

RAO

BULLETIN

1 September 2013

PDF Edition

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Retirement Home Chain Lawsuit ► Elder Abuse, Unlawful Trade, Breach of Contract



A lawsuit charges that a nationwide chain of retirement homes preys on elderly veterans, luring them into expensive housing plans on the promise that their government benefits will cover the costs, then hitting them with thousands of dollars in deferred rent when the benefits don't come through. Lead defendant Holiday Retirement operates more than 300 senior living homes in the United States and targets veterans and their survivors as prospective tenants, lead plaintiff Richard Dickinson says in the lawsuit, according to Courthouse News Service. Dickinson and three others claim the chain uses high-pressure sales tactics to "induce veterans and their surviving spouses to move into its facilities whether or not they can afford the monthly rent." The suit, filed in Multnomah County Court in Oregon, accuses Holiday of elder abuse, unlawful trade, breach of contract and negligent misrepresentation. They claim Holiday's high-pressure tactics are designed to "induce veterans and their surviving spouses to move into its facilities whether or not they can afford the monthly rent."

In June 2012, Holiday Retirement announced that "to honor and recognize the brave men and women who have served their country," it was offering \$900 off first month's rent to the 26,000 members of the American Military Retirees Association (AMRA). "Our new partnership with the American Military Retirees Association is yet another opportunity for Holiday Retirement to celebrate veterans and their families," Holiday Retirement CEO Jack Callison said. "We are grateful that so many veterans choose to call our communities home, and we are honored to have the chance to continue serving those who've made tremendous sacrifices for our country." Based in Lake Oswego, Ore., Holiday Retirement (<http://www.holidaytouch.com>) claims to have "founded the concept of independent senior retirement living in 1971" and says it is the largest provider in North America with more than 300 communities throughout the U.S. and Canada. "Holiday Retirement is in the business of providing security, comfort, and value to independent seniors seeking a fulfilling lifestyle in a welcoming environment," the company said in the news release announcing the promotion with AMRA.

But the plaintiffs in the lawsuit paint different picture. "Plaintiffs allege that defendants deceived them as part of a scheme to increase occupancy rates and rental income at retirement communities operated by Holiday," the complaint states. "Holiday targeted war veterans and their survivors as potential residents and induced them to move into high-cost housing by misrepresenting a pension program administered by the United States Department of

Veterans Affairs (the 'VA') called Aid and Attendance and Homebound Status ('Aid and Attendance'). The promised benefits never came through and says they are now being charged "rent that is beyond their means and continues to increase." [Source: Consumer Affairs | Truman Lewis | 29 Aug 2013 ++]

Honor Flight Network Update 06 ► Buchanan County Iowa

Buchanan County Iowa has done its part to keep Honor Flights airborne in 2014. The combined American Legion and Veterans of Foreign Wars posts in that county raised \$47,500 in an AUG event to keep Honor Flight going in a five-county area. The program flies military veterans of World War II and Korea to see their national memorials in Washington, D.C. Local flights are staged from the Waterloo Regional Airport. It is second-largest contribution since Honor Flights began flying out of Waterloo in 2011, organizer and Black Hawk County Supervisor Craig White said. The combined Buchanan County veterans posts had a dinner with entertainment and live and silent auctions in Independence. The event actually raised more money than a similar event in Waterloo in April. Organizer Clayton Ohrt of Quasqueton said. "This is a great way to honor our veterans, to get them out there and see their memorials and get them some closure if they're having issues with it. Just to see the smiles on their faces when they come back to the Waterloo airport is just awesome."

Ohrt is hoping other counties in the area will hold similar events, and he said Buchanan county veterans groups are ready to support them. Each flight costs about \$100,000. "Hopefully it will carry over to other areas that they can do it too," White said. "Anyone who's gone on a flight knows how much it means to these guys. And we're far from being finished. The only problem is keeping the money coming in." The next Honor Flight is planned for 17 SEP and booked up. Three more are anticipated for 2014 but yet to be scheduled. Each flight accommodates about 90 veterans and there is a waiting list of 250, including veterans from Black Hawk, Bremer, Buchanan, Grundy and the northern half of Tama counties "We have enough (money) right now for a little over two flights" in 2014, White said. "It's important right now that we continue the push." [Source: Waterloo-Cedar Falls Courier | Pat Kinney | 17 Aug 2013 ++]

Michigan Vet Home ► Grand Rapids Mental Health Care

The Grand Rapids Home for Veterans (GRHV) has contracted a mental health services firm to help patch a glaring problem exposed in a state audit. Behavioral Care Solutions LLC, based in the Detroit area, will now provide mental health care at the home, 3000 Monroe Ave. NE, after being awarded the contract. The home had been without an on-site, board-certified psychiatrist since August 2012, when its provider at the time pulled out of its contract. That lack of care was detailed in a report this year from the state auditor general. Its investigators made a point to highlight this despite usually only examining finances. Now that Behavioral Care Solutions is on contract with the home, the U.S. Department of Veterans Affairs has accorded to home full certification, officials said. "With the contract in place, we can immediately begin offering comprehensive on-site mental health services to our residents, bringing us into full compliance with VA standards of care," veterans home Administrator Sara Dunne said in a news release.

Prior to inking the contract, the home had turned away prospective residents with mental health issues because it was unequipped to diagnose and prescribe medication. Three doctors at the home administered and amended prescriptions for existing residents after the former mental health services firm pulled out. State lawmakers approved up to \$500,000 for the mental health services contract, said Veronica LaDuke, spokesperson for the Michigan Veterans Affairs Agency. The contract was given final approval 23 AUG by Dr. Mary Beth Skupien, director of the

Battle Creek VA Medical Center. Officials from the Battle Creek center surveyed of the Grand Rapids home earlier this year for the federal government. They granted provisional certification of its nursing home program. Full approval was contingent on the home's contracting with a mental health services provider. There are about 460 residents at the home, which sits on 90 acres of land north of downtown Grand Rapids. When the state audit was conducted between March and September last year, about 41 percent of the residents required antipsychotic medication.



The Grand Rapids Home for Veterans

Established in 1886, the Grand Rapids Home for Veterans has a capacity of 763 nursing and residential beds. It is located on 90 acres of land adjacent to the Grand River in Grand Rapids, Michigan. The Home offers veterans a wooded area with a pond formed along Lamberton Creek, an amphitheater, nature trail, picnic pavilion and extensive picnic areas for residents. The buildings and grounds are groomed and maintained by an experienced and dedicated staff. Grounds beautification and building remodeling projects are continuously underway. GRHV has a stand-alone heating plant, emergency power back-up systems, fire protection safeguards, and a modern cooling and ventilation systems. Two of the buildings are smoke-free and the remaining buildings have designated smoking areas for residents use. The home maintains a fleet of vehicles for transporting residents to outside medical appointments and for residents to attend a variety of outside events, such as, the theater and sporting events. Community interaction is encouraged, rather than discouraged. Residents can be as active and interested in life as they wish. GRHV's cemetery is the final resting place for 2,413 Civil War Veterans and hundreds of veterans from every U.S. military conflict since that time. The cemetery is also used as a site for special ceremonies to honor military personnel. The beautiful gateways leading into the cemetery were recently restored through the voluntary efforts of the Veterans Committee of the UAW, Region 1-D, and the Kent County Veterans Council.

Admission to the Grand Rapids Home for Veterans is accomplished through an application completion process. A completed application form, which can be obtained from the Admissions Office or downloaded at http://www.michigan.gov/documents/dmva/application_5032_7_402396_7.pdf, must be submitted to the Grand Rapids Home for Veterans for eligibility and medical review. Once an individual care level has been determined, the application is returned to the admissions office for processing. Mail or FAX it to Admissions Office, Grand Rapids Home for Veterans, 3000 Monroe Ave. NE, Grand Rapids, MI 49505-3397 Fax: (616) 364-5373 Tel: 1-800-642-4838 or (616) 364-5389. The applicant will be contacted by the admissions office and, based on bed availability, will be set-up with an admission date or will be placed on a waiting list. The Grand Rapids Home for Veterans has many volunteer opportunities for individuals and groups. A wide range of individual volunteer positions are available from popcorn maker to Chapel escort. Groups work in variety of activities depending on the group's special interests or skills. Whether you are can work once a week, once a month, or maybe just occasionally, there is a volunteer position for you. For more information on volunteering call the Volunteer Office at (616) 364-5331 or

email reamesd@michigan.gov. [Source: http://www.michigan.gov/dmva/0,1607,7-126-2362_2749---,00.html & MLive Media Group | Zane McMillin | 26 Aug 2013 ++]

Rhode Island Vet Home Update 01 ► Bristol Replacement Home Approved

Governor Lincoln D. Chafee has announced that the United States Department of Veterans Affairs (DVA) has approved the design concept for the new Rhode Island Veterans Home—which will be built on the grounds of the current veterans home in Bristol. "We must be a state that provides certainty to its Veterans, who have done so much on our behalf," Chafee said. "Last fall, Rhode Islanders expressed their desire to provide a new up-to-date facility for our state's Veterans by overwhelmingly approving Question No. 4 to issue general obligation bonds for the construction of a new Veterans' Home. Today's announcement is a great step forward in honoring our voters and our Veterans." In November 2012, 77 percent of Rhode Island voters overwhelmingly approved issuing a \$94 million bond to finance a new Rhode Island Veterans Home. Durkee, Brown, Viveiros, Werenfels Architects were selected through a request for proposals to work with the Department of Human Services Division of Veterans Affairs and the Department of Administration Division of Capital Projects on an engineering study and a design and feasibility analysis.

In April, an application for a Veterans Home construction grant was prepared and then submitted to the DVA Office of Construction and Facility Management. According to the DVA approval, any federal matching funding will cover costs retroactively to April 23, 2013. The state anticipates an award letter from DVA Secretary, General Eric K. Shinseki in December 2013. The award amount is based on a tiered priority list of other approved Veterans home projects from around the country. The new home will accommodate different levels of nursing care and expanded rehabilitation services along with an adult day-care facility. The three-part project consists of a new 225 bed nursing home facility to replace the existing 260 one, a new 75 bed assisted living facility, and the renovation of the current facility to provide spouse residences, recreation, rehabilitation, and homeless veteran's beds. [Source: GoLocalProv News article 29 Aug 2013 ++]

North Dakota Veterans Cemetery ► Excellence of Appearance Award

The U.S Department of Department of Veterans Affairs' National Cemetery Administration (NCA) presented the agency's "Excellence of Appearance Award" to the North Dakota Veterans Cemetery on 21 AUG. State veterans cemeteries are inspected every three years by the NCA. The review includes headstone general appearance, alignment, turf conditions, drainage, as well as building and equipment maintenance. The "Excellence in Appearance Award" is presented to those cemeteries that meet or exceed the requirements of this triennial review. Pam Helbling-Schafer, the cemetery director, said upon receiving the award, "We are really proud of this memorial park and our efforts to make it a first-class facility for our military veterans and their loved ones. It is truly an honor to provide our military members a respectful and dignified interment area."

The N.D. Veterans Cemetery is a member of the NCA's national cemetery system and was established by an act of the 1989 Legislative Assembly. Opened in 1992, is operated by the Office of the Adjutant General of North Dakota. It is located 6.5 miles south of Mandan on Highway 1806 on a 35-acre tract of land in the southwest corner of Fort Abraham Lincoln State Park. The Kiosk gravesite locator is available in the foyer of the visitors center. The cemetery office is open Monday through Friday, 8:00am to 4:00pm., closed weekends and on State Holidays. The

cemetery grounds are open twenty four hours a day for grave visitation. The following is germane for interment and visitation:



Cemetery entrance, sign, flags, and chapel, Memorial Day, 2010

Application and Eligibility For Burial. It is not required that you have an application on file at the cemetery. However, the cemetery will accept applications if you so desire. To pre-register, complete the application form and submit a copy of your discharge (DD Form 214 or the equivalent) for active duty or the NGB 22 for National Guard and reservists. These documents must verify that you meet the eligibility requirements prior to any interments taking place. The funeral director will contact us to complete final arrangements. For veterans with multiple enlistments, it is imperative all discharges are considered. Information on the headstone is taken from the discharges; therefore war service, highest rank earned, significant decorations and branches of service will reflect what is displayed on the headstone. The application form can be downloaded at:
<http://www.ndguard.ngb.army.mil/benefits/veteranscemetery/applicationforburial/Documents/Application%20for%20Burial%202012.pdf>

Burials. Burials are conducted on the hour, every hour, between 9:00AM and 3:00PM CT. All committal services are held in the committal chapel. A limited number of chairs for the immediate family are provided. Committal services are the only type of service that will be accommodated in the committal chapel. The intended purpose of the committal chapel is to provide a safe, comfortable gathering space, away from gravesites, for a brief committal service. Services such as funeral services or memorial services are not allowed in the committal chapel or on the cemetery grounds at any time. Viewing open caskets is not allowed at any time. There is no cost to the veteran for burial. If a spouse or eligible dependent is to be interred at the cemetery there is a \$550.00 interment fee, subject to change over time.

Gravesites. Lot determination is normally the next one available in the area currently being utilized. As in National Cemeteries, only one plot would be used for the veteran, spouse and/or eligible dependent. The first vault would be placed at a depth sufficient to accommodate additional vaults. A basic grave liner is required, but can be up graded to a vault through the funeral homes. The grave liner or vaults are purchased through the funeral home, they are not provided by the cemetery. There is no vault requirement for cremated remains, whatever urn or container provided will be placed directly into the grave.

Military Funeral Honors. Family members of the deceased veteran should first notify their funeral director of their desire to have Military Funeral Honors rendered. There is no cost to the veteran's family to have Military Funeral Honors provided by the military or Veteran Organization. The family should provide the funeral director with the following information, if available: Name of deceased, date of birth, social security number, form DD 214 (discharge), or any other proof of veteran status or eligibility for burial honors. Family members that are not going through a funeral home, should contact: ND Military Funeral Honors, P.O. Box 5511, 4200 East Divide Avenue, Bismarck, ND 58506, Tel: 1-866-963-4977

Floral & Decoration Regulations. Fresh cut flowers may be placed on graves at any time. Only temporary flower containers are permitted. Floral items will be removed from graves when they become faded or unsightly. Artificial flowers may be placed on graves during the period of October 15th to the 10th day following Memorial Day. Christmas wreaths or blankets are permitted on graves during the Christmas season commencing 1 December and will be removed by caretakers on 1 February each year. Permanent plantings will not be permitted on graves at any time. Potted plants will be permitted on graves during the period 10 days before and 10 days after Easter Sunday and Memorial Day. Statues, vigil lights, glass objects of any nature or any other commemorative items are not permitted on the graves at any time. All graves will be decorated on Memorial Day by the cemetery staff with 8" x12" United States Flags. U.S. Flags are not permitted on graves at any other time. During lawn mowing and ground maintenance season all floral items will be removed from graves when that section of the cemetery requires mowing or other maintenance.

[Source: <http://www.ndguard.ngb.army.mil/benefits/veteranscemetery/Pages/default.aspx> & DVIDS News Aug 2013 ++]

Wyoming Veterans Cemetery ► Oregon Trail State Veterans

The Oregon Trail State Veterans Cemetery (OTSVC), located at Evansville, was established in 1983 through the cooperative efforts of the state of Wyoming and the U.S. Veterans Affairs Cemetery System. The Wyoming Military Department supervises and controls this Cemetery. It is the only veteran cemetery on the state. The closest national veterans cemetery is located in Denver, Colorado. Every Veteran who receives any discharge, other than dishonorable, from the U.S. Armed Forces is eligible for burial. The spouse, handicapped or minor child of an eligible Veteran may also qualify for burial providing that the qualifying family member is in the same burial plot as that provided for the Veteran. Burial plots will be assigned on a first come first served basis as the need arises. There will be no charge made for any burial plot. The cemetery will provide a grave vault at no charge for casket interments. All expenses incurred by survivors for services and supplies provided by a funeral director of their choice or transportation to the OTSVC must be paid for by the survivors or by private funds.



Chapel and Gravesites

The director may assist the next of kin in making arrangements for military funeral honors. Honorably discharged Veterans are entitled by law to military honors at their funeral services. This includes burials, cremations, or memorial services. Honors can only be given once. The law provides for folding the U.S. Flag, presenting the U.S. Flag and the playing of "Taps". These honors are provided free of charge to the families of all entitled Veterans. Veteran Service Organizations (VSOs) across the state who perform honors are then eligible for a \$50 stipend from the State of Wyoming. The Wyoming Army National Guard may perform honors in partnership with VSOs around the state, which then allows the VSOs to receive an additional \$50 stipend

All burial services are held in the chapel and patio area. No services are held at the grave site. Services will be scheduled for weekdays only. Only the flat, granite grave markers provided by the U. S. Government are authorized for individual grave markings. These rules, along with the National Cemetery Administration regulations will govern the use of this cemetery. For more information, call (307) 235-6673. Counties are obliged to provide up to \$500 for the burial of indigent veterans upon proof that the deceased veteran received a discharge other than dishonorable for service on behalf of the United States. The indigent veteran must have died in the county paying the expenses and proof must be shown that he/she left insufficient means to defray the expense. [Source: <http://wymilitary.wyo.gov/veterans-commission/veterans-cemetery> Aug 2013 ++]

Wyoming Veterans Cemetery Update 01 ► First National Cemetery Planned

A federal plan could give southeast Wyoming its first cemetery just for military veterans. The U.S. Department of Veterans Affairs is looking to buy land in Cheyenne to create a national veterans cemetery there. The department recently posted a public advertisement seeking three to five acres of land within 15 miles of downtown Cheyenne. VA spokeswoman Josephine Schuda said the plan is to buy property next to or within an existing cemetery. She didn't say what specific locations they are targeting. But she said the goal is to acquire the land in the next year. Doing so would give Wyoming its first national veterans cemetery. The state runs the Oregon Trail State Veterans Cemetery in Evansville. And the closest national cemetery to the area is the Fort Logan National Cemetery, which is more than 110 miles away in Denver, Colorado. "When veterans or their family members decide where to bury, the distance from their home to the cemetery is a major factor," Schuda said. "This initiative will bring a burial option closer to where veterans live, making VA burial benefits more accessible."

The effort to bring a national cemetery here is part of a nationwide push by the VA to add burial options in rural areas that lack a national, state or tribal veterans cemetery. VA Secretary Eric K. Shinseki announced last year that Cheyenne was one of the eight cities identified in its Rural Initiative. "VA is committed to improving service to veterans in rural areas," Shinseki said in a statement. "Through an innovative partnership with existing cemeteries, we will be able to ensure burial for veterans in more locations that meet the high standards of national shrines." The VA's National Cemetery Administration would operate and maintain the Cheyenne site. Schuda said all the same burial options and benefits that are offered in other national veterans cemeteries will be available here. The VA provides the gravesite, opening and closing of the grave, perpetual care, a government headstone or marker, a burial flag and presidential memorial certificate at no cost for honorably discharged veterans, according to the VA's website. Also, military honors are offered during the funeral services. Eligible spouses and dependents can also be buried in the national cemeteries.

Wyoming officials and veterans groups have frequently lobbied for a veterans cemetery. U.S. Sen. Mike Enzi (R-WY) attempted to introduce legislation in 2002 to designate money for a national veterans cemetery in Cheyenne.

And for more than a decade, others have unsuccessfully fought for a veterans cemetery to be built near the entrance of F.E. Warren Air Force Base. They have argued that despite the area's relatively low population, there is still a high military presence here. Laramie County is home to the largest concentration of veterans in the state. More than 14,600 of the state's 56,434 veterans live in the county, according to the VA's 2012 figures. Terry Shapard, who is the club manager for Veterans of Foreign Wars Post 1881 here, said there is still sizable interest in a local veterans burial option. He said the families and friends of veterans in Cheyenne often have to travel long distances to pay their respects. "It would be great to have a cemetery here," he said. "It will make it a lot easier for those who want to say goodbye." What's next? The U.S. Department of Veterans Affairs hopes to acquire land within a year to create a national veterans cemetery in Cheyenne. If successful, it would be the first and only national veterans cemetery in Wyoming. [Source: WyomingTribuneEagle | Trevor Brown | 24 Aug 2013 ++]

MCAS Futenma Okinawa Update 06 ► Congress' Concerns About Move

A top U.S. senator says Congress still has the same concerns over the planning and costs of moving Marines off Okinawa that have held up funding of the project for years. Sen. John McCain, R-Ariz., made the comment Wednesday to reporters after being urged by Japanese Prime Minister Shinzo Abe to free up federal spending for the redeployment of up to 8,000 Okinawa Marines to Guam and elsewhere in the Pacific. The Senate has blocked nearly all spending on the \$12.1 billion U.S. military plan to reduce its large troop presence on the island and spread the Marine forces across the region as part of a strategic pivot to the Pacific, saying the massive effort has no master plan and may be too costly. Abe's government is eager to make good on its promises to reduce the burden of bases on Okinawa, which is Japan's smallest prefecture and the unwilling host of the bulk of U.S. forces stationed in the country.

The prime minister called the realignment "critical" to the U.S.-Japan alliance and said moving the Marines to Guam, Hawaii, Australia and the U.S. mainland would lead to closure of a significant number of bases and the return of large parcels of land to the Okinawans, according to a government statement. The Marine realignment has been tangled in red tape and politics for years. A number of Abe's predecessors have failed to make significant progress on the issue. After his meeting with the prime minister, McCain reiterated the Senate's objections to spending billions on a move without detailed planning or solid cost figures, a stance backed by Sen. Carl Levin (D-MI), chairman of the Senate Armed Services Committee, according to a report by the NHK news service. The Government Accountability Office also has criticized the realignment, issuing a report in June saying no master plan exists and the price tag omits many of the expenses. In 2011, the agency calculated the costs could nearly double to almost \$24 billion. However, McCain said he is hopeful that one of the most controversial bases on Okinawa — Marine Corps Air Station Futenma — will soon be closed and relocated farther north on the island. Futenma is in the center of densely populated Ginowan city and is the base of operations for hybrid Osprey aircraft, dual-rotor helicopters and KC-130 planes.

Tokyo has requested permission from Okinawa's governor to allow construction of an offshore U.S. airfield adjacent to Camp Schwab, outside Nago city, to replace Futenma. A decision is expected this winter. The Futenma relocation used to be the keystone of the Marine realignment, but it remains deeply unpopular on Okinawa, where many residents want the Marine air operations moved off the island altogether. Due to political opposition, the U.S. and Japan "de-linked" it from the larger relocation of Marines in the Pacific. "I'm guardedly optimistic that if the governor of Okinawa makes the decision that allows us to move forward that we have a great plan that we can implement," McCain said. McCain and other senators earlier proposed moving Futenma operations to Kadena Air Base, a sprawling Air Force facility a few miles away, but the military has balked at the proposal. [Source: Stars & Stripes | Travis J. Tritten | 22 Aug 2013 ++]

Homeless Vets Update 41 ► Clothe a Homeless Hero Act

The Transportation Security Administration (TSA) has begun donating clothing forgotten at airport security checkpoints to local veterans' organizations and charities as a result of the Clothe a Homeless Hero Act, introduced last summer by Representative Kathy Hochul (D-NY). Representative Hochul says the legislation was inspired by veterans she met in Afghanistan as well as a room full of discarded clothing at the airport in Buffalo, where she hunted down a scarf she had forgotten in a security bin a week before. Before the act was signed into law, forgotten clothing at airports like Ronald Reagan National Airport was either donated for police-dog scent training or discarded. Metropolitan Washington Airports Authority spokesman Rob Yingling said "Now we're going to be segregating clothing at our lost-and-found office. If it's coming from the checkpoint, it's going to the veterans. If it's lost elsewhere in the airport, it'll go to the canines." At Regan National Airport, clothes are forgotten at a rate of "hundreds of pounds a year," according to Yingling. Unclaimed items that are not clothing often are picked up by government-surplus agencies and liquidated on Web sites such as <http://www.GovDeals.com>. Now, airports will donate clothing to local veterans' organizations in accordance with their lost-and-found policies. [Source: TREA News for the Enlisted 19 Aug 2013 ++]

Homeless Vets Update 42 ► Money to Help 120K Homeless, At-Risk Vets & Families

VA has awarded nearly \$300 million in grants to help approximately 120,000 homeless and at-risk Veterans and their families. The program reaches out to homeless Veterans and their families everywhere in America. A sampling from the four corners of the lower 48:

- Preble Street will serve approximately 440 participant households in the state of Maine.
- Carrfour Supportive Housing, Inc. will serve approximately 1,000 participant households in the Counties of Miami-Dade and Broward, Fla.
- Vietnam Veterans of San Diego will serve approximately 300 participant households in San Diego County, Calif.
- YWCA of Seattle will serve approximately 120 participant households in Puget Sound in Washington State and King County



Reaching out to homeless Veterans everywhere.

The grants have been awarded to 319 community agencies in all 50 states, the District of Columbia, Puerto Rico and the Virgin Islands. With these grants, VA is strengthening the partnership with community non-profits across the country to provide Veterans and their families with hope, a home and a future. The VA program is called Supportive Services for Veteran Families (SSVF) and has already helped prevent and end homelessness among tens of thousands of homeless Veterans and their families. Under the SSVF program, VA is awarding grants to private non-profit organizations and consumer cooperatives that provide services to very low-income Veteran families living in — or transitioning to — permanent housing. The SSVF program supports VA’s efforts to prevent at-risk Veterans from becoming homeless and rapidly re-house those who have recently fallen into homelessness.

Thanks to the SSVF grants, those community organizations will provide a range of services that promote housing stability and play a key role in connecting Veterans and their family members to VA services such as mental health care and other benefits. Community-based groups can offer temporary financial assistance on behalf of Veterans for rent payments, utility payments, security deposits and moving costs. This is the third year SSVF grants have helped Veterans and their families find or remain in their homes. Last year, VA provided about \$100 million to assist approximately 50,000 Veterans and family members. In 2009, President Obama and Secretary of Veterans Affairs Shinseki announced the federal government’s goal to end Veterans’ homelessness in 2015. The grants are intended to help accomplish that goal. According to the 2012 Point-in-Time Estimates of Homelessness, homelessness among Veterans has declined 17.2 percent since 2009. Through the homeless Veterans initiative, VA committed over \$1 billion in fiscal year 2013 to strengthen programs that prevent and end homelessness among Veterans. VA provides a range of services to homeless Veterans, including health care, job training, and education. Details about the Supportive Services for Veteran Families program are online at <http://www.va.gov/homeless/ssvf.asp>. [Source: DVA Inside Veterans Health | Hans Petersen | 12 Aug 2013 ++]

Alcohol Related ER Visits ► Study Findings

Knowing which types of alcohol are linked to serious injuries may help guide new policies, researcher says. Five brands accounted for the largest amounts of beer consumed by people before they were treated for injuries at an emergency department in a large U.S. city, according to a new pilot study. Of the five brands (Budweiser, Steel Reserve, Colt 45, Bud Ice and Bud Light), three are a type of ‘malt liquor’, which has a higher alcohol content than regular beer. Four brands of malt liquor (Steel Reserve, Colt 45, Bud Ice and King Cobra) accounted for 46 percent of the beer consumed by the patients, even though those four brands account for only 2.4 percent of beer consumed in the general population. For the study, researchers interviewed patients at the Johns Hopkins Hospital emergency department in Baltimore on Friday and Saturday nights between April 2010 and June 2011. Of the 105 patients who admitted to drinking before they were injured, 69 percent were men.



The study, thought to be the first of its kind to assess injured ER patients' alcohol consumption by brand and type, was published online Aug. 1 in the journal *Substance Use and Misuse*. The researchers also found that the

proportion of vodka, gin and brandy/cognac consumed by ER patients was higher than the proportion of those drinks consumed in the general population. "Recent studies reveal that nearly a third of injury visits to Level I trauma centers were alcohol-related and frequently a result of heavy drinking," lead author David Jernigan, director of the Center on Alcohol Marketing and Youth at the Johns Hopkins Bloomberg School of Health, said in a Hopkins news release. "Understanding the relationship between alcohol brands and their connection to injury may help guide policy makers in considering taxation and physical availability of different types of alcohol given the harms associated with them," he explained.

The next step in this line of research would be to conduct a larger study in multiple ERs and cities, the study authors suggested. They added that policy changes from this research could include: requirements for clear labeling of alcohol content on malt liquor beverages; limits on malt liquor availability and marketing; and graduated taxation of beer based on alcohol content to discourage people from drinking beer with higher alcohol levels.

[Source: Health Day | Johns Hopkins Bloomberg School of Health, news release | 14 Aug 2013 ++]

Disabled Veterans Memorial Update 05 ► Will Open Oct. 12, 2014

A different kind of war memorial will open to the public next year in Washington, D.C. It may be the most unique tribute to veterans since the Vietnam Veterans Memorial Fund surprised the design world by building the somber and powerful wall of names more than 30 years ago. Unlike the Vietnam Wall and scores of other memorials, this one will honor wounded warriors. "You had your whole lives ahead of you, but you were willing to risk all of it for this land that we love," President Obama said on 10 AUG to more than 3,000 veterans who gathered there for the Disabled American Veterans national convention. "And next year, your profound sacrifice will be recognized in the heart of our nation's capital when our country dedicates the American Veterans Disabled for Life Memorial."

The \$81.5 million memorial, which will feature 48 glass display panels, will open on Oct. 12, 2014, according to the Disabled Veterans' Life Memorial Foundation. It will sit on a 2.4-acre site across from the U.S. Botanic Garden. Its centerpiece will be a star-shaped fountain -- each point representing a service branch -- and pool that will capture the reflection of the nearby U.S. Capitol. "We looked at 22 sites that were given to us by the National Park Service. We selected [the C Street] location because of its proximity to the U.S. Capitol," said Rick Fenstermacher, chief executive officer for the project. "We wanted Congress to be able to look at the memorial and see that the cost of war is more than [the price] of bullets and bombs." Inscribed on the thick, transparent panels will be quotations that help tell the story of war's wounded and crippled, along with historic images of servicemembers and veterans reproduced from archival photos. Behind the images -- seen through the transparent panels -- will be bronze sculptures depicting the returned wounded veterans.



