

# Vietnam Veterans of America

Chapter 324 - PO Box 18631 - Milwaukee, WI 53218

*In Service to America*



## Meeting Notice

19 October, '11

**Elks Lodge**

**5555 W. Good Hope Rd.**

**Board Meeting 6 p.m.**

**Chapter Meeting 7 - 8 p.m.**

Meetings are held on the third Wednesday each month. You are also invited to join members for conversation and discussion after the meeting.

**Chapter web page :**

**National web page: [www.vva.org](http://www.vva.org)**

## Future Meetings

2011

16 November, 21 December

2012

18 January, 15 February, 21 March, 18 April, 16 May,  
20 June, 25 July, 15 August, 19 September,  
17 October, 21 November, 19 December

## Chapter 324 Officers

President - Paul Javins 358-2813

Vice President - Pat Moore 354-2533

Secretary - Dennis Symanski 453-3600

Treasurer - Kent Draper 963-0375

Director - Pat Ciofani 332-7734

Director - Ron Coppersmith 262-255-2832

Director - Michael Lang 355-1496

Director - John Morgan 871-9274

Director - Oliver Williams 538-4416

**Saturday, Nov. 5, 11:00a.m. Veterans Day Parade.** Begins at 4th & Kilbourn

**Friday, Nov. 11, 5:30p.m. Veterans Day Banquet.** Memorial Hall, War Memorial Center, Honoring the Air Force. Special Guests: USAF Brig. Gen John McCoy, Archbishop Jerome Listecky, WDVA Secretary John Scocos. Advance reservations required, \$25 per person, cash bar, free parking north of the War Memorial. Contact Sandi Jenkins – Veterans Day Banquet, 4721 S. Supreme Ct. #101, Greenfield, WI 414-427-1246

**Friday, Dec. 16, 6:00p.m. – 9:30 Candy Cane Lane** benefit for the MACC Fund. Meet at 95th & Manitoba



**John Morgan presented Robert Olin, the owner of the Sherman Perk Coffee Shop, an Appreciation Award for his support of our chapter's fundraisers.**

**Mr. Olin has allowed the chapter to use his business to promote the chapter, and to raise money on the premise.**

**The patrons of the coffee shop have always contributed generously to the fundraisers.**

## VIETNAM VETERANS OF AMERICA

### Milwaukee Chapter 324

September 21, 2011

Meeting called to order at 7:00 pm by President Paul Javins

A Moment of Silence was observed for our brothers and sisters no longer with us and for all POW/MIA's and their families.

Pledge of Allegiance

Attendance – Janice Dahlke, Minnie Harmon, Paul Javins, Pat Moore, Kent Draper, Pat Ciofani, Joe Herbert, Joe Campbell, John Zutz, Mike Lang, David Titter

Minutes of August 17, 2011 meeting reviewed and accepted

Treasurer's Report – Kent Draper submitted reports for August and September

Communications – Thank you letters were received from Homeless Vets and Being There Reaching Out for the donations from the chapter.

### COMMITTEE REPORTS

VVA/AVVA Membership Update – Joe Herbert – Holding at 130 members

Stand-Down Update - \$300 was donated to the September Stand-Down

Volunteering at the VA – Bob Laske sent an e-mail asking for volunteers on Wednesday September 28 to man a VVA table at the VA.

### OLD BUSINESS

By Laws – It was decided to send the proposed By Laws a second time to the membership.

Doing so will give the membership time to review the By Laws. There will be a vote to pass the By Laws at the October meeting.

### NEW BUSINESS

Vets For Peace Food Pantry – Moved and passed to donate \$100 in our continuing support – Contact Dennis Johnson – 414-810-0655 for information or if you have items to donate. He can arrange for pickup.

Dry Hootch will be holding a walk/run Saturday November 12. We are looking for members to participate in this event.

The chapter will present two awards at the Americanism breakfast Sunday October 23<sup>rd</sup>.

Please contact Kent Draper if you would like to attend.

The Veterans Day parade will be held Saturday November 5. Please contact Pat Moore for more information.

### FOR THE GOOD OF THE CHAPTER

Paul Javins suggested selling orange blossoms at a Germantown pumpkin farm. Paul be selling his homemade honey at the farm.

Joe Campbell mentioned the possibility of having a dedication ceremony to observe the 20<sup>th</sup> anniversary of the Southeastern Wisconsin Vietnam Veterans Memorial. The memorial is located at Veterans Park at Milwaukee's Lakefront.

