

# RAO

# BULLETIN

## 1 November 2014

### PDF Edition

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**\* DoD \***



**Exchange Online Shopping Update 03 ► Shopping for Vets Inches Forward**

The tide may be turning in the effort to allow all honorably discharged veterans to shop at the online store operated by the Army and Air Force Exchange Service. “It appears there are no insurmountable hurdles,” said a source familiar with a meeting held 8 OCT between Russell Beland, deputy assistant secretary of the Navy for military manpower and personnel, and officials with the Navy Exchange Service Command, Marine Corps Exchange and AAFES.

In May, AAFES officials submitted a formal proposal to defense officials to allow all honorably discharged veterans to shop online at its exchange store only. The proposal does not extend to brick-and-mortar stores. But concerns subsequently were raised in some quarters within the Defense Department that expanding the online access would lead to “benefit creep” — access for veterans to brick-and-mortar exchange stores and even to other quality-of-life benefits, sources said in August. In the wake of the “very productive meeting” 8 OCT officials from all three exchange services asked defense officials to delay the next meeting of the DoD Executive Resale Board for a couple of weeks to give them time to work on remaining issues, the source said. That meeting was previously scheduled for early November. Information was not immediately available from defense officials confirming whether the meeting has been delayed.

About 90 percent of honorably discharged veterans left the service before qualifying for retirement, and thus don’t qualify for exchange shopping privileges. “Why not give them a modest benefit to honor their

service?” said AAFES director Tom Shull, in a previous interview with Military Times. He noted that among this group are many veterans who have deployed four, five or more times to war in the post-9/11 era. The profits that could be generated by this increased customer base would help the active-duty and retired community in several ways, Shull said, to improve the brick-and-mortar stores and also provide more funding to morale, welfare and recreation programs on military bases. AAFES officials contend the decision could be made with a policy change. DoD’s examination of the idea will include a legal review to determine whether that is the case, or whether a change in law would be needed.

AAFES officials are also in ongoing discussions with the Veterans Affairs Department’s Veterans Canteen Service about sharing revenue if the proposal is accepted. AAFES officials have unofficially relaunched the shopmyexchange.com website, providing more predictability for customers that items will be available; easier navigation; fewer clicks to checkout; and same-day shipping for many items. The Navy Exchange also has officially relaunched its shopping website, myNavyExchange.com, but it’s not known whether NEXCOM also will seek to expand shopping privileges for veterans on its site. [Source: MilitaryTimes | Karen Jowers | October 17, 2014 ++]

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## **DoD & Congress ► Sen. McCain Calls 2-Star an Idiot**

Sen. John McCain, a retired naval aviator, has a history of confronting military leaders he feels have fallen short. His latest target: Rear Adm. John Kirby, the Pentagon press secretary. Kirby’s recent statement that the U.S.-led coalition campaign against the Islamic State was “having some success” provoked the ire of the Arizona Republican in a mid-October interview, with congressional mid-term elections weeks away. “It’s the most amazing thing — the spin and the lies out of this White House,” McCain said in an interview last week on the Tyler Cralle Show on 980 WAAV-AM. “It’s unbelievable. This idiot Admiral Kirby was asked, I think yesterday, that said, ‘John McCain says that we are losing, what do you say?’ The guy, you gotta run it, you gotta run it. Blah. Blah. Blah. Blah. Blah. I mean, it’s amazing. “And how can they possibly now, with ISIS taking about two-thirds of the [Syrian] city of Kobani, they’re saying this is effective,” continued McCain, who is next up for reelection in 2016.



**Rear Adm. John Kirby, left, and Sen. John McCain**

McCain’s Kirby name-calling was first reported by BuzzFeed News. Here’s a text of what Kirby told the Pentagon press corps in an Oct. 15 briefing, according to an official transcript:

*Q. What would you say about Senator McCain's assessment that IS, the Islamic State, is winning and that the U.S.-led coalition is not?*

*KIRBY. Well, I'm not going to — I would just tell you that we believe that — let me put it this way. It's going to be a long fight. It's going to be difficult. There's going to be setbacks. There's going to be wins, and there's going to be losses.*

*The — we're mindful of the complicated nature of this. And we're also very mindful of the fact that -- and I've said it before -- military power, military action is not going to be decisive in and of itself. It's just not going to work that way.*

*But the situation changes every day. And so I'm not going to qualify who's winning or who's losing today. This is -- this -- the strategy is still sound, but you don't judge the success of a strategy based on a day or a week or even several weeks.*

*We are — we believe — and we've said it before -- that we're in this — we all need to be in this for a matter of years. And for us after just a couple of months going at it, we've only been doing airstrikes since August 8th, to — to make a decisive, you know, statement that we're winning or losing — well, I can tell you is that there are — there are areas where we are having success. We have definitely made it harder for ISIL to sustain itself and to operate. They are continuing to feel the pressure, which is one of the reasons why we think they're going after Kobani so badly.*

*I mean, I think part of it is they really want a win, because they're not getting a win everywhere. They are getting pressured inside Iraq. The Iraqi security forces are stiffening themselves around Baghdad, and Baghdad remains secure.*

*So it's a mixed picture, Phil. I mean, I don't mean to ramble, but it's a mixed picture. And I don't think it's — I don't think it's militarily — because I can't speak for, you know, other elements of the government, but, I mean, I'd say, from a military perspective, it does no one any service to try to, you know, make a call on any given day.*

*We know we're having some success. We know we're making progress. But it's going to take a long time. And just as readily, I'll say there's going to be days, there's going to be moments where we're set back, and not just — and when I say we, I mean the big we, and not just the United States, but our coalition partners and — and that includes Iraqi security forces.*

[Source: NavyTimes October 22, 2014 ++]

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## **DoD Fraud, Waste, & Abuse ► Reported 16 thru 31 Oct 2014**

A senior Navy intelligence official and a California race-car mechanic were convicted in federal court for their roles in pushing through a secret Navy contract to build hundreds of untraceable rifle silencers for an unspecified, classified program. Navy civilian **Lee Hall** of Sterling was convicted 29 OCT of conspiracy and theft of government money for steering the nearly \$2 million no-bid contract to his boss' brother, **Mark Landersman** of Temecula, California. Landersman was convicted of a single conspiracy count. Prosecutors

presented evidence that Landersman received information off the Internet from his brother on how to make silencers and had costs of only \$10,000, though defense lawyers presented testimony that Landersman spent thousands of hours in prior years working on prototypes for a more durable silencer. Prosecutors say the silencers didn't work and in some cases amplified sound, and in closing arguments described them as worthless "scrap metal." Defense lawyers said the silencers flunked testing because they hadn't been cleaned before use.

Defense attorneys said the deal was legitimate and had been authorized. Hall's lawyers said that in the convoluted world of classified defense contracts, the defendants were doing their best to fill an immediate need. The defense suggested that the silencers couldn't be bought on the open market because of the secretive nature of the program, and that having regular silencers with serial numbers that could be traced back to U.S. manufacturers would have defeated the purpose. It was never exactly clear why Hall said he wanted the silencers. According to court documents, Hall at one point told others that the silencers were needed for Seal Team Six, the elite unit that killed Osama bin Laden. But the Seals said they never ordered the silencers. Evidence in the trial remains classified, and in open court, witnesses and lawyers were coached only to speak of "The Program," an unspecified operation that apparently had a need for untraceable silencers. Prosecutors concede The Program existed and had a legitimate need for silencers, but dispute that the silencers built by Landersman were intended to fill that need.

Prosecutors said the only true purpose for the deal was to divert money to Landersman. Hall and his boss in the Navy secretariat, David Landersman, obtained \$2 million in unspent money at the end of the 2012 fiscal year, saying they wanted the money to conduct intelligence studies. Within days of obtaining the money, they were preparing to divert the money to the silencer deal, according to trial testimony. U.S. District Judge Leonie Brinkema in Alexandria issued her verdicts Wednesday after two separate bench trials the last two weeks. Throughout the trial and in pretrial hearings, she had expressed doubts about parts of the government's case and issued sanctions after ruling that prosecutors had failed to turn over potentially beneficial evidence to the defense in a timely manner. Brinkema will issue a written ruling outlining her rationale for the conviction in coming weeks. Landersman's lawyer, John Zwerling, said Thursday he was disappointed by the verdict and anxiously awaiting the judge's written ruling to decide what to do next. Hall's lawyer, Danny Onorato, declined comment Thursday on whether he would appeal. Both are scheduled for sentencing on 30 JAN. [Source: The Associated Press | Matthew Barakat | Oct. 30, 2014 ++]

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## **POW/MIA Update 40 ► POW/MIA Commemorative Chair Act**

United States Senators Elizabeth Warren (D-Mass.), Kelly Ayotte (R-N.H.), Jeanne Shaheen (D-N.H.), Marco Rubio (R-Fla.) and Edward J. Markey (D-Mass.) on 27 FEB introduced bipartisan legislation to honor American servicemembers who are Prisoners of War (POW) or Missing in Action (MIA). The POW/MIA Commemorative Chair Act will honor these approximately 83,000 service members by establishing a permanent commemorative chair on the grounds of the United States Capitol. "Our nation's POW-MIAs should never be forgotten. This bill will help every American visiting the nation's capital recognize the incredible sacrifice made by those brave Americans whose fate is still unknown and the courage of the families that are left behind," said Senator Edward Markey, "I appreciate the efforts of President Joe D'Entremont and the members of the Massachusetts Chapter of Rolling Thunder to ensure that our service members receive the recognition they earned through their noble service to our nation."



The POW/MIA Commemorative Chair Act would direct the Architect of the Capitol to place a commemorative chair bearing the logo and colors of POW/MIA service members in a prominent location at the U.S. Capitol. This chair would remain unoccupied to serve as a reminder of the ongoing challenge of accounting for America's missing service members and in recognition of their sacrifices for our nation. The Act is supported by veteran's advocacy groups such as the National League of POW/MIA Families, the Veterans of Foreign Wars (VFW), the American Legion, the Military Officers Association of America (MOAA), and Rolling Thunder. Upon introduction of the bill in the Senate the following comments were made by the bill's cosponsors:

- “All three of my brothers served in the military, and I understand the sacrifices our service members and their families make to defend our country every single day. We must honor the contributions of our brave men and women in uniform, including those who have not made it home,” said **Senator Warren**, “I am proud to display the POW/MIA flag outside my office, and I am pleased to support Rolling Thunder Massachusetts Chapter 1's efforts to establish a commemorative chair on the U.S. Capitol grounds.”
- “More than 83,000 American service members remain missing or unaccounted for from past conflicts - including 49 missing service members from Vietnam and Korea from the State of New Hampshire alone,” said **Senator Kelly Ayotte**, a member of the Senate Armed Services Committee. “Placing a commemorative POW/MIA chair on the Capitol grounds would serve as an enduring reminder of our nation's commitment to never forget our fallen and missing soldiers who made such tremendous sacrifices on behalf of our country.”
- “Service members have made great sacrifices for our country, and the POW/MIA Commemorative Chair Act will serve as an enduring reminder of the bravery and courage of the men and women who have served,” **Senator Jeanne Shaheen** said. “This symbol of our nation's gratitude on the Capitol Grounds will underscore our commitment to American service members still missing and provide a measure of solace to the families of our nation's heroes who have also made extraordinary sacrifices.”
- “I am proud to support this commemorative act to honor the thousands of POW/MIA servicemembers and their families, all of who have made great sacrifices for the protection and freedom of our nation,” said **Senator Marco Rubio**, “While this can't fully express our gratitude to these brave men and women, this small act will serve as a reminder to everyone who visits the U.S. Capitol to never forget the service and sacrifices of our armed forces and their families.”

The full text of S.2053 can be seen at <http://www.warren.senate.gov/files/documents/WarrenPOW-MIAChairBill.pdf>. On 02/27/2014 the bill was read twice and referred to the Committee on Rules and Administration. And there it sits with only six cosponsors as of 16 OCT.

- Sen Ayotte, Kelly [NH] - 2/27/2014
- Sen Brown, Sherrod [OH] - 3/12/2014
- Sen Markey, Edward J. [MA] - 2/27/2014
- Sen Rubio, Marco [FL] - 2/27/2014
- Sen Shaheen, Jeanne [NH] - 2/27/2014
- Sen Toomey, Pat [PA] - 4/7/2014

Obviously, there is insufficient support to move the bill out of committee for a floor vote. The only way to get this bill moving is to get more cosponsors and that will only happen if legislators receive sufficient input from their constituents to act. Information to contact your Senators to engage their support for this bill is available at [http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](http://www.senate.gov/general/contact_information/senators_cfm.cfm). [Source: Sen. Markey Press Release February 27, 2014 ++]



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## **POW/MIA Recoveries** ► **Reported 141016 thru 141031**

"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 (73,539) Korean War (7,877), Cold War (126), Vietnam War (1,642), 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](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**

Army Staff Sgt. **James L. Van Bendegom**, 18, of Kenosha, Wis. He was assigned to Company B, 1st Battalion, 12th Infantry Regiment, 4th Infantry Division. On July 12, 1967, Private First Class Van Bendegom and other members of his 4th Infantry Division were on patrol when they engaged a hostile force in the Ia Drang Valley, Pleiku Province. PFC Van Bendegom was wounded and treated by a medic. He was left behind when his unit's position was overrun, and he was captured. According to other U.S. POWs released during Operation Homecoming, it was rumored that PFC Van Bendegom was taken from Pleiku Province into Cambodia and was treated at a field hospital. His name did not appear on the PRG died in captivity list. He was declared dead/body not recovered in May 1973. In April 1989, a U.S. field team in Vietnam interviewed former officers assigned to the B-3 Front, the People's Army of Vietnam theater headquarters in command of operations in Pleiku Province. They were unable to provide any information on PFC Van Bendegom. During 1992, U.S. investigators in Vietnam received information describing the death of three

Americans in captivity. One death was correlated to PFC Van Bendegom. His returned remains will be buried with full military honors on a date and location yet to be determined.



**Staff Sgt. James L. Van Bendegom**

### **Korea**

- The Department of Defense POW/Missing Personnel Office (DPMO) announced 24 OCT 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 Sgt. **Cameron M. Flack**, 18, of Union Mills, N.C. will be buried Nov. 2, in Union Mills, N.C. In November 1950, Flack was a member of Company L, 3rd Battalion, 31<sup>st</sup> Regimental Combat Team (RCT), 7th Infantry Division, operating along the eastern banks of the Chosin Reservoir in North Korea. From Nov. 27 – Dec. 1, 1950, the Chinese People's Volunteer Forces overwhelmed U.S. positions and U.S. troops were forced to withdraw south to more defensible positions. Following the battle, Flack was one of many men reported missing in action. Between 1991 and 1994, North Korea turned over to the U.S. 208 boxes of human remains believed to contain more than 400 U.S. servicemen who fought during the war. North Korean documents, turned over with some of the boxes, indicated that some of the remains were recovered from the vicinity where Flack was believed to have died. To identify Flack's remains, scientists from the Joint POW/MIA Accounting Command (JPAC) and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools, to include mitochondrial DNA, which matched his sisters.



- **Cpl. Ronald D. Skeens**, U.S. Army, Company E, 2nd Battalion, 27th Infantry Regiment, 25th Infantry Division, was lost Sept. 4, 1950, in South Korea. He was accounted for Oct. 11, 2014. He will be buried with full military honors on a date and location yet to be determined..

- **Sgt. Arnold Pitman**, U.S. Army, Company L, 3d Battalion, 31st Infantry Regiment, 7th Infantry Division, was lost Dec. 12, 1950 in North Korea. He was accounted for Oct. 7, 2014. He will be buried with full military honors.

## World War II

- Army Air Force 2nd Lt. **Jimmie D. Collins** III, 32, from Talladega County, Ala., copilot of a B-24H that was lost over The Netherlands on June 21, 1944. He was assigned to the 446th Bombardment Group, Eighth Air Force. He will be buried with full military honors on a date and location yet to be determined.



**2nd Lt. Jimmie D. Collins kneeling (second from Left)**

- The Department of Defense POW/Missing Personnel Office (DPMO) announced 24 OCT that the remains of a U.S. serviceman, lost during World War II, have been identified and are being returned to his family for burial with full military honors. Marine Pvt. **Robert J. McConachie**, 18, of Detroit, will be buried Nov. 3, in Augusta, Mich. In June 1945, McConachie was assigned to Company G, 2nd Battalion, 1st Marine Regiment, 1st Marine Division, and was deployed to Okinawa, Japan. As his unit took part in the battle with enemy forces on Kunishi Ridge, it sustained heavy losses. McConachie was reported killed in action June 14, 1945. On Nov. 23, 1987, the Army's Central Identification Laboratory in Hawaii (CILHI) received remains from the U.S. Air Force Mortuary at Camp Kinser in Okinawa, Japan. The remains were recovered from Kunishi Ridge where McConachie was lost, and were believed to be those of an American service member from World War II. Efforts to identify the remains proved unsuccessful at that time. Due to technological advances in mitochondrial DNA (mtDNA) testing, the case was re-examined in 2010 by Defense Prisoner of War/Missing Personnel Affairs analysts to identify possible individuals who were unaccounted for from this battle and to facilitate family reference sample collection. In the identification of McConachie, scientists from the Joint POW/MIA Accounting Command (JPAC) and Armed Forces DNA Identification Laboratory (AFDIL) used forensic identification tools including dental comparisons which matched his records and mtDNA which matched his brother.



**Marine Pvt. Robert J. McConachie**

[Source: [http://www.dtic.mil/dpmo/news/news\\_releases/](http://www.dtic.mil/dpmo/news/news_releases/) October 24, 2014 ++]

\* VA \*



## **VA Health Care Access Update 18 ► Clarify "Timely" Access Definition**

Rep. Kyrsten Sinema (D-AZ.) on 29 OCT asked the Department of Veterans Affairs to clarify its definition of "timely" access to medical care. In a letter to VA Secretary Robert McDonald, Sinema asked for an explanation of how the agency deems a scheduled appointment to be made within its wait time goals. The VA reform bill signed into law earlier this year establishes that the Veterans Health Administration's wait time goals should be no more than 30 days from the date a veteran requests a medical appointment.

However, the VA said in a report to Congress this month that an appointment is considered timely with the Veterans Choice Program if it is scheduled 30 days after the appointment is "deemed clinically appropriate by a VA health care provider." Sinema expressed concern that the language could be read as more than 30 days. "In other words, if a VA health care provider recommends an appointment seven days from an initial visit, under this definition a timely appointment is 37 days from the initial visit. This is not timely, and I do not believe this result is reflective of your intention," Sinema wrote. The Arizona Democrat suggested the VA use a more limited definition. "I recommend that you direct VA health care providers to use date ranges and provide care within the date range to ensure that veterans receive high-quality health care within a timely, clinically determined window," Sinema wrote. [Source: The Hill | Cristina Marcos | October 29, 2014 ++]

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## VA Health Care Stories Update 02 ► Bureaucracy Leads to Unpaid Bills

Between a disability-forced retirement, outdated paperwork filed with the Department of Veterans Affairs and an ongoing dispute over hospital bills, an Air Force veteran says he's in a financial bind, unable to buy heating oil for the winter or pay his Fayette County property taxes. "Right now, as we speak, I have no heat at all, except for a space heater I'm using," said John Yanik, 60. His income is too high to qualify for energy assistance, but his VA bills have left him too broke to pay for fuel to heat his modest home south of Uniontown. Until 2011, Yanik worked as a prison guard at SCI Fayette. That year, he had a cancerous kidney removed, prompting his retirement and the loss of his \$50,000 yearly income.



**John Yanik, 60**

All veterans, unless dishonorably discharged, typically qualify for health care benefits, although they may face a copayment fee if the treatment is for a condition not related to military service. Those copayments may be reduced or waived if the veteran's household income falls below a certain threshold, but it's up to the veterans to keep that information up to date, and that's where Yanik's misstep helped trap him in a cycle of bills he can't afford to pay and a bureaucracy sifting through details on huge numbers of veterans. When Yanik underwent a subsequent 2013 surgery at the VA hospital in Pittsburgh when the cancer recurred in his abdomen, VA records still showed him employed in state corrections. He acknowledged that he had not updated a financial means test that likely would have waived most, if not all, of his copayment obligations. "My mind was on my surgery, and I forgot to do my means test," he said.

He did not realize his financial information was outdated until a VA patient advocate pointed it out shortly after his thyroid operation last spring at the VA Hospital. By then, the cumulative bill for his copayments for the two surgeries exceeded \$1,000. Adding to his problems, Mr. Yanik developed a serious infection two days after the 2013 surgery to remove his thyroid that turned his left forearm pink. When a VA physician at a Uniontown clinic saw him, "She told me right then and there that I needed to go to the ER." So he went to nearby Uniontown Hospital where, in addition to the infection, doctors found a small blood clot. For more than a year, the VA has refused to reimburse him for the \$328.29 bill he paid Uniontown Hospital, saying his infection "was not service-related." While it might not be connected to his military service, Yanik contends it is very much related to his surgery at the VA, and he thinks the VA should pay for the treatment.

Yanik says his monthly income amounts to \$1,090 in Social Security disability payment and a \$817.10 pension payment from eight years working at the prison. His annual income of \$22,885.20 is about double the federal poverty guideline for one person. After deducting for food, a mortgage and other expenses, he said his discretionary monthly income is a negative \$28.71. Because of that, he has struggled to make



payments on his health care bills. In January, the Veterans Administration started deducting varying amounts from his monthly Social Security checks. Mr. Yanik says more than \$600 has been withheld this year so far, so he has had to stop buying heating fuel, and he's fallen behind on his property taxes.

VA Pittsburgh spokesman Mike Marcus said it recently set up a payment plan with Mr. Yanik, and his Social Security checks are no longer being garnished. "VA Pittsburgh is committed to working with veterans across the region to ensure they receive the support and health care services they have earned through their dedicated service to our country," said Marcus. "We strongly encourage veterans to update their financial assessment annually and let us know when they have changes to their income or health insurance to ensure they receive all of the support we can provide." Yanik now sends the VA \$25 a month toward his outstanding bill. With help from the Veterans Administration advocate in Oakland, Mr. Yanik has applied for a waiver of the money he owes the VA four times based on financial need. He's been denied at the state level each time.

Early last month, he sent a packet of documents to Washington, D.C., appealing the denials. When he followed up recently, he said he was told staff there could not process the appeal because it did not include a case number. The staff also said the paper work had been sent back, but he has not received it. "Now I'm back to zero," he said. "I don't know what to do at this point. I don't even know who to talk to about this." [Source: Pittsburgh Post-Gazette | Steve Twedt | October 28, 2014 ++]

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## **Arkansas DVA ► State VA Seeks to Change Name**

The Arkansas Department of Veterans Affairs wants to change its name to differ from the federal agency to avoid confusion, department Director Cissy Rucker said. "There's a lot of talk about the VA issues; it's splashed all over the news," Rucker told the Arkansas Veterans Commission on Tuesday. "A lot of people think that's us." Officials haven't yet said what new name they plan to propose. The request comes as the state department is paying off its debt and is finalizing plans for a new veterans home in North Little Rock, the Arkansas Democrat-Gazette reported. Rucker said that the department will send its final \$22,000 payment next month to the federal VA to finish paying off the more than \$580,000 it illegally collected over three years, from 2009 to 2012. The discovery led to Rucker being appointed by Arkansas Gov. Mike Beebe after David Fletcher was dismissed as director.

In 2009, the federal VA increased how much it paid monthly to state veterans homes in caring for disabled vets. The change barred states from accepting out-of-pocket fees for the care. Arkansas officials say the department continued collecting those fees for three years. Rucker said that once the November payment is sent, the Arkansas VA will start paying overdue rent to the University of Arkansas for Medical Sciences. The department found that a year ago its Fayetteville Veterans Home had \$236,000 in unpaid bills. Part of that total was a missing \$36,000 payment in February 2013 to UAMS Northwest. The veterans home occupies rooms in the six-story building. The other \$200,000 is owed to an Arkadelphia pharmacy for more than a year of invoices. Karen Watkins of the state VA said the department plans to seek approval from state lawmakers to pay that bill. "With the financial issues this agency has had, it will take time to turn things around," Watkins said. "It doesn't just happen overnight. But we're making strides. I feel like a year from now, we won't be having these conversations." [Source: Associated Press October 22, 2014 ++]

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## **VA Claim Processing Update 11 ► C-and-P Exam Misunderstandings**

Veterans Affairs officials want to change when veterans can view some of their medical records online, fearing that some could become violent if they see negative comments and think their disability claims will be denied. Veterans must get a medical exam as part of the process for filing a disability claim for a service-related injury. Within days or weeks of the exam, veterans can see the doctor's forms or notes by using the "Blue Button" on My HealtheVet, the VA's website for health records. A group of department officials said 20 OCT that they fear some veterans could see the notes from the exam, assume from this partial picture that their claim is being denied, and take out their anger on local VA officials. They voiced their safety concerns to members of the department's Advisory Committee on Disability Compensation at their meeting this week in Washington. "He walks past the [compensation-and-pension] clinic, and he's very angry. Goes into the C-and-P clinic, and we have an incident of some kind," said Gerald Cross, the chief officer in the Veterans Health Administration's office of disability and medical assessment. "Some of our C-and-P clinics are quite small, ... and it doesn't have much in the way of reasonable defense. We're very concerned about that."