For Barry Owenby, the construction marks his second turn as project executive on a major memorial for veterans in Washington. Owenby also was project director for the World War II Memorial. A common question Owenby has received thus far has been: "Where do the names go?" Since the Vietnam War Memorial went up three decades ago, there is often a perception among many that a memorial will, or should, include the names of those being memorialized. But with more than 400,000 American troops killed in World War II and nearly 700,000 others wounded, Owenby said he had to explain to some that "there's not enough room." That's even truer in the case of a memorial to disabled veterans, of which there are currently more than 3 million, he said. The foundation behind the project was established in 1998, largely through the drive and initial funding of Lois Pope, a Florida philanthropist. Pope previously told interviewers that during her days as a singer in New York City she performed for a group of wounded veterans just back from Vietnam. She was so moved by them that she hoped to one day honor them in some way.

In the mid-1990s, Pope, the wealthy widow of National Enquirer founder Generoso Pope, was reportedly surprised during a trip to Washington to learn there was no memorial to disabled veterans. She formed the non-profit foundation with Arthur Wilson, national adjutant of the Disabled American Veterans, as president, and former Department of Veterans Affairs Secretary Jesse Brown. The project is entirely funded by contributions -- from individuals, organizations and corporations -- with Congress providing the space and authorizing the organization to establish the memorial. To date, more than 1.1 million donors have contributed, according to Fenstermacher. While the foundation received sizeable contributions from some organizations and individuals, including more than \$5 million from Pope, it also took in much smaller amounts at times. "Some people sent in envelopes with just loose change, and a note saying 'This is all I can afford,' " he said. "They didn't have much, but it's obvious they had a strong feeling for what the memorial is about and were compelled to donate. "It kind of rips your heart out," he said. [Source: Military.com | Bryant Jordan | 12 Aug 2013 ++]

Mt. Soledad Veterans Memorial Update 07 ► ACLJ Lawsuit Remedy

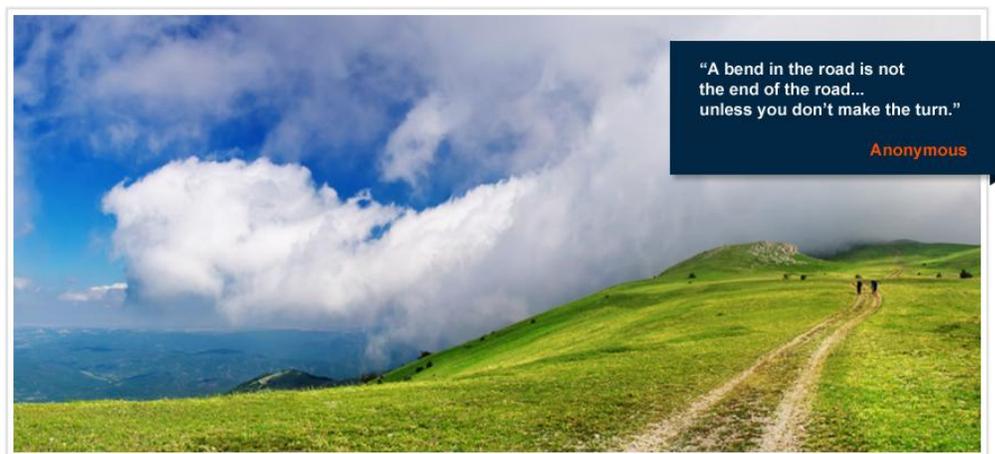
The American Center for Law and Justice (ACLJ), which focuses on constitutional law, is urging a federal district court in California on behalf of 18 members of Congress to permit a private group to obtain the Mt. Soledad Veterans Memorial in San Diego. This proposed remedy is an alternative to the plaintiffs' request for a court order requiring that the memorial's commemorative cross be removed. In 2011, a federal appeals court declared that it was unconstitutional for the federal government to operate the memorial. In 2012, the U.S. Supreme Court refused to take the case and now legal efforts have focused on whether the cross must be removed. "While we contend that the decision by the appeals court is legally flawed, we believe there's an appropriate solution that would not mandate that the commemorative cross to be removed - a solution that would continue to honor our military veterans," said Jay Sekulow, Chief Counsel of the ACLJ. "We're urging the court to permit a private organization to obtain and operate the war memorial - a remedy that would remove any constitutional questions and protect this longstanding tribute to our men and women in uniform."

The ACLJ, which has supported legal efforts to keep the cross in place for years, filed an amicus brief 21 AUG, posted here, on behalf of 18 members of Congress, including Rep. Randy Forbes who heads up the Congressional Prayer Caucus, and Rep. Duncan Hunter, who represents the San Diego area where the memorial is located. Here's the complete listing of the 18 members of Congress represented in the brief: United States Representatives Randy Forbes, Duncan Hunter, Robert Aderholt, Michael Conaway, Jeff Duncan, Stephen Fincher, Scott Garrett, Louie Gohmert, Vicky Hartzler, Bill Johnson, Walter Jones, Mike Kelly, James Lankford, Robert Latta, Billy Long, Jeff Miller, Matt Salmon, and Lynn Westmoreland - all currently serving in the 113th Congress.

The friend-of-the-court brief advocates putting the memorial in the hands of a private group: "Amici strongly disagree with the decision of the United States Court of Appeals for the Ninth Circuit holding that the federal government's operation of the Mount Soledad Veterans Memorial violates the Establishment Clause due to the presence of its commemorative cross. At this juncture, however, Amici believe that the best course of action, in keeping with the goal of maintaining the Memorial as a longstanding tribute to our men and women in uniform, is to allow a private organization to continue to maintain the property as a veterans' memorial, via a sale or land transfer." The brief contends such a move would resolve any remaining constitutional questions: "A sale or transfer of the Memorial to a private organization would remedy any perceived governmental endorsement of religion. . ." The ACLJ brief notes that the Mount Soledad Memorial Association, which has worked tirelessly to improve and preserve the memorial for many years, "should be given the first opportunity" to acquire and maintain the memorial. [Source: PR Newswire | Gene Kapp | 22 Aug 2013 ++]

Moving Forward Website ► Problem Solving Resource

Facing life's challenges can sometimes be stressful and difficult. Sometimes we don't have enough resources, we experience strong feelings, or the situation seems overwhelming. At other times, we just don't know what to do. To provide assistance in learning how to cope with challenges the DoD National Center for Telehealth and Technology and the VA's mental health informatics section have partnered to develop a new, interactive online resource. The Moving Forward website at <http://www.startmovingforward.org> is designed to teach problem-solving skills to the military community to address stress. It is a free, on-line educational and life coaching program that teaches Problem Solving skills to help users to better handle life's challenges. It is designed to be especially helpful for Veterans, Military Service Members and their families. However, Moving Forward teaches skills that can be useful to anyone with stressful problems. To accomplish this, users navigate through a set of problem-solving exercises. The site also offers quizzes to evaluate stress levels and games to practice counseling progressions. The site is designed to stand-alone -- no referral from a caregiver is needed. [Source: <http://www.startmovingforward.org> Aug 2013 ++]



DoD Sexual Abuse Update 12 ► SecDef's 7 New Initiatives

On 14 AUG SecDef Chuck Hagel issued seven new initiatives to address sexual assault in the military, although Pentagon officials also acknowledged many of the ideas originally came from Congress or are already in practice. The initiatives, which were simultaneously announced in a White House statement, include an expansion of an advocacy program for victims in all military branches and giving higher-ranking officers a larger role in tracking cases from the initial report through the final judicial stages. The rules now in place across the entire department are being emphasized as there is growing pressure on Capitol Hill to remove the chain of command from prosecutions of sexual assault and other serious crimes. Anticipating a close vote on that proposal from Sen. Kirsten Gillibrand (D-NY), Hagel and senior military leaders at the Pentagon are scrambling to unveil policies to show that victims can already feel more confident in their cases being taken seriously while ensuring justice for accused service members.

In a prepared statement, the White House said Hagel's newest rules help "fulfill the president's call to action" on sexual assault. "The initiatives announced are substantial, but only a step along a path toward eliminating this crime from our military ranks," the White House said. "The president expects this level of effort to be sustained not only in the coming weeks and months, but as far into the future as necessary." Secretary Hagel called for the immediate implementation of the following additional measures to improve victim support, strengthen pretrial investigations, enhance oversight, and make prevention and response efforts more consistent across the military services:

- Creating a legal advocacy program in each military service that will provide legal representation to sexual assault victims throughout the judicial process;
- Ensuring that pretrial investigative hearings of sexual assault-related charges are conducted by judge advocates general (JAG) officers;
- Providing commanders with options to reassign or transfer a member who is accused of committing a sexual assault or related offense in order to eliminate continued contact while respecting the rights of both victims and the accused;
- Requiring timely follow-up reports on sexual assault incidents and responses to be given to the first general or flag officer within the chain of command;
- Directing DoD's inspector general to conduct recurring audits of all closed sexual assault investigations and expand its service providing legal advice for victims to the Army, Marine Corps and Navy. The Air Force already has this service as a pilot program.
- Standardizing prohibitions on inappropriate behavior between recruiters and trainers and their recruits and trainees across the department, and;
- Developing and proposing changes to the Manual for Courts-Martial that would allow victims to give input during the sentencing phase of courts-martial.

Go to <http://www.defense.gov/home/features/2013/docs/FINAL-Directive-Memo-14-August-2013.pdf> to read SecDef's 14 AUG Memorandum to all the Secretaries of the Military Departments. [Source: NAUS Weekly Update 16 Aug 2013 ++]

DoD Caregiver Resources Guide ► Available in eVersion or Print

The Defense Department's Office of Warrior Care has compiled a Caregiver Resource Directory specifically for the caregivers of recovering service members. It includes contact information on more than 300 supportive government and non-profit organizations, to include the VFW. The directory is sorted by the most common, everyday needs, and is available in print and downloadable electronic-versions. The e-version can be found at

<http://warriorcare.dodlive.mil/files/2013/08/Caregiver-Directory-Printer-Friendly-8-5-x-11.pdf>. To provide feedback on the Caregiver Resource Directory, or to request a printed copy of the directory, please e-mail info@nrd.gov. [Source: VFW Washington Weekly 23 Aug 2013]

DoD Benefit Cuts Update 20 ► Hollow Force Argument

During his recent testimony before the House Armed Services Committee Deputy Defense Secretary Ashton Carter, warned that if congress didn't cut the current rate of growth in personnel costs the training and modernization budgets would be squeezed, "resulting in a 'hollowing out' of the force." Does anyone else see the huge irony in these statements? Was it not DoD, and more specifically the Joint Chiefs of Staff, that back in the 1970's argued that the military was a "hollow force" partly due to low pay, housing allowances and sub-par travel reimbursements that forced many families into financial hardships every time they moved. Now the Joint Chiefs say that Congress should not be protecting military pay and compensation from the effects 2011 Budget Control Act while the overall defense budget is in danger of taking such a big hit.

The argument is that force levels, recruiting and retention are all strong, while the money to train and reasonably support the forces, operate ships and aircraft, maintain facilities and equipment, is being hit hard. On the other hand some would argue that reducing pay and compensation might quickly erode troop levels and the quality of the force, like it did in the 70's and early 80's. There is no easy answer for the DoD, but pitting compensation against training and modernization is not the answer. Maintaining both is the price of keeping a highly effective, motivated, well-trained voluntary military force. Maybe it's time for our elected officials to face that fact, before it's too late. NAUS also adds that maintaining promises made to past generations of warriors that defended our country and way of life is also a mandatory action. [Source: NAUS Weekly Update 16 Aug 2013 ++]

DoD Benefit Cuts Update 21 ► Overhauling Military Retirement Won't Work

Some former Pentagon leaders and so-called "think tank experts" have called for a crazy, complete retirement overhaul criticizing the 20-year retirement as either unaffordable or unfair to those who leave before that point, or both. Their points have gotten traction as a new commission — established as a result of provisions in the FY 2013 National Defense Authorization Act and tasked with reviewing and perhaps overhauling military compensation and retirement benefits — began its work in July. As part of its charter, the Military Compensation and Retirement Modernization Commission's purpose is to review and make recommended changes to the compensation and retirement systems to ensure the long-term viability of the all-volunteer force. The interesting twist is any recommended changes to the retirement system will grandfather existing retirees and currently serving troops.

You could characterize this as a divide-and-conquer-type strategy. Eliminate current retirees as well as all the currently serving troops who intend to stay for a career from the affected pool and you limit the backlash. The commission is running on a short timeline, with quite a bit of work ahead of it before providing recommendations to the president by Sept. 1, 2015. With the vast amount of issues to be looked at, there's a good chance the commission will dust off recent recommendations on dismantling the current retirement system for future entrants — for example, the "vesting" options as proposed by the Defense Business Board and 11th Quadrennial Review of Military Compensation. In both of these proposals, the existing 20-year retirement system would be eliminated or modified in favor of a 401(k)-like plan to allow vesting and a transportable career device for those who leave short of 20 years BUT at the expense of those who stay beyond 20 years.

What kind of crazy retention formula is that? For example, who, after 10 years of service, four deployments, and three PCS moves, would stay on active duty for another 10 years or more if they would never see retired pay or have to wait until age 60 to draw it? **The bottom line:** The commission needs to understand the most important element of national security is the sustainment of a dedicated, top-quality all-volunteer force. Overhauling retirement — the very system needed to entice troops to endure levels of sacrifice most citizens are unwilling to accept for even one tour of duty, let alone for two or three decades — is crazy. [Source: MOAA Leg Up | Col. Mike Hayden, USAF (Ret) | 8 Aug 2013 ++]

Note: Col Hayden spent the last five of his 25 years on active duty at the Pentagon as chief of the Military Personnel Policy Division, HQ USAF, and as chief, Personnel Services Division, for the Joint Chiefs of Staff. He holds a bachelor's degree in economics from Northern Illinois University and a master's degree in aeronautical science from Embry Riddle University. MOAA position: Director, Government Relations Department.

Sequestration Update 38: ► You're About to be Squeezed

Sequestration's across the board, automatic cuts mean the Department of Defense has to trim an additional \$500 billion over the next ten years. The cuts are drastic and their effect on military families will be dramatic in many ways. Sequestration is the law of the land and unless Congress takes action, it will remain in effect for the years to come. Over the last four months, the Pentagon has been reviewing all of its options to deal with these additional mandatory cuts. On the drawing board and/or underway are the following:

1. On 21 , Secretary of Defense Chuck Hagel outlined the results of Pentagon's Strategic Choices and Management Review (SCMR). According to Admiral James Winnefeld, the Vice Chairman of the Joint Chiefs of Staff, the SCMR was a "deep and very painful look at every corner of our entire institution." The SCMR developed a package of cut options in three major areas all of which have the potential to significantly impact military families:

- Management efficiencies and overhead reductions
- Compensation reforms
- Changes to force structure and modernization plans

2. Overhead reductions are underway. The Pentagon has announced a 20 percent reduction in the DoD's major headquarters budgets with the a goal of reducing civilian and military billets by 20 percent.

Compensation options include (but not limited to):

- Increasing military retiree health care use of private-sector insurance
- Changing basic allowance for housing so currently serving pay more of their housing costs
- Reducing overseas cost of living adjustments
- Continuing to limit military and civilian pay raises
- Eliminating civil service pensions for retired military personnel serving in the federal service
- Ending subsidies for commissaries
- Restricting availability of unemployment benefits

3. Secretary Hagel reiterated that the Pentagon was not announcing any compensation changes as of yet but did state that Chairman of the Joint Chiefs, General Martin Dempsey (USA), will lead an effort to develop a package of compensation cuts to the tune of \$50 billion over the next decade.

4. Force Structure changes may result in significant downsizing:

- Army as low as 380,000
- Marine Corps as low as 150,000
- Army Reserves as low as 490,000

What does this all mean for you and your family? You are about to be squeezed! Here’s how: increased health care fees, pay caps, more money out your pocket for housing, potential loss of the commissary, loss of installation level programs, and the list goes on. And the time for action is now before a these options becomes the reality! Secretary Hagel noted that, “It is the responsibility of our nation’s leadership to work together to replace the mindless and irresponsible policy of sequestration. It is unworthy of the service and sacrifice of our nation’s men and women in uniform and their families.” MOAA couldn’t agree more! Our military families and retirees should not be required to pay the price for Congress’ budgetary stalemate. Sequestration was designed to be drastic and force Congress to do its job. It didn’t work and now Congress must repeal sequestration. Towards this you can help by sending MOAA’s preformatted editable message at <http://capwiz.com/moaa/issues/alert/?alertid=62794996> to your congressional representatives. Every voice counts. [Source: MOAA Leg Up | Karen Golden | 21 Aug 2013 ++]

Sequestration Update 39: ► DoD Medical Worker Losses

Almost 3,400 military medical workers have left service with the DoD due to the furloughs caused by Sequestration. The vast majority of the losses were at Army medical facilities. According to LTG Patricia Horoho, the Army Surgeon General, one of every 20 of her civilian medical workers, or around 2,700 left their jobs to work elsewhere. Many are now working with the VA, which was not affected by furloughs. The Air Force lost around 575 people and the Navy about 120. Gen Horoho said that she believes a major reason was that she was forced to furlough 60 percent of the doctors and nurses and that there was just too much uncertainty. [Source: NAUS Weekly Update 30 Aug 2013 ++]



VA Claims Backlog Update 111 ► Concerned Veterans for America Petition

Concerned Veterans for America (CVA) wants to do more than complain about the failures of our government. They want to help solve problems. That’s why their Nevada chapter offered to provide volunteers to help with the paperwork at the VA. But they were turned down. The VA explained that filling out these forms requires training. In fact, it can take up to two years to train a new VA employee to be a

claims examiner. A former Air Force pilot was amazed. It only takes a year in the Air Force to train a new pilot and that includes the T-37 and T-38 jet trainers. Something is clearly fundamentally wrong with this system. Now, CVA is committed to calling attention to the dismal record at the VA of processing veterans' claims. They've been holding symposiums with key leaders and elected officials to intensify calls to address this dereliction of duty. U.S. Rep. Jeff Miller (R-FL) said it right in a press release: "Any progress toward eliminating the backlog is welcome news. But we cannot forget the department is still far short of its own backlog performance benchmarks for 2013." On 20 AUG, CVA will deliver more than 26,000 signed petitions to the White House demanding that President Obama fix the U.S. Department of Veterans Affairs and put an end to the massive backlog of disability and pension claims. They are telling the White House they aren't going away. It's time for a fundamental transformation of the VA. [Source: Florida's The Daily Journal | Chuck McDougald | 17 Aug 2013 ++]

VA Claims Backlog Update 112 ► Accredited Claim Preparer Usage

The U.S. Department of Veterans Affairs is urging veterans with combat-related disabilities to seek the help of accredited claims preparers, rather than file benefits claims themselves directly to the VA. The VA says the practice will help cut its nationwide backlog of benefits claims. Veterans advocates, however, say the request by the VA only confirms how onerous the claims process has become. And the advocates worry that paperwork and filing delays will leave veterans seeking benefits for disabilities dependent on claims preparers, whose workloads and levels of competence often vary. "Most veterans by nature are independent, can-do people, so the idea of having to seek assistance filling out paperwork adds another layer of frustration," said Tireak Tulloch, a Long Island, N.Y., spokesman for Iraq and Afghanistan Veterans of America, a national advocacy organization. "It's like the IRS telling you you have to go to H&R Block if you want to get your money back."

The VA depends on accredited independent claims preparers -- typically provided free of charge by local governments or veterans service organizations like the American Legion -- to help veterans fill out claims applications that are pages long and require voluminous documentation. The VA says using independent preparers to help veterans fill out the paperwork will help cut down on filing errors it says contribute to more than 700,000 claims backlogged nationally and delays of up to a year for benefits checks to arrive. "(The) VA strongly encourages veterans to work with veterans service organizations to file fully developed claims and participate in this initiative," Allison Hickey, the VA's undersecretary for benefits, said in a release. Joe Mylonas, of Farmingville, N.Y., said he lost nearly two years' worth of compensation after a county veterans agency in Wyoming destroyed his application while he was living there. "The VA makes me regret I ever enlisted," said Mylonas, who calculates he lost nearly \$16,000 by the time he refiled a claim after being told the original had been destroyed.

When claims preparers in Wyoming destroyed Mylonas' application rather than file it for him six years ago, the VA refused to give him credit for 20 months of disability benefits -- some \$15,980 -- he says he lost because of the delay in having to refile. "You're behind on your rent, you're borrowing money from relatives, your credit is (in trouble) -- it's a domino effect," said Mylonas, 35, a married father of two. Mylonas, a former Army staff sergeant, served two tours in Iraq before receiving an honorable discharge in December 2006. After leaving the service, he took a job as an oil field worker in Wyoming. But nearly eight years of Army life left him with a number of injuries, plus symptoms of post-traumatic stress disorder, according to the VA's documents. The documents show doctors discovered a compression fracture in his back. He had an operation to repair acid damage to his esophagus caused by a nervous stomach, and both knees ached from training accidents.

While in Wyoming, he said he took the advice of VA officials and, in November 2007, secured the assistance of the Sweetwater County Veterans Services office. County workers there prepared a claim for VA benefits relating to his service injuries. But the county office never forwarded his claim to the federal government, according to the documents. On May 19, 2009, the VA approved disability benefits for Mylonas, but, following federal guidelines for administering veterans claims, declined to make them retroactive to when he first applied through the county office. "While this event is unfortunate, the VA cannot be held responsible for the actions of Veterans Service Officers," the VA's Denver Regional Office wrote in its decision, "as they are not in the employ of the VA." To Mylonas, the VA's blaming it on the people they recommended he use made the whole affair far worse. "This is how they win," he said. "They just wear you down." [Source: [Newsday](#) | [Martin C. Evans](#) | 22 Aug 2013 ++]

VA Claims Backlog Update 113 ► **Law School Clinic & ABA VCAN**

The Department of Veterans Affairs on 21 AUG welcomed William & Mary Law School's Lewis B. Puller, Jr. Veterans Benefits Clinic to the Fully Developed Claims (FDC) Community of Practice. The Puller Clinic is the first law school clinic in the nation to join the FDC Community of Practice. As a result of this new partnership, William & Mary faculty from the Puller clinic will participate in an FDC workshop today at the Roanoke regional office. The FDC Community of Practice was established in May to promote the submission of FDCs and speed the processing of Veterans' disability compensation claims by providing all available evidence needed by VA to reach a disability rating decision. The Puller Clinic joins Veterans Service Organizations, the American Legion and Disabled American Veterans, and the National Association of State Directors of Veterans Affairs, who are current members of the Community.

"We're delighted to have the Puller Clinic join the effort to increase the number of Veterans filing fully developed claims. It's indicative of the expanding national partnership assisting in the timely delivery of Veterans benefits." said Under Secretary for Benefits Allison A. Hickey. "This is a win-win-win: Veterans receive benefits to which they are entitled, the VA receives more claims that are accurate and complete, and William & Mary law students develop new skills as well as an appreciation for pro bono service," said Sen. Mark R. Warner. "I could not be more pleased with this significant announcement from the VA." Claims are considered "fully developed" when Veterans submit all available supporting evidence, such as private treatment records, at the time they first file a formal claim – and certify they have no additional evidence to submit. VA can typically complete FDCs in half the time of traditionally filed claims. "I congratulate the Puller Clinic on their joining the FDC Community of Practice," said Will A. Gunn, VA's general counsel. "I'm optimistic that their example will encourage other institutions of higher learning to do the same."

VA is currently conducting workshops at its regional offices around the country to help Veteran advocates learn the importance of FDCs and how to help Veterans prepare them. "The Puller Clinic's approach to claims provides a national model for how law schools across the country can help solve the nation's backlog of Veterans' benefits claims," said William & Mary President Taylor Reveley. "Today's announcement by the Department of Veterans Affairs reflects the tireless leadership of Senator Mark Warner, the great work being done at William & Mary Law School, and the determination of the VA to work collaboratively to address the needs of our Veterans." VA also recently announced that Veterans filing their first-ever compensation claims as FDCs may be entitled to up to one year of retroactive disability benefits. The retroactive benefits, which are in effect Aug. 6, 2013, through Aug. 5, 2015, are a result of a comprehensive legislative package passed by Congress and signed into law by President Obama last year.

The American Bar Association has unveiled a website for volunteer lawyers interested in helping to ensure veterans receive disability compensation. The new ABA pilot program, ABA Veterans Claims Assistance Network (VCAN), aims to reduce the backlog of veterans' claims by engaging pro bono lawyers to provide free assistance to unrepresented veterans with claims pending at the St. Petersburg, Fla., and Chicago regional VA offices. Interested lawyers can visit the ABA VCAN website at http://www.americanbar.org/portals/public_resources/aba_home_front/Military_Pro_Bono/aba-veterans-claims-and-assistance-network.html and join the volunteer roster, with the case referral system expected to launch this fall. The volunteers will be contacted about no-cost continuing legal education courses on preparing veterans' claims as well as information about how to become VA-accredited. [Source: VA News Release & Mil.com 21 Aug 2013 ++]

VA Loans Update 03 ► Tips for Disabled Vets

Did you know that as a disabled veteran, you may be eligible for special considerations when getting a VA loan? It's true. There are additional benefits available based on your disability status that could help you save quite a bit

The VA Loan Funding Fee Is Waived.

If you currently receive disability benefits and have not yet closed on your VA loan, your funding fee is waived and you do not have to pay it. If you close on your loan prior to receiving benefits, the funding fee may be refundable. For example, if a first-time home buyer is purchasing a \$200,000 home with a VA loan and qualifies for disability, the 2.15% funding fee will be waived – saving the homeowner \$4,300. Once your disability benefits are approved, you must apply in writing to your state's VA Regional Loan Center to initiate the funding fee refund. If you financed the funding fee, the refund amount will be removed from your principal amount due, and if you paid with cash, the VA will issue you a check. It is important to remember that if you do not currently receive disability benefits, you must have a pending claim for disability prior to the closing date of the loan. If the application for disability is dated after closing, you may not receive a refund.

Specially Adapted Housing Grants Are Available.

A disabled veteran may be able to purchase a home with a fee-free VA loan, but if the home also needs accessibility modifications, the Specially Adapted Housing (SAH) grant and the Special Housing Adaptation (SHA) grant are available to help. The SAH helps qualified veterans with one of the following:

- Build a home with special disability-related modifications.
- Remodel and modify an existing home to meet adapted housing needs.
- Apply the grant against the principal mortgage balance of an adapted home that's already been purchased without VA grant assistance.

The SHA helps qualified veterans with one of the following:

- Adapt an existing home that is already owned by the veteran.
- Adapt a home that the veteran intends to purchase.
- Help a veteran purchase a home that has already been adapted.

It is important to note that if you are considering a grant, the maximum amount allowed for the SAH is \$64,960/yr. For the SHA, the maximum amount per year is \$12,992. Additionally, veterans must have their disability benefits approved prior to applying for housing grants.

There Are Tax Credits and Exemptions with Homeownership.

Once you use your VA loan benefit to buy a new home, you are eligible for some very useful tax credits and exemptions that could help quite a bit. The Disabled Veterans Property Tax Exemption can help reduce the amount a disabled veteran pays per year in taxes. The amount varies by state, so it's important to check with your local VA office to find out about your state-specific benefit. Or you can check online at the VA's eBenefits portal "Benefits by State." For example, some states offer a 100% tax exemption to all veterans, while others restrict it to 100% disabled veterans. With a VA loan, you may also be eligible for a Mortgage Credit Certificate (MCC). The MCC is issued on the state level that allows you to claim a tax credit for a portion of the mortgage interest paid per tax year. The credit amount is determined on the state level, but is definitely a benefit worth taking advantage of.

Disability Payments Can Help You Get a VA Loan.

If you are currently receiving disability compensation from the VA, it can be counted as income, which, in turn, helps you meet VA loan income requirements. To be eligible for a VA loan, income must meet three standards – it must be stable, reliable and expected to continue. The key factor in using disability pension toward a VA loan is that your payments are likely to continue.

[Source: Military.com | Money Matters | 25 Jul 2013 ++]

VA Lawsuit ~ Missing Laptop ► William Jennings Bryan Dorn VAMC

A Columbia law firm has filed a federal class action lawsuit on behalf of two veterans whose personal information was compromised along with that of approximately 7,500 other veterans when an unsecured laptop was stolen from the William Jennings Bryan Dorn VA Medical Center in February. The complaint, filed on 12 APR with the U.S. District Court, District of South Carolina in Columbia, seeks monetary damages for the plaintiffs, Richard G. Beck and Lakreshia R. Jeffery, both residents of Richland County, whose personal and health information was on the laptop. Because the information was not encrypted or otherwise secured, the threat of identity theft, destruction of credit and health insurance fraud is high, stated a news release from the Mike Kelly Law Group. The suit cites numerous VA officials in Washington D.C. and in Columbia for their "willful and intentional actions and reckless disregard" for the plaintiffs' privacy.

The U.S. Department of Veterans Affairs and Dorn VA Medical Center are required to secure personal and health information by federal laws that include the Administrative Procedure Act, the Privacy Act and the Health Insurance Portability and Accountability Act (HIPAA), the firm said. "Like thousands of other U.S. military veterans, Mr. Beck and Ms. Jeffery entrusted their personal information with the VA and the Dorn VA Medical Center, only to have their trust violated and their identities stolen," said attorney Mike Kelly. "Both are distraught that this egregious error was committed and could have easily been avoided had the VA complied with federal laws and accepted standards for protecting sensitive information. As it is, the unprotected personal information was and is accessible and easily copied by anyone in possession of the laptop."

Kelly added, "It is regrettable that the VA has done such a disservice to those who have given their service to our country."

