

Joint Committee on Finance  
April 20, 2001  
Testimony on SB 55 & AB 144

Tina Danforth, Vice Chair  
Oneida Tribe of Indians of Wisconsin

Thank you for providing us with the opportunity to testify on the 2001 – 03 Biennial State Budget Bill.

As Committee members are aware, the Oneida Tribe recently made its \$4.85 million compact fee payment to the State of Wisconsin. We appreciate all the time and support Committee members took from their busy schedules to discuss our concerns.

We are committed to pursuing language in the state budget that brings a large portion of our Indian gaming revenues back to Northeastern Wisconsin. During the past two years we have paid almost \$10 million to the State and seen only \$1.5 million returned to the Green Bay area for an arena project.

The Tribe has worked closely with our local officials to identify where gaming revenues can be beneficial to the region. The MOU signed by the Governor and the Tribe identified four areas of expenditure:

1. Economic development initiatives to benefit Tribes and/or American Indians within Wisconsin
2. Economic development initiatives in regions around casinos.
3. Promotion of tourism within the State of Wisconsin, and
4. Support of programs and services of the County in which the Tribe is located.

Today we are providing Committee members with our request for where the Oneida Tribe's portion of the gaming dollars be spent. We have been working with our neighboring communities during the past few months to identify our shared needs. The "Oneida Revenue Allocation Plan" is a direct result of these consultations.

Joint Committee on Finance  
continued

The plan is broken down into three broad areas: Tribal and Regional Economic Development, Tourism in Northeastern Wisconsin, Contributions to Local Governments for Programs and Services.

These proposals before you, provide a roadmap to the shared priorities of Northeastern Wisconsin and the Oneida Tribe of Indians. We look forward to discussing the Oneida Revenue Allocation Plan further with members of the Committee.

Thank you.

## ONEIDA REVENUE ALLOCATION PLAN

In the Memorandum on Understanding attached to the Gaming Compact Amendments of 1998, the Governor of Wisconsin agreed to use his best efforts to allocate the payment from the Oneida Tribe of the following purposes: (1) Promote tribal economic development, (2) Promote economic development in regions around tribes, (3) Promote tourism in the State of Wisconsin, and (4) Help subsidize programs and services of local governments around tribes. The Indian Gaming Regulatory Act permits gaming revenues to be spent in five areas: (1) Pay for tribal government operation or programs, (2) Promote the general welfare of the tribe and its members, (3) Promote tribal economic development, (4) Donate revenues to charity, and (5) Fund local government agencies.

The following allocation plan was developed in coordination with the purposes listed above with the intention of directing the spending of the entire \$5,400,000/year compact payment:

<b>I. Tribal and Regional Economic Development.</b>	<u>Year 1</u>	<u>Year 2</u>
A. Industrial park - Municipal Building in the Ashwaubenon industrial park.	\$250,000	\$250,000
B. Oneida Small Business Project 2001. There are two small business initiatives. One is specific to tribal members and the other is location.	\$1,000,000	\$1,000,000
C. Bay Lakes Regional Planning. Provide funds to local intermediaries that already have established revolving loan funds.	\$500,000	\$500,000
D. Green Bay, Downtown area development. Either the expansion of the children's museum or reconstruction of Washington Street.	\$500,000	\$500,000
E. Fox River Trails.	\$91,000	\$25,000
F. Feasibility Study, Kaukauna Dog Track. Study will define best non-gaming alternate uses.	\$100,000	\$0
 <b>II. Tourism in Northeast Wisconsin.</b>		
A. Brown County Arena Project. Support the construction of the new building.	\$750,000	\$750,000
B. UWGB Athletics Program. Fund tournament for the athletics department.	\$250,000	\$250,000

**III. Contributions to Local Governments for Programs and Services.**

A.	Central Brown County Water Authority. Project to secure a long term solution to groundwater depletion and degradation.	\$100,000	\$100,000
B.	Education Grants for 5 area school districts.	\$1,0840,000	\$1,250,000
C.	Outagamie Arsenic Water Study.	\$100,000	\$100,000
D.	Currently the State of Wisconsin allows a \$550,000 credit/year for service agreements with Green Bay, Ashwaubenon, and De Pere.	\$550,000	\$550,000
E.	Snowmobile Local Law Enforcement. Allocation of funds to remain in Brown and Outagamie County.	\$60,000	\$60,000
F.	Special Prosecutor. To more effectively and efficiently prosecute referrals from Oneida area.	\$65,000	\$65,000

*Proposed*  
**MICRO LOAN PROGRAM**  
Bay-Lake Regional Planning Commission  
April 2001

**Introduction**

The Micro Loan Program would provide small loans to start-up, newly established, or growing small businesses in Northeast Wisconsin, specifically the member municipalities of the Bay-Lake Regional Planning Commission. Under this program, the Bay-Lake Regional Planning Commission would make funds available to local intermediaries that already have established revolving loan funds. These lenders would then make low interest, short term loans to eligible borrowers in amounts up to a maximum dollar amount. Applications would be submitted to the local lender and all credit decisions would be made at the local level. Overall final application approval would be made by a committee established to oversee the Micro Loan Program. Repayment of the loans would be to the regional micro loan revolving loan fund.

**Eligible Activities**

Under the proposed program, eligible activities would primarily consist of **working capital, machinery and equipment, furniture and fixtures, and building and land acquisition** for start-up, newly established, or growing small businesses that are located within member counties or municipalities of the Bay-Lake Regional Planning Commission.

**Funding**

Based on conversations held with representatives from member counties, funding the RLF with \$500,000 of state funds over the two-year period seemed very reasonable. Overall, each county felt that they could utilize between \$50,000 and \$100,000 of these loan funds over the two-year period.

**Matching Funds**

This program would, at a maximum, fund up to 50 percent of the local project cost. Matching funds and owner equity could exceed 50 percent of project costs.

**Reuse of Funds**

Repaid funds will be deposited back into the regional RLF for future lending.

**Consistency with the Regional Economic Development Plan**

Under the Bay-Lake Regional Planning Commission's Adopted Overall Economic Development Program Update, it is a goal of the Commission's to increase investment opportunities within the region. One of the strategies to address that goal includes "encouraging the linkage and coordination of the various federal, state, local, and private funding sources for economic development projects." A long-term activity identified to address that strategy is that the Commission will seek to establish a regional revolving loan fund specifically for smaller loans under \$100,000. Under that report, one of the specific project listed for the region was the establishment of regional or sub-regional revolving loan funds.

The Overall Economic Development Program Update has been adopted by all eight counties in the Bay-Lake Region.

1-3

**ESTIMATED EXPENSES  
FOX RIVER TRAIL**

**ANNUAL MAINTENANCE/OPERATIONS**

Labor (Trail ranger-security & maintenance 1360 hours)	\$17,835
Sweeping/grading/topdressing (based on State DOT rate)	\$4,000
Portable toilet (9 months)	\$ 630
Misc. repairs/materials (waste bags, signs replacement, graffiti clean-up)	\$2,000
<b>TOTAL ANNUAL MAINTENANCE/OPERATIONS</b>	<b>\$24,465</b>

**CAPITAL IMPROVEMENTS/PROJECTS**

**Historical Interpretive Stations:** These stations will interpret the prehistoric, historic, and cultural resources along the trail. Each station will have a weather resistant 3'x5' sign incorporating interpretive script, graphics, and photos. A written guide will also be developed. Estimated Cost

20 stations	
Interpretive graphics (design & production)	\$25,000
Site development (masonry supports/paving/landscaping)	\$ 6,000
Interpretive guide (design & printing)	\$ 4,200
Total	<b>\$35,200</b>

**Resource Management/Restoration:** This project entails the restoration of several prairie areas, wildlife plantings, windbreaks, and the erection of nesting boxes and platforms along the corridor. Estimated cost-\$2,700

**St. Francis Park Development:** This 5-acre parcel was donated by the Green Bay Diocese as a trailside rest area. A portion of the site will be developed into a park area with the remainder being restored as a wildlife-natural area. The park area is proposed to have a small turf area, picnic tables, benches, and an open shelter. The remainder of the site will be restored to native vegetation. Estimated cost- \$16,375

**Land Claims Interpretive Project:** This project monuments the original French land claims along the river and trail. This method of surveying is unique to areas settled by the French and in Wisconsin, found only on the Fox and Mississippi River areas. These claims based upon frontage on these waterways. Survey monuments will be relocated, the system will be included on an interpretive station, and a written guide will be made available. Estimated cost- \$1,500

**Trail Rest Stations/Overlooks:** There are several areas along the trail corridor identified for rest stations and overlooks. These stations will serve trail users.

Overlooks: (4 at \$3,575 ea.)	14,300
Bench areas (5 at \$980 ea.)	4,900
Open shelter	6,400
Total	<b>\$25,600</b>

**Trail Parking Area:** Development of a parking area along the southern portion of the corridor to accommodate trail users. This graveled area will also provide a site for equestrians to unload trailers. Estimated cost-\$9,000

**TOTAL CAPITAL IMPROVEMENTS/PROJECTS FOX RIVER TRAIL: \$90,375**

**City of Kaukauna  
Targeted Business Study Proposal  
Conversion of Former Greyhound Dog Track**

I. Existing Conditions

The Kaukauna Greyhound Dog Track, a former pari-mutuel gaming facility, had been relatively idle since the ceasing of dog races in 1992. This three-story facility was designed for a unique use and was situated on a 90-acre parcel adjoining two major highways. The site is situated with storm water management, water mains, sewer mains and electrical service with capacities to serve the entire area.

II. Proposal

Being situated adjacent a major highway (U.S. Highway 41) and having available public utilities, the City proposes a targeted Market Study that would identify the following points:

1. Potential re-use of the existing facility as a hotel/convention center with a capacity of 5,000 plus people. Project to include water park and other amenities.
2. The capability of the site to attract a national market. Marketing of the site would be as a Class I Business Park.
3. Potential land use of the site including building and grounds.
  - i. Site Evaluation.
  - ii. Adjoining Land Use Potential.
  - iii. Overall Market Analysis.

The above three points will take into consideration layouts, environment, engineering, local and national markets, partnerships and financial capacities.

III. Financing

Assuming a national market is sought, the compilation of the report will seek expertise in national markets, Class I Business Park development, ability to merge architectural designs on a unique structure, and provide a product that is cost effective to implement.

The anticipated cost of such a report would be approximately \$100,000.00.

# DRAFT

13 April 2001

Mr. Gerald Danforth  
Norbert Hill Center  
P.O. Box 365  
Oneida, WI 54155-0365

Dear Gerald,

At the University of Wisconsin-Green Bay, intercollegiate athletics plays an important role in enhancing the quality of life for Northeastern Wisconsin. Each season, Phoenix teams bring local, regional and national recognition to the community, serving as a window through which people discover the excitement of Division I athletics, the University of Wisconsin-Green Bay and the Greater Green Bay community.

The institution's commitment to a comprehensive and gender-balanced Division I athletics program is evident in our steady growth and development. Our future holds even greater promise. To continue this development, we seek to strengthen our presence in the community and build upon an already solid relationship with the Oneida Nation of Wisconsin.

I have enclosed for your review a copy of a proposal that would allow the athletics program to continue to promote Green Bay and Northeastern Wisconsin as a premier sports entertainment destination. We appreciate your vision in recognizing the importance of intercollegiate athletics, and we look forward to any additional discussions regarding this initiative.

On behalf of our student-athletes and coaches, present and future, I say "thank you" for your interest in Phoenix athletics. Each year we are challenged to find additional resources to continue to meet the demands of operating a competitive Division I program - we hope you continue to be an important part of the Phoenix family.

Thank you for your time and consideration.

Sincerely,

Otis Chambers  
Director of Athletics

# DRAFT

## CASE STATEMENT

### Background

The University of Wisconsin-Green Bay and the Phoenix Athletics program have built a tradition of excellence since the University opened its doors and fielded its first teams in 1969. Since the beginning, intercollegiate athletics has played an important role in the life of the University. Phoenix teams bring national prestige and recognition to our University, community and state.

Today, the University of Wisconsin-Green Bay Phoenix Athletics program sponsors 15 Division I athletics teams. More than 250 student-athletes are challenged daily to realize their full potential, both in the classroom and on the playing field. At UW-Green Bay student-athletes are also continually challenged to demonstrate a commitment to academics, athletics and the community. During the 2000-2001 academic year, student-athletes participated in numerous community projects and athletics contests all while achieving a cumulative grade point average of better than 3.0. National research has shown that athletic participation has a positive impact on the development of the interpersonal and leadership skills of college students. Undoubtedly, the larger benefit of college athletics to the community extends well beyond the playing floor.

The future of intercollegiate athletics at the University of Wisconsin-Green Bay holds a great deal of promise. With your help, that promise can become reality. The following proposal introduces a plan that will serve to help strengthen the overall athletics program

### The Future of Men's and Women's Basketball at UW-Green Bay

The future of our men and women's basketball programs will be predicated upon the ability of Phoenix Athletics to position our teams as "special". One of the opportunities for positioning is a top-quality holiday tournament for each team. Currently, UW-Green Bay hosts a men's basketball holiday tournament: *The Oneida Bingo and Casino Classic*.

UW-Green Bay Athletics would like to continue, and build upon, the tradition of the men's tournament while adding a top-quality women's tournament. With your support and partnership, we would extend the brand, so to speak, by attaching the name *The Oneida Bingo and Casino Classic* to the women's tournament, as well.

It would be an association of which we both could be proud.

Our Phoenix women's program has not had a losing season in 25 years. More important, in an age in which more and more girls and young women are experiencing the fitness and team-building benefits of competitive athletics - experiences that many of their mothers and grandmothers missed out on - our players are true role models. We've seen the young fans at our home games. We've seen the response our players get when they do school visits or youth programs.

The Phoenix women play exciting basketball against the nation's best competition. This past year, for the first time, several of our home games were virtual sellouts. We believe it is clear from the growing success of our own women's team, and from attendance, revenue and ratings numbers from this year's Women's Final Four, that involvement with women's Division I basketball has a tremendous upside. With this opportunity, however, come financial challenges and obligations.

## Financial Obligations

With our existing holiday tournament, *The Oneida Bingo and Casino Classic*, Green Bay is the envy of many. We know that other Division I basketball programs respect our success in drawing top competition to highlight our home schedule, and that other communities recognize the boost in prestige and tourism activity that such a successful sports-entertainment event can produce.

While the Phoenix Athletics program is intent upon continuing a high-quality men's basketball tournament, the increased cost of competitive guarantees as well as officials, facility rental and participant gifts have put the tournament under financial constraints.

Similarly, while the creation of a women's basketball tournament will strengthen our shared commitment to a comprehensive and gender-balanced athletics program, the financial impact of taking advantage of this opportunity is significant. The women will have approximately the same needs as the men do for officials, facility rentals (the women's tournament would be played at the Resch Center), trophies and participants gifts. Currently, women's tournament guarantees range from \$10,000 to \$15,000 while men's range between \$35,000 and \$45,000. The projected budgetary impact for the two tournaments is \$237,000.

In order to continue with the men's tournament and add a women's tournament, it will be necessary for the athletics program to obtain additional funding from sources outside of the University. The following budget analysis will help you understand these financial challenges.