Patricia Murray, the director of the VA's clinical program and administrative operations, said that to try to prevent any misunderstandings, the VA is removing the compensation-and-pension medical exam from a veteran's online health record until after a decision on his or her disability claim has been made. "I think sometimes when they see [the medical records], they think the determination to grant [benefits] is solely based on the C-and-P file," she said, adding that "our examiners feel like they're sometimes at risk." But some committee members were concerned about removing the compensation-and-pension exam records, but not other health documents, from the website. "I hate to say this, but what is the ethical justification of removing the C-and-P exams from the Blue Button?" asked Michael Simberkoff, executive chief of staff at the VA's NY Harbor Healthcare System.

But department officials tied the move to one factor: Potential risk to VA staffers. In addition to changing when a veteran can see part of his or her file online, they are also considering adding extra security to the clinics, such as requiring a code to unlock doors. "Many of the C-and-P docs are females, and they seem to be the ones that seem to have the evening hours or are in these far-flung [clinics]," said Denny Devine, the VA's project executive for disability and medical assessments. "Those are the ones on our weekly calls raising these concerns." The VA received more than 1 million requests for disability exams during fiscal 2014. It has almost 527,500 pay and pension claims currently waiting to be decided, with more than 46 percent—or 244,727—waiting more than 125 days for a decision. [Source: National journal | Jordain Carney | October 21, 2014 +]

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## **VA AL-TBI ► Rehabilitation Program Extended for 3 Years**

VA announced 21 OCT it is looking to hire more private rehabilitation centers to provide assisted living and rehabilitation services to veterans with traumatic brain injury. Among the provisions in a massive veterans bill passed in August by Congress was an extension of VA's Assisted Living Pilot Program for Veterans with Traumatic Brain Injury. The program, launched in 2011, has provided neurobehavioral therapy to 187 veterans at more than 20 private facilities nationwide. But it was set to expire this year. Under the \$16.3 billion Veterans Access, Choice and Accountability Act of 2014, the program has been extended for three years. "Due to the severity and complexity of their injuries, veterans with TBI can require an extraordinary level of care and other support services," Dr. Carolyn Clancy, interim undersecretary for health, said in a

news release. “The AL-TBI program provides specialized assisted living services to eligible veterans with traumatic brain injury to enhance their rehabilitation, quality of life and community integration.”

Ninety-four veterans are enrolled in the program, receiving mobility, speech and cognitive therapy in residential settings geared toward increasing their independence. According to VA, the program extension will allow more facilities to participate and serve more veterans in need. VA is accepting proposals from facilities that are accredited in brain injury and residential rehabilitation through 20 NOV. To be eligible, contractor facilities must meet Federal, State and local standards and be accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) in Residential Rehabilitation/Brain Injury Program. Contracts for the extended program are expected to be awarded in February 2015. For more information about the AL-TBI program, visit <http://www.polytrauma.va.gov>. More information on the call for providers [https://www.fbo.gov/index?s=opportunity&mode=form&id=007c7966bad00e567fa47433afbfe50&tab=core&\\_cvview=1](https://www.fbo.gov/index?s=opportunity&mode=form&id=007c7966bad00e567fa47433afbfe50&tab=core&_cvview=1).

Working with Congress, Veterans Service Organizations and other stakeholders, VA has taken steps to implement the Choice Act legislation. In addition to the AL-TBI extension, VA is:

- Continuing work with its newly established Program Management Office to oversee planning and implementation of the Choice Act legislation across the Department;
- Putting in place the mechanisms to provide the authorization necessary to carry out major medical facility leases;
- Extending the pilot program called Project ARCH (Access Received Closer to Home) through March 31, 2015, and exploring additional contracting options to execute the remaining 18 months of the pilot program;
- Seeking industry’s input on addressing third party administrator services through VA- sponsored events such as Industry Day held on September 17, 2014;
- Awarding a contract to the MITRE Corporation, Alliance to Modernize Healthcare, a private not-for-profit company, to support the Independent Assessment of VA health care processes; and
- Expanding the Fry Scholarship Program to include surviving spouses of Servicemembers killed on active duty

[Source: MilitaryTimes | Patricia Kime | October 21, 2014 ++]

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## **VA Lawsuit | Haverson~William ► Wrongful Death**

Back in April, the Department of Veterans Affairs released the results of its investigation into cancer deaths that occurred as the result of delayed gastrointestinal treatment. The report found that none of the deaths occurred at either the James A. Haley Veterans’ Hospital in Tampa or the C.W. Bill Young VA Medical Center in St. Petersburg, but that two patients at the Young center, then known as Bay Pines, and one at Haley had been informed that they were harmed as the result of their care. A federal wrongful death lawsuit filed Thursday in the Middle District of Florida by attorney Alan Wagner claims that Navy veteran William Halverson died of colon cancer on Feb. 6, 2013 as the result of delays in treatment at the Young center. And that before he died, hospital officials informed Halverson that their care had been negligent.

Halverson, who enlisted in 1968 and was honorably discharged three years later after working with a helicopter support unit in Subic Bay, Philippines, was 64. The suit was filed on behalf of Halverson’s wife, Jill, daughter Alison, 25 and sons David, 23, Nicholas, who turns 20 Oct. 19. Officials from the Young center, citing the litigation, declined to say whether Halverson was one of the patients notified that they were harmed

by VA care. Officials from the Young center and the VA Sunshine Healthcare Network, which oversees VA medical facilities in Florida, south Georgia, Puerto Rico and the U.S. Virgin Islands declined comment about the lawsuit for the same reason. They referred the request for information to the U.S. Attorney's Office in Tampa, which also declined comment.

The discovery of Halverson's cancer "was delayed unreasonably by the defendants' negligent failure to timely inform Mr. Halverson" of the 2008 positive results of a test called a fecal occult blood test, also known as an FOBT, according to the lawsuit. Sometime around July 28, 2008, Halverson went to Bay Pines for his annual checkup from Dr. Lawrence Gaulkin, where he received the FOBT, according to the lawsuit. The test came back with one result showing positive and two showing negative results, according to the suit. A fecal occult blood test is considered positive if blood is detected in stool samples, according to mayoclinic.org, which might require additional testing such as a colonoscopy to locate the source of bleeding. Halverson was not informed by anyone at the hospital of the positive test result, nor did anyone "discuss, recommend or perform a colonoscopy or any other cancer screening for Mr. Halverson," according to the suit.

Nearly a year later, in April 2009, Halverson again went back to Bay Pines for another annual checkup from Gaulkin and again, no mention was made of the positive test result and no one discussed, recommended or performed a colonoscopy or other cancer screening, according to the suit. The same for his annual checkup in April 2011 by Gaulkin. But sometime around Aug. 16, 2011, Halverson went back to Bay Pines and saw a different doctor, who reviewed the records and saw that Halverson had a positive blood stool test with no follow-up cancer screening "performed as required by the prevailing professional standard of care," according to the suit. "Because of the earlier, positive FOBT test and because Mr. Halverson was then past 50 years old and had never before had a colonoscopy," the new doctor advised Halverson to "undergo a colonoscopy and schedule one promptly." A few weeks later, on Sept. 8, 2011, Halverson had the colonoscopy, which revealed "tissue suspicious for cancer." After a biopsy, Halverson "was advised he had a large, cancerous lesion in his colon that needed to be removed surgically."

A month after that, Halverson received even worse news. "His cancer had metastasized and spread to other parts of his body," according to the suit. Halverson had the colon tumor removed, requiring 16 days of hospitalization, according to the suit, and another six weeks of home nursing care. In January 2012, Halverson began five months of chemotherapy, according to the suit, but despite the treatment, the cancer spread to his liver. "By August 2012, the cancer had spread to such a degree that Mr. Halverson's Bay Pines physicians advised him his condition was terminal and that he had three to 12 months to live." On Dec. 19, 2012, hospital officials informed Halverson "that its care and treatment of him had been negligent," according to the suit. They then gave him a form to fill out where he could file a claim for damage, injury or death. Halverson and his survivors submitted that form to the VA on January 29, 2013, according to the suit. He died eight days later.

On May 17, 2013, and again on Dec. 12, 2013, Halverson's survivors resubmitted the form, but the VA "has failed to finally deny or make final disposition of the plaintiff's claim within six months after filing" the form, according to the suit. The plaintiffs are arguing that Halverson's widow suffered pain, suffering and mental anguish and the loss of support, services and companionship as the result the hospital's negligence, and was forced to pay funeral expenses. The children, according to the suit, lost fatherly companionship, protection, instruction and guidance as well as support and services including the cost of college education. The estate lost earnings, prospective net accumulations, medical and funeral expenses and the fair value of custodial care.

In April, the VA reported to Congress the results of its investigation into patient deaths and injuries as the result of treatment deaths nationwide. The report found that three veterans died and nine others were injured as the result of delays in treatment for gastrointestinal cancers in the Sunshine Healthcare Network. The report stated that while none of the deaths was the result of actions at either Haley or Young, there were two “institutional disclosures” at the Bay Pines facility and one in Tampa, according to the report. That means that patients or their representatives were notified that the veterans were harmed during their care. The report did not provide any specifics about the level of harm, nor did it list any patient names. The deaths and injuries in the Sunshine Healthcare Network were from 301,000 consultations made between 2010 and 2012, Joleen Clark, director of the Sunshine Healthcare Network, told The Tribune in April. Nationwide, there were 17 other deaths and 44 other patient injuries found during a VA review initiated after deaths were discovered in Georgia and South Carolina. [Source: Tampa Tribune | Howard Altman | October 17, 2014 ++]

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## **VA Communications Update 01 ► Emergency HF Radio Network**

The Department of Veterans Affairs plans to build a nationwide high-frequency radio network to connect its medical facilities in case of an emergency that knocks out other forms of communications — applying century-old technology to current needs. VA said in a contracting notice 14 OCT it intends to award a five-year, fixed-price indefinite-delivery, indefinite-quantity contract for the fully functional “turnkey” Emergency High Frequency Radio Network. VA plans to issue a formal request for proposals by 231 OCT. The network will include an undefined number of high-powered “backbone” stations equipped with 200-watt transmitters designed to receive and automatically relay communications from 125-watt stations located at approximately 200 Veterans Health Administration facilities, VA said. The network would provide emergency two-way radio communication and links to national wired, cellular and IP telephone networks enabling radio-to-telephone communications, according to the agency.



**A technician at Tobyhanna Army Depot performs a system check on a series of radio systems**

High-frequency radios operate in the three-to-30-MHz bandwidth and can transmit signals for hundreds or thousands of miles as the signals are refracted off the ionosphere. Changes in ionospheric conditions require HF radios to be periodically retuned, done automatically with a technology known as Automatic Link Establishment built into the radios. VA has specified ALE radios for its HF network. Though outmoded by satellite and internet communications, HF networks still serve as an emergency backup for federal agencies, including the Air Force for communications with Air Force One as well as its transport, tanker and bomber fleets. The Department of Homeland Security operates a high-frequency network called SHARES, which provides additional capabilities for users with a national security and emergency-preparedness mission to communicate when landline and cellular communications are unavailable. The Federal Emergency Management Agency and the Army National Guard also operate national HF networks. The Centers for Disease Control and Prevention has set up the National Public Health Radio Network as a communications back up in all 50 states.

Bernie Skoch, a retired Air Force general, consultant and amateur radio operator, said high-frequency remains the only reliable long-distance communications capability that depends entirely on terminal systems for end-to-end communications. “There is no copper, no fiber, no space segment and very thin network management requirements” — just radios, antennas and the ether, he said. That independence from complex infrastructures, coupled with relatively inexpensive portable and mobile packages, makes it ideal for command and control, disaster and continuity-of-operations systems, Skoch said. [Source: Defense One | Bob Brewin | October 17, 2014 ++]

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## **Dependents’ Educational Assistance Update 02 ► Fry Scholarship Option**

The Department of Veterans Affairs (VA) announced it will begin accepting applications by mail on November 3, 2014, for the Fry Scholarship under newly expanded eligibility criteria to include surviving spouses. The expanded criteria for the Fry Scholarship is the latest in a series of VA actions to implement provisions of the Veterans Access, Choice, and Accountability Act of 2014 (“Choice Act”). Specifically, Section 701 of the Choice Act expands the Fry Scholarship to include the surviving spouses of Servicemembers who died in the line of duty after September 10, 2001. Prior to this expansion, only children of those who died in the line of duty were eligible for this benefit. “We can never fully repay the debt we owe to these families who have lost a loved one,” said VA Secretary Robert McDonald. “It is a privilege to provide educational benefits that will make a positive difference in their lives.”

The Fry Scholarship was created to honor Sergeant John David Fry, 28, of Lorena, Texas. Sergeant Fry had one week left in his tour in Iraq in 2006, when he volunteered to continue working for seven more hours disarming explosive devices, despite having already sustained an injury to his hand. He made the ultimate sacrifice on March 8, 2006, in Anbar province, Iraq, when an improvised explosive device detonated. He left behind a widow and three young children. The Fry Scholarship will entitle eligible spouses to up to 36 months of the full, 100-percent level of the Post-9/11 GI Bill, which includes a tuition-and-fee payment, a monthly housing allowance and stipend for books and supplies. Some spouses currently eligible for or already receiving benefits under the Survivors’ and Dependents’ Educational Assistance (DEA) program may now be eligible for the Fry Scholarship. All surviving spouses eligible for DEA and the Fry Scholarship must make an irrevocable election for terms beginning on or after January 1, 2015.

VA will identify surviving spouses eligible for both programs and send them a letter with comparative information on the benefits available and instructions on how make an election. Information about these two programs is available on VA’s website and the GI Bill website (<http://www.benefits.va.gov/gibill>). The VA call center (888-GIBILL-1) also will be able to help individuals understand the differences between the two programs. [Source: VA News Release October 20, 2014 ++]

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## **VA Employment ► \$120,000 in Student Debt Forgiveness**

The new secretary of the Department of Veterans Affairs made an impassioned recruitment pitch Monday to medical school and nursing students at the University of Vermont, urging them to consider careers in the VA. It was the latest in a series of recruiting stops VA Secretary Robert McDonald has made since he took over at the end of July with a mission to overhaul an agency beleaguered by long waits for health care for the

nation's veterans and by workers falsifying records to cover up delays. Besides filling immediate needs of reducing wait times for people seeking treatment at VA facilities across the country, he said he sees the long-term way to improve the system and keep it vibrant as bringing in more staff. "There is no higher calling," McDonald said to a conference room full of students at the College of Medicine, referencing the opportunity to care for the nation's veterans and, in some cases, their dependents. But he also touted the practical benefits. A new law allows the VA to pay up to \$120,000 in debt forgiveness for medical professionals. Last year, the average UVM medical graduate had \$175,000 in debt.

After leaving Burlington, McDonald drove south to the Dartmouth-Hitchcock Medical Center, in Lebanon, N.H., where he made a similar pitch to students. In the last few weeks he has made stops in California and North Carolina. In the coming days he is going to the Boston area and then Maryland. "They are definitely looking for young doctors, and they want you to come. I could go for loan forgiveness." McDonald was accompanied during his visit to Burlington by Senator Bernie Sanders, a Vermont independent who chairs the US Senate Committee on Veterans Affairs and has been a long-time advocate for veterans. Sanders helped shepherd through Congress a bill that provides \$5 billion so the VA can recruit more medical professionals. McDonald told the students in Burlington that the VA has about 150 medical centers across the country and 820 community-based outpatient clinics. He said the VA, which also is increasing its use of mobile health vans to reach veterans in rural areas, is trying to recruit 20,000 to 30,000 doctors and nurses. "What you will find is that at the VA, we are at the forefront; we pioneer a lot of new things in medicine," McDonald said.

The VA medical system has produced three Nobel Prize recipients, and it has helped pioneer a number of cutting-edge treatments. Second-year UVM medical student Katherine Wang of Lexington, Mass., said she hadn't given much thought to her after-graduation plans but McDonald's pitch was giving her something to think about. "They are definitely looking for young doctors, and they want you to come," Wang said. "I could go for loan forgiveness. . . . It's just good to know the options are out there." [Source: Associated Press | Wilson Ring | October 14, 2014 ++]

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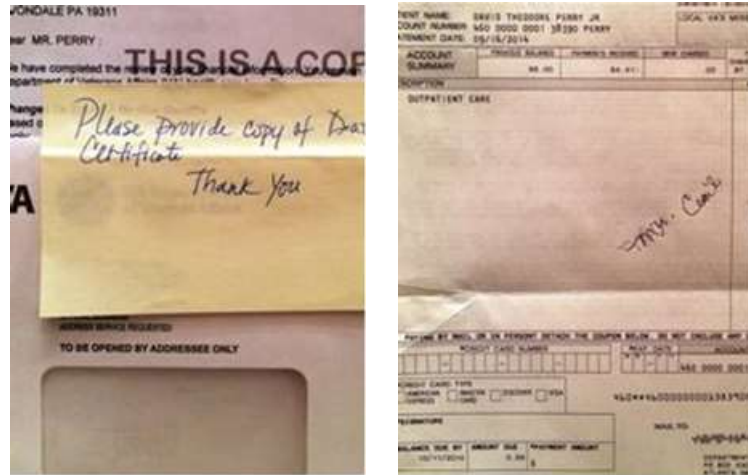
## **VA Correspondence ► Deceased Vet Billed 59-Cents**

The first letter addressed to the late David Perry arrived five weeks after he died at home 5 JUN. Sent from the Department of Veterans Affairs, the envelope was to be opened "by addressee only." Perry's wife Helena opened it anyway. "You remain eligible to receive (VA) health benefits," it read. A handwritten yellow sticky note added, "Please provide copy of death certificate." Helena thought she'd notified VA. Regardless, she said, "It's kind of hard for him to open it when he's not here – and even harder for him to send the death certificate." Several days later, a VA billing statement addressed to David Perry arrived. Helena opened that one too. Her late husband, it seemed, owes the government 59 cents. "So if it's not paid by October the 11th, I'm going to have additional – or he will have additional charges on his 59 cents," she said. "So I did call and talk to them, and informed them again that he was dead, and I just didn't think he would be able to pay it." She pointed to the envelope and its pre-printed postage. "And how ridiculous to pay 48 cents to send it?"

On 4 SEP VA sent David Perry another reminder: to get a flu shot. "I thought it was funny," said the good-natured Helena, 81. "Hilarious. And anyone I've talked to found it the same way." What she didn't appreciate were letters from the Philadelphia VA disability benefits office and getting chastised for not canceling an appointment to file a claim for hearing loss he suffered during the war. She'd done so, something she said was confirmed by a customer service representative in Louisville who answered when she called the



Philadelphia benefits office. "They know that I did, and I have verification that I did," she said. "The people at the hospital that we've talked to have been extremely nice," Helena said. "The ladies at the desk are extremely nice. But the letters from the VA itself are extremely confusing. ... It seems like the offices just don't seem to know what's happening." VA officials in Washington did not respond to a request for comment on why the agency continued sending correspondence to David Perry following his death, and how frequently such erroneous mailings take place.



**59 cents Bill sent 3 1/2 months after death & letter to be opened by addressee only**

"I read so much about the Veterans Administration being fouled up," she said, referring to the ongoing scheduling scandal that has launched investigations at 93 VA medical centers and clinics, including Wilmington. "And ... with people like that running it, I can see why it's fouled up." Perry, 86, was not a major consumer of VA care. He suffered from multiple maladies, including diabetes and coronary artery disease, but all of the care for those issues was delivered at civilian hospitals and clinics and paid for by Medicare and private insurance. In August 2012, David lost his balance and fell coming up the back steps at home, his imbalance the result of a urinary tract infection. In February 2013, Perry went to the VA to see whether the agency would pay for a ramp leading to his front porch, and for a hearing aid. The couple ended up paying for a ramp without any assistance, but VA tested his hearing and had him fitted for hearing aids. At a March hearing checkup, the nurse practitioner suggested that he might be eligible for disability compensation for his hearing loss. He made appointments to do so, but his health worsened; on both occasions, he was in a hospital, once in intensive care, Helena said.

Even over that short span, Helena has accumulated a small stack of letters from the Veterans Benefits Administration. Together with the Health Administration letters, the cumulative effect is bewildering, she said. "I guess it's like you're between a rock and a hard place – when you just don't know who to call or what to call," Helena said. "But all the letters that I get, I try to read them and answer them the best I can." She's probably not going to pay the 59 cents. After she got the bill, she called the toll-free number on the bill and reached a customer service rep named Cecil. "I told him about this big bill that I had, and being as my husband was dead, I just didn't understand why we had it," she said. He asked how much and she said, "It's 59 cents. And I thought Cecil was going to crack up. "He couldn't say 'Don't pay it'," she said. "I said, 'I'm not gonna pay it'," she said. "And he said, 'I think we're on the same page'." [Source: The News Journal | William H. McMichael | Sept. 29, 2014 ++]

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## **VA Choice Cards ► 90-day Deadline Will Not be Met**

Congress last August gave the Department of Veteran Affairs 90 days to issue medical “Choice Cards” to 9.1 million veterans enrolled in VA care. The tight deadline of 5 NOV won’t be met, say representatives of major veteran organizations who attend periodic VA briefings on plans for rollout of the Choice Card. The card will ensure veterans have access to private sector health care if they reside more than 40 miles from a VA clinic or hospital, or if they face unacceptable waits, usually longer than 30 days, to access VA healthcare. The simple guarantee, centerpiece of the Veterans Access, Choice and Accountability Act of 2014, is not so simple to deliver, at least in 90 days. “I have heard nothing to lead me to believe they will get any [cards] out by November 5th,” said Joseph Violante, legislative director for Disabled American Veterans. He doesn’t even think VA has picked a vendor yet to make the cards.

VA declined a request to interview the official in charge of the Choice Card rollout because key decisions are not yet final. A VA statement called the law “highly complex,” said officials are striving to implement it “as quickly and efficiently as possible,” and the “goal has always been to meet the timelines set forth in the Act.” Vet advocates didn’t disagree. Violante said he thought from the start the 90-day deadline was impossible for VA to meet. While the card program is to end in three years or when \$10 billion has been spent on care, whichever occurs first, VA still must build or buy expertise to run it, write regulations to govern it and decide how to monitor providers and care they deliver. It also must ensure health records are returned to VA to be merged with VA records for continuity of care. VA also must educate vets on who can use the card, how they can use it and when.

Roughly 700,000 to 800,000 veterans, less than 10 percent of current enrollees, will be eligible to use the card immediately if they need care. About 300,000 of those qualify because they live far from VA care. VA intends to issue cards to these two groups as soon as it can. Later, in phases, it will send cards to all other veterans enrolled in VA health care as of Aug. 1, 2014, and to those who enroll later if had active duty service in a theater of combat operations within the previous five years. This mandate in the law to give to the card to more than eight million veterans who won’t be eligible to use it worries vet advocates. Some veterans or even doctors could be confused and accept care VA won’t cover. Others will be surprised that the law makes VA payer of last resort when a Choice Card is used, said Bob Norton, deputy director of government relations for Military Officer Association of America. That means users with other health insurance or Tricare eligibility will see those plans billed for any care arranged using the card. For Tricare to be tapped, the veteran will have to be a military disabled retiree or longevity retiree. “I’m sure DoD is not going to be very happy,” Norton said.