The missing laptop contains veterans' full names, addresses, phone numbers, social security numbers, ages, race, and weight, said Kelly. Some files also include confidential medical and disability information. Because the personal information of approximately 7,500 veterans was on the laptop, the number of plaintiffs in the class action lawsuit may swell, the firm said. This is not the first time veterans' personal information has been compromised or a class action suit filed, the firm said. In 2006, the personal information of 26 million veterans was lost as the result of the disappearance of another laptop. At the time, according to the firm, VA officials promised then that they would

take action to ensure that veterans' personal information was safeguarded from loss or theft. [Source: Columbia SC WISTV | Jason Old | 10 May 2013 ++]

VA Data Breaches Update 51 ► House Lawmakers' Data Security Concerns

The Veterans Affairs Department has done little over the last two months to satisfy House lawmakers' concerns about the security of the data of more than 20 million veterans. The department also is under pressure for more details about the extent of "repeated compromises" of VA's network by nation states. The rising tensions between the House Veterans Affairs committee's majority and VA come as a report surfaced showing **veterans are at a higher risk of identity theft than the average citizen**. Federal News Radio obtained a DEC 2012 report by ID Analytics (http://fedne.ws/uploads/VA%20report%20by%20idanalytics%20dec%202012_fnr.pdf) showing veterans near military bases in Alaska, New York, Colorado, Ohio and Kentucky have a higher risk ratio for identity theft than non-veterans in the same areas. ID Analytics focuses on consumer risk management through the use of analytics and real-time insight into consumer behavior,

A House Veterans Affairs Committee staff member said the committee knew about the report and it is one of the main reasons for the continued pressure on the department to answer questions about how it's protecting the veterans' data. The committee's frustration with VA's answers boiled over at a 12 JUL briefing with House and Senate Veterans Affairs committee staff members, VA IT executives and Homeland Security Department. Stephen Warren, VA's acting assistant secretary for Information and Technology and chief information officer, failed to provide answers to satisfy some staff members, multiple sources confirmed. "The meeting was of little to no value and did not serve its intended purpose," said a House Veterans Affairs Committee staff member. "DHS and Warren spent the bulk of the hour long meeting providing a broad 40-minute overview of nationwide cybersecurity challenges." Sources confirm Eric Hannel, the subcommittee on oversight and investigations staff director, walked out of the meeting with about 10 minutes left after his questions to VA officials about how they are protecting agency networks were repeatedly not answered to his satisfaction.

The House VA Committee staff member would not confirm Hannel walked out of **the** meeting. But they say one of the most important questions they wanted Warren to answer during the meeting was, "**How many times has VA's system been hacked within the last year?**" The staff member said Warren would not answer the question directly. An internal memo written by Matt Santos, a congressional relations officer at VA, obtained by Federal News Radio, stated, "Before Mr. Warren could complete his presentation HVAC staffer Eric Hannel abruptly began asking pointed questions regarding vulnerabilities in public facing websites that contain Veteran PII (personally identifiable information), numbers of applications scanned for vulnerabilities, and Windows 7 patches. Most notably, Mr. Hannel claimed that he can use tools 'available on the Internet' to get behind VA's websites to access PII for millions of Veterans. Mr. Warren requested clarity regarding the vulnerabilities to allow VA to fix existing problems Mr. Hannel had recognized. Mr. Hannel would not give any details but repeatedly requested that Mr. Warren admit that he knows the vulnerabilities. The exchange ended with Mr. Hannel walking out of the room claiming that VA had 'wasted' his time by hiding the truth." The House VA committee staff member said the committee had someone at the meeting the entire time.

A VA spokesperson wouldn't comment on the meeting or the ID Analytics report, but said in an email, "The Department of Veterans Affairs treats the protection of Veteran and other sensitive information with the utmost care. Over the past decade, VA created an information protection program in response to both exposures and increasing cyber risks from all fronts, internal and external. VA has embarked on a cultural transformation with respect to protecting VA information. This transformation is similar to how healthcare accrediting bodies have shifted away

from predictable audit schedules and pre-defined checklists toward longitudinal reviews of how policy is defined, supported, communicated, implemented, monitored and improved." Senate Veterans Affairs Committee staff members also attended the briefing. A spokesman for the majority side said, "We are trying to put together something with [ranking member] Sen. [Richard] Burr's staff to get more information from VA on cybersecurity." The spokesman wouldn't offer more details about the committee's plans.

The briefing with both committees came after Warren asked for a closed door meeting to discuss the nation state attacks first exposed at the 4 JUN hearing (<http://www.federalnewsradio.com/538/3347759/Lawmakers-IG-expose-further-vulnerabilities-in-VAs-cybersecurity>) before the House VA committee. This was at least the third meeting this year between VA and the House committee staff about the agency's cybersecurity challenges. The House committee staff member said lawmakers still are waiting for a response from the agency to a 13 JUN letter (<http://www.federalnewsradio.com/92/3358322/House-lawmakers-press-VA-for-more-details-assurances-after-cyber-attacks>) sent to VA Secretary Eric Shinseki asking three questions about what lawmakers believe is VA's inability to be forthcoming about the cyber attacks.

"VA leadership recognizes that information security goes beyond information technology and has put measures in place to protect Veteran information and ensure that every VA employee and contractor is trained in their role in protecting that data," the VA spokesperson said. "All organizations, including federal agencies, face constantly evolving cybersecurity threats. VA aggressively combats such threats through a multi-layer approach of technical controls, managerial controls, internal reviews, deployment of continuous monitoring tools, outside reviews from VA's independent Office of Inspector General and collaboration with U.S.-Computer Emergency Readiness Team (US-CERT). VA, and all federal agencies, report cybersecurity incidents to the US-CERT in accordance with US-CERT guidelines." To that end, Santos wrote that VA told the committee that it would be among the first to implement the Einstein 3 cyber program (<http://www.federalnewsradio.com/?nid=1&sid=3396508>) provided by DHS.

The committee and former VA officials allege that **the agency isn't doing enough to protect veterans' data.** Before the 4 JUN hearing, letters to the Hill obtained by Federal News Radio allege VA is shortcutting <http://www.federalnewsradio.com/538/3344870/VAs-security-shortcuts-put-millions-of-veterans-data-at-risk-former-VA-cyber-official-alleges> its accreditations and authorizations (A&A), which previously were known as certifications and accreditations (C&A), process for its IT systems. VA's former Chief Information Security Officer Jerry Davis alleges the agency's process is flawed and is putting data and systems at a higher risk. The ID Analytics report supports the allegations that veterans data is at greater risk. The report reviewed two databases containing the personal information of more than 20 million veterans. Sources say VA has been receiving reports from ID Analytics since it lost the laptop with the data of 26 million veterans in 2006. An email to ID Analytics asking for comment on the report was not immediately returned.

The reports showed veterans "have substantially higher alert rates than the non- veteran population. This indicates a higher level of activity in the marketplace for the veteran population, which could indicate higher risk of identity misuse." ID Analytics found credit card fraud is the most common way the criminals use the stolen identity. ID Analytics also recommended VA take eight steps including reviewing log files to see if employees are stealing identities and selling them to criminals, investigate VA facilities within 20 miles of reported misuse and compare the data of veterans who say they were victims of identity theft with data provided in the report, and provide any matches with a higher degree of protection. The company suggested to VA that it consider offering "individualized assistance to affected veterans," which could include credit monitoring, identity monitoring, fraud alerts or credit freezes. The House committee staff member didn't say what the next steps chairman Jeff Miller (R-Fla.) would take to ensure VA is doing more to protect the data of veterans. [Source: Federal News Radio | Jason Miller | 7 Aug 2013 ++]

VA Immunizations ► Vaccines to Consider

The VA's Office of Public Health reminds you that August is National Immunization Awareness Month. It's very important to protect your health by keeping your immunizations current. You can help protect yourself and others against seasonal flu and other vaccine-preventable diseases by getting immunized. Consider your lifestyle and location when deciding whether to get vaccinated against hepatitis A and B. There is no vaccine yet for hepatitis C. Vaccines are some of the safest medical products. But, like any other medical product, there may be risks. Talk to your health care provider about the value of vaccines and their side effects. Vaccines to consider are:

- Influenza (flu): People who are 6 months and older should get the flu vaccine (flu shot or nasal spray). Get the vaccine each year because flu virus can change from one year to the next.
- Pneumococcal: Older people and those with certain medical conditions are most susceptible to pneumonia. People under 65 will need a booster shot when they reach 65 if more than five years have passed since the initial dose.
- Hepatitis A: Recommended for those who travel to other countries or live in a U.S. community with high rates of hepatitis A; or who have chronic liver disease, engage in male-to-male sex, or inject drugs. Learn more about the hepatitis A vaccine.
- Hepatitis B: More contagious than HIV, hepatitis B is the type of hepatitis most often spread through sexual contact. It can also be passed from an infected mother to newborn, the sharing of needles or personal items with an infected person, and other contact involving bodily fluids. The hepatitis B vaccine can prevent the disease.
- Measles, mumps, rubella (MMR): People born after 1956 and all women of childbearing age who have not had these diseases or been vaccinated against them need to get the shots to be protected.
- Chickenpox (varicella): Protection is necessary for those born in the U.S. after 1966 and have not had this disease and have not been vaccinated. Adults are at a far greater risk of complications.
- Shingles (herpes zoster): Shingles is caused by the same virus that causes chickenpox. People who are over the age of 60 may receive a single dose of the shingles vaccine. Consult with your physician first.
- Tetanus, diphtheria, pertussis: Booster doses of tetanus-diphtheria (Td) are needed at 10-year intervals. In place of the Td booster, people age 19-64 and those 65 and older who are in contact with infants should get a one-time dose of tetanus-diphtheria-pertussis (Tdap) to also protect against whooping cough.
- Vaccines for international travelers: Many Veterans and other Americans travel abroad and are likely exposed to diseases common in those countries.

The Department of Health and Human Services has created a website dedicated entirely to vaccines. To learn more, go to the [Vaccines.gov](http://www.vaccines.gov) website at <http://www.vaccines.gov/> [Source: VA News Releases | Various | 2013 ++]

VA Care for TFL Eligible Vets ► 1 OCT Policy Change

Retirees eligible for Tricare for Life (TFL) will face higher outpatient costs at VA hospitals and clinics starting 1 OCT if they continue to seek care there for conditions not rated as service-connected. Tricare managers this spring discovered that, for more than a decade, Tricare was exceeding its legal authority by covering almost all outpatient costs that VA assessed on elderly retirees who were treated for ailments or injuries not linked to time in service. On

1 OCT that will end. Tricare policy regarding TFL retirees and VA health care will “get back into sync” with statutory requirements, Michael O’Bar, deputy chief of Tricare policy and operations, said 20 AUG. Wisconsin Physicians Service, support contractor for the Tricare for Life program, sent letters this month to 12,000 TFL retirees all of whom, over the past year or so, received VA care for conditions unrelated to service disabilities. Though they have paid very little out of pocket in the past, the letter warned, they soon could face higher costs for that VA-provided care.

The law that established Tricare for Life as a prized supplement to Medicare for retirees 65 and older directs Tricare to cover the cost of TFL claims only after Medicare has paid its share, followed by any other health insurance that retirees might have to serve as second payer. VA does not actively recruit Tricare beneficiaries to its clinics and hospitals, officials explained. But VA is a Tricare network provider and will deliver care to Tricare beneficiaries as capacity allows. This usually is for specialty services, but some VA facilities also have primary care capacity. More often, when VA already is caring for a veteran with a service-connected condition, in order to care for the whole patient, VA has offered veterans the option of using their Tricare benefit for routine care that falls outside their service-connected condition. The hitch is that while VA facilities are Tricare-authorized providers, they are not Medicare certified so VA cannot bill Medicare for that care given older military retirees for non-service connected ailments, officials recently realized. That means Tricare can pay no more than 20 percent of Tricare-allowable charges. The beneficiary legally is responsible for the 80 percent Medicare won’t pay because VA is not a Medicare-certified provider.

Tricare, in effect, has been violating the law by covering the whole tab for VA care to these TFL beneficiaries. O’Bar explained that Tricare overpaid because it relied on a Memorandum of Understanding between VA and DOD on care reimbursements signed in 1995. The memo wasn’t updated to reflect the Tricare for Life law enacted in 2001. A new memo is being drafted. O’Bar said making the required change effective 1 OCT gives retirees time to avoid higher VA costs by finding private sector care providers who will accept Medicare, and using TLF, as designed, to cover provider costs that Medicare won’t pay. Many veterans, including many TFL retirees, qualify for cost-free VA health care services due to compensable service-connected conditions or other qualifying factors. These veterans will see no change come October. **Among veterans who will still get all VA health care and prescriptions at no charge are veterans with service-connected disabilities rated 50 percent or higher and former prisoners of war.**

The 12,000 TFL retirees who received letters this month were identified from a review of TFL claims involving VA care of non-service connected ailments from April 2012 through May 2013. O’Bar acknowledged there could be more who use VA care infrequently. But the overall number still would be small compared to 1.2 million total TFL beneficiaries, he said. Tricare estimates that it improperly covered only about \$1 million of VA costs per year, or an average of \$83 per retiree. So if added VA costs are imposed, TFL beneficiaries are more likely to be irritated than financially distressed. Those who use private sector providers in combination with their TFL benefit usually avoid any out-of-pocket health costs, beyond Medicare Part B premiums that all TFL users must pay. O’Bar said TFL otherwise has been operating as Congress intended. “VA is the one place where we have been out of sync with the [legal] requirement and we are working hard to get back in,” O’Bar said. “As we do that we’re trying to make sure we communicate with our beneficiaries on what’s going on and giving them plenty of lead time...to work with our Tricare for Life contractor, Wisconsin Physicians Service, in locating an alternative source of care.” By using Medicare authorized providers in the private sector and Tricare for Life as “wraparound” coverage to Medicare, these TFL beneficiaries, O’Bar said, “will not pay anything for their care.”

VA officials said they are prepared to explain the cost change to TFL beneficiaries who show up for care on or after 1 OCT. Indeed, TFL retirees will be asked to sign a form that explains how they could face higher costs if they elect to use Tricare benefits for certain VA care, and they don’t have other health insurance or don’t qualify, through disability, for full VA benefits. More information is available by calling the TFL contractor at 866-773-0404 or by

visiting online www.Tricare.mil/tfl. Information on Tricare-authorized and Medicare-certified care providers can be found at: www.Tricare.mil/findaprovider. [Source: Mil.com | Tom Philpott | 22 Aug 2013 ++]

VA Bonuses Update 09 ► No Agencywide Prerequisites Standards



Doctors working for the Veterans Affairs department received performance-based bonuses despite providing poor treatment, according to a new report, due to a lack of agencywide standards defining the prerequisites for the monetary awards. In fiscal 2011, about 80 percent of Veterans Health Administration providers -- physicians and dentists -- received \$150 million in incentivized pay, according to a Government Accountability Office JUL 2013 audit report to Congressional requesters available online at <http://www.gao.gov/assets/660/656185.pdf>. These employees are eligible to collect up to \$15,000 or 7.5 percent of their base pay in an annual lump sum. Additionally, about 20 percent of providers received \$10 million in performance awards. VA, however, has failed to provide the “overarching purpose” behind the payments, leaving each medical facility to make its own determinations. This has led to lax oversight of what qualifies the providers to receive the bonuses. Every physician in GAO's random 2010 and 2011 samples who was eligible to receive performance pay received it, even in cases where their actual performance was problematic.

- One physician practiced with an expired license for three months, but still received more than \$7,600 in performance pay -- despite being “reprimanded” by his employer -- because having a current license was “not a factor that was considered” in determining whether to make the payment.
- Another provider repeatedly refused to see patients in the emergency room because he believed they were falsely admitted. That doctor failed on 12 of his 13 performance goals, but still received more than \$7,500 in performance pay.
- GAO found one VHA radiologist “failed to read mammograms and other complex images competently,” but still received more than \$8,000 in incentivized pay.
- A VHA surgeon left a surgery during the procedure and allowed his residents to continue unsupervised. The doctor was suspended for 14 days without pay, but still received more than \$11,000 in performance pay.
- Yet another physician received a three-day suspension for not responding when on call and creating “an atmosphere of fear and poor morale” through outbursts of yelling. The doctor received a performance payment of more than \$10,000.

“While VHA strives to provide high-quality and safe care to veterans, concerns continue to surface about the quality of care it delivers,” GAO wrote in its report. “Meanwhile, many providers continue to receive compensation that is tied directly to their performance.” To fix these improper payments, GAO recommended VA clarify the purpose of the incentive system, as well as its oversight of compliance with the goals providers need to reach to earn their performance payments. VA generally agreed with GAO’s findings and said it would take the recommended steps to improve the payment system. [Source: GovExec.com | Eric Katz | 23 Aug 2013 ++]

VA COLA 2013 Update 03 ► CBO Estimates COLA Increase

An 8 AUG estimate from the Congressional Budget Office (CBO) anticipates that veterans benefits will have a 1.5% Cost of Living Adjustment (COLA), effective 1 December 2013 and seen in the January payments. The cost estimate is in response to S.893, the Veterans Compensation Cost-of-Living Adjustment Act of 2013. The bill authorizes COLA increases of 1.5% for veterans disability payments and Survivor Benefit Plan (SBP) annuity payments. The bill has passed out of committee and awaits the vote of the entire Senate. A similar House bill, H.R. 569, is currently pending in the House Veterans Affairs Committee. Most experts agree that they are likely to pass, but we can never be sure. COLA increases are automatic for military retirement pay, and other federal benefits such as Social Security. However, benefits paid by the VA must be separately approved by Congress. [Source: Mil.com News 23 Aug 2013 ++]

VA Chiropractic Residency Program ► Request for Proposals Announced

While doctors of chiropractic provide care at more than 40 Veterans Administration health facilities and the VA has academic affiliations with numerous chiropractic colleges, the profession does not have a residency program within the VA – as is the case with other health care providers, including the medical and dental professions – until now. The VA has announced a Request for Proposals (RFP) that "solicits applications to establish Department of Veterans Affairs (VA) Chiropractic Care Residency training programs." According to the July 23, 2013 announcement, the pilot program will be located at 3-5 VA health centers and includes funding for up to six resident positions in the first year (2014), with initial funding planned for three years. "The Association of Chiropractic Colleges is pleased to see the VA's RFP for residencies," said ACC President Dr. Brian McAulay following the announcement. "It is the natural progression of then-VA Secretary Principi's vision of chiropractic's full integration into the health care delivery team."

While the VA announcement specifies that the pilot program will feature one-year, full-time appointments beginning in mid-late 2014, the ACC emphasizes that the RFP "is not a call for DCs interested in the program to contact the VA. Rather, it is the first step of a project for its current VA facilities. The ACC will provide further updates when appropriate." Notable criteria for VA facility eligibility include the following:

- Applications for new chiropractic physician residency training programs in Integrated Clinical Practice will be considered. These programs will emphasize the provision of chiropractic care within an integrated health care system, in collaboration with primary care Patient Aligned Care Teams (PACTs), specialty care, and other medical and associated health providers and trainees.
- The nature of the chiropractic residency program, populations served, training experiences provided, and qualifications and skills of faculty and staff must be appropriate to the VA mission and to CCE standards. Clinical settings should provide a range of experiences in patient diagnosis and management, provide exposure to patients of varying backgrounds and cultures, and foster substantial responsibility in carrying out professional functions.
- Facilities must provide, among other criteria, "a minimum of 2 full-time credentialed and privileged chiropractic staff, at least one of whom must be a VA employee, for provision of supervisory support, professional role modeling, and administrative functions ... an identified chiropractic residency director with appropriate administrative time to manage program-related activities ... [and] facility willingness to obtain and fund CCE accreditation."

Refer to http://www.va.gov/oa/archive/20130723_ChiropracticResidency_RFP.PDF to review the July 23 VA announcement in its entirety. [Source: Dynamic Chiropractic | Peter W. Crownfield | Sept 2013 Issue ++]

VA Caregiver Program Update 21 ► Online Workshop Available

Are You a Caregiver for a Veteran? If so, you might want to take advantage of the online workshop which provides information and support to caregivers. It's called Building Better Caregivers™ and it's a free workshop for family caregivers of Veterans. If you are taking care of a Veteran, this workshop will help you learn a variety of skills like time and stress management, healthy eating, exercise and dealing with difficult emotions. Participants log on two to three times each week to review lessons, exchange ideas with other caregivers and access tools to make caregiving easier. The program, developed at Stanford University, has been recognized for its ability to reduce caregiver stress, depression and increase their overall well-being. This comprehensive online workshop addresses specific needs of caregivers who care for Veterans with dementia, memory problems, traumatic brain injury, post-traumatic stress disorder, or any other serious injury or illness.



The program has been recognized for its ability to reduce Caregiver stress.

How does it work? It's a six-week, highly-interactive, online small-group workshop where 20-25 family caregivers complete the online workshop together. It's facilitated by two trained moderators, one or both of whom also are caregivers. Participation may be at two to three times during each week, for a total of two hours a week for six-weeks. VA and the National Council on Aging are making this program available through an innovative partnership to provide self-management support for family caregivers. "VA is committed to providing caregivers with the support they need to help those who live with scars borne in battle in defense of our nation's freedom," said Secretary of Veterans Affairs Eric K. Shinseki. "We are especially pleased to be working with the National Council on Aging which has worked with multiple generations of Veterans and is uniquely qualified to provide this support to caregivers of Veterans from all eras."

How Do You Sign Up? Caregivers of Veterans interested in participating in Building Better Caregivers™ should contact a local Caregiver Support Coordinator. There is one designated Caregiver Support Coordinator at every VA Support Coordinator by visiting www.caregiver.va.gov and entering your ZIP code in the ZIP code finder.

[Source: VA News Release | Hans Petersen | 26 Aug 2013 ++]

VA VetSuccess on Campus Initiative ► Expanding to 94 Campuses

Veterans Affairs officials will put vocational counselors at 62 more college campuses nationwide this fall in an expansion of their Veterans Success on Campus initiative. The program, currently at 32 campuses in 16 states, is designed to give student veterans easy access to VA resources, including information on education benefits, disability claims and medical facilities. Schools commit the office space for the program, while the VA assigns senior counselors to the effort. “If you’re looking for the highest concentration of veterans from my generation, they’re walking through the halls of America’s colleges and universities,” said Mike Dakduk, executive director of Student Veterans of America. “This is a great way to conduct outreach.” Curt Coy, VA’s deputy under secretary for economic opportunity, said the goal of the program is not just troubleshoot benefits for student veterans – most questions for the on-campus counselors have involved the GI Bill – but also to warm those veterans to the idea of reaching out to the department. “The most important thing we can provide are the tools they need for life after the military,” he said. The new sites are on campuses with a sizable number of veterans (more than 800 in most cases) located near other VA regional facilities. Coy said the counselors will coordinate not only with the other nearby VA offices, but also with other nearby schools whose veterans lack access to their own campus programs. The expansion puts the program in 31 states and the District of Columbia. A full list of campuses in the program is available at http://vetsuccess.gov/vetsuccess_on_campus. [Source: Stars & Stripes | Leo Shane | 29 Aug 2013 ++]

VA Fraud, Waste & Abuse Update 78 ► Reported 16 thru 31 Aug 2013

- **Boston MA** -- A Braintree man is facing felony charges over the theft of \$68,000 from a Veterans Affairs program where he’d been hired as a temporary employee. **Riccardo D’Orsainville**, a Haitian with permanent resident status in the U.S., was indicted in U.S. District Court on 13 AUG on charges of identity theft and theft from a federally funded program. Prosecutors say he has two past convictions in Massachusetts for similar crimes. According to an affidavit filed in April, D’Orsainville was hired in August 2011 as a temporary employee for the Boston Veterans Administration Research Institute, a non-profit that conducts medical research and educational programs for the VA Boston Healthcare System, and later became an assistant to the organization’s chief executive officer. Investigators in the Inspector General’s Office of the U.S. Department of Veteran Affairs began looking into D’Orsainville in January after an ATM card in another employee’s name arrived unexpectedly at the institute’s office. Investigators found that D’Orsainville had diverted 20 checks worth around \$68,000 from the institute to corporate bank accounts he had opened without authorization. Bank records show the embezzled money was withdrawn from ATMs or used for debit purchases, included a \$1,287 purchase from the Men’s Warehouse in Boston a \$782.95 purchase from Milk Street Café. Bosken said an employee, identified in the affidavit as H.B., confronted D’Orsainville on 3 JAN after an ATM card in the employee’s name arrived in the office. D’Orsainville acknowledged in a text message to the employee that he had opened the account, according to the affidavit. In 2000, D’Orsainville pleaded guilty in U.S. District Court to one count of embezzlement from a federally funded program and ten counts of health care embezzlement. He was sentenced to a year and a day in federal prison and ordered to pay more than \$110,000 in restitution. [Source: The Patriot Ledger | Neal Simpson | 15 Aug 2013 ++]
- **San Diego CA** -- A former Camp Pendleton Marine captain admitted to defrauding the U.S. Marine Corps and the Department of Veterans Affairs out of thousands of dollars while stationed at the North County

installation from 2009 to 2011. Capt. **Shawn A. Joyce** of Stafford, Va. was discharged from active duty in 2008, then entered the Marine Corps Reserve, where he received orders to return to active duty at Camp Pendleton. Reservists called to active duty can, in some circumstances, become eligible for housing reimbursement in addition to the basic housing allowance they are allotted. According to the U.S. Attorney's Office, Joyce detailed in his plea agreement that he falsely claimed reimbursement for rent he never paid, including claims he was paying up to \$4,030 in rent per month for an address in Solana Beach in 2009 and 2010, and \$3,700 a month in Fountain Valley in Orange County in 2011. Joyce submitted false rental receipts and created a fake email address in the name of a former landlord to facilitate the fraud. As part of his plea agreement, Joyce also admitted to a separate scheme to bilk money from the Department of Veterans Affairs by not advising the department he was back on active duty so it would continue to pay him disability benefits. Under federal law, a service member receiving VA disability benefits is not entitled to simultaneously receive active duty pay, authorities said. Joyce also contacted the VA occasionally and tried to increase the amount of his disability payments. "With our nation's military budget being strained to the breaking point, fraud that drains funds needed by the U.S. Marine Corps and our veterans, will not be tolerated," U.S. Attorney Laura E. Duffy said. Joyce pleaded guilty to two counts of wire fraud and acknowledged defrauding the Department of Defense of \$48,740 and the VA of \$41,862. He is scheduled to be sentenced on 18 NOV. [Source: Carmel Valley News | City News Service | 22 Aug 2013 ++]

- **Clarksburg WV** — Two union officials at the Louis Johnson Veterans Administration Medical Center in Clarksburg are set to appear in court. The women were indicted earlier this month on federal charges that they received and concealed more than \$1,000 apiece in embezzled funds. U.S. Department of Labor records identify **Janet Posey** as president of American Federal of Government Employees Local 2384, and **Linda Bland** as its vice president. The indictment says Posey's crime occurred between July 2009 and September 2012. Bland is charged with concealing the funds from June 2011 to August 2012. They're set to make initial appearances in U.S. District Court in Clarksburg on Monday morning. It's unclear whether the women have attorneys. None are listed in court documents, and a District 4 union official didn't immediately return a message. [Source: Beaumont Enterprise article 26 Aug 2013 ++]

VAMC West Los Angeles Update 06 ► ACLU vs. VA Lawsuit Update

A federal judge in California heard arguments 16 AUG in a class-action lawsuit brought by the ACLU of Southern California against the U.S. Department of Veterans Affairs. The suit contends the VA is misusing land on its campus in West Los Angeles by leasing it to private interests instead of housing homeless disabled veterans. As reported On Air by Larry Buhl:

The West LA Veterans Affairs campus sits on one quarter of a 400 acre property donated 125 years ago. The original deed called for the land to be used exclusively for housing severely disabled vets. Until the Vietnam War the campus housed up to 4,000 veterans. Since then, the VA has been making money by leasing the land to businesses including a private school, a theater, a laundry and a dog park. According to Mark Rosenbaum, Chief Counsel with the ACLU of Southern California, that land should be used for housing the estimated 6,000 homeless vets now living on the streets of Los Angeles. "It's been estimated by government personnel that if ten cents of every thousand dollars that went to bail out wall street was put instead to deal with the homelessness issue for veterans, the problem would disappear." The lawsuit demands that the VA discontinue its private leases and honor the 1888 agreement.

[Source: Free Speech Radio News | Larry Buhl | 16 Aug 2013 ++]

VAMC West Los Angeles Update 07 ► Leases Violate the Law

Homeless veterans won a significant battle 29 AUG when a federal judge ruled in their favor, saying the Department of Veterans Affairs violated the law when it leased portions of its sprawling West Los Angeles campus to businesses and organizations, including UCLA and Twentieth Century Fox, for purposes unrelated to providing medical care or treatment for homeless and disabled vets. The ruling comes more than two years after the ACLU Foundation of Southern California, and other groups, filed suit against the VA on behalf of homeless and disabled vets, who were often sleeping outside the gates of the campus. There are roughly 6,000 homeless vets in L.A. County, the largest such population in the country, and advocates have been for years demanding the federal government commit more funding to helping them get off the streets and receive treatment for mental disorders and addiction. That includes using the VA campus to build supportive housing.

“[Thursday’s] order is a huge victory, but only the first step. Now, the VA must actually use the land to provide the services our military heroes so desperately need,” said John Ulin, a partner at Arnold & Porter, which joined the ACLU in filing suit. “We are past the 50-yard line, but will continue our efforts until our chronically homeless veterans get the housing and services they have earned.” Federal Judge S. James Otero found that federal statutes governing the use of VA property unambiguously prohibit the VA from entering into land-use agreements with private parties on the campus unless the agreements are directly related to providing medical care or related services to veterans. The leases voided by the order cover nearly one quarter of the 400-acre property, which was originally deeded in 1888 to the predecessor to the VA for the exclusive purpose of providing a home for disabled vets. The order did not affect two land-use agreements challenged in the suit that had expired or lapsed, representatives from the ACLU said. Officials with the VA and the Department of Justice declined to comment.

President Barack Obama and U.S. Secretary of Veterans Affairs Eric Shinseki have pledged to end homelessness among the nation’s veterans by 2015. As part of that effort, officials recently announced that vacant beds at the VA campus in West L.A. would be filled by homeless vets on waiting lists for state-funded nursing home care, which also includes expanded rental housing vouchers and medical outreach teams. Congressman Henry Waxman, D-Santa Monica, has been working to help secure those vouchers and other commitments from the VA. In March, he fired off a letter demanding housing for veterans at the West L.A. campus be a priority and that the property be preserved and not sold off to private developers. He called Thursday’s court decision a “triumph” but said more needs to be done. “Now is the time to redouble our commitment to address the severe needs of homeless veterans in our community,” he said.

In addition to the housing vouchers, the VA has also pledged to set up a one-stop service center and to seek private funding partners to renovate two buildings at the West L.A. campus, a plan that has been lingering for years and has become a source of frustration for many involved. (Construction on another building to provide beds for 65 veterans is underway and is expected to be completed in July 2014.) Former Santa Monica Mayor Bobby Shriver is one of them. He has been lobbying power brokers in Washington, D.C. for years to dedicate more funding to providing housing for homeless vets. News of the judge’s ruling did nothing to temper his anger at the slow pace of progress and he called on elected officials to use their power and influence to create change. “Finally the vets beat the administration who has failed them. Finally they have won,” Shriver said. “This increases pressure on them to create housing, which they know how to do and I hope they do it forthright. “Vets have been dying in dumpsters while these people are spending money wherever they’ve been spending it,” Shriver said, referencing the VA’s inability to prove that the money generated from the private lease agreements was going toward treatment and housing for veterans. “They have plenty of money already. They should be building housing.”

