



Mustang News



Vol. 28 No. 1

Quarterly Newsletter of the National Order of Battlefield Commissions

Spring 2007

Fellow Mustangs and Ladies:

As always, I pray this quarter's Commander's Message finds each and every reader in good spirits and good health. We in our nation's Capital are getting a good dose of winter. We were literally spared any significant cold weather until this past week, and it has hit us with a vengeance. The cold weather turned my thoughts to a more temperate location, so I accessed the web site for our October 22-24 convention/reunion (www.sandsresorts.com) at the Ocean Dunes Resort in Myrtle Beach, South Carolina. Mustang Ponies Ron and Joan Dungey, with Cathy Chain, have secured a truly lovely location for us in October. Visiting the web site and seeing just how very nice the resort is, along with pictures of sun, sand and the ocean, sort of took the chill off momentarily. Each of you able to attend should not miss this October's beautiful and reasonably priced venue. The specifics of our October convention/reunion will be included in our summer edition of the Mustang News, stay tuned.

I hope no one is tiring of my now standard appeal to our Vietnam veteran members, but I have not

Commander's Message

by *Robert Evans*



received the level of response I had hoped for based on my earlier appeals for support. Too often people join an organization with intentions to become active members, but something or things take precedent and another brick is set in the proverbial road paved with good intentions. This is not indigenous to NOBC; it is prevalent across the board. My local VFW with a substantial living membership is hard pressed to field more than eight or ten members for monthly meetings, and this with the promise of free beer and snacks at the conclusion of the meetings. So, I am asking each of you reading this item to take a few moments and reflect on your experiences. If you

have any suggestions on how we can mobilize our membership, I would sincerely appreciate your sharing your ideas with me.

Beer call this Friday with Roger Charles (Soldiers for the Truth) where we will discuss what is new within his organization. I know the issue of adequate body armor for those personnel in harms way in Iraq and Afghanistan is still a burning issue for Col. Hackworth's organization. Chances are Soldiers for the Truth is closing in on DoD reform, by having brought the inadequacies of extant body armor to the attention of high-level government decision makers. There exists superior body armor, and Soldiers for the Truth may, after clearing all legal hurdles, place their imprimatur on the armor.

That is about it from your commander. I do want to emphasize the importance of your ideas in reference to mobilizing our members. Please do contact me with any ideas you might have, the only bad idea is the one you do not share with me. Until the summer edition with the particulars on our October convention/reunion, I wish each of you a safe and healthy remainder of the winter and spring.

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Are We Professors or Possessors?

Let's take a look at not just knowing about God. People profess that they believe the Bible is true. Or they may profess that they have salvation. But it's not so important to profess salvation as it is to possess salvation. Are we professors or possessors? Salvation involves knowing and obeying God. Joy is the by-product of obedience to God. "Christianity is a statement which, if false, is of no importance, and if true, is of infinite importance. The one thing it cannot be is moderately important" (C. S. Lewis). If our concept of God is false, the more religious we get the more dangerous we are to ourselves. But if we truly know God and have salvation, we must live in such a way that those who know us but don't know God will want to come to know Him, too. Let us be gentle if we get the chance to witness how we came to know God - not like the porcupine. We may have a lot of good points but hard to get near! Ministry is not fun and games.

Let's learn and teach that one of the best ways to find salvation is to daily



Warren Schilling

read the Bible using a printed guide. We will learn God's viewpoint pertaining to life and eternity. The Bible is the only book on earth whose author is always present while you are reading it. The door to the Bible is only opened by the "Key of Diligence." We

will see that life is short - never do anything we would be afraid to do if it were the last day of your life. Be sure each day counts rather than count your days - enjoy yourself as you work toward your goals. Learn to laugh at yourself - you will always be entertained!

But we can all adjust that life is tough at times - even for long times. We wonder why God lets these things happen. God's timing is always synchronized with His will. "God permits what He hates in order to accomplish those things He loves." (Joni Eareckson Tada). Remember, tough times never last, but tough people always do. When we walk through tough times we must keep in mind "Your Word is a lamp to my feet and a light to my path." (Psalm 119:105).

Winter 2000

From the Hawaii Editor's Desk

by Bill "Scotty" Wynn



Mustang News

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TAPS

for Mustangs answering
their final muster:

826-Alex E. Berg-WI
821-James R. Burke-SC
1078L-Jose Lopez, Jr.-TX
953-Claude R. Rigsby-TX
330-Carl R. Wyatt-TX

Note: We depend on family members, friends and members to inform us of the deaths of our members. Please provide Stan Schmucker, Admin. & Fin. Officer, with pertinent information and details as soon as possible. Thank you.