	Current Cost of Men's Oneida Bingo and Casino Basketball Tournament (99-00 budget)	Projected Cost Men's Oneida Bingo and Casino Basketball Tournament (01/02)	Projected Cost Women's Oneida Bingo and Casino Basketball Tournament (01/02)
Team Guarantees	\$105,000	\$120,000	\$45,000
Officials	\$10,000	\$12,000	\$10,000
Facility Rental	\$12,000	\$16,000	\$16,000
Tournament Trophies	\$ 1,000	\$ 1,000	\$1,000
Participant Gifts	\$ 8,000	\$ 8,000	\$8,000
<b>Operating Budget Total</b> (Includes total cost for 3 teams /4 games)	\$136,000	\$157,000	\$80,000

The second half of this proposal relates support of these tournaments and the University of Wisconsin-Green Bay athletics program to the contributions already being made by the Oneida Nation on behalf of the local economy and regional tourism development.

First, we must emphasize: The new Resch Center arena will be a wonderful addition to the regional tourism scene. It will be a spacious, modern and fan-friendly site for future *Oneida Bingo and Casino Classic* basketball tournaments. The UW-Green Bay Phoenix Athletics program looks forward to opening day.

At the same time, the potential for higher overhead expenses is of concern. If we are to continue and expand the success of our men's and women's basketball programs, *The Oneida Bingo and Casino Classic* tournaments, and our region's sports-entertainment offerings, this issue must be addressed. Our proposal would do so within the framework of the Oneida Nation's existing support of Northeastern Wisconsin tourism efforts.

Under this proposal, the Oneida Nation's very successful and longstanding sponsorship of the men's *Oneida Bingo and Casino Classic* would be formally recognized within the context of the gaming-compact agreement the Nation enjoys with the state of Wisconsin... and the community would also reap the benefits of a parallel new, women's event.

Currently, millions of dollars in gaming revenue payments made to the state are earmarked to return to Northeastern Wisconsin each year. About \$800,000 annually is intended specifically for tourism development. Under this proposal, the Oneida Nation would recommend with the support of UW-Green Bay Athletics that \$237,000 of this amount be directed toward underwriting the existing men's tournament and launching the new women's tournament.

In addition, under this proposal, the Oneida Nation would recommend that the remainder of this \$800,000 annual allocation, or \$563,000, be directed toward support of the new Resch Center. Half of this amount (or \$281,500) would go to general operation of the regional arena/events center. The other half (\$281,500) would be earmarked to support the Phoenix Athletics program in covering higher overhead expenses associated with the new, state-of-the-art facility.

The net impact of this aspect of the agreement: The Resch Center would receive \$563,000 annually to help better establish itself as a regional entertainment venue. Fifty cents of every dollar would also support the Phoenix Athletics program in covering additional costs related to rent, personal service fees and lost income from projected seat surcharges (that would effectively raise basketball ticket prices with no added revenue for the program).

The following outlines an example of the proposal based on an \$800,000 base allocation from gaming-compact revenues:

<b>Total Allocation</b>	\$800,000	
<b>Men's and Women's Basketball Tournament Allocation</b>	\$237,000	
<b>Resch Center Allocation</b>	\$563,000	
<b>UW-Green Bay Allocation 50% of Resch Center Allocation</b>		\$281,500
<b>Resch Center Allocation 50% Total Resch Center Allocation</b>		\$281,500

**FORMULA FOR SUCCESS:  
Tradition, commitment and support**

*"The Green Bay Way."*

The phrase captures the pride and tradition of the University of Wisconsin-Green Bay Intercollegiate Athletics program. Through the years the athletics program has benefited from a firm commitment to athletics excellence by the University, its students and, most appreciated, the community. With this support and the educational opportunities it helps provide, the athletics program is assured of advancing the academic and athletic excellence that remain the two complementary strengths of the athletics program. Thanks to all our supporters and contributors, the success story continues and the University of Wisconsin-Green Bay athletics program remains a shining star for the University and the community.

The success of the plan begins with individuals like you. In order to continue a high quality athletics program, the athletics program must obtain additional outside funding. The University of Wisconsin-Green Bay's athletics program respectfully requests your assistance in continuing the tradition of great intercollegiate athletics at the University of Wisconsin-Green Bay and in building a new tradition in a women's basketball tournament.

Thank you for your interest in the University of Wisconsin-Green Bay and for playing such an important role in the success of Division I athletics. The success that we have experienced could only have been accomplished the "Green Bay Way"- through compassion, commitment and teamwork.

From: Thelma McLester  
To: Cornelius, Kevin  
Date: 4/17/01 12:11PM  
Subject: RE: EDUCATION SEEKING GAMING DOLLARS

"The Oneida Tribal Education and Training Department is responsible for developing and implementing the Education Plan for the Tribe. One of the departments that is directly impacted is Youth Educational Services which has approximately 1000 students in grades pre-kindergarten through grade twelve attending the five public school districts of Seymour, West De Pere, Freedom, Pulaski and Green Bay.

Over the past five years, there has been a noticeable increase in population of Oneida youth which has directly impacted these surrounding school districts where our students attend. Future projections indicate that this trend will continue. With these increases there is a definite shortage of help for native students, help that is needed in the schools to help deliver services to our Indian children and their parents that will help them to develop better coping skills in off-community environments.

In order to provide needed benefits to our children attending the public schools, we see the need for the following: (1) Native American Guidance Counselors, (2) Native American Student Advocates, (3) Native American Social Workers, (4) Native American Curriculum Director for Oneida history and culture which would include added resources in both written materials as well as cultural speakers to benefit both students and school personnel. (5) We realize there is very little support, but very much needed school psychologists in these schools also.

The benefits that would come from the hiring of the above mentioned personnel would result in: better prepared students for higher education beyond the secondary levels; needs would be met in the areas of academic as well as social leading to a better quality of life outlook; joint efforts would be achieved between the school and parents of students; fulfill the requirements of Legislation Act 31 with regard to the teaching of American Indian history and culture. Finally, true partnership would result from this effort as in past discussions with school administrators, we have been advised that there is indeed a shortage of help in these vital areas."

Amount Needed: \$1,000,000

CC: Duff, Lisa; Torres, Linda; Vandenberg, Cheryl

October 23, 2000

Representative John Ainsworth  
P. O. Box 8952  
Room 302N  
Madison, WI 53708-8952

Dear John:

It was great to see you at our Middle School/High School Open House last Sunday. Your continued support for the Seymour Community School District is greatly appreciated.

I am extremely pleased that you have a seat on the Legislative Council Special Committee on State-Tribal Relations. Last March when we met with Secretary Bugher we began some very important conversations on the impact of Indian Gaming. Specifically, we spoke of the distribution of the estimated \$23 million annual tribal payment to the State (I've attached my notes from that meeting). Since the time of the last meeting Seymour Community School District has had a major Indian housing expansion financed through gaming revenue. Attached please find maps of new subdivisions: (1) Vandewalle East, (2) Path of the Bear, and (3) Path of the Wolf.

As a result of these major subdivisions Seymour's Native American population has increased to over 335 students, a 60% increase. Many of the parents of the Native American children are assuming service jobs related to the gaming compact. Families that are moving into the district are from Chicago, Milwaukee, and California. Their children bring with them a great variety of social and educational needs. While the IMPACT on the Seymour Community School District has been partially shared by the State and Federal Government, the resources are not adequate. (The Governor, in his budget, has addressed some of the law enforcement and social service needs with gaming money.) Educational issues have not been addressed by the State. Thus, Seymour has been unable to increase local revenue as Federal Law prohibits State or Local taxation of Federal Lands. The Federal Government does provide minimal Impact Aid, approximately \$135,000 last year. However, almost 78% of this was taken away due to the deductibility factor in the State Aid Formula. \*

As a result of the State Gaming Compact the Seymour Community School District has:

- formed a study committee to look at new facilities or facility expansion. The gaming compact signed by the State has filled our schools.
- a 26% increase in Special needs high cost students.
- increased to a total minority population in excess of 16%.
- has been forced to redistribute resources from the mainstream to the high cost students.

John, your support in addressing the IMPACT of the gaming compact with the State Government is greatly appreciated. Last year over 1.5 million dollars of gaming impact money was spent for the Brown County Arena. I believe that the needs of children must be put forward, and must be included as a cost of gaming as well as sports arenas.

Sincerely,

William G. Loasching, Ph.D.  
Superintendent of Schools

WGL:LMS

CC: Board of Education

Enclosure

Department	Program Revenue		Purpose
	1999-00	2000-01	
23. Natural Resources	\$81,000	\$131,000	Mandatory snowmobile education program.
24. Natural Resources	100,000	300,000	One-time grant to the Town of Swiss in Burnett County and the St. Croix Band for a drinking water study and for planning activities related to construction of wastewater and drinking water treatment facilities.
25. Natural Resources	130,300	147,000	Study of crop damage by cranes and a position relating to the reintroduction of whooping cranes.
26. Public Instruction <sup>7</sup>	198,000	203,000	Aid to alternative schools operating American Indian language and culture education programs.
<del>X</del> 27. Tourism	4,000,000	4,000,000	General tourism marketing, including grants to nonprofit tourism promotion organizations and specific earmarks.
28. University of Wisconsin System	0	0	Ashland full-scale aquaculture demonstration facility: debt service payments and operational costs.
29. Veterans Affairs	79,400	85,500	American Indian services coordinator project position and grants to assist American Indians in obtaining federal and state veterans benefits.
30. Workforce Development	350,000	350,000	Vocational rehabilitation services for Native American individuals and tribes or bands.
Total	\$20,595,100	\$22,534,200	

1. Would eliminate GPR funding and provide an identical amount of gaming revenue for the same purpose.
2. Would eliminate PR lottery and racing revenue funding and provide tribal gaming revenue in a greater amount for the same purpose.
3. Would eliminate GPR and PR penalty assessment funding and provide an identical amount of gaming revenue for the same purpose (funding provided in budget bill reflects an increase previously approved under s. 16.515 of the statutes after the adjusted base was established).
4. Would increase revenue for fish and wildlife account, possibly holding down fee increases or preventing certain program reductions.
5. Would eliminate GPR and SEG funding and provide an identical amount of gaming revenue for the same purpose.
6. Would supplant SEG funding (fish and wildlife account) currently used for this purpose.
7. Would eliminate GPR funding and provide gaming revenue in a greater amount for the same purpose.

Under the Joint Finance provisions, the tribal gaming program revenue appropriation would have an estimated balance of \$425,300 on June 30, 2001.

**Assembly:** Allocate \$20,594,400 PR in 1999-00 and \$23,023,800 PR in 2000-01 from tribal gaming revenue. These allocations are \$700 less in 1999-00 and \$489,600 more in 2000-01 than the allocations under Joint Finance. The following provisions adopted by the Assembly reflect

Memorandum from the  
OFFICE OF THE DISTRICT ATTORNEY  
OUTAGAMIE COUNTY

**FAXED**

Time:  
Date:

320 S. Walnut Street  
Appleton, WI 54911

Phone - (920) 832-5024 / Fax - (920) 832-5031

TO: Chief Jim Danforth, Oneida Police Department via fax @ 869-1864

FROM: Vince Biskupic, District Attorney *Vince Biskupic*

DATE: April 2, 2001

RE: Special Prosecutor/Law Clerk Position

As you are probably aware, my office has been very understaffed regarding prosecutor positions for the last several years. Recently, a State audit revealed that this office does the work of approximately 14 attorneys, yet is only staffed with 8.5. To alleviate some of the caseload burden, this office has tried to look for various grants to fund temporary prosecutor positions.

This memo is to inquire as to whether your department along with the leaders of the Oneida Tribe, would be willing to fund a temporary special prosecutor/law clerk position for our office. A contract would be set up where the position is paid (and benefits are arranged) through the county budget system. However, periodic reimbursements would be made to the county by the agency arranging to pay for the grant. See attached copy of the law clerk job description for the county.

I envision that this position would be very helpful to our office to deal with the caseload, but would also be very beneficial to the Oneida Police Department and the Oneida Tribe based on the following reasons:

1. The prosecutor would be specifically assigned to be the primary person handling all Oneida Police Department cases. That position would also be available to prosecute all Oneida tickets and citations that appear before the Circuit Court Judges.

2. The prosecutor position would be assigned as the "on-call" prosecutor 24 hours a day for any and all questions from Oneida police officers.
3. The prosecutor position would be available for regular training or briefing sessions for officers to be conducted at the Oneida Police Department at the request of the Oneida Police Administration.
4. The position would be a temporary position for a period of 18 months so there would be ample opportunity to assess its effectiveness and benefits to the Oneida community. I would envision the position starting on July 1, 2001 and running through December 31, 2002.

Please contact me at your earliest convenience to see if this is the type of position that your agency and the Oneida Tribe is willing to endorse and fund. I know your caseload has been increasing over the years and I believe that it is important that my office takes a more active role in working with your officers and your community to more effectively and efficiently prosecute referrals from your jurisdiction. I see this temporary position as a catalyst to increase the effectiveness and efficiency of our working relationship. At the same, this additional position would greatly help in alleviating the concerns of the under staffing in our office.

I look forward to hearing from you on this important matter in the near future. If necessary, I'm willing to come up and visit at your agency with you and any other community leaders to discuss this situation.

Attachment

Outagamie County  
Position Description

Name: Department: Circuit Court #1 -  
District Attorney  
Position Title: Law Clerk Pay Grade:  
Date: November 7, 1997 Reports To: Circuit Court Judge or District  
Attorney

---

**Purpose of Position:**

Reporting to the Circuit Court Judge or the District Attorney, the Law Clerk researches legal issues, providing information and assistance to judges and the District Attorney.

**Essential Duties and Responsibilities**

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

Law Clerks assigned to the Circuit Court will perform the following:

- Researches and prepares opinions for the Circuit Court Judges.
- Reads briefs submitted by attorneys and researches legal issues involved in the case.
- Prepares draft decisions and memoranda for review and approval of Judges, or meets with Judges to discuss cases.
- Assists in the preparation of jury instructions.
- Attends hearings as required.
- Maintains court decisions and other files.
- Oversees Law Library operations, acquisitions, budget, etc.
- May assign, oversee and review the work of other Law Clerks.
- May provide input into selection process for other employees.

Law Clerks assigned to the District Attorney's office will perform the following:

- Reviews police agency referrals and makes appropriate charging decisions.
- Dictates criminal complaints and other legal documents as requested by attorney staff.
- Assists prosecutors in case and trial preparation through resolution, including preparation of police and citizen witnesses.
- Researches issues of law and prepares memoranda for review by attorney staff.

**Minimum Training and Experience Required to Perform Essential Job Functions**

Law degree from accredited law school. Wisconsin Bar Association membership desirable.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

**Physical Requirements**

- Ability to operate a variety of office equipment including computer, telephone, and dictaphone.
- Ability to lift, carry, push, pull; or otherwise move objects up to 25 pounds, understanding and utilizing proper body mechanics.
- Ability to work independently, with minimal instruction, showing good judgment.

**Mental Abilities**

- Knowledge of criminal law and judicial procedures.
- Thorough knowledge of research techniques.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percents, and make use of the principles of descriptive statistics.

**Language Ability and Interpersonal Communication**

- Ability to comprehend and interpret a variety of documents including case files, motions, legal briefs, investigative reports, case law, statute books, administrative codes, etc.
- Ability to prepare a variety of documents including decisions, jury instructions, special verdicts, legal memoranda, and court orders.
- Ability to use and interpret legal terminology.
- Ability to communicate effectively with Judges, attorneys, County personnel, and the general public verbally and in writing.