The nine voided agreements provided for the following uses of the VA property: a 20-acre parcel for Brentwood private school's athletic complex; a laundry processing facility for nearby luxury hotels; the UCLA baseball stadium and facilities; Fox studio production storage facilities; exclusive rights for a community group to host events on a 15-acre parcel; practice fields for a private soccer club; parking lots for surrounding businesses; and a farmers' market. Jackie Robinson Stadium is home to the UCLA Bruins baseball team and has been for nearly 50 years. Officials at the university said they were "disappointed" by the ruling and defended their use of the property, saying they furnish veterans with free admission to regular season home games and provide a home field for American Legion baseball teams.

"UCLA has a strong commitment to veterans, as evidenced by programs like Operation Mend, which provides reconstructive surgery to U.S. military personnel injured and disfigured in Iraq and Afghanistan and the Nathanson Family Resilience Center, which provides an array of programs for military families facing the challenges of deployment and reintegration," read a statement from UCLA. The university will continue working with those involved to possibly continue their partnership with the VA. "[T]he university plans to do everything possible to make sure that our NCAA championship baseball team can continue playing in Jackie Robinson Stadium," the statement read. The judge's ruling gives the VA six months to file an appeal before any action can be taken regarding the lease agreements. [Source: Santa Monica Daily Press | Kevin Herrera | 29 Aug 2013 ++]

GI Bill Update 157 ► **Questions Emerge on GI Bill's future**

The Post 9/11 GI Bill recently celebrated its four-year anniversary and Veterans Affairs (VA) officials are trying to figure out how student veterans are using the money in order to determine how effective the program truly is. The results will help to determine how long the generous benefit survives, and in what form. VA Deputy Undersecretary for Economic Opportunity Curt Coy told reporters recently that the VA will launch a series of new tools in the coming months to help student veterans evaluate career paths, compare colleges and make sure they're using their education money wisely. Prior to now, the VA has been spending most of its time making sure students were actually getting their money. Problems during the implementation phase in 2009 were widely reported at the time.

New automated systems that VA has put in place have simplified the process, and dramatically cut down on delivery times for most veterans' checks. The department now averages processing of payments for enrolled students in about seven days according to VA Undersecretary for Benefits Allison Hickey. The post-9/11 GI Bill, passed by Congress in response to veterans complaints that the legacy GI Bill programs hadn't kept up with tuition inflation, grants a monthly living stipend and a full four years' tuition at any state school to veterans who served at least three years since September 2001. Service members who stay in for 10 years can transfer their benefit to a spouse or child. Since August 2009, more than 1 million veterans and dependents have used the benefit for a total cost of nearly \$30 billion. But VA officials can't point to any clear results from that spending yet. So VA announced its new effort to track student success in using the new GI Bill, compiling data on graduation, degrees earned and job placement.

The Enlisted Association (TREA) has argued that the Post 9/11 GI Bill, along with many other veterans' benefits, are earned benefits and not optional assistance or "entitlements." However, even the original GI Bill was cut down 12 years after its passage in 1944. If it happened in the past, it can happen again and that is something that TREA will be constantly guarding against. Since service members have up to 15 years from the time of their separation from service to access the education benefits, over the upcoming years even more veterans and dependents will seek to access the tuition money, which would only increase congressional focus on the program. That will mean tracking

not just traditional college graduation rates but also usage of vocational programs and success rates for non-traditional students, who tend to balance family and full-time jobs with schooling. [Source: TREA News for the Enlisted 19 Aug 2013 ++]

Legionnaires Disease Update 03 ► Latest of Seven Government Investigations

Top VA health officials in Washington dispatched medical inspectors to quiz dozens of Pittsburgh VA workers 20 AUG over a deadly Legionnaires' outbreak, the latest of seven government investigations into the ordeal. Officials targeted more than 40 employees for 15-minute interviews at the VA Pittsburgh Healthcare System, a labor union said. The purpose of the inspectors' probe remained uncertain. The American Federation of Government Employees represents many of the employees in the sessions, said AFGE assistant general counsel J. Ward Morrow. Morrow described the interviewers as VA medical inspectors and said they largely asked about how staff tried to control the waterborne Legionella bacteria that cause Legionnaires' disease. Documents show VA medical inspectors report to the VA undersecretary for health, Dr. Robert Petzel. "It seems they've been directed to find out how the abatement process has been working — or not. That's what they're doing, although they're not doing it as widely and as deeply as might be helpful," Morrow said. "They are talking to a lot of people. Whether they're asking all the questions they possibly could ask — that's not clear."

Pittsburgh VA spokesman David Cowgill referred an inquiry to the Department of Veterans Affairs in Washington, which did not answer questions about the interviews. Instead, national VA spokeswoman Gina Jackson wrote via email, "VA shares the community's concerns about the prevalence of Legionella in Western Pennsylvania, and we sincerely apologize to any veterans and families who became ill or who have lost a veteran to this disease." She said the VA would continue to improve its processes and control the bacteria. Morrow said those interviewed include electricians, carpenters, mechanics, nurses and housekeeping workers. The sessions will continue through Thursday and could involve up to 80 workers, he said. The Centers for Disease Control and Prevention found as many as 21 veterans contracted the disease in Pittsburgh VA facilities from February 2011 to November 2012, though a Tribune-Review analysis of VA records found the problem might have been much worse. Families and individuals have initiated at least five legal claims against the VA stemming from the outbreak.

Questioning workers in internal interviews could help VA leadership to prepare for the litigation and the September hearing, independent legal observers said. "You've got five claims out there and possibly more. It would not necessarily surprise me if the VA has gone out and used an independent consultant to do an investigation and try to coordinate experts' opinions" for the litigation, said W. Robb Graham, a Cherry Hill, N.J., attorney who specializes in VA malpractice cases. He said the VA could use outside experts to help build a litigation strategy "just because of how screwed up things are." The AFGE and attorneys for the victims applauded the internal review. "I think it's absolutely necessary, and there needs to be accountability," said Butler-based attorney Bill Schenck, who represents widow Evelyn McChesney of Columbus in Warren County. "The press helps with accountability; the legal system helps with accountability; and the congressional investigations have helped with accountability. But the VA itself should be checking into accountability."

McChesney's husband, John, is among the fatalities linked to the Legionnaires' outbreak, which the CDC traced to contaminated water at the VA campuses in Oakland and O'Hara. Families of the victims vowed to supply testimony for a 9 SEP congressional hearing scheduled at the Allegheny County Courthouse, where the House Veterans Affairs Committee will focus on preventable deaths in the VA system. The VA undersecretary of health began the Office of the Medical Inspector in 1980 to function as the Veterans Health Administration's investigative arm. Its approximately 20 employees are far fewer than the sprawling VA Office of Inspector General, which has

offices in more than 20 states and investigates all VA departments. The inspector general's office started three separate investigations after the Pittsburgh outbreak of Legionnaires' disease, a form of pneumonia. Conclusions from its criminal review in Pittsburgh have yet to be announced. Medical inspectors, meanwhile, are "responsible for investigating the quality of medical care provided by the VHA (Veterans Health Administration)," according to a 2011 directive from Undersecretary Petzel, the official to whom the inspectors report. David J. Hickton, the U.S. attorney for Western Pennsylvania, has said his office will look into the outbreak and its handling. "My prediction is that this is not the end," Morrow said. "Between now and Sept. 9, I think there's going to be more coming out." [Source: Pittsburgh Tribune-Review | Adam Smeltz & Mike Wereschagin | 21 Aug 2013 ++]

PTSD Update 145 ► Cause, treatment of PTSD research begins

The Department of Defense and Veterans Administration initiated its five-year plan this month by establishing part one of President Obama's 2012 executive order to research the diagnosis and treatment of post-traumatic stress disorder and traumatic brain injury. This Consortium to Alleviate PTSD, a collaborative effort between the University of Texas Health Science Center, San Antonio, Boston VA Medical Center and San Antonio Military Medical Center, will attempt to develop the most effective diagnostic, prognostic, novel treatment and rehabilitate strategies to treat acute PTSD and prevent chronic PTSD. The Chronic Effects of Neurotrauma Consortium, a collaborative effort between Virginia Commonwealth University, the Uniformed Services University of the Health Sciences and Richmond Virginia Medical Center, will examine the factors which influence the chronic effects of TBI in order to improve diagnostic and treatment options. A key point will be to further the understanding of the relationship between TBI and neurodegenerative disease.

The action plan, starting with the establishment of the two consortiums, will follow within the next six months with a continued collaboration with academia while getting public and private sectors to join forces. Within the next 12 months the plan will build a framework, continue to standardize, integrate, share data as appropriate, build new tools and technologies, maximize impact of existing research and focus on outcomes and prevention. Finally, the next two-to-four years will be dedicated to exploring genetic markers, identify changes in brain circuitry, confirm potential biomarkers, and establish data sharing agreements. The Department of Veterans Affairs continues to improve prevention, diagnosis and treatment of mental health conditions affecting veterans, service members and military families. For a fact sheet or additional information go to <http://www.va.gov>. [Source: Weatherford Democrat | Jim Vines | 25 Aug 2013 ++]

PTSD Update 146 ► Accelerated Resolution Therapy

Researchers at the University of South Florida College of Nursing have shown that brief treatments with Accelerated Resolution Therapy (ART) substantially reduce symptoms associated with post-traumatic stress disorder (PTSD) including, depression, anxiety, sleep dysfunction and other physical and psychological symptoms. The therapy aims to turn negative images and sensations into positive ones, re-programming the brain. The findings of this first study of ART appear in an on-line article published June 18, 2012 in the journal Behavioral Sciences. ART is being studied as an alternative to traditional PTSD treatments that use drugs or lengthy therapy sessions. The talk therapy uses back-and-forth eye movements as the patient fluctuates between talking about a traumatic scene, and using the eye movements to help process that information to integrate the memories from traumatic events. The two major components of ART include minimizing or eliminating physiological response associated traumatic

memories, and re-envisioning painful or disturbing experiences with a novel technique known as Voluntary Image Replacement.



Carrie Elk, co-investigator for the USF College of Nursing’s RESTORE LIVES study, demonstrates a technique used in Accelerated Resolution Therapy.

For the initial study, researchers recruited 80 adult veterans and civilians, ages 21 to 60, in the Tampa Bay area. Before receiving ART, patients were tested for symptoms of PTSD and depression, with the vast majority testing positive, 80 percent for PTSD and 90 percent for depression. After treatment using ART, the research team reported a dramatic reversal in symptoms. In as few as one to four sessions, those showing symptoms had decreased to only 17 percent for PTSD and 28 percent for depression. Improvements were also seen in trauma-related growth and self-compassion in just one to four treatments. “From this initial assessment, ART appears to be a brief, safe, and effective treatment for symptoms of PTSD,” the report concludes. “Early results are very promising,” said principal investigator Kevin E. Kip, Ph.D. FAHA, professor and executive director of the USF College of Nursing Research Center. “Most people who came in to be treated had very high scores for PTSD, and after treatment, the majority had very large reductions. The treatment also reduced other symptoms, like depression, as well as improved sleep.”

According to the National Institutes of Health (NIH), PTSD has become an epidemic in the United States. Recent NIH statistics show more than 7.7 million American adults and as many as 31 percent of war veterans suffer from PTSD. They experience mild to extreme symptoms, often with greatly impaired quality of life and physical and psychological functioning. ART is a particularly promising alternative to traditional PTSD treatments, because it uses no drugs, has no serious adverse effects, and can improve symptoms in -few therapy sessions. The compelling results achieved principally with civilians in the first study prompted the USF College of Nursing to seek expansion of a second ongoing ART study, funded by the U.S. Army, to veterans and reservists in Las Vegas. In mid-JUL, the USF research team traveled to Las Vegas to conduct the first mobile ART study with military reservists. “We are happy about our collaboration with USF College of Nursing,” said Navy Lt. Cmdr. Raul Rojas, commanding officer for the Naval Operations Support Center (NOSC). “We’re honored to be the first West Coast study site for the USF College of Nursing’s ART study. We hope our relationship will help get the word out to those who can benefit from the study.”

ART is one of the five sub-studies of the USF College of Nursing’s Research to Rehabilitate/Restore the Lives of Veterans, Service Members and their Families (RESTORE LIVES) grant funded and administered by the U.S. Army Medical Research and Materiel Command and the Telemedicine & Advanced Technology Research Center (TATRC) at Fort Detrick, MD. “All the pieces are coming together, with published results on ART effectiveness and our first national study site in Las Vegas. It looks like we are closer to getting a more efficient evidence-based treatment into place that will actually eliminate the traumatic response to memories and bring relief to the troops and their families,” said co- investigator Carrie Elk, PhD, LMHC, CTE, assistant professor and military liaison at the

USF College of Nursing. The treatment is soon to be tried in Scotland for the first time. Accelerated Resolution Therapy (ART) is expected to be offered by Scottish nurses later this year. [Source: USF Health | Ashlea Hudak | 26 Jul 2013 ++]

PTSD Update 147 ► Why Dogs Seem to Help Study

They've heard the success stories: Veterans with PTSD finally able to sleep, less afraid of going out in public and able to deal with stress better, all with the help of a dog. Now, a nonprofit group that trains servicemembers with post-traumatic stress disorder or traumatic brain injury to raise service dogs for wounded veterans is hoping to find out why, in hopes of standardizing the treatment for healing invisible wounds without drugs. The Department of Defense this month awarded a \$750,000 grant to military medicine researchers and Maryland-based nonprofit Warrior Canine Connection for a three-year study to understand the science behind why the dogs seem to help troops get over PTSD. "So many people say 'Oh yes, that seems to be very helpful as integrative medicine, but it can be easily dismissed as warm and fuzzy,'" said Rick Yount, executive director of WCC. "If we can prove with hard science that what we're doing is effective, nonpharmaceutical, [and a] safe, available intervention that can mitigate symptoms of post-traumatic stress, it's likely it'll be more widely accepted, and we can benefit more wounded warriors with invisible wounds."

The study will be done in conjunction with the Uniformed Services University of the Health Sciences, the military medical school in Bethesda, Md. Researchers plan to examine changes in the wounded warriors' physiology, perception, moods and biochemical markers for stress as they learn how to train the dogs, according to Dr. Patty Deuster, a USUHS professor and director of the Consortium for Health and Military Performance. The study will recruit 40 servicemembers, 20 of whom will undergo WCC's service dog training program. The other half will interact socially, but not with a dog. Researchers will compare heart rate, changes in response to stress and other markers between the two groups, according to Deuster. Studies have shown that working with a dog releases oxytocin, a hormone that helps lower stress and anxiety levels and is essential to bonding, according to WCC. "We think that the dogs are the catalyst that helps release the anti-stress chemistry that improves symptoms of PTSD," Yount said. "We're trying to connect some dots that haven't really been connected. It shows the dogs release oxytocin and now we want to prove cause and effect."



A 7-week-old Labrador retriever puppy stands in the grass as he plays at Warrior Canine Connection (WCC)

For Navy veteran Marshall Peters, the golden retriever puppy he's fostering and training to become a future service dog, Lundy, has been key in helping him get over PTSD and severe insomnia. "When guys are on deployment for six, nine, 12 months, their brain is kind of swamped with cortisol all the time and adrenaline and other things, and your new baseline is that," said Peters, a service dog trainer instructor with WCC. "Working with

the dogs, in my opinion, helps balance that out, kind of create another normal instead of what's normal on deployment.”

Peters, who served for 6½ years, found himself avoiding social situations after returning from deployments. But with the help of Lundy, named after a fellow Navy corpsman who was killed in Afghanistan, Peters finds himself better able to deal with people. “Issues with isolation kind of go to the wayside,” Peters said. “He’s kind of both a social lubricant and a buffer. Having a very handsome golden retriever walking around, people tend to come up to him. It creates a new level of conversation as before I would actually avoid talking to people. It really helps reintegrate back into that social ability.” Now, the 26-year-old veteran trains other wounded warriors in working with the puppies, directing them to use a cheerful, what he calls a “Minnie Mouse voice” to praise the dogs — in essence, helping them fake a happiness or confidence they may not feel. “I learn something from [Lundy] every day,” Peters said. “Working with him, because he’s a 7-month-old puppy, helps me with my patience and my emotional regulation. I can’t really explain it. But there’s something to it, and we finally have the means to study it and quantify it.”

Founded in 2011, WCC uses the service dog training as pet therapy for servicemembers with PTSD and traumatic brain injury. The dogs take about two years to train, and are later paired with disabled veterans or work at Walter Reed National Military Medical Center, warrior transition units in Fort Belvoir, or other rehabilitation facilities. There are about 35 dogs in training and five that have been placed. The program, which has since expanded to open a branch in the Department of Veterans Affairs Medical Center in Menlo Park, Calif., expects to graduate its first class in October. “To be able to find a treatment, to be able to see [wounded warriors] actually healing and return to normal functioning with something like training service dogs — without medicine — what a wonderful thing,” Deuster said. “They’re using the one thing that makes this very unique, training a service dog for another wounded warrior, where they know they’re taking care of one of their own. They’re helping one of their buddies. There’s that incredible purpose and meaning.” [Source: Stars & Stripes | C.J. Lin | 27 Aug 2013 ++]

Government Grant Scams ► How to Avoid

"Congratulations! You're eligible for a free government grant. All you need to do is provide your checking account information so that the money can be wired directly into your account," the caller says. Not so fast. Here's how the scam goes down:

It starts like most phishing phone calls. You receive a phone call or voicemail informing you that you're the lucky recipient of a government grant. The calls generally come from a number with a (202) area code, suggesting that they originate in Washington D.C. On the other end, the caller claims to be from a legitimate sounding source, such as the "Federal Grant Association" (a non-existent organization) and wants your checking account information so that the money can be wired directly into your account. This classic government grant scam has been around for years and has remained a threat because most people are not familiar with the grant system and procedure, and consequently are not likely to see through fraudster inquiries.

How to Spot a Government Grant Scam:

- **Don't give out your bank account information to anyone you don't know.** Always keep your bank account information confidential. Don't share it unless you are familiar with the company and know why the information is necessary.
- **Don't pay any money for a "free" government grant.** If you have to pay money to claim a "free" government grant, it isn't really free. A real government agency won't ask you to pay a processing fee for a

grant that you have already been awarded - or to pay for a list of grant-making institutions. The only official access point for all federal grant-making agencies is grants.gov.

- **Look-alikes aren't the real thing.** Just because the caller says they're from the "Federal Grants Administration" doesn't mean that they are. There is no such government agency. And although it may look like they're calling from Washington, DC, they could be calling from anywhere in the world.
- **Take control of the calls you receive.** If you want to reduce the number of telemarketing calls you receive, place your telephone number on the National Do Not Call Registry. To register online, visit donotcall.gov.
- **File a complaint with the FTC.** If you think you may have been a victim of a government grant scam, file a [complaint](#) with the FTC online, or call toll-free, 1-877-FTC-HELP.

To find out more about scams, check out [BBB Scam Stopper](#). [Source: BBB Scam Alert 9 Aug 2013 ++]

Verizon Phishing Scam ► Wireless Customers Targeted



It is not unusual to see an unfamiliar 1-800 number appear on your caller ID. Often, these numbers are coming from telemarketers, but they also can come from legitimate sources. One in particular is Verizon Wireless, whose representatives often call from such numbers to contact customers about billing information. Before you start giving out your personal information, beware of a new phishing scam that is targeting Verizon customers. According to [The Examiner](#), an 800-000-0000 number is calling Verizon customers. Recipients of the call are told that they have a discount or refund due and, naturally, personal information is needed. A good rule of thumb is to never give out any information at all. If in doubt, a customer can always immediately call Verizon or whoever the call is supposedly from, and inquire as to the veracity of the bonus or discount in question. Elderly people are especially vulnerable to scams of all types, and it is important to frequently remind them to never give out any information. [Source: BBB Smart Tips Aug 2013 ++]

Medal of Honor Citations ► William Wylie Galt, WWII



Galt, William Wylie

Rank and organization: Captain, U.S. Army, 168th Infantry, 34th Infantry Division

Place and date: At Villa Crocetta, Italy, 29 May 1944

Entered service at: Stanford, Mont.

Born: December 19, 1919, Geysler, MT

Citation:

For conspicuous gallantry and intrepidity above and beyond the call of duty. Capt. Galt, Battalion S3, at a particularly critical period following 2 unsuccessful attacks by his battalion, of his own volition went forward and ascertained just how critical the situation was. He volunteered, at the risk of his life, personally to lead the battalion against the objective. When the lone remaining tank destroyer refused to go forward, Capt. Galt jumped on the tank destroyer and ordered it to precede the attack. As the tank destroyer moved forward, followed by a company of riflemen, Capt. Galt manned the .30-caliber machinegun in the turret of the tank destroyer, located and directed fire on an enemy 77mm. anti-tank gun, and destroyed it. Nearing the enemy positions, Capt. Galt stood fully exposed in the turret, ceaselessly firing his machinegun and tossing hand grenades into the enemy zigzag series of trenches despite the hail of sniper and machinegun bullets ricocheting off the tank destroyer. As the tank destroyer moved, Capt. Galt so maneuvered it that 40 of the enemy were trapped in one trench. When they refused to surrender, Capt. Galt pressed the trigger of the machinegun and dispatched every one of them. A few minutes later an 88mm shell struck the tank destroyer and Capt. Galt fell mortally wounded across his machinegun. He had personally killed 40 Germans and wounded many more. Capt. Galt pitted his judgment and superb courage against overwhelming odds, exemplifying the highest measure of devotion to his country and the finest traditions of the U.S. Army.



Galt, aged 24 at his death, was posthumously awarded the Medal of Honor on February 1, 1945. He is buried in Mount Olivet Cemetery, Great Falls, Montana

[Source: <http://www.history.army.mil/html/moh/wwII-g-1.html> & http://en.wikipedia.org/wiki/William_Galt Aug 2013 ++]

Mobilized Reserve 27 AUG 2013 ► Decrease of 1989

The Department of Defense announced the current number of reservists on active duty as of 27 AUG 2013. The net collective result is 1,989 fewer reservists mobilized than last reported in the 15 AUG 2013 RAO Bulletin. At any given time, services may activate some units and individuals while deactivating others, making it possible for these figures to either increase or decrease. The total number currently on active duty from the Army National Guard and Army Reserve is 36,506; Navy Reserve 4,286; Air National Guard and Air Force Reserve 7,082; Marine Corps Reserve 2,282; and the Coast Guard Reserve 542. This brings the total National Guard and Reserve personnel who have been activated to 50,698 including both units and individual augmentees. Since 911 there have been 881,355 reservists activated for duty. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found online at <http://www.defense.gov/pubs/Mobilization-Weekly-Report-130827.pdf> [Source: DoD News Release No. 618-13 dtd 28 AUG 2013 ++]

Vet Treatment ► Pay now or Pay More Later

When the next generation looks back on Iraq and Afghanistan they will see that one of the steepest costs of these wars was the obligation we incurred to our veterans. Two and a half million Americans have fought in Iraq and/or Afghanistan. Approximately 700,000 have received disability status. More than 250,000 personnel have endured a traumatic brain injury; 125,000 have received a post-traumatic stress diagnosis; and 1,500 have lost a limb. The obligation we have to these veterans is a moral one but it will be measured in dollar terms, a massive cost arriving just as Congress and the White House attempt to control the budget. Fortunately doing the right thing also is the prudent thing. The Pentagon and the Department of Veterans Affairs can control long-term costs by cooperating to make sure that veterans get their needed care right now. But they're not. Instead, they're letting bureaucratic gamesmanship push private health care providers onto the sideline as well.

commitment to Iraq and Afghanistan veterans in sobering detail. In April the VA and Social Security Disability tab ran to \$970 billion, of which \$134 billion has already been spent and \$836 billion will come over the next 40 years. Layered on top of this sum are unspecified, Pentagon-incurred costs of treating war-related health issues for veterans still on active duty. The burden we place on our armed forces and on our taxpayers will continue to increase as long as we remain in Afghanistan. Once we leave, though, it should plateau -- so long as we tend to wartime wounds rather than letting them fester. Veterans' health care is no different from any other when it comes to the proverb that an ounce of prevention is worth a pound of cure. On the other hand, the converse also is true -- obligations we postpone will cost even more later.

Our quick response depends heavily on programs that help civilian physicians treat, or at least recognize, service-related issues within their own communities. Military and VA facilities are the most evident care facilities, but it is common for reservists and National Guards to live outside these facilities' coverage areas. A McClatchy investigation in March found a population of 675,000 reservists or National Guards that have concluded their service and therefore have no routine interaction with the military. The Pentagon and VA either will have to expand their infrastructure dramatically to care for those that live outside of health-care coverage areas, or they'll have to partner with civilian providers. Enter a Chapel Hill, N.C.-based initiative called the Citizen-Soldier Support Program. This program trains civilian providers in topics related to traumatic brain injury and post traumatic stress. It likewise provides service members with online resources to locate appropriate care. In October of last year it lost federal funding. Since then CSSP has continued supporting U.S. veterans' health care as fully as possible using private resources.

The reasons for this loss boil down to a typical government problem: the inability of two bureaucracies, the Pentagon and the VA, to get along. Neither wants to admit to a gap in coverage or to cede turf to the other, so both just ignore the problem. CSSP is not the victim here, of course. Veterans that live outside military and VA coverage areas suffer the most. And, down the line, so too will American taxpayers that are missing out on a chance to control these costs now as part of doing the right thing. There is no way to estimate the way costs will grow as we postpone them, but today's fiscal circumstances are very clear. Austerity is the new norm. Congress and the White House agreed in August 2011 to the Budget Control Act, which cut \$900 billion from the federal departments immediately and an additional \$1.2 trillion from them over the following decade. The VA is exempt from these calculations, but growth in its accounts doesn't change the overall savings target.

Every dollar in VA growth is taken from another department. Were it not that way, this growth would just go straight into our debt. Irrespective of how sequestration and other Budget Control Act mechanics may be amended, the principle will remain true: postponed costs will grow, and they will come at the expense of other priorities. As always, it bears repeating that "postponed costs" is an accountant's term for untreated veterans. The right thing is caring for these veterans now. It's also the prudent thing. Professor Bilmes at Harvard has told us about the costs, and the Citizen-Soldier Support Program at the University of North Carolina has shown us a way ahead. The only thing missing is accountability for the Pentagon and VA to set aside their bureaucratic frictions and tackle the problem. [Source: The Telegraph (GA) | Matthew Leatherman | 21 Apr 2013 ++]

Vet Treatment Update 01 ► Plight of the Heroes

Record Columnist and Editor took a look at two distinctly different sets of people in his community who nonetheless are oddly attached because of the need for taxpayer dollars in their respective situations. Some could quibble over the differences between state and federal funding. They'll argue that apples are being compared to oranges. Regardless:

- **Consider Group A:** It's comprised of veterans from all branches of the United States military. They've served in Vietnam or Korea or more recent wars. There are some - although sadly, a shrinking number - from World War II. Some served the United States military in times when there was no war, but their patriotism and dedication was no less important. They protected our freedom. Many are left with physical and/or mental health needs. We'll call Group A, quite simply, the Heroes.
- **Consider Group B:** They were arrested and convicted of crimes. They are murderers. Or rapists. Or wife and child abusers. Or drug peddlers. They preyed on people and, in some, cases took the lives of others. They are prisoners. Many of them also are left with physical and/or mental health needs. We'll call Group B, quite simply, the Criminals.

The Heroes have been commuting over the Altamont Pass, in Northern California between Livermore and Tracy for the most part, for their health care needs. But they've been promised a new 150,000-square-foot Veterans Administration outpatient clinic and 120-bed nursing home in French Camp. This just might take a little longer. A lot longer. There were delays upon delays until the VA finally chose French Camp. Now there's the matter of actually getting the money to build the facility. The Criminals are steadily moving into a new 200-acre facility off Highway 99 in Stockton. By mid-December, 1,722 beds will be filled. It took only 31 months to build the California Health Care Facility, with a court order providing the push and the Public Safety and Offender Services Rehabilitation Act of 2007 raising the funding.

- The Heroes get by with what they are provided, which now includes a 10,000-square-foot clinic and five additional modular buildings that are left empty and unused. The Criminals are moving into a facility that cost \$839 million, consists of 54 buildings and takes up a whopping 1.4 million square feet.
- The Heroes get to gaze at those five modular buildings probably more Spartan than some of the Quonset huts many once lived in during military service. The Criminals will have a facility that is well-lit, has patient cells with oxygen hookups and much more modern medical equipment. The Criminals' needs are being met by a work force of almost 1,300 - and growing.
- The Heroes arrive to patches of dirt and weeds. They get services from a small and dedicated staff at the VA clinic, but they're waiting on the VA and county to work out details so the size of the clinic can be doubled. November's the latest estimate. The Criminals are amid an absolute buzz of activity. Construction is almost finished and very experienced medical personnel and other staff are taking high-paying state jobs.
- The Heroes show up at the current VA clinic in a state of constant frustration. Says local American Legion commander Tino Adame in an interview with The Record: "It's like you have a bucket of water and you're giving them a spoonful to drink." The Criminals' health care facility is relatively close to being finished. It has taken less than three years from the time the state and local officials worked out a deal to erect the complex.



A dental exam and treatment area at the new medical prison facility east of Stockton.