VA already knows who lives more than 40 miles from VA care. But the law allows VA to adjust the 30-day wait threshold, and it likely will, based on type of care needed. Waits longer than 30 days might be reasonable, for example, for hearing exams with shorter waits for cardiology appointments. When vets get their cards, they will have a phone number to call to verify eligibility and begin use. VA likely will decide it must offer veterans a choice to use a VA contracted provider or find their own physician. If so, when veterans choose non-network providers, Violante predicted, “it’s going to create a terrible situation for VA to try to follow that veteran’s treatment.”

Bob Wallace, executive director of Veterans of Foreign Wars, said VFW would prefer that eligible vets pick providers from the VA Patient-Centered Community Care (PC3) networks, run by TriWest Healthcare Alliance of Phoenix and HealthNet Federal Services of Arlington, Va. PC3 already backs up VA health care on primary and specialty care needs. Its providers also must meet VA timeliness and quality measures and

make prompt transfer of medical records back to VA. “We don’t want to see the veteran go to someone who’s not the specialist they need,” Wallace said. “We also want to make sure the records go back to the VA because that could affect their claims down the road.” Some entity also needs to manage the program, from verifying eligibility to coordinating episodes of care to paying providers and collecting co-pay from vets when appropriate. Rather than build that capacity, VA leans toward hiring a third-party administrator with nationwide experience such as Aetna or Kaiser.

As Congress rushed to shape legislation to address the wait-time scandal across multiple VA facilities, it was Sen. John McCain (R-AZ) who insisted Choice Card be part of the final package. Many vet groups are wary of its potential to shift veterans’ care and resources permanently to the private sector, and weaken VA’s integrated health system with its unmatched array of specialty care services for the most severely ill and injured. Vet groups have argued that VA simply was underfunded, leaving it short of doctors, nurses, support staff and space as enrollments grew, leading to long waits and cooked books. The Congressional Research Service in June said VA healthcare enrollment rose 78 percent since 2001. That’s the effect of recent wars and of decisions tying many vet health conditions today to long ago exposures to combat stress and toxins such as Agent Orange.

Choice Card has created sky-high expectations among vets who hope for unlimited access to any type of care. Many vets also are expecting to get the card soon, a point Carl Blake, legislative director for Paralyzed Veterans of America, said he has been emphasized in meetings with VA officials. “We have impressed upon them they probably need to figure out a way to have something rolling out” by Nov. 5, Blake said. If they don’t, he said, VA could face “a public relations nightmare.” Some lawmakers who set the deadline, he quipped, probably have drafted already statements and press releases attacking VA for missing it. [Source: Stars & Stripes | Tom Philpott | October 16, 2014 ++]

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## **VA Bonuses Update 20 ► NM 2013 Bonuses Paid Despite Complaints**

Five top administrators in the Veterans Affairs' health care system in New Mexico received more than \$24,000 in bonuses in 2013 despite complaints from veterans about lapses and delays in care. Documents obtained by The Associated Press through a Freedom of Information request show the director of the New Mexico system collected more than \$8,700 in 2013. Nearly 100 other employees — from emergency-room doctors to surgeons — shared more than \$2.4 million in performance pay last year. Bonuses for VA senior executives and administrators nationwide have been a point of contention since investigators following up on whistleblower complaints discovered large-scale improprieties in the way hospitals and clinics around the country scheduled veterans for appointments. Tens of thousands of patients, including veterans in New Mexico, waited months to see a doctor.

While administrators in New Mexico have been able to whittle down the waiting list for some patients, there will be no extra pay this year for senior executives as the embattled VA works on reform. A national directive issued by the agency's leadership has frozen bonuses. Still, physicians will be able to earn up to \$15,000 in performance pay, New Mexico VA spokeswoman Sonja Brown said. For example, doctors can earn bonuses for improving care or developing systems that would allow for better access and coordination between different clinics. "Being able to provide this pay to our physicians helps us to be more competitive when recruiting physicians and helps to retain physicians," Brown said.

A wide-ranging national audit released earlier this year showed more than 1,000 veterans had been waiting three months or more for initial medical appointments within the New Mexico system. Administrators blamed the backlog on a lack of primary care physicians. At the time, New Mexico officials acknowledged that close to 3,000 patients were assigned to a doctor who didn't actually see them and was available only by phone. Officials said last week they are still trying to recruit more staff members. The most recent audit of Albuquerque's Veterans Affairs hospital shows there were 150 veterans on the electronic waiting list as of 18 SEP. That's slightly more than in August. The increase stems from demand for appointments to address hearing issues. The VA hospital in Albuquerque will be installing two new audiology booths, and veterans are being scheduled for weekend appointments to decrease the wait times, Brown said. An audiology provider was also added to the network last week, so veterans will have access to more locations where they can get care, she said. [Source: Associated Press | Susan Montoya Bryan | October 13, 2014 ++]

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## **VA Bonuses Update 21** ► **Rebecca Wiley | Charlie Norwood VAMC**

Performance pay awarded to Rebecca Wiley, the Augusta Georgia former director of the Charlie Norwood Veterans Affairs Medical Center, totaled nearly \$18,000 from 2007 to 2011, the year three cancer patients died in the Augusta hospital's gastrointestinal clinic. According to new records provided by the Department of Veterans Affairs' Washington headquarters, Wiley received \$9,000 in performance pay in 2007 and \$7,500 and \$1,500 in cash bonuses for 2010 and 2011, respectively. The documents were released 14 OCT, three weeks after The Augusta Chronicle obtained a confidential settlement that Wiley signed Oct. 3, 2013, agreeing to dismiss allegations against the VA of wrongful or unlawful conduct on the condition the federal agency pay her \$76,000 to retire. Wiley, who lives in North Augusta, has denied repeated requests for interviews and comment at her home and through her family.



**Rebecca Wiley**

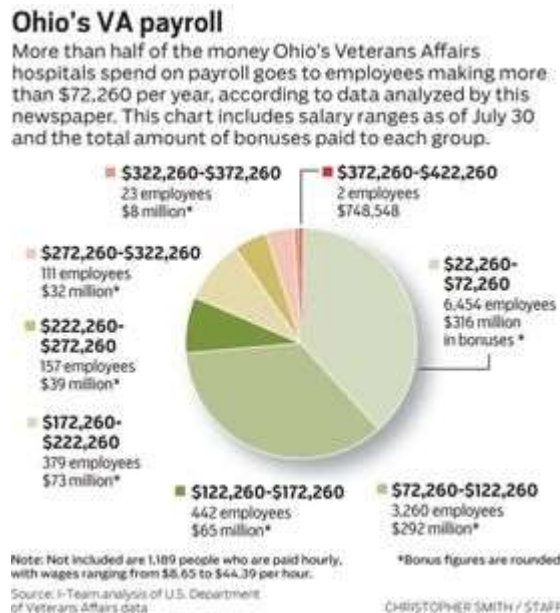
Performance pay awarded to senior executives in the VA has been a point of contention in the past year, when the health care system worked to restore trust in veterans who have endured long waits for medical appointments, mismanaged care and delayed decisions for disability payments nationwide. In July, the Augusta VA initially reported that bonuses awarded from 2007 to 2013 to current Director Bob Hamilton and his predecessor, Wiley, were "unknown" because Wiley had retired and Hamilton was a Senior Executive Service employee whose records were kept in Washington. The VA confirmed Tuesday that Hamilton has not received a bonus since coming to Augusta in July 2012 and putting into a motion a series of steps, such as extra personnel, weekend clinics and re-engineered floor space that he said cleared the 4,580 delayed gastrointestinal consultations that had led to three veterans' deaths in 2011. The agency suspended performance awards this year amid concerns that the money might have "incentivized inappropriate actions."

Wiley retired last year one week after the House Committee on Veterans Affairs launched an investigation into her administration and requested that the VA provide all records reflecting performance reviews, pay bonuses and disciplinary actions issued to the former director since 2007. According to employment records and investigative reports, she served as the director of the Augusta and Columbia VA medical centers from 2007 to 2013, when widespread mismanagement led to 8,500 gastrointestinal appointments being delayed and nine veterans dying at the two hospitals while awaiting treatment. The only bonus the House committee said it was aware of was the \$1,500 cash she received in 2011. That year, its records show, three cancer patients died in Augusta – on March 2, Aug. 11 and Oct. 30. The year before, Wiley’s chief of staff, Dr. Luke Stapleton, received a \$5,000 bonus, while patient delays reportedly grew. [Source: Augusta Chronicle | Wesley Brown | October 14, 2014 ++]

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## VA Bonuses Update 22 ► Ohio \$14.2M for 2013 & 2014

Nearly \$6.5 million in bonuses went to more than 6,000 employees of Veterans Affairs hospitals in Ohio the same year allegations of lengthy wait times hidden by scheming bureaucrats toppled the agency’s top brass, an I-Team investigation has found. One Dayton VA doctor received bonuses in 2013 and 2014 after the U.S. Department of Veterans Affairs paid out \$300,000 to settle a malpractice claim naming her. The I-Team obtained a database this month of salaries and bonuses paid to VA employees across Ohio after filing a Freedom of Information Act request for the records in July. Bonus payouts at Ohio’s five VA hospitals dropped from nearly \$7.7 million in 2013 to \$6.5 million in federal fiscal year 2014, which ended 1 OCT. The average bonus in 2014 was \$700.



**CHART: VA salaries in Ohio**

There were 20 bonuses for more than \$5,000, many going to top administrators. “That is misappropriated funds, that’s what that’s called in the military,” said Taraneice Nalls, a retired Army staff sergeant living in Dayton. Nalls said her faulty adrenal glands went undiagnosed for years and her doctor didn’t tell her for

13 months she had a referral for further testing that ultimately discovered the problem. “They don’t deserve that,” she said when told her doctor and others — more than half of the roughly 12,000 VA employees in the state — received bonuses. Federal reforms passed by Congress and signed by President Barack Obama after a summer of outrage over how long veterans were waiting for care have limited the budget for VA bonuses to \$360 million — a \$40 million reduction.

- **U.S. Rep. Brad Wenstrup**, R-Cincinnati, was among lawmakers who believed bonuses for senior agency executives should’ve been suspended altogether. “(Bonuses) should be given to employees who go beyond their job descriptions and not to those who simply do their job, or worse, underperform,” said Wenstrup, who is a physician and sits on the House Committee on Veterans’ Affairs. “In numerous VA hearings, we continually found evidence that bonuses for many VA employees did not align with quality performance or, more importantly, with providing patient access to quality care,” he said.
- **U.S. Sen. Sherrod Brown**, D-Ohio, sits on the Senate veterans affairs committee. He said limits to bonuses must be balanced against paying enough to attract high-quality employees. “Our veterans deserve the highest level of care possible,” he said. “Recruiting and retaining skilled medical and administrative professionals, in the current national healthcare provider shortage, is a difficult challenge.”
- **Navy veteran Denny Brown** of Logan County said doctors at the Dayton VA cured his cancer and deserve every cent they get. “I haven’t had a bad experience with the VA,” he said. Brown said he reads the newspaper and knows the VA has challenges. But he said it should fix problems by firing bad actors, rewarding whistleblowers and fairly compensating the doctors who are doing good work.

Top administrators received the largest bonuses in Ohio last year, according to records obtained by the I-Team.

- Jack Hetrick, director of the VA in Ohio, received the largest bonus: \$12,579. That was on top of his \$181,497 salary.
- Dayton VA Director Glenn Costie received two bonuses totaling \$12,110. That was the third highest amount in the state and was in addition to his salary of \$174,730.
- Cincinnati VA Director Linda Smith received a \$8,985 bonus; her annual salary is \$181,497. Meanwhile, the VA Office of Inspector General is investigating the Cincinnati VA after a whistleblower alleged manipulation of scheduling patients. And the Richmond (Ind.) Community Based Outpatient Clinic, which falls under the Dayton VA, is under OIG review after staff reported inconsistencies in understanding how to handle long wait times.
- The Richmond clinic has 32 employees and is overseen by William Germann, Dayton’s chief of primary care. He received a \$3,000 bonus in 2014 and \$2,999 in 2013. His salary is \$207,610. “Our ‘bonuses’ are in fact ‘pay-for-performance’ awards, measuring whether an employee achieved specific goals which were established at the beginning of the year,” VA spokesman Ted Froats said in a statement. “If an employee achieves all of their goals, they receive all of the pay-for-performance award. If they only achieve a percentage of the goals, then they receive that percentage of the award.” Froats said Germann has increased training for schedulers in Richmond as a result of the recent audit.
- Physician Yolanda Yap received a \$1,300 bonus in 2013 and \$1,100 in 2014, on top of her \$172,439 salary. In January 2013, the DVA paid out \$300,000 to settle a lawsuit brought by James Baker of Sidney. He alleged poor care he received at the Dayton VA put him on a waiting list for a new kidney. Baker went to the Dayton VA in 2007 for a routine appointment, but his normal doctor was out and primary care physician Yolanda Yap was filling in. The lawsuit alleges Yap put him on a new medication without warning him that it might have an adverse reaction with the medication he was already taking. He went to the emergency room in 2008, the federal lawsuit says, and doctors



found his kidneys had failed. Baker filed an administrative malpractice claim in 2010, which the VA denied in 2011. He sued for \$4 million in 2011 and the VA settled in 2013. Baker currently is hospitalized at the VA undergoing cancer treatment and his family declined to comment for this story. Froats said the claim was in regard to a patient visit that occurred in 2007, so it was not a factor in Yap's 2013 or 2014 performance reviews.

Other malpractice payouts — including six Ohio cases settled in court totaling \$2.6 million since 2013 — often did not include the names of the people accused of the mistakes, so it's impossible to know whether they received bonuses. Bob Funk, quartermaster for the Ohio VFW, said it's too early to know whether VA administrators in Ohio share blame for the ongoing wait-times scandals, and he doesn't want to rush to judgment about the doctors sued for malpractice. But, he said, "They shouldn't get a bonus if they're not doing their job." "There's a laundry list of things the VA doesn't do correctly," he said. "These are things the VA needs to get cleaned up and hopefully the new administrators (in Washington) that are coming in will take a hard look at that."

Bonus amounts are based on a person's salary and are supposed to reward good work. But a U.S. GAO report in July 2013 showed performance bonuses were routinely handed out to employees the same year they were disciplined. Some VA critics alleged the bonuses provided incentives for employees to fudge wait times to make it look like they were meeting requirements that veterans get appointments within 14 days of their requested date. Nearly 92 percent of appointments at the Dayton VA and 91 percent at the Cincinnati VA are scheduled within a 30-day window, according to the most recent data released in September. The national average is 90 percent. Dayton VA officials say they are addressing patient wait times by hiring more doctors to handle the increasing caseload. Five new doctors will be arriving at the Dayton VA within the next four months, with another provider going to the Lima clinic. Additional positions are in the pipeline, including a physician recruiter. VA officials say they are challenged by a national shortage of primary care physicians, which makes it difficult for the government to compete with the private sector for top talent.

The I-Team compared salary data to a Dayton VA staff list and found five family practice doctors with an average salary of \$180,670. In the past year, the average starting salary for private-sector family practice doctors in Ohio was \$189,000, with a high of \$220,000 and a low of \$160,000, according to the healthcare staffing firm Merritt Hawkins. The highest-paid employees in the VA system are orthopedic surgeons. Glenn Wera, section chief for orthopedics at the Louis Stokes VA Center in Cleveland, has the highest base salary in the state at \$374,311. The highest-paid employee at the Dayton VA is Matthew Lawless, an orthopedic surgeon with a salary of \$330,727. That pales in comparison to the private sector, according to VA officials who point to the 2013 Sullivan and Cotter Physicians Compensation Survey, which shows the average non-VA chief orthopedic surgeon in Dayton makes \$592,630 annually. [Source: Dayton Daily News | Josh Sweigart | October 11, 2014 ++]

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## **VA Choice Act ► Allows Removal of Those Accused of Misconduct**

Susan Taylor, the Veterans Affairs Department's executive at the center of the reverse auction procurement scandal, is leaving government before she could be fired. A VA spokeswoman confirmed that Taylor retired from the agency on 14 OCT. VA Deputy Secretary Sloan Gibson started the process 6 OCT to fire Taylor using the new powers given to the agency in the Veterans' Access to Care through Choice, Accountability, and Transparency Act of 2014 to remove Senior Executive Service members who have been accused of misconduct or whose performance has been determined to be below standard.



**Susan Taylor (VA photo)**

Taylor's resignation came about three weeks after an investigation by VA inspector general found she allegedly committed procurement fraud, used her position as VHA deputy chief procurement officer to promote and award a contract to FedBid, a reverse auction vendor, and improperly acted as an agent of the vendor creating a conflict of interest. Investigators also claimed Taylor "improperly disclosed non-public VA information to unauthorized persons, misused her position and VA resources for private gain, and engaged in a prohibited personnel practice when she recommended that a subordinate senior executive service (SES) employee be removed from SES during her probation period." Taylor also allegedly interfered with the IG's investigation by lying about her involvement with VA's FedBid contract and her relationship with executives of the company. Additionally, the IG found FedBid executives acted improperly by allegedly taking "significant measures to disrupt and deprive VA's right to transact official business honestly and impartially, free from improper and undue influence." VA has yet to decide what actions, if any, it will take against FedBid and several of its executives for its alleged role in the scheme. FedBid remains in good standing in the System for Award Management (SAM).

A congressional staff member said VA let Taylor resign because of how the agency implemented the new law, adding an additional five-day appeal process. The source says it's that **five-day appeal process that gives executives the ability to retire or quit before anything bad happens.** "VA's policy implementing the Choice Act removal authority is intended to be fair to employees while also ensuring SES performance and conduct issues are resolved quickly and with finality," wrote VA in a white paper explaining its interpretation of the law. "The policy provides VA SES five days' advance notice of proposed removal and an opportunity to respond in writing to the charges and evidence supporting the action. The policy also provides that removal decisions must be supported by substantial evidence, meaning such relevant evidence as a reasonable mind might accept as adequate to support the action."

Robert McDonald, VA's Secretary, wrote in a letter to the House Veterans Affairs Committee on 29 SEP, that the agency has more than 100 investigations underway and will act as quickly as possible to hold those employees implicated in wrongdoing accountable. "The act allows VA to resolve SES removal actions more quickly than ever before," McDonald wrote. "However, the new law does not allow VA to simply fire senior executives it believes are performing poorly or engaging in misconduct. In fact, the SES removal provisions Congress passed into law are limited in ways that should be clear from any reading of the law. VA's evidentiary burden in that process is unchanged — the law requires preponderance of evidence or cause to fire VA senior executives. The law does not guarantee that VA senior executives will be fired even if VA seeks to remove them — VA's decision may be reversed on appeal." [Source: Federal News Radio | Jason Miller | October 14, 2014 ++]

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## **VA Choice Act Update 01 ► Congressional Criticism Frustrates McDonald**

Veterans Affairs Secretary Bob McDonald says he's working "aggressively" to fire problem employees in his department and is frustrated by congressional criticism that dismissals aren't moving fast enough. "If somebody wants us to move faster, then they should change the law," he said during a 14 OCT news conference in Baltimore. "We are following the law. And we are doing it as expeditiously as possible." The comments echo pushback from other top department officials after another round of criticism from lawmakers that not enough senior administrators have been fired for problems related to VA's recent care delay and data manipulation scandals.



In the last few weeks, McDonald has announced plans to fire five senior executives for various mismanagement and corruption allegations, using new employment authorities approved by Congress in July. Two of those administrators have retired in lieu of facing disciplinary action, frustrating lawmakers who want not just dismissal but also punishment for the failures. VA officials have said they cannot force employees to stay in their jobs to face a formal censure and firing. McDonald said he believes he has "the tools I need as a leader to make the changes I need" and has emphasized to all employees the importance of changing the department's culture to better respond to veterans needs. "If you look at what's happened, you'll see there have been a rolling series of announcements as we've been taking disciplinary actions against different people," he said, promising that employees who have "violated our values" will face consequences.

VA officials also have said they cannot move to fire employees while investigations are ongoing, but will move quickly to respond to any new failings found by outside agencies. More than 100 cases related to malfeasance at VA facilities have been opened by the department's inspector general, the Office of Special Counsel, and the FBI, with most expected to be completed in coming weeks. McDonald was in Baltimore on 14 OCT as part of his nationwide recruiting tour, which includes visits to prominent medical schools and hospitals to encourage medical professionals to consider VA for their careers. The department recently announced increased pay

for doctors and nurses who come on board, and has announced plans to hire thousands of new employees in coming months to help reduce patient wait times. [Source: NavyTimes | Leo Shane | October 15, 2014 ++]

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## **VA Choice Act Update 02 ► Wolf Firing on Hold Pending Appeal**

The Department of Veterans Affairs is giving the suspended director of its Pittsburgh-area hospitals more time to convince top officials they shouldn't fire her. The VA, citing federal privacy laws, would not say how long it extended her appeal period, or the specific reasons Terry Gerigk Wolf gave when she requested it. The VA's Office of Accountability Review recommended firing Wolf on 3 OCT after investigating her handling of a deadly Legionnaires' disease outbreak that killed at least six and sickened at least 16. The Accountability Office determined she engaged in "conduct unbecoming a senior executive." Wolf, who is suspended with pay and continues to receive her \$179,700 annual salary, did not return a call for comment.



**Suspended Director of Pittsburgh-area Hospitals Terry Gerigk Wolf**

Members of Congress and families of some of the six veterans who died in the outbreak have sharply criticized VA leaders for not firing anyone in connection with the Legionnaires' outbreak, even after the Office of Inspector General decided a series of VA lapses contributed to the illnesses. Wolf's predecessor and former boss as VA regional director, Michael Moreland, retired in November 2012 after receiving a \$63,000 bonus for lifetime achievement. U.S. Rep. Jeff Miller (R-FL), chairman of the House Veterans Affairs Committee, said the outbreak "ended nearly two years ago and it's been more than a year" since the inspector general's report. "At the Aug. 7 signing ceremony for the Veterans Access, Choice and Accountability Act, President Obama said, 'if you engage in an unethical practice, if you cover up a serious problem, you should be fired. Period. It shouldn't be that difficult.' Unfortunately, VA is proving him to be wrong," Miller said.

The act, which was intended to make it easier for the VA to fire people, didn't include an appeals process, said Miller, who accused VA leaders of "extending it on an ad-hoc basis for hand-picked employees." VA spokeswoman Kerry Meeker responded in an email 17 OCT that "federal employees, including VA senior executives, are entitled to a meaningful opportunity to reply to the charges and evidence supporting a proposed removal." Regardless of whether Wolf were to resign or be fired, she'll likely be able to keep her pension, Meeker said. "By law, federal employees' vested retirement benefits are theirs to keep unless they are convicted of espionage, treason or another significant crime," Meeker said.

The VA and the Centers for Disease Control and Prevention say the outbreak at VA's Pittsburgh hospitals in Oakland and O'Hara occurred between February 2011 and November 2012. However, an investigation by the Tribune-Review obtained water test results that showed elevated levels of Legionella bacteria in the hospitals' plumbing systems as far back as 2007. The VA instituted water restrictions in two buildings at the Oakland hospital campus where environmental tests turned up Legionella, the agency told members of Pennsylvania's congressional delegation Friday. The type of Legionella is one that does not normally infect people and is different from the strain that caused the outbreak, according to the notification. The hospital will flush hyperchlorinated water through all of its buildings this weekend and early next week, according to the message to Congress. The Trib, using a Freedom of Information Act request, found emails among top staffers in Pittsburgh during the outbreak contradicted the testimony others gave to Congress regarding the hospitals' testing and infection control practices. Then-Acting VA Secretary Sloan Gibson suspended Wolf with pay in June, not long after she told local members of Congress about a secret waiting list for veterans registering for care in Pittsburgh. [Source: Pittsburgh Tribune | Mike Wereschagin | October 18, 2014 ++]

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### **VA Choice Act Update 03 ► CAVHCS Director Terminated**

The Department of Veterans Affairs has removed an Alabama director who oversaw officials accused of falsifying data and manipulating patient records. James Talton was the director of the Central Alabama Veterans Healthcare System and had been on paid administrative leave since August, after revelations surfaced ranging from long wait times at system facilities to employees helping patients buy drugs. He was removed after an investigation by the Office of Accountability Review investigation substantiated allegations of “neglect of duty,” according to a VA statement. VHA will begin recruiting a Director for CAVHCS. To ensure continuity of care for Veterans and leadership for VA employees during the recruitment period, Dr. Robin Jackson, Deputy Network Director, VISN 7, has been designated acting CAVHCS director.



