



The Veteran's Voice

Newsletter

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Edition

THE VETERANS VOICE

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Vietnam veteran shares story of service, re-payment of 48-year-old debt. Paid with interest

The narrative often shared by Vietnam veterans is that when they graduated from high school in the 1960s, they either enlisted in the military because they believed they would be drafted or they went to work, simply biding time until their draft letter arrived.

California, Missouri, veteran Robert Cliburn chose the latter and began working at a plant in Jefferson City after his graduation from Russellville High School in 1965.

“I had two older brothers who had joined the Navy,” said Cliburn. “After I finished (high) school, my father asked me what I was going to do, and I said, I think I’ll take my chances and go to work,” but I was really just waiting to be drafted”.

Whether foresight or simply an educated guess, Cliburn received “a big brown envelope” in September 1966, which contained his draft letter —an abrupt welcome to the world of the U.S. Army.

In less than two weeks, the 19-year-old draftee processed through Jefferson

Barracks and spent a few days at Ft. Leonard Wood. He and a large group of trainees were then loaded on Greyhound buses and transferred to Ft. Hood Texas, where they were attached to the First Armored Division for their basic and advanced training.

“At some point, they conducted interviews with (the trainees), “Cliburn explained. “I told them that I was a farmer and could run a tractor, and that my father was in the bull-dozer business and that I could operate a dozer as well.”

With a grin, he added, “So they made me a tank driver.”

Weeks later, he finished his training and remained on the fort, participating in training exercises as the tank driver for an M48A3 Patton —a medium tank with a 90mm main gun and a V-12 air-cooled diesel engine.

During his cycle of training, Cliburn witnessed “allocations that came down,” identifying soldiers scheduled for service in Vietnam; however, he

Seemed to avoid the selection process until reaching the eleventh month of his two-year enlistment.

“They finally got me,” he said, “and before I knew it I had landed in Tan Son Nhut Air force Base (Vietnam) as a replacement.”

In August of 1967, he transferred to Camp Bearcat — a U.S. Army base near the city of Bien Hoa in southern Vietnam; it was here he was attached to Troop B, 3rd Squadron, 5th Cavalry.

“The first six months or so we operated on missions around Bearcat,” Cliburn said. “B Troop consisted of nine tanks and 27 personnel carriers and we could kick some butt with that arrangement,” he smiled. “But the monsoons were going on and we were getting stuck in the jungles down there – a heavy tank doesn’t work well in that type of environment,”

While participating in southern operations, Cliburn and his fellow tankers were often engaged in guerrilla warfare against small groups of enemy forces, which he described as “we’d fight and push them back, and then we’d get pushed back a little ...and so on.”

He continued, “Then they loaded us on LSTs and sent us north to Da Nang,” he recalled. “We were on more solid ground, and they seemed to be having more trouble up there, too. In the South, we fought smaller groups, but up north we started fighting battalion size elements of NVA (North Vietnamese Army).”

In addition to dismounting their tanks and securing a network of underground tunnels that housed a significant cache of enemy weapons, Cliburn received a harsh introduction to the dangers of armored warfare when he assisted in the rescue of a stranded tank.

“We thought a tank was dead after it had been hit by an enemy rocket,” Cliburn said/ “I went in there to help retrieve it and when I jumped off our tank to hook up the tow cable to drag it out of there, I could hear it idling; it had been idling all night,” he said.

With bullets from NVA soldiers “pinging” around him, he climbed into the tank, shifted it into reverse and drove to safety. Though he avoided injury, he

Later would spend more than a month on a hospital ship after receiving serious burns when a flare accidentally ignited in his tank. Regardless, none of these previous experiences served as the central reflection of his time in Vietnam.

Well into his tour, Cliburn was “pulled from the jungle” and given “several days of R&R (rest and relaxation) in Hong Kong.

I had \$400 to take with me and I knew that wouldn’t be enough so I borrowed \$2100 from my friend, Jack Monturi.” He said. “I told Jack I would pay him back the following month.

When Cliburn returned, he learned that Monturi had been medically evacuated After receiving serious Wounds during a mission.

“I never saw him again,” he said.

Cliburn’s tour ended in late July 1968, at which time he returned to Mid-Missouri, married his fiancée, Timmie Hume, and went on to raise a son and daughter. Now retired from a lengthy career in construction Cliburn notes he was recently able to repay the debt he incurred in Vietnam nearly a half-century ago.