The Heroes' new health care facility likely is on a best-case-scenario of opening in 2018 in French Camp. That would be one year for design and three years for construction. But the funding isn't there. It could be 2019. Or 2020. Or whenever. All of this does not mean that the Prisoners' health care facility is a negative for Stockton and San Joaquin County. Far from it. There are immense economic benefits and local officials elicited excellent community infrastructure guarantees from the state. But while every physical and mental health need is being taken care of for murderers, rapists and other felons of virtually every ilk ... Lest we forget the plight of the Heroes. [Source: Livermore Record | Mike Klocke | 25 Aug 2013 ++]

Vet Toxic Exposure~Lejeune Update 39 ► P.L 112-154 1-yr Anniversary

A year has passed since the Honoring America's Veterans and Caring for Camp Lejeune Families Act was signed into law. The law (P.L 112-154) authorized hospital care and medical services through VA for family members of veterans exposed at the Marine Corps base between 1957 and 1987. VA has announced that it will be able to reimburse eligible family members for out-of-pocket health care expenses for the 15 related conditions (listed at <http://www.publichealth.va.gov/exposures/camp-lejeune/index.asp>), after the regulations are published. In the meantime, they offer the following for those affected: Call 1(877) 222-8382 to be added to the Camp Lejeune database, gather documents needed to show that you lived on base during the period between 1957 and 1987, and your relationship to the veteran. Finally, keep receipts for any health care expenses you paid for a covered condition on or after March 26, 2013. For more information, visit <http://www.publichealth.va.gov/exposures> to learn about other military exposures and VA benefits. [Source: VFW Washington Weekly 16 Aug 2013 ++]

Vet Toxic Exposure~Lejeune Update 40 ► Pending ATSDR Report Concerns

A bipartisan group of lawmakers is urging the Centers for Disease Control to complete a new, comprehensive report on the health effects of toxic tap water at the Camp Lejeune Marine base. The lawmakers also want the agency to investigate whether people were exposed to airborne toxins inside buildings after contaminated wells at the North Carolina base were closed in 1985. And they asked the agency to look into the feasibility of a "cancer incidence study" for Lejeune. The four senators and two representatives were reacting to news that the Agency for Toxic Substances and Disease Registry, or ATSDR, a division of the CDC, intends to issue a less comprehensive report than the one it released in 1997. The original public health assessment was withdrawn four years ago because of incomplete data.

They said they also are concerned the agency will ignore "the potential for harmful exposures via inhalation" in the decade and a half after contaminated wells at the coastal North Carolina base were taken off line. "Public Health Assessments are essential and critical to ensuring full and complete information about exposures to hazardous substances is available to the public," the six legislators - U.S. Sens. Richard Burr and Kay Hagan of North Carolina; Sens. Marco Rubio and Bill Nelson of Florida; and U.S. Reps. Dennis Ross of Florida and John Dingell of Michigan - wrote to CDC Director Thomas R. Frieden on 9 AUG. "This is especially necessary in the instance of Camp Lejeune, where hundreds of thousands of unwitting military service members and their families were exposed to extremely high levels of known human carcinogens over a span of more than three decades." Burr, Rubio and Ross are Republicans; Dingell, Nelson and Hagan are Democrats. The lawmakers included the request for a cancer study in a follow-up letter Friday.

Officials from the Agency for Toxic Substances and Disease Registry have not responded to repeated requests for comment from The Associated Press. In a website notification dated January 2011, the agency said it had withdrawn the 1997 report because "additional information has emerged" and affected communities "were exposed to contaminated water for a longer period than we used in the 1997 evaluation." The notification also said the original report had neglected to include certain information that it has since deemed necessary. "The full extent of the exposure is still being determined. Thus, the 1997 Assessment may be misleading because the information upon which it was based was incomplete," the agency wrote. Retired drill instructor Jerry Ensminger, who believes the toxic water caused the leukemia that killed his 9-year-old daughter, puts it a different way. The 1997 health assessment contained "so many omissions, so many lies, so many errors and obfuscations that the public has never received a full picture of what they were exposed to and what they might expect from being exposed," Ensminger

said. He said anything short of a comprehensive reassessment is unacceptable. "It's like pulling damn teeth to get them to do their job," he said of the agency. "Lead, follow or get the hell out of the way. Somebody."

As many as 1 million Marines, dependents and civilian workers are believed to have been exposed to trichloroethylene (TCE), tetrachloroethylene (PCE), benzene and other toxic chemicals that leached into ground water from a poorly maintained fuel depot, dumping and an off-base dry cleaner. Last year, President Barack Obama signed a law providing medical care and screening for those exposed between 1957 and 1987. But Ensminger and others fear that cutoff date is too early. In April 1999, workers in Building 1101 - which housed the Information Management Division, the base communications center and Marine Corps Community Service warehouse - began complaining of a strong petroleum odor. In early December, several workers reported headaches, nausea, and eye and respiratory irritation; two visited the base's Occupational Health Clinic. When technicians sampled the air, they reported "breakthrough" - meaning the charcoal inside the collection tubes was "completely saturated with gasoline vapor." Several buildings were evacuated and later demolished.

In a March 1982 report, chemist Wallace Eakes described a visit to the base. Among the sites tested was Building 71 - built as a storage and mixing facility for DDT and other dangerous insecticides, but later used as a day care center. Eakes said the findings were "a shock to all concerned." He said a preventive medicine officer took air and soil samples in the area "under the guise of a normal health survey," and that the air samples were then analyzed in Norfolk. Two months later, technicians from the Naval Regional Medical Center collected samples and submitted them to the Navy Environmental Health Center for analysis. A May 1988 feasibility study recommended that Lejeune monitor ambient air for buildings located near contamination "hot spots." Nine years later, in June 1997, an engineering firm issued a report on leaking underground storage tanks at the Hadnot Point Fuel Farm. The firm noted that several buildings were in the affected area, and that the trenches around them might spread contamination. When ATSDR released its health assessment two months later, vapor intrusion was not listed as a risk for those working in the Hadnot Point area.



A capped groundwater monitoring well stands on the former site of the Hadnot Point fuel farm at Camp Lejeune, N.C., on Feb. 27, 2013.

Tina Forrester, acting director of the agency's Division of Community Health Investigations, told members of the Lejeune community assistance panel last month that the agency was reviewing the vapor intrusion issue, but that it did not yet have enough data to assess exposures. In the past, the Marine Corps has cited regulations that it only maintain certain records for five years. Ensminger notes that the base was declared a Superfund site in 1989, meaning all records should have been preserved. "Now, where the hell are the analytical results?" he asked. To solve the problem of missing or incomplete data on well contamination, the agency performed complex water modeling to estimate toxin levels back to the 1940s. The legislators suggested something similar could be accomplished with the data on vapor intrusion. "If ATSDR does not have the records of vapor intrusion and air quality sampling from the

(Navy), we request you provide us with an alternate scientific process to reconstruct and analyze this particular aspect of potential exposure," they wrote.

Forrester told the Lejeune panel that the Agency for Toxic Substance intended to issue an "addendum" to the health assessment - called a health consultation - that would include the water modeling and other data not available the first time. She suggested that waiting for another comprehensive public health assessment would take too long. "I think the problem is that this is uncharted territory," epidemiologist Richard Clapp, who also is a member of the community assistance panel, said in an email. "On its face, it seems that the new information about vapor intrusion, plus the newly modeled benzene exposure estimates would require substantial effort by the staff to do even an update" to the assessment. The lawmakers indicated that a simple addendum to the agency's original report would not be sufficient, however. "We expect you will ensure ATSDR continues to fulfill its Congressional mandate to `expand the knowledge base about health effects from exposure to hazardous substances,'" they noted, "and that you will do so by re-issuing a Public Health Assessment" as required by law. They gave Frieden until Aug. 26 to respond. [Source: The Associated Press | Allen G. Breed | 16 Aug 2013 ++]

Vet Benefits ~ Gay Couples Update 01 ► DOD Will Provide by 3 SEP

Pentagon officials announced 14 AUG that the DOD will provide marriage benefits to same-sex couples for the first time, giving gay spouses access to health care, housing allowances and family separation pay. The move comes little more than a month after the Supreme Court struck down the Defense of Marriage Act (DOMA), which Defense Department leaders have said prevented them from offering federal marriage benefits to gay troops. Numerous government agencies have taken steps to offer health care and other benefits to same-sex married couples in the wake of the ruling. In a statement, Defense Secretary Chuck Hagel said the move reflects the Defense Department's commitment to "ensuring that all men and women who serve in the U.S. military and their families are treated fairly and equally." The change, set to go into effect no later than Sept. 3, will mean tens of thousands of dollars in direct payments and covered health care costs for legally married same-sex military couples. Housing allowances alone can reach up to \$30,000 in annual payouts for married troops with dependent children.



Defense Department officials will also allow same-sex troops to take nonchargeable leave “for the purpose of travelling to a jurisdiction where such a marriage may occur.” Thirteen states and the District of Columbia currently allow gay marriages. In a memo to defense staff, Hagel called the inconsistent state rules a potential hardship for same-sex couples, and said the extra leave time would “help level the playing field.” Troops stationed outside the United States will be allowed up to 10 days of uncharged leave for a same-sex wedding, per approval from their command. Troops inside the United States but stationed more than 100 miles from a state that allows gay marriage will have seven days. Servicemembers will be able to use the marriage leave time only once in their career. Gay troops who are already legally married could see retroactive benefits back to 26 JUN, the date of the Supreme Court decision. Same-sex married couples who apply for benefits in the future will follow the same procedures and documentation as opposite-sex couples.

Since the military’s “don’t ask, don’t tell” law was repealed in 2011, gay rights advocates have pushed for extension of the married couple benefits to same-sex troops, arguing that the policy still amounted to discrimination in the ranks. Defense Department leaders did extend access to family support programs and other resources to the couples, but said DOMA— which forbade the federal government from officially recognizing same-sex marriages — preventing them from going further. Mark Mazzone, spokesman for the military LGBT advocacy group SPART*A, said the changes will be a financial boost to many same-sex couples thus far deprived of equal benefits, and the leave time for travel to states that allow same-sex marriage show the military is committed to reaching out to gay troops. “While some states are still saying same-sex marriage is a no-go, it’s clear with this that the military is accepting it,” he said.

In a statement, officials at the American Military Partner Association called the pending Pentagon announcement “a huge step forward for our families who for far too long have been excluded and cut off from support.” Pentagon officials acknowledged that the new policy will require a host of policy regulation updates and some technical upgrades to existing systems. For example, the Defense Enrollment Eligibility Reporting System (DEERS) does not currently recognize same-sex partners for ID cards, and will have to be upgraded to implement the new policy. Still, Pentagon officials are confident the changes can be handled in coming weeks. The changes apply only to “legally married same-sex couples” and not gay troops who have state-backed civil unions. [Source: Stars & Stripes | Leo Shane | 14 Aug 2013 ++]

Vet Benefits ~ Gay Couples Update 02 ► VA Benefits On Hold

Veterans Affairs Secretary Eric Shinseki says Congress or the courts still has more work to do before the VA can provide federal benefits to married, same-sex couples. The Supreme Court ruled in June that a law denying federal tax, health and pension benefits to married-same-sex couples was unconstitutional. However, the law governing veteran’s benefits contained similar provisions. It specifically defines spouse and surviving spouse as someone of the opposite sex. Shinseki said that, so far, no court has deemed that particular provision unconstitutional, though three federal cases are pending. Nor has Congress taken up a bill to change the definition of spouse. Shinseki told Sen. Jeanne Shaheen (D-NH) in a letter that the VA supports a bill she has sponsored that would open up veterans benefits to all married couples. [Source: AP | FoxNews.com | 27 Aug 2013 ++]

Vet Benefits ~ Gay Couples Update 03 ► Judge Orders VA to Pay

The Department of Veterans Affairs can no longer rely on its unique reading of federal law to refuse to provide full benefits to a California veteran in a same-sex marriage, a federal judge declared in a ruling filed 29 AUG. U.S. District Judge Consuelo Marshall of Los Angeles sided with Tracey Cooper-Harris of Pasadena, Calif., a 12-year Army veteran, who sued the VA for denying her full disability benefits because she is married to a woman. The VA is the defendant in several lawsuits over its assertion that the Supreme Court's decision in June striking down the Defense of Marriage Act didn't apply to it. VA Secretary Eric Shinseki argued in a letter to Sen. Jeanne Shaheen, D-N.H., a member of the Armed Services Committee, that Title 38 of the federal code regulating veterans' benefits still defined a spouse as "a person of the opposite sex." Because that statute hadn't yet specifically been overturned, he wrote, the VA continues to recognize it. Should the ... spousal definitions be revised or determined to be unconstitutional, VA will be prepared to update its policies and systems in a timely manner," Shinseki wrote Aug. 14.

But Marshall found that the Supreme Court's June decision in *Windsor v. U.S.* made that section of the law unconstitutional "under rational basis scrutiny." Therefore, the VA can't deny benefits to same-sex partners as a matter of law, she wrote. "The denial of benefits to spouses in same-sex marriages is not rationally related to any of these military purposes" in the statute, she wrote. The order permanently enjoins the VA from relying on that law "to deny recognition of Plaintiffs' marriage by the state of California." Cooper-Harris, who served in Iraq before her honorable discharge in 2003, married another woman in 2008. In her suit, she reported that even though she suffers from multiple sclerosis, she gets only \$1,478 a month in VA disability - \$124 less than for a married veteran. The VA and Cooper-Harris didn't immediately return calls seeking comment early Friday. But Stephen Peters, president of the American Military Partner Association, said in an email message to NBC News that Title 38 clearly violated the constitutional rights of our military veteran families. "This decision sets our nation on a path to honoring and serving all of our veterans and their families, regardless of their sexual orientation," he said. [Source: U.S. News | M. Alex Johnson | 29 Aug 2013 ++]

Vet Deportation ► Expulsion for Crimes Committed after discharge

Milton Tepeyac, who served eight years as a U.S. Marine, scrapes by on \$3 an hour in this northern Mexican city, where he has lived since the U.S. government deported him in April. His rented room floods when it rains. Scorpions skitter in. To kill them, he had to pay an exterminator \$40 — a third of his weekly paycheck. Once he served in the Kuwaiti desert in a recon battalion, a highly trained grunt monitoring the movements of Saddam Hussein's military across the border in Iraq. Later he ran a seafood business in Phoenix, drove a BMW and owned a five-bedroom house with a billiards room and a pool. But then, with his business foundering in the 2008 recession, he was offered \$1,000 to help with a drug deal that turned out to be a police sting. He was convicted of felony "possession of marijuana for sale" and was sentenced to four years in an Arizona prison. When he completed his time, he was deported from the country where he had lived since he was 3. "It was a stupid thing to do," Tepeyac, 37, said of his crime. "I feel like I'm stuck in a perpetual nightmare. I can't seem to adjust to this life. In the Marines, we have a motto that we never leave a man behind. I feel like I've been left behind."

As a deported veteran, Tepeyac is one of a little-known cadre of warriors who served in the U.S. military as green-card holders — permanent legal residents but not U.S. citizens — then committed a crime after returning to civilian life, were convicted and punished, then permanently expelled from the United States. No one knows how many there are. U.S. officials said they do not keep track, but immigration lawyers and Banished Veterans, a group formed to help the deportees, said that at least hundreds, and perhaps thousands, have been deported in recent years.

Some committed felonies; others were deported for drug possession, bar fights, theft or forgery. Veterans who fought for the United States in wars from Korea to Afghanistan have been sent to Mexico, Germany, Jamaica, Portugal, Italy, England and other nations. Most of them came to the United States as children; many have been deported to countries where they know no one and don't speak the language. Deported veterans are receiving almost no attention in the Washington debate over immigration reform. Despite their full-throated support for U.S. troops, political leaders are generally unwilling to advocate on behalf of convicted criminals.



Milton Tepeyac, shown on July 19, was a U.S. Marine for eight years. He was deported to Mexico in April after serving prison time for a felony drug conviction. He now lives in this studio apartment in Hermosillo, Mexico.

U.S. immigration law states that noncitizens who commit serious crimes forfeit their right to remain in the country. Deported veterans and their advocates say those who wear the uniform should be treated as U.S. citizens: punished for any crimes they commit, but not deported. Retired Air Force Gen. Richard Myers, who served as chairman of the Joint Chiefs of Staff under President George W. Bush from 2001 to 2005, said deporting veterans "is not fair, and it's not appropriate for who we are as a people." "One thing America has always done is revere its veterans," he said. "To say to them, 'You swore to support and defend the Constitution and put your life on the line for the rest of us. But you're not a citizen. So, too bad. You're gone.' I just think that's not us." Although deported veterans are banned for life, they are welcome to return when they are dead. Honorably discharged veterans, even deportees, are entitled to burial at a U.S. military cemetery with an engraved headstone and their casket draped with an American flag, according to the Department of Veterans Affairs. The VA will even pay \$300 toward the cost of bringing a deportee's remains to the United States.

One of the few politicians who have been willing to raise the issue is Rep. Mike Thompson (D-CA) an Army veteran who was wounded in Vietnam. He and a Republican colleague, Ileana Ros-Lehtinen (FL) introduced legislation this year that would have required the secretary of homeland security to sign off on each deportation proceeding against a veteran. "If someone is willing to put on the uniform of the United States military, the last thing they should have to worry about is their immigration status and that of their family; we shouldn't be deporting them," Thompson said in an interview. But in June, he said, House leaders declined to consider the proposal, which he called a "slap in the face to our veterans, our service members and our history as a nation of immigrants." Veterans are divided on this issue. "We hold all military veterans in high regard, but if following our nation's laws is a requirement for any guest to remain in our country, then that's the law," said Joe Davis, a spokesman for the nation's largest veterans group, the Veterans of Foreign Wars. "An honorable discharge is not a free pass."

Craig Shagin, a Pennsylvania lawyer who represents Tepeyac and is a leading national advocate against deporting veterans, calls the issue 'a question of loyalty.' "When Milton was in the Marines, doing dangerous work on behalf of the United States, we treated him as an American," Shagin said. "Why would that change when he is

out of uniform? Because he failed to file a couple of pieces of paper?" Of all Tepeyac's mistakes, one he especially regrets is not applying for citizenship when he was eligible. If he had, he would not have been deported. Under U.S. law, Tepeyac had been entitled to apply for citizenship when he was 18; he had received his green card five years earlier. Also, once he joined the military the next year he could have applied for citizenship immediately, under a policy Bush enacted in 2002. But he never filled out the paperwork. He said he thought that he automatically became a citizen when he swore his Marine Corps oath to "defend the Constitution of the United States against all enemies, foreign and domestic." "It never really crossed my mind that I could ever be deported," Tepeyac said. According to the Pentagon, about 35,000 noncitizens are serving in the U.S. military. Since 2009, about 9,800 military recruits have earned their citizenship during basic training in a program run by the military and the United States Citizenship and Immigration Services (USCIS). They are part of more than 89,000 people who have received citizenship through military service since 9/11. That includes 140 who were granted citizenship after being killed in the line of duty. [Source: The Washington Post | Kevin Sullivan | 13 Aug 2013 ++]

Vet Discounts/Offers Update 01 ► ID.me Online Verification Service

Two former Army Rangers have created a way for servicemembers and veterans to electronically verify their military status, a move that gives them online access to retail discounts, could help them claim education vouchers or even land a job. The <https://www.id.me> online verification service — formerly troopid.com — was launched by combat veterans Matt Thompson and Blake Hall when they were studying at Harvard Business School in 2011. So far, the online service has signed up 140,000 servicemembers and veterans, Hall said, and has relationships with the Veterans Administration and a number of major retailers, such as Under Armour and Regal Cinemas, who use it to offer online military deals and discounts. Hall, a former platoon leader who hunted insurgents in Iraq from 2006 to 2007, said the pair came up with the idea for the service back in 2009. At the time Microsoft was offering free e-learning vouchers to veterans, but those wanted to take advantage were required to first go to the Department of Labor with documents to prove their military service. “Doesn’t that defeat the purpose of e-learning?” Hall asked.

Additionally, many retailers offer in-store military discounts, but those same discounts weren’t being made available online because of fears that people would falsely claiming military status to get the deals. VA Innovation Initiative director Jonah Czerwinski said online stolen valor is a real concern. “Making promotions available to veterans or providing discounts to veterans quickly becomes unaffordable if you have no confidence that only veterans are availing themselves of your offer,” he said. To solve the problem, Hall and Thompson worked with the VA and the United Services Automobile Association (USAA), which had experience verifying people’s military records to comply with special rules for lending to servicemembers. They created a computerized system that can verify in a matter of seconds if somebody has been on active duty at any time since 1950.

After a user sets up an account, ID.me serves as an intermediary to prove a record of service, similar to how PayPal might verify an online purchase. Active-duty servicemembers and family members can verify their status simply by sending a confirmation email from a .mil email address. Veterans might need to provide information such as their name, date of birth and their dates of military service, which is then checked against Department of Defense records. Members can then use their credentials at participating websites to get the discounts they deserve, Hall said. The first websites to offer the service were tellurideskiresort.com and the VA’s official website, but many other major brands now offer online deals and discounts using ID.me, he said. Those who haven’t used the service before can sign up when they go to checkout from a partner retailer’s website, Hall said.

Navy Lt. Kristen Michele Murdock, of San Diego, said she signed up for ID.me on the advice of a friend and used the service regularly during a yearlong deployment to Afghanistan. “I’ve used discounts or deals on everything

from travel to clothing, picture frames to massages, Christmas gifts to frozen yogurt,” she said. “...in Afghanistan... going to a real mall just isn’t an option.” But, Id.me it more than just a way for servicemembers to access online discounts. Czerwinski said the site is helping the VA create economic opportunities for veterans. For example, people can use the service to apply for one of 2,000 memberships being offered to veterans by Techshop – a chain of workshops that lets people train and execute projects on industrial tools and equipment. “For Veterans, the benefit (of ID.me) is clear: rapid confirmation of their service to our nation in uniform,” Czerwinski said. The alternative would involve time and labor-intensive manual checks of people’s service records to see if they were eligible for various programs, he said.

ID.me employs a former chief network security officer from the Pentagon to make sure members’ information isn’t compromised, Hall said. “Any time we take information at that level we only use it to authenticate the service level claim,” he said. “We make sure we protect that information the same way a bank would.” The service is controlled by the users, he added. “Our users are in control of their information and if they want to release information to a brand to get a benefit it’s up to them,” he said. ID.me gets all of its revenue from the brands that support it and costs nothing for servicemembers to join. Brands that offer discounts to servicemembers and veterans are listed on a website linked to ID.me, called Troopswap.com (<https://www.troopswap.com>), Hall said. Under Armour director of outdoor marketing Bryan Offutt said in an email that his company had offered discounts at brick and mortar stores to people who showed their military IDs in the past, but there was no way to validate people’s military service online before ID.me. Under Armour now offers servicemembers a 10-percent discount on all online purchases, he said. Hall said ID.me is valued by brands that are focused on the military community. “They want to build an emotional connection with these groups and offer them exclusive benefits,” he said.

Vet Discounts/Offers Update 02 ► Waves of Honor Program Extended

SeaWorld Parks & Entertainment™ is honoring all the men and women who have previously served as members of the U.S. armed services. Qualified service members and veterans include active duty, retired, honorably separated officers and enlisted personnel of the U.S. military. The special offer provides 50 percent off single day admission to the SeaWorld® and Busch Gardens® Parks, and Sesame Place® for veterans and service members, and as many as five guests. Tickets must be purchased by November 11, 2013 and redeemed by December 20, 2013. Qualified U.S. service members and veterans must purchase discounted tickets in advance at www.wavesofhonor.com/specialoffer or at participating military bases and present valid military ID and/or proof of service. Tickets are non transferable and non refundable. [Source: <http://www.wavesofhonor.com/specialoffer/index.html> Aug 2013 ++]

Vet Charity Watch Update 36 ► Where Does the Money Go

Where does the money go that Americans have contributed to charitable organizations supporting the military, veterans and their families during the wars in Iraq and Afghanistan? The number of such charities has more than tripled from just 583 in 2001 to more than 1,900 over the decade that followed, according to a News21 analysis of tax filings with the Internal Revenue Service. More than half of the public’s donations — about \$6 billion — went to just 12 of those charities. They include those established more than a century ago and some founded more recently. “The fact (is) that 1 percent of the charities get 86 percent of the revenue that comes into the sector each year,” said Ken Berger, president and chief executive officer of the independent charity review site Charity Navigator. “The vast majority of charities are minuscule — they’re \$25,000 or less and they’re very local, volunteer efforts.”

The surge of support for veterans in the years since the attacks of Sept. 11 is what Adm. Michael Mullen, former chairman of the Joint Chiefs of Staff, has called a sea of goodwill. “There’s a desire across the country to assist our returning veterans and their military families,” said Kimberly Mitchell, who served as deputy director of the Office of Warrior and Family Support under Mullen from 2010 to 2012. She retired from the Navy in 2012 to help found the Dixon Center for Military and Veterans Community Services. No organization better exemplifies the post-9/11 growth among veterans’ charities and the public response than Wounded Warrior Project, which ranked ninth in the News21 analysis of donations received. Founded in 2003, it may be the most well-known charity developed specifically in response to the war efforts in Iraq and Afghanistan. It has promoted and marketed itself perhaps better than any other charity on the News21 list. From its first tax filings in 2005, in which it reported about \$240,000 in contributions between April and July of that year, Wounded Warrior Project increased its yearly donations to more than \$10 million in 2006 and nearly \$150 million by 2012. The percentage of those donations going to Wounded Warrior Project’s programs and services decreased from 80 percent in 2005 to around 73 percent in 2012, with less than 65 percent going to its programs in 2008 to 2010.

Charities that perform the best generally spend about 70 percent or more of their money toward the programs and services that fulfill their mission, according to charity experts and watchdogs. Administrative and fundraising expenses should typically be about 30 percent or less. The News21 analysis found that of the 12 charities that raised the most in donations from 2001 to 2011, seven spent 75 percent or more on programs or services that benefited veterans or the military. For example, the Northern California Institute of Research and Education received more than \$9 million in federal grants since 2007 for research into treatments for traumatic brain injury and post-traumatic stress disorder, or PTSD. The Henry M. Jackson Foundation has received \$2.6 billion over the last decade or more — most from the federal government and American taxpayers to support medical research and education programs. Not only has the foundation collected more than 20 percent of all the money given by the public to military - and veterans-related organizations, it received \$407 million in government grants in 2011 alone. Most of that money has paid for a variety of research efforts, none more so than the U.S. Military HIV Research Program, its largest collaboration with the U.S. government. Through the HIV research program, the U.S. military conducts research in labs around the globe, such as in Kenya and Thailand, according to Lisa Reilly, communications director for the program. “We’ve been working 40 or 50 years with the local population on studying infectious diseases that affect them, that would affect our troops if they went there,” she said. “We work with the militaries there to try to prevent HIV, but then we also try to develop a vaccine that we can test in these endemic parts of the world.”

The Fisher House Foundation and the Navy-Marine Corps Relief Society offer aid to military veterans or their families during tough times. Fisher House Foundation builds accommodations at military bases and VA medical centers for the families of service members and veterans receiving medical treatment. Navy-Marine Corps Relief Society provides financial assistance and other programs for active-duty and retired members of the Navy and Marine Corps and their families. From 2001 to 2011, the Navy-Marine Corps Relief Society raised more than \$185 million and spent about 3 percent on fundraising, compared to some in the top 12 that spent more than 30 percent of their money soliciting donations. About 85 percent of what the relief society spent went to its programs and services for active-duty and retired sailors and Marines, or their families, mostly through programs that provide interest-free loans and grants for education expenses or financial emergencies.

In addition to the tens of millions the Navy-Marine Corps Relief Society distributed in loans and grants each year, it also kept in reserve about \$125 million in publicly traded securities, according to tax records. Those assets would be used to fund disaster relief efforts, as in 2011, for example, in the aftermath of a quake and tsunami in Japan that affected Navy personnel and families stationed in the area, according to Shelley Marshall, the society’s communications officer. “Most charities have an amount of money that they have to deal with to provide their programs and services that year, and if they run out of money that’s the end of their services; well, we don’t have that option,” Marshall said. “The Navy and Marine Corps have said, ‘You need to be there when we need you.’” The society has provided free, in-home nurses for Navy and Marine Corps personnel and their families for more than 90

years, according to Ruthi Moore, director of nursing for the society. In 2006, it created a new nursing program specifically to meet the needs of injured sailors and Marines returning from Iraq and Afghanistan, and their families. “We are currently the only program in the entire country where a registered nurse will make a face-to-face visit anywhere in the country, free of charge, to any Navy or Marine Corps family,” Moore said. “The military doesn’t make house calls.” The program serves about 1,700 families and gets about 15 new referrals a week, she said. “And we will follow them for as long as they want us to, so it’s not a case of, well, this week we’ll get rid of two and pick up one,” she said. “This week we’ll pick up five and keep going.”

Another of the charities that rose to the top of the News21 analysis is Fisher House Foundation, which directed more than 95 percent of its spending, about \$230 million, to its programs from 2001 to 2011 — mostly on building projects and scholarships for military children. It spent on average 1 cent to raise \$1, among the best rates in the top 12, while increasing contributions nearly 1,000 percent from 2001 to 2011. It also reported spending an average of about \$330,000 on fundraising each year, but raising an average of more than \$22.5 million in contributions. Cindy Campbell, vice president of community affairs at Fisher House Foundation, said the foundation did some marketing and promotion, but that volunteers did most of the fundraising. She attributed the low fundraising costs to its focus on core programs. “We have a laser-like target of what we do — we don’t step on what others are doing,” she said. “We have a very clear mission of what we do.” The foundation’s goal is to have a home at every VA medical center in the country, Campbell said, so that any veteran’s family that needs a place to stay will have one. She anticipates that need won’t be going away soon. “This is a group of veterans who are really going to need serious support from the VA Medical Centers across the country,” Campbell said. “So now we have a group of young men and women who will need care for the rest of their lives.”

Erica Borggren, an Iraq war veteran and director of the Illinois Department of Veterans’ Affairs, said the number of organizations offering services for veterans has created challenges for veterans and the agencies that serve them. “There are so many organizations — so much goodwill,” Borggren said. “Keeping track of it all is really difficult. If it’s difficult for those of us providing the services, how is a struggling veteran supposed to navigate it?” Borggren and her staff helped develop an effort called Illinois Joining Forces, launched in 2012 to coordinate the nonprofits and government departments serving veterans. The goal, she said, was to create a “no-wrong-door system,” so that veterans will be referred to the agency or charity that can best help them. Mitchell, the former Navy officer, said donors should focus their giving on charities that produce long-term results. “There’s a lot of organizations that are banking money because of their brand name,” she said. “They’ve been able to get lots and lots of marketing, so what I encourage people to do is look at GuideStar or Charity Navigator and ask warriors and their families, because they’ll tell you the truth.” Campbell said the work of supporting veterans and service members back at home is just beginning. “We have 2.5 million veterans from this war, this war,” Campbell said. “At a time when people are thinking, ‘The war is over, we don’t need to do this anymore,’ it’s out of sight, out of mind. This is actually when Americans need to really step up.” [Source: News21 | Chad Garland and Andrew Knochel | 24 Aug 2013 ++]

Vet Jobs Update 121 ► **Hilton Operation: Opportunity**

Hilton Worldwide has made a commitment to service members and their families by planning to hire 10,000 veterans over the next five years under the program *Operation: Opportunity*. It will also donate millions of Hilton HHonors points that veterans can redeem for free hotel stays while seeking jobs, both within and outside the company. "Hilton Worldwide has been strongly committed to supporting military veterans and their families since our founding nearly a century ago by Conrad Hilton, a U.S. Army veteran who served in World War I," said Christopher J. Nassetta, president and CEO, Hilton Worldwide. "We are very proud to build on this legacy with *Operation: Opportunity*." Additionally, *Operation: Opportunity* includes:

- An exclusive military rate, which will be available starting September 2013 for leisure hotel stays, will offer a discount between 10-15%, and will be valid at hundreds of participating hotels across the country for active and retired U.S. military;
- A dedicated military career website, www.hiltonworldwide.com/militarycareers, which can match military skills with complementary open positions at Hilton Worldwide;
- A Team Member Resource Group for veterans at Hilton Worldwide, which will promote professional growth and provide perspective to the company from their unique vantage point;
- A campaign to build awareness among veterans that a world-class hospitality company is seeking their skills and experience at all levels.