**James R. Talton**

The move comes a day after Sen. John McCain (R-AZ) and other lawmakers blasted VA Secretary Bob McDonald for not doing enough to remove bad leaders amid a nationwide scandal in veterans' health care. The scandal began this summer when whistleblowers revealed that officials had created secret wait lists to hide the facts that patients were denied care for months and that some died while awaiting treatment. It cost former VA Secretary Eric Shinseki his job and his replacement, McDonald, has been under increasing

pressure to rid the system of officials seen as responsible for the problems. One criticism has been that some leaders the VA announced it had fired had been allowed to resign before termination. It was unclear whether Talton had resigned before he was terminated. VA spokesman Randy Noller said he could not comment on personnel issues.

“This removal action underscores VA’s commitment to hold leaders accountable and get Veterans the care they need,” the VA statement said. The VA statement does not specify what constituted neglect of duty, but among many revelations about the Central Alabama VA system, including records falsification, the most disturbing were reports of a VA employee helping a patient buy crack cocaine and prostitutes and another employee arrested for sexually abusing a volunteer with Down Syndrome. U.S. Rep. Martha Roby, R-Montgomery, has said Talton had lied to her about the scandal, telling her that all employees involved in falsifying wait times had been fired. Talton called it a “misunderstanding.” [Source: Stars and Stripes | Heath Druzin | October 24, 2014 ++]

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## **VA Credibility Update 24 ► VA is Critical to Medicine and Vets**

During preparation for my confirmation as secretary of Veterans Affairs (VA), I was repeatedly asked, "Why doesn't VA just hand out vouchers allowing veterans to get care wherever they want?" For a department recovering from serious issues involving health care access and scheduling of appointments, that was a legitimate question. After nine weeks at VA, travel to 31 VA facilities in 15 cities, discussions with hundreds of veterans and VA clinicians, meetings with 75 Members of Congress, two hearings before the Senate and House Veterans' Affairs committees and dozens of meetings with Veterans Service Organizations and other stakeholders, I can answer that question. Veterans need VA, and many more Americans benefit from VA.

Almost 9 million veterans are enrolled to receive health care from VA — a unique, fully-integrated health care system, the largest in the nation. The VA stands atop a critical triad of support — three pillars that enable holistic health care for our patients: research, leading to advances in medical care; training that's essential to build and maintain proficiency of care; and delivery of clinical care to help those in need. VA's accomplishments on all three pillars and contributions to the practice of medicine are as broad, historically significant and profound as they are generally unrecognized. Almost 9 million veterans are enrolled to receive health care from VA — a unique, fully-integrated health care system, the largest in the nation. The VA stands atop a critical triad of support — three pillars that enable holistic health care for our patients: research, leading to advances in medical care; training that's essential to build and maintain proficiency of care; and delivery of clinical care to help those in need.

VA's accomplishments on all three pillars and contributions to the practice of medicine are as broad, historically significant and profound as they are generally unrecognized. VA is affiliated with over 1,800 educational institutions providing powerful teaching and research opportunities. And our research initiatives, outcomes and honors are tremendous. Few understand that VA medical professionals:

- Pioneered and developed modern electronic medical records;
- Developed the implantable cardiac pacemaker;
- Conducted the first successful liver transplants;
- Created the nicotine patch to help smokers quit;
- Crafted artificial limbs that move naturally when stimulated by electrical brain impulses;



- Demonstrated that patients with total paralysis could control robotic arms using only their thoughts — a revolutionary system called "Braingate";
- Identified genetic risk factors for schizophrenia, Alzheimer's and Werner's syndrome, among others;
- Applied bar-code software for administering medications to patients — the initiative of a VA nurse;
- Proved that one aspirin a day reduced by half the rate of death and nonfatal heart attacks in patients with unstable angina;
- Received three Nobel Prizes in medicine or physiology; seven prestigious Lasker Awards, presented to people who make major contributions to medical science or public service on behalf of medicine; and two of the eight 2014 Samuel J. Heyman Service to America medals.

No single institution trains more doctors or nurses than VA. More than 70 percent of all U.S. doctors have received training at VA. Each year, VA trains, educates and provides practical experience for 62,000 medical students and residents, 23,000 nurses and 33,000 trainees in other health fields — people who go on to provide health care not just to veterans but to most Americans.

The 278,000 employees of the Veterans Health Administration work in a system spanning all 50 states and beyond, providing — from Maine to Manila — a high volume of quality, clinical care. Our 150 flagship VA Medical Centers are connected to 819 Community-Based Outpatient Clinics, 300 Vet Centers providing readjustment counseling, 135 Community Living Centers, 104 Residential Rehabilitation Treatment Centers, and to mobile medical clinics, mobile Vet Centers and telehealth programs providing care to the most remote veterans.

That network of facilities allows VA to deliver care to veterans from the greatest generation of World War II to the latest generation from Afghanistan and Iraq. In 2013, VA provided over 90 million episodes of care; that's an average of over 240,000 each day. And since 2004, the American Customer Satisfaction Index survey has consistently shown that veterans receiving inpatient and outpatient care from VA hospitals and clinics give a higher customer satisfaction score, on average, than patients at private sector hospitals.

Finally, VA is uniquely positioned to contribute to the care of veterans with traumatic brain injury (TBI), prosthetics, PTSD and other mental health conditions, and the treatment of chronic diseases such as diabetes and hepatitis. The work we do in these areas, as well as many others, produces results and life changing improvements in care for veterans — and for all Americans and people around the world who suffer from these conditions.

Fixing access to VA care is important; we have a plan to do that and are dedicated to implementing it. That process will take time — but it must be done, and we will be successful. Those who fully understand the value of the department in research, training, and clinical care understand that veterans and all Americans need and deserve their VA to continue providing exceptional care to those we serve.

Robert A. McDonald is secretary of Veterans Affairs. His email is [Bob.mcdonald@va.gov](mailto:Bob.mcdonald@va.gov).

[Source: Baltimore Sun | Robert A. McDonald | October 24, 2014 ++]

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## **VA Whistleblowers Update 13 ► Fox News Interviewee Retaliation**

VA whistleblower who spoke out in an interview with Fox News Neil Cavuto says he's faced harassment and retaliation for going public with his allegations about the lack of medical care for veterans. After the

interview, Scott Davis says he was asked by his superiors to sign a notice stating that he would not speak publicly again. When Davis refused, he received an email which he interpreted as a threat. "Mr. Davis, with all due respect, the notification that was sent to you and to your representative to appear before the Administrative Investigation Board was not an invitation to which you can decline," read the email from Department of Veterans Affairs HR consultant William Lamm to Davis.

Davis, an Eligibility Center program specialist, said today on "Fox and Friends" that he got the email right after his interview with Cavuto, in which he accused the VA in Georgia of improperly purging benefit applications. "They were trying to shut me up and trying to silence me from discussing the fact that 47,000 veterans died while waiting to get their health care applications processed and that 890,000 veteran applications for health care have never been processed by the Department of Veterans Affairs," he said, explaining that his superiors "freaked out" that he was on Fox News. But he did not go on television until he had already reported his allegations to the Inspector General's office, contacted the White House and testified in Congress. "By the way, the White House whistleblower complaint got leaked to my supervisor," said Davis, who added that the leak is against the law. "Unfortunately, no one will step up to the plate at VA or the White House and admit who gave the whistleblower complaint to my manager here in Atlanta. I as a United States citizen have the right to petition the government, including the Office of the President, about violations and mistreatment of our nation's veterans. Unfortunately that complaint, which was given to White House Deputy Chief of Staff Rob Nabors, somehow made its way back to Atlanta, where my manager was able to retaliate against me," he recalled.

After he spoke out, Davis said the VA changed his job description, his hours of operation and his reporting structure. Steve Doocy noted that since we're not hearing a lot about the VA in the news anymore, people assume that the situation is improving. Davis does not believe the problems are being fixed, alleging that the VA is not doing enough to educate veterans about what to do if they end up backlogged and waiting for benefits. To view the interview go to <https://www.youtube.com/watch?v=G6dujwxbliM>. [Source: [http://video.foxnews.com/v/3854376234001/va-whistleblower-threatened-after-fox-news-appearance/?playlist\\_id=930909787001#sp=show-clips](http://video.foxnews.com/v/3854376234001/va-whistleblower-threatened-after-fox-news-appearance/?playlist_id=930909787001#sp=show-clips) [October 23, 2014 ++]

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## **VA Loans ► Certificate of Eligibility (COE)**

Current and former servicemembers can apply for a VA Certificate of Eligibility (COE) online, with the help of their lender, or by U.S. mail. To get your Certificate of Eligibility (COE) online go to the eBenefits portal at <https://www.ebenefits.va.gov/SiteDown/siteDown.html>. If you already have login credentials, click the Login box, and if you need login credentials, click the Register box and follow the directions on the screen. If you need any assistance call the eBenefits Help Desk at 1-800-983-0937. Their hours are Monday-Friday, 8am to 8pm EST. For borrowers who prefer to apply for a VA COE through the lender, the lender will need to use a system provided by the VA called Web LGY. This Internet-based application can establish eligibility and issue an online COE in a matter of seconds. That is, if VA has sufficient data in their records. Veterans are encouraged to ask their lenders about this method of obtaining a certificate.”

If you prefer to apply for a VA Certificate of Eligibility by U.S. mail, you will need to complete and submit VA Form 26-1880, Request for Certificate of Eligibility and send it to the VA Loan Eligibility Center. The form is available online <http://www.vanewsblog.com/wp-content/uploads/2013/08/036-logo.jpg>. The address to send it to [VA Loan Eligibility Center, Attn: COE (262), PO Box 100034, Decatur, GA 30031] is on the form: Surviving spouses must apply by mail using VA Form 26-1817, Request for Determination

of Loan Guaranty Eligibility – Unmarried Surviving Spouses available at <http://www.vba.va.gov/pubs/forms/VBA-26-1817-ARE.pdf>. If your Veteran spouse died after service, VA must determine that the death was due to a service-connected disability. Allow 2-3 months for this process unless you know that the decision on service-connected death has already been made. If you can't print the form, just call 1-888-768-2132 and follow the prompts for Eligibility and we will mail the form to you. Surviving spouses should mail their paperwork to the same address which appears on the form. [Source: <http://www.valoans.com/newsletter13-10> Sep 2014 ++]

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## **VA Fraud, Waste, and Abuse ► 141016 thru 141031**

**West Palm Beach VAMC** – Wifredo A. Ferrer, United States Attorney for the Southern District of Florida, and Monty Stokes, Special Agent in Charge, United States Department of Veteran Affairs, Office of Inspector General (VA-OIG), announce the charges filed against **Timothy Rouch**, 47, Port St. Lucie, the former Chief of Prosthetics at VA Medical Center West Palm Beach, and **Frankie Lane**, 52, formerly of Boca Raton, owner of AAA Medical Discount, two defendants for conspiracy to commit healthcare fraud, in violation of Title 18, United States Code, Section 1349. According to the information, the defendants conspired to fraudulently bill the VA in West Palm Beach for durable medical equipment that was never provided to veterans. The VA official solicited and received kickbacks from the vendor. AAA Medical Discount sold over \$2.2 million in durable medical equipment to the VA from 2006-2010. If convicted, each faces a statutory maximum penalty of up to 10 years in prison, to be followed by up to a three-year term of supervised release, and imposition of a \$250,000 fine in addition to payment of restitution. Mr. Ferrer commended the investigative efforts of the VA-OIG. [Source: USDOJ Florida Press Release October 17, 2014 ++]

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**Dayton VAMC** – A 23-count indictment was filed charging a Virginia executive with providing things of value to the former director of the Cleveland and Dayton Veterans Affairs Medical Center in exchange for confidential information about VA construction projects, law enforcement officials said. **Mark S. Farmer**, 54, of Arlington, Virginia was charged with one count of conspiracy to commit mail fraud, wire fraud and theft of government property; two counts of wire fraud; six counts of embezzlement and theft; one count of violating the Hobbs Act and 13 counts of mail fraud. Farmer was employed at an integrated design firm that performed work for the VA. He worked in several different capacities, including associate principal. The business is identified in the indictment only as “Business 75”. Farmer and Business 75 received VA records and things of value, including non-public information concerning the VA and streamlined access to public information concerning the VA, which **William Montague** had embezzled and stolen without authority from the VA. This was done to give Farmer and Business 75 an advantage over other companies in the awarding and administration of VA business. Montague, the former director of the Cleveland and Dayton Veterans Affairs Medical Center, pleaded guilty earlier this year to 64 counts related to his role in the conspiracy. He is awaiting sentencing. “Contractors and employees conspiring to defraud the VA is particularly intolerable as the VA struggles to effectively serve our nation's veterans,” said Gavin McClaren, U.S. VA OIG, Resident Agent in Charge, Cleveland.

Farmer asked Montague to obtain information concerning VA contracts and business, including VA records. Montague used his power and influence at the VA to gain access to VA employees in ways that Farmer and Business 75 could not. Montague gave false and misleading information to VA employees about Montague's reasons for requesting VA records and information, according to the indictment. If

convicted, the defendant’s sentence will be determined by the court after a review of the federal sentencing guidelines and factors unique to the case, including the defendant’s prior criminal record (if any), the defendant’s role in the offense and the characteristics of the violation. An indictment is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government’s burden to prove guilt beyond a reasonable doubt. [Source: USDOJ Ohio Press Release October 20, 2014 ++]

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## **VAMC Minneapolis Update 02 ► IG Clears Foul Play Allegation**

Department of Veterans Affairs Acting Inspector General Richard Griffin has cleared the Department of Veteran Affairs’ medical clinic in Minneapolis of foul play in the case of a 25-year-old ex-Marine whose neurology appointment was mysteriously rescheduled after he died. Jordan Busman, who left military service because of complications of epilepsy, died 26 NOV, 24 days before the date he was scheduled to see a VA neurologist. But agency records show that he canceled and rescheduled his appointment four days after his death. The issue prompted members of the Minnesota congressional delegation to call for an investigation by the VA inspector general’s office. The VA was known to have faked patient cancellations to hide extensive treatment delays, and Buisman’s case appeared to fit that mold. However, Griffin said in letters to the Minnesota lawmakers last week that the ex-Marine called the VA’s automated scheduling system from his cellphone and canceled his appointment on the same day he died, but before his passing. Griffin said the automated system transmits cancellation requests on the day after they are made. Therefore, Buisman’s request went out to schedulers one day after his death, and an employee who agreed to handle his case didn’t get around to making the changes until 30 NOV. “Based on this information, we have closed our investigation on the allegation that a deceased veteran had called after his death to reschedule his appointment, and plan no additional work on that issue,” Griffin said in the letters. [Source: The Washington Post | Josh Hicks | Oct. 07, 2014 ++]

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## **VAMC Nashville TN Update 01 ► Stroke Patient Care**

Stroke patients at the VA hospitals in Nashville and Murfreesboro received inferior care and administrators failed to properly investigate deaths that occurred during surgery, a critical new audit of the Tennessee Valley Healthcare System has found. Juan Morales, the director of the Tennessee Valley Healthcare System, agreed with the Office of Inspector General’s findings and submitted an action plan to correct the problems. But the audit is the latest in a series of alarming reports about the care veterans receive in Middle Tennessee. It comes on the heels of another OIG report released last month that pointed out problems with primary care. The hospital system had already admitted some of the longest wait times in the nation for veterans to see specialists. The latest report highlights lapses in ensuring standards of care that can mean the difference between life and death in an emergency room or a surgery table.



Patients were not adequately checked for strokes, went without transfer to a primary stroke center and were not checked to see if they had difficulty swallowing prior to being given food or medicine. The report also cited the system for failures in how it followed up on patients, managed medication and overall quality controls. The audit covered more than a year of operations from Oct. 1, 2012 to Aug. 11, 2014. "Several surgical deaths that occurred from January through June 2013 had identified problems or opportunities for improvement: There was no evidence that the Morbidity and Mortality Committee reviewed one of these deaths," the report said. Reviews of surgical deaths will start by 1 DEC. "All surgical deaths with identified problems or opportunities for improvement will be reviewed by each surgery section's Morbidity and Mortality committee," the health system said in its response. The VA hospitals in Middle Tennessee will track all surgery deaths and the committee will monitor compliance, the health system vowed.

Among the 20 recommendations in the report, the OIG said the hospital system needed to develop a stroke policy to address seven deficiencies related to stroke care. Auditors examined the electronic health records and related documents of 35 randomly selected stroke patients. Twenty-six of them were from the Nashville hospital, and nine were from the Murfreesboro hospital. "None of the three patients at the York (Murfreesboro) campus who demonstrated acute ischemic stroke symptoms were considered for transfer to a primary stroke center for further care, possibly because the facility did not have an acute ischemic stroke policy," the report said. Tennessee Valley said it plans to have a stroke policy in place by March 20, 2015, at both hospitals to address all the problem areas in stroke care. However, some will be accomplished earlier, such as the posting of stroke guidelines in all intensive care and inpatient medical units, which is supposed to be done by Oct. 31. Tennessee VA problems at a glance:

- **June:** The Tennessee Valley Healthcare System reports having some of the longest wait times in the nation for veterans needing to see a specialist. The U.S. Department of Veterans Affairs says it will put the system under greater scrutiny as part of a nationwide effort to improve care. Juan Morales, director of the hospital system, pledges improvements.
- **September:** The Office of Inspector General issues a report saying that the average time to see a primary care physician at the Nashville hospital is double the national average. Satellite clinics in Dover, Clarksville, Murfreesboro and Hopkinsville have the same lags. It cites all the clinics for not having required training on patient aligned care teams.
- **October:** The OIG issues a report with 20 recommendations for improvements after conducting a quality of care audit at the hospital system. The report cites deficiencies in standard treatments for stroke patients and says the system failed to investigate deaths that occurred during surgeries.

[Source: The Tennessean | Tom Wilemon | October 22, 2014 ++]

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## VAMC Prescott AZ ► Legionnaires' Bacterium Detected in 9 Rooms

The federal Department of Veterans Affairs has flushed and decontaminated the water system of its Prescott hospital's after detecting the bacterium that causes the potentially fatal Legionnaires' disease. VA spokeswoman Jean Schaefer said the bacterium was detected Oct. 14 in faucets of nine hospital rooms. The flushing and decontamination was performed 18 OCT. The VA has not received any reports of anyone with Legionnaires' symptoms, Schaefer said from Phoenix. A VA letter provided to Northern Arizona VA Health Care System employees Thursday said inpatient veterans were being provided bottled water to brush their teeth and that patients in affected rooms weren't being allowed to take showers. "Please understand this is a low risk," the letter stated.



The Legionnaires' disease takes its name from a deadly outbreak at a Pennsylvania American Legion convention at a Philadelphia hotel in 1976. More recently, at least six patients died and 16 were sickened in a 2011-2012 outbreak of Legionnaire's disease in VA hospitals in the Pittsburgh area. The bacterium believed to be responsible for the disease is found in soil and grows in water in places such as air conditioning ducts, rivers and storage tanks. The Daily Courier reported that the VA did not issue a press release about the bacteria being detected at the Prescott hospital and that the newspaper learned of it from concurrent current and former employees. "We did not do a press release because there is no public health risk," Schaefer said. The letter to employees said they could tell patients who asked questions that they found the bacterium in the water, but Schaefer wasn't aware of any directive to tell patients or visitors. In hindsight, Schaefer said the VA might notify the public of any future positive tests for the bacteria that cause Legionnaires' disease. [Source: Associated Press article October 21, 2014 ++]

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## **VAMC Phoenix AZ Update 10 ► Not in Compliance with U.S. Standards**

The Department of Veterans Affairs health-care system in Phoenix does not comply with U.S. standards for safety, patient care and management, according to a non-profit organization that reviews medical facilities nationwide. In findings published online, The Joint Commission says Carl T. Hayden VA Medical Center failed a July inspection in 13 quality-control categories. Experts who conducted the review in July found that Phoenix administrators did not maintain a "safe, functional environment" or "a culture of safety and quality." They concluded that the hospital does not have adequate policies and procedures to "guide and support patient care, treatment and services." The inspectors also determined that VA employees were unable to report concerns "without retaliatory action from the hospital."





The Joint Commission is an independent, nongovernmental agency that accredits and certifies more than 20,500 health-care programs in the United States. For many medical centers, accreditation is a precursor to qualify for federal Medicare funding. Elizabeth Eaken Zhani, media relations manager at the commission, stressed that noncompliance findings do not typically lead to a loss of accreditation. Instead, Phoenix VA has a right to appeal and an opportunity to correct failings so the hospital meets national standards. The Phoenix VA system serves about 80,000 Arizona veterans. In a written statement 20 OCT, VA officials said plans have been developed with an expectation that compliance issues will be resolved within 120 days. "We anticipate and welcome a return visit from The Joint Commission within the next month, which is a follow-up survey," the statement continued. "We are also working diligently to address the cultural issues identified by The Joint Commission and have implemented a number of items to enable employees to raise concerns about safety or quality without fear of retaliation..."

Zhani said the list of problem areas can be interpreted as a message: "This is where you need to improve. This is where you have gaps in patient safety." Of more than 4,000 medical facilities evaluated each year, she said, less than 1 percent are denied accreditation. In August, VA Secretary Robert McDonald announced The Joint Commission is conducting an independent review of scheduling and patient access at all of the 150 VA hospitals and 820 clinics nationwide. Those findings have not yet been disclosed. The commission, based in Oakbrook Terrace, Ill., is the nation's oldest and largest health-care accreditation organization. Experts conduct on-site reviews of medical programs based on national standards. In 2010, the Phoenix hospital was among 20 VA medical centers to earn The Joint Commission's "Top Performer" honor. The most recent audit, in 2011, showed Phoenix at or above target values established by the commission for every major category of health care and administration. [Source: The Republic | Dennis Wagner | October 21, 2014 +]

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## **VAMC Phoenix AZ Update 11 ► 6 Year History of Record Falsification**

Inspectors at the Department of Veterans Affairs caught Phoenix VA managers falsifying patient appointment records during a probe six years ago, but agency officials did not divulge those findings at the time, according to documents obtained by The Arizona Republic. An "administrative investigation" conducted in 2008 at Phoenix VA Health Care System says the medical center had "an accepted past practice to alter appointments to avoid wait times greater than 30 days, and that some employees still continue this practice." "We also found that some schedulers did not understand their performance standards and that the medical center did not use the electronic wait list in accordance with policy," a report on the investigation states. Those conclusions are virtually identical to findings the OIG made during a similar Phoenix investigation released in August under pressure from whistle-blowers, Congress and media coverage.

Existence of the 2008 report was disclosed publicly 22 OCT by the Washington Examiner in articles that suggest the OIG repeatedly has failed in its oversight duty by not publishing reports, obfuscating the level of fraud and failing to hold VA executives accountable. Rep. Jeff Miller (R-FL), chairman of the House Committee on Veterans' Affairs, said revelations show the inspector general "missed the forest for the trees, often labeling what we now know to be systemic and willful manipulation of medical care appointment data as basic procedural problems and breakdowns in training. "What's worse, the OIG actually identified many of the Phoenix VA Health Care System's wait-time issues in a 2008 report that it refused to make public, effectively keeping the problem hidden," Miller said.

In the OIG's August report on VA care in Phoenix, acting Inspector General Richard Griffin listed numerous previous inquiries that had targeted patient-access issues nationwide to show that the VA's

watchdog arm fulfilled its oversight obligations in the past. The 2008 findings were vaguely referenced in one paragraph among the exhibits. However, the 2008 report was not available at the OIG website. Moreover, the OIG, VA headquarters and Phoenix medical center officials failed to provide copies of the 2008 report in response to records requests this year from The Arizona Republic about prior investigations. Cathy Gromek, an OIG spokeswoman, said, “The report was not a secret. ... We have nothing to hide.” In 2008, inspectors found that appointment schedulers systematically falsified the wait periods for patient care because supervisors would “ding the heck out of you” if accurate times were shown. The report says bosses instructed staffers to “keep wait times at zero” and “encouraged ‘fixing’ appointments” that showed delays exceeding 30 days. Supervisors also told investigators they suffered negative performance evaluations if wait times exceeded VA goals.