Adjournment – 7:55 pm



# Judge: Iraqi law shouldn't govern lawsuit in soldier's shower death

By Joe Mandak The Associated Press

PITTSBURGH - Iraqi law should not govern a lawsuit brought by the mother of a Pittsburgh-area soldier electrocuted in a barracks shower at an Army base in Iraq, a federal judge has ruled.

Lawyers for Houston-based military contractor KBR Inc. had asked U.S. District Judge Nora Barry Fischer to apply Iraqi law to the ongoing lawsuit in the January 2008 death of Pittsburgh-area Staff Sgt. Ryan Maseth. But Fischer agreed with lawyers for the soldier's parents who argued that United States law should hold sway because the base was under American control - and could provide for punitive damages and other advantages to the plaintiffs not recognized by Iraqi law.

Fischer's decision was the second time she ruled in favor of the plaintiffs. The 24-page opinion handed down Sept. 23 was in response to KBR lawyers who asked her to reconsider a June decision that U.S. law should apply.

Instead, Fischer found that KBR's lawyers were trying to have it both ways. The judge said in a footnote that, in her view, KBR's litigation strategy "is one that constantly shifts to a point where it eventually takes contradictory positions."

Fischer noted that KBR first argued it couldn't be sued because the Army exercised an "envelope of control" over the contractor and its work at the base, so the judge shouldn't even have jurisdiction or, at least, KBR shouldn't bear any ultimate responsibility for anything that went wrong there.

But later, the judge said, KBR argued that Iraqi law should hold sway because the country's laws dictated much of what went on at the base - including the sometimes shoddy construction of Iraqi buildings that were commandeered and used to house soldiers like Maseth.

Daniel Russell, an attorney for KBR, said Monday the contractor had no immediate comment on the decision. William Stickman, an attorney for the soldier's parents, Cheryl Harris and Douglas Maseth, said he was pleased with the ruling but otherwise declined to comment.

Stickman said the case is continuing in the "discovery" phase, during which both sides exchange evidence and take depositions so each can determine what evidence is likely to be used at trial. When that concludes, both sides can ask the judge to issue a summary judgment in their favor based on that evidence.

If that doesn't happen, the case will be scheduled for trial.

Harris, the mother of the late 24-year-old Green Beret, and her attorneys said at an April hearing on the Iraqi law issue that they believe KBR is trying to delay the lawsuit and evade responsibility.

Fischer was more blunt in her assessment at the hearing, saying, "The big nut is whether or not you can apply for punitive damages. You can't get punitives in Iraq."

The lawsuit contends KBR is responsible for Maseth's death because KBR maintained the barracks where the Army determined a water pump shorted out and electrified his shower water.

KBR attorneys have argued that three military investigations determined no one agency or company is to blame for Maseth's death.

Fischer reiterated in her latest opinion that she understands "KBR's position in this litigation is that the Army was allegedly negligent in its decisions and actions related to housing soldiers in Iraqi buildings with known substandard electrical systems."

But the judge said evidence already in the record shows that KBR made repairs when another soldier reported he was shocked four or five times, between June 2007 to October 2007, while showering in the restroom where Maseth eventually was electrocuted.

The judge said evidence suggests that KBR made repairs each time and that the electric shock problems subsided for a time after each repair.

KBR, a Halliburton Co. spinoff, has been the military's largest support contractor in Iraq, providing everything from mail service to meals to housing for troops.

Although Fischer said Iraqi law shouldn't apply, she must still decide whether liability laws in Maseth's home state of Pennsylvania; those in Tennessee, where Maseth's unit was based; or the laws of Texas, where KBR is headquartered, will apply.

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'But the past is just the same,  
—and War's a bloody game. . . .

Have you forgotten yet? . . .

Look down, and swear by the slain of the War that  
you'll never forget."

Siegfried Sassoon (1886-1967), British poet.  
Aftermath (l. 7-9)

## Power problems stall expansion at Bethesda military hospital

# More electricity needed as Walter Reed patients move in

By: Ben Giles | Examiner Staff Writer 08/29/11

Hundreds of millions of dollars in construction planned for the military's hospital in Bethesda won't be able to proceed until the Defense Department spends another \$36.6 million to expand the campus' maxed-out power grid.