The Hilton HHonors hotel stays will be for use in the continental United States, Alaska and Hawaii for veterans to pursue job opportunities in ANY industry. They will be granted to facilitate job interviews, skills training or certification, and other job-seeking activities. To help distribute these stays, Hilton Worldwide and the [National Association of State Workforce Agencies](#) (NASWA) have established a unique public/private initiative. NASWA is an association of publicly-funded state workforce agencies who administer employment services, job training programs, unemployment insurance laws, employment statistics and labor market information. NASWA will distribute HHonors allocations to these agencies, which then will provide the stays to veterans and their families through 2,651 American Job Centers (AJCs). To read more about *Operation: Opportunity* go to <http://news.hiltonworldwide.com/index.cfm/newsroom/detail/25500>. Source: AUSA Family Programs Newsletter 19 Aug 2013 ++]

Vet Jobs Update 122 ► Free Virginia Real Estate Agent Course

If you are a veteran and interested in becoming a real estate agent in Virginia the Northern Virginia Association of Realtors is offering to waive the tuition of a course that you might be interested in. Their 60 hour “Principles of Real Estate” class provides training to pass the Virginia licensing test and to start a career in real estate (And Virginia is a state where real estate is once again growing). It normally cost \$275 but the Association will waive the fee if you have been honorable discharged since 1993. You will need to provide a copy of your DD214 and will also need to buy the text book which costs \$49.95. The next class will begin on November 4th. The course will be given again in 2014. There are also opportunities for free continuing education if you are already a Virginia realtor. This could be a real opportunity. To find out more call 703-207-3256 or e-mail NVAR at education@nvar.com. [Source: TREA News for the Enlisted 19 Aug 2013 ++]

Vet Jobs Update 123 ► New Federal Hiring Regulations

Veterans and people with disabilities who often struggle to find work could have an easier time landing a job under new federal regulations. The rules, announced 27 AUG by the Labor Department, will require most government contractors to set a goal of having people with disabilities make up at least 7 percent of their employees. The benchmark for veterans would be 8 percent, a rate that could change from year to year, depending on the overall number of former military members in the workforce. The new requirements could have a major impact on hiring because federal contractors and subcontractors account for about 16 million workers, more than 20 percent of the nation’s workforce. But some business groups have threatened legal action, complaining that the rules conflict with federal laws that discourage employers from asking about a job applicant’s disability status.

Labor Secretary Thomas Perez called the new policy a “win-win” that will benefit workers “who belong in the economic mainstream and deserve a chance to work and opportunity to succeed.” He said it also would benefit employers by increasing their access to a diverse pool of new workers. “To create opportunity, we need to strengthen our civil rights laws and make sure they have the intended effect,” Perez said. The unemployment rate for people with disabilities is 14.7 percent, nearly twice the rate of 7.4 percent for the general population. The jobless rate for all veterans is 7.3 percent, but for veterans who served in the Iraq and Afghanistan wars it’s 9.9 percent, according to the most recent data from the U.S. Bureau of Labor Statistics. The rules are expected to affect about 171,000 companies doing business with the federal government, said Patricia A. Shiu, director of the Labor Department’s Office of Federal Contract Compliance Programs. Generally, the rules affect those contractors with at least 50 employees and \$50,000 in government contracts. Shiu estimated that as many as 585,000 people with disabilities and more than 200,000 veterans could get new jobs if all the companies meet the hiring goals within the first year.

Labor officials said the new benchmarks are only goals and not specific hiring quotas. But companies that can’t provide documents showing they tried to meet the goal could risk having their federal contracts revoked. If a company can’t immediately meet the new goals, it is required to examine recruitment or outreach practices to decide how to improve. No fine, penalty or sanction would be imposed solely for failing to meet the goal, Shiu said. The new metrics are similar to those contractors have long used for women and minorities. They will take effect in six months to give contractors time to process them. Under the rules, companies must keep detailed records of recruitment and hiring efforts taken to meet the new goals. Daniel Yager, president of the HR Policy Association, which represents more than 350 large U.S. corporations, suggested that his group might challenge the disability rules in court. “Simply mandating a numerical ‘goal’ for all jobs in all contractors’ workplaces, and then requiring employers to invade the privacy of applicants and employees with questions about their physical and mental condition, destroys everything companies have done to integrate individuals with disabilities into the workforce in a sensitive, discreet manner,” Yager said. Carol Glazer, president of the National Organization on Disability, praised the Obama administration for approving the new rules. She predicted that employers would not have a hard time meeting the new benchmarks for workers with disabilities. “There are many organizations in the disability field who stand prepared to help companies meet these goals,” Glazer said. [Source: Washington Post | DC Politics | 28 Aug 2013 ++]

Vet Hiring Fairs ► 1 Sep thru 15 OCT 2013

The U.S. Chamber of Commerce’s (USCC) Hiring Our Heroes program **employment workshops** are available in conjunction with hundreds of their hiring fairs. These workshops are designed to help veterans and military spouses and include resume writing, interview skills, and one-on-one mentoring. For details of each click on the link next to the date in the below list. If it will not open refer to www.uschamber.com/hiringourheroes/events. **To participate, sign up for the workshop in addition to registering for the hiring fairs which are presently scheduled for:** For more information about the USCC Hiring Our Heroes Program, Military Spouse Program, Transition Assistance, GE Employment Workshops, Resume Engine, etc. visit the USCC website at <http://www.uschamber.com/hiringourheroes/events>

Veterans Hiring Fair

September 4, 2013 – [Beaufort, SC](#)

September 5, 2013 – [Quantico, VA Military Spouse Hiring Fair](#)

September 9, 2013 – [West Point, NY Military Spouse Networking Event](#)

September 10, 2013 – Charlotte, NC
 September 10, 2013 – Peekskill (Camp Smith), NY
 September 10, 2013 – Tucson, AZ
 September 12, 2013 – Provo, UT
 September 12, 2013 – Boise, ID
 September 12, 2013 – Trenton, NJ
 September 12, 2013 – JBLM, WA Military Spouse Hiring Fair
 September 17, 2013 – Baton Rouge, LA
 September 17, 2013 – Portsmouth, NH
 September 19, 2013 – Lewiston, ME
 September 19, 2013 – Richmond, VA
 September 19, 2013 – Camp Pendleton, CA
 September 19, 2013 – Los Angeles, CA - Tracks to Success
 September 20, 2013 – Spokane, WA
 September 25, 2013 – Morgantown, WV
 September 26, 2013 – Sidney, OH
 September 26, 2013 – Cheyenne, WY
 October 1, 2013 – Little Rock, AR
 October 1, 2013 – Northampton, MA
 October 2, 2013 – Ann Arbor, MI
 October 3, 2013 – Baltimore, MD
 October 4, 2013 – Charlotte, NC
 October 4, 2013 – Aurora, IL
 October 8, 2013 – Raleigh, NC
 October 8, 2013 – Southfield, MI
 October 8, 2013 – Augusta, ME
 October 10, 2013 – San Francisco, CA
 October 12, 2013 – Bayamon, Puerto Rico Military Spouse Hiring Fair
 October 15, 2013 – Myrtle Beach, SC

Note: A key tactic that most job-seekers overlook when attending a job or career fair is to Stop at every table! One mistake we all make on occasion is to generalize. For example, people assume that health-care companies are only hiring health-care workers, or that insurance companies only need agents. So when they encounter these tables or displays, they typically say nothing and keep moving. Also, sell yourself! Be an extrovert and your own agent! Finally, your mission is fact-finding and networking. By spending time at each table, one learns to overcome stereotypes that lead to erroneous assumptions [Source: U.S. Chamber of Commerce Assn 31 Aug 2013 ++]

Vet Job Hunting ► 5 Tips

When some individuals hit a wall in the job hunting process, they slow down and stagnate. It's all too easy to get caught up in the difficulty of finding a job and opt to fret rather than doing something productive. However, according to the Huffington Post there are at least five things anyone can do to help pull themselves out of a job-hunting slump. If you ever get stuck in the process, use these five tips to pull ahead.

1. Examine your personal network. Studies show that most jobs are found through personal connections. Whether through a friend or business associate such as a former coworker, these relationships aren't just a safety net,

they're the pillars of your ability to find work. Many professionals will tell you that if they ever lost their job, they have a support network that would help them find a new one or point them in the right direction. If you haven't yet started your career, think about how you can develop a network of contacts. It might sound like a fiendish treasure hunt, but reaching out to people at job fairs, school, during internships, and those you met in the military are good places to start. The important thing to remember is that it's best to already have some type of relationship with these individuals – asking for "cold" help from someone who barely remembers you is not your best option.

2. Look into veteran-friendly organizations. In response to the difficulties that veterans face when transitioning to the civilian world, there are numerous organizations that help veterans find work. Sometimes they'll lead you to job fairs, and sometimes they have direct job opportunities, but either way they're there to help you. Remember that just being a veteran qualifies you for a many types of assistance.

3. Build your resume through volunteering and interning. It's impossible to overstress the importance of volunteer work and internships when you're in between jobs. They aren't just for students or recent college grads: they keep your skills sharp, show that you're passionate about your chosen field, and may open doors to further work. They're critical if you don't have enough experience in the industry of your choosing; most starting-level positions are difficult to obtain without a few years of experience. Even if you're working another job, make time to work in a capacity that's relevant to your chosen field.

4. Use your "soft" skills to get ahead. Most job postings come with a litany of professional qualifications, so it's easy to forget that some of the basic, so-called "soft" skills are important as well. Soft skills are professional attributes that should be ubiquitous among all professionals – communication, teamwork, leadership, and work ethic are some of the bigger ones. You won't be able to get a job just by having these traits, but if they accompany a well-rounded resume you'll have an edge.

5. Tell the story of you. Don't let a seemingly inhuman process get you down; make yourself stand out in your resume and cover letter. Show off the professional you: what experiences make you uniquely qualified and what makes you an exceptional candidate. Using social media, such as blogging, can also give you a more unique identity to potential employers.

[Source: Military.com article Jul 2013 ++]

WWII Pre-war Events ► Italian Soldiers in Ethiopia



Four Italian soldiers taking aim in Ethiopia in 1935, during the Second Italo-Abyssinian War. Italian forces under Mussolini invaded and annexed Ethiopia, folding it into a colony named Italian East Africa along with Eritrea

Korean War Vets ▶ Bobby Burkhalter, Sr.

One of the things Bobby Burkhalter Sr. remembers most about his service during the Korean War was the brutally cold weather and how it might have helped hasten the end of the fighting. The Korean War began on June 25, 1950, when forces of the Democratic People's Republic of Korea (North Korea) invaded the Republic of Korea (South Korea). North Korea was supported by the Union of Soviet Socialist Republics whose leader, Josef Stalin, had given North Korean leader Kim Il-sung permission to invade South Korea and the People's Republic of China (Red China) whose leader, Mao Zedong, agreed to support the invasion. The Soviet Union provided North Korea with material support throughout the war while Red China intervened militarily, sending in the People's Volunteer Army to North Korea in October of 1950.

South Korea was supported by the United Nations under whose authorization more than 20 member nations, including the United States, sent in troops and/or provided material and other support. Nearly 90 percent of the 341,000 soldiers that fought in the war under United Nations authorization were from the United States. Among the American soldiers deployed to Korea was Staff Sgt. Bobby Burkhalter Sr. of the 24th Infantry Division 19th Regiment of the U.S. Army. Burkhalter, a Whitmire native who now lives in Union, South Carolina, said that while he never actually saw combat against either the North Koreans or the Chinese, he was nevertheless injured by the brutal cold that affected troops on both sides of the war. "After they signed the armistice I was ready to come home, I came back to the states in '54," Burkhalter said. "I was so glad to leave that place. It was so cold. It's a different kind of cold. If it got that cold over here we couldn't stand it. Still my feet froze and I had to go to the infirmary for awhile."

Even after he returned home, Burkhalter said he was still dealing the effects of the cold. "When I came home, I couldn't get out of bed," Burkhalter said. "My wife would have to set my feet out of the bed. I couldn't walk. People don't believe it is that cold over there, but it is. That's why they call it the 'frozen Chosin.' That's the coldest place I've been in my life. It was a living hell."

Just prior to the Chinese intervention, it appeared the war was all but over as United Nations forces had not only driven the North Koreans out of South Korea, but had driven into the north, occupying much of the country including its capital, Pyongyang. The Chinese intervention drove United Nations forces back into the south, prolonging the war which degenerated into a stalemate that would last until 1953 and the signing of the armistice. While the Chinese intervention prolonged the war, Burkhalter believes the fighting would have gone on even longer than it did had it not been for the cold weather and the unpreparedness of the PVA for that weather. "I talked to the GIs who did most of the fighting and they told me there was a thousand Chinese for every one American by the end of the war," Burkhalter said. "It wouldn't have been over as soon as it was if it wasn't for the cold. The Chinese didn't have the clothing to keep warm and a lot of them froze to death."

Burkhalter was deployed to Korea in 1952 and he said his unit's first stop on their way there was in Japan where they made sure their weapons were in working order. The next stop was Inchon, where U.S. forces had successfully landed in 1950 and began pushing North Korean forces out of South Korea. "We landed on Inchon beach," Burkhalter said. "From there the other troops had pushed the North Koreans back across the 38th parallel. We picked up where the rest of the soldiers left off. They'd done most of the fighting. We did a lot of patrolling to make

sure everything was right.” Even though he didn’t see combat, Burkhalter got to see the enemy up close as his unit was soon deployed to guarding North Korean and Chinese prisoners of war. “Then we were sent to Pusan,” Burkhalter said. “We had to start guarding prisoners of war. We did that until they signed the armistice.”



American soldiers rest on a hillside during a cold winter somewhere in Korea late 1950-early 1951. The soldiers had little in the way of cold weather equipment for fighting in temperatures that often fell below freezing.

Burkhalter said the signing of the armistice changed the way he and his fellow soldiers had to guard the prisoners. “We were not allowed to fire our weapons, not even one time, after that,” Burkhalter said. “When they tried to escape we could only use tear gas.” The prisoners, however, were not as restrained in their behavior as their captors, especially when it came to any South Koreans they found among them. Burkhalter said the North Koreans killed and mutilated the South Koreans they found in their midst and so effectively disposed of their remains that it was some time before he and his fellows soldiers discovered what they were doing. Burkhalter said the hatred of the North Koreans was returned by the South Koreans. He said he experienced this after the end of the fighting when he and his fellow soldiers were repatriating the prisoners to the north. “When the armistice was signed we had to transport the North Korean and Chinese prisoners by train to the Manchurian border,” Burkhalter said. “The South Koreans were throwing rocks, bottles, anything they could find at the train. We were still not allowed to fire our weapons.”

Even though they were in close proximity to the prisoners, Burkhalter said the orders against live ammunition were still in effect. “We could not carry loaded weapons on the train, we could only put our bayonets on our weapons and stand at the doorway,” Burkhalter said. “There was no lights in the train and we had to go through dark tunnels to get there.” Burkhalter added that the trip brought him the unpleasant revelation that the only place colder than South Korea was North Korea. After his experiences in Korea, Burkhalter said he literally kissed the ground when he got back to America. Burkhalter remained in the Army until 1957, planning on making it a career, but said he decided to leave because his brothers were in the military and there was no one at home to take care of their parents. He went to work in the textile industry and remained there for the rest of his working life, retiring from the JP Stevens plant in Whitmire.



Bobby Burkhalter, center, poses with two fellow soldiers for a photo in the early 1950s and now at age 81

Now 81, Burkhalter has lived in Union for the past two years. He and his wife, Ellen, have seven children: Theresa, Bobby Jr., William, Patsy, Terry, Steven, and Sherry. They also have 18 grandchildren and 18 great-grandchildren. Looking back on his service in the Korean War, Burkhalter recalled a sign he saw on the Golden Gate Bridge in San Francisco as he and his fellow soldiers were returning home. He said the message on the sign summed up the experience of him and his fellow soldiers perfectly: "Welcome home, you've spent your time in hell." [Source: The Union Daily Times | Charles Warner | 16 Aug 2013 ++]

Obit ~ Charles F. Appman ► 26 AUG 2013

A proud old man died the other day, one of the final living links to a grim chapter in American military history. Charles F. Appman of McCandless was among the last survivors of the Malmedy Massacre in 1944, when SS troops machine-gunned 84 American prisoners during the Battle of the Bulge. Mr. Appman, who died Monday at age 94, was among 43 survivors. He testified about it to the U.S. Army and, in later years, often repeated the tale to his family. "He played dead," said his son, Bill Appman, 58, of McCandless. "He was fortunate. He had some fellows fall on top of him. The blood from their wounds [leaked onto] him and it looked like he was dead, too."



Charles F. Appman

A forward observer in Battery B of the 285th Field Artillery, Mr. Appman was taken captive at Malmedy, Belgium, on Dec. 17, 1944, by troops under SS Col. Joachim Peiper, a veteran of vicious fighting in Russia. The Germans rounded up more than 120 American prisoners in a snowy field and mowed them down, killing 84. Appman lay among the dead and dying for an hour before escaping. The incident became known as the Malmedy Massacre, retold in news accounts, several films and most recently a 2012 book, "Fatal Crossroads," which includes testimony Mr. Appman gave to Army investigators in 1944 and 1945. Appman told his story again over the years, mostly to his children, although in 1994 he gave a lengthy account to the North Hills News Record on the 50th anniversary of the Battle of the Bulge, Hitler's last-ditch counterattack in the Ardennes Forest. Although he'd seen plenty of combat since landing in France three months earlier, Appman said those experiences paled compared to the terror of seeing his fellow soldiers murdered and the wounded executed one by one. "We just hoped and prayed while we lay there listening to them shoot every man that moved," he told Associated Press writer Hal Boyle on Dec. 19, 1944.

Born in 1919, he grew up in Penn Hills and was drafted into the Army. After training in 1943, he became a corporal in the field artillery and landed at Normandy on Sept. 19, 1944. He was driving a truck near Malmedy when German machine-gun bullets suddenly pierced the windshield. He and his comrades jumped into a water-filled ditch as German tanks bore down. Then he heard a voice say, "Hands up." He said SS troops robbed the men of their valuables. After the Germans herded them into a field, Appman later told the Army, one of them pulled a pistol and shot a soldier near him, then another. "Then almost immediately they opened with machine-gun fire," he testified. "I hit the ground with the rest and made believe I was dead. I lay there while they searched the bodies, and I could hear the German laughter with immediate fire at the moaning ones." As he lay among his fellow soldiers, he heard the Germans killing off the wounded with pistol shots to the head. "I could hear them calling, 'Hey Joe, Hey Jim' and then 'wham,' they would give somebody the coup de grace," he said in 1994. He tried holding his breath so the Germans wouldn't see his exhales in the cold air. At one point, a German soldier cocked his pistol and shot the man on top of him. He felt the body quiver as the man died. He thought he was next and wondered, "When you are shot in the head, did it burn, did it hurt?" While lying there, he said he saw a bright, white light. "I knew it was God, and it calmed me, and I stopped shaking," he said.

After lying in the field among the bodies for an hour, he heard another survivor say, "Come on, let's get out of here," and fled with others who were able to run. The Germans fired on them. "He could see machine-gun bullets kicking up snow as they were running," recalled his son. "He crawled under a barbed wire fence but got caught up by the collar on his shirt. Someone came back and unhooked him from the fence." He was rescued by members of an engineering battalion and later discovered a bullet hole through his coat and sweater. "He came out unscathed," said his son. Physically, he was fine. But mentally, he suffered. "Today they would call it post-traumatic stress disorder," Bill Appman said. "He just dealt with it. He didn't know what it was. He took some kind of nerve medicine, I remember that." Appman came home, like millions of other veterans, to go to work and raise a family. He never went to reunions and kept in touch with only one other Malmedy survivor, Robert "Sketch" Mearig of Lititz, Montgomery County, who died in 2007 at age 84. As the years passed, he mellowed, but he never forgot that day in Belgium. "Maybe I've grown lenient with the years," he said of the Germans in 1994, "but I still think they should not have been so nasty to us."

After the war, he went to work as a surveyor and then took a job with Alcosan while raising his three children with his wife, Jane, who died in 1992. The family moved in 1971 from Penn Hills to Franklin Park. After the children were grown, the couple moved to Hampton. About a decade ago, he moved to the Hickory Hills Apartments in McCandless. Besides Bill Appman, he is survived by a son, Wayne of Greenfield, and a daughter, Wendy of Saxonburg. The funeral was held at H.P. Brandt Funeral Home in Ross, followed by burial in Allegheny Cemetery. [Source: Pittsburgh Post-Gazette | Torsten Ove | 30 Aug 2013 ++]

POW/MIA Update 52 ► Identified 16 thru 31 AUG 2013

"Keeping the Promise", "Fulfill their Trust" and "No one left behind" are several of many mottos that refer to the efforts of the Department of Defense to recover those who became missing while serving our nation. The number of Americans who remain missing from conflicts in this century are: World War II (73,000+), Korean War (7,900+), Cold War (126), Vietnam War (1,655), 1991 Gulf War (0), and OEF/OIF (6). Over 600 Defense Department men and women -- both military and civilian -- work in organizations around the world as part of DoD's personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home. For a listing of all personnel accounted for since 2007 refer to http://www.dtic.mil/dpmo/accounted_for . For additional information on the Defense Department's mission to account for missing Americans, visit the Department of Defense POW/Missing Personnel Office (DPMO) web site at <http://www.dtic.mil/dpmo> or call or call (703) 699-1169. The remains of the following MIA/POW's have been recovered, identified, and scheduled for burial since the publication of the last RAO Bulletin:



Family members seeking more information about missing loved ones may call the following Service Casualty Offices: U.S. Air Force (800) 531-5501, U.S. Army (800) 892-2490, U.S. Marine Corps (800) 847-1597, U.S. Navy (800) 443-9298, or U.S. Department of State (202) 647-5470. The remains of the following MIA/POW's have been recovered, identified, and scheduled for burial since the publication of the last RAO Bulletin:

Vietnam

- None

Korea

- The DPMO announced 23 AUG that the remains of a U.S. serviceman, missing from the Korean War, have been identified and will be returned to his family for burial with full military honors. Army Pfc. **Herene K. Blevins**, 18, of Hagerstown, Md., will be buried Aug. 27, in his hometown. In late November 1950 Blevins and elements of the 31st Regimental Combat Team (RCT) were deployed along the east side of the Chosin Reservoir in North Korea when they came under attack by Communist forces. The 31st RCT began a fighting withdrawal to a more defensible position near Hagaru-ri, south of the reservoir. Following the battle, Blevins was reported missing on Dec. 2, 1950. In 1953, returning U.S. prisoners of war told debriefers that Blevins had been captured by enemy forces and taken to a prisoner of war camp known as "Death Valley." Soldiers also stated that Blevins died from malnutrition shortly after being captured. His remains were not among those returned by communist forces in 1954. Between 1991 and 1994, North

Korea gave the United States 208 boxes of remains believed to contain the remains of 200-400 U.S. service members. North Korean documents, turned over with some of the boxes, indicated that some of the human remains were recovered from the area where Blevins was last seen. In the identification of Blevins, scientists from the Joint POW/MIA Accounting Command (JPAC) and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence, and forensic identification tools such as dental comparisons and mitochondrial DNA – which matched Blevins’ brother. Using modern technology, identifications continue to be made from remains that were previously turned over by North Korean officials.

- The Department of Defense POW/Missing Personnel Office (DPMO) announced 27 AUG that the remains of a U.S. serviceman, missing from the Korean War, have been identified and will be returned to his family for burial with full military honors. Army Cpl. **Donald V. MacLean**, 17, of Dover, Ohio, will be buried Aug. 31, in Cary, Ill. In late Nov. 1950, MacLean and elements of the 31st Regimental Combat Team (RCT), historically known as Task Force Faith, were deployed along the east side of the Chosin Reservoir near the P’ungnyuri Inlet, in North Korea, when the RCT was attacked by a large number of Chinese forces. On Dec. 1, 1950, remnants of the 31st RCT began a fighting withdrawal to a more defensible position near Hagaru-ri, south of the reservoir. On Dec. 2, 1950, during the withdrawal, MacLean was reported missing. In 1954, United Nations forces and Communist forces exchanged the remains of war dead, in what came to be known as “Operation Glory.” Among those remains turned over by enemy forces was a box which allegedly contained the remains of a U.S. serviceman who was buried on the eastern banks of the Chosin Reservoir. After all attempts to identify the remains failed, a military review board declared the remains unidentifiable and the remains were interred as “unknown” at the National Memorial Cemetery of the Pacific, known as the “Punchbowl.” In 2012, analysts from the Joint POW/MIA Accounting Command (JPAC) and DPMO reevaluated MacLean’s records and determined that, due to the advances in technology, the remains should be exhumed for identification. In the identification of MacLean’s remains, scientists from JPAC used circumstantial evidence and forensic identification tools, such as dental and radiograph comparisons. Using modern technology, identifications continue to be made from remains that were previously turned over by North Korean officials.

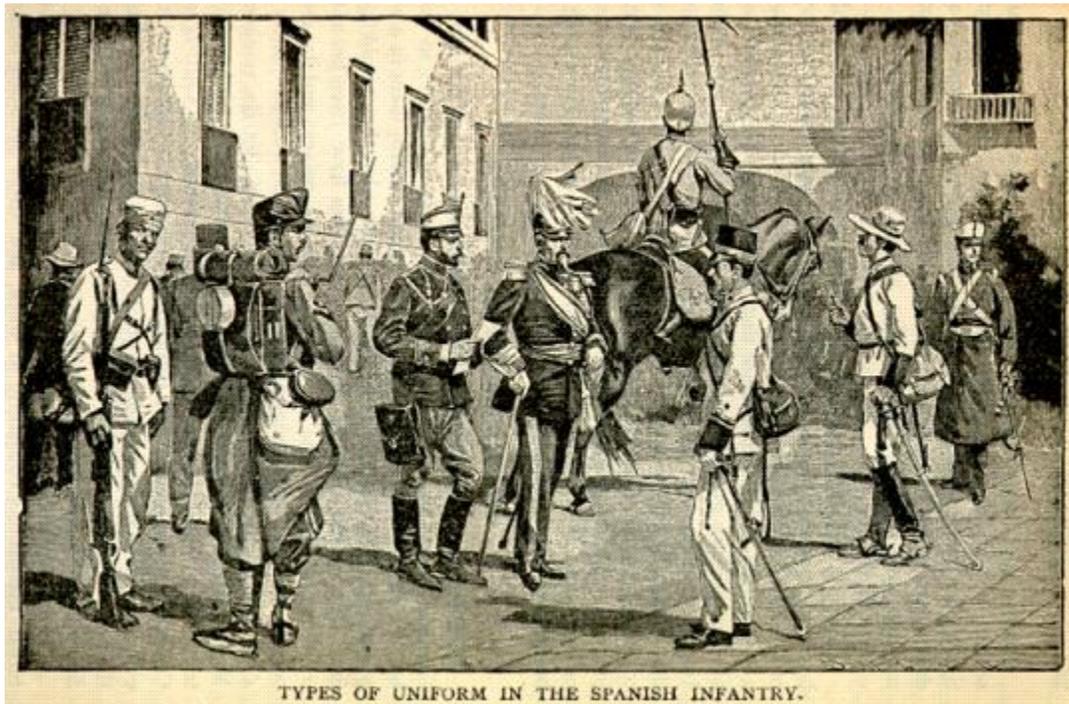
World War II

- The DPMO announced 21 AUG that the remains of a U.S. serviceman, lost in World War II, have been identified and are being returned to his family for burial with full military honors U.S. Marine Corps Pfc. **Manley F. Winkley**, 20, of Indianapolis, will be buried Aug. 24, in Marion, Ind. In Nov. 1943 Winkley as a member of the Marine Corps 2nd Division, landed on Tarawa atoll, now part of the Republic of Kiribati, against stiff Japanese resistance. Over several days of intense fighting approximately 1,000 Marines were killed and more than 2,000 were wounded. As a result of these attacks Winkley was reported killed in action on Nov. 20, 1943. In the immediate aftermath of the fighting on Tarawa, U.S. service members who died were buried in a number of battlefield cemeteries. During World War II, U.S. Navy Combat Engineers, “SeaBees,” significantly restructured the landscape to convert the island for use by the U.S. service members. In 1946 when U.S. Army Graves Registration Service personnel attempted to locate all of the battlefield interments, many of the burials could not be located. In 2012 Joint POW/MIA Accounting Command (JPAC) teams conducted excavation operations in the Republic of Kiribati and discovered human remains and equipment that appeared to be those of American servicemen from World War II. To identify the remains, scientists from JPAC and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools such as dental comparisons and radiographs, which matched Winkley’s records

Note: POW/MIA Day Posters Now Available: Order your 2013 POW/MIA Recognition Day posters from the Defense POW/MIA Office before they run out. Each full-color poster measures 11x16-inches, and shipping is free. Limit is 20 posters per order. Place your order online at http://www.dtic.mil/dpmo/pow_day.

[Source: http://www.dtic.mil/dpmo/news/news_releases/ Aug 2013 ++]

Spanish American War Images 28 ► Spanish Infantry Uniforms



Saving Money ► Sunscreen

We all know that repeated prolonged exposure to the sun will enhance our chances of developing skin cancer. In most cases this could have been avoided if the proper sunscreen was used in the proper way. Here's what Money Talks News founder Stacy Johnson has learned from board-certified dermatologists and a new sunscreen study. Check out http://www.moneytalksnews.com/2013/06/24/the-best-sunscreen-for-your-money/?utm_source=newsletter&utm_campaign=email-2013-06-24&utm_medium=email and read on for the money-saving details.