Taps

There will be a great encampment
In the land of clouds today.
A mingling and a merging
Of our boys who've gone away.
Though on earth they are disbanding,
They are very close and near,
For those brave and honored heroes
Show no sorrow, shed no tear.
They have lived a life of glory,
History pins their medals high,
Listen to the thunder rolling,
They are marching in the sky!

--Artus Nottingham Chappus

New Members

1153

Grady C. Sink

497 Morro Drive
Kernersville, NC 27284
Btry B 563d AAA AW Bn
1st Army (ETO)

1154

Delmer M. McConnell

604 Mesquite Street
Mineral Wells, TX 76067
Btry B 189th FA Bn
45th Inf Div (Korea)

"We live in a moment of history where change is so speeded up that we begin to see the present only when it is disappearing."

R.D.Laing, Scottish psychiatrist (1927-1989)

Letters from NOBC Next of Kin

NOBC widows or next of kin receive a plaque and citation honoring their late husbands from Gib Bolton

From Marie W. Burke:

Thank you and the NOBC for the beautiful plaque and package in memory of James R. Burke. I cried tears of pride and joy.

He always said of all the medals he had he was prouder of his battlefield commission.

He loved going to the meetings and seeing everyone. We would have been at the last one but I had knee replacement and he was not feeling very well.

I do hope to attend the Myrtle Beach meeting - it's five miles from Surfside Beach. If I can be of any help I'll be glad to do whatever i can.

The John C. Angier III Memorial Scholarship

The application deadline for applying is July 31, 2007. The earlier an applicant begins the process, the better the possibility to assemble all the required documents and ensure success. Students who have applied previously are encouraged to apply again.

Complete information is available on the the internet at www.mustangponies.org.

Students may also contact:

Mustang Ponies

Ronald Dungey, PNP

126 N. Walnut

Yellow Springs, OH 45387-2036



26 July 1777

The necessity of procuring good intelligence is apparent and need not be further urged.

George Washington

General and Commander in Chief

The Continental Army

The Army System

Give a man a clearly defined mission with the authority and means to carry it out. When all is finished and the mission has been accomplished hold him responsible. Mission, authority, means and responsibility are the four words that outline the army system, a system I lived with for five years and grew to admire.

In training camp, for instance, a platoon sergeant has a schedule to follow. It spells out what his platoon should be doing with every minute of the 24-hour day. This is the mission. The sergeant has training aids, vehicles, buildings and training areas, such as rifle and machine gun ranges, along with non-coms, etc. to aid him in following the training schedule. These are the means. The sergeant has absolute authority. He has been given his authority and means to aid him in carrying out his mission, and he is held responsible for the results attained.

In combat the scene is different, but the system stays the same.

A platoon lieutenant is ordered by his company commander to "take that village, hill, house, ridge, or other terrain feature." The mission. It is understood that the lieutenant has the right to order the men of his platoon to attack. The authority. His men, of course, are armed but he can also ask for help from heavy machine guns, mortars and artillery. The air force may even be called into play. The means. If the lieutenant is successful in taking his objective, that is what is expected. If he fails he could be punished. (Relieved of his command or maybe even court-marshaled). Responsibility.

After orders are given the question is asked, "any questions?" This is the subordinates chance to have the mission clearly defined. If there are no questions, or they have been answered, the one issuing the order says, "No further questions? Move out." The only officer that I ever heard of that didn't follow this procedure was British Field Marshal Bernard Law Montgomery. I've been told that after he issued his orders he would say, "There will be no questions. Move out." Hopefully the great general defined the mission adequately in the first place.

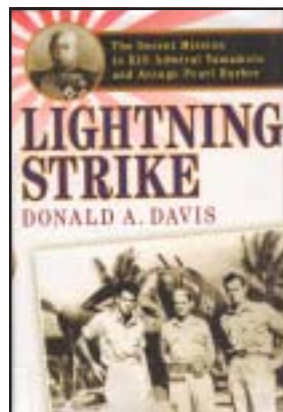
In addition to the West Point Credo, Duty, Honor, Country, I came out of the service with an additional four words which I thought would be my guide in corporate life, Mission, Authority, Means, Responsibility.

I found that in the corporate world my adopted credo didn't necessarily work. The missions were hazy. The chain of command (authority) was sometimes fractured or non-existent. The means needed to carry out an ill-defined mission were sometimes sadly lacking. The responsibility part was pretty much in effect, but without the other three parts of the system it all led to frustration.

Experiencing this in the extreme, I left the corporate world at age 51. The reasons for ending this career had their roots in the Army System that I learned to love.



For the Pacific Vets



Lightning Strike

by Donald A. Davis

The secret mission to kill Admiral Yamamoto and avenge Pearl Harbor

The Navy wanted to conduct this mission but they had no airplane capable of making the 400+ miles from Guadalcanal to Bougainville and back so they reluctantly gave it to the Army and the P38 Lightnings.