“Last year I bought my wife a new laptop and I asked her if she could find the contact information for Jack (Monturi) —and she did,” Cliburn explained. “When I called him and I told him who I was, he said,”You owe me \$100.” We talked for awhile and I got his home address and went and visited him last year and gave him \$500 to cover the loan with interest.”

In closing, Cliburn added, “you really don’t know what we went through (in Vietnam), and we really didn’t know what we were there for ... We just knew that we had to be there. But meeting people like Jack and being able to connect after all those years to share our stories... well, you can’t put a price on that.”

Jeremy P. Amick writes on behalf of the Silver Star Families of America

Why,,, I wear my Vietnam veterans cap,, A lot of the Veterans over time have lost the memory and brotherhood of what we once had When you have worn a combat uniform in a combat zone,, You have earned the right to symbolize the time you were a ""Warrior"" and now,, You are a Vietnam Veteran,, When a Veteran sees another fellow Veteran wearing a cap history is remembered, preserved, honored and for a moment brotherhood is shared,, That is Why,,, I wear my Vietnam Veterans Cap,,

WE ARE A GENERATION THAT WILL NEVER COME BACK !

A generation that went to school and walked back.

*A generation that did their homework alone to get out asap to play in
the street.*

A generation that spent all their free time on the street.

A generation that played hide and seek when dark.

A generation that made mud cakes.

A generation that collected sports cards.

*A generation that found, washed and sold empty coke bottles to the
local grocery store for 5 cents each.*

A generation that made paper toys with their bare hands.

A generation who bought vinyl albums to play on record players.

A generation that collected photos and albums of clippings.

A generation that played board games and cards on rainy days/

*A generation whose TV went off at midnight after playing the National
Anthem.*

A generation that had parents who were there.

*A generation that laughed under the covers in bed so parents didn't
know we were still awake.*

A generation that is passing and unfortunately will never return !!.....



President's Corner

Hello Everyone

Well here we are in April, and its time to elect our chapter officers for the next 2 years. It was touch and go for awhile but we have enough members stepping forward to fill all of our officers positions allowing our chapter to continue to move forward helping veterans and their families.

We still need you (our members) support. This could be as simple as attending meetings or when we have an event donate as little as one hour of your time to help make our events an even bigger success.

Our events coordinator Jim Davis is in the process of putting together some great events for us. As we finalize them we will keep you informed and updated.

I look forward to working with you all and hope to seer you at our meetings and or events.

Remember: "UNITED WE STAND - DIVIDED WE FALL !"

**Respectfully
Joseph Armstrong
President**

From the Desk
Of
Conrad Letellier
1st Vice-President

Hello Brothers and Sisters

Reminder that this month we are holding our chapter elections for all of our officers position. It not too late to add your name if you are interested.

Even if you are not interested in running for one of the positions please consider attending our meetings and show your support.

Respectfully
Conrad Letellier
1st vice-president

Membership Corner

By

Conrad Letellier Membership Chairman

We are still in the process of updated our membership rosters. Recently we sent out 48 letters to our members that do not have an email address and 6 came back as undeliverable no forwarding address.

It is so very important to keep up updated on your contact information. Otherwise we can not update you on events and news important to our chapter.

**Conrad Letellier
Membership Chairman**

VETERANS SERVICE OFFICER

Conrad Letellier

THE DIFFERENCES BETWEEN BEING “RATED” AT 100% AND BEING “ASSIGNED” 100% TDIU

IS THERE A DIFFERENCE BETWEEN BEING “RATED” AT 100% AND BEING
“ASSIGNED” 100% TDIU BY THE VA?

ARE VETERANS PERMITTED TO WORK WHEN “RATED” OR “ASSIGNED” 100% VA
DISABILITY COMPENSATION?

IS IT TRUE THAT A PERMANENT & TOTAL VA DISABILITY RATING IS NOT
PERMANENT UNTIL AFTER 20-YEARS OR MORE?

IS A VETERAN PERMITTED TO EARN ANY KIND OF INCOME DURING THE PERIOD
HE APPLIES FOR 100% TDIU?

You may be surprised but the answer to all four (4) questions is YES...