There are different kinds of skin cancer, but the deadliest is melanoma, which can start off as a harmless-looking dark mole. This year the National Cancer Institute predicts nearly 10,000 Americans will die from the disease. Melanoma thrives on sunlight, so the cheapest way to avoid it is to stay indoors. "The sun's rays are the strongest

between 10 a.m. and 4 p.m.,” says the Melanoma Research Foundation. “Use extra caution near water, snow and sand, as they reflect the damaging rays of the sun, which can increase your chance of sunburn.” Of course, staying out of the sun isn’t always an option. Nor is it fun. Hence, sunscreen. Consumer Reports conducted a comprehensive sunscreen study for its July issue. The big takeaway: “Paying more may not buy more protection. The least effective sunscreens were among the priciest.” Here’s what you need to know:

1. **SPF is more than a number.** Most of us know to apply sunscreen about 30 minutes before we go outside and to reapply every two hours if we remain outdoors. In the store, we look at the SPF on the sunscreen label, even if we don’t really know what it means. (It’s short for “sun protection factor,” which measures how much protection you get against the sun’s ultraviolet B radiation.) Common wisdom is, the higher the SPF number, the better the protection. But that’s not always true. “You can’t always rely on the SPF number,” Consumer Reports says. “Our tests this year found a bigger gap between many products’ claimed SPF values and their measured SPF values than we’ve found in the past.” Besides the SPF number, you also have to consider a couple of letters: A and B. Those are the two kinds of ultraviolet light that can cause skin damage. Look for “broad spectrum” coverage – “sunscreen that protects against all types of skin damage caused by sunlight,” says the U.S. Food and Drug Administration. And while the FDA recommends an SPF “of 15 or more,” it’s best to go for 50 or higher, the American Academy of Dermatology suggests.

2. **Watch where you spray.** The FDA warns about spray sunscreens, and it’s studying whether inhaling the mist is dangerous. But for now, experts say to avoid spraying sunscreen on your face. Instead, spray it on your hands and rub it on your face. There’s another reason to avoid spray sunscreens: Those spray bottles don’t last very long when most of it is dispersing into the air.

3. **How much is enough?** The AAD says, “Most people only apply 25-50 percent of the recommended amount of sunscreen.” It has an easy-to-remember formula. You should use at least “one ounce, enough to fill a shot glass” to cover the exposed areas of the body. The important words are at least.

4. **Getting more slather for your dollar.** Why the bigger discrepancy between claimed and measured SPF values? “It’s hard to explain the changes,” Consumer Reports admits, but it guesses that manufacturers “tweak ingredients.” That means your favorite sunscreen may be less effective this year than last, or perhaps more effective than it used to be. This year, Consumer Reports’ review of 12 sunscreens found the best value to be a Target store brand called Up & Up Sport SPF 50, a spray costing just \$1.16 an ounce. Second on the list of recommended sunscreens was also the cheapest – Walmart’s Equate Ultra Protection SPF 50 lotion at only 47 cents an ounce.

[Source: MoneyTalksNews | Michael Koretzky | 24 Jun 2013 ++]

Notes of Interest ► 16 thru 31 Aug 2013

- **COLA.** The July CPI of 230.084 is 1.4% above the FY2013 COLA baseline of 226.936.
- **BVA Bonuses.** Putting a five-year moratorium on all bonuses for senior executives at the Veterans Affairs Department would save the federal government \$18 million, according to the Congressional Budget Office.
- **Vet Jobs.** The Jos. A. Bank free suit national promotion *Uniform for Success* offer to qualifying vets needing a professional wardrobe includes all veterans regardless of their discharge date. Send qualifying documentation to contact@garysinisefoundation.org or fax to (818) 432-8999.
- **Nixon Tapes.** The final installment of secretly recorded phone calls and meetings from President Richard Nixon's White House were released 22 AUG, marking a final chapter in a campaign for public access that continues as memories of Watergate fade.

- **Obesity.** According to a new report by researchers at the Robert Wood Johnson Foundation at Columbia University, one in five American deaths can be attributed to obesity. Thirty-four percent of U.S. adults are considered overweight, and an additional 31 percent are obese.
- **Recruitment.** There are 33.1 million Americans aged 17 to 24, according to the 2012 U.S. Census, but according to the Army, only 7.7 million were eligible to join the Army. The three-fourths ruled ineligible were principally due to health, medical and/or aptitude reasons.
- **Jobs.** If you want to go into the trades, this may well be the place to start. Getting into any apprenticeship program is not easy. Check out Home Builders Institute (HBI) Pre-Apprentice Certification Training (PACT) at www.nahb.org. Free for Florida residents.
- **Government.** Congress remains on break until 9 SEP.

[Source: Various 16-31 Aug 2013 ++]



Medicare Fraud Update 128 ► Disclosures 16-31 Aug 2013

- **San Diego CA** — A 68-year-old Northern California doctor was sentenced 19 AUG to five months in prison for Medicare fraud and ordered to pay \$650,000 in restitution and forfeitures. Dr. **Irving J. Schwartz**, of Yuba City, defrauded Medicare by writing hundreds of prescriptions for expensive equipment that was not medically necessary, the U.S. Attorney's Office said. He was ordered to pay \$593,430 in restitution to Medicare and to forfeit \$55,800 he got in kickbacks. Schwartz admitted he wrote at least 186 fraudulent prescriptions for power wheelchairs, billing Medicare up to \$5,865 for each one. "In one case, Dr. Schwartz wrote two power wheelchair prescriptions for a husband and wife living in El Centro," prosecutors said in the statement. "Four years after Medicare paid for the expensive equipment, the power wheelchairs were still wrapped in the original plastic covering and sat unused in the couple's home - except during Christmas when one wheelchair was used as a Christmas tree stand. The husband and wife were both able to walk without difficulty, and they told federal agents that they never asked for the costly equipment, never needed it, and never used it." Schwartz will have to spend five months in a halfway house when he gets out of prison.
- **Mason OH** — The Mason spine surgeon accused of fraudulently billing Medicare millions of dollars for unnecessary surgeries has hired a new lawyer to defend him. Dr. **Atiq Durrani** has tapped Glenn Whitaker of downtown-based Vorys, Sater, Seymour and Pease LLP to replace attorney Bruce Whitman. Whitaker represented Durrani during a 19 AUG arraignment, in which the surgeon entered a not guilty plea to the federal charges against him. Earlier this month, a federal grand jury issued a 10-count indictment against Durrani, charging him with five counts of health care fraud and five counts of making false statements in health care matters. The indictment alleges that Durrani lied to patients, colleagues and hospitals in order to convince them that surgery was needed. Durrani even allegedly asserted "there was a risk of paralysis or the head would fall off if the patient was in a car accident because there was almost nothing attaching the

head to the patient's body," according to the indictment. Many patients treated "were left in a worse position due to the unnecessary surgeries" the indictment further states. Federal agents arrested Durrani last month at his Reading Road office on a complaint, which led to the indictment. In addition to the criminal charges, Durrani faces mounting civil lawsuits filed on behalf of former patients. Health care fraud is punishable by up to 20 years in prison. The crime of making false statements in health care matters is punishable by up to five years in prison.

- **U.S.A.** — The U.S. Department of Justice has launched a lawsuit against a pharmaceutical services firm for illegally dispensing controlled substances and defrauding Medicare in the process. The government announced their lawsuit on 9 AUG, suing PharMerica Corp for violating the False Claims Act and the Controlled Substances Act by dispensing drugs to nursing homes and facilities without physician-authorized prescriptions. The alleged scam came to light when pharmacist Jennifer Denk blew the whistle after she observed that prescriptions, including those for highly addictive drugs like fentanyl and oxycodone, were being filled with no doctor signature. After her internal complaint went unheeded, she filed a federal suit, which was unsealed and taken over by the government last week. According to the complaint, PharMerica served 300,000 residents, filled 40 million prescriptions annually and generated 45 percent of its revenue from prescription drugs paid for by Medicare. "Pharmacies are prohibited by law from dispensing **Schedule II** narcotics, which have the highest potential for abuse of any prescription drug, without a valid prescription from a physician," said Stuart Delery, assistant attorney general for the civil division of the Department of Justice, in a press release. "As we have done today, the Department of Justice will take action to protect the integrity of federal health care program funds and hold those who violate the law accountable." Denk also alleged a number of other violations in her lawsuit, including that her employer asked her to falsify records, and billed Medicare for prescriptions that were doubled billed, returned or written for dead patients.
- **Miami FL** — A patient recruiter and a therapy staffing company owner pleaded guilty today in connection with a \$7 million health care fraud scheme involving the now defunct home health care company Anna Nursing Services Corp. **Ivan Alejo**, 48, and **Hugo Morales**, 36, pleaded guilty before U.S. District Judge Jose E. Martinez in the Southern District of Florida to one count of conspiracy to commit health care fraud. At sentencing, scheduled for Nov. 5, 2013, Alejo and Morales each face a maximum penalty of 10 years in prison. Alejo worked as a patient recruiter at Anna Nursing, a home health care agency in Miami Springs, Fla., that purported to provide home health and therapy services to Medicare beneficiaries but in reality billed Medicare for expensive physical therapy and home health care services that were not medically necessary and/or were not provided. Morales owned Professionals Therapy Staffing Services Inc., which provided therapists to Anna Nursing. Alejo and his co-conspirators negotiated and paid kickbacks and bribes to patient recruiters in return for the recruiters providing patients to Anna Nursing for home health and therapy services that were medically unnecessary and/or not provided. He and others also paid kickbacks and bribes to co-conspirators in doctors' offices and clinics in exchange for home health and therapy prescriptions, medical certifications, and other documentation. Alejo and his co-conspirators would use the prescriptions, medical certifications and other documentation to fraudulently bill the Medicare program for home health care services. Morales and others created fictitious progress notes and other patient files indicating that therapists from Professionals Therapy had provided physical or occupational therapy services to particular Medicare beneficiaries, when in many instances those services had not been provided and/or were not medically necessary. Morales knew the falsified documents were used to support false claims for home health care services billed to Medicare by his co-conspirators at Anna Nursing. From approximately October 2010 through approximately April 2013, Anna Nursing was paid by Medicare approximately \$7 million for fraudulent claims for home health care services that were not medically necessary and/or not provided.

- **Henry County GA** — The owner of a Henry County personal care home was sentenced to prison for falsely claiming to be registered nurse. On Aug. 19, **Madeline Laruy** entered a non-negotiated guilty plea to one count of Medicaid Fraud and one count of False Statements and Writings in Henry County Superior Court. Laruy was sentenced to 180 days in prison, followed by four and a half years probation. She was also ordered to pay \$61,346.07 in restitution. Over the course of three years, Laruy acted as a registered nurse to patients, patient families and regulatory agencies when in fact she was not, according to investigators. She also signed documents falsely claiming to be an RN, and then submitted claims to Georgia Medicaid for improper reimbursement.
- **Los Angeles CA** — A former owner of a Los Angeles-area medical equipment supply company pleaded guilty 27 AUG to a \$2.6 million Medicare fraud scheme. **Akinola Afolabi**, 54, of Long Beach, Calif., pleaded guilty before U.S. District Judge Philip S. Gutierrez in the Central District of California to one count of health care fraud. According to court documents, Afolabi was the owner and president of Emmanuel Medical Supply, a durable medical equipment (DME) supply company located in Long Beach. Afolabi admitted that from approximately June 2006 through September 2009, he engaged in a scheme to commit health care fraud through the operation of Emmanuel by providing medically unnecessary power wheelchairs and other DME to Medicare beneficiaries and by submitting false and fraudulent claims to Medicare. Afolabi admitted that he obtained Medicare beneficiary information through various means, including “marketers,” whom he paid to refer Medicare beneficiaries to Emmanuel for the purpose of using that information to submit, and cause the submission of, false and fraudulent claims to Medicare on behalf of Emmanuel. Afolabi admitted knowing that the prescriptions and medical documents were fraudulent and that some of the beneficiaries did not receive the DME, yet he certified to Medicare with the submission of each claim that the DME was received and was medically necessary. From approximately June 7, 2006, through Sept. 28, 2009, Afolabi, through Emmanuel, submitted approximately \$2,668,384 in fraudulent claims to Medicare for power wheelchairs and related services, and Medicare paid Emmanuel approximately \$1,490,532 on those claims. At sentencing, scheduled for Nov. 25, 2013, Afolabi faces a maximum penalty of 10 years in prison and a \$250,000 fine.

[Source: Various 16-31 Aug 2013 ++]

Medicaid Fraud Update 92 ► Disclosures 16-31 Aug 2013

- **Milwaukee WI** — **George Woods**, Jr. of Milwaukee has been charged with three counts of Medicaid fraud, three counts of unauthorized use of personal identification information, three counts of Medicaid fraud as a party to the crime, and one count of prohibited racketeering activity. According to the criminal complaint, Woods was engaged in a scheme to defraud the Wisconsin Medicaid program by the submission of claims for payment for the provision of durable medical equipment (DME) used for orthotic purposes. Woods had submitted an application to Wisconsin Medicaid to become a DME provider under the name Woods Medical Supply. He was granted a provider number and the authorization to bill Medicaid for services provided. The claims that he submitted were primarily for halo cervical devices, tension scoliosis devices, and KAFO devices used to support the knee-ankle-foot. An investigation revealed that the recipients for whom the devices were allegedly provided did not know Woods, nor did they have need for such orthotic devices. Woods received \$21,558.96 for the false claims. Woods enlisted three others to complete applications to become DME providers with Wisconsin Medicaid under their own business names. All three were granted provider numbers and the authorization to bill Medicaid. Woods then began

to submit claims using the provider numbers for those businesses. Those three individuals were instructed to open bank accounts for their businesses and when payments were received from the Medicaid program as reimbursement for claims made by their companies, they were instructed either to cash the checks and give the money to Woods or to deposit the money for withdrawal at a later date at which time the money would be given to Woods. Woods would occasionally return a portion of the money to them. Thomas, Danley, and Jarrett were each convicted of multiple counts of Medicaid fraud in 2012. Woods appeared in Milwaukee County Circuit Court on August 14, waived his right to a preliminary hearing and entered a plea of not guilty. The next appearance is scheduled for September 19.

- **Milwaukee WI** — A man faces charges related to a scheme to defraud the Wisconsin Medicaid Program involving false claims for funeral expenses. **Douglas Patton** has been charged with one count of Medicaid fraud, one count of forgery as a party to the crime, one count of engaging in the business of a funeral director without having a licensed funeral director in charge, one count of theft by fraud, and one count of theft. According to the criminal complaint, Patton was engaged in a scheme to defraud the Wisconsin Medicaid program by the submitting a false claim for payment under the Wisconsin Funeral and Cemetery Aids Program and by forging documents to support his false claim. Patton submitted an application for payment of a claim to MDHHS that was both falsely inflated and also contained a forged signature. An investigation revealed that the next-of-kin whom Patton claimed signed the application form on behalf of the deceased that purportedly supported his claim for services did not, in fact, sign the application form. Patton applied for – and was paid – \$1,500 for the false claim. The complaint further alleges that Patton engaged in a scheme to defraud the State by falsely claiming to have performed funeral services that were not performed, and by selling burial goods that were not provided. An investigation revealed that Patton charged for funeral and burial services including embalming, dressing/casketing, facilities and equipment, visitation, and a casket when the deceased was cremated, not buried, and no visitation or wake was held. The next-of-kin whom Patton claimed signed the Statement of Funeral Goods and Services Selected that purportedly supported his claim for services did not, in fact, sign the statement. Patton was paid \$2,010.44 for the false claim. The complaint further alleges that Patton was operating his business, Patton Funeral Services, without a licensed funeral director in charge associated with it as required by state law.
- **New York** — A respected New York spine surgeon is being ordered to pay the government almost \$400,000 to settle charges he overbilled Medicare. Federal Justice Department officials said Wednesday that **Richard S. Obedian** inflated reimbursements by using incorrect billing codes Assistant Attorney General Stuart Delery says the Long Island orthopedic surgeon submitted the false claims throughout 2005. Obedian must pay \$388,000. A graduate of Columbia University medical school, he was a fellow at New York's Hospital for Special Surgery before practicing on Long Island for about the past dozen years.
- **Charleston SC** — A federal jury in Charleston has convicted two men on charges of conspiracy to commit health care fraud, money laundering conspiracy and four counts of wire fraud in connection with fraudulent billing to Medicaid for the for-profit youth mentoring service that the pair operated. United States Attorney Bill Nettles identified the defendants as **Truman Levi Lewis** of Charlotte and **Norman Devi Lewis** of Georgetown. Evidence presented during the trial showed that the two men billed Medicaid for more than \$9 million in a 22-month period, with much of the billing being fraudulent, Nettles said. The defendants ran a for-profit youth mentoring service called Helping Hands Youth and Family Services, which had offices in Georgetown, Conway, Rock Hill and Columbia. The defendants billed for weekends when children were not seen, for periods of time before children were in the program, for periods of time after the children had left the program, billed for children who had no diagnosis to justify billing; as well as other fraudulent billings, Nettles said. The jury also found that the defendants' property was subject to forfeiture, to include: two Bentleys, three Mercedes, two homes, more than \$600,000 in certificates of

deposit and bank accounts and numerous other cars. Nettles said the maximum penalty for conspiracy to commit health care fraud is imprisonment for 10 years and a fine; the maximum penalty for money laundering conspiracy is imprisonment for 20 years and a fine; and the maximum penalty for wire fraud is imprisonment for 20 years and a fine

- **Baton Rouge LA** -- Three members of a Folsom family face a combined 24 felony charges, including racketeering and criminal conspiracies to commit Medicaid fraud, arising from more than \$400,000 in Medicaid-funded care paid on behalf of a disabled relative, the state Attorney General's Office said 28 AUG. Attorney General Buddy Caldwell said investigators with its Medicaid Fraud Control Unit and the St. Tammany Parish Sheriff's Office arrested **Donna Sue Davis**, 48, her husband, **Randall Duane Davis**, 49, and her niece, **Rachel Wedekind**, 36. Each is accused of engaging in a criminal conspiracy to present false claims for payment to the state's Medicaid program for services that were not rendered as billed. The charges allegedly stem from a criminal enterprise establishing a network of direct service workers from immediate family members who were paid wages to care for a disabled relative 24 hours per day, seven days a week. The alleged criminal activity occurred between Jan. 1, 2009, and Aug. 21 and was billed through the Medicaid provider, My Purpose Community Service, Inc. of Slidell. Investigators were also advised that the trio had allegedly committed cruelty to the infirmed by the intentional and criminally negligent mistreatment of the disabled relative — a completely bed-ridden, adult paraplegic suffering from cerebral palsy — by leaving the relative unattended in the evening hours and by exposing him to personal injuries caused by two Capuchin monkeys. Donna Davis and her husband are also accused of using the disabled relative's Social Security disability benefits and wages paid to the relative's caretakers for their own personal gain.

[Source: Various 16-31 Aug 2013 ++]

Medicare Reimbursement Rates 2014 Update 02 ► H.R.2810 Problem

The price tag for a bill to repeal and replace Medicare's sustainable growth rate (SGR) payment formula could cost significantly more than just repealing it, congressional staffers said. Lawmakers have worked with greater tenacity this year to repeal the SGR, in part because of a lower price to repeal the formula, which has drawn broad disdain. The Congressional Budget Office (CBO) said earlier this year it would cost \$138 billion -- more than \$100 billion less than it had estimated in years prior -- to do away with the system. But the first "repeal and replace" proposal to emerge from the current Congress, which came from the House Energy and Commerce Committee this summer, is believed to add far more to that price tag, making the task of paying for the legislation that much more difficult, the staffers said Wednesday at a background briefing sponsored by the Alliance for Health Reform.

Under the Statutory Pay-As-You-Go Act, Congress must ensure that most new spending is offset by spending cuts or added revenue elsewhere. But the first SGR bill, H.R. 2810, the Medicare Patient Access and Quality Improvement Act, adds several new items of spending. First, Medicare would provide 5 years of 0.5% reimbursement increases each year. Then, starting in 2019, physicians could choose to report certain quality measures and have traditional fee-for-service payments adjusted based on how they compare with their peers on those measures. Physicians could receive a 1% bonus if they perform well or a 1% penalty in payments if they don't. Physicians may opt out of this quality-incentive program if they participate in an alternative payment model such as a patient-centered medical home, accountable care organization, or some yet-to-be-determined model. The bill cleared the House Energy and Commerce Committee unanimously on 31 JUL, but offered no way to pay for itself.

A CBO spokeswoman said 29 AUG the office was working on estimating the bill's 10-year cost but couldn't provide a time frame for completion. The congressional staffers didn't say 28 AUG what they thought the bill would cost. But lawmakers and lobbyists have long held that the difficult stumbling block in finally putting the death knell in the SGR will be finding a way to pay for a repeal and replacement in a budget-constrained Washington. That's why a sizable price tag on H.R.2810 presents an even larger challenge for its passage, the congressional staffers said. In the meantime, the Senate Finance Committee and House Ways and Means Committee are still crafting their own versions of the bills, staffers on the committees said, but neither has released legislative language. Each -- unlike the Energy and Commerce bill -- will come with payment options.

The Republican-controlled Ways and Means Committee -- which hopes potentially to use the SGR as an avenue to tackle broader Medicare reforms -- has fielded input on several cost-saving measures. But those ideas are likely to be strongly opposed by Democrats since they increase patient cost-sharing, a move Democrats dislike. Despite the remaining challenges, replacing the SGR remains Congress' No. 1 non-Affordable-Care-Act-related health policy issue, the staffers said. They added there is no hard timeline for getting an SGR bill finally signed into law, but the SGR -- if it's still in place -- would require another annual fix at the end of this year to prevent a round of roughly 25% pay cuts to providers from taking effect. [Source The Gupta Guide | David Pittman | 30 Aug 2013 ++]

Editor's Note: Since TRICARE physician reimbursement rates for care provided to veterans and their dependents are tied to Medicare reimbursement rates, legislation to replace the SGR formula will impact on the number of physicians willing to accept TRICARE patients.

HIPAA Privacy Standards Update 01: CVS ExtraCare Rewards Program



Since February, [CVS Caremark](#) has been pushing its pharmacists to enroll customers in a prescription-drug rewards program. The benefit to customers is the opportunity to earn up to \$50 a year in store credits that can be used to buy shampoo, toothpaste or other products. The benefit to CVS is persuading pharmacy customers, through questionable means, to give up federal privacy safeguards for their medical information and permitting the company to share people's drug purchases with others. "It's very troubling," said Paul Stephens, director of policy and advocacy for the Privacy Rights Clearinghouse in San Diego. "Your medical information is very sensitive," he said. "Pharmaceutical companies obviously would want to know what you're taking and get you to buy more expensive medicines." [Walgreens](#) and Rite-Aid have their own rewards programs for [prescription drugs](#). But officials at each company said they don't require customers to relinquish federal privacy protections.

CVS announced 4 FEB that it was expanding its ExtraCare rewards program to include prescription drug purchases. The new program, ExtraCare Pharmacy & Health Rewards, allows customers to earn \$5 worth of store credits for every 10 prescriptions filled, up to \$50 a year. "Pharmacy is the heart of our business, and we know how important it is to help our customers manage multiple prescriptions and adhere to their medication therapy," said

Rob Price, senior vice president and chief marketing officer for CVS' drugstore operations. "This new program expands the ExtraCare rewards customers love, encouraging our customers to more proactively manage their overall health." Clearly, however, there's more to the program than that. The fine print on CVS' website says that "each person must sign a HIPAA Authorization to join" and that "you must re-sign the HIPAA Authorization once per year to retain active enrollment." Among the site's frequently asked questions for the program is, "Why do I need to sign a HIPAA Authorization?" The answer: "The HIPAA Authorization allows CVS/pharmacy to record the prescription earnings of each person who joins the ExtraCare Pharmacy & Health Rewards program."

Nowhere does CVS clarify what HIPAA is. It's a serious omission. HIPAA is the federal Health Insurance Portability and Accountability Act of 1996. It's a privacy law that, according to the U.S. Department of Health & Human Services, "gives you rights over your health information and sets rules and limits on who can look at and receive your health information." Basically, HIPAA requires insurers, hospitals, doctors, dentists and pharmacies to keep your medical information under wraps. Breaking the law can result in civil and criminal penalties, including prison terms and fines of up to \$1.5 million for each violation. What CVS calls a "HIPAA Authorization," therefore, is not to be taken lightly. Nor is it simply a matter of allowing the company "to record the prescription earnings" of ExtraCare members, as CVS indicates during the final stage of the enrollment process. That last step is where you encounter a screen saying you acknowledge that "my health information may potentially be re-disclosed and thus is no longer protected by the federal Privacy Rule."

CVS takes the liberty of assuming you know that HIPAA and the "federal Privacy Rule" are one and the same, although it has nowhere made the connection clear. The company also assumes you are aware of what it means to no longer be protected by HIPAA, although, again, it hasn't spelled out the implications of giving up your HIPAA rights. Nor has CVS disclosed with whom your previously confidential medical information may be shared and for what purposes. HIPAA prevents drugstores from sharing customers' confidential medical information with insurers, pharmaceutical companies, marketers and anyone else with an interest in what medicines people are taking, said Andrew Hicks at Coalfire Systems, a consulting firm that helps clients comply with HIPAA regulations. "Without HIPAA, they could be shipping data to who knows where," he said. "As a consumer, you'd have no idea where your information is."

Mike DeAngelis, a CVS spokesman, said the ExtraCare Pharmacy & Health Rewards program gives members more ways to earn rewards for actions they take to stay healthy, such as filling prescriptions and getting a flu shot. "We have extensive procedures, stringent policies and state-of-the-art technology in place to protect our customers' personal and health information," he said. "We do not sell, rent or give personal information to any non-affiliated third parties." By signing the HIPAA release, DeAngelis said, "customers are authorizing ExtraCare only to count the number of prescriptions they are filling as an individual," which allows CVS to determine how much in store credits to allot. He declined to answer when I asked if CVS believes it is adequately disclosing what HIPAA is or what the potential ramifications could be for those who forgo their privacy rights. DeAngelis also declined to say what CVS means by stating that customers' health information "may potentially be re-disclosed." Nor would he comment on an internal memo shared with me by a CVS pharmacist showing that the company sets weekly targets for enrolling customers in its pharmacy rewards program. One other thing DeAngelis declined to address: Why CVS requires customers to sign a HIPAA release when rivals Walgreens and Rite-Aid do not for their own rewards programs. All he'd say was that he doesn't believe Walgreens and Rite-Aid "are rewarding customers based on the number of prescriptions filled."

Rite-Aid's wellness+ card offers points every time a prescription is refilled. Points can be redeemed for, among other things, restaurant gift certificates, magazine subscriptions and gym memberships. "We do not require customers enrolling in wellness+ to waive their HIPAA privacy rights because we do not disclose or share patients' medical information enrolled in this program," said Ashley Flower, a Rite-Aid spokeswoman. Walgreens' Balance Rewards program also offers points for prescription refills. Points can be redeemed for cash discounts on store

purchases. Rite-Aid and Walgreens have found ways to reward drug customers without violating their HIPAA protections. What is it about CVS' program that necessitates customers abandoning their federal privacy rights? CVS isn't saying. But \$50 worth of store credits is hardly fair compensation for such a marketing prize. [Source: Los Angeles Times | David Lazarus | 15 Aug 2013 ++]

State Veteran's Benefits ► New Jersey

The state of New Jersey provides several benefits to veterans as indicated below. To obtain information on these plus discounts listed on the Military and Veterans Discount Center (MCVDC) website, refer to the attachment to this Bulletin titled, “**Vet State Benefits & Discounts – NJ**” for an overview of the below those benefits. Benefits are available to veterans who are residents of the state. For a more detailed explanation of each of the following refer to <http://www.nj.gov/military> & <http://militaryandveteransdiscounts.com/location/new-jersey.html>.

- Housing Benefits
- Financial Assistance Benefits
- Employment Benefits
- Education Benefits
- Other State Veteran Benefits
- Discounts

[Source: <http://www.military.com/benefits/veteran-state-benefits/new-jersey-state-veterans-benefits.html> Aug 2013 ++]

Military History Anniversaries ► Sep 1–15 Summary

Significant September events in U.S. Military History are:

- Sep 01 1862 – Civil War: Battle of Chantilly – Confederate forces attack retreating Union troops in Chantilly, Virginia.
- Sep 01 1864 – Civil War: Confederate General John Bell Hood evacuates Atlanta, Georgia after a four-month siege by General Sherman.
- Sep 01 1939 – WW2: Nazi Germany attacks Poland beginning the war in Europe.
- Sep 01 1950 – Korean War: 13 North Korean divisions open assault on UN lines
- Sep 01 1982 – The United States Air Force Space Command is founded
- Sep 01 1983 – Cold War: Korean Boeing 747 strays into Siberia & is shot down by a Soviet jet. All 269 on board are killed, including United States Congressman Lawrence McDonald.
- Sep 02 1864 – Civil War: Union forces enter Atlanta, Georgia a day after the Confederate defenders flee the city.
- Sep 02 1898 – Machine gun 1st used in battle
- Sep 02 1945 – WW2: V–J Day. Combat ends in the Pacific Theater: The final official surrender of Japan is accepted aboard the battleship USS Missouri in Tokyo Bay.
- Sep 02 1958 – Cold War: United States Air Force C–130A–II is shot down by fighters over Yerevan, Armenia when it strays into Soviet airspace while conducting a SIGINT mission. All the crew were lost.
- Sep 03 1777 – American Revolution: During the Battle of Cooch's Bridge, the Flag of the United States is flown in battle for the first time.