The mission was followed by controversy. It was feared the American knowledge of Yamamoto's schedule would advise the Japs we had broken their codes. Also some felt it was a mistake to kill him since he had been an opponent of the war and might later have served a more useful role

"Being young is a fault which improves daily."
Swedish proverb

Warning Order

***The site of the 2007 NOBC
Convention/Reunion***

is

Sands Resorts

***Ocean Dunes Resort &
Villas***

Myrtle Beach

South Carolina

October 22 through 25

Mark your calendar and plan to attend

***Registration forms and details will be in
the Summer edition***

Hand-wringing Helps Only the Enemy

When you enter a boxing ring, you agree to abide by the rules of boxing. But when you are attacked from behind in a dark alley, you would be a fool to abide by the Marquis of Queensbury rules. If you do, you can end up being a dead fool.

Even with a nuclear Iran looming and the prospect that its nuclear weapons will end up in the hands of terrorists that it has been sponsoring for years, many in the media and in the government that is supposed to protect us have been preoccupied with whether we are being nice enough to the terrorists in our custody.

The issue has been brought to a head by the efforts of Senators John McCain, John Warner and Lindsey Graham to get us to apply the rules of the Geneva convention to cutthroats who respect no Geneva convention and are not covered by the Geneva convention.

If this was just a case of a handful of headstrong senators, that would be bad enough. But the issue of applying the Geneva convention to people who were never covered by the Geneva convention originated in the Supreme Court of the United States.

Article III, Section II of the Constitution gives Congress the power to limit the jurisdiction of federal courts, and Congress has specifically taken away the jurisdiction of the courts in cases involving the detention of illegal combatants, such as terrorists, who

are not — repeat, not — prisoners of war covered by the Geneva convention.

The Supreme Court ignored that law. Apparently everyone must obey the law except judges. Congress has the power to impeach judges, including the Supreme Court justices, but apparently not the guts. Runaway judges are not going to stop until they get stopped.

In short, the clash between Senator McCain, et al, and the president is more than just another political clash. It is part of a far more general, and ultimately suicidal, confusion and hand-wringing in the face of mortal dangers.

The argument is made that we must respect the Geneva convention because, otherwise, our own soldiers will be at risk of mistreatment when they become prisoners of war.

Does any sane adult believe that the cutthroats we are dealing with will respect the Geneva convention? Or that our extension of Geneva convention rights to them will be seen as anything other than another sign of weakness and confusion that will encourage them in their terrorism?

No one has suggested that we disregard the Geneva convention for people covered by the Geneva convention. The question is whether a lawless court shall seize the power to commit this nation to rules never agreed to by those whom the Constitution entrusted

with the power to make international treaties.

The much larger question — the question of survival — is whether we have the clarity and the courage to go all-out in self-defense against those who are going all-out to destroy us, even at the cost of their own lives.

There are too many signs that we do not and those signs are visible not only in our political and judicial institutions but throughout American society and western civilization.

Sheltered for years from terrorist dangers that we so much feared after the Sept. 11 attacks, many have come to act as if those dangers do not exist and that we now have the luxury of dismantling the means by which they have been held at bay this long.

In a country where all sorts of individuals and organizations tap into our personal computers and our computerized medical, financial and other records, some have gone

ballistic over the fact that the federal government tries to keep track of who is being phoned by international terrorist organizations.

No amount of security precautions can protect us from all the thousands of ways in which terrorists can strike at times and places of their own choosing — and eventually strike with nuclear weapons. Our only hope is to get advance information from those we capture as to where other terrorists are and how they operate.

Squeamishness about how this is done is not a sign of higher morality but of irresponsibility in the face of mortal danger.

Thomas Sowell is a senior fellow at Stanford University's Hoover Institution.

Editor:

*I like Professor Sowell!!
Sowell for President!!*

Sunday Humor

A well-worn one-dollar bill and a similarly distressed twenty-dollar bill arrived at a Federal Reserve Bank to be retired. As they moved along the conveyor belt to be burned, they struck up a conversation.

The twenty-dollar bill reminisced about its travels all over the country. "I've had a pretty good life," it proclaimed. "Why I've been to Las Vegas and Atlantic City, the finest restaurants in New York, performances on Broadway, and even a cruise to the Caribbean." "So tell me," says the twenty, "where have you been?"

The one-dollar bill replies, "Oh, I've been to the Methodist Church, the Baptist Church, the Lutheran Church..."

The twenty-dollar bill interrupts, "What's a church?"

Let the Games Begin

A couple of red-necks are out in the woods hunting when one of them suddenly grabs his chest and falls to the ground. He doesn't seem to be breathing; his eyes are rolled back in his head. The other red-neck whips out his cell phone and call 911. He gasps to the operator, "I think Bubba is dead! What should I do?"