The report concluded that schedulers were confused about policies and lacked training. It said inspectors “did not substantiate allegations of mismanagement of resources, abuse of authority or improper hiring” in Phoenix, so those issues were not even addressed in the findings. The OIG report on Phoenix VA issued in August is virtually a carbon copy of the earlier findings, except that inspectors determined that Arizona administrators knew their employees were cooking the books, and reaped bonus pay because of the false record-keeping. Sharon Helman, the Phoenix director, was suspended pending termination amid the scandal this spring along with other administrators. They remain on paid leave, and VA officials refuse to comment on their status. [Source: The Republic | Dennis Wagner | October 22, 2014 +]

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## **VAMC Togus ME ► Mental Health Care Concerns**

A watchdog agency will be in Maine next week to inspect mental health care at the federal veterans hospital at Togus amid alleged issues with services. Details of the allegations that drew the attention of the U.S. Department of Veterans Affairs Office of the Inspector General are scant, but a veterans advocate says the mental health unit at VA Maine Healthcare-Togus has long struggled with low staffing levels and has relied often on putting veterans in group counseling sessions with mixed results. The review was requested by U.S. Rep. Mike Michaud (D-ME-02), the top Democrat on the House Veterans Affairs Committee and gubernatorial candidate. Michaud’s spokesman, Dan Rafter, said the office passed along one complaint, but that “it would be inappropriate at this time to comment about the specific nature of the concerns” or reveal who made the complaint.



The Kennebec Journal has spoken over the past five months with current and former employees of the hospital who have said they are concerned with practices in the mental health clinic, but none have been comfortable speaking publicly. Catherine Gromek, a spokeswoman for the inspector general’s office, wouldn’t disclose details of the allegations. A report will follow the inspection. Ryan Lilly, the Togus hospital’s director, said in a statement that it has “not been advised about any specifics regarding this inquiry

or what prompted it.” “We are providing full and complete cooperation with the OIG in their investigation and, if any deficiencies are noted, will work quickly to correct them,” Lilly said. These sorts of reviews aren’t uncommon nationally: The office conducted 44 of these types of probes in the 2013 fiscal year, and inspectors went to Togus last year after patient safety concerns were raised in the hospital’s operating room. However, the inspector general’s role in investigating veterans’ services has been especially pronounced nationally this year after a whistleblower said that long waits at the VA hospital in Phoenix may have resulted in 40 veterans’ deaths. Similar allegations followed at other hospitals nationwide, but not Togus.

The hospital is on a 500-acre campus between Augusta and Chelsea and is the oldest veterans’ hospital in the U.S. It serves 40,000 veterans statewide, operating other sites across the state, including a mental health clinic in Portland. In 2012, a routine OIG review found that mental health clinic staff had reduced the number of veterans who didn’t show up for appointments and recently added “veteran-centered” features in the clinic, including a children’s area and a paging system. But Gary Laweryson of Waldoboro, chairman of the Maine Veterans Coordinating Committee, a group of veterans’ service organizations, said the clinic has long struggled with low staffing levels. He said an insufficient number of doctors has led to veterans with psychiatric conditions such as post-traumatic stress disorder getting put in group counseling sessions. While many veterans enjoy these sessions, Laweryson said they are sometimes substituted for one-on-one treatment, which doesn’t work for everyone. Furthermore, he said some veterans think the people leading those sessions are unqualified or don’t understand their combat experience. That could be leading to employee concerns about management of mental health services, Laweryson said. “With mental health, there’s a problem,” he said. “There’s a shortage of personnel there. Maybe some of them are getting burned out.” [Source: Portland Press Herald | Michael Shepherd | October 24, 2014 ++]

**\* Vets \***



**Stolen Valor Update 95 ► Court Rules Wearing Decoration’s Not Legal**

Lying about receiving a military medal is constitutionally protected, but there’s no right to carry the lie a step further by wearing a combat decoration that hasn’t been earned, a federal appeals court said 29 OCT. The difference, said a divided panel of the Ninth U.S. Circuit Court of Appeals, is that lying is speech, but wearing a medal is conduct. The decision in an Idaho case returned the court to a controversy that led to a 2012 Supreme Court ruling and a rewriting of the law by Congress in 2013. The defendant, Elven Swisher, served in the Marine Corps from 1954 to 1957. In 2001 he applied for disability benefits, claiming he had been wounded in a secret mission to North Korea in 1955, a year after the Korean War ended. The Department of Veterans Affairs granted the request in 2004 after Swisher submitted what appeared to be a military document saying he had received a Silver Star and other medals for his actions. But the VA learned in 2006 that the document was forged and ordered Swisher to repay the benefits.

He was later convicted and sentenced to a year in prison on charges that included stealing government funds and wearing unauthorized medals at a veterans' event. The appeals court upheld Swisher's conviction in 2009, but he filed a new appeal after the court, in a 2010 case, struck down a federal law that made it a crime to lie about earning military decorations. The U.S. Supreme Court, in a 6-3 ruling, agreed with the Ninth Circuit in June 2012 that the law violated freedom of speech. But three months later, in another case, a different Ninth Circuit panel upheld the ban on wearing unearned military medals. Congress has since rewritten the law to prohibit lying about military honors for financial gain, while repealing the ban on wearing medals one hasn't earned. But the repeal didn't help Swisher, whose conviction under the former law was upheld Wednesday.

As the appeals court's 2012 decision concluded, the law under which Swisher was convicted "regulated harmful conduct" and "was unrelated to the suppression of a particular viewpoint," Judge Sandra Ikuta said in the court's ruling. She rejected defense arguments that the law could be used against innocent partygoers and actors, saying it had been interpreted to punish only those who had an intent to deceive the public. In a separate opinion, Judge A. Wallace Tashima said he was bound to follow the court's 2012 ruling but disagreed with it. While Swisher was separately charged with defrauding the government, Tashima said, he was not accused of wearing the uniform for financial benefit, and "was convicted because he told a lie" — an act that courts have found to be constitutionally protected. [Source: San Francisco Chronicle | Bob Egelko | October 29, 2014 ++]

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## **New York Vet Home ► Health Laws Violated at Montrose**

A nurse who tended to an 84-year-old Korean War veteran who died last year pleaded guilty 27 OCT to a misdemeanor charge of failing to care for him properly, the New York State attorney general said. Joyce Opoku, a licensed practical nurse from New Windsor, New York, was arrested in June after the veteran died at the state Veterans' Home at Montrose. She pleaded guilty to one count of willful violation of health laws and likely faces probation when sentenced on 2 FEB, Attorney General Eric Schneiderman said in a statement. Upon entering the plea in Cortlandt Town Court, Opoku also agreed to surrender her nursing license. The 41-year-old, who was charged along with Isabelle Todman, a certified nurse's aide from Peekskill, originally faced two counts of falsifying business records in addition to willful violation. Todman, 62, was charged with four counts of falsifying business records and three counts of willful violation of health laws. Her prosecution continues, the attorney general said.



**Joyce Opoku**



**NYSVH Montrose**

The Korean War veteran, who suffered from dementia and Parkinson's disease, was found on the floor beside his bed in the early morning of May 1, 2013. He was later pronounced dead from causes unrelated to his fall. Opoku, the charge nurse for his unit, was required to check on his well-being twice during her overnight shift because he had a history of falls, Schneiderman said. She was also required to check on his bed alarm, which was programmed to sound if there was a change in pressure on the mattress. Video surveillance shows that Opoku did not enter the man's room at all until she was called in by the aide who found him on the floor at the end of the shift, Schneiderman said. "This nurse failed in her duty of care to a war veteran who relied upon her," Schneiderman said. "My office will not tolerate any health care professionals who jeopardize the well-being of New Yorkers in need." [Source: LoHud – The Journal News | Ken Valenti | October 27, 2014 ++]

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## **Faces Never Forgotten ► 38,300 located | 20,000 More Needed**

For years, volunteers across the country have worked with Vietnam Veterans Memorial Fund (VVMF) on the “Faces Never Forgotten” call for photos campaign. The effort aims to find a face for each of the 58,300 names inscribed on the Vietnam Veterans Memorial. As of today, VVMF has located photos for 38,300 of the names on the Vietnam Memorial. This means VVMF has only 20,000 photos remaining to put a face to every name on The Wall! VVMF is delighted to congratulate the people of New Mexico, Wyoming, and North Dakota for finding the 398, 120, and 198 photos respectively of those who died or went missing in action in Vietnam from those states.



New Mexico was the first to complete the momentous task. The effort was led by the Vietnam Veterans of America, Northern New Mexico Chapter 996. Since the call for photos campaign was launched in October of 2009, about half a dozen volunteers, led by Team Leader Arturo Canales of Santa Fe, have worked tirelessly to get the job done. Last October, Canales submitted the final New Mexican photo of Bobby Joe Martinez of Fort Wingate. Martinez died in the Quang Tin province on May 11, 1968. In late November, Wyoming joined New Mexico. The Wyoming effort was led by the Wyoming Veterans Memorial Museum in Casper, WY. They began in the spring of 2011 with the donation of a scrapbook by a group of Gold Star Mothers. From there, John Goss, Director of the museum and Iraq War veteran, and Vietnam veteran Franklin Weir set out to call families across the state and pound the pavement until every last photo had been found.





**Roland Woolridge**

“This project is doing wonders for many families,” Goss said. “They’re reconnecting and bringing up memories in a positive light. Many of them are still grieving. We think this helps.” Over the summer, North Dakota became the third state to complete the task of finding photos for their state’s fallen heroes. The last photo to be submitted to VVMF’s Virtual Wall of Faces was Roland Ray of Houston, Texas, who fell in 1967. Ray’s photo has brought VVMF’s collection of photos to 38,300. Anyone can contribute to the Faces Never Forgotten effort via one of the following means:

- **Submit Online.** If you have a digital copy of the photograph, you can upload the veterans photograph onto his or her profile page. Go to VVMF’s Virtual Wall of Faces site and search for the veterans name in either the “Search The Wall” bar or by using the “Advanced Search” using <https://vvmf.wordpress.com/2014/10/21/38300-photos-collected-for-vietnam-fallen-20000-needed-to-put-a-face-to-every-name-on-the-wall/www.vvmf.org/wall-of-face>.
- **Submit by Mail.** Make a copy of your photo. VVMF does not want original photos and cannot be responsible for returning photos to donors. When having the photo copied, ask the photo professional to make it the highest quality possible, use a glossy finish and reproduce the photo at an 8 x 10 size, if possible. Fill out the photo submission form and package it up for mailing with the copy of the photo. When mailing, please indicate on the front of the envelope that a photo is enclosed. Mail to: Vietnam Veterans Memorial Fund, Attn: Call for Photos, 2600 Virginia Avenue, NW Suite 104, Washington, D.C. 20037

Every photo submitted to VVMF is a piece of history that will be shown in the future Education Center at The Wall. And every photo collected has to be evaluated and rated to specific exhibit guidelines. Whether you’re a volunteer, staffer, or someone who merely submitted a photo, everyone had a part in this achievement. A special congratulations to everyone involved. VVMF thanks you for your hard work and efforts in helping reach this important milestone. Please do not hesitate to be a part of this momentous effort! Learn more by visiting the VVMF website <http://www.vvmf.org/how-to-submit>. [Source: VVMF | Latosha Adams | October 21, 2014 ++]

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## **Vet Stereotype Study ► Americans Have it Wrong**

All veterans aren’t homeless washouts. But Got Your Six officials worry that many Americans see them that way. In a new survey by the campaign, almost half of respondents shown a picture of a homeless man identified him as likely a veteran. Researchers say that stereotype is not only misleading, but also indicates a deep and disturbing stereotype of how service members adjust to post-military life. In reality, about 10



percent of America's homeless population are veterans. Survey respondents were more likely to associate homelessness with being a veteran than with mental health problems or criminal activity, both factors that are more prevalent among the destitute than military experience. Only about one in 10 survey respondents described a picture of a successful businessman as likely a veteran. "The perception of veterans is just not aligned with reality," said Chris Marvin, managing director of Got Your Six. "A lot of the time, people just have a completely wrong image in their minds."



The campaign was founded two years ago to highlight misperceptions about troops and veterans, with a specific focus on the entertainment industry's portrayal of military service. Marvin said the new survey shifts the argument from anecdotes to troubling data, and shows the need for more realistic discussion of veterans in civilian society. The good news, he said, is that those opinions seem based more on unfamiliarity with veterans than on deep-seated beliefs about them. "We're not talking about religion or politics here," Marvin said. "We know we can change people's minds on this."

Marvin and campaign officials have been sharing portions of the results with Hollywood writers and producers, encouraging them to bring more nuanced portrayals of veterans into their scripts. "Too often we see veterans [in movies and TV] as heroes ... or as charity cases," he said. "But our study found that showing veterans as neutral characters actually carries the most weight with the audience." He wants to see more characters in film who have military experience as part of their back story, not necessarily the sole focus of their existence. Showing veterans as neighbors, local business people or casual friends helps remove the idea of them as a separate class apart from society.

Researchers noted that despite misperceptions, most Americans hold a positive view of service members and veterans. "But the 40 years since the end of the Vietnam War have proven that these views are not static," the report states. "This is not to say that we should expect a regression in the positive opinions of veterans — it simply reflects that the public is open to having their impressions altered." Campaign officials hope that changing those impressions will make the transition from military to civilian life easier in years to come. [Source: NavyTimes | Leo Shane | October 21, 2014 ++]

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## **Veterans in Congress Update 05 ► Numbers Continue to Decline**

Fewer than 100 veterans could be serving in Congress when a new House and Senate are seated in January. An analysis by the group Veterans Campaign found only 183 of the 865 major-party candidates on ballots next month have served in the armed forces. Forty-six of them served in Afghanistan or Iraq. If the number

does fall below 100, it will be the first time since the 1950s that veteran representation has been that low, according to a story on the report in Military Times. Back then, World War II veterans were on the ballots across the country. Currently, 106 veterans are among the 535 House and Senate members in the nation's capital. The National Guard Association of the United States (NGAUS) has determined that more than 30 current and former National Guard members are on ballots next month seeking re-election or election for the first time.

The list includes six current Guardsmen running for re-election to the House. They are Rep. Tammy Duckworth (D-IL) who announced plans last week to retire from the Guard, Rep. Tulsi Gabbard (D-HI), Rep. Adam Kinzinger (R-IL), Rep. Steven Palazzo (R-MS), Rep. Scott Perry (R-PA), and Rep. Steve Stivers (R-OH). Several House members who are former Guardsmen are also on ballots. They include Rep. Vern Buchanan (R-FL), Rep. John Conyers Jr (D-MI), Rep. John J. Duncan Jr (R-TN), Rep. William Enyart (D-IL), Rep. Walter B. Jones (R-NC), and Rep. Peter King (R-NY). Other former Guardsmen in the House seeking re-election are Rep. Vance McAllister (R-LA), Rep. Richard Nugent (R-FL), Rep. Collin C. Peterson (D-MN), Rep. Harold Rogers (R-KY), Rep. Robert C. Scott (D-VA), Rep. Tim J. Walz (D-MN), Rep. Joe Wilson (R-SC), and Rep. Steve Womack (R-AR). Rep. Kerry Bentivolio (R-MI), another former Guardsman, lost in the Republican primary, but is mounting a write-in campaign.

A former Guardsman in the Senate also is up for re-election next month. Sen. Lindsey Graham (R-SC), a co-chair of the Senate National Guard Caucus, is seeking a third term. One serving Guardsman and one retired Guardsman are running for the Senate from other states. Iowa Army Guard Lt. Col. Joni Ernst is the Republican candidate in Iowa, while former Sen. Scott Brown, a retired colonel, is the Republican on the ballot in New Hampshire. He represented Massachusetts in the Senate from 2010 to 2013. At least eight current or former Guardsmen are seeking first terms in the House. The current Guardsmen are Lt. Col. Mark Takai, the Democratic candidate in Hawaii's 1st Congressional District; Maj. Art Moore, one of two Republicans in a runoff to represent California's 4th District; 1st Lt. Forest Dunbar, the Democrat for Alaska's at-large seat; and Spc. Richard Murphy, an independent candidate on the ballot to represent Maine's 1st District. The former Guardsmen are retired Maj. Gen. Jerry Cannon, the Democrat in Michigan's 1st District; Brian Babin, the Republican in Texas's 36th District; Jim Mowrer, the Democrat in Iowa's 4th District; and Mark Sullivan, the Democratic candidate in Nebraska's 3rd District.

The nonpartisan Veterans Campaign says it is the first time in recent memory that fewer than 200 veterans are running for Congress. "We're used to seeing this steady decrease every two years, but this could be an even steeper drop than we normally expect," Seth Lynn, the executive director of Veterans Campaign, told Military Times. "This is going to be the election that puts us below earlier levels." [Source: NGAUS Washington Report October 21, 2014 ++]

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## **Obit | Claude McCrocklin ► 18 Oct 2014**

Claude McCrocklin, a World War II B-24 crew member who survived captivity in the infamous German Luft Stalag I to become an acclaimed avocational archaeologist and painter, died 18 OCT after a lengthy illness. He was 93. A native of Fouke, Arkansas, he graduated from Byrd High School and was attending Centenary College when World War II began. It was while he was at Centenary that he learned a cousin had been killed on the U.S.S. Arizona during the Japanese attack on Pearl Harbor, so he tried to enlist into the Army Air Forces as a pilot, but at 190 pounds, he was 10 pounds over the limit to fly, he told a historian at Barksdale

Air Force Base in 2012 when the 11th Bomb Squadron named a conference room in his honor. “So I went home and all I ate was bananas,” he recalled. “A week later I tried to enlist again, and this time I made it.”



**McCrocklin in early 40's, 1944 POW ID Card, and in recent years**

After joining and attending flight school, he learned that instead of being assigned as a pilot, he was slotted as a bombardier, and he was not happy. “I told them I didn’t want to be a bombardier, but they said there were plenty of pilots,” he recalled. “They said you’re either going to be a bombardier or a private in the Army, so I became a bombardier.” He deployed overseas in February 1944 and served in the 15th Air Force in north Africa and Italy until he was shot down over Yugoslavia in early April 1944. Captured by the Germans, he first was put in a stable with Yugoslav partisans due to be executed by the SS, but was transferred to a room in officers’ quarters where he met the German pilot who shot him down, according to an account given to the R.W. Norton Art Foundation’s Oral History Project. “We talked about an hour and he fed me and gave me some wine and cigarettes and stuff and we got along pretty good,” McCrocklin recalled. He was returned to the stable when SS units came, took out the partisans and shot them, sparing McCrocklin only because the Germans already had broadcast that he was a prisoner of war. He was a POW until the war ended in 1945.

At the time he died, he was the last survivor of his World War II unit, the 744th Bombardment Squadron, 456th Bombardment Group. After he returned home, he worked as a cattle buyer at Shreveport Packing Co., later John Morrell and Co., retiring in 1981. That was when his true life’s work began, as he delved full time into archaeology, which had been a hobby. Trained by noted local pediatrician and archaeologist Dr. Clarence Webb, discoverer of Poverty Point, he began a serious study of the Caddo Nation and its predecessors, eventually recording more than 600 historic sites in Louisiana, Arkansas and Texas. “From downtown Shreveport, in 30 minutes you can be on 25 to 30 Indian sites, where one or more Indian house sites stood,” McCrocklin told *The Times* in a 1991 feature on his work documenting sites on the Sulphur River where it meets Red River just inside Arkansas. “And this is local history, not something in the Yucatan or Arizona. So much happened within 75 miles of Shreveport, archaeologists could be busy the next 50 years just finding out what was around here.”

He was a charter member of the Northwest Chapter of the Louisiana Archaeological Society and had published numerous papers on his finds. “Claude was one of the pioneer archaeologists in the Ark-La-Tex and was a colleague and good friend of Dr. Webb, the father of local archaeology,” said another friend, historian and author Gary Joiner. “A diligent scholar, Claude added quite a bit to the body of knowledge on local Indian history as well as French and Spanish colonial history.”

McCrocklin also was a talented watercolorist, a talent he discovered while he was a prisoner of war and painting was an activity offered to prisoners. His displays in later years drew on his wartime experiences, the landscapes he saw and the history he helped uncover. “He was a quality guy,” said longtime friend Art Carmody, a local attorney and historian. McCrocklin will be buried 23 OCT in Forest Park Cemetery beside his wife, Marilyn, who died in 2007. Survivors include a brother, Richard McCrocklin of Brunswick, Maine, and a son, Will D. McCrocklin of Houston, and his wife, Cindy, and three grandchildren. [Source: The Shreveport Times | John Andrew Prime | October 20, 2014 ++]

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## **Obit | Robert Gallagher ► 13 OCT 2014**

Retired Command Sgt. Maj. Robert “Bob” Gallagher, a decorated soldier who participated in major military actions spanning three decades and spent the last few years of his career helping fellow wounded warriors, was found dead in his Georgia home Oct. 13 of natural causes. Gallagher — who parachuted into Panama during Operation Just Cause, served as a platoon sergeant with Task Force Ranger in the Mogadishu, Somalia, battle made famous by “Black Hawk Down,” and fought on despite being wounded as Task Force 3rd Battalion, 15th Infantry, made its way to Baghdad in 2003 — was 52 years old. His death was a result of a heart condition for which he was receiving treatment, his son, Patrick Gallagher, said in a 22 OCT interview. Third Infantry Division, the parent unit of the task force in which Gallagher served during Operation Iraqi Freedom, announced his death in a Facebook post.



**Command Sgt. Maj. Robert 'Bob' Gallagher was at Mogadishu, Somalia, in 1993 and in Baghdad for the U.S. invasion in 2003**

Gallagher relied heavily on that combat experience in his last job before retirement, serving as the command sergeant major for the Army’s Wounded Warrior Program. “You know, I don’t say this lightly, but Bob is probably one of, probably the best soldier I ever served with,” said retired Col. Greg Gadson, who served as the program’s director from 2010 to 2012. “That man really cared about soldiers.” “I know a lot about this man’s life, and he’s been through a lot. I almost come to tears thinking about what he overcame,” Gadson said. Gallagher was born in Bayonne, New Jersey, in 1962 and joined the Army in 1981, according to an online obituary hosted by the Richmond Hill Funeral Home. He earned a Silver Star, two Bronze Stars (one with “V” device) and two Purple Hearts, among other awards and decorations.

The Silver Star came in 2003 for his actions during OIF, in which TF 3-15 Infantry advanced from Kuwait to Baghdad, often fighting its way through fierce Iraqi resistance. Gallagher gave a speech to his unit before the fight began, turning to unit commander Lt. Col. Stephen Twitty with a simple message, according to a 2003 Army Magazine article: “Sir, we are prepared for battle.” Gallagher suffered a leg wound during the fight but continued directing his men. It wasn’t his first battlefield wound, having been shot in the arm in Somalia in 1993, according to one of the Philadelphia Inquirer pieces written by Mark Bowden that would become the basis for the “Black Hawk Down” book and movie. “The best day and the worst day of my life was when I served in Mogadishu, Somalia, on October 3, 1993, as a part of Task Force Ranger,” Gallagher said in a 2010 interview published as he took over his post at the Wounded Warrior Program.

“It was the worst day, because we lost 18 Soldiers and 84 others, including myself, were wounded. It was the best day of my life because it showed the incredible performance of our warriors in long-protracted battle under extraordinary circumstances in an urban environment. Throughout it all, the warriors that fought that day performed in a manner that was consistent with the values of our nation, and I was very proud of that.” Patrick Gallagher said his father rarely discussed his combat experience at home, but said “I could tell there was a distinct change with him after Somalia.” “He was a pretty private person as far as his work life went,” Patrick Gallagher said. “What my brother and I knew was what was widely publicized. It’s not something we really talked about.”



**Robert 'Bob' Gallagher receiving aid for a leg injury during the Operation Iraqi Freedom I invasion, when he kept going despite the wound**

Gallagher began his tour with the Wounded Warrior Program nearly 20 years after Somalia and almost a decade after Iraq. While family and co-workers said some of the office work and ribbon-cuttings didn’t appeal to him, they said he relished the chance to help others who understood the trauma of combat. “He was a guy who was all about action, but his action could be defined in many ways,” said Sean McCarthy, a friend of Gallagher’s and a medically retired Marine. “Primarily, his focus was on taking care of his troops, regardless of their ranks.” That focus, Gadson said, allowed Gallagher to make his voice heard to leadership — clearly. “You can be intimidated by rank, status and position, I don’t care who you are, but Bob wasn’t,” Gadson said. “He always displayed that candor, that courage. And that’s what you want out of a sergeant major. “It was nice to have a battle buddy that, whether we saw each other or not, we were about taking care of people.”