When reading the rest of this Article, please keep in mind that pursuant to VA laws, rules and regulations, a “100% Disability Rating” and a VA “Total Disability Rating” shall be synonymous.

Additionally, the terms “Assigned” and “Awarded” as it pertains to 100% TDIU shall be synonymous.

When a Veteran has been “rated” with a service-connected disability from 10% to 100% it means that the Veteran has received a “scheduler rating” from the VA’s “Schedule for Rating Disabilities” found in 38 CFR. Section 4.1 et seq., (et seq means – all that follows) which sets forth with particularity how much the VA must compensate the Veteran for their particular service-connected injuries and/or diseases.

Moreover, Veterans “rated” at 100% can work full or part-time with no limit as to how much they can earn and still be eligible to receive their 100% monthly VA compensation check. The reason work is permitted is because the percentage of ratings represents as far as can practicably be determined the “average impairment in earning capacity” resulting from such diseases and injuries and their residual conditions in civil occupations, as well as to compensate Veterans for pain and suffering throughout their lifetime, among other things. See 38 CFR Section 4.15.

To further help you understand why a Veteran is permitted to perform Substantial Gainful Activity (SGA) while being “rated” 100% service-connected by the VA, is by placing an emphasis on “average impairment in earning capacity,” as opposed to being compensated for the average “total losses” in earning capacity over a lifetime. Furthermore, Black’s Law Dictionary Seventh Edition defines “impairment” as “The fact or state of being damaged weakened or diminished.” And it defines “compensation” as:” Payment for damages or any other acts that court orders to be done by a person who has caused injury to another and must therefore make the

Veterans who have been “awarded” 100% TDIU can only earn up to the MAPR (Maximum Annual Pension Rate) which in 2010 is \$985 per month and still be eligible to receive their 100% TDIU monthly VA compensation check. See 38 CFR Section 4.16(a) for details.

Veterans should keep in mind that all injuries or diseases for which a Veteran receives service-connected disability compensation regardless of percentage, can be “re-evaluated” at any time.

Additionally, pursuant to 38 USCS Section 110 – Preservation of Disability Ratings states in pertinent part that: A rating of “total disability” or “permanent total disability” which has been continuously in force for twenty or more years shall not be reduced thereafter, except upon showing that such rating was based on fraud.”

In layman’s terms this means that even though you might have been furnished with a letter from the VA that states your “disability” is “permanent total disability,” unless you’ve actually received permanent and total disability for 20-years or more, the VA can re-evaluate your claim at any time and reduce your percentage of VA disability compensation.

Furthermore, all Veterans should duly note that a Veteran with absolutely “no rating” whatsoever at the time the Veteran applies for VA disability compensation can still be Granted and “rated” with a 100% “scheduler rating.” This is also true in the case of 100% TDIU or a Non-Service-Connected Disability Pension based upon what the VA calls “extra-schedular ratings.” See 38 CFR 4.16(b), and 38 CFR 4.17(a) and (b).

The “extra-schedular rating” rule will lay to rest the “myth” that the only way a Veteran can obtain 100% TDIU is if the Veteran has at least one disability rated at 40% or more, and sufficient additional disabilities to bring the combined rating to 70% or more.

About 4-years ago, a Veteran was referred to me for assistance. He had been rated at 70% for many years but then eventually was “awarded” 100% TDIU which he had been collecting for a couple of years. He showed me a letter from the VA saying that records they received from the IRS and Social Security Administration reflected that the Veteran had been working for about 4-months during the period he applied for a “Total Disability Rating”, and therefore, the VA was going to revoke his 100% TDIU and return him to 70% service-connected compensation, unless he could site a legal reason why the VA should not. So I researched 38 CFR (Code of Federal Regulations) and 38 USCS (United States Code Service) and found the legal reason why the VA could not revoke his “Total Disability Rating.”

The legal reason why the VA could not revoke his “Total Disability Rating” lies in 38 USCS Section 1163, of which I paraphrase as follows: “The disability rating of a Veteran who begins to engage in a substantial gainful occupation after January 31, 1985, may not be reduced on the basis of the Veteran having secured and followed a substantially gainful occupation unless the Veteran maintains such an occupation for 12 consecutive months.