The operator speaks in a calm soothing voice, "Just take it easy and follow instructions. First let's make sure he is dead."

There is silence...then a shot is heard. The red-neck's voice comes back on the line, "Okay, now what?"

Soldiers For The Truth

The organization was founded by Col. David Hackworth and is continuing under the capable auspices of Roger Charles, (LTC USMC Ret.), President. Roger has agreed to continue our access to the SFTT website to select articles for the Mustang News. We will continue to head this as Hack's Page in his honor.

A Hero You Should Know

By Matthew Dodd

Have you heard of Jason L. Dunham? How about Corporal Jason L. Dunham, United States Marine Corps? Would you be surprised if I told you that on Jan. 11, 2007, his parents received a posthumous Medal of Honor for his combat heroics in Iraq in 2004 from President George W. Bush in a solemn ceremony at the White House?

Regardless of your answers, let me share with you the story of our latest hero from our ongoing global war on terrorism...



**Corporal
Jason L. Dunham
10 November 1981 -
22 April 2004**

"The President of the United States in the name of The Congress takes pride in presenting the MEDAL OF HONOR (posthumously) to CORPORAL JASON L. DUNHAM UNITED STATES MARINE CORPS for service as set forth in the following CITATION:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Rifle Squad Leader, 4th Platoon, Company K, Third Battalion, Seventh Marines (Reinforced), Regimental Combat Team 7, First Marine Division (Reinforced) on 14 April 2004. Corporal Dunham's squad was conducting a reconnaissance mission in the town of Karabilah, Iraq, when they heard rocket-propelled grenade and small



Roger Charles on a nearby friendly unit. For all those involved, their lives would never be the same. The citation continues and tells of the decisions made and the actions taken:

arms fire erupt approximately two kilometers to the west."

"Corporal Dunham led his Combined Anti-Armor Team towards the engagement to provide fire support to their Battalion Commander's convoy, which had been ambushed as it was traveling to Camp Husaybah. As Corporal Dunham and his Marines advanced, they quickly began to receive enemy fire. Corporal Dunham ordered the vehicles dismounted and led one of his fire teams several blocks south of the ambushed convoy."

Vehicle-mounted urban patrols offer many advantages, but one disadvantage is that the vehicles can quickly become large, cumbersome targets from an enemy's perspective. Knowing another friendly unit, his battalion commander's convoy, was in danger, and receiving enemy fire as his squad attempted to support the ambushed Marines, Dunham dismounted his squad to lead a fire team closer to the imperiled Marines. By this time, Dunham and his Marines found themselves immersed in the inherent chaos and danger of urban combat: civilians all around, the enemy could be anywhere – in buildings, cars, alley ways, windows, rooftops, with any sorts of weapons and coordination measures – and they knew where Dunham and his Marines were, where they were headed, and they could probably figure out the route the Marines would take through the urban battlefield.

The citation continues:

“Discovering seven Iraqi vehicles in a column attempting to depart, Corporal Dunham and his team stopped the vehicles to search them for weapons. As they approached the vehicles, an insurgent leaped out and attacked Corporal Dunham. Corporal Dunham wrestled the insurgent to the ground and in the ensuing struggle noticed the insurgent release a grenade.”

Did the vehicles contain innocent civilians at the wrong place at the wrong time, or did they contain enemy fighters trying to flee the area after they sprung their ambush? Which vehicles were friendly, which were enemy, and which were neutral? How do you stop and search multiple vehicles with a handful of Marines, and ensure the safety of your men and the protection of innocent civilians? If you think those questions are tough to answer from the relative comfort of your life back home, think about what else might have been going through the mind of a twenty-two year-old Corporal of Marines on the streets of Iraq when forced to answer them immediately, knowing that his decisions, right or wrong, could mean life or death to himself and others.

I do not envy the folks who are charged with writing these citations. Their job is so very challenging. How do you distill down to a few limited lines what happened in sufficient detail and emotion to convey the gravity of the situations experienced in the heat of battle? What went through the minds of those citation writers and reviewers when they wrote and approved the words, enacted Dunham's mind when he noticed the grenade? The citation tells us...

“Corporal Dunham, immediately alerted his fellow Marines to the threat. Aware of the imminent danger and without hesitation, Corporal Dunham covered the grenade with his helmet and body, bearing the brunt of the explosion and shielding his Marines from the blast. In an ultimate and selfless act of bravery in which he was mortally wounded, he saved the lives of two fellow Marines.”

