregivers



Single dose injectable Naloxone (Photo: Intropin)

would have free access to Naloxone without a prescription.

Currently, the VA offers Naloxone at no cost, but a prescription is required, which Veterans must

request from their health-care provider. Registered caregivers are unable to access Naloxone through the VA, often having to obtain it through outside sources at their own expense. The American

Legion has noted these limitations as significant barriers to providing timely overdose intervention for Veterans and their caregivers, calling for policy changes to improve access.

PILOT PROGRAM DETAILS

The bill's pilot program would be available through VA pharmacies and medical facilities, simplifying Naloxone access for Veterans and caregivers.

See NALOXONE ACCESS page 5

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DEPARTMENT OF CALIFORNIA**

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From left are Maria Rersa Matthews (RTSC Founding Board Member), Bob Smith (Vietnam War Veteran & TAL 550 life-member), Elizabeth Hoffman (RTSC Executive Director), E. Paul Ball (WWII Veteran & TAL 550 life-member and RTSC home rehabilitation recipient) and Edie Parson (RTSC Board Member / Vallejo Community Presbyterian Church).

POST 550 DONATES TO REBUILDING TOGETHER SOLANO COUNTY

By Nestor Aliga
Post 603

Recently, The American Legion Mare Island Navy Yard Post 550 of Vallejo (TAL-550) presented a generous contribution to support Rebuilding Together Solano County

(RTSC)'s projects that benefit Veterans, low-income homeowners, and community facilities with: Free home repair and rehabilitation services; Weekly drive-thru food pantry at Vallejo Community Presbyterian Church; Install smoke and carbon

monoxide alarms; and Distribute Disaster Safe at Home Kits.

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Members of American Legion Palo Alto Post 375. (Photo: Post 375)

LEGIONNAIRES, STANFORD UNIVERSITY, AND COMMUNITY MEMBERS COME TOGETHER TO RESTORE HISTORIC LANDMARK

By **Christian Southards**
Associate Editor

After years in limbo, a Veterans landmark in Palo Alto is finally being restored after local Legionnaires, Stanford University, and members of the public and local government came together to find an amicable solution.

Palo Alto's Memorial Flagpole had stood for decades before it was severely damaged in 2020. To mitigate further damage, officials from Stanford University stored several memorial plaques on campus and erected a protective barrier.

Enter Legionnaires of Palo Alto Post 375, who have long been charged with maintaining the Memorial Flagpole.

In light of Stanford's protective measures, Post 375's ability to maintain the Memorial Flagpole — which marks the entrance to the Veterans Memorial

Building where the post regularly meets — was severely limited. After a lengthy back-and-forth between representatives of all parties, a decision was made at a Palo Alto Historic Resources Board meeting last April to restore the landmark and monitor Stanford's efforts.

Past Commander Jere Romano was present at the HRB meeting to show The American Legion's support for Post 375's efforts. Powell made Post 375's case that failing to restore the monument was a disservice to Veterans and the community at large. Then Palo Alto Mayor Lydia Kou agreed, encouraging restoration efforts.

Fast forward 17 months, and it has been announced that a fully restored Memorial Flagpole is set to be formally unveiled at a now-annual Veterans Day event this November jointly held between Post 375, Stanford University,

and the city of Palo Alto — itself an achievement for the community.

Post 375 Commander Ray Powell was proud of the Legion Post's role in having the Memorial Flagpole restored.

“This has been quite a journey for Post 375. We're a numerically smaller post, but we have worked to integrate with our local community and its civic leadership to maximize our impact. Over the past three years, we have worked closely with the City of Palo Alto, Stanford University, and other community organizations to become Palo Alto's most prolific veterans advocacy group. I'm so proud of our members and the difference we've been able to make.”

The California Legionnaire reached out to Stanford Director of Heritage Services and University Archaeologist Laura Jones,

who worked with Post 375 and the city throughout the process.

Jones noted that ARG Conservation Services is overseeing restoration efforts, and the firm has an extensive portfolio restoring Veterans' monuments, including monuments in Los Angeles National Cemetery and San Francisco National Cemetery. Jones added that the restoration team is reinforcing the underlying concrete and wooden structure that will support the plinth and plaques, and nearly all of the original materials have been saved and will be reinstalled. The only exception is the bottom frame of the plinth, which is being replaced with thicker metal in line with the landmark's historic appearance.

“It will be stronger than it was and less vulnerable.”

ARG Conservation Services expects the process to be finished in early

October, well before the joint Veterans Day event.

When asked about the significance of these restoration efforts, Post Commander Powell said, “in the end, this is a good-news story about the Legion and local leaders coming together and doing the right thing to restore an important monument for our veterans and our community.”

Powell also thanked Doria Summa, who helped Post 375 navigate the civil process to be heard at the Palo Alto HRB meeting. Summa, who is now running for Palo Alto City Council, was also happy to hear news of the Memorial Flagpole's impending restoration.

“I am delighted that the monument will once again be on public display. It is important that Palo Alto publicly recognize those who risked their lives to defend our freedoms.”