McCarthy and Gallagher became close thanks in part to their shared status as combat vets, but they were also drawn together by Team River Runner — McCarthy formerly served as coordinator of the Fort Belvoir, Virginia, chapter of the nationwide nonprofit program that offers kayaking trips to wounded warriors and others in the military family. “He came over and joined in and found a whole new passion for life that he had not been exposed to before,” McCarthy said. Gallagher had planned to set up a Team River Runner branch in the Savannah area in retirement, friends and family said — McCarthy said the retired NCO had already purchased the kayaks. It was part of a post-service life that McCarthy said Gallagher hadn’t planned out in full, but knew it was time to start. “He enjoyed his time with the Army,” McCarthy said, “but he knew it was time to move on because he no longer could be the active sergeant major that he always prided himself on being. He wanted to move over, make room for the younger guys.”

Gadson, who lost both his legs in Iraq in 2007 and retired earlier this year, credited Gallagher for helping him make an impact in the final years of his time in uniform. “Both of us, at that point in our careers and the job we had, there was nothing to gain,” Gadson said. “There weren’t any more hills for me to conquer. ... It felt like it was about all I could do to give back, to make a difference. And he helped me do that.” A memorial ceremony was scheduled for Oct. 31 at Fort Benning, Georgia, home of the 75th Ranger Regiment, family members said. Gallagher is to be buried at Arlington National Cemetery, but a date has not been determined, according to family members and the funeral home. He is survived by his wife, Denene, and sons Patrick and Sean. [Source: ArmyTimes | Kevin Lilley | October 22, 2014 ++]

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## **Obit | Jack Broughton ► 24 OCT 2014**

Col. Jack Broughton flew more than 200 jet-fighter missions in the Korean and Vietnam Wars and received the Air Force Cross, his service’s highest award for valor after the Medal of Honor. He led the Air Force’s Thunderbirds in acrobatics that thrilled air show spectators in the mid-1950s and piloted nearly 50 types of military aircraft. But in June 1967, he faced a possible prison term when the Air Force accused him of covering up the strafing of a Soviet freighter in the North Vietnamese port of Cam Pha by a pilot under his command. Colonel Broughton and two of his pilots were court-martialed. All were acquitted of the most serious charges, conspiracy to violate Air Force rules of engagement that forbade such an attack. But Colonel Broughton’s career was destroyed in the fallout from one of the most contentious issues of the Vietnam War: the restrictions Washington placed on bomber pilots out of fear that the Soviet Union or China could be drawn into the conflict. Colonel Broughton died 24 OCT in Lake Forest, Calif., his daughter Kathleen Schaefer said. He was 89.



**Col. Jack Broughton after a Vietnam War mission in 1967.**



In retirement, Colonel Broughton (pronounced BROH-ton) wrote widely on his combat exploits and his anger at President Lyndon B. Johnson, Defense Secretary Robert S. McNamara and the Air Force for limitations that he believed cost pilots' lives and destroyed any chance America had of winning the Vietnam War. "We were poorly utilized, we were hopelessly misdirected and restricted, and we were woefully misused by a chain of stagnant high-level civilian and military leadership" that lacked fortitude in a "war that they ineptly micromanaged," Colonel Broughton wrote in "Rupert Red Two" (2007), a memoir whose title drew on his call sign while a young military pilot. Citing restrictions on hitting important targets like major ports, antiaircraft-missile sites under construction and MIG fighters on the ground during the bombing campaign called Rolling Thunder, Colonel Broughton lamented "what was probably the most inefficient and self-destructive set of rules of engagement that a fighting force ever tried to take into battle."

Jacksel Markham Broughton was born on Jan. 4, 1925, in Utica, N.Y., and grew up in Rochester, the son of a drapery salesman. When he was a teenager, he recalled, he saw a picture in a newspaper of "an open cockpit Navy dive bomber high above the ocean." "The pilot, with his cloth helmet and goggles, was at the controls while the gunner in the rear cockpit manned his turret-mounted machine gun and searched the sky for enemy aircraft," he continued. "I could easily visualize myself in that front cockpit. I knew I wanted to be a military pilot." He entered West Point in 1942 but graduated too late to see combat in World War II. He flew fighter-bombers in support of American ground troops in the Korean War, then served as vice commander of the 355th Tactical Fighter Wing in the Vietnam War while also leading strikes of F-105 Thunderchief fighter-bombers.

On June 2, 1967, one of Colonel Broughton's pilots told him that his cannon fire might have hit a ship at Cam Pha while he was leading an attack on nearby antiaircraft sites. The next day, the Soviet Union complained that one of its merchant ships, the *Turkestan*, had been bombed at Cam Pha. Believing that his pilots would be punished for an infraction that could have easily been overlooked, Colonel Broughton ordered destruction of the gun-camera film that showed the ship in the sights of the pilot leading the mission. After an investigation, he admitted having ordered that the film be destroyed. Because it was the only evidence of an apparent attack on the Soviet ship, the court-martial board acquitted Colonel Broughton and two other pilots of conspiring to violate the rule forbidding the bombing of Cam Pha harbor. Colonel Broughton was found guilty of destroying government property — the seven rolls of film — and was fined \$600 and admonished.

Col. Chuck Yeager, the president of the court-martial, who in 1947 had been the first pilot to break the sound barrier, was quoted by Air Force magazine saying later that "everybody from the Joint Chiefs down wanted to nail Colonel Broughton and his pilots and make them examples" for flouting restrictive bombing rules, but that most of the Air Force colonels in Vietnam sympathized with him. Colonel Broughton was transferred to an administrative post in Washington. In July 1968, the Air Force Board for Correction of Military Records expunged the court-martial from his records, ruling that he should have been subjected to minor nonjudicial punishment, known as an Article 15 proceeding. He retired a month later. In October 1968, Copley News Service cited an account from an unidentified source who had reported seeing the damage to the Soviet ship *Turkestan* and believed that it had probably not been hit by the Air Force but was apparently accidentally struck by North Vietnam antiaircraft gunners trying to shoot down a low-flying American warplane in the vicinity.

In addition to "Rupert Red Two," Colonel Broughton told of his Vietnam experiences in "Thud Ridge" (1969) and "Going Downtown: The War Against Hanoi and Washington" (1988), "Downtown" being the American pilots' nickname for North Vietnam's capital. "Thud Ridge" became a selection on the Air Force chief of staff's recommended reading list for officers. Colonel Broughton received the Air Force Cross for his actions over North Vietnam on Feb. 5, 1967, when he hit his target after his plane was heavily damaged

and drew fire as a decoy to divert enemy aircraft from attacking his fellow pilots on the mission. He was also awarded two Silver Stars and four Distinguished Flying Crosses.

In addition to writing on his combat experiences, he developed commercial hovercraft and worked for Rockwell on advanced aviation projects after retiring from the Air Force. Col. Leo K. Thorsness, a pilot in Colonel Broughton’s wing who was shot down, spent six years as a prisoner of war and received the Medal of Honor, revered him. “He was a leader who led with brains and guts,” Air Force magazine quoted him saying. “But one of his greatest strengths — supporting his pilots — was his downfall.” Colonel Broughton is survived by his wife, Alice Joy; his daughters Kathlee and Sheila Broughton and Maureen Murrah; his son, Markham; a brother, Robert; and nine grandchildren. [Source: New York Times | Richard Goldstein | October 29, 2014

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## Tax-Friendly States for Retirees ► The 10 Worst



These 10 states impose the highest taxes on retirees, according to Kiplinger’s 2014 analysis of state taxes. Five of them treat Social Security benefits just like Uncle Sam—taxing up to 85%. Exemptions for other types of retirement income are limited or nonexistent. (To see how retirement income is taxed by state, go to the Retiree Tax Map at <http://content.kiplinger.com/tool/retirement/T055-S001-state-by-state-guide-to-taxes-on-retirees/index.php>).

This year, Kiplinger also looked at states’ capital gains rates because the six-year-long bull market has left many retirees with larger taxable portfolios. While investors typically pay lower federal tax rates on long-term capital gains, most states treat capital gains like ordinary income, notes Kyle Pomerleau, an economist for the Tax Foundation. That can take an unexpected bite out of the investment income of retirees who live in states with high income tax rates. For example, the top combined federal and state capital gains tax rate in California is 33%, according to the Tax Foundation, almost 10 percentage points higher than the fed’s top 23.8% tax rate on such profits. Most retirees keep a close watch on their expenses, and they tend to vote in large numbers. That may explain why lawmakers in several states have attempted to make their environs more welcoming for older residents. In the past year, Maine increased the amount of pension income that’s excluded from state taxes. Nebraska boosted its exemption for Social Security income, starting in 2015. And

New York and Maryland moved to gradually increase their estate tax exemptions to match the federal exclusion (currently \$5.34 million). [Source: <http://www.kiplinger.com> Sept 2014 ++]

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## **Florida Vet Cemetery Update 10 ► New Cape Canaveral National Cemetery**

The new 318-acre cemetery in Mims, Fla., will serve the burial needs of more than 163,000 Veterans in the cemetery's service area for the next 100 years. It will be located at 5525 Highway 1, Mims, FL, 32754. The Department of Veterans Affairs (VA) purchased the land in July 2012 for \$2.1 million. The property is located along U.S. Route 1 in northern Brevard County, approximately two miles south from Interstate 95, Exit #231, approximately 12 miles north of Titusville, Fla. The initial phase of construction will provide for approximately 17,000 gravesites and accommodate both casket and cremain interments. In addition to gravesites, the cemetery will include other features such as a front entrance on U.S. Route 1, a public information center with an electronic gravesite locator and restrooms, an administration building, a maintenance building, a flag pole assembly area, a memorial wall and walkway, and committal shelters. Other cemetery infrastructure features will include roads, landscaping, utilities, and irrigation. VA is working with an architecture and engineering firm to design the cemetery.

VA estimates construction will start in the fall of 2014, and the initial phase of the project is anticipated to take 2 to 2-1/2 years to complete. First burials are expected to begin 9 to 12 months after the start of construction and could begin as early as the summer of 2015. Prior to the start of burials, VA will hold a public dedication ceremony. VA plans to operate a local cemetery office while facilities are constructed on the cemetery grounds and will provide cemetery information and news updates as plans progress. VA selected Mr. Don Murphy as the cemetery director. He will transfer to the area in November 2014 in order to assist the community to prepare for the opening of the new national cemetery and to provide information about how to schedule a burial at Cape Canaveral National Cemetery. Until then, for more information about Cape Canaveral National Cemetery, call the NCA Communications Office at (202) 632-8035.

Burial in a national cemetery is open to all members of the armed forces and Veterans who have met minimum active duty service requirements and were discharged under conditions other than dishonorable. Their spouse, widow or widower, minor children, and, under certain conditions, unmarried adult children with disabilities, may also be eligible for burial. Eligible spouses and children may be buried even if they predecease the Veteran. Members of the reserve components of the armed forces who die while on active duty or who die while on training duty, or were eligible for retired pay, may also be eligible for burial. Burial in a VA national cemetery is a benefit. VA provides the gravesite, opening and closing of the grave, government headstone or marker, U.S. burial flag, Presidential Memorial Certificate, and perpetual care of the gravesite at no cost to the family. More information about VA's National Cemetery Administration is available online at <http://www.cem.va.gov>. [Source: VA Fact Sheet Sept 2014 ++]

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## **Florida Vet Cemetery Update 11 ► New Tallahassee National Cemetery**

The new 250-acre cemetery in Tallahassee, Fla., will serve the burial needs of more than 83,000 Veterans in the cemetery's service area for the next 100 years. It will be located at 5015 Apalachee Parkway, Tallahassee, FL, 32311 The Department of Veterans Affairs (VA) purchased the land in Leon County, with frontage along U.S. Highway 27 (Apalachee Parkway) near March Road and east of Tallahassee, in August 2012 for \$6.8

million. The new cemetery property is bounded by Apalachee Parkway on the north and Old St. Augustine Road on the south. The initial phase of construction will provide for 6,000 gravesites and accommodate both casket and cremain interments. In addition to gravesites, the cemetery will include other features such as a front entrance on Apalachee Parkway, an administration building, a maintenance building, a flag pole assembly area, a memorial walkway, committal shelters, and a public information center with electronic gravesite locator and restrooms. Other cemetery infrastructure features will include roads, landscaping, utilities, and irrigation.

VA is working with an architecture and engineering firm to design the cemetery. VA estimates construction will start in the fall of 2014, and the initial phase of the project is anticipated to take 2 to 2-1/2 years to complete. First burials are expected to begin 9 to 12 months after the start of construction and could begin as early as the summer of 2015. Prior to the start of burials, VA will hold a public dedication ceremony. VA plans to operate a local cemetery office while facilities are constructed on the cemetery grounds and will provide cemetery information and news updates as plans progress. VA selected Mr. Raymond Miller as the cemetery director. He will transfer to the area in November 2014 in order to assist the community to prepare for the opening of the new national cemetery and to provide information about how to schedule a burial at Tallahassee National Cemetery. Until then, for more information about Tallahassee National Cemetery, call the NCA Communications Office at (202) 632-8035. More information about VA's National Cemetery Administration is available online at <http://www.cem.va.gov>. [Source: VA Fact Sheet Sept 2014 ++]

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## **Vet Toxic Exposure~Lejeune Update 50 ► Appeal Court Upholds NC Statute**

A federal appeals court dealt the victims of contaminated drinking water at Camp Lejeune a setback 14 OCT, ruling that a state law passed this year cannot retroactively validate their health claims against the U.S. government. The decision filed by the 11th U.S. Circuit Court of Appeals returns a lawsuit to a lower court. Obama administration attorneys wanted the court to dismiss the lawsuit blaming the water for a variety of illnesses. At issue was North Carolina's "statute of repose" that ends a plaintiff's right to seek damages more than 10 years after the last contamination. The plaintiffs argued that 10 years had already run out before victims learned of the contamination, and that many are just now learning of health effects or haven't been diagnosed with diseases linked to the water. "This is a slap in my face," said Jerry Ensminger, in response to the decision. The former Marine drill instructor lost his 9-yearold daughter to leukemia in 1985. "This is blasphemy ... This is what we served to protect? Really?"

Ensminger said the "statute of repose" was drafted by "misguided legislators" trying to protect the tobacco industry. He said the 10-year limit was set to reward polluters and corporations who get around government regulations. He said the only recourse now would be to appeal to Congress for legislative relief. Sen. Kay Hagan (D-NC) expressed disappointment at the court's decision. "These men and women and their families have sacrificed on behalf of our nation, and it is unconscionable that the administration has tried to deny them justice after all they've been through," Hagan said in a written statement. Hagan said she would work with Rep. G.K. Butterfield, D-N.C., on a bill they introduced "to ensure federal law takes precedent over the state statute so victims have another option to seek justice."

In 2012, President Barack Obama signed the Camp Lejeune Veterans and Family Act to provide medical care and screening for Marines and their families, but not civilians, exposed between 1957 and 1987. The law covers 15 diseases or conditions, including female infertility, miscarriage, leukemia and multiple myeloma, as well as bladder, breast, esophageal, kidney and lung cancers. The measure was passed after

years of pressure by former Marines who blamed the contamination for health problems. The Marine Corps resisted efforts to pass the measure. Mike Partain, the son of a Camp Lejeune Marine, has male breast cancer that he blames on the water. He accused the Obama administration of duplicity, expressing concern for the environment while protecting government and big business from environmental wrongdoing. "This ruling pretty much opens the door for our government and big business to strip away our rights to have a clean healthy environment," Partain said. [Source: Associated Press October 14, 2014 ++]

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## **Retiree Appreciation Days ► As of 26 Oct 2014**

Retiree Appreciation Days (RADs) are designed with you in mind. They're a great source of the latest information for retirees and Family members in your area. RADs vary from installation to installation, but, in general, they provide an opportunity to renew acquaintances, listen to guest speakers, renew ID Cards, get medical checkups, and various other services. Some RADs include special events such as dinners or golf tournaments. Due to budget constraints, some RADs may be cancelled or rescheduled. Also, scheduled appearances of DFAS representatives may not be possible. If you plan to travel long distances to attend a RAD, before traveling, you should call the sponsoring RSO to ensure the RAD will held as scheduled and, if applicable, whether or not DFAS reps will be available. The current schedule is provided in the attachment to this Bulletin titled, "**Retiree Activity\ Appreciation Days (RAD) Schedule**". For more information call the phone numbers of the Retirement Services Officer (RSO) sponsoring the RAD as indicated in the attachment. An up-to-date list of Retiree Appreciation Days can always be accessed online at <http://www.hostmtb.org/RADLIST-2014.htm>. [Source: RAD List Manager | Milton Bell | Oct. 27, 2014 ++]

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## **Vet Hiring Fairs ► 1 thru 30 Nov 2014**

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 you should click on the city next to the date in the below list. To participate, sign up for the workshop in addition to registering (if indicated) for the hiring fairs which are shown below for the next 4 weeks. For more information about the USCC Hiring Our Heroes Program, Military Spouse Program, Transition Assistance, GE Employment Workshops, Resume Engine, etc. visit the U.S. Chamber of Commerce's website at <http://www.hiringourheroes.org/hiringourheroes/events>.

### **Macomb County, MI**

November 1 - 11:00 am to 3:00 pm [Details](#) | [Register](#)

### **European Theater Transition Summit Germany, AE**

November 3 - 9:00 am to November 6 - 4:00 pm [Details](#) | [Register](#)

### **Ft. Bliss, TX Military Spouse Networking Reception**

November 5 - 7:00 pm to 9:00 pm [Details](#) | [Register](#)

### **Pensacola/Navarre, FL**

November 6 - 10:00 am to 1:00 pm [Details](#) | [Register](#)

### **Ft. Bliss, TX Military Spouse Hiring Fair**

November 6 - 10:00 am to 1:00 pm [Details](#) | [Register](#)

### **Detroit, MI**

November 8 - 9:00 am to 3:00 pm [Details](#) | [Register](#)  
**Des Moines, IA**

November 11 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Orlando, FL**

November 11 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Portland, ME**

November 12 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Washington DC Joint Base Anacostia-Bolling**

November 12 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Los Angeles/Gardena, CA**

November 13 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Portland, OR**

November 14 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Ft. Leavenworth, KS**

November 17 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Reno, NV**

November 17 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Warwick, RI**

November 18 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Ft. Jackson/Columbia, SC**

November 18 - 10:00 am to 1:00 pm [Details](#) | [Register](#)  
**Nashville, TN**

November 18 - 10:30 am to 1:30 pm [Details](#) | [Register](#)  
**Pittsburgh, PA Forum on Veteran Employment**

November 18 - 12:00 pm to November 19 - 4:30 pm [Details](#)  
**Wright-Patterson AFB, OH - Military Spouse Networking Reception**

November 19 - 7:00 pm [Details](#) | [Register](#)  
**Wright-Patterson AFB, OH - Military Spouse Hiring Fair**

November 20 - 10:00 am [Details](#) | [Register](#)

[Source: U.S. Chamber of Commerce Assn 28 Oct 2014 ++]

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## **WWII VETS 73** ► **Pressgrove~Clarence**

Army Air Force staff sergeant Clarence ‘PRESS’ Pressgrove was the Right Gunner on board the B-29 Superfortress named THE PEACEMAKER. Stationed on the U.S. controlled Island of Tinian in the Pacific Marianas during the war to defeat Japan. THE PEACEMAKER and her crew were part of the 6th Bomb Group, 40th Bomb Squadron. Before being shot down and made a P.O.W. Press saved the lives of his fellow crewman and their B-29 and was awarded many medals including The Purple Heart and a Distinguished Flying Cross. Following is his story:

My name is Clarence Pressgrove and I’m 90 years old, a disabled veteran and an ex-POW of the Japanese. I was drafted in 1943. On March 9, 1945, we were to bomb an aircraft factory, but as the bombardier said bombs away, the light came on. Something was wrong. He said, “Press” —that was my nickname — “go in the bomb bay and see what’s going on.” I saw two live bombs back there. If there was turbulence, we’d all be blown up, so he sent me to disarm them — at 17,000 feet, saving 11 men and the plane. I received the Distinguished Flying Cross for this action almost six decades later, in 2003.





**Clarence "PRESS" Pressgove**

On March 27, 1945, our B-29, which we called The Peacemaker, flew out of Tinian. Our briefing officer told us we'd been picked to fly a special mission for the Navy: flying at 7,000 feet, dropping mines to cut off supplies from China to Japan. We would be sitting ducks. He said if we were shot down he didn't know what our destiny would be. We took off toward our target. As we got over the Shimonoseki Straits, we released the mines and they sank down into the water. We made our turning point to return to our base. A flak boat directly below turned its search lights on us. One shot with a large shell hit our No. 3 engine. It knocked all the pilots' instruments and blew a large hole in between the radio room and radar room. Our engineer turned on the fire extinguishers. We thought the fire was out and figured we'd land in the water where the Navy Dumbos would rescue us. But because it was a windy night, the fire started up and headed for our wings — where we carried 5,400 gallons of fuel. The pilot rang the bell and said to bail out. The front crew members went out the front wheel wells and the back crew members went out the bomb bay. None of us had ever bailed out before.

We were all scared to death, as we were flying at 100 miles per hour. When we pulled the rip cords, they almost jerked our heads off. I hit the ground running so I wouldn't break my legs. I drew my chute in and hid it in a bush. Then I found a bush for me to hide in. This was after midnight on March 28, 1945. The civilians knew we'd been shot down, so they were beating the brush, looking for our crew. When it came dawn, they were yelling and still beating the bushes. When they got close to me, I got up and held up my hands, and the leader beckoned me to come toward him. Something told me to watch out. As I approached, he swung his bamboo club at my head. But I'd been a track star in high school and took off running. I ran through the rice paddies — it's just like trying to run in water. About 40 civilians chased me. One threw a brick that hit me in the head. I fell down. Another civilian stood over me with a sickle raised to cut my head off. Thank God the Japanese military got there to rescue me, or I wouldn't be here today. I was the first one caught.

The military handcuffed and blindfolded me, then put me in a stake truck. The civilians yelled at me, running alongside the truck, ramming clubs between the slats to hit me in the ribs. The soldiers drove around, rounding up the 11-man crew. We were taken to this building where officers interrogated us. They took our dog tags and asked where we came from. We said Tinian. They likely knew we were coming from Tinian — they were just checking if we were lying to them, I guess. They asked us where our homes were. I said St. Charles, Ill., so they called me 'the Gangster' because Al Capone was also from Illinois. A nurse came in with a big darning needle to sew up my head with nothing to deaden the pain. Air raid sirens sounded. B-29s flew over. The guards took us out to the air raid shelter where they kicked us and hit us. After the all-clear

sounded, they took us back in the building. In a short time, a bus came, and the guards put handcuffs on us and blindfolds and put us on it. The bus chugged along about a half-hour and stopped. We were each put in a horse stall.

The next day the guard took each of us upstairs separately, where officers would ask us questions — what missions we flew. If they didn't like our answers, they would have the guards hit us with their shielded swords or kick us in the back, anything to try and hurt us. The next day, the bus came returned and the guards put us on it, handcuffed and blindfolded. We rode along for about 30 or 45 minutes before we were put on a train with the guards. If we tried to sleep, they would hit us on the heads with their swords. We were fed a small loaf of bread, similar to what we eat at our restaurants. I prayed to God that no B-29s would come over, because they might blow the train up. We were traveling toward Yokohama and Tokyo. After about a day and a half, we were put on a truck again, and after about a half hour, we suddenly stopped. The guards took me and my co-pilot off. I thought, "This is it. We're going to be killed." But we had arrived at Kempeitai.

I was put in a 6-foot-3-inch solitary confinement crib I crawled into like a dog. It had a straw mat. Me being 6 foot 2 inches, I didn't have much room to move around. We were fed a small ball of white rice and water each meal. The guards walked up and down for 24 hours. There wasn't any way to escape. Whenever there was an air raid, the guards took us out to the air raid shelter. Boy, would we pay for it — they would beat the hell out of us. We could hear the news because the guards turned up the radio. I could hear them talk about the B-29s bombing. (I had learned a little Japanese, including the word for B-29, from a guard.) I could hear them say Iwo Jima, Tokyo, Okinawa but it was unknown to me what was going on. One day, the guards came in and handcuffed and blindfolded us. After all the beatings and torture, we thought they were going to kill us. But they put us on a truck, and we were on our way — going to the big prison, Camp Omori.