When you read accounts of these precious few seconds, you learn that two of Dunham's Marines were in the immediate vicinity of the grenade, and

likely not aware of the grenade until Dunham's warning. Dunham could have remained silent, and dove for cover. He could have alerted everyone to the grenade, and dove for cover. He could have even tried to throw the insurgent on his own grenade and hope for the best. Any of those those actions would have been acceptable, given the situation. Instead, at that moment, he somehow knew the only acceptable option for his Marines, some of the ones for whom he extended his tour in Iraq and was committed to bring home alive, was to definitely cover the blast with what he had – his helmet, his body, and ultimately his life. There is no greater love than the love Dunham demonstrated for his Marines. The citation concludes:

“By his undaunted courage, intrepid fighting spirit, and unwavering devotion to duty, he gallantly gave his life for his country, thereby reflecting great credit upon himself and upholding the highest traditions of the Marine Corps, and the United States Naval Service.”

I began this article with a series of questions. For at least a couple of years, I had been waiting for this Medal of Honor after reading accounts of what Corporal Dunham did. I am truly disgusted that today's news media all but ignored a hero who gave his life for our country and upheld our highest traditions fighting for freedom in Iraq. At the same time, that same news media devoted excessive time, money, and effort discussing the so-called execution of the former tyrannical mass-murderer of millions of Iraqis. I just do not get it. Consider this article a small effort at getting 'equal time' for a hero we should all know.

Lastly, with mere seconds to assess the situation and respond, I believe Dunham reacted instinctively, not to the ordinary instincts of a man in danger, and not to the instincts of a combat Marine leader, but to the instincts of a rare breed of warrior born and blessed with the gift of valor. I encourage you to read *The Gift of Valor: A War Story* by Michael M. Phillips, to fully appreciate the life and death of our newest American hero who had the gift of valor, Corporal Jason L. Dunham.

Government Accounting Office (GAO) Investigating Why America's Grunts Continue to Bleed & Die in Second-Rate Body Armor *by Roger Charles*

As you read this Update, please keep in mind **SFTT's Final Objective" the 'best-available" body armor for all of America's Frontline Troops.**

DefenseWatch readers are all too painfully aware that the Pentagon currently issues demonstrably inferior body armor when super body armor is available, and that based on extensive research SFTT believes "Dragon Skin" (manufactured by Pinnacle Armor of Fresno, California) is the "best-available."

It is important to emphasize that SFTT wants all feasible body armor alternatives fully & fairly tested. (If there is a "better" body armor than Dragon Skin out there, we want to hear about it, and quickly because lives of America's Grunts are at stake.)

DefenseWatch has confirmed that the oft-rumored GAO investigation into the scandalous body armor situation is indeed underway. While the overall GAO inquiry is looking at the broad area of "force protection," specific interest is on issues relevant to both the body armor which has been actually issued to our frontline troops, and that which could have/should have been issued.

The GAO study's focus items include these aspects of the body armor dispute:

- What are the requirements for body armor (both capabilities and quantities)?
 - How are requirements established?
 - How do the Army and Marine Corps coordinate their respective body armor programs?
 - What are the related testing and oversight issues?
- It is the last item that most concerns the Army and Marine Corps acquisition bosses, as well it should.

In a fortuitous bit of timing, *Discovery Channel's* program, "Future Weapons," highlighted Dragon Skin in the first 15 minutes of the recent episode titled, "The Protectors." It's hard to imagine a worse 15 minutes for the corrupt officials of the Army and Marine Corps body armor projects.

First, the vest tested was a size large, Dragon Skin SOV2000 (Level III) vest, with standard front and rear panels with extended side coverage. (See *Pinnacle Armor.com*.)

The initial test clip showed this Dragon Skin vest shot in the frontal area with:

- two 5.56mm M885 rounds (with 1.0 inch spacing),
- two 7.62mmx39mm AK-57 Mild Steel Core (Armor Piercing) rounds (with a 1.5 inch spacing), and
- two 9mm rounds (with a .5 inch spacing).

There were no penetrations of the vest's inner liner!

Please note that the 7.62 rounds listed above are **Level IV rounds**. The *Discovery Channel* test involved Level IV 7.62 Armor Piercing rounds being fired at Dragon Skin's Level III vest, and **Dragon Skin (Level III) defeated these Level IV rounds!!**

It might have made even these cold-hearted bureaucrats suffer a twinge of guilt from their awareness that the inferior body armor they currently are issuing America's Grunts could never pass such a test. Nah. These bottom feeders have already proven themselves totally "conscience free."

But, then the *Discovery Channel* video clip got more interesting. These next shots fired went into the back side of the very same Dragon Skin vest:

- seven (7) shots with 5.56mm M885 rounds
- seven (7) shots with 7.62mmx39mm AK-47 Mild Steel Core (Armor Piercing) rounds
- one-hundred fifty (150) shots with 9mm

When the *Discovery Channel* reporter opened the Dragon Skin vest and examined the inner liner, with the camera rolling, the same result was apparent - **no penetrations of the vest's inner liner!!**

It bears repeating and reemphasis — the Level III Dragon Skin vest defeated multiple Level IV

rounds, after defeating multiple Level III rounds (the 5.56 rounds).