Outagamie County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

*[Handwritten Signature]*  
\_\_\_\_\_  
Supervisor's Signature (Circuit Courts)

*12-11-97*  
\_\_\_\_\_  
Date

*[Handwritten Signature]*  
\_\_\_\_\_  
Supervisor's Signature (DA Office)

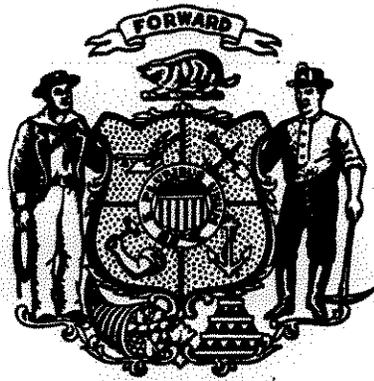
*12-11-97*  
\_\_\_\_\_  
Date

*[Handwritten Signature]*  
\_\_\_\_\_  
Human Resources Director's Signature

*12/12/97*  
\_\_\_\_\_  
Date

**BLOODBORNE PATHOGENS EXPOSURE RISK CATEGORY C**

END



END

## Wisconsin Brewers Guild Position On Proposed Changes to Tied House Law

Wisconsin's "Tied House Laws" have effectively governed the entire alcohol industry in the State of Wisconsin since 1932. Changes or "updates" to these regulatory laws are being proposed. If implemented, these changes will threaten the foundation of our industry. The original proposals were lead by The Miller Brewing Company and are now also being coordinated with the State Wholesalers Association and the Wisconsin Tavern League.

The Wisconsin Brewers Guild, represents thirty-two small breweries throughout the state of Wisconsin and strongly opposes using the budgetary process to make sweeping regulatory changes to our industry. We believe that it is of the utmost importance to listen to the voice of the entire industry, not just those with the greatest political influence to alter the process. In reviewing the proposal to "Update Tied House Laws", using the 2001 budgetary process as a vehicle, the Wisconsin Brewers Guild makes the following recommendations:

### 1.) Indoor Permanent Point of Sale:

Wisconsin Act 68 updated the current language for signage and point of sale in 1983. The maximum value was raised to \$150 and the reference to "signs" expanded to include clocks and menu boards. It also allowed brewers and wholesalers to provide tap handles and paper or cardboard signs, not subject to a maximum dollar amount.

This has been a major sticking point within our industry because there has been no real means of enforcement available to the Department of Revenue. Unless the wholesalers can find a way to work with the Department of Revenue and find a workable means of tracking, regulation of any dollar limitations is difficult, if not impossible.

#### **Guild Recommendation:**

Allow unlimited indoor signage of any material, not subject to a maximum dollar amount. In addition, retain the current language that defines temporary indoor signage.

### 2.) Entertainment of Class "B" Retailers:

This Statute, updated in 1981, allows a brewer to spend up to \$75 per day to entertain a Class "B" account. Allowing expenditures on accounts greatly increases the possibility of brewer influence and further erodes Wisconsin's three-tier system. The original goal of these laws was to extinguish the influence of large brewers on Class B licenses.

**Guild Recommendation:**

We question the feasibility of creating a statute to allow expenditures on accounts, with out any means or ability to effectively track, monitor or enforce those expenditures.

The Wisconsin Brewers Guild would resolve to compromise by raising the expenditure limitation to stay with inflation to \$150 per day. In addition we urge the Department of Revenue to create a system to properly monitor, track and enforce the agreed upon limitations, including a \$10,000 fine or imprisonment of not more than two years or both, for continued violations.

**3.) Indoor Temporary POS and Sign:**

Additional changes to Wisconsin State Law are redundant after being addressed by the proposed changes in point 1.

However to reiterate, Wisconsin Act 68 updated the current language for signage and point of sale in 1983. The maximum value was changed to \$150 and the reference to "signs" expanded to include clocks and menu boards. It also allowed brewers and wholesalers to provide taps handles and paper or cardboard signs, not subject to a maximum dollar amount.

With no real means of enforcement available to the Department of Revenue regulation of any dollar limitations is difficult, if not impossible.

**Guild Recommendation:**

Allow unlimited indoor signage not subject to a maximum dollar amount. Concurrently, retain the current language that defines temporary indoor signage.

**4.) On Premise Activity by Brewer or Wholesaler:**

We view this proposal as a means to create a new legal avenue to contribute things of value including advertising and promotions to Class "B" taverns.

Again, we question the feasibility of allowing advertising to be paid for by Brewers and Wholesalers with no means for the enforcement agencies to monitor or track the expenditures.

In 1998, SB360 was proposed to allow contribution of things of value, by Senator Breske and was fought through the joint efforts of the Wisconsin State Brewers Association, The Wisconsin Wholesale Beer Distributors Association and The Wisconsin Brewers Guild. Governor Thompson vetoed that bill in its entirety citing concerns over endangering Wisconsin's three-tier system.

Addressing the Honorable Members of the Senate, April 30, 1998, Thompson stated, "Contributions allowed under this provision could result in a "tied" relationship between a brewer and/or wholesaler. Small brewers and distributors should compete in the marketplace based on their products and service, not on the amount of assets they are able to contribute... in order to be represented."

**Guild Recommendation:**

We do not support any changes in allowable on-premise activities by brewers or wholesalers. We urge the creation of a means to track and enforce current statutes. We recommend coordination of this effort with the Department of Revenue including penalties and fines for violations and violators.

**5.) Retail License Transfer:**

This proposal would create protection for wholesalers from any financial loss due to a tavern owner discontinuing business leaving behind outstanding debts to wholesalers.

**Guild Recommendation:**

Current law provides 15-day payment terms to licensees from Wholesalers. We are not aware of any problems encountered by wholesalers but would agree to support the opinions of the wholesalers as long as they are in line with able enforcement by the Department of Revenue.

**6.) Mail Order Beer Sales:**

Currently, mail order beer sales are illegal. Shipping beer to a consumer is currently prohibited by 125.30(1) Wisconsin Statutes.

Although currently illegal, there is no means of enforcing the laws in regard to the shipment of beer by mail. E-commerce is becoming increasingly important to the Wisconsin economy. Prohibiting sales is a clear violation of free trade.

**Guild Recommendation:**

We would recommend reciprocity with the 14 other states that allow the shipment of fermented beverages, utilizing the common practice of requiring an adult signature for delivery. Wisconsin retailers, wholesalers and brewers currently pay taxes in a responsible manner and we would suggest that Wisconsin sales tax be paid on all shipments both in and out of the state. Thus creating additional tax revenue for the State of Wisconsin. The means to track sales tax payments, and penalties for none payment already exist. We would also agree that mail order shipments must be directly to adult consumers in limited quantities and not for resale purposes.

**7.) Conditional Sales:**

The proposed changes would allow millions of dollars to be given by brewers and wholesalers directly to retailers tax-free.

2,500.00	- for signage & gifts (no limits)
+ 500.00	- entertainment (daily no limits)
<u>3,000.00</u>	
x 4,200	- tavern league members
	12.6 million non-taxed dollars per brewery or wholesaler

This figure only includes Tavern League members; it does not touch on the many unaffiliated Class B licenses throughout the state. The proposed conditional sales provision would, in theory, prohibit a retailer from predicating a purchase on the receipt of any gifts.

**Guild Recommendation:**

Wisconsin Statute 125.33 reads - Restrictions on dealings between brewers, wholesalers and retailer. (1) Furnishing Things of Value. No brewer or wholesaler may furnish, give, lend, lease or sell any furniture, fixtures, fittings, equipment, money or other things of value to any campus or Class "B" licensee or permittee. We would recommend against any unnecessary changes to the current Wisconsin Law.

**8.) Sale Without Retail License:**

Apparently, this proposal would have you believe that the Department of Revenue has forgotten to require persons with an intent to sell alcohol be required to obtain a license or permit.

Wisconsin Statute 125.66. (1) No person may sell, or possess with intent to sell, intoxicating liquor unless that person holds the appropriate license or permit. Whoever violates this subsection may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

**Guild Recommendation:**

We think the Wisconsin Statute addresses this issue adequately and there is no need to make unnecessary changes.

**9.) Compensation for Loss Of Brand:**

Anytime a brewer must replace a wholesaler whether due to the wholesaler's failure to fulfill contractual obligations or even the wholesaler going out of business or death, the brewer is obligated to pay the wholesaler for changing to a new wholesaler.

**Guild Recommendation:**

We have successfully opposed this perennial issue since its first attempted introduction to the budget in 1997 and the subsequent SB Bill 444 in 1998.

Mandatory compensation for loss of brand violates the spirit of free trade. Wisconsin Wholesalers already enjoy the protection of Wisconsin's Fair Dealership Law. Substantial loss of business without just cause or due equitable compensation is already the protected right of all Wisconsin Wholesalers. We question the necessity of duplicate legislation. We seek to protect our right to independently initiate, negotiate and terminate agreements with the wholesalers of our products. If the relationship between a brewery and wholesaler is unacceptable, it should be the responsibility of those parties, negotiating between themselves, to determine the destiny of that particular relationship.

We oppose mandatory compensation for loss of brand as written.

**10.) Retailer Association Membership:**

Wisconsin Statute 125.33 allows only large brewers to join the local tavern leagues.

**Guild Recommendation:**

It goes without saying that membership in national or statewide trade associations should be allowed to all wholesalers and breweries. The current banning of small breweries from such memberships is completely discriminatory and should be changed.

**11.) WEB Based Server Training:**

Currently, employees of the Wisconsin Department of Revenue and approved instructors, utilizing a classroom setting, effectively give responsible beverage server training courses.

**Guild Recommendation:**

The guild remains neutral on this point. We would suggest that the positions of both the Department of Revenue and the Wisconsin Restaurant Association are heard and a compromise reached.

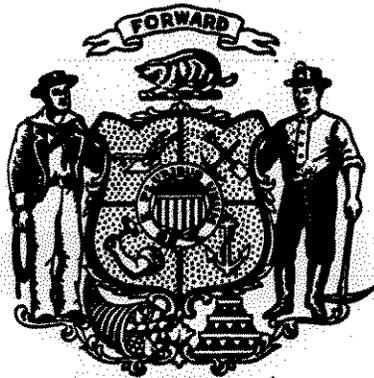
**12.) Mail Order Sales of Wine:**

Currently the State of Wisconsin exercises reciprocity with fourteen other states that allow the mail order type shipment of wine directly to adults. Shipping of product is a significant portion of the commerce for Wisconsin's small wineries. The Wisconsin Brewers Guild recognizes the historically responsible behavior of the Wisconsin Winery Association in not only their collective ability to pay state taxes in a timely fashion but also their continued efforts at promoting the healthy consumption of a Wisconsin Agricultural product.

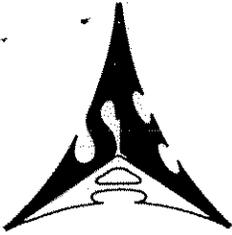
**Guild Recommendation:**

The Wisconsin Brewers Guild recommends that the State of Wisconsin continue their policy of promoting Wisconsin Agricultural products by continuing to allow the mail order of wines as appropriate.

*END*



*END*



STATE ENGINEERING ASSOCIATION

4510 REGENT STREET

MADISON, WISCONSIN 53705

(608) 233-4696

April 3, 2001

TO: CO-chairs Senator Brian Burke &  
Representative John Gard  
Joint Finance Committee

RE: Dept. of Employee Trust Funds Budget

The State Engineering Association wants to communicate our support for the following areas of the Dept. of Employee Trust Funds Budget to your committee:

I. Direct Service Staffing Areas

A. Critical Customer Service Improvement

The current 12 week delays in service are unacceptable.

The 13 FTE requested are needed to reach the average of other retirement systems as confirmed by the CEM Study.

The Governor's reduction to 8 FTE positions only REDUCES SERVICE and saves no GPR funds because ETF funding is segregated. The number of participants has increased to 475,000.

B. Customer Service Call Center

This year the call center has improved the answering of phone calls from 30-40% to 80-85%. However, the goal is 90% within one minute and this cannot be reached with temporary project position staff. This past year there has been a 100% turnover of the project staff requiring complete retraining. The permanent position staff are needed now, not two years from now!

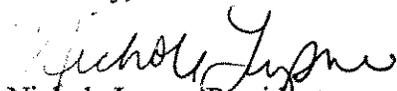
SEA supports the ETF budget and recommends reinstatement of the permanent positions cut by the Governor's proposed budget.

Co-chairs Senator Brian Burke &  
Representative John Gard  
Joint Finance Committee  
Page 2  
April 3, 2001

These cuts save NO GPR FUNDS; they only reduce service  
to employees and annuitants.

We appreciate this opportunity to communicate our concerns about the Wisconsin Retirement System to your committee and want to thank you for your consideration.

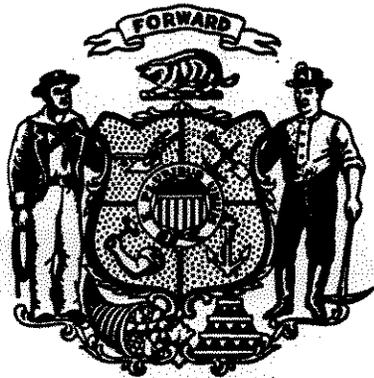
Sincerely,



Nichole Lysne, President  
Wisconsin Rapids Section  
STATE ENGINEERING ASSOCIATION

cc: Eric Stanchfield, Secretary  
Dept. of Employee Trust Funds

END



END

March 28, 2001

Good Morning/Afternoon, my name is Jerome Thiele; I am the Airport Manager for the Chippewa Valley Regional Airport in Eau Claire, Wisconsin.

I would like to thank the Joint Finance Budget panel for it's support of the proposed Ad Valorem Tax legislation that would allow for the expansion of Midwest Express Airlines within Wisconsin.

One portion of the Tax legislation allows for the creation of a Governor's Blue Ribbon Panel assigned to study and explore various new funding methods for the Wisconsin Department of Transportation - Bureau of Aeronautics. Such a study effort could locate a new dedicated and creative revenue sources to fund the Bureau of Aeronautics.

The citizens of Wisconsin can be proud of aviation activity within the state. Wisconsin is a world leader in aeronautical activity and home to two quality major and regional air carrier companies. Wisconsin is the headquarters of the annual Oshkosh Sport Aviation event, the worlds largest business, corporate and sport aviation function of it's kind.

The Wisconsin Bureau of Aeronautics is a vital asset to the aeronautical users of the state. I have served as an airport administrator for twenty-three years within five Midwest states and past the President of a statewide airport managers association. The Wisconsin Aeronautics Department is a premiere and enviable organization operated by truly dedicated, knowledgeable aviation officials. As a block grant state, the staff at the Bureau of Aeronautics serves a prime role as liaisons and coordinators with federal aviation officials, thus keeping these important jobs within Wisconsin.

I would like to go on record as supporting the development of the Blue Ribbon Panel to look nationwide for new creative funding sources for the Bureau of Aeronautics.

Thank you for your attention today and your service on the budget committee.