**The Peacemaker Crew and Plane**

When we arrived, the camp commander greeted us by saying we were prisoners of the Japanese and we would mind the guards or be punished. We would answer to him, he said. We were put in this building where again we only had straw mats. Again, we were fed balls of rice and water. Once, we heard the commander yelling, and the guards came in and lined us up. We saw a handcuffed American in front of us. "See that soldier?" the commander said. "He stole a carrot." A guard beat him with the stock of his gun. We knew the poor guy, who'd been at Omori longer than our crew, was going to die. Then the commander said we could expect the same if we didn't follow orders. We started to notice there were fewer guards, so we thought something must be going on. All of a sudden, we heard B-29s overhead. They dropped big 55-gallon drums of soup and peaches and large boxes of candy bars and cigarettes by the carton. Whatever guards were left didn't bother us. That was a nice quiet day, Aug. 29, 1945. I looked out the backdoor and here come the Marines, saying we'd been there long enough. All 11 of us from The Peacemaker made it back to the States. I was discharged in March 1946. After the war, I became a keynote speaker and went on to give presentations

to B-29 groups and high schools. [Source: <http://rocknrowl.wix.com/clarence-pressgrove#!> & Legion Town USA Jun 11, 2014 ++]

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## America's Most Beloved Vets ► World War II (4)



**Jimmy Stewart**



**Joe Foss**



**John Basilone**



**John F. Kennedy**

- The Academy Award-winning actor Jimmy Stewart flew 20 combat missions in Europe, going from private to colonel in four years.
- America's second "ace of aces" Joe Foss served as South Dakota's governor, president of the National Rifle Association and the first commissioner of the American Football League.
- Gunnery sergeant John Basilone received the Medal of Honor for fending off the enemy at Guadalcanal, and turned down a commission to rejoin the Marines at Iwo Jima, where he was killed.
- John F. Kennedy, our 35th president, commanded two patrol torpedo boats in the early campaigns of the Pacific.

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## Veteran State Benefits & Discounts ► Delaware 2014

The state of Delaware 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 – DE**" 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://veteransaffairs.delaware.gov> and <http://militaryandveteransdiscounts.com/location/delaware.html>

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

[Source: <http://www.military.com/benefits/veteran-benefits/delaware-state-veterans-benefits> Oct 2014 ++]

**\* Vet Legislation \***



**Vet Bills Submitted to 113th Congress ▶ As of 28 OCT 2014**

For a listing of Congressional bills of interest to the veteran community introduced in the 113<sup>th</sup> 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 <https://beta.congress.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 by entering the bill number in the site’s search engine. To determine what bills, amendments your representative/senator has sponsored, cosponsored, or dropped sponsorship on go to:

- <https://beta.congress.gov/search?q=%7B%22source%22%3A%5B%22legislation%22%5D%7D>
- Select the ‘Sponsor’ tab, and click on your congress person’s name.
- You can also go to <http://thomas.loc.gov/home/thomas.php>

Grassroots lobbying is the most effective way to let your Congressional representatives know your wants and dislikes. If you are not sure who is your Congressman go to <https://beta.congress.gov/members>. Members of Congress are 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 their phone number, mailing address, or email/website to communicate with a message or letter of your own making at either:

- [http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](http://www.senate.gov/general/contact_information/senators_cfm.cfm)
- <http://www.house.gov/representatives>

**Tentative 2014 Legislative Schedule 113th Congress, 2nd Session:** The below list identifies the remaining expected non-legislative periods (days that the Senate *will not* be in session)

Date	Action	Note
Target Adjournment Date	TBD	

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

- None – House and Senate in recess.

[Source: <https://beta.congress.gov> & <http://www.govtrack.us/congress/bills> Oct. 28, 2014 ++]

**\* Military \***



**USS Zumwalt (DDG-1000) Update 03 ► Hull Design Concerns**

The U.S. Navy is slowly preparing the first of its massive, 15,500-ton Zumwalt-class stealth destroyers for sea next year. But questions remain about many of the technologies onboard the new ships. First and foremost: can the thing even stay afloat? The vessel—which is the largest American surface warship since the 1950s--brings a new untried “tumblehome” hull design, new power systems and gun technology that have not been used on a modern warship before. The ship is highly automated with a crew of just 142 -- compared to older ships that have a complement of about 300. But despite its massive size, the stealthy warship appears on an enemy’s sensors as something no larger than a small fishing boat.



The 600-foot long ship is armed with 80 missile tubes, two massive 155mm guns that can lob guided shells 80 miles away and a pair of 30mm guns for self-defense. Theoretically, the ship can take on all comers in the air, sea, underwater or on land. In the future, the ship could be fitted with futuristic lasers and electro-magnetic rail-guns too. Additionally, the so-called DDG-1000 can also carry either a pair of helicopters or a single helicopter and a trio of drones. But it all comes at a steep price—the first two ships cost \$4.2 billion dollars each while the third costs \$3.5 billion. The DDG-1000 is so expensive—and there are so many doubts about its technology—that the Navy is building only three of the ships before in favor of buying an improved version of its older Arleigh Burke-class destroyer.

One of those doubts includes a potential Achilles' heel—the ship's bizarre stealthy hull—which is the most obvious new feature of the new destroyer. The hull looks like it is upside down. Unlike a normal ship, the bow slopes upward from the water up to the deck. Meanwhile, the rest of hull is wide at the waterline and slopes inward. If one were to look at the ship directly from the front, it would resemble a bell rather than the traditional “flared hull” with a V or U shape that is most common. There have been persistent concerns about how stable the tumblehome design is in any sort of rough seas—in fact, one of the concerns about the design is that it could capsize if it is hit by a large wave from the wrong angle. “This is an area that the Navy is taking seriously,” one naval architect familiar with the design told *The Daily Beast*. The Navy declined requests for interviews—and would not directly address the issue. However, slides presented by the Naval Sea Systems Command in April show that the service has not yet completed certifying the hull for stability.

The Navy recently upgraded a maneuvering and sea-keeping lab facility in Carderock, Md., where the ship's design is being tested. “This is a high priority for that facility,” the architect said. There have been persistent concerns about how stable the destroyer's design is in any sort of rough seas—in fact, one of the concerns about the design is that it could capsize if it is hit by a large wave from the wrong angle. There might be reason for concern. A 2007 engineering paper presented at the 9th International Ship Stability Workshop in Hamburg, Germany, shows that tumblehome designs are more prone to capsizing especially when the ship is hit from behind. “The number of capsizes for the most- probable sea state 8 [30 to 46 foot waves] conditions increased drastically for the tumblehome topside for following, stern-quartering, beam and head seas,” the report reads. “The capsize risk for the tumblehome geometry had a greater increase for small increases in KG [center of gravity] than the flared topside geometry.”

However, there has been a lot of work done since the report was released, the naval architect said. The tests in the study assumed that the ship would displace about 9690-tons; the Zumwalt is a 15,500-ton vessel. “Sea-keeping performance improves with increasing displacement and since the DDG 1000 is significantly bigger than this, that would improve the results,” the naval architect said. “I would expect that as the design evolved and more knowledge was gained from tests and analysis, the hull form would be modified to improve the sea-keeping performance.” Either way, the Navy is proceeding full steam ahead in preparing the DDG-1000 for sea. Late last month, the Navy activated the Zumwalt's enormous Rolls-Royce MT-30 and RR450 gas turbine engines as it started testing of the ship's unique “integrated power system”—which dispenses with having the engines connected directly to the propeller and instead turns an electric motor.

Unlike a normal warship, where the gas turbine engines are connected directly to the propellers, the Zumwalt uses an entirely new concept. The engines actually turn generators that produce a total of about 80 mega-watts of electrical power that supplies the vessel's electrical grid. A portion of that electrical power is then used to turn the ship's propellers using advanced induction motors—which are spun using electromagnets. The motors are powerful enough to push the massive warship along at better than 30 knots. That might not seem like a big deal, but the using the engines to generate electricity instead of directly driving the ship frees up a lot of juice for future weapons like lasers and rail-guns from some sort of science fiction movie. In the meantime, the ship is equipped with the range of missiles carried by Navy warships.



One thing the ship won't be able to do is defend against ballistic missile attacks—which is one of the reasons the Navy ditched the design in favor of the older Burke-class design. While the ship's AN/SPY-3 radar is capable, it does not operate in the proper frequency band for that mission. That's a major deal. There's a rising threat of ballistic missiles in the West Pacific, where China is deploying such weapons. Ultimately, the changing threat and enormous price tag doomed the program and only three ships will be built at exorbitant cost. [Source: The Daily Beast | Dave Majumdar | October 22, 2014 ++]

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## USMC Customs ► A Few Notable Ones

There are many customs which have significance in the life of a Marine. A few of the notable ones are:

- **Boarding a small boat or entering a car.** When boarding a small boat or entering a car, Juniors enter first and take up the seats or the space beginning forward, leaving the most desirable seat for the senior. Seniors enter last and leave first.
- **Marines' Hymn.** Whenever the Marines' Hymn is played or sung, all Marines rise to their feet and remain standing during the rendition of the music.
- **Serenading the Commandant.** Commencing with the last New Year's Day of the Civil War, on the morning of 1 January of each year the Marine Band serenades the Commandant of the Marine Corps at his quarters and received hot buttered rum and breakfast in return.
- **Wetting Down Parties.** Whenever an officer is promoted, he customarily holds a "wetting-down party." At this time the new commission is said to be "wet down." When several officers are promoted at the same time, they frequently have a single wetting-down party.
- **Wishes of Commanding Officer.** When the commanding officer of a Marines says, "I wish" or "I desire," these expressions have the force of a direct order and should be acted upon as if he had given a direct order.
- **Looking Out for Your Men.** One feature which has made the Marine Corps such a respected organization is the custom of Marine leaders looking out for their men. A Marine leader makes sure his men are comfortably clothed, housed, and justly treated. For example, in the field a Marine officer takes position in the mess line after all the enlisted men in order to insure all men get their food. A Marine leader never leaves a wounded or dead Marine on the battlefield to fall into the hands of the enemy.
- **Being a Marine.** But the most outstanding custom in the Marine Corps is simply "being a Marine" and all that it implies. Call it morale, call it esprit de corps, call it what you will--it is that pride which sets a United States Marine apart from the men of other armed services. It is not taught in manuals, yet it is the most impressive lesson a recruit learns in boot camp. It is not tangible, yet it has won fights against material odds. Perhaps it has best been defined by Senator Paul H. Douglas: *"Those of us who have had the privilege of serving in the Marine Corps value our experience as among the most precious of our lives. The fellowship of shared hardships and dangers in a worthy cause creates a close bond of comradeship. It is the basic reason for the cohesiveness of Marines and for the pride we have in our corps and our loyalty to each other."* A Marine is proud of his Corps and believes it to be second to none. He is loyal to his comrades and to the Marine Corps, adhering always to the motto Semper Fidelis (Always Faithful).

[Source: Marine Corps Historical Reference Series, 1963, Courtesy of the United States Marine Corps Oct 2014 ++]

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## **Wireless Network Defense** ► **Cyberattack WDN Project Moves Ahead**

The Defense Advanced Research Projects Agency (DARPA) is seeking companies to continue the next phases of its Wireless Network Defense (WND) project. WND aims to protect the control protocols of wireless networks from cyberattack, in particular those at the network and medium access control layers of the network stack. The goal is to protect “those protocols that coordinate among the distributed devices’ management of resources such as spectrum, time, and power, and delivery of information,” according to DARPA’s solicitation. Effective defenses will minimize the effects of attacks and also “force attacks to be observable and attributable,” DARPA said. Phase I of the project, which will be completed this October, addressed information reliability of network nodes as well as how to minimize network disruption when nodes are disrupted. Phase II will involve building a prototype system, while Phase III will involve field demonstrations. Researchers should “anticipate both passive listeners and active attackers; colluding attackers; dynamic attacks; and informed adversaries,” DARPA said. “Performers should assume that passive listeners and active attackers will be able to collude. That is, the threat model is a real-world adversary. Systems should be designed to mitigate attacks under all combinations of attackers and attacks.” [Source: C4ISR & Networks | Michael Peck | Jul 30, 2014 ++]

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## **GUSS** ► **USMC Hybrid-Electric Vehicle**

It probably won’t look like Google’s self-driving Prius, but the Marine Corps will soon get a hybrid-electric unmanned prototype vehicle as driverless technology gets more tactical. The Marine Corps Warfighting Laboratory will build that prototype in 2016, said David Dahn, project officer for GUSS (Ground Unmanned Support Surrogate), the lab’s driverless vehicle project. It’s one of many developments planned to increase Marines’ tactical advantage as autonomous vehicle technology gets smarter and more capable. The diesel-electric hybrid requirement came after the Advanced Warfighting Experiment at Rim of the Pacific in Hawaii, where Marines got to test out the GUSS system on a Polaris off-road vehicle — a cross between a tactical golf cart and a four-wheeler — during various exercises. “One of the complaints we got from the Marines all the time: it’s diesel engines, too loud,” Dahn said. “These are dismounted forces; they just want to be off in the jungle. They don’t want a lot of noise going on and when you’ve got a diesel vehicle within 100 yards of you, it makes it a little bit difficult to be stealthy.”



**The Corps' Ground Unmanned Support Surrogate (GUSS) can transport gear and casualties for Marines.**

In the coming year, the lab will also work to refine the system's towing and backing capabilities, possibly adding a third sensor to the rear of the vehicle to improve its "sight" when it hits reverse. In an upcoming limited technical assessment next year, Dahn said lab personnel will also work to improve how the system characterizes and classifies terrain through multispectral imagery. Budget cuts mean fewer dollars to invest, but with a lighter footprint and planning for distributed missions, the Marine Corps could benefit from driverless vehicles, said John Bryant, senior vice president of Defense Programs at Oshkosh Defense. Oshkosh's TerraMax unmanned ground vehicle technology has been in development for years and is now so sophisticated it's impossible to tell there's no driver behind the wheel, he said. "You don't need a convoy full of people to handle a logistics convoy," Bryant said. "You could supply a remotely stationed outpost with nobody in the convoy. You could have remote units leave their vehicles somewhere, engaged in a fight and a raid or reconnaissance and then call the vehicles up to meet them. It allows so much flexibility for the warfighter."

One of the greatest challenges with the technology, Bryant said, is convincing troops to trust that it works. "During most of our demonstrations, we actually put an operator in the vehicle because people are afraid, they don't believe what this thing can do," he said. It's not clear what the future Marine Corps requirement for autonomous vehicle technology will be, but Oshkosh was awarded a contract from the Office of Naval Research in May to develop the TerraMax system for counter-improvised explosive device missions. According to a company release, the project will culminate with a technology concept demonstration in 2015. In the meantime, Bryant said the technology keeps maturing. "We're constantly evolving the algorithms," Bryant said. "Every day we work to make this vehicle behave more and more like a human being." [Source: MarineCorpsTimes | Hope Hodge Seck | Sept. 24, 2014 ++]

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## **Nuclear Deterrence Operations Service Medal** ► Available MAR 2015

The Air Force has released the criteria for a new service medal for airmen directly supporting the beleaguered nuclear missile community. Air Force Secretary Deborah Lee James on 27 MAY authorized the Nuclear Deterrence Operations Service Medal. Service members can receive the medal if they were assigned, deployed or mobilized to a wing, center or other organization supporting nuclear deterrence operations for 120 consecutive days or 179 nonconsecutive days, the Air Force said 10 OCT. Subsequent awards will only be authorized when an airman has a permanent change of station move to a qualifying unit. The medal is being developed and is expected to be available in March. "This service medal provides a clearly visible way to recognize the dedication and professionalism of our airmen who are the guardians of our nation's nuclear deterrence," said Col. Zannis Pappas, missile operations career field manager. "Because of our success, often times nuclear deterrence operations can be overlooked as a critical function. The medal acknowledges the special challenges faced by those airmen charged with supporting the nuclear enterprise and will be a point of pride by all who wear it."

The award will be a bronze medal with a laurel wreath symbolizing achievement, an atomic symbol representing the nuclear surety mission, and a star with a disc representing the Air Force. The medal's reverse will have a triangle, alluding to the nuclear triad. The [medal's] blue represents the nuclear dominance in the sky; red represents the power and passion in which we provide nuclear deterrence; green represents the earth and our global capabilities; gold represents the wealth of our nuclear enterprise — our people. "The Air Force continues to demonstrate its support to the most vital part of the nuclear enterprise — the airmen," said Maj. Gen. Garrett Harencak, Air Force assistant chief of staff for strategic deterrence and nuclear integration.

“This medal exists as a tangible way to acknowledge the importance of this mission and the dedication and pride that the men and women in the nuclear community show to their country. Having Secretary of the Air Force-level interest testifies to the importance of this decoration and impact on the nuclear operations.”



The medal will be worn with an “N” device for airmen dispatched to a missile complex for 179 nonconsecutive days, who directly support intercontinental ballistic missile operations or nuclear weapon-carrying aircraft. Airmen will only receive one “N” device, no matter how many qualifying assignments they serve in. When a permanent change of station occurs, airmen may receive an oak leaf cluster. Medal eligibility will be retroactive to Dec. 27, 1991. Currently serving airmen will have their nominations processed through their chains of command. An airman’s current group commander will be the awarding authority for the medal.

Retired or separated airmen who wish to receive the medal can submit a request to the Air Force Personnel Center recognition section. Family members of deceased airmen can ask AFPC for information on receiving the medal posthumously. The nuclear missile community was rocked over the last year by a cheating scandal and reports of low morale across the force. The medal is one of several incentives the Air Force announced in May to improve morale, including bonuses for new missileers who successfully complete initial skills training, and targeted incentive pay for airmen operating outside their main base, both of which became effective 1 OCT. The Air Force is also offering Reserve Officer Training Corps scholarships for missile duty. [Source: AirForceTimes | Stephen Losey | October 14, 2014 ++]

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## **Omniphobic-Coated Uniforms** ► **Washing Not Required**

Army researchers have developed a no-stick, no-stain, no-stink coating that could all but eliminate the need for soldiers to wash their uniforms — and it’s going commercial before it goes on your ACU. The Omni phobic coating — “that means it hates everything,” lead Army researcher Quoc Truong said in an Army news release — is being marketed by UltraTech International Inc. alongside Luna Innovations, a partner of the Army’s Natick Soldier Research, Development and Engineering Center, under the brand name Ultra-Ever Shield. Possible commercial uses include coating everything from rain gear to diapers to paper currency. An UltraTech-produced video shows the coating fighting off food stains like ketchup and chocolate syrup, leaving a white swatch of fabric without so much as a mark.

But soldiers who participated in the coating's latest round of testing didn't have time for lunch. Ten soldiers donned omniphobic-coated ACUs earlier this year at Fort Riley, Kansas, for what researchers called "battle-focused PT" as well as a four-mile road march, gunnery skills training, weapon cleaning, vehicle maintenance, even an obstacle course. The goal: Give the uniforms a real-world dose of dirt, sweat and oil. The result: Liquids beaded off the coated materials much better than the control group of uniforms, and the omniphobic protection lasted longer through post-test wash cycles than the current coating, known as Quarpel. "The soldiers really liked it," Truong said in the release. "Some soldiers asked to keep their uniforms after the field test." Further research requirements made that impossible.



NSRDEC officials couldn't say when the treatment might reach the fielding stage — a 2013 Yahoo news report said it was still "years away," and a spokesman said tests still had to be done on different fabric types and to see if the coating works well with other treatments that resist flames and repel insects. When the coating clears its last hurdle, soldiers can look forward to:

- **Rapid repellent.** The carbon-flourine coating works on a molecular level to "repel water, oil and many liquid chemicals," Truong said in an emailed response to questions. The coating lowers surface tension, allowing such materials, as well as small particles like dust or dirt, to slide off. This also provides another layer of protection for toxic chemicals, which wouldn't sink through uniforms to a soldier's skin.
- **Odor-blocker.** Just because an ACU isn't stained doesn't mean it smells like it's just come out of the wash. However, this round of tests included an anti-microbial additive, Truong said, which would slow the growth of odor-causing organisms and allow more time between cleanings.
- **Planet-saver.** Quarpel, a durable water-repellent coating, has been used on Army gear for 40 years. But DWRs are being phased out by the Environmental Protection Agency, according to Truong, and the omniphobic treatment offers an EPA-sanctioned solution. Future coatings could come without fluorine, making them even more eco-friendly. All of the above would come at a cost less than or equal to the Quarpel coating, Truong said.

As work on the uniform coating continues, Truong said the treatment could find other future military uses outside of the textile realm. Glasses treated with a variant of the coating would stay crystal clear, for example. Or a car "will not need windshield wipers, as rain will just bounce off the windshield as the car moves forward," he said. Another use could cross service boundaries — a super-repellent coating on a ship's hull would reduce drag and increase speed, Truong said. [Source: ArmyTimes | Kevin Lilley | October 17, 2014 ++]

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## Medal of Honor Citations ► TOWLE, John R WWII



*The President of the United States in the name of The Congress  
takes pleasure in presenting the  
Medal of Honor Posthumously  
To*

### **TOWLE, John Roderick**

***Rank and organization:*** Private, U.S. Army, Company C, 504th Parachute Infantry, 82d Airborne Division

***Place and date:*** Place and date: Near Oosterhout in the Netherlands, 21 September 1944

***Entered service at:*** Entered service at: Cleveland, Ohio, March 1943

***Born:*** Oct 19, 1924 Cleveland, Ohio

### ***Citation***

For conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty on 21 September 1944, near Oosterhout, Holland. The rifle company in which Pvt. Towle served as rocket launcher gunner was occupying a defensive position in the west sector of the recently established Nijmegen bridgehead when a strong enemy force of approximately 100 infantry supported by 2 tanks and a half-track formed for a counterattack. With full knowledge of the disastrous consequences resulting not only to his company but to the entire bridgehead by an enemy breakthrough, Pvt. Towle immediately and without orders left his foxhole and moved 200 yards in the face of intense small-arms fire to a position on an exposed dike roadbed. From this precarious position Pvt. Towle fired his rocket launcher at and hit both tanks to his immediate front. Armored skirting on both tanks prevented penetration by the projectiles, but both vehicles withdrew slightly damaged. Still under intense fire and fully exposed to the enemy, Pvt. Towle then engaged a nearby house which 9 Germans had entered and were using as a strongpoint and with 1 round killed all 9. Hurriedly replenishing his supply of ammunition, Pvt. Towle, motivated only by his high conception of duty which called for the destruction of the enemy at any cost, then rushed approximately 125 yards through grazing enemy fire to an exposed position from which he could engage the enemy half-track with his rocket launcher. While in a kneeling position preparatory to firing on the enemy vehicle, Pvt. Towle was mortally wounded by a mortar shell. By his heroic tenacity, at the price of his life, Pvt. Towle saved the lives of many of his comrades and was directly instrumental in breaking up the enemy counterattack.





Towle joined the Army from his birth city of Cleveland, Ohio in March 1943, and by September 21, 1944 was serving as a private in Company C, 504th Parachute Infantry Regiment, 82nd Airborne Division. On that day, near Oosterhout in the Netherlands during Operation Market Garden, Towle engaged a German force with his rocket launcher in an attempt to disable two enemy tanks and a half-track. He was killed during the battle and posthumously awarded the Medal of Honor six months later, on March 15, 1945. Towle, aged 19 at his death, was buried at Calvary Cemetery in his hometown of Cleveland. The USNS Private John R. Towle (T-AK-240) was named in his honor. Also, Towle Fitness Center in Fort Bragg.



**USNS Private John R. Towle (T-AK-240)**

[Source: [http://en.wikipedia.org/wiki/John\\_R.\\_Towle](http://en.wikipedia.org/wiki/John_R._Towle) & [www.history.army.mil/html/moh/wwII-t-z.html](http://www.history.army.mil/html/moh/wwII-t-z.html)  
Oct 2014 ++]

**\*Military History\***





## D-Day Airborne Assault

by Robert Taylor

It began in pitch darkness. June 6, 1944 was only a few minutes old when the Airborne Pathfinders drifted silently down from the sky above the fields of Normandy. At first their seemed nothing untoward about the drone of aircraft in the night sky. The German garrisons in Northern France were used to the noise of aircraft overhead after dark, but this night seemed particularly busy. Looking skyward a German sentry caught sight of parachutes floating down, clearly visible as the moon fleetingly broke through the clouds. For an instant he thought it was the crew jumping from a damaged bomber, but when he saw the mass of canopies floating earthwards, he knew it was no ordinary event. Within moments of raising the alarm the crackle of automatic gunfire confirmed his worst fears: The Invasion of France had begun. The first assault upon Hitler's 'Fortress Europe' came from the sky. Shortly after midnight waves of aircraft and gliders delivered three Divisions of elite airborne troops into Normandy, their crucial objectives to seize vital bridges, secure strategic positions and clear the way for the coming aerial armada.