The Interceptor Body Armor's Level III plates, the "SAPI" plates, could not defeat even a single Level IV round of this type.

Now here's the kicker: There is no public test data which shows that the Level III SAPI plates have ever defeated this many rounds of Level III rounds in any test. (If any reader is aware of such data please contact the author at sfftpres@aol.com).

An industry expert summed up the shooting scenes of the *Discovery Channel* episode by declaring that **even an ESAPI plate (Level IV) would "never have passed the multiple-shot test."**

And, according to input from the troops in the field, there are only a limited number of the ESAPI (Level IV) plates being issued. Too many troops are being issued the less capable SAPI plates (Level III).

Next, an M-67 anti-personnel fragmentation hand grenade was detonated under the same Dragon Skin vest. This demonstration was more a "gee-whiz" scene for the general audience than to demonstrate any serious ballistic armor protection, according to this very experienced industry source, who is actually a Dragon Skin competitor. This expert went on to say the Enhanced Small Arms Protector Insert (ESAP) plate would have passed the grenade "test."

He then made this statement: **"I frankly think (Pinnacle Armor) has the best [ballistic protection] out there,"** but that Pinnacle Armor "must get testing out of DOD's hands" if it is ever to gain acceptance for the US military.

The source elaborated, saying that the National Science Foundation could and should conduct tests on Dragon Skin, and that when it passed these tests, the Congress could then force the Army and Marine Corps to procure the best-available body armor. But, lacking this level of independent testing, he saw little likelihood that America's Grunts would be wearing

anything other than the inferior Interceptor Body Armor of the Army and the equally inferior Modular Tactical Vest of the Marine Corps.

And that brings up another "urban myth," because for all the Marine Corps hype, the Modular Tactical Vest continues to rely upon SAPI and ESAPI plates for ballistic protection. That's right. The "new" MTV is a classic Pentagon case of repackaging and some marginal improvements, but the essential fact is that MTV relies on decades old technology — the solid (brittle) ceramic composite plate — for it's crucial, life-saving function of protecting American's Marines from the high-powered bullets and high-velocity shrapnel on today's killing fields.

When asked about the recent NIJ certification of Dragon Skin for Level III protection, this source replied that Natick, PEO-soldier, and the rest of the Army acquisition "system" would use the lack of full (as in DOD First Article Test), environmental testing of Dragon Skin as their specious basis for continuing to block its procurement.

Aside from the GAO study, which has increased the sweat factor exponentially among the lying bastards that have kept Dragon Skin from getting a full and fair test for the past 10-plus years, there is little sign inside any branch of the US Government that anyone cares or is prepared to take action.

If — and this is a big "if" — the GAO study is allowed to pursue the truth, independent of political interference, there could be some stunning revelations in about three months when the GAO issues their report.

But for the foreseeable future, our great nation's most precious treasure, the young men and women standing guard on the ramparts of freedom, will fight and bleed and die wearing inferior body armor.

This sad, pathetic reality is more than a disgrace, it is a crime, and those corrupt and/or incompetent officials responsible should be identified and prosecuted for their dereliction, if not malfeasance.



Bob Evans

Since the last edition of the Mustang News, I have selected three items I think will be of interest to our readers. These items include a letter to Mr. Bush from both the House and Senate, asking him to provide the appropriate priority to the needs of our nation's veterans in the upcoming Fiscal-Year 2008 budget submission to

Congress, a letter of support from TMC to Senators Kerry and Smith for their 2007 Active Duty Military Tax Relief Act, and a formal statement of The Military Coalition before the Veteran's Disability Benefits Commission.

The letter to Mr. Bush from the House and Senate signed by Senators Lincoln and Snowe and Representatives Snyder and Moran follows:

We are writing to respectfully request that you give the appropriate priority to the needs of our nation's veterans in your upcoming Fiscal-Year 2008 budget submission to Congress. In doing so, we urge you to provide adequate funding for the Veterans Benefits Administration's (VBA) Compensation and Pension Service. This funding is critical in providing the VBA with the additional staff, and resources needed to overcome its increasing backlog of pending claims.

According to a VBA Workload Report from December 9, 2006, the total number of pending compensation and pension claims increased nearly 17percent over the past year, from 517,574 to 605,363. With an aging veterans population and more servicemen and women returning from Iraq and Afghanistan, the number of pending claims will undoubtedly continue to rise. Unfortunately, this increase, coupled with a lack of resources, has left the VBA with an unacceptably large claims backlog that has caused undue hardships for disabled veterans and their families across the country.