Jerome Thiele, Airport Manager  
Chippewa Valley Regional Airport



WISCONSIN STATE SENATOR  
**RICHARD GROBSCHMIDT**

7TH SENATE DISTRICT

**Statement of Senator Richard Grobschmidt to  
the Joint Committee on Finance  
April 20, 2001**

**Co-chairs Burke and Gard and members of the joint committee:**

I am here today to ask your support for a provision of the state budget bill that proposes an important revision to the way our state taxes airlines with hub facilities in our state. The proposal is identified as the Tax Exemption for Air Carriers with Hub Terminal Facilities in the Fiscal Bureau summary of the transportation budget. It has also been introduced as Assembly Substitute Amendment 1 to Assembly Bill 100 and has passed the Assembly. But more usually it is referred to as the Midwest Express/Air Wisconsin proposal.

In a brief summary, the proposal creates an exemption from property taxes and ad valorem taxes for air carriers that operate hub facilities in Wisconsin. Under the provisions of the budget bill and amended AB 100, there are currently two airlines – Midwest Express and Air Wisconsin, that would qualify for the exemption.

I have sponsored this proposal both this session and last, because Wisconsin can't afford to lose good businesses and good jobs to other states. Midwest Express is in the process of nearly doubling its fleet in the next five years from its current 52 planes to approximately 100. It can and will do it in Wisconsin if punitive tax policies are lifted. I am very concerned that it will make a business decision to locate outside of Wisconsin if the tax laws are not changed.

Having Midwest Express operate a hub airport in Milwaukee is a catalyst for economic development in our state. Midwest Express serves 80 percent of the major metropolitan areas of our country with non-stop flights. As a member of the Board of Forward Wisconsin I am aware that businesses considering locating in Wisconsin place importance on the convenience of business travel.

Midwest Express is already a large employer in our state and has an outstanding reputation in the airline industry. Midwest Express currently employs over 2,700 Wisconsin residents and could add over 1,000 jobs during its five year expansion.

Grobschmidt testimony page two

Other state's that are home to major airlines, and Wisconsin's neighboring states, either have tax provisions that have encouraged hub airlines to locate in their borders, or specifically exempt aircraft from personal property taxes. Midwest Express faces a competitive disadvantage in Wisconsin.

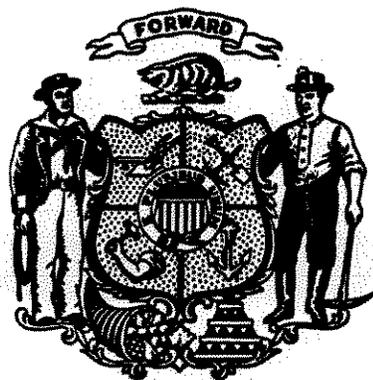
The concerns of small airports have been addressed by the new proposal. The proposal creates a hold harmless protection for the local airport aid appropriation and creates a funding formula to assure adequate funding for the future. Also, Congress recently acted to increase federal aid to local airports in amounts that will increase overall funding for local airport projects in Wisconsin in the future.

I would also like to remind the committee that the legislature has previously recognized the importance of Midwest Express as a valuable corporate asset. In 1998 the Legislature approved a partial reduction in the aviation fuel taxes paid by Midwest Express. By Fiscal Bureau estimates, the fuel exemption saves the airline an estimated \$50,000.00 per month in taxes. I was glad to be a strong supporter of that provision and hope that it has contributed to the success of the airline and helped them during this time of rising fuel prices.

As you may be aware, proposals that create tax exemptions are required to be reviewed the Joint Survey Committee on Tax Exemptions before being enacted by the Legislature. Earlier this month I requested action by that joint committee and hope they will provide their recommendation in the near future. I have also expressed my request for quick action on this issue to the Senate Majority Leader.

I believe we need to continue our effort to improve the tax climate for our growing airline industry. I hope the joint committee will support the proposal presented in Governor McCallum's budget.

END



END

# I OWE YOU!

Just as I came looking for you, now you can contact me.  
Veterans, you are entitled to receive benefits that  
you're not aware of.



# Eclipse

Quarter 3, 2000

Vol. 29, No. 5

BY GUY WILKIE, ILLUSTRATION BY FLAGG

# Eclipse

3rd Quarter, 2000 Vol 29, No.5

## In This Issue:

- \* **Changes Needed, Fair Adjudication of Veterans Claims has not become a Reality...pg. 9**
- \* **It's been 25 Years, are we ready to forgive?...pg. 12**
- \* **Veterans Lack Benefits in Many States...the "I OWE YOU" Campaign Kicks Off...pg. 14**
- \* **Veterans Employment and Training Act...pg. 19**
- \* **Day of Honor 2000 Continues to Salute Minority Veterans...pg. 24**
- \* **Black Military and Veterans News Alliance...pg. 26**



Post Office Box 11432  
 Milwaukee, Wisconsin 53211  
 (414) 342-8387  
 1-800-842-4597  
 Fax (414) 342-1073

Thomas H. Wynn, Sr., *Publisher*  
 Jill Grisham, *Managing Editor*  
 William Sims, *Circulation Manager*

This publication is supported by the Community Relations-Social Development Commission (CR-SDC) and the National Black United Federation of Charities, Inc.



**WASHINGTON DC  
 CAPITAL AREA  
 OFFICE**

**2001 S. STREET NW, SUITE 610  
 WASHINGTON, DC 20009-1125**

**TEL. 202-289-8387 OR 202-365-0482  
 FAX 202-232-7833**

*Dear Eclipse Readers,  
 Simple beginnings sometimes lead to complex myriads of results and outcomes.  
 Dreaded assignments sometimes lead to positive, life altering transformations.*



*During the Vietnam War I was employed by the University of Wisconsin - Milwaukee (UWM) as a Student Affairs Specialist. In addition to my day-to-day duties, I was appointed to chair a committee to assist returning Vietnam Veteran applicants through the admissions process or to case manage them to feeder institutions. No veteran was to receive a letter of rejection from UWM.*

*All of this sounds simple enough, right? Wrong! It is 30 years later and there is still a need to advocate for veterans' entitlements. What began at UWM as a simple committee assignment has become my profession and a life long dedication and commitment to the empowerment of minority, all low-income or any underserved veteran, regardless to race, color, creed or sex. Presently, I work in collaboration with national, state and county leaders. Today, with the leadership of Wisconsin Governor Tommy Thompson, the National Governors Association unanimously adopted a Human Resource Committee policy to provide benefits equally to all American veterans regardless to age, sex, race or party affiliation.*

*Tom Wynn, Sr., Chair, National Coordinating Committee - National Association for Black Veterans, Inc. and Governor Tommy Thompson (WI)*

*Ray Boland, Secretary of Wisconsin Department of Veterans Affairs, with the support of Governor Thompson has created an initiative called the "I OWE YOU" program, a model for America. The message from Uncle Sam to the veteran is, "you were ready when I needed you, now I am ready to help you."*

*The Struggle Continues...  
 Thomas H. Wynn, Sr.*

*Publisher, Eclipse Magazine*

*Chair, National Coordinating Committee - National Association for Black Veterans, Inc.*

*Chair, National Coordinating Committee - National Association for Black Veterans, Inc.*

*Chair, National Coordinating Committee - National Association for Black Veterans, Inc.*

## HR-9 Veterans Affairs

### 9.1 Preamble

America's veterans provided a unique and vital service to the nation as a whole in the preservation of freedom and liberty enjoyed by all who reside within our borders. In return, a grateful nation provides a wide array of benefits and services to those veterans to recompense their sacrifice. The delivery of those benefits and services to veterans and their families falls largely on state and county governments, with the assistance of veterans' service organizations. However, within the provision of benefits and services to veterans there is wide variance among states in their delivery-even though these federal benefits should be equally available to all veterans. These benefits and services include service-connected disability compensation and disability pensions, access to long-term care, burial, employment assistance, services to homeless veterans, primary health care and home loan guarantees.

### 9.2 Programs for Veterans

**9.2.1 Service-Connected Disability Compensation and Disability Pension.** The U.S. Department of Veterans Affairs (USDVA) has the third largest budget of all federal agencies. The amount spent on benefits, health care and administration exceeds the \$45 billion annually. Yet, the USDVA does not have a standardized delivery system that ensures veterans living in different states receive the service-connected disability compensation and disability pension benefits to which they are entitled. The USDVA depends on a mix of national veterans service offices to deliver these services to veterans. Currently, large variances exist in outcomes. No federal funds are expended on this delivery system to ensure outcomes or accountability for those outcomes. Large backlogs of claims and lengthy processing times continue to frustrate veterans. The Governors believe an independent study should be commissioned to review USDVA service delivery systems and make recommendations on how they might be improved.

**9.2.2 State Construction Grants for Veterans' Care Facilities.** This grant program is one of the most cost-efficient programs operated by the USDVA. The long-term nursing care facilities and domiciliarys that are created provide a much-needed benefit for our aging veterans' population. State veterans' homes are now the largest providers of long-term care to veterans in the United States. As of February 2000, there were ninety-seven state veterans' homes in forty-four states. These state homes provide more than 24,000 beds. Currently, more than one-third of all veterans are over age 65. State response to the Construction Grant Program, where the USDVA pays up to 65 percent of the cost of construction, and the state pays 35 percent, has been so strong that it has become underfunded and states compete with each other in an annual prioritization system that determines which of the nation's veterans will receive care. Approximately \$150 million of priority-one projects (those with committed state matching funds) are backlogged. USDVA also pays a daily per diem to assist in the cost of providing the care. For accountability, each state home is aligned with a USDVA facility that annually inspects the home to monitor and evaluate performance. The Governors recommend that USDVA fully fund the projects they have approved and make their 65 percent contribution available to state projects.

**9.2.3 State Cemetery Grant Program.** The USDVA currently operates and maintains 115 national cemeteries in thirty-nine states and Puerto Rico. It also supports the State Cemetery Grant Program, a mutually supporting initiative between the federal government and state governments that was created to augment the demand for veterans' burials by establishing state veterans' cemeteries. As national cemeteries continue to close and the demand from the aging veterans' population continues to increase, the USDVA should resolve and meet this demand throughout the construction of national and state cemeteries strategically located in and around major population centers. While USDVA now pays 100 percent of the construction costs for state veterans' cemeteries, the states continue to incur significant operational costs. The governors recommend an increase in the burial plot allowance from \$150 to \$500 to help families and states offset the cost of burial operations and long-term maintenance.

**9.2.4 Disabled Veterans Outreach Program (DVOP) and Local Veterans' Employment Representatives (LVER).** Each state, through their department of labor (or equivalent) administers job-service offices. Within these job-service offices there are federally funded state employees called DVOP/LVERs. Their mission is to assist veterans seeking employment. This arrangement, with DVOP/LVERs working for each state's department of labor (or its equivalent) was judged to be in need of improvement by the Congressional Commission on Service Members and Veterans Transition Assistance (The Principi Commission). The Governors recommend that future legislation preserve funding for these services, but give states the flexibility to determine how best to provide these services and the extent to which state veterans' agencies should be involved.

**9.2.5 Homelessness.** Homelessness among veterans has been called a national disgrace. During the past five years, great strides in dealing with the problem have been made by community-based programs that receive funding through the USDVA Homeless Providers Grant and Per Diem program. The National Coalition of Homeless Veterans, Inc. (NCHV), a Washington-based nonprofit organization whose goal is to end homelessness among veterans, has taken on the mission to coordinate the efforts of a majority of the community-based organizations. Additionally, significant numbers of homeless veterans seen by the community-based homeless providers suffer from some form of mental illness that may require periods of institutionalization. This care should be provided by the USDVA. The Governors recommend that USDVA increase the number of inpatient hospital beds to care for mentally ill veterans.

**9.2.6 Affordable Housing.** A major barrier to the successful transition of homeless veterans to the workforce has been their inability to obtain affordable housing. In 1998, Congress passed P.L. 105-368, the Veterans Transitional Housing Opportunity Act, which is designed to address this barrier. The Act created a \$100 million fund with which USDVA can guarantee loans from the private sector to community-based organizations to support their efforts to create affordable housing for veterans. The goal of the program is to provide loan guarantees for up to fifteen projects that will house 5,000 homeless veterans. The Governors recommend that this act passed in 1998, be expeditiously implemented so this goal can be achieved.

**9.2.7 Community-Based Outpatient Clinics/Mobile Health-Care Units.** For most of its existence, the USDVA health-care system has been a hospital-based system. Even though the system consisted of 172 medical centers, for many veterans throughout America the care was too far away to be easily accessible. However, approximately five years ago, USDVA began decentralizing its delivery of primary care services through the introduction of community-based clinics providing improved access by shortening travel distances. There has been a proliferation of these clinics throughout the nation. The Governors recommend the continued emphasis developing additional community-based clinics and the deployment of mobile health clinics where appropriate to increase access by veterans to primary medical care services.

**9.2.8 Home Loan Guarantee Program.** The VA Home Loan Guarantee Program is steeped in tradition and, without question, was a boom to the economy after World War II. The provision of housing for veterans is still viewed as a justifiable benefit from government. However, the true benefit has eroded over time and with the exception of the no-down payment provision (which shifts to the VA taking on added risk), there is no benefit at all. The added risk is the point of contention. The cost of the program guarantee the loans is approximately \$330 million annually in taxpayer dollars to cover defaults. Revenues from these programs would cover the entire costs associated with the program, including administration, and generate enough to fund alternative grant programs needed by veterans. The Governors recommend a study by the General Accounting Office to review Section 143(1) of the Internal Revenue code of 1986 with the intent of analyzing the cost benefit of the state model as an alternative to the VA Home Loan Guarantee Program.