- IRVING BERLIN AND GOD BLESS AMERICA -

By Rick Pushies
Web Team Member

The veteran is Irving Berlin.

The patriotic song is “God Bless America.”



Irving Berlin was born in Siberia, Russia in 1888. The Berlin family was forced to leave their home when he was a young boy and they emigrated to America. After his family was processed through Ellis Island they settled in the Bowery section of lower Manhattan in New York City. As a young man Irving Berlin’s talent as a music composer soon began to surface. Berlin’s musical career began with the publishing of his first song, for which he received 33 cents! During his career Berlin wrote over 1,500 songs that earned him many millions.

In 1917 Irving Berlin was drafted into the United States Army for service during World War I. By then he was so famous that the headline of one New York paper read, “ARMY TAKES BERLIN”.

While serving at Camp Upton in Yaphank, Long Island, New York Irving Berlin was approached by his base commander about producing a show to help raise money for a community center on base. Irving accepted the challenge, then wrote, produced, and performed in the all-soldier musical review he named “Yip-Yip Yaphank.”



With a cast of 300 soldiers, the show was performed in a theater owned by Irving Berlin in New York City for eight weeks and raised over \$150,000 to help build the Camp Upton community center.

When writing the songs for the “Yip-Yip Yaphank” show, there was one song that Irving wrote but never included in the 1918 show. It was “God Bless America”, which was essentially a patriotic prayer. Although this was one of his most impressive songs, upon final review, he did not feel it fit the mood of the upbeat musical review. So, Sgt. Berlin tucked “God Bless America” away in his footlocker.

Twenty years later in 1938 Irving Berlin was an even more successful song writer and lyricist. America was in the depths of the great depression. A third of our nation was out of work. Soup kitchens and bread lines were common across the nation.

Kate Smith, who was a very popular singer and

radio show host in the 1930s approached her good friend Irving Berlin and asked him to write a patriotic song that America could rally around. Irving accepted the challenge and went to work right away. But things did not go well as he tried to write a patriotic song for his adopted country he had come to love so much. Then he remembered the song he wrote for the show “Yip-Yip Yaphank” in 1918 but never used. “God Bless America” has been hidden away in his old army footlocker for some 20 years.

After rewriting the lyrics and modifying the melody of his 1918 version Irving



finally published, “God Bless America.” Because this song was a patriotic song, Irving Berlin refused to receive any financial gain. So Irving Berlin created a nonprofit organization that funneled all the proceeds from “God Bless America” to the Boy Scouts and Girl Scouts of America. “God Bless America” has produced over \$10 million dollars in support of our Scouting programs since 1938.



The first performance of “God Bless America” was by Kate Smith at Carnegie Hall in New York City on Veteran’s Day, November 11, 1938, 20th anniversary of the end of World War I. When many people think of “God Bless America”

they also think of Kate Smith. Conversely when many think of “God Bless America” they hear Kate Smith singing.

On September 11, 2001, shortly after the terrorist attacks on America, members of the United States Congress held a news conference on the steps

of the United States Capitol to show their support for our President and our nation. Hundreds of leaders stood on the steps of our capitol and many spoke. When they finished, they remained, obviously stunned by the evil that had attacked our great nation. They just stood there, not sure what to do.

Then from within the crowd of leaders a single voice was heard singing

“God Bless America”, soon they were a single unified voice singing a most heartfelt performance of “God Bless America.” It touched my heart.

To view the video of this heartfelt display of patriotism, please visit calegion.org/irving-berlin-and-god-bless-america/



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Legion-Backed Bill Proposes Expanded Naloxone Access

NALOXONE ACCESS page 1

In addition to receiving the medication, Veterans would get guidance on its use and access to resources addressing addiction, suicide prevention, and mental health. This educational component ensures that both Veterans and caregivers understand how to administer Naloxone effectively and are aware of additional support for substance use and mental health.

At the end of the two-year pilot, a report will be submitted to Congress to evaluate the program's effectiveness. This report will assess the program's reach, viability for broader implementation, and the benefits of expanding access to family members and other caregivers. It will also consider the financial requirements for sustaining or expanding the program.

THE AMERICAN LEGION'S SUPPORT

The American Legion supports the Veterans Naloxone Access Expansion Act. American Legion National Commander James LaCoursiere Jr. expressed the importance of removing obstacles to Naloxone access.

"Naloxone is a lifesaving medication that has already prevented thousands of Veterans from dying of an opioid overdose. For many Americans, access to Naloxone is as easy as going to the local pharmacy. However, current VA guidelines restrict Veteran's access to this life saving medication by requiring a prescription and forcing their caregivers to pay out of pocket in the community. The American Legion and our 1.6 million dues-paying members support the

Veterans Naloxone Access Expansion Act for creating a pilot program that would remove these burdensome requirements, saving Veterans' lives. We are proud to have worked closely with Rep. D'Esposito and his staff in writing this bill, and commend their dedication to veterans' health and welfare," LaCoursiere Jr. stated.