The increasing number and complexity of claims filed makes it particularly crucial for the VBA to be able to increase the number of permanent full-time staff dedicated to this task. While an increase in staff would increase the timeliness of claims, we also recognize that it is equally as important to dedicate additional resources toward improving the quality, accuracy, and consistency of claims processing. This will require a greater investment in technology, training resources and skills certification.

While we applaud the VA for placing a priority on providing timely and accurate benefits to veterans and their families, we are hopeful that it will more aggressively implement a strategy to produce the quality, timely and consistent output that our veterans deserve. That is why we urge you to provide the VBA with the funding it desperately needs to continue taking these much needed steps. It is the least we can do for those whom we owe so much, and to reassure future generations that a grateful nation will not forget them when their military service is complete.

Sincerely,

The letter from Senators Kerry and Smith follows:
Dear Senator Kerry and Senator Smith;

The Military Coalition (TMC), a consortium of nationally prominent military and veterans organizations, representing more than 5.5 million members plus their families and survivors, is writing to express our strongest support for The Active Duty Military Tax Relief Act of 2007.

The bill would provide several critical tax credits to our Active Duty, National Guard, and Reserve Components, which include:

Tax Credits for Small Employers of Reservists and National Guardsmen called for Active Duty: The bill would provide tax credits to help small businesses with issues related to employees being called up for active duty. Small businesses with less than

100 employees are eligible for these tax credits. Reserve and Guard members continue to play a key role in the Global War on Terrorism, complimenting the skills of the Active Component and rounding out the Total Force. As Reservists maintain two careers, tax incentives for companies employing Reserve Component members assist in retention and recruiting.

- 1 **Credit for Differential Military Pay** – The bill would provide a tax credit for small business employers of reserve members called to active duty that pay a military pay differential.
- 2 **Replacement Employee Credit** – This credit would help small businesses cover the cost of temporary replacement employees. Only small businesses that qualify for the differential military pay credit are eligible.

Differential Military Pay: the bill would address concerns related to differential military pay and income tax withholding and retirement plan participation.

Rollover of Military Death Gratuities to Tax-Favored Accounts: The bill would allow survivors to contribute any amount up to the sum of the gratuity payment into tax favored accounts, such as Roth IRAs, Coverdell Education Savings Accounts and Health Savings Accounts.

Increase in Standard Deduction for Active Duty Military Personnel: This bill would increase the standard deduction for active duty military personnel for 2007 and 2008 by \$1,000.

Permanent Extension of Election to Include Combat Pay as Earned Income for Purposes of the Earned Income Tax Credit: The Working Families Tax Relief Act of 2004 included a provision which would treat combat pay as earned income for purposes of computing the earned income tax credit. The bill would make this provision permanent.

The Military Coalition thanks you for introducing this legislation and for your leadership on issues affecting all service members and their families. We pledge our strong support in seeking enactment of this important legislation.

An abbreviated version of the formal statement follows:

Mr. Chairman, The Military Coalition (TMC) thanks you for this opportunity to address the Commission and express our views concerning the staff-prepared issue paper on concurrent receipt (research question #21). We appreciate that the Commission has already heard from several other veteran and military organization representatives on this and a variety of other topics and concerns; yet, today we will devote our discussion to concurrent receipt and specifically the issue paper posted on your website.

Critique of the Staff-Prepared Paper

The staff-prepared paper provides a sufficient history of concurrent receipt as well as a comparison to other programs and common arguments for and against allowing both retirement pay and VA disability compensation. However, we would like to outline a few points to provide additional clarification for the commissioners:

The paper confuses the concurrent receipt issue by commonly using interchangeable language that appears to tilt the arguments towards the old “think.” For example, military retirement pay is often referred to “military retirement benefits” which appears to imply that these benefits are ‘provided’ or given by the government as a reward for “service to the nation,” as opposed to the view that this compensation is like other retirement plans that are contractually based: if an employee completes the required service, in exchange he or she has earned retired pay and the associated benefits. Concurrent receipt allows qualifying members to receive both retired pay

and VA disability compensation; therefore, the Commission's discussions on concurrent receipt should focus on military retired pay, not retiree benefits.

Under "Recent Legislation," a group of eligible retirees were completely unaddressed. It is important that the Commission understand that retirees with 15–20 years of service, who retired under Temporary Early Retirement Authority (TERA), are eligible for Concurrent Retirement and Disability Pay (CRDP).

Our primary concern surrounds the limited options in the issue paper. The staff proposes only four options:

1. ***"Endorse the current tiered approach..."*** (status quo).
2. ***"Endorse an offset of military retirement by VA disability compensation for everyone."*** (reverts back to pre-concurrent receipt legislation).
3. ***"Endorse full concurrent receipt of both military retirement and VA disability compensation without any additional payment of CRDP or CRSC for everyone who has 20 years of service for retirement purposes."*** (a modified "full" concurrent receipt).
4. ***"Endorse continuing to allow an annual election of CRDP or CRSC for those with dual eligibility and expanding the current tiered approach to veterans rated 10 through 40 percent..."*** (a slight extension of CRDP only).