A substation at the National Institutes of Health across Rockville Pike has reached peak capacity and can't provide enough electricity to power \$781 million in improvements planned for the Bethesda medical campus to provide military personnel "world class" medical care, according to an Aug. 16 letter from the Defense Department to Senate Armed Services Committee Chairman Carl Levin, D-Mich.

The construction, needed to meet a congressional mandate for improving medical services at Bethesda, can't be completed without expanding the substation's electrical capacity, the letter says.

Defense officials must spend an extra \$36.6 million to improve the power grid at the Woodmont substation. The department soon will begin designing the project, according to the letter signed by Jonathan Woodson, assistant secretary of defense for health affairs.

The request for electrical grid funding took congressional staffers by surprise.

"This was a new requirement that we were not briefed on," said a staffer familiar with the project, adding that Congress has frequently been briefed by defense officials on progress at Bethesda. "This is probably something that dropped through the cracks, and now they're looking at it as a requirement that has to be done immediately."

Congress is waiting for a definitive answer from the Defense Department on whether the electricity issues at the substation could lead to brownouts or blackouts at the hospital.

The funds must be approved in the fiscal 2013 defense budget, but Congress routinely approves such construction funds for the military, officials said.

Rep. Chris Van Hollen, D-Md., said officials should do whatever is necessary to keep the Bethesda hospital running smoothly. "I am concerned by reports that the center is not yet fully prepared for the influx of new patients and personnel," said Van Hollen, who represents the Bethesda area. "I urge the Defense Department to immediately take all necessary steps to

address this situation."

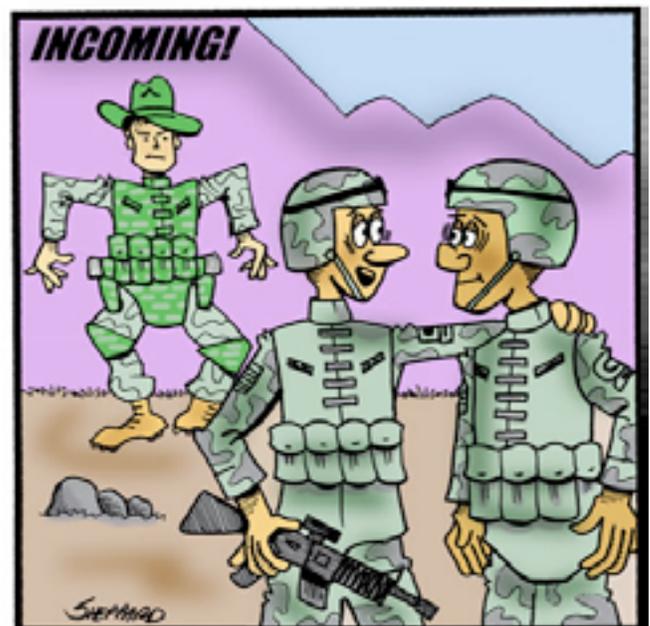
Given the time it takes to plan, design and construct an improved electrical grid, the expansion likely won't be complete for another two to three years, officials said.

Thousands of patients, doctors and nurses have been moved to Bethesda from the Walter Reed Army Medical Center in the District as a part of the Defense Department's Base Realignment and Closure program, also known as BRAC.

On Sept. 15, Walter Reed will close for good and the Bethesda campus will be renamed the Bethesda Walter Reed National Military Medical Center. Patient visits at Bethesda are expected to double to 1 million annually.

Vice Adm. John Mateczun, commander of the Joint Task Force National Capital Region Medical, said the requests won't compromise patient care at the hospital. The requests being made now are part of the military's master plan to provide better patient care, including single-patient rooms and better patient support facilities, such as dining and transportation options, he said.

Another \$29.4 million is needed to build temporary medical facilities while buildings are demolished to make room for the new facilities, as the current buildings "are poorly configured, lack flexibility and expandability, and contain deficiencies in the building spaces," the letter said.



"He's with the Marines going into western Afghanistan."

# In Iraq, Youngest US Troops Bore the Heaviest Toll

Robert Burns August 20, 2011 (San Francisco Chronicle)

In hindsight, American leaders now speak bluntly about the war's toll. Shortly before he retired in June as defense secretary, Robert Gates said he measures the cost "in lives that are shattered, in bodies that are shattered, in minds that are shattered."

Setting aside the political calculations for invading in the first place, the Hebert story is a microcosm of the war — determined, even valiant, efforts propelled by American ingenuity but ambushed by poorly understood Iraqi ethnic and religious forces aligning against the occupiers.