UNITED STATES CODE SERVICE (USCS)

<http://www4.law.cornell.edu/uscode/>

CODE OF FEDERAL REGULATIONS (CFR)

<http://www4.law.cornell.edu/cfr/>

TODAY WE REMEMBER

You have inside of you the strength and courage to handle whatever comes your way.

Never ever give up ! You are very special.

***Submitted by
Pricilla L. Miles AVVA member***

POW MIA INFORMATION

Conrad Letellier

STATUS OF THE POW/MIA ISSUE

March 1, 2024

1,577 Americans are now listed by the Defense POW/MIA Accounting Agency (DPAA) as missing and unaccounted for from the Vietnam War: Vietnam - 1,237; Laos - 285; Cambodia = 48; Peoples Republic of China territorial waters - 7.

On March 23 rd, DPAA posted the accounting for two USAF officers, listed MIA in Vietnam on April 12, 1969/ Their identities - Colonel Ernest DeSoto and Captain Frederick Hall were released on April 7, 2023.



History of the POW/MIA Flag

In 1970, Lt. Commander Michael Hoff went missing in action when his plane crashed over Laos, Southeast Asia during the Vietnam War. His wife, Mary Hoff, felt there was a need for the nation to have a symbol in which those who were lost to war would not be forgotten, thus becoming the pioneer of the POW/MIA flag. She read an article in the Jacksonville Florida Time Union about how Annin & Co. Helped to design and manufacture flags for newer UN member nations. Mrs. Hoff contacted Annin and their VP of Sales, Norman Rivkkes commissioned graphic designer Newt Heisley to design a flag to represent the group/

Newt Heisley found inspiration for designing the flag from his past experiences as a WWII pilot: "I used to fly within range of the Japanese and wondered how I would hold up if I ever got captured. When I did the design, I thought how easy it would be to forget those guys." The now familiar slogan :You are not forgotten" was born of that senti-

ment. Heisley's son, Jeffrey, upon returning home ill from Marine training, inspired the gaunt appearance of the flag's silhouette. In addition to the slogan and silhouette, the flag also boasts a 5-point star, a watchtower with a guard on patrol, a strand of barbed wire, and a black and white wreath.

WHAT DOES THE POW/MIA MEAN?

The POW/MIA flag is a reminder for Americans to never forget our Prisoners of War (POW) and those Missing in Action (MIA). Prisoners of War are individuals - whether military personnel or civilians - who are captured and imprisoned by the enemy during times of war. The status of life for those who are MIA have not yet been confirmed. According to the Defense POW/MIA Accounting Agency, over 83,00 Americans who fought in wars since World War II are still; missing.

On November 18, 1997 the 1998 Defense Authorization Act was signed into law. A section of the act required that the POW/MIA flag be flown from Military Installations, National Cemeteries, V.A. Medical Centers and many other Federal Buildings

**From The Desk of the Events Coordinator
Jim Davis**



**MEETING
NOTICE!**

**NEXT CHAPTER MEETING WILL BE SUNDAY 07 APRIL 2024.
MEETING WILL START AT 1:30 PM 13:30 HRS.
THERE WILL NO BOARD OF DIRECTORS MEETING PRIOR TO
OUR REGULAR MEETING.**

Membership in VVA is the Right Choice

First I want to say "WELCOME HOME "

The goals of Vietnam Veterans of America are to promote and support the full range of issues important to Vietnam veterans. To create a new identity for this generation of veterans and to change public perception of Vietnam veterans.

VVA is a "home of our own" - a community of fellowship with people who share our experiences, needs, and hopes for the future.

Be as active as your time, talents, and interests allow. Or, simply be a proud member of VVA, knowing that your membership helps VVA work for you and your fellow Vietnam veterans.

Membership includes a subscription to our award-winning newspaper, The VVA Veteran, bringing you updates on issues and legislation affecting veterans, as well as unique articles on the people, places, and history of the Vietnam experience.

Membership is open to U.S. armed force veterans who served on active duty (for other than training purposes) in the Republic of Vietnam between February 28, 1961 and May 7, 1975, OR in any duty location between August 5, 1964 and May 7, 1975.

Our chapter is working very hard to help our brothers and sisters, their families and veterans of today.

We meet once a month at the American Legion Post 26 located at 508 Elm Street Biddeford. Meetings start at 1:30 (13:30)

If you would like further information on joining our chapter please email me your mailing address at cwomaine@metrocast.net I will send the information to you.