This support aligns with The American Legion's prior advocacy efforts, such as Resolution No. 160 on Complementary and Alternative Medicine, and the Be the One Mental Wellness Committee, both emphasizing improved access to mental health resources for Veterans.

ADDRESSING THE OPIOID CRISIS

The opioid epidemic remains a pressing issue in the U.S., deeply affecting Veterans. In 2021,

nearly 300,000 VA patients received Naloxone, with the medication credited for preventing approximately 1,950 overdoses. Passing the Veterans Naloxone Access Expansion Act could expand these life-saving results, especially for Veterans at risk of opioid overdose.

"America's opioid crisis is affecting all Americans, especially the tens of thousands of veterans who've died from opioid related overdoses. Having already sacrificed so much for our freedoms, we owe it to our Veterans to expand access to life saving treatments, not restrict access with bureaucratic red tape. I am proud to introduce this bipartisan legislation to do exactly that, to provide veterans and their caregivers the lifesaving drug naloxone," said Rep. D'Esposito.

The proposed expansion addresses concerns over

limitations in overdose reversal treatments for potent synthetic opioids like fentanyl. With the growing risk of high-potency opioids, ensuring that Veterans and caregivers have prompt access to reversal agents is increasingly crucial.

MOVING FORWARD

With bipartisan support, the Veterans Naloxone Access Expansion Act is expected to gain traction in Congress. If passed, the pilot program could pave the way for broader efforts to expand Naloxone access for other populations impacted by the opioid crisis, while addressing Veterans' specific needs. The American Legion remains committed to advocating for measures that provide Veterans with essential healthcare resources, particularly in addiction prevention and overdose intervention.

IN MEMORY OF PAST DEPARTMENT COMMANDER AUTREY B. JAMES

With a saddened heart I inform the Department of California that our 105th Department of California Commander, Autrey James, transferred over to Post Everlasting on Saturday, November 9th. Commander James was an inspiration to us all in many ways and many encounters. Please keep his family in your prayers as they prepare for Commander James' celebration of life.

Sam Flores
Department Adjutant

Condolences may be sent to his wife, Mari James, at 5004 Morgan Way, Antioch, CA 94531-8412.

RECORD:

- Department of California Commander 6-30-2021 to 6-26-2022
- Department of California Judge Advocate 7-1-2015 to 7-25-2017; 6-25-2018 to 6-30-2019
- National American Legion Charities Member 5-19-2021 to 2022
- National Americanism Council Member 2019 to 5-19-2021
- National Department Advisory Committee Consultant 5-11-2023 to 2024
- National Finance Commission Member 5-19-2021 to 2022

Autrey B. James died November 9, 2024 at the age of 62. He was a Persian Gulf War Coast Guard Veteran and a member of Post 161 with 20 continuous years of membership.



Autrey B. James, Past Department Commander

- National Resolutions Screening Committee of VA&R Commission Chairman 2-3-2023 to 2024
- National VA&R Commission Executive Committee Chairman 2022 to 2024
- National VA&R Commission Chairman 2022 to 2024

THE PAST COMMANDERS CLUB (PCC) OF THE AMERICAN LEGION: WHAT IS IT?

By **Chris Hoffman**
Area 3 Vice Commander

If you are currently or have served as a commander at any level of the American Legion, you are eligible to be a member of the Past Commanders Club.

What is the American Legion Past Commanders Club? Great question!

The Past Commanders Club's primary continuing mission is to train and mentor the leadership of the American Legion at ALL levels to ensure that leaders are prepared for and fully understand the duties that they are obligated and charged with performing by being selected and elected to a position of leadership at post, district, area and department levels. It is a great privilege to be chosen by your peers to lead them in contributing to the pillars and programs of the American Legion successfully. It comes with great responsibilities and absolutely no authority as the authority belongs

to the membership. A commander is wholly responsible for the effectiveness of the collective efforts of the post and/or district as well as the American Legion.

The secondary area of support from the Past Commanders Club is to support local nursing (LVN) programs through fundraising efforts and presentation of scholarships to those who are pursuing education to become LVN nurses in our communities.

As state President of the American Legion Department of California Past Commanders Club, I urge any and all commanders, past and present, to consider membership in this endeavor. There are outposts throughout the state, please seek one near you as many districts have an outpost that needs your support.

I ask that we all consider that without continuing an effort to mentor and train the future leaders

of our organization, we cannot ensure the future of the American Legion. Leaders must be knowledgeable in so many areas. Leadership requires awareness and knowledge of the programs and how they work, protocol and decorum, delegation, leading by example, budgetary concerns, how to properly run a meeting, bylaws and how to write or change them, resolutions and how to write them, reports and when they are due and how to complete them. These are only a few examples of what a commander should know. He/She must also be taking the time and making the effort to mentor and train those who are to follow... the 1st, 2nd vices, adjutants, sergeant-at-arms and so on. Being a commander is more than just running a meeting once or twice a month. They are the face of the organization in and around their community.

So, as I said, we are available to train, to mentor, to assist ANY level of the American Legion

leadership to ensure that we have, not just good, but GREAT leaders for the continuing and foreseeable future.