- Sep 03 1783 – American Revolution: The war ends with the signing of the Treaty of Paris by the United States and the Kingdom of Great Britain. America is officially free from Britain
- Sep 03 1855 – Indian Wars: In Nebraska, 700 soldiers under American General William S. Harney avenge the Grattan Massacre by attacking a Sioux village, killing 100 men, women, and children.
- Sep 03 1861 – Civil War: Confederate General Leonidas Polk invades neutral Kentucky, prompting the state legislature to ask for Union assistance.
- Sep 03 1916 – WWI: Allies turned back Germans in WW I's Battle of Verdun.
- Sep 03 1939 – WW2: The United Kingdom and France begin a naval blockade of Germany that lasts until the end of the war. This also marks the beginning of the Battle of the Atlantic.
- Sep 03 1941 – WW2: 1st use of Zyklon-B gas in Auschwitz (on Russian prisoners of war)
- Sep 03 1943 – WW2: The allied invasion of Italy began.
- Sep 04 1812 – War of 1812: The Siege of Fort Harrison begins when the fort is set on fire.
- Sep 04 1862 – Civil War: Maryland Campaign – Gen Lee invades North with 50,000 Confederate troops
- Sep 04 1886 – Indian Wars: After almost 30 years of fighting, Apache leader Geronimo surrenders with his remaining warriors to General Nelson Miles in Arizona ending last major US–Indian war.
- Sep 04 1918 – WWI: U.S. troops land in Archangel, Russia, stay 10 months
- Sep 04 1923 – Maiden flight of the first U.S. airship, the USS Shenandoah.
- Sep 04 1941 – WW2: A German submarine makes the first attack against a United States ship (the USS Greer).
- Sep 04 1967 – Vietnam: Operation Swift begins: U.S. Marines engage the North Vietnamese in battle in the Que Son Valley.
- Sep 05 1781 – American Revolution: Battle of the Chesapeake – The British Navy is repelled by the French Navy, leading to the British surrender at Yorktown.
- Sep 05 1812 – War of 1812: The Siege of Fort Wayne begins when Chief Winamac's forces attack two soldiers returning from the fort's outhouses.
- Sep 05 1862 – Civil War: The Potomac River is crossed at White's Ford in the Maryland Campaign.
- Sep 05 1877 – Indian Wars: Oglala Sioux chief Crazy Horse is bayoneted by a United States soldier after resisting confinement in a guardhouse at Fort Robinson in Nebraska.
- Sep 05 1939 – WW2: FDR declares US neutrality at start of WW II in Europe
- Sep 05 1942 – WW2: Japanese high command orders withdrawal at Milne Bay, first Japanese defeat in the Pacific War.
- Sep 05 1943 – WW2: The 503rd Parachute Infantry Regiment lands and occupies Nazdab, near Lae in the Salamaua–Lae campaign.
- Sep 05 1945 – Cold War: Igor Gouzenko, a Soviet Union embassy clerk, defects to Canada, exposing Soviet espionage in North America, signaling the beginning of the Cold War.
- Sep 05 1969 – Vietnam: My Lai Massacre – U.S. Army Lt. William Calley is charged with six specifications of premeditated murder for the death of 109 Vietnamese civilians in My Lai.
- Sep 05 1970 – Vietnam: Operation Jefferson – The United States 101st Airborne Division and the South Vietnamese 1st Infantry Division initiate a new operation in Thua Thiên–Hue Province.
- Sep 06 1861 – Civil War: Forces under Union General Ulysses S. Grant bloodlessly capture Paducah, Kentucky, which gives the Union control of the mouth of the Tennessee River.
- Sep 07 1776 – American Revolution: According to American colonial reports, Ezra Lee makes the world's first submarine attack in the Turtle, attempting to attach a time bomb to the hull of HMS Eagle in
- Sep 07 1863 – Civil War: Confederates evacuate Battery Wagner and Morris Island in South Carolina.
- Sep 07 1864 – Civil War: Atlanta, Georgia, is evacuated on orders of Union General William Tecumseh Sherman.

- Sep 07 1942 – WW2: Australian and US forces inflict a significant defeat upon the Japanese at the Battle of Milne Bay.
- Sep 07 1945 – WW2: Japanese forces on Wake Island, which they had held since December of 1941, surrender to U.S. Marines.
- Sep 07 1965 – Vietnam: In a follow-up to August's Operation Starlight, United States Marines and South Vietnamese forces initiate Operation Piranha on the Batangan Peninsula.
- Sep 07 1976 – Cold War: Soviet Air Force pilot Lt. Viktor Belenko lands a MiG-25 jet fighter at Hakodate on the island of Hokkaid in Japan and requests political asylum in the United States.
- Sep 08 1863 – Civil War: Second Battle of Sabine Pass – on the Texas-Louisiana border at the mouth of the Sabine River, a small Confederate force thwarts a Union invasion of Texas.
- Sep 08 1923 – Honda Point Disaster: Nine US Navy destroyers run aground off the California coast. Seven are lost, and twenty-three sailors killed.
- Sep 08 1943 – WW2: Gen Eisenhower announced unconditional surrender of Italy in WW II.
- Sep 08 1943 – WW2: The O.B.S. (German General Headquarters for the Mediterranean zone) in Frascati is bombed by USAAF.
- Sep 08 1945 – Cold War: United States troops arrive to partition the southern part of Korea in response to Soviet troops occupying the northern part of the peninsula a month earlier.
- Sep 08 1951 – Treaty of San Francisco: In San Francisco, California, 48 nations sign a peace treaty with Japan in formal recognition of the end of the Pacific War.
- Sep 08 1975 – USAF Tech Sergeant Leonard Matlovich, a decorated veteran of the Vietnam War, appears in his Air Force uniform on the cover of Time magazine with the headline "I Am A Homosexual". He is later given a general discharge.
- Sep 09 1914 – WWI: Battle of Marne. German advance stalls, Paris saved .
- Sep 09 1942 – WW2: First bombing on continental U.S. soil. A Japanese floatplane drops an incendiary bomb on Mount Emily, Oregon.
- Sep 09 1943 – WW2: USS Grayling (SS-209). Most likely rammed and sunk by Japanese transport Hokuan Maru, South China Sea west of Luzon. 76 killed
- Sep 10 1776 – American Revolution: George Washington asks for a spy volunteer, Nathan Hale volunteers.
- Sep 10 1813 – War of 1812: Battle of Lake Erie. U.S. Naval Captain Oliver Hazard Perry defeats a British flotilla.
- Sep 10 1863 – Civil War: The Union Army enters Chattanooga, Tennessee.
- Sep 10 1919 – Latin America Interventions: Honduras. U.S. Marines land during election campaign.
- Sep 10 1942 – WW2: A Japanese floatplane drops incendiary bombs on Oregon.
- Sep 10 1943 – WW2: The Allies land at Salerno and Taranto, Italy.
- Sep 11 1776 – British-American peace conference on Staten Island fails to stop nascent American Revolutionary War.
- Sep 11 1777 – American Revolution: Battle of Brandywine – The British celebrate a major victory in Chester County, Pennsylvania.
- Sep 11 1813 – War of 1812: British troops arrive in Mount Vernon and prepare to march to and invade Washington D.C..
- Sep 11 1814 – War of 1812: The climax of the Battle of Plattsburgh, a major United States victory in the war.
- Sep 11 1919 – U.S. Marines invade Honduras.
- Sep 11 1941 – WW2: FDR orders any Axis ship found in American waters be shot on sight.
- Sep 11 1944 – WW2: The first Allied troops of the U.S. Army cross the western border of Germany.
- Sep 11 1965 – Vietnam: The 1st Cavalry Division of the United States Army arrives in country.

- Sep 11 2001 – 911: 2,996 people are killed when terrorists hijack four passenger planes crashing two into New York's World Trade Towers causing the collapse of both. Another headed toward Washington likely to strike the White House or Capitol. Plane crashed just over 100 miles away in Pennsylvania after passengers stormed the cockpit and overpowered the hijackers.
- Sep 11 2001 – 911: Terrorists hijack a passenger plane and crash it into the Pentagon causing the death of 125 people.
- Sep 11 2012 – Patriot Day established to remember those who perished in the attack on the United States by radical Islamic terrorists.
- Sep 12 1814 – War of 1812: Battle of North Point – An American detachment halts the British land advance to Baltimore.
- Sep 12 1847 – Mexican–American War: The Battle of Chapultepec begins.
- Sep 12 1862 – Civil War: Battle of Harpers Ferry VA.
- Sep 12 1918 – WWI: St Mihiel France. First U.S. Operation and Victory by an Independent American Army.
- Sep 12 1942 – WW2: First day of the Battle of Edson's Ridge during the Guadalcanal campaign. U.S. Marines protecting Henderson Field on Guadalcanal are attacked by Imperial Japanese Army forces.
- Sep 12 1944 – WW2: U.S. Army troops enter Germany for 1st time.
- Sep 13 1814 – War of 1812: In a turning point of the war the British fail to capture Baltimore, Maryland. During the battle, Francis Scott Key composes his poem "Defence of Fort McHenry", which is later set to music and becomes the United States' national anthem.
- Sep 13 1847 – American–Mexican War: U.S. forces under General Winfield Scott capture Mexico City effectively ending the war.
- Sep 13 1847 – Mexican–American War: Six teenage military cadets known as Niños Héroes die defending Chapultepec Castle in the Battle of Chapultepec. Sep 13 1862 – Civil War: Union soldiers find a copy of Robert E. Lee's battle plans in a field outside Frederick, Maryland. It is the prelude to the Battle of Antietam.
- Sep 13 1861 – Civil War: 1st naval battle of the war. Union frigate "Colorado" sinks privateer "Judah" off Pensacola, Fla.
- Sep 13 1900 – Philippine-American War: Filipino resistance fighters defeat a small American column in the Battle of Pulang Lupa.
- Sep 13 1942 – WW2: Second day of the Battle of Edson's Ridge in the Guadalcanal campaign. U.S. Marines successfully defeated attacks by the Imperial Japanese Army with heavy losses for the Japanese forces.
- Sep 13 1951 – Korean War: Battle of Heart Break Ridge began.
- Sep 14 1862 – Civil War: The Battle of South Mountain, part of the Maryland Campaign, is fought.
- Sep 15 1776 – American Revolution: British forces capture Kip's Bay Manhattan.
- Sep 15 1862 – Civil War: Confederate forces capture Harpers Ferry, Virginia.
- Sep 15 1914 – Vera Cruz Incident: U.S. Marines march out of Vera Cruz, Mexico.
- Sep 15 1916 – WWI: 1st tank used in war, "Little Willies" at Battle of Flors, France
- Sep 15 1942 – WW2: U.S. Navy aircraft carrier USS Wasp is torpedoed at Guadalcanal.
- Sep 15 1944 – WW2: Battle of Peleliu begins as the United States Marine Corps' 1st Marine Division and the U.S. Army's 81st Infantry Division hit White and Orange beaches under heavy fire from Japanese infantry and artillery.
- Sep 15 1950 – Korean War: UN forces land at Inchon in South Korea.
- Sep 15 1962 – Cold War: The Soviet ship Poltava heads toward Cuba, one of the events that sets into motion the Cuban Missile Crisis.

[Source: Various Aug 2013 ++]

Military Trivia 81 ► Mythical Cruise of the USS Constitution

TIDBIT OF NAVAL HISTORY.

The U.S.S. Constitution (Old Ironsides), as a combat vessel, carried 48,600 gallons of fresh water for her crew of 475 officers and men. This was sufficient to last six months of sustained operations at sea. She carried no evaporators (i.e. fresh water distillers).

However, let it be noted that according to her ship's log, "On July 27, 1798, the U.S.S. Constitution sailed from Boston with a full complement of 475 officers and men, 48,600 gallons of fresh water, 7,400 cannon shot, 11,600 pounds of black powder and 79,400 gallons of rum ." Her mission: "To destroy and harass English shipping."

Making Jamaica on 6 October, she took on 826 pounds of flour and 68,300 gallons of rum.

Then she headed for the Azores , arriving there 12 November. She provisioned with 550 pounds of beef and 64,300 gallons of Portuguese wine .

On 18 November, she set sail for England . In the ensuing days she defeated five British men-of-war and captured and scuttled 12 English merchant ships, salvaging only the rum aboard each.

By 26 January, her powder and shot were exhausted. Nevertheless, although unarmed she made a night raid up the Firth of Clyde in Scotland . Her landing party captured a whiskey distillery and transferred 40,000 gallons of single malt Scotch aboard by dawn. Then she headed home.

The U. S. S. Constitution arrived in Boston on 20 February 1799, with no cannon shot, no food, no powder, no rum , no wine , no whiskey , and 38,600 gallons of water . GO NAVY!

This myth of maritime warfare has been around a long time. It can be found in numerous places on the Internet and was indeed published verbatim in Navy News some time back. However, historical fact does not support all the claims and if you do the calculations, there is no way each member of the crew could drink 1.9 gallons rum/wine/whiskey per man per day for six months. Still, never let the truth get in the way of a good story. For a more realistic look at the Constitutions' voyage refer to the attachment to this Bulletin titled, "**USS Constitution Mythical Cruise**". [Source: Snopes & Lieutenant Tom Lewis, Royal Australian Naval College, Jervis Bay 16 Aug 2001 ++]

Tax Burden for Alabama Retirees ► As of Aug 2013

Many people planning to retire use the presence or absence of a state income tax as a litmus test for a retirement destination. This is a serious miscalculation since higher sales and property taxes can more than offset the lack of a state income tax. The lack of a state income tax doesn't necessarily ensure a low total tax burden. States raise revenue in many ways including sales taxes, excise taxes, license taxes, income taxes, intangible taxes, property

taxes, estate taxes and inheritance taxes. Depending on where you live, you may end up paying all of them or just a few. Following are the taxes you can expect to pay if you retire in **Alabama**.

Sales Taxes

State Sales Tax: 4% (prescription drugs exempt); The rate can go as high as 12.0% depending on city and county taxes. The state administers over 200 different city and county sales taxes; however, it does not administer all county or city sales taxes. There is a 3% tax on food sold through vending machines; 2% on sales of motor vehicles, mobile homes and motorboats; and 4% on sales of tangible personal property.

Gasoline Tax: 39.3 cents/gallon (Includes all taxes)

Diesel Fuel Tax: 46.3 cents/gallon (Includes all taxes)

Cigarette Tax: 42.5 cents/pack of 20

Personal Income Taxes

Tax Rate Range: Low – 2.0%; High – 5.0%

Income Brackets: Three. Lowest – \$500; Highest – \$3,000 (For joint returns, the taxes are twice the tax imposed on half the income.)

Personal Exemptions: Single – \$1,500; Married – \$3,000; Dependents – \$500

Standard Deduction: Single – \$2,000; Married filing joint return – up to \$7,500 based on state AGI and filing status.

Medical/Dental Deduction: Limited to excess of 4% of adjusted gross income. However, you may deduct 50 percent of the premiums you pay for health insurance if you work for an employer that has less than 25 employees.

Federal Income Tax Deduction: Full

Retirement Income Taxes: Social Security, military, civil service, state/local government and qualified private pensions are exempt. All out-of-state government pensions are tax-exempt if they are defined benefit plans.

Retired Military Pay: Pay and survivor benefits not taxed.

Military Disability Retired Pay: Retirees who entered the military before Sept. 24, 1975, and members receiving disability retirements based on combat injuries or who could receive disability payments from the VA are covered by laws giving disability broad exemption from federal income tax. Most military retired pay based on service-related disabilities also is free from federal income tax, but there is no guarantee of total protection.

VA Disability Dependency and Indemnity Compensation: VA benefits are not taxable because they generally are for disabilities and are not subject to federal or state taxes.

Military SBP/SSBP/RCSBP/RSFPP: Generally subject to state taxes for those states with income tax. Check with state department of revenue office.

Property Taxes

The state does not collect taxes on personal property such as boats and computers. Its ad valorem (property tax) is 6.5 mills (<http://216.226.178.107/Taxincentives/proptaxincentives.html>). Each city and county may levy and has its own millage rate. For information on all ad valorem tax exemptions refer to <http://www.revenue.alabama.gov/advalorem/exemptions/exemptions.cfm>.

Homeowners 65 and older are exempt from all state property taxes. Some cities also assess separate property taxes. A homestead exemption up to \$5,000 of assessed value is granted by the state on real property taxes. A larger exemption is available to persons over 65. Visit state's property tax division web site at <http://revenue.alabama.gov/advalorem/index.cfm>. To view the state's homestead summary chart refer to <http://revenue.alabama.gov/advalorem/homesteads.cfm>.

Taxpayers are allowed to take a deduction on their individual returns for amounts contributed to a catastrophic (hurricanes, floods and storms) savings account. If the qualified deductible is \$1,000 or less, the maximum

contribution is \$2,000. If the qualified deductible is more than \$1,000, the maximum contribution is the smaller of (a) \$15,000 or (b) twice the qualified deductible.

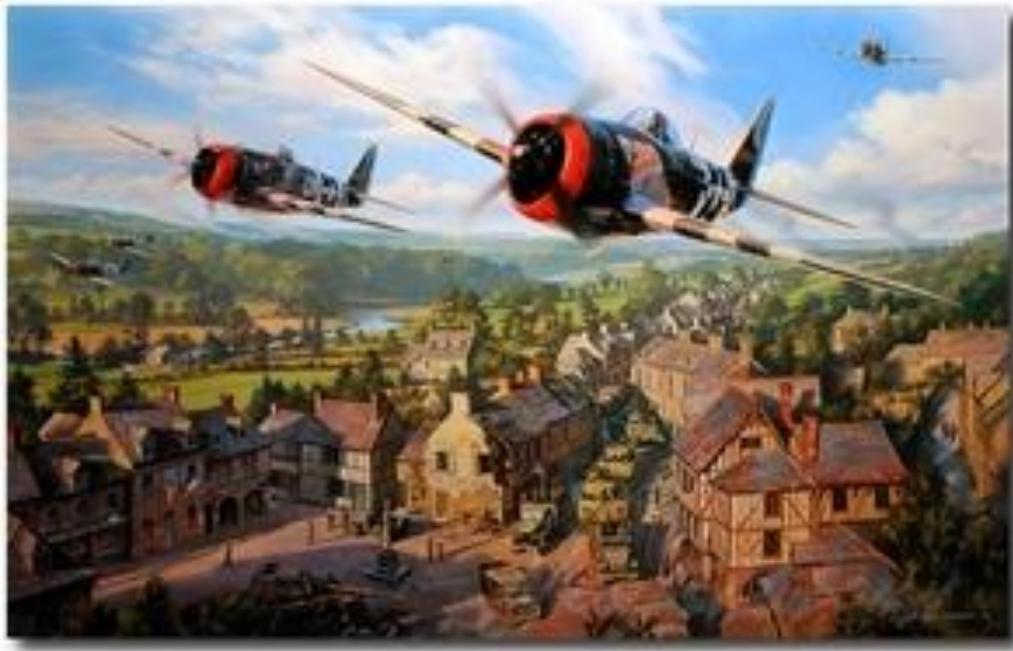
Inheritance and Estate Taxes

Alabama does not impose a separate state estate or inheritance tax. It has what is known as a “pickup” or “sponge” tax, which means the state collects the maximum credit allowed on the federal estate tax return for “state death taxes.”

For further information, visit the Alabama Department of Revenue site <http://revenue.alabama.gov/index.cfm> or call 334-242-1512 or 256-837-2319. If you are thinking about retiring to Alabama check out <http://www.ador.state.al.us/taxpayerassist/retire.pdf>.

[Source: <http://www.retirementliving.com/taxes-alabama-iowa> Aug 2013 ++]

Aviation Art 46 ► Advance Into Europe



Advance Into Europe **by Nicolas Trudgian**

A typical 56th Fighter Group interdiction mission. Roaring low over a recently liberated French village, Hub Zemke leads his P-47 pilots on a low-level strafing mission to the front lines. Below, American ground forces push on towards the battle front, to the exaltation of the local villagers, enjoying their first taste of freedom since the fall of France four long years earlier.

[Source: <http://www.aviationarthangar.com/adineubynitr.html> Aug 2013 ++]



Illinois Vet Legislation ► New Laws Signed

Illinois governor Pat Quinn recently passed a number of laws to support veterans to better acclimate them into civilian life. According to Connect Tristates, the new laws were signed last week during the Illinois State Fair. One of the new laws requires the Illinois Discharged Service Member Task Force to evaluate the needs of female veterans and address them. Another law requires that all citizens wishing to construct a public veteran’s memorial must raise enough money for the construction as well as consistent maintenance. The third law provides greater opportunities for veteran-owned small businesses. “Our men and women in uniform deserve our gratitude, and these new laws are a way of saying thanks,” Governor Quinn said. “Memorials to our heroes should be treated with dignity and honor, and Illinois must be a state that supports our women veterans and veteran business owners. These laws will strengthen our mission of making Illinois the best state in the nation for our veterans.” Also signed was House Bill 3112, which allows the Learn Charter School in North Chicago to set aside 33 percent of its lottery seats for children of military personnel stationed at the Great Lakes Naval Station. This will help the Navy recruit more instructors for the base by offering enhanced educational opportunities for their children. The law goes into effect immediately. [Source: Mil.com | Stephen Bajza | 19 Aug 2013 ++]

Veteran Legislation 113th Congress ► As of 29 AUG 2013

For a listing of Congressional bills of interest to the veteran community introduced in the 113th Congress refer to this Bulletin’s “**House & Senate Veteran Legislation**” attachment. Support of these bills through cosponsorship by other legislators is critical if they are ever going to move through the legislative process for a floor vote to become law. A good indication of that likelihood is the number of cosponsors who have signed onto the bill. Any number of members may cosponsor a bill in the House or Senate. At <http://thomas.loc.gov> you can review a copy of each bill’s content, determine its current status, the committee it has been assigned to, and if your legislator is a sponsor or cosponsor of it. To determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d111/sponlst.html>.

Grassroots lobbying is the most effective way to let your Congressional representatives know your wants and dislikes. Members of Congress are the most receptive and open to suggestions from their constituents. The key to increasing cosponsorship support on veteran related bills and subsequent passage into law is letting legislators know of veteran’s feelings on issues. You can reach their Washington office via the Capital Operator direct at (866) 272-6622, (800) 828-0498, or (866) 340-9281 to express your views. Otherwise, you can locate your legislator’s phone number, mailing address, or email/website to communicate with a message or letter of your own making at [http:](http://)

[//thomas.loc.gov/bss/d111/sponlst.html](http://thomas.loc.gov/bss/d111/sponlst.html). Refer to http://www.thecapitol.net/FAQ/cong_schedule.html for dates that you can access them on their home turf.

FOLLOWING IS A SUMMARY OF VETERAN RELATED LEGISLATION INTRODUCED IN THE HOUSE AND SENATE SINCE THE LAST BULLETIN WAS PUBLISHED:

- None. Congress has been in recess for the last month and will not convene again until 9 SEP.

[Source: <http://www.loc.gov> & <http://www.govtrack.us/congress/bills> 28 Aug 2013 ++]

Veteran Hearing/Mark-up Schedule ► As of 31 Aug 2013

Following is the current schedule of recent and future Congressional hearings and markups pertaining to the veteran community. Congressional hearings are the principal formal method by which committees collect and analyze information in the early stages of legislative policymaking. Hearings usually include oral testimony from witnesses, and questioning of the witnesses by members of Congress. When a U.S. congressional committee meets to put a legislative bill into final form it is referred to as a mark-up. Veterans are encouraged to contact members of these committees prior to the event listed and provide input on what they want their legislator to do at the event. Membership of each committee and their contact info can be found at <http://www.congress.org/congressorg/directory/committees.tt?commid=svete>.

Missed House Veteran Affairs committee (HVAC) hearings can viewed at <http://veterans.house.gov/in-case-you-missed-it>. Text of completed Senate Veteran Affairs Committee (SVAC) hearings are available at <http://www.gpo.gov/fdsys/browse/committee.action?chamber=senate&committee=va&collection=CHRG&plus=CHRG>:

- **September 9, 2013.** HVAC will hold a full committee field hearing entitled “A Matter of Life and Death: Examining Preventable Deaths, Patient-Safety Issues and Bonuses for VA Execs Who Oversaw Them.” 9:00 A.M.; Allegheny County Courthouse, 436 Grant Street, Pittsburgh, PA.
- **September 11, 2013.** HVAC, Subcommittee on Disability Assistance and Memorial Affairs will hold a hearing entitled “Implementation Update: Fully Developed Claims 3:00 P.M.; 334 Cannon
- **September 12, 2013.** HVAC-Economic Opportunity Subcommittee will hold a hearing entitled “Update on the Administration’s Implementation of the Revised Transition Assistance Program (TAP).”
- **September 12, 2013:** HVAC, Subcommittee on Economic Opportunity will be holding a hearing entitled “A Review of the Performance of the Veterans Retraining Assistance Program (VRAP) and the Homeless Veterans Reintegration Program (HVRP).” 10:00 A.M.; Cannon 334
- **September 17, 2013.** HVAC-Health Subcommittee will hold a subcommittee field hearing in Cincinnati, Ohio, entitled, “Making a Difference: Shattering Barriers to Effective Mental Health Care for Veterans.” 10:00 A.M.; Location: Anderson Center, 7850 Five Mile Road, Anderson Township, OH 45230

[Source: Veterans Corner w/Michael Isam 31 Aug 2013 ++]



Have You Heard? ► What A Great Idea!

Here's the way it should be: Let's put the seniors in jail; and all the criminals in nursing homes. This would correct a number of things in one motion:

- Seniors would have access to showers, hobbies and walks.
- They would receive unlimited free prescriptions, dental and medical treatment, wheel chairs, etc.
- They would receive money instead of having to pay it out.
- They would have constant video monitoring, so they would be helped instantly, if they fell or needed assistance.
- Bedding would be washed twice a week and all clothing would be ironed and returned to them.
- A guard would check on them every 20 minutes.
- All meals and snacks would be brought to them.
- They would have family visits in a suite built for that purpose.
- They would have access to a library, weight/fitness room, spiritual counseling, a pool and education - and free admission to in-house concerts by nationally recognized entertainment artists.
- Simple clothing (shoes, slippers, pj's) and legal aid would be free, upon request.
- There would be private, secure rooms provided for all with an outdoor exercise yard, complete with gardens.
- Each senior would have a P.C., T.V., phone and radio in their room at no cost. They would receive daily phone calls.
- There would be a board of directors to hear any complaints and the ACLU would fight for their rights and protection.
- The guards would have a code of conduct to be strictly adhered to, with attorneys available, at no charge to protect the seniors and their families from abuse or neglect.

As for the criminals:

- They would receive cold food.
- They would be left alone and unsupervised.
- They would receive showers once a week.
- They would live in tiny rooms, for which they would have to pay \$5,000 per month, and they would have no hope of ever getting out.

"Sounds like justice to me!"

Military Lingo/Jargon/Slang ► 016

USA Academy: *The Days* - Required knowledge for Plebes; signifying the duration to the next major event for the upper-class, and "a finite number for the end of eternity" for the Plebes

USA Acronyms: *SWAG* - Scientific-Wild-Ass-Guess. A close approximation.

USA Equipment: *John Wayne Bar* - Chocolate and toffee candy bar found in C-Rations/MREs

USA Field Slang: *Wrong Answer* - A response commonly used to dismiss explanations or excuses. Can also be used to answer one's own question or as a statement, as in, "Talking in the chow hall is the wrong answer."

USA Misc: *DA Form ID-10T* - A snipe hunt for new soldiers. New soldiers are told to get a DA Form ID-10T from an NCO. Invariably, the soldier says he/she doesn't know what that is, and is told to just write it down, and show an NCO. The new soldier usually doesn't realize he has written "IDIOT" and proceeds to show it to an NCO and asks where he can find one.

USA Rank: *First Lieutenant, Second Award* - A Captain, so named because the insignia of grade consists of two parallel silver bars

USA Soldiers: *Geardo* - A soldier that spends a large amount of his money on military or paramilitary equipment, regardless of whether or not it is ever put to good use.

USA Unit Nicknames: *Great Beret Give-Away - 82nd Airborne Division*. Light infantry units typically used this, because previous to the army switching to berets, this was the only division-sized unit that wore berets. Infantrymen thought it insulting to warriors that even administrative clerks in the 82nd wore berets.

USAF: *Cone Head n*: Aviation student.

USMC: *ARMY – Aren't Ready for Marines Yet/Aren't Really Men Yet*, pejorative backronym used by other branches.

USN: *Dress Ship* - Commissioned ships are "full-dressed" on Washington's Birthday and Independence Day, and "dressed" on other national holidays. When a ship is dressed, the national ensign is flown from the flagstaff and usually from each masthead. When a ship is full-dressed, in addition to the ensigns, a "rainbow" of signal flags is displayed from bow to stern over the mastheads, or as nearly so as the construction of the ships permits. Ships not under way are dressed from 0800 to sunset; ships under way do not dress until they come to anchor during that period

Vets: *CUE* - Clear and Unmistakable Error

"Our bombs are smarter than the average high school student. At least they can find Kuwait."

— **A. Whitney Brown**, on First Gulf War, Emmy Award -winning writer and comedian.

Interesting Ideas ▶ Bachelor Towels





U.S. Navy Chief Petty Officer selectees stand in formation Aug. 6, 2013 next to Charlie, a goat representing a chief petty officers organization in Pearl Harbor, Hawaii. (Cute face isn't it)



Email Received from NSA



If you can't afford a doctor,
go to an airport - you'll get a
free x-ray and a breast exam,
and; if you mention Al Qaeda,
you'll get a free colonoscopy.

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1. The Bulletin will be provided as a website accessed document until further notice. This was necessitated by SPAMHAUS who alleged the Bulletin's former size and large subscriber base (94,000+) were choking the airways interfering with other email user's capability to use it. They directed us to stop sending the Bulletin in its entirety to individual subscribers and to validate the subscriber base with the threat of removing all email capability if we did not.
2. Readers who have not yet validated their email addree who desire to continue to receive the Bulletin can send a message to raoemo@sbcglobal.net with the word "KEEP" in the subject line to restore their subscription. Anyone who no longer wants to receive the Bulletin should send a message to raoemo@sbcglobal.net with the word "DELETE" in the subject line This Bulletin notice was sent to the 14,844 subscribers who have responded to date.
3. Bulletin recipients with interest in the Philippines can request to be added to the RAO's Philippine directory for receipt of notices on Clark Field Space 'A', U.S. Embassy Manila, and TRICARE in the RP.
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7. The Bulletin is normally published on the 1st and 15th of each month. To aid in continued receipt of Bulletin availability notices, recommend enter the email addree raoemo@sbcglobal.net into your address book. If you do not receive a Bulletin check either <http://www.veteransresources.org> (PDF & HTTP Editions), <http://frabr245.org> (PDF & HTTP Editions), or <http://vets4vets.zymichost.com/rao.html> (PDF Edition) before sending me an email asking if one was published. If you can access the Bulletin at any of the aforementioned sites it indicates that something is preventing you from receiving my email. Either your server considers it to be spam or I have somehow incorrectly entered or removed your addree from the mailing list. Send me an email so I can verify your entry on the validated mailing list. If you are unable to access the Bulletin at any of these sites let me know.

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