It was not supposed to turn out like this.

Jack Keane, who was the Army's No. 2 general when the war began, told Army historians in 2006 that he and others had believed Saddam's loyalists would fold once Baghdad fell in early April 2003.

"We did not consider it a realistic option that they would continue to attack us indirectly. And shame on us for that," Keane said.

Hebert had parachuted into northern Iraq with nearly 1,000 other "sky soldiers" of the 173rd Airborne Brigade on March 26, 2003, one week after the Marines and the Army launched the main thrust of the invasion from Kuwait. The 173rd was supposed to have been the junior partner with a far larger unit, the 4th Infantry Division, in opening a northern front, but Turkey refused passage. So the 173rd went in alone.

After a four-hour flight from their base in Italy, the paratroopers jumped from a fleet of C-17 transports. In addition to a few broken bones and dislocated joints, the jump merited a Bronze Star medal for each, including Hebert.

He was a member of Delta Battery, 319th Airborne Field Artillery Regiment, as a fire support specialist, sometimes called a forward observer. As such, his job was not to operate the big howitzers but to locate targets and communicate their coordinates, to act as the "eyes of the artillery."

It was a skill for which Hebert had been well trained. But on the night he died, that mattered little. On the fuzzy front lines of a war that was more like a street fight with shadowy criminals than a conventional battle of land armies, Hebert was driving a Humvee, the utility vehicle whose vulnerability to roadside bombs later triggered a push to build armored versions. His Humvee, with a soft-cover cab and open rear bed, had no armor, not even the makeshift variety that soldiers later bolted on for extra protection.

Spc. Adam J. Williams, who was in the Humvee during the attack, said Hebert was a regular that summer on nighttime patrols that operated out of makeshift outposts in an area west of Hawija, in Tammim province, where U.S. forces were in a relentless search for top fugitives of Saddam's military.

In his last letter to Jessica, dated June 26, Hebert lamented the harsh conditions in Iraq and looked forward to leaving. "We are supposed to be out of here the beginning of August, but who knows," he wrote.

On the night of Aug. 1, Hebert's two-vehicle patrol began in Shumayt, a village along the Little Zab River, just east of the Tigris, about 150 miles north of Baghdad. In an interview, Williams recalled that the objective was to link up with an Iraqi informant at a gas station. Hebert and his comrades never made it.

As they descended toward a bridge over the Little Zab at about 9 p.m., gunmen popped up from behind earthen berms that effectively funneled the Americans into a kill zone. In the hail of gunfire, a rocket-propelled grenade sailed through the driver's side window, detonating in Hebert's lap, as Williams recalls. Three other soldiers in the Humvee were wounded.

Was it a setup? Perhaps, Williams said. He was told that a typewritten note found on the bridge threatened further attacks unless U.S. forces left the area. (Another ambush in Shumayt 10 days later wounded three U.S. soldiers.)

"This led some of us to speculate that we had indeed been set up by the so-called informant," Williams said.

Eight years later, it's easy to forget that the flood of violence that swept over Iraq in 2006-07, amounting almost to a civil war, began with the drip-drip of isolated attacks such as the one that killed Hebert. He is one of nearly 1,300 U.S. troops younger than 22 to have died in Iraq since the war began.

In a condolence note to Jessica, Williams regretted that her brother died so young.

"It isn't fair," he wrote. "I'm sorry."



# Sign Up Now With Vietnam Veterans of America Chapter 324

Anyone can join! Membership Options:

**Vietnam Veterans** (A copy of your DD214 must be included):

- Individual Member - 1 year \$20 • Individual Member 3 year \$50 • Life Member \$250
- Life Member Installment Plan (\$50 Deposit; \$25 per month for 8 Months)

**Anyone Else:**

- Associate Member - 1 year \$20 • Associate Member 3 year \$50 • Associate Life Member \$250
- Associate Life Member Installment Plan (\$50 Deposit; \$25 per month for 8 Months)

**Please Print**

Name \_\_\_\_\_ Membership # \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ E-mail \_\_\_\_\_

I would like to help Chapter 324 by donating \$ \_\_\_\_\_

Make checks payable to VVA324 and mail with this application to:  
VVA Chapter 324 - Membership, PO Box 18631, Milwaukee, WI 53218



**Vietnam Veterans of America  
Chapter 324  
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