# HOMELESS VETERANS Network

## *Vietnam Veterans of California, Inc.*

**Sacramento HVRP**  
1111 Howe Avenue  
Suite 125  
Sacramento, CA 95825  
(916) 923-9787

## *Vietnam Veterans of California, Inc.*

**Sacramento Rural**  
P.O. Box 378  
Santa Rosa, CA 95402  
(707) 578-8387

## **NOVA/HVRP Next Step**

795 Willow Road MS 116-B  
Menlo Park, CA 94025  
(415) 326-4526

## *Vietnam Veterans of San Diego*

414 Pacific Highway  
San Diego, CA 92110  
(619) 447-0142 ext. 14

## *Swords to Plowshares Inc.*

400 Valencia Street  
San Francisco, CA 94104  
(415) 552-8804

## *City of Los Angeles*

**Mayor's Office of Disabilities**  
200 N. Spring, Room 2100  
Los Angeles, CA 90012  
(213) 485-6334 / (213) 485-4103  
TPY Line (213) 485-6655

## **DC Private Industry Council/HVRP**

1129 20th Street NW  
Suite 310  
Washington, DC 20006  
(202) 463-7811

## **HVRP Denver County Veterans Services**

2200 W. Alameda Avenue  
Denver, CO 80223  
(303) 727-2647

## *Jacksonville Veterans Training & Employment Program*

333 N. Laura Street  
Suite 325M  
Jacksonville, FL 32202  
(904) 630-0768

## *Atlanta Veterans Reintegration Project*

975 Martin Luther King, Jr. Drive NW  
Atlanta, GA 30314  
(404) 577-0093

## *Vietnam Veterans Workshop Inc.*

17 Court Street  
Boston, MA 02108  
(617) 248-9400

## *Maryland Homeless Veterans, Inc.*

417 E. Fayette Street  
Room 1211  
Baltimore, MD 21202  
(410) 396-4852

## **HVRP Neighborhood Services Department**

2424 W. Grand Boulevard  
Detroit, MI 48208  
(313) 276-6592

## *St. Patrick Center*

1200 N. 6th Street  
St. Louis, MO 63132  
(314) 421-4013

## *City of Omaha Job Training Job Training of Greater Omaha*

2421-23 N. 24th  
Omaha, NE 68110  
(402) 444-4700

## **Mayor's Office of Employment & Training**

55 Liberty Street  
Newark, NJ 07102  
(201) 733-5995

## **National Association for Black Veterans, Inc. - Project WHERE**

2669 N. MLK Drive  
Milwaukee, WI 53206  
(414) 562-6250

## **Base Camp, Inc. The Veterans Center**

1101 Edgehill Avenue  
Suite 1000  
Nashville, TN 37203  
(615) 386-1760

## **The Salvation Army Bordon Avenue Veterans Residence**

21-10 Bordon Avenue  
Long Island City, NY 11101  
(718) 784-5690

## **Ohio Valley Goodwill/HVRP**

10600 Springfield Pike  
Cincinnati, OH 45215  
(513) 771-4800

## **Vietnam Veterans of America Ohio State Council/HVRP**

**Columbus**  
65 S. Front Street  
Columbus, OH 43215  
(614) 228-0188

## **Portland HVRP**

P.O. Box 159  
Portland, OR 97201  
(503) 229-5094

## **Impact Services Corporation**

124 East Indiana Avenue  
Philadelphia, PA 19134  
(215) 739-1600

## **Pittsburgh HVRP Vietnam Veterans Leadership Program of Western PA, Inc. (VVLP)**

1323 Farbes Avenue  
Suite 100  
Pittsburgh, PA 15219-4725  
(412) 281-8100

## **American GI Forum National Veterans Outreach Program**

1017 N. Main Street  
Suite 200  
San Antonio, TX 78212  
(210) 223-4088

## **Seattle Veterans Action Center (HVRP)**

105 14th Avenue  
Suite 2A  
Seattle, WA 98122  
(206) 684-4708

## **Martin Luther King Ecumenical Center**

1424 Tacoma Avenue  
South A  
Tacoma, WA 98402  
(206) 383-1585

## **Salvation Army Homeless Veterans Outreach**

808 5th Avenue, SE  
P.O. Box 173  
Olympia, WA 98507  
(206) 352-8596

## **Pittsylvania County Community Action, Inc. Rural HVRP**

P.O. Box 1119  
Chatham, VA 24531  
(804) 432-8250

## **Volunteers of America of Kentucky, Inc. HVRP/Rural**

933 Gass Avenue  
Louisville, KY 40217  
(502) 636-0771

## **Southeast Idaho Community Action Project**

P.O. Box 940  
Pocatello, ID 83204  
(208) 234-2466

## **HVRP, Panhandle Area Council**

1100 Airport Drive  
Hayden, ID 83835  
(208) 772-0584

## **Center for Veterans Issues, Ltd. Veterans Assistance Program**

**Vets Place Central**  
3330 W. Wells Street  
Milwaukee, WI 53208  
1-800-842-4597

## “Remember Our Forgotten Heroes, Help for Homeless Veterans” Program

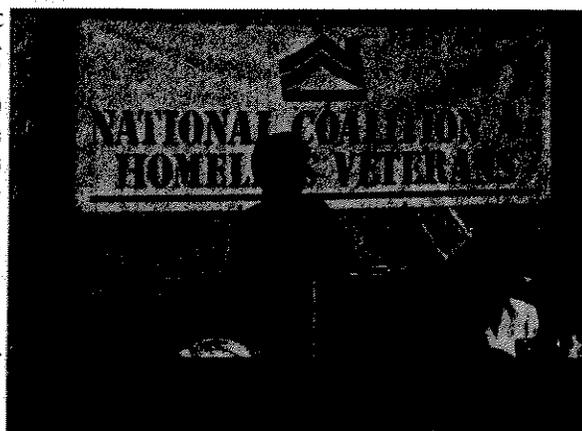
Update on Homeless Veteran Issues from the National Coalition for Homeless Veterans

Miss America 2000, Heather French, announced a Permanent Housing Program for formerly homeless veterans on April 25, 2000. The program titled "Remember Our Forgotten Heroes, Help for Homeless Veterans" will be administered by National Coalition for Homeless Veterans (NCHV) which is a cooperative program with the Manufactured Housing Institute (MHI), Senco Fastening Systems, Department of Veterans Affairs and Miss America 2000 that will provide more than 10 homes to formerly homeless veterans throughout the country over the next 12-24 months.

Homes will be both donated and sold at a significantly below the market rate for new homes by MHI member companies. All homes will then be resold to veterans at prices that reflect their income and ability to pay.

NCHV will coordinate the process and will ensure that only necessary and reasonable expenses related to the acquisition, management and distribution of acquired homes would be borne out of the proceeds of home sales and other equities.

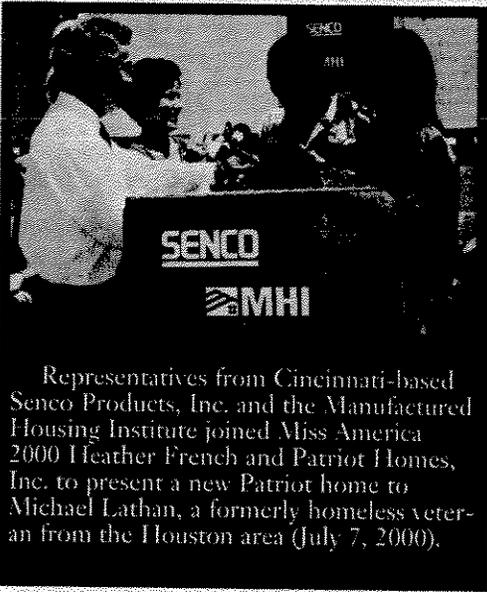
Targeted states to receive the first homes are: Alabama, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Indiana, Iowa, Kentucky, Ohio, Louisiana, New Jersey, Nevada, New York, South



## Update on Homeless Veteran Issues

Continued from page 4

Carolina, South Dakota, Texas, Virginia, Washington, and West Virginia. The first home presentation by Miss America was May 25, 2000 in Cincinnati, the second in Houston on July 7, and the third in Indianapolis on August 30. New Jersey is targeted for the week of October 14, 2000, when the 2001 Miss America Pageant will be held.



Representatives from Cincinnati-based Senco Products, Inc. and the Manufactured Housing Institute joined Miss America 2000 Heather French and Patriot Homes, Inc. to present a new Patriot home to Michael Lathan, a formerly homeless veteran from the Houston area (July 7, 2000).

NCHV provided written testimony on homeless veteran issues to the Democratic and Republican National Platform Committees and was invited to present oral testimony by the Democratic Committee. Ron Drach, NCHV Director, presented testimony on July 7, in St. Louis, MO.

Homeless Voters and This Year's Election - "You Don't Need a Home to Vote" voting rights registration project co-sponsored by National Coalition for the Homeless and the National Law Center on Homelessness and Poverty has produced a packet for his year's election. Call Michael Stoops 202 737-6444 x311 for information.

The authorization level for the Homeless Veterans Reintegration Program (HVRP) employment placement program in FY01 is \$15 million. In the current appropriations bills (HR4577 House and S2553, Senate) the amounts are lower, in the House \$9.636 million and in the Senate \$12.5 million. Homeless veteran advocates should contact their US Senators and US Representative asking them to support the full-authorized level of \$15 million appropriation.

NCHV received a \$60,000 grant from the Department of Labor, Employment and Training Administration to provide competitive grants to exceptional homeless veteran employment programs of NCHV members. Grant guidelines have been distributed and the application deadline was September 15, 2000.

HUD has published a notice identifying unutilized, underutilized, excess and surplus Federal property potentially suitable for possible use to assist the homeless. Properties listed as suitable and available will be obtainable exclusively for homeless use for period of 60 days from the date of the notice, which is July 13, 2000. Homeless assistance providers interested in any such property should go to [www.hudclips.org](http://www.hudclips.org), directive number FR-557-N-29 to read the notice and find out how to apply to use the properties.

HUD announced on May 1 the Dollar Homes Initiative of selling HUD homes, which have been on the market for more than six months to local governments at a price of only \$1. Local governments buying HUD homes under this policy can sell or rent them to low and moderate-income families, to first-time homebuyers, or to groups that will use the homes to provide services. Visit [www.hud.gov:80/pressrel/pr00-42.html](http://www.hud.gov:80/pressrel/pr00-42.html) or contact a Community Builder in your local HUD office.

For further information on homeless veterans contact:  
National Coalition for Homeless Veterans,  
1 800 VET-HELP or visit website [www.nchv.org](http://www.nchv.org).

## The National Coalition for Homeless Veterans

*Establishes a New Board Position*

The National Coalition for Homeless Veterans (NCHV) established a new board position during the July 19, 2000 directors meeting for a Vice President of Minority Affairs. The position will be responsible for activating minority group participation in NCHV through membership and financial contributions, providing minority candidates for nomination to NCHV Board of Directors, and providing minority impact awareness to Board decision-making process.

President, Tim Cantwell nominated Thomas H. Wynn, Sr., due to his thirty plus year's involvement in minority veterans issues. The directors elected Wynn to the newly established Vice President position.

Wynn, of Milwaukee, Wisconsin, is a major voice in the implementation of Long-Term Transitional Housing Programs. He was a founding member of the National Association for Black Veterans, Inc. in 1969, and is currently the director of the Social Development Commission's Veterans Coordination Project. Wynn has received numerous honors and awards from national, state and local organizations for his work.

The National Coalition for Homeless Veterans was founded in 1990 by a group of veteran service providers when they became frustrated with the growing numbers of homeless veterans that were coming into their facilities, and the lack of resources to adequately provide services. NCHV's mission is to end homelessness among veterans by shaping public policy, educating the public, and building the capacity of service providers.

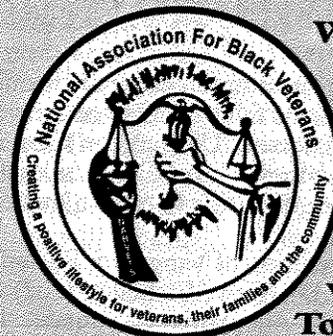


Thomas H. Wynn, Sr.,  
Chair of the National  
Coordinating Committee -  
NABVETS.

Recently nominated as  
NCHV's Vice President of  
Minority Affairs

### NABVETS CREED

National Association for Black Veterans, Inc.



We are yesterday  
We are tomorrow  
We are earth  
We are sky  
We are all things  
But most of all  
We are men &  
women  
Today

# HEALTH WATCH



## A Silent Killer is Stalking Veterans

A silent killer is stalking veterans. It is the most common chronic blood-borne infection in the United States, responsible for about 10,000 deaths each year - a figure the Centers for Disease Control and Prevention (CDC) expects to triple during the next 10 to 20 years. But perhaps most alarming is the disease's prevalence among veterans. Conservative estimates place it at around 10 percent, far above the 1.8 percent infection rate in the general population. Over 4.5 million people in the United States are infected with this virus. Only about 5% of those infected know it; of those, only about 1% have received treatment.



The disease is hepatitis C and many veterans don't even know they're carrying this elusive virus. Hepatitis C, also called HCV, is a virus spread by contact with infected blood. The virus can remain dormant anywhere from 10 to 30 years. When symptoms do appear, they generally take the form of fatigue, loss of appetite or abdominal pains. By that time, the virus may have already caused serious liver damage that could lead to potentially fatal cirrhosis or even cancer of the liver. More than 50 percent of all patients receiving liver transplants in Veterans Administration (VA) Medical Centers were found to have the hepatitis C virus.

Though doctors have been aware of the virus since the 1950s, it wasn't until 1989 that hepatitis C was labeled. In 1990, doctors began screening blood and in 1992, blood banks began testing. US health officials are trying to notify people who may have been exposed to the virus through transfusions prior to that time. Now, the US blood supply is thought to be virtually free of the virus.

"Those at highest risk of having the virus are Vietnam combat veterans," says Ken Moore, hepatitis C coordinator for the Vietnam Veterans of America. He explains this is because hepatitis C is transmitted through contact with infected blood, therefore, soldiers wounded in Vietnam who received blood transfusions should be tested for the virus.

## Should you be tested for hepatitis C?

- ? Have you ever used a needle to inject drugs like heroin or cocaine, even if it was many years ago?
- ? Did you have a blood transfusion or organ transplant before 1992?
- ? Did you receive blood products for clotting problems before 1987?
- ? If you are or were a health care worker, have you had contact with blood on the job?
- ? Have you shared someone else's razor, toothbrush or other personal items that might have had blood on them?
- ? Did your mother have hepatitis C when she gave birth to you?
- ? Have you had sex with someone who has hepatitis C or have you had many sex partners?

The hepatitis C virus is the most common cause of chronic liver disease, which can lead to liver cirrhosis, cancer or failure. "Our country is facing a silent epidemic in the form of hepatitis C," wrote US Surgeon General David Satcher in a letter addressed to US citizens for members of Congress to distribute to their constituents. While there is no cure, hepatitis C can be treated with medications if caught early.

Excerpts from the May 2000 edition of Vanguard. For information on the VA's response to hepatitis C, contact Dr. Toni Mitchell at (202) 273-8530.

For additional information on hepatitis C contact: Hepatitis Foundation International 800-891-0708, CDC Hepatitis Branch 888-443-7232 or American Liver Foundation 800-223-0179.

Possible connection...

## Dementia and Relationships

Elderly people who live alone, have no friends or have a bad relationship with their children are 60% more likely to develop dementia than those whose social contacts are more satisfying, a new study suggests. Scientists at the Stockholm Gerontology Research Center at Karolinska Institute in Sweden, whose study was recently published in the Lancet medical journal, found that the more socially isolated elderly people were, the more likely they were to develop the brain condition.

Dementia is a component of disease such as Alzheimer's and Parkinson's. It is a disorder involving deterioration in mental functions resulting from changes in brain tissues. This includes shrinking of brain tissues, not caused by disorder of the blood vessels. Senile dementia/Alzheimer's type (SDAT) is the most common cause of intellectual decline with aging. The incidence is approximately 9 out of 10,000 people, affecting women slightly more than men. Experts believe that by 2050, the ranks of the elderly (which will include the baby boomers) will grow by at least 10 times of what it is today.

Dementia will continue to become an even more enormous problem unless ways to intervene the process are learned and instituted. The cause of dementia is unknown, however, several factors are believed to be involved in the development of the disorder. It remains unclear why social ties might protect the elderly from dementia. It could be that social engagement uses the cognitive functions of the brain, keeping it active. Social networks may buffer individuals from stress (high cumulative levels of stress increase the risk of dementia).