The first two options are understandable for the Commission to review as they provide two "ends of the spectrum;" however, the remaining two staff-prepared options are extremely limited in scope and do not provide a true "full" concurrent receipt option for further deliberations.

The third option would provide full retirement pay and VA disability compensation without an additional CRDP or CRSC payment to retirees with more than 20 years of service. Although this option would simplify the concurrent receipt process by eliminating CRSC and CRDP programs and management, it would also "exclude" the existing TERA-retiree eligibles and allow receipt of both medical retirement pay (Chapter 61 – the chapter of law covering military disability retirement) and VA disability compensation as long as the retiree has 20 years of service. We are certain that this option would come under scrutiny for providing compensation for the same disability (above longevity retirement).

The fourth option extends the current CRDP eligibility by including retirees with disability ratings of 10–40 percent. Although this option does further expand eligibility to currently excluded retirees and one that the Coalition supports, it fails to include members that are forced to retire with less than 20 years of service due to medical reasons. The Commission's failure to address Chapter 61 retirees with less than 20 years of service is grossly unfair.

The Coalition believes "Chapter 61s" are a group of retirees "caught in the middle" based on the revised retired pay laws – some "Chapter 61s" are eligible for concurrent receipt; others are not.

Under the old law, there were two kinds of retirements – longevity retirement and disability retirement. The fundamental concept of concurrent receipt is that retired pay is earned by longevity of service, and disability compensation is payment for reduced quality of life and loss of function and future earnings.

The new concurrent receipt legislation extends eligibility to Chapter 61 members with greater than 20 years of service. Their disability retired pay often exceeds the amount they would have earned by service alone. Therefore, Congress authorized concurrent receipt for such members exempting from the VA disability offset only the

amount of retired pay the member would have earned by service alone (longevity), independent of any disability. The rest of their retired pay was deemed disability compensation from DoD and remains subject to dollar-for-dollar offset for any VA disability compensation.

The formula established in law for Chapter 61 retirees with more than 20 years of service is 2.5 percent of the applicable basic pay base times years of service. By establishing this formula, Congress validated that part of what's called disability retired pay is, in fact, earned by service. The logic behind this is that service-based retired pay is earned in its own right, but retirees shouldn't be able to claim disability compensation from both the military and the VA for the same disability.

We believe that the same formula should be extended to Chapter 61s with less than 20 years of service. Under that formula, a person with 15 years of service would be "vested" at three-fourths the amount of the 20-year member, with proportionally less for shorter service.

The Coalition feels it's unfair to eliminate the disability offset for someone with a 10% combat disability who has 20 years of service while still imposing the full offset on a 100% combat-disabled member who was forced into medical retirement at 19 years and 10 months. Our point is that use of the 20-year standard implies that the person had a choice.

In the case of medical retirees, they just didn't have any such choice. In their case, we believe strongly that the only fair solution is to "vest" them in the service-earned portion of their retired pay – 2.5% times pay times years of service.

The simple explanation: a 100% combat disabled E-8 retired with 19 years of service today is retired with disability retired pay of about \$2,735 a month (75% of his high-three basic pay). His 100% VA disability compensation wipes out all but about

\$120 of that if he's married.

Our proposal protects 2.5% times 19 years times his high-three basic pay from offset. In this case that guarantees that he would keep \$1,732 a month as "earned by service." The remaining \$1,003, which is clearly for disability, would still be subject to offset, since we agree you shouldn't draw disability compensation from both DoD and the VA for the same disability. In fact, this exact same "earned by service vs. awarded for disability" computation methodology is already what's used, by law, to determine CRDP/CRSC payments for disability retirees with more than 20 years of service.

Some would say, "Maybe for the 19-year guy that's fair, but how far would you go?" Our answer is, "on principle, all the way down to one year. Those who have served only a short time won't have very much earned retired pay."

We do understand funding constraints can limit the amount of future progress. Therefore, at the very minimum and as an incremental step forward towards our long-term goal of "full concurrent receipt, the Coalition thinks the Commission should approve coverage for those with 15+ years of service. Under current law, a 50% disabled, 15-year early retiree who left service during the 1990s drawdown rightly can get concurrent receipt (on the 10-year phase-out schedule), but the 100% combat-disabled, 19-year medical retiree can't. That's just flat wrong.

Conclusion/Recommendation

The Coalition urges the Commission to include an option for Chapter 61 retirees with less than 20 years of service. These members did not have the choice to remain until 20 years...their service-connected disability forced them to cut their careers short. It is unfair to continue to penalize them for incurring a service-ending disability.

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