If you do not have an outpost near you, reach out to a member of the PCC and ask about becoming part of the team that is concerned and interested in the leaders of the future. Being a Commander at any level of this organization, is NOT a popularity contest and should NOT be subject to those who chase titles without the knowledge, the best interests and commitment to the success of the organization.

It is an opportunity to get the training necessary and the Past Commanders Club is here to help!

It is my desire that the entire PCC membership can supplement the department training committee by having local outposts provide training and answer training requests as those outposts contain members who have the experience

and knowledge to provide more than adequate training. I urge anyone who desires training or mentoring to become a better, more efficient leader that leads for success, to contact a past commander near you or contact me and let's get going on making the American Legion, Department of California, sustainable by providing the best qualified, trained and knowledge personnel to lead our team into the future.

So, if you are a member of an outpost of the Past Commanders Club, please reach out to your district officers, your area vice commanders and let them know we are an asset to be utilized in the mentoring and training processes that they can provide. Encourage them to become members if they are not already members. We ALL must work together to ensure qualified, knowledgeable and well trained individuals to lead this organization into the future.

FDA DENIES MDMA THERAPY FOR PTSD, CALLS FOR FURTHER TRIALS DESPITE VETERAN SUPPORT

By **Rikki Almanza**
Staff Writer

The FDA recently denied a California-based drug company's request to market MDMA, commonly known as ecstasy or molly, combined with talk therapy as a treatment for PTSD in Veterans.

Lykos Therapeutics, located in San Jose, had submitted the application, which received priority review due to strong support from Veterans seeking alternative PTSD treatments amidst persistently high suicide rates. However, the FDA concluded that more evidence

was needed on the safety and efficacy of MDMA, requesting another advanced-stage clinical trial.

The decision has disappointed many, including Lykos Therapeutics' CEO Amy Emerson, who expressed frustration over the years of work invested in this pioneering effort and the lack of new PTSD treatment options for millions of Americans. Completing the requested phase three clinical trial could take several years, further delaying potential access to this treatment. The FDA's rejection came after

its Psychopharmacologic Drugs Advisory Committee voted against MDMA as an effective treatment, citing concerns over the study's design, data quality, and potential safety risks.

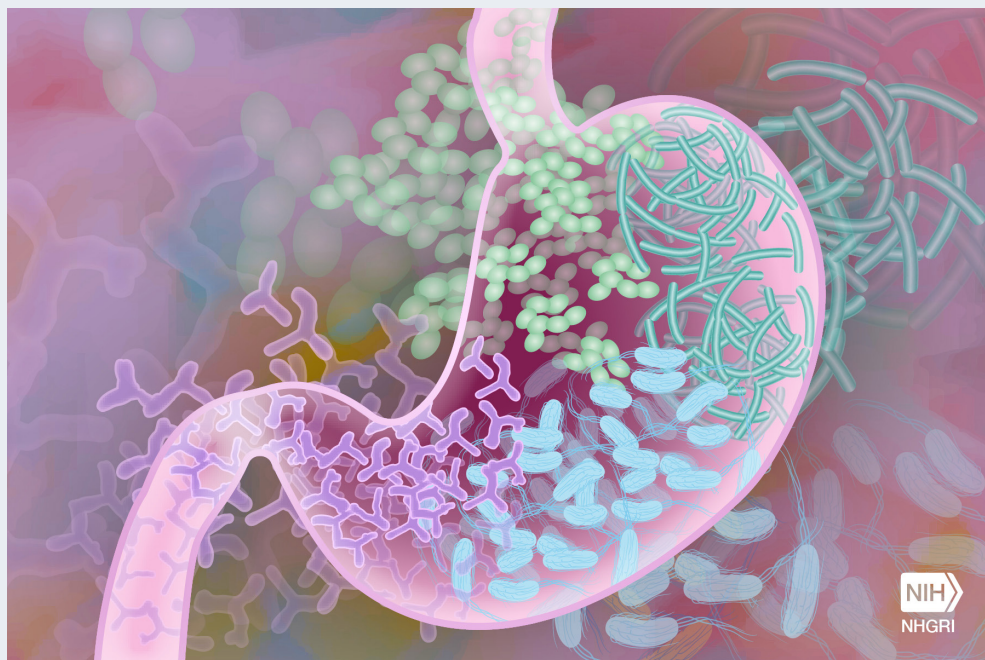
Despite the setback, Lykos plans to meet with the FDA to seek reconsideration and explore resubmission options. The company believes that many issues raised by the FDA could be addressed through existing data, post-approval requirements, or scientific literature. Earlier studies indicated promising results, with 86% of participants reporting

reduced PTSD symptoms and 71% no longer meeting the diagnostic criteria for PTSD after receiving MDMA-assisted therapy.

The rejection has sent ripples through the psychedelic community, particularly among combat Veterans who have long advocated for psychedelic therapy. This advocacy has been closely associated with the Multidisciplinary Association for Psychedelic Studies, MAPS, a nonprofit organization supporting the medical and legal use of hallucinogenic drugs.