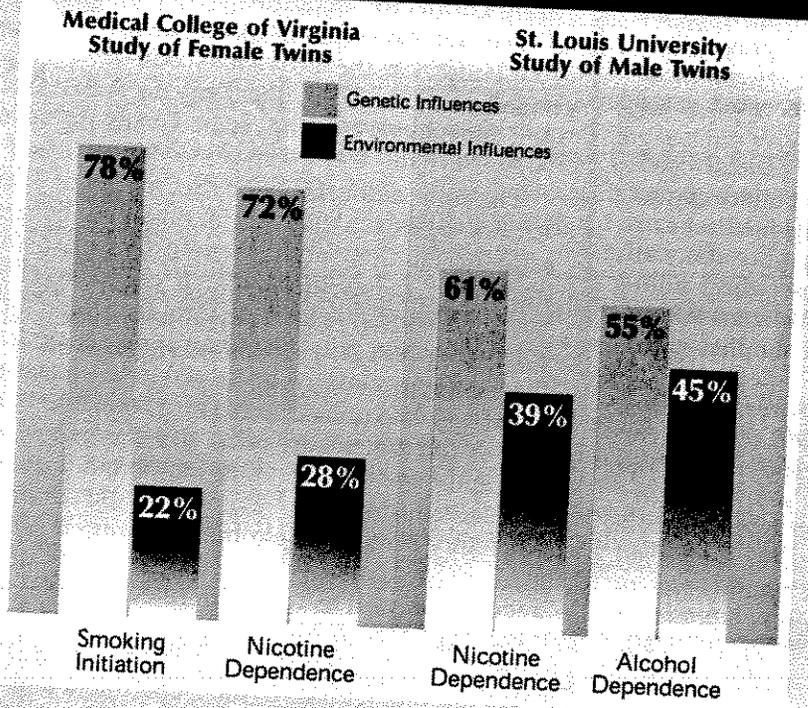
The onset of dementia is characterized by impaired memory, with progressive loss of intellectual function, mood changes, changes in language capability, changes in gait and other changes as the disorder progresses.

Excerpts from Associated Press article by Emma Ross.

## Genes may Influence Cigarette Smoking

More than one in four Americans older than 17 regularly smokes cigarettes despite increasing public awareness of tobacco's severe health risks. Some start younger than others do and, among those who try to quit some are more successful than others.

### Genetic vs. Environmental Influences On Smoking and Drinking



*Medical College of Virginia study involving 949 female twin pairs found genetic factors to be more influential than environmental factors in smoking initiation and nicotine dependence.*

*A St. Louis University study of 3,356 male twin pairs found genetic factors to be more influential for dependence on nicotine and alcohol.*

A recent study supported by the National Institute on Drug Abuse (NIDA) published in *NIDA Notes* Vol. 15, No. 2, (by Patrick Zicker) scientists found convincing evidence that these differences may be due in part to an inherited vulnerability to nicotine addiction.

In twin studies, researchers compare patterns of tobacco use in fraternal and identical twin pairs, who typically are exposed to common environmental influences. If genes play a role in determining tobacco use, identical twins - who share the same genes - will be more similar in their use of tobacco than fraternal twins who share roughly half of their genes. Chart reprinted from *NIDA Notes*.

This area of research represents our first small steps along a very complicated road to understanding the role that genes play in drug abuse," says Dr. Harold Goldstein of NIDA's Clinical Neurobiology Branch. "Many genes interact with each other and with other biological and environmental factors. Defining these interactions and understanding their influence on nicotine addiction will be crucial to the development of treatments for smoking and for other addictions. Contact the lead author of this entire study or obtain other information contact:

NIDA Notes at MasiMax Resources, Inc. 1375 Piccard Dr. Suite 175  
Rockville, MD 20850

## Depleted Uranium -DU-

### Blamed for Cancer

In a recent visit to the Saddam Pediatric Hospital, Americans visited several of the 19 cancer patients from various parts of Iraq. Doctors blamed nearly all of the cancers on the acronym: DU, "Depleted Uranium."

During the Gulf War U.S. and British planes and tanks fired 320 slugs made from this low-level radioactive metal that remains when U-235 isotopes are removed from natural uranium to make enriched uranium from nuclear weapons and reactors. Heavier than lead, depleted uranium self-ignites and gets sharper as it penetrates armor. Much of it vaporized, giving off fine particles that can be inhaled. Some fall on the ground, sometimes where crops are later grown. Some cling to damaged equipment that soldiers and civilians later climb on. Winds carry some away.

Iraqis say the particles have caused a sharp rise in cancer rates and birth deformities. Iraqis have had more exposure to such particles than U.S. troops, but there are other factors: a population weakened by malnutrition, pollution from refineries and burning oil wells, and Iraq's use of poison gas against both Iran and rebels among its own people.

Veterans groups in the United States are concerned because hundreds of U.S. soldiers may have had close exposure. Some think that could be one factor in the unusual illness many Gulf War veterans have reported. A General Accounting Office report to Congress in March 2000 states that two expert reviews of evidence, plus monitoring by Veterans Affairs of a few dozen highly exposed veterans, show that radiation from inhaled or ingested depleted uranium is an unlikely health hazard to U.S. troops. That supported the Pentagon's position. The reports, however, say more research is needed. Opposition groups such as the Military Toxins Project cite conflicting evidence among both civilian and military studies.

# Legislative Updates

## Veterans Headstones and Markers Bill

Dear Eclipse Readers,

Veterans' issues are figuring prominently in the U.S. Senate again this year, where several pieces of legislation important to veterans and their families have been acted on in recent months.

One bill before the Senate in June 2000 addressed a longtime frustration for the families of deceased veterans. Currently, the Department of Veterans Affairs (VA) provides a headstone or grave marker upon request to a veteran's family only if the veteran's grave is unmarked. The provision dates back to the Civil War, when the federal government wanted to ensure that all soldiers' graves were marked. Today, when almost all graves are marked, official headstones or markers more often serve to recognize a deceased veteran's service.

Families that know of this provision request the official headstone or marker prior to placing a private marker. But under current law, if a private headstone has been purchased already, families cannot be granted an official government marker for the gravesite. All of our veterans deserve the recognition, not just those whose families are familiar with this law. The Department of Veterans Affairs receives thousands of complaints each year from families upset about the law's arbitrary effect.

*I was a proud supporter of the Veterans Headstones and Markers Bill, which passed the Senate on June 19th, 2000 in the form of an amendment, and seek to remedy this problem by allowing every family of a deceased veteran to have a marker if they request one. If a family wishes to dedicate a tree or bench to their deceased veteran, this bill allows the family to place the marker on those memorials. This legislation allows a veteran's family, not an outdated law, to decide how their loved one's grave should be marked.*

Sincerely,  
Russell D. Feingold (Wisconsin)  
United States Senator

## Veterans Housing Fairness Act of 2000

The Veterans Housing Fairness Act of 2000, H.R. 3571, was introduced this year by Member of Congress Carolyn B. Maloney. This legislation affects veterans and their use of VA loans. *The legislation, which allows veterans to use their guaranteed VA loans to purchase co-operative residential units*, has been included as report language in the VA-HUD 2001 appropriations bill.

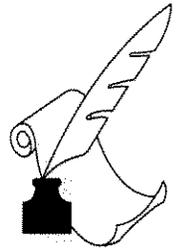
The language, introduced by Rep. Carrie Meek (D-FL) a member of the Committee on Appropriations, directs the Department of Veterans Affairs to conduct a study of the need to include residential cooperatives as an option for veterans when using VA loans to purchase a residence. The report language included in the bill states:

"The committee is aware that under present law, veterans are precluded from utilizing their veterans housing benefits to purchase residential cooperative units {while these guaranteed loans may currently be used to purchase a house, a condominium, or a mobile home}. And that, in some communities, such units comprise a significant portion of housing currently available for purchase. The committee therefore directs the VA to conduct a study of this problem and report back its findings to the Appropriations Committee by February 2001"

This is a significant step for veterans' rights and the freedom for veterans to choose where they live. Comments or suggestions are welcomed by Carolyn B. Maloney, 14th District, New York, 2430 Rayburn Building, Washington, DC 20515-3214.

## VETERANS CLAIMS ASSISTANCE ACT OF 2000, H.R. 4864

The Veterans Claims Assistance Act of 2000 clarifies the duty of the Secretary of Veterans Affairs to assist veterans filing claims for benefits.



The Veterans Claims Assistance Act builds on the provisions contained in H.R. 3193, the Duty to Assist Veterans Act, introduced by Rep. Lane Evans in November 1999.

The bill authorizes the Secretary of Veterans Affairs to assist a claimant in obtaining evidence to establish entitlement to a benefit. The bill also eliminates the requirement that a claimant submit a "well-grounded" claim before the Secretary can assist a veteran with obtaining evidence pertinent to the veteran's claim. For most kinds of claims, the Secretary is required to make reasonable efforts to obtain relevant records that the claimant identifies and authorizes the Secretary to obtain. For service-connected disability compensation claims, the Secretary is required to obtain existing service medical records and other Department treatment records, as well as to obtain relevant records in the control of federal agencies.

H.R. 4864 requires other Federal agencies to furnish relevant records to the Department at no cost to the claimant. It permits veterans who had claims denied or dismissed after the U.S. Court of Appeals for Veterans Benefits decision in *Morton v. West* to request review of those claims within a two year period following enactment.

H.R. 4864 was introduced on July 17, 2000 and ordered reported favorably as amended by the Committee on Veterans' Affairs on July 20, 2000. Approved by the House on July 25, 2000 by a vote of 414 - 0.

## Veterans' Compensation Cost-of-Living Adjustment Act of 2000, H.R. 4131

This bill provides a cost-of-living increase for veterans who receive compensation for service-connected disabilities and survivors who receive dependency and indemnity compensation (DIC). The increase is equal to the percentage by which benefits payable under the Social Security Act are increased.

Introduced March 30, 2000. Approved by the House on July 25, 2000 as part of H.R. 4850, the Veterans Benefits Act of 2000.

Testimony of Ronald B. Abrams, Esq., Deputy Director of the National Veterans Legal Service Program presented before the subcommittee on oversight and investigations House Committee on Veterans' Affairs (May 18, 2000).

## Introduction

During the past three years the National Veterans Legal Services Program (NVLSP) has performed, on behalf of The American Legion and several state departments of veterans' affairs, quality reviews of decisions issued by twelve VA Regional Offices (ROs). Our conclusion, based on these reviews and on information received at our service officer trainings, is that although the VA is to be commended for initiatives to stop blatant work measurement (end-product) cheating and to emphasize quality, the most needed change-full and fair adjudication of veterans' claims has not become a reality. Essentially, while NVLSP commends the Veterans Board of Appeals (BVA) for its quality initiatives, we are disappointed that these initiatives have not achieved the desired result.



## Premature Adjudications Resulting in Adverse Decisions

The most important and pervasive problem facing veterans seeking VA disability benefits is the eagerness of some ROs to adjudicate claims before all necessary evidence has been obtained. For example, some ROs prematurely deny claims based on inadequate VA examinations. In some cases, even where the VA examiner clearly fails to respond to a specific question asked by the RO, the examination report is not returned as inadequate. Instead, the claim is adjudicated and denied on the basis of the inadequate report. In other instances, claims are denied before all service medical records are received. Other claims are sometimes denied before the veteran has a fair opportunity to submit independent medical evidence. These all-too-frequent cases of premature denial result from an over-emphasis on timeliness and a lack of accountability.

We certainly believe that claims for VA disability benefits should be accurately adjudicated in a timely manner. However, because of a management emphasis on timeliness, or a perceived emphasis on timeliness, some VA adjudicators appear to believe that they are pressured to make premature final decisions. In most instances, we have discovered that a decision made prematurely is likely to take the form of a denial of benefits rather than an award of benefits.

Let us make something very clear: The timeliness of VA adjudication is but one factor in the overall assessment of the VA disability claims adjudication system. We realize that the overall timeliness statistics provided by the VBA show that VBA has not met its goal to reduce the time it takes to adjudicate claims for disability benefits. Even though the VA has not met its goal in this respect, we urge that you not over-emphasize timeliness to the detriment of quality. It does veterans little good to have their claims promptly, inaccurately, denied.

***"...Although the VA is to be commended for initiatives to stop blatant work measurement (end-product) cheating and to emphasize quality, the most needed change-full and fair adjudication of veterans' claims has not become a reality."***

One may wonder why VA adjudicators would want to prematurely deny claims. The answer lies in the VA work measurement system. When a claim for VA benefits is prematurely and inaccurately denied, many veterans submit new evidence to reopen their claim. The VA considers the new evidence a second claim and the employee earns double work credit. Adjudication officers, now called service center managers, have informed us off-the-record that they feel pressured to prematurely adjudicate claims because productivity and timeliness is as good as other ROs. Recently,

we expect other ROs will do the same--and they want to show that their productivity and timeliness statistics. Now I see that by de-emphasizing quality and American Legion quality review exit briefing, a RO manager stated: "You know I was very proud of our improved productivity and timeliness statistics. This practice must come to a screeching halt." By emphasizing productivity and timeliness, we have hurt many veterans. We ask this Subcommittee to consider working with the VA to change their work measurement system. The VA work measurement system should encourage a timely and accurate adjudication, not just a timely adjudication.

## Adversarial Attitude

Our quality review has identified a systemic attitude problem in some ROs, which may take one of several forms. One example is that despite the general tendency to deny prematurely, some ROs "develop to deny." That is, these ROs consistently seek to support negative evidence in cases where all the evidence of record before the RO, without further development, would reasonably support the grant of benefits.

Another attitude problem is that some ROs have biases against certain types of VA claims for benefits. For example, veterans seeking service connection for mental conditions, veterans seeking entitlement to individual unemployability benefits, and veterans seeking entitlement to compensation based upon secondary service connection, in some instances, have to jump over a higher bar than other veterans.

In addition, some ROs either refuse to consider or are unaware of beneficial statutes in Title 38, United States Code. For example, quality reviews have found that 38 U.S.C. § 1154(b), which provides that in most cases the statement of a combat veteran about an injury that occurred during combat will be accepted even though there is no official record of the injury, is sometimes conspicuously disregarded.

## Communication Problems

In many cases, the VA's communication with its veteran-claimants causes real problems. For example, VA notifications often fail to provide an adequate explanation of the reasons and bases for the adverse VA determination. In addition, it is a matter of VA policy not to inform veterans what diagnostic code has been assigned to a service-connected disability for rating purposes. A veteran has the right to challenge the assignment of a diagnostic code because the VA is obligated to pick the most favorable diagnostic code when assigning an evaluation for a service connected condition. See *Powell v. West*, 13 Vet.App. 31 (1999); *Lendenmann v. Principi*, 3 Vet.App. 345 (1992). How can the assignment of a diagnostic code be appealed when the VA has not told the veteran what diagnostic code has been assigned? This appears to be an institutionalized systemic violation of the veteran's due process rights.

## Other Communication Problems noted by NVLSP are:

- \* Inadequate development letters (development letters are sent by the VA to the veteran and his or her representative, asking for further information or evidence) that do not comply with VA's guidance that letters should clearly tell the claimant what evidence is needed and what exactly has to be done to establish entitlement to the benefit sought (see M21-1, Part III, para. 1.04a.);
- \* Telephone communication with the veteran that is not monitored or sanctioned by the veteran's representative (the VA does not even inform the representative that it is about to contact the representative's client)

## Widespread Errors

The following is a list of a systemic pattern of errors that we have noticed during our quality review checks. These errors are:

- \* Assignment of erroneously low disability ratings for service-connected mental conditions;
- \* Erroneous denial of claims for service connection for mental conditions;
- \* Failure to consider 38 U.S.C. § 1154(b);
- \* Erroneous denial of claims of individual unemployability;
- \* Inadequate requests for medical opinions (for example, the standard of proof in the VA claims process is rarely explained to VA doctors, and in many instances conclusions regarding critical facts are not communicated to doctors who are asked to provide medical opinions);
- \* Non-responsive VA examination reports (for example, some VA examiners do not comply with the AMIE protocol, and other examiners fail to respond to specific questions), coupled with the acceptance of these inadequate examination reports by ROs. In general, there is a lack of coordinated local (RO) quality control and a subsequent failure to act on recognized patterns of errors.