The decision also sparked political interest, with

a bipartisan group of 60 House members, led by retired LtGen and U.S. Rep. Jack Bergman (R-MI), urging President Joe Biden to ensure a fair review of the therapy. They mentioned the FDA's lack of innovation in PTSD treatments over the past 25 years, suggesting this may have contributed to rising Veteran suicide rates. The Institute for Clinical and Economic Review, an independent nonprofit, also raised questions earlier this year regarding the clinical trials' design and results, adding to the controversy surrounding the FDA's decision.



Gut bacteria (Photo: NIH)

UC IRVINE STUDY LINKS GUT MICROBIOME IMBALANCES TO GULF WAR ILLNESS

By **Rikki Almanza**
Staff Writer

A recent study led by UC Irvine has made significant progress in understanding Gulf War illness, GWI, a chronic condition affecting Veterans who served in the 1990–1991 Gulf War. The research identifies gut microbiome imbalances as a key factor in GWI, laying the groundwork for potential new treatments. This study, published in the *International Journal of Environmental Research and Public Health*, is the most comprehensive to date, building on earlier research that initially suggested a link between gut bacteria and GWI.

Gulf War illness manifests through various symptoms, including chronic fatigue, cognitive difficulties, pain, and gastrointestinal issues, which have persisted in affected Veterans for decades. The UC Irvine study, led by Professor Saurabh Chatterjee from the Joe C. Wen School of Population & Public Health, involved analyzing stool samples

and fatigue data from 89 Gulf War Veterans—63 with GWI and 26 without. The research found distinct differences in the gut bacterial composition between those with and without the illness.

Veterans with GWI were discovered to have a unique mix of gut bacteria, known as Bray-Curtis beta diversity, which differs significantly from that of unaffected individuals. This imbalance impacts gut, immune, and brain health. Specifically, Veterans with GWI exhibited higher levels of less beneficial bacteria such as *Blautia*, *Streptococcus*, *Klebsiella*, and *Clostridium*, and lower levels of beneficial bacteria like *Akkermansia* and *Bacteroides*.

The study also employed advanced machine learning algorithms to identify two bacteria, *Coprococcus* and *Eisenbergiella*, as critical indicators of GWI. Remarkably, the algorithm was able to correctly distinguish between Veterans with and without GWI

nearly 75% of the time using these bacterial markers. Additionally, the study found that higher fatigue levels in affected Veterans were associated with altered gut bacterial diversity, particularly in species like *Lachnospiraceae* and *Blautia*.

These findings suggest that targeting the gut microbiome could lead to new treatments for GWI symptoms. Professor Chatterjee, who also holds positions at the UC Irvine School of Medicine and the Long Beach VA Medical Center, stated that while this study represents a significant advancement, it is just the beginning of more in-depth research into the role of gut bacteria in GWI. The study's outcomes could pave the way for therapies that substantially improve the quality of life for Veterans suffering from this condition for decades.

If you would like to view the study, please visit mdpi.com/1660-4601/21/8/1102

VA Announces Expansion of Presumptive Benefits for K2 Veterans Exposed to Toxic Hazards

By **Rikki Almanza**
Staff Writer

In a major development for Veterans who served at the Karshi-Khanabad, K2, base in Uzbekistan, the VA announced on October 29 plans to expand health and benefits coverage for illnesses linked to toxic exposure at the former Soviet base.

Secretary Denis McDonough revealed that the VA will establish presumptive benefits for K2 Veterans who have developed serious conditions like bladder cancer, multiple myeloma, leukemia, and Gulf War Illness as a result of their service.

K2 Veterans were among the first to be deployed following the September 11 attacks, facing a hazardous environment at K2, often described as a “toxic soup” of chemical and radioactive contaminants. Colonel Gordon Peters, a K2 Veteran, recalled an intense “chemical odor” that pervaded the base, reinforcing reports that the deployment environment carried severe health risks. Following service at K2, many Veterans returned home only to develop serious illnesses potentially linked to these exposures.

This announcement builds on the VA's recent steps to support K2 Veterans. Key initiatives include removing the PACT Act's phased implementation, allowing immediate presumptive benefits for over 300 conditions, and extending VA healthcare to all K2 Veterans, regardless of their claims status.

Additionally, chronic multi-symptom illnesses, or Gulf War Illness, is now considered a presumptive condition for K2 Veterans, addressing a gap in the PACT Act that previously left these Veterans underserved. The VA will revisit each K2 claim with special attention to the toxic exposures at K2, requiring double review before issuing decisions.

The VA's outreach efforts have resulted in significant enrollment among K2 Veterans, with over 13,000 of the 16,000 known K2 Veterans enrolled in VA healthcare. Approximately 12,000 of these Veterans are receiving benefits, with an average of \$30,000 in annual compensation.

While the VA's new rulemaking will include additional cancers like bladder and genitourinary cancers as presumptive conditions, the agency is also reviewing multiple myeloma, leukemias, and other blood cancers. Preliminary findings suggest these conditions could be added as presumptive illnesses soon, potentially easing the benefits process for affected Veterans.