## NVLSP Recommendations

- \* VA's work measurement system should be altered so that quality as well as timeliness are twin concepts that together drive the system.
- \* To provide VA quality control with "teeth" and prevent end-product and work measurement abuses, an aggressive independent quality control should be performed.
- \* VBA should conduct regular meetings with its stakeholders to inform them of any actions VBA has taken to correct systemic adjudication problems. The stakeholders should be informed about the patterns of errors identified nationally and the ROs where there are significant problems, VBA's plans to correct these problems, changes in management, progress reports on previous initiatives, and an invitation for the stakeholders to participate and coordinate in the correction of problems.
- \* VA should institute a system of awards and disincentives for managers and adjudicators. VA managers and adjudicators who perform accurate and timely work should be rewarded. Managers who do not perform adequately should be appropriately chastised.
- \* VA employees who do a good job should be paid a reasonable salary, receive bonuses and be promoted.
- \* VA management should more clearly communicate with its employees what it wants from them. If management focuses on quality as well as efficient work, veterans will be better off.

NVLSP acknowledges that the adjudication of claims for VA benefits is very complicated. However, we believe the stakeholders want to help correct adjudication problems. We would be happy to meet regularly with the VA to talk about the problems we have identified and suggested solutions.

We would like to commend VBA managers for initiatives in reducing outright end product and work measurement dishonesty and efforts to emphasize quality. While these efforts are commendable, it is time to see results. Our experience has taught us that VA managers are reasonable people who want to do the right thing. These managers care about veterans and know that the claims adjudication system is not working properly. To help these managers we ask you to encourage the VA to make at least the most necessary changes--alter VA's work measurement system, institute an aggressive quality control program, and support its efforts to coordinate with its stakeholders.

We appreciate the opportunity to provide the subcommittee with this testimony. Thank you.

**NABVETS**  
National Command Council  
Member, Raymond Miller,

*Appointed to the Veterans Affairs Advisory Committee*

Washington (WA) State Governor, Gary Locke, has appointed Raymond Miller a member of the Veterans Affairs Advisory Committee.

Mr Miller is presently employed as a readjustment Counseling Therapist with the Seattle Veterans Center with the US Department of Veterans Affairs (VA). He is also the Chair of the Washington State Command for the National Association for Black Veterans (NABVETS), Inc.

He served in the US Air Force from 1970-1984 as a Material Management Specialist. He has a MS Degree in Social and Human Services and a Certificate of Completion as a Chemical Dependency Specialist for the Seattle Central Community College and a Bachelor of Arts Degree from the Evergreen State College, in Olympia, WA. He has worked as a Mental Health Counselor and Outreach Worker.

Mr. Miller is very active in the local community and has served as the president/Director of Parents Helping a Student Excel (PHASE) Association, president of the Board of Directors of the Operational Emergency Center (IED), Co-chair of the Federal Coordination Board's Black Employment Program Committee, and founding member of the Washington State Command of NABVETS.

Raymond Miller presently serves as Chairman of the Washington State Chapter of the Disabled American Veterans (DAV) and is a member of the National Command Council of the National Association for Black Veterans Inc.



Raymond Miller

## Journal Writing...

may benefit trauma victims

Counselors use Journaling with clients who are going through experiences or traumas that seem overwhelming. The trauma may be war related, or may be the result of other life issues such as physical or sexual abuse, violent crime or other emotionally traumatic events such as grief, loss of love, or abandonment.

Journaling is useful for people who are confronting complicated issues that don't seem to have easy, straightforward answers. When confronted by large, powerful experiences, people may find themselves ruminating on one or more parts of the experience over and over. Thoughts and memories might intrude at any time - while driving, at work, watching TV, or trying to sleep, these memory crowd out other thoughts. The person may experience recurrent thoughts, or "internal dialogues," these are conversations that you have with yourself about a situation where you were involved in the event and question how you responded.

Journaling allows the person to get these internal thoughts and experiences out of their head, and on paper (a person could also tape the material if writing is not useful). Journaling is not a diary, although some diary entries may resemble a diary, because the entry may begin with a recent event that leads back to an earlier traumatic experience. Journaling is a form of "personal therapy" and is a way to think freely about defining an overwhelming experience into more manageable chunks of information.

Random thoughts can carry strong messages of failure. However, these thoughts can be changed, and can ultimately change one's beliefs and behaviors. Journaling experiences can provide an opportunity to bring about some powerful changes in one's life.

Written by Jon Christensen, MS, CADC III, EAP, Clinical Director - National Association for Black Veterans, Inc.

If you would like more information on journaling, contact Jon Christensen at the Eclipse (1-800-842-4597), or e-mail to [jcristvet@earthlink.net](mailto:jcristvet@earthlink.net).



## The National Association of Black Military Women (NABMW)

The National Association of Black Military Women (NABMW), formerly the Black WAAC/WAC Women in the Services, is an association of women throughout the country who are veterans or current members of the United States Armed Forces. The purpose of the association is to keep alive the history and heritage of Black women who served our nation with courage and valor in the military services of our country.

### The Objectives of the National Association of Black Military Women

are:

To make **historical military information** relating to Black military women available to the people of the United States through lectures, forums, exhibits, and various media activities.

To **motivate and support Black youth** in their attainment of academic excellence by utilizing military role model as a source of inspiration.

To **foster a spirit of camaraderie and goodwill** among all persons sharing interest in Black history through community involvement programs.

NABMW was established at Hampton, Virginia in 1976 by a group of women who had served in the Women's Auxiliary Corp. (WAAC) and the Women Army Corp. (WAC) during World War II and the Korean War. At this charter meeting it was decided to locate and invite other former service women to a First Reunion to be held in 1978 in Dallas, Texas. Ever since then, Biennial reunions continued and have been held in various states throughout the United States. During the 1996 reunion held in San Francisco, California, a decision was made to formally incorporate under the name "The National Association of Black Military Women".

Gladys Schuster Carter, Chairperson - NE Region NABMW participated in the Day of Honor Ceremonies in Washington DC on May 25, 2000. She recently wrote to the National Association for Black Veterans, Inc. (NABVETS) regarding the ceremony:

*"As a World War II female veteran I was so proud of everything that took place during the course of the day. It was my first introduction to NABVETS and I was very impressed with the issue of [the] Eclipse that was distributed and when I came home, I made sure to send in my dues for membership. I have since been in contact and have received several issues, which I am sharing with our organization."*

Membership is open to all persons-regardless of race, age, creed or color-who have served in the past or are currently serving in the military and to civilians who support the objectives of this organization. For membership information contact: Gladys S. Carter 409 Seahorse Run Chesapeake, VA 23320 (757) 312 9321 [GXC@prodigy.net](mailto:GXC@prodigy.net)

# It's been 25 years, Are we Ready to Forgive?

## Introduction

by Tom Wynn, Sr., Chair - National Coordinating Committee  
National Association for Black Veterans, Inc.

During the Vietnam War, I was privileged to serve as a member of the National Council for Universal Unconditional Amnesty (NCUUA) and the National Council of Churches Vietnam Generation Ministry Working Group (NCC VGM-WG) (approximately twenty-seven (27) religious denominations and inter-religious conferences who offered official religious statements on amnesty). This compilation, "Religious Statement on Amnesty," was collected between 1969-1973 and printed by the National Inter-religious Service Board for Conscientious Objectors (NISBCO) in 1974.

The National Association for Black Veterans, Inc. (NABVETS) became involved with the NCUUA in 1972. NABVETS brought a side of amnesty to the table that had not yet been addressed, *what about amnesty for those who did serve?* By the end of the Vietnam War 800,000 men and women had received less than honorable discharges administratively. Granting amnesty to these veterans is a long standing issue near and dear to the heart of NABVETS. And, while the church lost interest in amnesty after President Ford granted clemency to the resisters, evaders and deserters, NABVETS continues to advocate for those who received less than honorable discharges administratively.

The American public must be made aware of the devastating and unjust effects of the thousands of dishonorable discharges handed down during the war, 300,000 of the 800,000 were to minorities.

Over the next year the Eclipse will feature these official religious statements beginning with "National Council of Churches of Christ in the USA." My hope in serializing this compilation is that people everywhere might better understand and appreciate the motivation of war objectors and resisters, the needs of stigmatized veterans and the significance of amnesty as viewed by America's religious community.

## NATIONAL COUNCIL OF CHURCHES OF CHRIST IN THE U.S.A

The war in Indochina has brought great destruction to three nations of Southeast Asia. Hundreds of thousands of persons have been killed, wounded or made homeless; the cultures have been disrupted; the landscape has been destroyed. The people of the United States must work for the rebuilding of Indochina, and the churches must take a sacrificial part in the reconstruction. But in this statement we will consider the harm, which has recoiled upon this nation and its people.

The war in Indochina, the longest in the history of the United States, has also ruined the fabric of American society. President Lincoln, responding to the hurts and disjunctions of another conflict, called upon the people of America to "bind up the nation's wounds." Tragically, the attention of the nation was too soon diverted from this task. Recrimination and injustice consequently lasted for an entire century. There is the danger that the American people will be similarly diverted today from the tasks of healing the nation.

*The crisis of the war in Indochina, is fundamentally one of conscience.*

Some Americans thought the war just and necessary, while others thought it an immoral and tragic mistake. Likewise, some young men served in the armed forces, while others resisted participation.

These differences have not always been accepted as permissible divergences of public opinion or even as legitimate exercise of conscience. Instead they have led to slander, recrimina-

## "Religious Statements on Amnesty"

### Table of Contents

American Baptist - 1969
American Ethical Union - 1972
American Friends Service Committee - 1973
Christian Church (Disciples of Christ) - 1973
Christian Reformed Church - 1973
Church of the Brethren - 1973
Clergy and Laity Concerned - 1973
Ecumenical Witness - 1972
Episcopal ( House of Bishops) - 1973
Fellowship of Reconciliation - 1973
Friends Committee on National Legislation - 1972
Interreligious Conference on Amnesty - 1972
Jewish
American Jewish Congress - 1972
National Federation of Temple Sisterhoods - 1973
Union of American Hebrew Congregations - 1973
Lutheran
The American Lutheran Church - 1972
The Lutheran Church - Missouri Synod - 1973
Mennonite
Old Mennonite Church and the Peace Section of the Mennonite Central Committee - 1973
Featured in this article:
National Council of Churches of Christ in USA - 1972
National Interreligious Service Board for Conscientious Objectors - 1972
Roman Catholic
National Conference of Catholic Bishops - 1972
Conference of Major Superiors of Men USA - 1973
Southern Christian Leadership Conference - 1973
Unitarian Universalist Association - 1973
United Church of Christ - 1971
United Methodist Church - 1972
United Presbyterian Church in the USA - 1969, 1971, 1973

tion, and the accusation that the basic ideals of the nation have been forsaken.

Consequently, families and friends have been divided by differing opinions on the conflict. For example, it is not unusual for parents to have one son who fought in Indochina, while another emigrated to Canada. Almost every aspect of American life has been affected by dissension over the war. The divisions between races, ethnic groups, age levels, and lifestyles have been widened as a result of it.

Not only has the whole nation suffered from division over the war, but those who served and those who resisted participation have especially suffered. Over 55,000\* Americans have been killed in Indochina. Over 400\* have been prisoners of war, held in North Vietnam - some for a very long time.

The veterans of the Vietnam era have also been hurt. Because the Selective Service System exempted and deferred many white, middle-class and educated men, those of non-

\* Over 58,000 killed in Indochina

\* Over 2500 have been prisoners of war

white and lower economic backgrounds filled a disproportionate share of the ranks of the armed forces. Consequently, many of the problems of the veterans of the Vietnam era result from their backgrounds - approximately 20% of them return without high school education - and their unemployment rate is substantially higher than for others in the same age bracket.

The nation is not using its resources to meet the needs of veterans as substantially as it did after World War II. Many Vietnam era veterans are therefore hurt, frustrated and angry because not only is their nation not showing gratitude toward those who served, but it also appears to be ignoring and rejecting them.

Deep scars were also inflicted on those who believed the war immoral and refused to participate in it. Over 60,000 persons, both draft resisters and deserters, have become exiles in other nations. More than 100,000 men have been prosecuted for draft violations. Untold numbers of draft resisters and deserters have gone underground to avoid prosecution. Although most have turned, or have been captured, over 350,000 members of the armed forces deserted during the Vietnam era.

*More than 300,000\* Vietnam era veterans have received less-than-honorable discharges, a stigma they will bear for the rest of their lives. Some have been convicted by court martial for crimes which would be considered felonies by civilian courts, but the actions of the overwhelming majority would rather be misdemeanors or would carry no penalty at all in civilian life. The majority of less-than-honorable discharges result not from the decision of a court martial, but by the order of a commanding officer [administratively]. Had these men and women not been in the military service, their records would not have been permanently marred by this imputation wrongdoing.*

At this time of national distress, we should remember that God is our final judge; He alone is Lord of the conscience. We will stand at the last awaiting His judgment and His mercy. Our human system of justice is not designed to separate the righteous from the unrighteous in any such final sense, but merely to maintain the safety and welfare of the human community. It needs its function when it divides the community and stigmatizes some citizens because of past views and actions which no longer pose a threat to the safety of the community, if indeed they ever did.

Healing the lesions in our society left by the war in Indochina require human compassion and political forbearance. The war was begun despite the protests of a substantial minority of American people and continued despite the reservations of the majority. Some young men and women agreed with the majority - that the war was a mistake. Believing that it was also just and immoral, they refused to participate in it and thus incurred varying degrees of legal jeopardy. To hunt them down and prosecute them now is to add vindictiveness to victimization, neither of which is a proper basis for imposing criminal penalties and will only increase rather than heal the nation's scars.

We further recognize the need for reconciliation on this issue within the Church. There have been Christians who entered the armed forces believing that the cause in Indochina was right and just.

Other Christians have held opposite views, which led them to resist the war and the draft.

We believe that Christ works in His Church, calling us together to be one body as a sign of His intention for the whole world and family. His reconciling love overcomes mistrust and division and heals hurt and pain. Christ calls us to new Being,

both personally and corporately.

As He calls those in His Church to be reconciled, so we covet for America the experience of reconciliation. For reconciliation to begin, however, certain actions are necessary:

Genuine reconciliation demands that amnesty be granted to all who are in legal jeopardy because of the war in Indochina. The only exception would be for those who have committed acts of violence against persons, and even these cases should be reviewed individually to determine if amnesty is appropriate.

Such amnesty would include:

- (a) draft resisters and deserters who have exiled themselves to other countries;
- (b) those currently in prison or military stockades, those on probation, those who have served their sentences, and those who are subject to prosecution for violations of the draft of military law;
- (c) draft resisters and deserters who have gone underground to avoid prosecution;
- (d) Vietnam era veterans with less-than-honorable discharges;
- (e) those who have committed civilian acts of resistance to the war or are being prosecuted upon allegations of the same.

God alone knows what actually motivates the actions of persons, and few act for one reason alone. Therefore, we feel it unwise to attempt to judge the motives of those who were in the armed forces. For instance, we do not believe that draft resisters and deserters deserve different treatment, since the latter would be penalized simply because their convictions may have changed after entering the service, rather than before.

We view amnesty not as a matter of forgiveness, pardon, or clemency, but as a "blessed act of oblivion," the laws own way of undoing what the law itself has done.