Secretary McDonough affirmed that the VA's mission is to recognize all conditions plausibly linked to toxic exposures at K2, grounded in biological science, and to avoid unnecessary delays for Veterans seeking support. With these commitments, the VA moves closer to fulfilling its promise to K2 Veterans who have waited over two decades for acknowledgment and care.



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Air National Guard's 177th Fighter Wing battle a simulated aircraft fire with Aqueous Film Forming Foam. (Photo: U.S. Air National Guard Airman 1st Class Amber Powell)

VA INVESTIGATES PFAS EXPOSURE AND KIDNEY CANCER FOR POTENTIAL VETERAN BENEFITS

By **Rikki Almanza**
Staff Writer

The VA has announced plans to investigate the connection between kidney cancer and exposure to polyfluoroalkyl substances, or PFAs, which are often found on military bases.

PFAs, among a group of compounds referred to as “forever chemicals” because of their persistence in the environment, have been used for over 50 years in products like firefighting foam and water-resistant clothing. These chemicals have been linked to various health issues, including testicular cancer and thyroid disease. The VA's research could result in kidney cancer being classified as a

presumptive condition for Veterans exposed to PFAs, streamlining the process for affected individuals to receive health care and disability benefits.

If kidney cancer is added to the list of presumptive conditions, Veterans would no longer need to prove a direct link between their military service and their illness, reducing the lengthy application process for benefits. This would mark the first time PFAs exposure is formally connected to any service-related health condition, although Veterans can currently apply for benefits on a case-by-case basis. The VA already provides presumptive benefits for kidney cancer linked to other toxic exposures, such as those from burn pits in

Iraq and Afghanistan or at Camp Lejeune in North Carolina.

This new review is part of a broader effort to address toxic exposure among Veterans, initiated by the passage of the PACT Act in 2022.

The PACT Act allows the VA to independently establish service-related presumptive conditions by analyzing available research. Since its implementation, the VA has recognized over 300 conditions related to toxic exposures, including cancers such as breast cancer and leukemia.

In a statement, VA Secretary Denis McDonough emphasized the importance of the review, stating

that it will help ensure that Veterans receive the benefits they deserve. He encouraged Veterans with kidney cancer or other illnesses to apply for benefits immediately, without waiting for the outcome of the investigation.

The VA has scheduled a public listening session for November 19 to gather input on the study and will accept comments through the Federal Register. While the timeframe for the review remains unclear, Veterans and advocates are pushing for timely results to address the potential health risks associated with PFAS exposure.

The Department of Defense has been ordered to phase out firefighting foam containing PFAs

by October 2025, though these chemicals remain widespread at military installations. Cleanup efforts are underway, but with PFAs contamination identified at over 700 sites, the process is complex and expected to cost billions of dollars.

While existing research has not yet definitively linked PFAs exposure to kidney cancer, the VA is actively investigating this connection to provide benefits to affected Veterans. PFAs exposure has already been associated with various health problems, including other forms of cancer, immune system disruption, and liver damage, but researchers are still working to understand the full scope of its effects.



March 1945 Mustard Gas Tests – Edgewood Arsenal Subjects (Photo: U.S. Army)

VIETNAM-ERA VETERANS SEEK RETROACTIVE BENEFITS FOR EXPOSURE TO NERVE AGENTS AND HALLUCINOGENS IN SECRET MILITARY TESTS

By **Rikki Almanza**
Staff Writer

As first reported by Stars and Stripes, Vietnam-era Veterans who were exposed to chemical agents and hallucinogens in classified military experiments are appealing for retroactive disability benefits following a recent federal court ruling that determined their constitutional rights were violated.

These Veterans, now in their 70s and 80s, participated in a secret research program at Edgewood Arsenal, Maryland, conducted by the U.S. Army Chemical Corps from 1955 to 1975. The program involved testing nerve agents, hallucinogens, and other toxic substances

on military personnel, many of whom have since developed serious health conditions.

The classified Cold War program at Edgewood Arsenal was part of an effort by the military to research chemical warfare agents and develop defenses against potential threats. During these experiments, the participants were exposed to a wide range of chemical agents, including sarin, VX, tear gas, and hallucinogens like LSD. Although they were told the experiments were voluntary, many later revealed they were not fully informed of the health risks.

Additionally, they were bound by secrecy

agreements that prevented them from speaking about the tests or the health problems that followed. These agreements, enforced by the threat of criminal penalties, also restricted them from seeking disability benefits from the VA for decades. The testing involved around 7,000 military personnel, and it continued until the program was disbanded in 1975.

Health conditions linked to these experiments include cancer, paralysis, depression, and post-traumatic stress disorder. For years, the VA denied these Veterans the benefits they were entitled to because the tests remained classified and the government did not acknowledge

their existence. However, in 2023, a U.S. Court of Appeals ruling allowed these Veterans to seek retroactive disability benefits, arguing that the government's secrecy agreements had violated their due process rights.

This ruling has opened the door for thousands of Veterans who participated in the Edgewood experiments to file claims for benefits dating back to their discharge from the military. According to estimates, around 3,000 to 5,000 of the original participants are still alive today. Despite the court's decision, many of these Veterans are still encountering delays and denials from the VA, which claims to have a process in place for evaluating these

cases but has not released data on how many claims have been processed.

While the secrecy surrounding these tests has slowly been lifted over the years, it was not until recent legal challenges that Veterans began to receive recognition for the injuries they suffered as a result of their participation.

As these Veterans pursue their claims, they seek not only compensation for their own suffering but also justice for their fellow Service Members who endured similar experiences. Many hope that they will finally get the support they deserve after decades of silence and struggle.

WATCHDOG REPORT: Agent Orange Benefits

WATCHDOG REPORT
page 1

The roots of the current crisis can be traced back to a 1986 class action lawsuit, *Nehmer vs. The Department of Veterans Affairs*. The lawsuit required the VA to recognize “presumptive conditions” linked to Agent Orange and pay corresponding benefits. However, the VA has been criticized for its resistance to fully implementing these obligations. Despite a 2021 announcement that the VA would notify all Vietnam Veterans previously denied benefits, the watchdog report found that nearly tens of thousands of Veterans and survivors might have been overlooked.

One of the key challenges in this situation is the fragmented structure of the VA, with the Veterans Benefits Administration responsible for disability payments and the Veterans Health Administration handling healthcare. This division has led to confusion over which Veterans

should be notified about potential benefits. The Office of Inspector General recommended sending new letters to those overlooked, but the Benefits Administration has resisted, likely due to the strain it would place on an already burdened system.

Amid these challenges, volunteers like Marc McCabe, who works with the Vietnam Veterans of America, continue to help Veterans and their families navigate the complex benefits process. The VA’s failure to reach out to all eligible Veterans remains a significant issue, and with the financial future of Veterans’ benefits programs uncertain, experts like Bilmes are advocating for solutions such as creating a trust fund to ensure that promised benefits are secured.

For more information, readers can contact the National Veterans Legal Service Program at agentorange@nvlsp.org

VA PROPOSES GRANT PROGRAM FOR LEGAL ASSISTANCE TO HELP VETERANS ACCESS BENEFITS AND IMPROVE DISCHARGE STATUS

By Rikki Almanza
Staff Writer

On October 1, the VA proposed a new grant program designed to expand access to VA programs and benefits.

This program would provide funding to entities that offer legal assistance to Veterans and former Service Members, helping them access VA services, improve their military discharge status, or seek a review of their records by military or naval correction boards.

The goal of this program is to increase access to VA services such as pension, compensation, health care, education, national cemetery matters, loans, and VA character of discharge determinations.

The VA and the Biden-Harris Administration remain dedicated to ensuring that all Veterans receive the benefits, care and representation they deserve. This commitment aligns with President Biden’s Unity Agenda. Earlier this year, the VA revised its rules on character of discharge determinations to extend services to more former Service Members, including those who survived sexual assault, experienced discrimination, or faced physical or mental health challenges during their service. These changes allow previously

ineligible former Service Members to reapply for VA care and benefits.

“While VA cannot change your discharge status, we are committed to providing any health care or benefits available to you and will work with you throughout the process,” said VA Secretary Denis McDonough encouraging former Service Members with Other Than Honorable discharges to apply for care and benefits.

He added that legal support can make navigating review boards and discharge determinations more manageable, and this new grant program aims to address that need.

The program is part of the VA’s ongoing efforts to support former Service Members with Other Than Honorable or bad conduct discharge statuses. In recent years, the VA has significantly increased outreach to these individuals, resulting in 75% of those applying for VA services being granted eligibility over the past decade, benefiting more than 57,000 individuals.

In certain cases, individuals with an Other Than Honorable discharge can qualify for VA services if they receive a favorable outcome from a discharge review board, correction board, or VA character of discharge determination.

A key element of this proposed program is providing legal assistance to help former Service Members navigate these processes.

The VA recognizes that legal aid is essential in removing barriers to VA services. For example, the VA’s Legal Services for Homeless Veterans and Veterans At-Risk for Homelessness Grant Program recently awarded \$11.5 million in grants to 79 public and nonprofit organizations in fiscal year 2024.

The proposed rule is available for public inspection in the Federal Register (federalregister.gov/agencies/veterans-affairs-department) and will be open for comment starting October 2. VA plans to publish a notice of funding opportunity after the final rule is issued. Information on legal services currently available to Veterans can be found on the VA’s website.

The VA encourages Veterans with Other Than Honorable or bad conduct discharges (from a special court-martial) to apply for VA care and benefits today.

For more information on applying, please visit va.gov/disability/how-to-file-claim/

EARLY BIRD MEMBERSHIP DRAWING



Congratulations to the winners of our Early Bird Membership Drawing!

All members who renewed by November 11, 2024 were eligible to win.