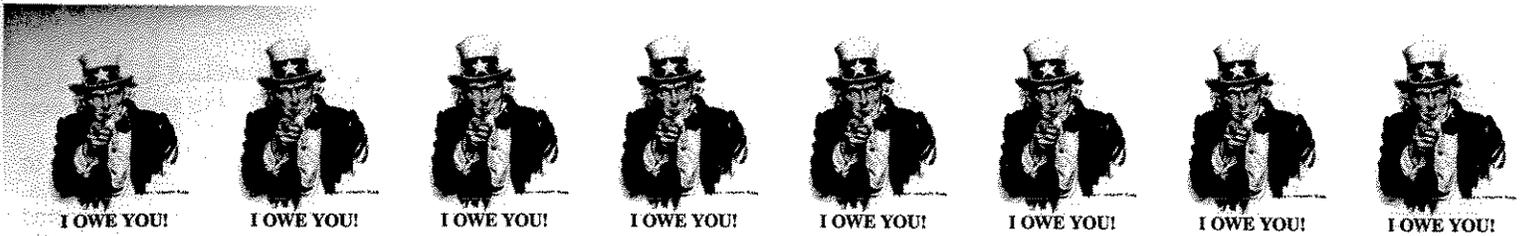
Reconciliation further requires creating the possibility of new lives for those Americans hurt by the war in Indochina. Veterans should have adequate help for their unemployment, education, and health needs. To accomplish this will require the interest and response of all institutions in the United States. In addition, veterans' benefits provided by federal and state governments should be increased to a level at least comparable to those afforded veterans of World War II.

The Church at all levels needs to make its healing ministry available to veterans. Prisoners of war and those incarcerated in United States prisons also require the development of opportunities to help them live fulfilling lives. In addition, those Americans whose needs were not met but were even exacerbated because of the nation were diverted to the war effort, require the special attention of our nation.

*By granting amnesty and providing opportunities for those hurt by the war in Indochina, we would begin to repair some of the damage to our nation inflicted by that war.*

Adopted by the General Board of the National Council of Churches of Christ in the U.S.A., December, 1972

\*300,000 less than honorable discharges by the end of the war



# Veterans Lack Benefits in Many States

Many states, in particular states in the Great Lakes, upper Midwest and the West regions, fall short of the U.S. average in medical service payments and disability compensation to veterans. Medical service payments are paid to Veterans Affairs medical centers and their satellite clinics throughout the various states. Disability compensation funds are paid to veterans, their families and survivors and, in some cases, paid even when the injury was not service connected.

Figure 1

In Wisconsin for example, where 481,000 veterans reside, per-capita disability compensation and pension payments were 83% of the national per-capita average (\$838), putting it 40th among the states. In Illinois, also located in the Great lakes region, these payments were 56% of the national average putting this state last among the states. Payments in Indiana and Michigan were 67% and 63% respectively, resulting in rankings of 48th and 49th among all states (See Figure: 1 Federal Dollars by State for VA Compensation and Pension).

Within states with low rankings there exists considerable variation at the county level regarding receipt of these benefits. In Wisconsin, numerous counties are above the national average in terms of dollars received. However, approximately 60% of counties in Wisconsin are below the national per-capita average, with most located in the southeastern area of the state, an area with larger populations of veterans. In contrast, counties with above average disability compensation and pension payments are located in the northern and northwestern areas of the state, areas with smaller populations of veterans. Nationally, large numbers of veterans reside in urban centers. Within these areas, minority veterans are especially concentrated.

According to Raymond G. Boland, Secretary of the Wisconsin Department of Veterans Affairs (WDVA), this pattern results in high veteran-to-staff ratios in counties with larger populations of veterans. This, in turn, is linked to the under-use of veterans programs in areas of large veterans populations. Boland believes that this pattern has national consequences. In an address to the Council on Veterans Programs in Wisconsin on August 18, he stated, "Our major conclusion, both at the national and state level, is that there is a direct correlation between the size of the population and the size of the staff available to serve the population with benefits counseling and assis-

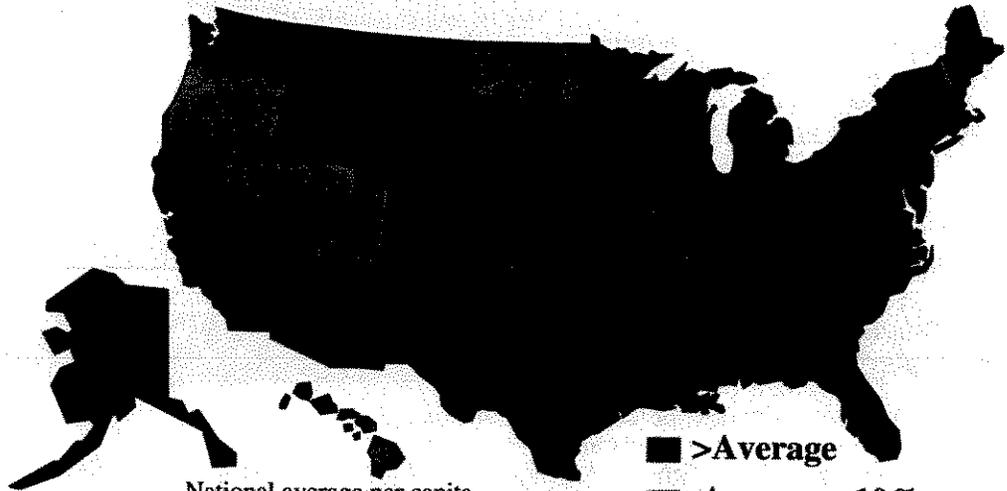
tance in applying for claims and benefits. And so when you look at it that way and you look at the list county by county, you see, generally speaking, smaller populations towards the top of the list and larger populations towards the lower part of the list" (See Figure 2: Wisconsin Counties Compensation and Pension).

## Federal Funding

### National Compensation and Pension Data



March 2000



National average per capita  
 $\$20,669,968,000 \div 24,680,000 = \$838$

- >Average
- Average <10%>
- <Average

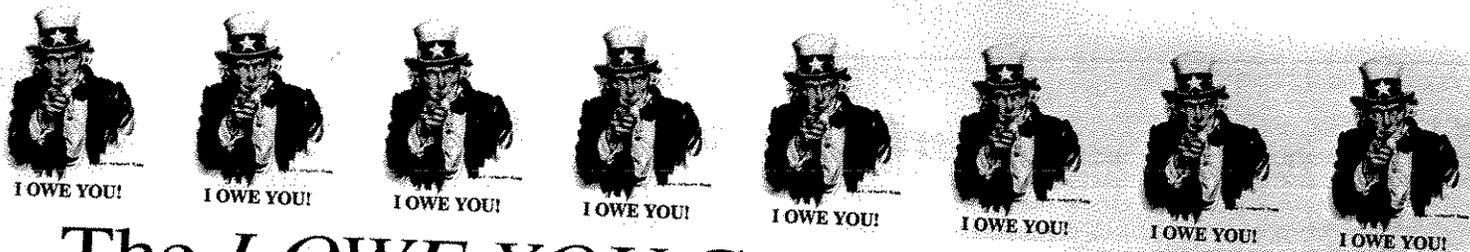
Boland believes this is repeated at the national level. He testified in mid-July in support of two measures before the House Committee on Veterans Affairs subcommittee on benefits. One measure, the *Veterans Right to Know Act*, would reach out to veterans to more fully inform them of benefits. The other would give states greater control over federal job-training programs for veterans.

Boland, 62, a retired U.S. Army colonel who spent 30 years in active duty, believes that reasons why veterans lag in benefits include:

*Failure to get the word out to veterans about what benefits are available,*

*An ethic that makes veterans hesitant to seek federal help,*

*High veteran-to-staff ratios in some offices at the county level*



# The *I OWE YOU* Campaign Kicks Off

The amount of total dollars to Wisconsin from the U.S. Department of Veterans Affairs total about \$700 million and in addition to medical services and disability payments, also include educational benefits, cemetery burials and home loans. If the state were to reach parity, it would mean an additional 100 million-plus in federal help. Similar changes would occur in other states if they were to reach 100% of per-capita numbers.

## Wisconsin's "I Owe You" Campaign: A National Model

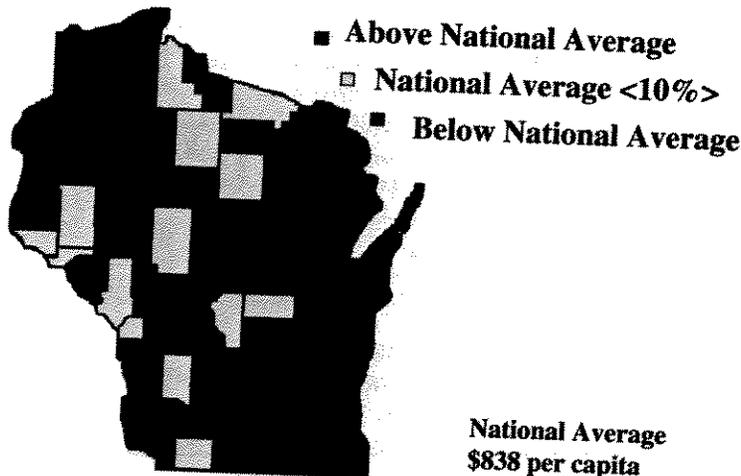
In response to Wisconsin's shortfalls in veterans programs and funding, WDVA secretary Boland has initiated a new approach reaching veterans and capturing increased federal dollars for veterans programs. Called the "I Owe You" campaign, this approach combines a public relations campaign with an extensive outreach effort to targeted veterans populations throughout Wisconsin. If successful, this campaign could become a model that could be replicated nationally.

According to Boland, the new message that he wants veterans to see includes the Uncle Sam image saying in effect, "I owe you. It's part of our deal". Beginning in southeastern Wisconsin, an area with the greatest numbers of veterans, posters will eventually be put up in public places in communities throughout the state. Posters include tear-off tabs with information on veterans programs. In addition, the WDVA will be sending out information about the campaign and veterans programs to each county so that assistance can be increased to veterans. Counties will be asked to assist with WDVA outreach activities in targeted areas as well. In this way, the I Owe You campaign works very much at the local level.

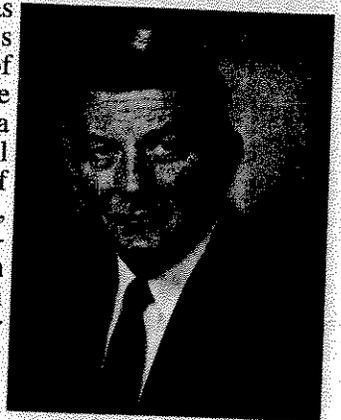
Figure 2

## Service Delivery

### Compensation & Pension County Data



The I Owe You Campaign was launched with a number of press conferences around the state of Wisconsin in late August. In the near future it will also include a mobile van/home unit that will travel initially through the City of Milwaukee, Milwaukee County, Southeast Wisconsin and eventually the entire state. In collaboration with Milwaukee's Zablocki Medical Center, outreach plans for the mobile unit call for a traveling staff to include health care professionals, counselors and benefits specialists. This staff will work to inform veterans of available benefits and connect them with a range of services and benefits.



Raymond G. Boland,  
Secretary of the Wisconsin  
Department of Veterans Affairs  
(WDVA)

Boland states that the "I Owe You" outreach component is initially targeting three categories of veterans: Veterans who have a condition who have never applied for a benefit, Veterans who have a condition who have applied for a benefit but were denied and do not know that they have an opportunity to appeal, Veterans who have a condition that has worsened and whose rating needs to be upgraded.

Boland has enlisted the support of Wisconsin governor Tommy Thompson who in turn has helped gain the support of the National Governor's Association (NGA). A major priority for the I Owe You campaign is to present its policy agenda to the Transition Team of the next administration. This agenda was approved by the Executive Committee of the NGA in July of this year and Boland met with NGA staff in July to discuss approaches to presenting the agenda.

According to Boland, the time has come for a new approach to veterans' issues, problems and concerns. What is needed is a bipartisan, locally based effort at reform and meaningful change. As he put it on August 18 in Wisconsin: "Those of us in the State Departments and in the counties, particularly our county veterans service officers who are on the front lines with our veterans. We are the ones trying to figure out how to provide emergency health care when it's not available. We are the ones trying to provide additional educational resources. We are the ones providing the majority of long term care, we are the ones who are out here really fighting the fight and doing the job every day to take care of veterans. It is time we had a say about what's going on."

# *Eclipse Readers have Superior Knowledge of African American History*

1. *Who was the first African American to attend the U.S. Naval Academy?*

- A. Henry Conyers ✓
- B. Samuel Gravely
- C. Richard Williams

2. *Who won the French Legion of Honor award for her work in entertaining the World War II allies?*

- A. Katherine Dunham
- B. Josephine Baker ✓
- C. Mahalia Jackson

3. *Who was the only accredited African American war correspondent in World War I?*

- A. Ralph Waldo Tyler ✓
- B. Charles Drew
- C. Gordon Parks

4. *Who visited the White House frequently during the Civil War, trying to convince Abraham Lincoln to free the slaves?*

- A. Daniel Alexander Payne ✓
- B. Marcus Garvey
- C. Langston Hughes

5. *Who was the first African American to graduate from West Point Military Academy and to later become an advisor to the U.S. Government?*

- A. Alain Locke
- B. Henry Flipper ✓
- C. Colin Powell

6. *Who became the first African American to hold the rank of major during the Civil War?*

- A. Martin Delany ✓
- B. Crispus Attucks
- C. Denmark Vesey

7. *Oliver Cromwell was a well-known freedom fighter in what war?*

- A. Civil War
- B. American Revolution ✓
- C. World War I

8. *President Jimmy Carter honored the 761st Tank Battalion, an all-black unit, for fighting in what war?*

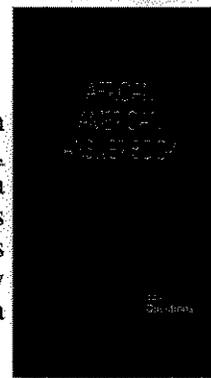
- A. World War I
- B. World War II ✓
- C. Korean War

These questions and answers were listed in the previous edition of the Eclipse.

As some of you noticed, a few of the questions listed incorrect answers due to typographical errors. Ironically, the article was titled "Test Your Knowledge, Stump your Friends." Those of you who noticed the errors and called in the corrections get an A+ (yes, that includes you, Marvin Pratt (Chair - National Command Council, National Association for Black Veterans, Inc.)!!!

Here, once again, are the questions with all the correct answers!

These questions and answers are from the African American Answer Book. This book includes facts and trivia through its answers to 325 questions drawn from the expertise of Harvard's DuBois Institute. The book is written by R.S. Rennert and published by Chelsea House Publishers.



9. *William H. Carney received the Congressional Medal of Honor for his participation in what war?*

- A. American Revolution
- B. Civil War
- C. Spanish-American War ✓

10. *During what war did PFC William Thompson receive his Congressional Medal of Honor?*

- A. Korean War ✓
- B. Vietnam War
- C. Civil War

11. *Who was the first African American to receive the Congressional Medal of Honor?*

- A. William Thompson
- B. William Carney ✓
- C. Andrew Anderson

12. *Dorie Miller responded quickly during what attack, making him the first American hero of World War II?*

- A. Attack on France
- B. Attack on Britain
- C. Attack on Pearl Harbor ✓

13. *How many African Americans received the Congressional Medal of Honor during the Civil War?*

- A. 10
- B. 23 ✓
- C. 55