The winners were announced on Facebook Live on November 22.

★★★

PUFL Membership:
Alexander Levitin
Westminster, CA
Post 812

Three-Year Membership:
Johnnie Walters
Newberry Springs, CA
Post 751

CALIFORNIA'S LEGACY IN AEROSPACE

By Kevin Burns
Aerospace Commission
Chair

California has a great legacy in Aerospace and the American Legion has been there to support it since our inception. That history from 1919 to 1945 has been highly documented with how the American Legion promoted airpower for the military, research support for the aviation industry, built airports across the country, supported the nation's first aviation navigation aid system, had an airplane that competed with Charles Lindbergh to fly from New York to Paris, promoted airmail, put together a recruitment and education program to develop pilots for WWII, started the Civil Defense program in the United States and wrote its first training manuals, initiated the Civil Air Patrol, and

worked for full employment for returning aviation mechanics at the end of WWII.

After World War II, there was another flurry of activity by the Aerospace Commission as we got into the Cold War, the Missile Race, and then the Space Race. And California was right in the middle of it. Pretty much every single Atlas Missile was made at Missile Park at Kearny Mesa in San Diego. Most of the prototype military airplanes were made in Palmdale, and tested at Edwards AFB. All of the Space Shuttles were made in Palmdale. The whole area from Vanderbilt AFB to North Island (the birth place of Naval Aviation) is filled with facilities for building the next generation of aircraft and space exploration, and in addition to the facilities, the people and companies behind that work are

located there.

This is not just a matter of looking back at past accomplishments, but preparing the country for future needs, just as we have always strived to do so. China awarded 1.38 million engineering bachelor's degrees in 2020, whereas the United States only graduated 144,000 in engineering and 54,000 in computer science. It is predicted that in as little as five years we could fall to third place in aerospace behind China and India. India is graduating about ten-thousand aerospace engineers each year, and the number of aeronautical aspirants is increasing by 4-6% every year.

The American aerospace workforce not only needs more trained people, but needs diversification for a number of reasons. The aerospace workforce has never reflected national

demographics. There are two things needed for success, ability and opportunity. In inferior schools, located in poor communities, students are denied the means of gaining ability; in order to work in the aerospace industry, you either need a degree or previous training and experience, and most gain that training and experience through the military. Without a national program to prepare underrepresented groups to take the Armed Services Vocational Aptitude Battery (ASVAB), they are denied the ability to go to college by the education they received in substandard schools, and are denied the opportunity to serve in a technical field in the military because of low ASVAB scores. Thus, they have no entry point by which they can enter the workforce. Education and workforce are two traditional foundations of

the American Legion. There is so much more we could do; such as work with the American Legion resolutions to develop public policy in matters that relate to aerospace, and form coalitions with other aerospace advocates, just as Eddie Rickenbacker did to advocate aviation in the early years of the American Legion. The Department Aerospace Commission is looking for Advisors to represent every District in the Department of California. Make a difference, and talk with your District Commander about serving on the Aerospace Commission.



DEPARTMENT EXECUTIVE COMMITTEE MEETING

The next in person Department Executive Committee Meeting will be March 21-23, 2025.

LOCATION:
Santa Maria Post 56
501 N Pine
Santa Maria, CA 93458

HOTEL:
The Historic Santa Maria Inn
801 S Broadway
Santa Maria, CA 93454

RESERVATION INFORMATION:
\$120 per night, plus 12% state tax.

To reserve a room, please call the hotel at (805) 928-7777 and mention The American Legion to receive our group rate.

The deadline to reserve a room is February 27, 2025.

WARLITO MOISES PRESENTED WITH AMERICAN LEGION PLAQUE OF APPRECIATION

By Nestor Aliga
Post 603

Recently, Warlito Moises of Vallejo (left), a decorated Vietnam War US Navy SeaBee Veteran and past American Legion Manuel L. Quezon Post 603 commander, was presented with a Fifth District, Department of California, American Legion Plaque of Appreciation by 2023-2024 5th District Commander Ted Mar of Suisun. Moises raised over \$11,700 for the victims of the Lahaina Maui Hawaii Disaster.





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HONORING A **LIFETIME** OF SERVICE *Sweepstakes* WINNERS

Congratulations to the winners of our Honoring a Lifetime of Service Sweepstakes!

4th Prize: \$250
Robert Elliott
Costa Mesa, CA
Post 291

The winners were announced on Facebook Live on November 6.

5th Prize: \$100
Nicholas Alpino
Port St. Lucie, FL
Post 281

★★★

1st Prize: \$5,000
Jeffrey Pinkerton
Oxnard, CA
Post 48

6th Prize: \$50
Larry Quirico
El Sobrante, CA
Post 340

2nd Prize: \$1,000
Rudy Barmettler
Reno, NV
Post 1601

7th Prize: \$50
Robert Konecki
Santa Monica, CA
Post 283

3rd Prize: \$500
Michael Carothers
Wofford Heights, CA
Post 147

8th Prize: \$50
Michael Fassino
Grass Valley, CA
Post 130

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