As the first streaks of dawn came over the horizon on that historic day, and with American and British paratroops already engaged in furious fire fights, the mighty amphibious armada began landing on the beaches of Normandy. Above them waves of troop-carrying aircraft towing gliders stretched from the coast of France all the way back to England. Closely escorted by fighters, they delivered over 20,000 highly trained men into the battlefield of Northern France. By nightfall the first phase of the greatest military invasion in history was complete. Five Divisions were ashore and the Allies had established a toehold in occupied Europe. For the Third Reich it was the beginning of the end. Without the advanced airborne assault, and the air supremacy achieved by the escort fighters, the amphibious landings could have been a disaster.

This print shows the C-47 Dakotas of the 438th Troop Carrier Group towing CG-4 Waco gliders, closely escorted by P-51Bs of the 354 Fighter Group as they cross the Normandy beaches. Below, landing craft swarm ashore putting men and equipment on the beaches, and everything about this spectacular print brings alive the events of that historic day a half a century ago. [Source: [http://www.ehistorybuff.com/taylor\\_d-day.html](http://www.ehistorybuff.com/taylor_d-day.html) Oct 2014 ++]

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## **Military History** ► **Malmedy Massacre WWII**

In the last German offensive of World War II, three German Armies conducted a surprise attack along a 50 mile front in the mountainous and remote Ardennes Forest beginning on Dec. 16, 1944, and quickly overtook thin U.S. lines during what became known as the Battle of the Bulge, the deadliest battle in the European campaign. On December 17, men from Battery B of the 285th Field Artillery Observation Battalion were ordered to move from Schevenhutte, near Aachen, to St Vith in the Ardennes. Their route took them near to the town of Malmedy. On their journey, on the N-23 St Vith road that passed to the east of Malmedy, Battery B met up with Lt. Colonel David Pergrin of the 291st Engineer Combat Battalion. Pergrin had heard that the Germans were along the route which the men from Battery B were taking. He advised them to take a different route to St Vith. However, the officers in charge of the battery decided that they had their orders and, ignoring Pergrin's advice, continued along their designated route.

About half-a-mile from the 'Baugnez Crossroads', the convoy was attacked by tanks of the 1st SS Panzer Division of the Leibstandarte-SS, commanded by 29-year-old SS Lt. Col. Jochen Peiper. His troops had earned the nickname "Blowtorch Battalion" after burning their way across Russia and now operating near Malmedy, reports indicated his unit had been responsible for slaughtering civilians in two separate French villages. Upon sighting the trucks, two Panzer tanks under the command of SS Lieutenant Werner Sternebeck opened fire and destroyed the lead vehicles. This brought the convoy to a halt while the deadly accurate tank fire continued. Clearly outgunned by the Germans, the men from B Battery surrendered. The 113 American prisoners-of-war who had survived the attack were herded into a nearby field near the Cafe Bodarwe. Peiper arrived where the American POWs were being held and ordered Sternebeck to continue moving. Peiper also left the area around Five Points and moved out with the bulk of his forces.

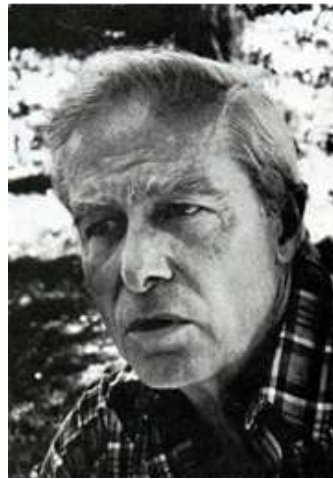
According to one report shortly after Peiper left, a SS tank commander then ordered a SS private to shoot into the prisoners, setting off a wild killing spree as the SS opened fire with machine guns and pistols on the unarmed, terrified POWs. Survivors were killed by a pistol shot to the head, in some cases by English speaking SS who walked among the victims asking if anyone was injured or needed help. Those who responded were shot or clubbed to death as later autopsies showed. A total of 81 Americans were killed in the single worst atrocity against U.S. troops during World War II in Europe. Incredibly, some prisoners did get away after feigning death or by hiding in the trees surrounding the open killing fields. In all 21 Americans escaped the slaughter and reported the massacre. News quickly spread among U.S. troops that "Germans are shooting POWs." As a result, the troops became determined to hold the lines against the German advance until reinforcements could arrive. Gen. Eisenhower was informed of the massacre. War correspondents in the area also spread the news.



By January of 1945, the combined efforts of the Allied armies drove the Germans back to their original starting positions in the Battle of the Bulge. U.S. troops then reached the sight of the massacre, now buried under two feet of winter snow. The freezing weather had done a lot to preserve the snow-covered bodies and that made the autopsies easier, especially as some had been covered in snow. Mine detectors were used to locate the 81 bodies, which had rested undisturbed since the day of the shootings and by now had frozen into grotesque positions. Forty one of the bodies were found to have been shot in the head. As each body was uncovered it was numbered. While the U.S. medical teams performed this grim task, columns of German POWs being led by Americans passed by, with the bodies in plain view, however, no act of vengeance was taken. Several theories exist as to why the massacre took place. First, the men were deliberately murdered in cold blood. Another theory is that some Americans tried to escape and were fired on by a few Germans. Other Germans heard the firing and either trigger-happy or simply battle-hardened, also opened fire on the Americans in the open field.

Following the defeat of Nazi Germany, 74 former SS men, including Jochen Peiper and SS Gen. Sepp Dietrich, were tried by a U.S. Military Tribunal for War Crimes concerning the massacre. The two month trial began May 16, 1946, in a courthouse at Dachau. But controversy soon arose. The defense team raised allegations of mistreatment including physical abuse by the U.S. Army and cited the use of mock trials in obtaining SS confessions as improper. The defense also complained that the court's legal expert, a Jew, constantly ruled in favor of the prosecution. The trial included testimony by a survivor of the massacre who was able to point out the SS man that actually fired the first shot. On July 11, 1946, the Judges returned a verdict after two and a half hours of deliberation. All of the SS were found guilty as charged. Forty three, including Peiper, were sentenced to death, and 22, including Dietrich, were sentenced to life imprisonment. The others got long prison terms. But that was not the end of the story.

Controversy continued, however, as various U.S. Army Boards conducted critical reviews of the trial process and methods used during pretrial interrogations. As a result, most of the death sentences were commuted and over half of the life sentences were reduced. Political complications arose after the Soviets blockaded Berlin in May of 1948. The strategic importance of post-war Germany in the emerging Cold War became apparent to the U.S. amid public outcry in Germany against war crime trials being conducted by the U.S. Army. In 1949, following a series of public charges and counter charges by trial participants and further investigations over whether justice had been served in the conduct of the trial, six of the remaining death sentences were commuted. A U.S. Senate Armed Services Subcommittee then began an investigation, led by Sen. Joseph McCarthy, concerning the U.S. Army's overall handling of the case. The Senate investigation heightened the controversy surrounding the trial, due in part to the aggressive behavior of Sen. McCarthy.



By the early 1950s, following years of accusations, denials, investigations, controversy, and political turmoil, the final remaining death sentences were commuted and release of all of the convicted SS men began. Though we may never completely know the truth surrounding the Malmedy massacre - who ordered it, and whether it was at least partly an attempt to stop escaping prisoners - there is no doubt that, in the end, the deaths there stiffened U.S. resolve to destroy the Nazis, and the hated SS, wherever they found them. In December of 1956, the last prisoner, Peiper, was released from Landsberg. He eventually settled in eastern France. On July 14, 1976, Bastille Day in France, Peiper was killed when a fire of mysterious origin destroyed his home. Firefighters responding to the blaze found their water hoses had been cut. [Source: <http://www.historyplace.com/worldwar2/timeline/malmedy.htm> Oct 2014 ++]

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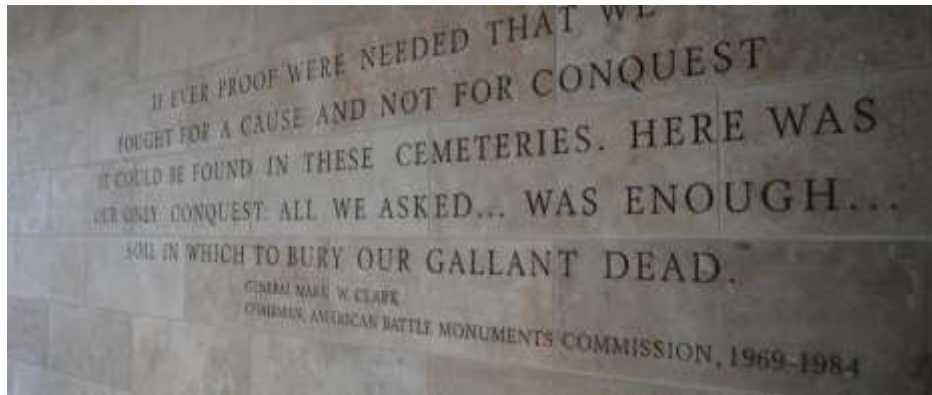
## **D-Day** ► **Normandy American Cemetery**

Thousands of Americans died during the invasion on D-Day and following operations. On D+2 (June 8) the U.S. Army created the American St. Laurent Cemetery adjacent to Normandy American Cemetery Omaha Beach to begin the burials of those who died in the past 36 hours. It was the first American cemetery on European soil in World War II. After the war, the cemetery was moved closer to the beach and rededicated as the Normandy American Cemetery. The next of kin of all the deceased were given the option to repatriate their loved ones to the United States or have them be buried at an American cemetery overseas.





The cemetery includes 3 Medal of Honor recipients, Brig. Gen. Theodore Roosevelt, Jr., his brother Quentin who was killed in WWI, Army Air Corps crews who were shot down over France as early as 1942 and two of the Niland brothers which the movie Saving Private Ryan is based on.



The cemetery site, at the north end of its half mile access road, covers 172.5 acres and contains the graves of 9,387 of our military dead, most of whom lost their lives in the D-Day landings and ensuing operations. On the Walls of the Missing, in a semicircular garden on the east side of the memorial, are inscribed 1,557 names. Rosettes mark the names of those since recovered and identified. “The memorial consists of a semicircular colonnade with a loggia at each end containing large maps and narratives of the military operations; at the center is the bronze statue, “Spirit of American Youth Rising from the Waves.” An orientation table overlooking the beach depicts the landings in Normandy. Facing west at the memorial, one sees in the foreground the reflecting pool; beyond is the burial area with a circular chapel and, at the far end, granite statues representing the United States and France. In 2007, the Normandy Visitors Center opened. The \$30 million visitor center was dedicated by the American Battle Monuments Commission (ABMC) on June 6, 2007 during the commemoration of the 63rd Anniversary of D-Day. The center is sited in a wooded area of the cemetery approximately 100 meters east of the Garden of the Missing. Normandy is ABMC's most visited cemetery, receiving approximately one million visitors each year.



[Source: <http://www.abmc.gov/cemeteries-memorials/europe/normandy-american-cemetery> Oct 2014 ++]



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## WWII PostWar Events ► Nuremberg War Crimes Trials 1946



The interior of the courtroom of the Nuremberg War Crimes Trials in 1946 during the Trial of the Major War Criminals, prosecuting 24 government and civilian leaders of Nazi Germany. Visible here is Hermann Goering, former leader of the Luftwaffe, seated in the box at center right, wearing a gray jacket, headphones, and dark glasses. Next to him sits Rudolf Hess, former Deputy Fuhrer of Germany, then Joachim von Ribbentrop, former Nazi Minister of Foreign Affairs, Wilhelm Keitel, former leader of Germany's Supreme Command (blurry face), and Ernst Kaltenbrunner, the highest ranking surviving SS-leader. Goering, von Ribbentrop, Keitel, and Kaltenbrunner were sentenced to death by hanging along with 8 others -- Goering committed suicide the night before the execution. Hess was sentenced to life imprisonment, which he served at Spandau Prison, Berlin, where he died in 1987.

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## Military History Anniversaries ► 1 thru 30 Nov

Significant events in U.S. Military History over the next 30 days are listed in the attachment to this Bulletin titled, "**Military History Anniversaries 1 thru 30 Nov**".

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**Spanish American War Images 65** ► **Cuban Rebel Leader Calixto García**



**Calixto García**

3,000 Cuban rebels or insurrectos fought in the Guantanamo area to prevent troops there from aiding joining Spanish Gen Linares in Santiago . The insurrectos were led by General Calixto García. Forces under Garcia also helped with the landing of American forces.

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**Faces of WAR (WWII)** ► **Gen. Claire L. Chennault 1943**



**Flying tigers Gen. Claire L. Chennault 1943**

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**WWI in Photos 114** ▶ Executed Serbian Civilians 1945



Austro-Hungarian troops executing Serbian civilians, likely ca. 1915. Serbians suffered greatly during the war years, counting more than a million casualties by 1918, including losses in battle, mass executions, and the worst typhus epidemic in history.

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**Military Kits** ▶ 1916 Battle of the Somme | Private Soldier



**Personal equipment carried by the common British soldier:**

1. Hob nail boots
2. Puttees (for binding trousers around lower legs)
3. Socks
4. Shirt and vest
5. Gas mask container
6. Gas mask
7. Non Commissioned ranks hat
8. Notebook and service warrant card
9. Battledress tunic – note stripes on sleeve denote rank
10. Mess tins
11. Tin opener and can of food, appears to be tinned stewed apple
12. Oxo cubes
13. Bar of chocolate
14. Bar of soap
15. Water flask
16. Belt
17. Leather belt with leather pouches for kit
18. Haversack
19. Long john under garments, battledress trousers and braces
20. Boot polish and two brushes
21. Blankets
22. Dog tags – imprinted with name, rank and service number
23. Trench club – for breaking heavy ground for trenching into and for fighting the enemy at close quarters
24. Entrenching tool handle; often the handle was customized with lumps of metal and made into a trench club
25. Leather pouch for entrenching tool
26. Field dressing
27. Cigarettes and matches
28. Mess kit containing knife, fork spoon, shaving brush, soap and brass button polisher (slid underneath battledress button to protect BD from polish)
29. Polish
30. Razor
31. Gun oil
32. Cloth for pull-through for cleaning barrels internally
33. Bullet
34. Ammunition belt, containing clips of bullets
35. Penknife and pull through cord
36. Entrenching tool spade; sometimes soldiers sharpened the edges of the spade and used these to fight
37. Lee Enfield 303 bolt action rifle. It was developed at the beginning of the twentieth century as an attempt to create a standard rifle for both the infantry and soldiers on horseback. As it turned out it was ideally suited to conditions in the trenches – it wasn't good at firing over long distances, but was really robust and could stand up to the mud. It was still used right up into the 1950s.
38. Bayonet – to be attached to fore end of rifle
39. Helmet – with cover
40. Fob watch, personal effects. Officers tended to have pocket watches more so than infantry soldiers
41. Coins – possibly local francs or similar, personal effects
42. Scabbard for bayonet, worn on leather belt around waist over hip



43. 5 Round ammunition clips – ready to load magazine of 303 rifle 1944 lance corporal, Parachute Brigade, Battle of Arnhem

[Source: The Telegraph | Inventories of war | Aug 07, 2014 ++]

**\* Health Care \***



**TRICARE Urgent/Emergency Care Update 01 ► When in doubt, Call First**

When unexpected medical care is needed, especially after hours or on weekends, it can be difficult to know what type of care you need and where to go. Your primary care manager (PCM) is your best resource for deciding where and when to get care. If you seek care outside of a military hospital or clinic and your PCM is not available, TRICARE North beneficiaries should call Health Net Federal Services, LLC (Health Net) at 1-877-TRICARE (1-877-874-2273) for help in coordinating care.

For nonemergencies, such as sprains, earaches, fevers or sore throats, call your PCM first. In most cases, you can receive urgent care from your PCM by making a same-day appointment. Your PCM may also coordinate a referral to an urgent care center or convenient care clinic. If your PCM is not available, contact Health Net for assistance with a referral. If you do not coordinate urgent care with your PCM or Health Net, the care will be covered under the point-of-service (POS) option, resulting in higher out-of-pocket costs. (The POS option does not apply to ADSMs, children for the first 60 days following their birth or adoption, emergency care, clinical preventive care received from a network provider, the first eight mental health outpatient visits to a network provider for a medically diagnosed and covered condition per fiscal year (Oct. 1–Sept. 30) or beneficiaries with other health insurance.) For cost details, visit <http://www.tricare.mil/costs>.

In an emergency, defined as a serious medical condition that the average person would consider to be a threat to life, limb, sight or safety, call 911 or go to the nearest emergency room. Emergency care does not require prior authorization. However, in all emergencies, you must notify your PCM within 24 hours or on the next business day following admission to coordinate ongoing care and to ensure you receive proper authorization. Note: Active duty service members (ADSMs) enrolled in TRICARE Prime Remote should contact the Defense Health Agency—Great Lakes (formerly the Military Medical Support Office) at 1-888-MHS-MMSO (1-888-647-6676) as soon as possible after receiving emergency care. Knowing the steps to take before an injury, illness or emergency occurs can help you get the care you need while keeping your out-of-pocket costs low. Visit <http://www.tricare.mil/greatlakes> for more details.

[Source: TRICARE Health Matters (North): 2014—Issue 4 October 2014 ++]

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## TRICARE Cancer Screenings Update 04 ► Stay Current

Detect Cancer Early: Stay Current with Screenings. TRICARE and Humana Military encourage you to be proactive about your health and take advantage of no-cost screenings for breast, cervical, colorectal and prostate cancer, which are covered under the TRICARE clinical preventive services benefit. Routine screenings may detect cancer early, expand your treatment options and increase your chance of survival. You can receive most of your routine or primary care, including preventive screenings, from your primary care manager (PCM), with no copayments or referrals required. Four screening guidelines recommended by TRICARE are:

### **Breast cancer screening:**

- For women under age 40, a clinical breast examination should be performed during a preventive health visit.
- For women age 40 and older, a clinical breast examination should be performed annually. Screening mammograms are covered annually for all women beginning at age 40.
- Mammograms are covered annually beginning at age 30 for women who may be at high risk. In addition to the annual screening mammogram, a breast screening MRI may be covered annually beginning at age 30 for women at high risk. Ask your doctor about your risk and which breast cancer screenings you need.

### **Cervical cancer screening:**

- TRICARE covers annual routine Pap tests for women beginning at age 18 (younger if sexually active) or less often at patient and provider discretion (though not less than every three years).
- If you are age 30 or older, you may also be tested for the human papillomavirus (HPV), which can lead to cervical cancer. The HPV DNA test is covered as a cervical cancer screening only when performed along with a Pap test.

### **Colorectal cancer screening:**

- Conventional colonoscopy is covered for beneficiaries at average risk for colon cancer once every 10 years beginning at age 50.
- Other colorectal cancer screening tests, including fecal occult blood testing and sigmoidoscopy, are also covered on specified timetables beginning at age 50. TRICARE covers more frequent screenings for those at high risk. Talk to your doctor about which screenings you may need.

### **Prostate cancer screening:**

- TRICARE covers a digital rectal examination and prostate specific antigen screening annually for all men age 50 and older.
- Covered screenings begin earlier for men age 45 and older with a family history of prostate cancer in at least one other family member or men age 40 and older with a family history of prostate cancer in two or more other family members.
- Covered screenings begin for all African-American men age 45 and older, regardless of family history. If you have questions about covered screenings, contact Humana Military or visit <http://www.tricare.mil/coveredservices>.

[Source: TRICARE Health Matters (South): 2014—Issue 4 October 2014 ++]

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## Tricare Diabetes Coverage ► Supplies And Equipment

November is National Diabetes Month, so it is a good time for a reminder about TRICARE coverage of diabetes supplies and equipment. Nearly 30 million children and adults in the United States have diabetes, a condition that causes blood sugar levels to rise higher than normal and can lead to serious complications. The following diabetic supplies are covered by the TRICARE Pharmacy Program and may be obtained through military pharmacies, TRICARE Pharmacy Home Delivery or TRICARE retail network pharmacies. Regular prescription copayments apply.

- Insulin products (Medicare does not cover insulin. TRICARE is the primary payer for insulin products.)
- Blood and urine glucose test strips
- Blood and urine ketone/acetone test strips
- Diabetic syringes and needles (Medicare does not cover syringes. TRICARE is the primary payer for these diabetic supplies.)
- Lancets

TRICARE also covers the following as diabetic durable medical equipment under TRICARE Prime:

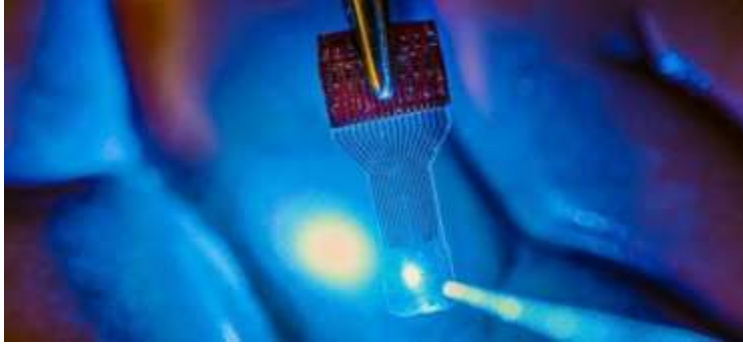
- Home glucose monitors
- Continuous glucose monitors (limited benefit)
- Insulin infusion pumps for beneficiaries with:
- Insulin-dependent Type 1 diabetes mellitus when there is documentation by the physician of poor diabetic control
- Cystic fibrosis-related diabetes
- Type 2 diabetes when there is documentation by the physician of poor diabetic control and the patient has failed to achieve glycemic control after six months of multiple daily injection therapy
- Nontraditional insulin delivery devices such as OmniPod™ and V-Go™

For more information refer to <http://www.tricare.mil/coveredservices>. [Source: TRICARE Health Matters (West): 2014—Issue 4 October 2014 ++]

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## Brain Plants ► Graphene Chips Bring Concept Closer to Reality

Researchers from the University of Wisconsin, with funding from the Defense Advanced Research Projects Agency, DARPA, have created a new type of brain chip made of graphene that could bring futuristic brain implants much closer to reality. If you haven't heard of graphene, you aren't alone. In 2010, Andre Geim and Konstantin Novoselov received the Nobel Prize in physics for creating it in the usable form we recognize it in today. But in its purest form, it's been around for billions of years. It's basically carbon, one atom thick and stuck together in honeycomb shaped bonds, then stacked. Though extremely simple, it's also miraculous. It's the most electrically conductive material known to man. A recent DARPA grant allocated just under \$30 million to build next generation transistors from graphene. Money from the private sector has been pouring into the development of graphene batteries as a potential replacement for lithium ion.



Some military-related applications for brain chips include treating PTSD flashbacks or episodes the moment that they occur. Neural activity can clearly—and silently—communicate stress as well as other emotional states. It can speak to how well an individual or a soldier is learning material before that soldier sits down to take a test, thanks to some cutting-edge research performed at Sandia National Labs in 2012. It could even lead the way to much more responsive even “feeling” robotic prosthetic arms and legs. A properly devised brain interface could relay signals as communication, or accomplish other tasks you might read about in a comic book. Here’s why graphene may also make its way into tomorrow’s brain chips. Today, our crude efforts to study brain signals via surgically implanted devices are limited to chips composed of indium-tin oxide, ITO, platinum, and other metallic materials. But even at their thinnest, these devices aren’t transparent, which is a limiting factor if you want to do experiments on the brain that involve not just electrical signals but light, an emerging area of brain research called optogenetics. Optogenetics is quickly becoming one of the most important (and least invasive) avenues for brain research. The real problem with today’s brain chips is that brains and hot metal just don’t mix well.

“We’ve just begun to look at the biocompatibility of these devices in the brain, but have so far been able to implant them for months into the brains of living animals with no obvious adverse effects,” University of Wisconsin researcher Justin Williams, one of the authors of the study, told Defense One. “Graphene also has some other potential advantages, as it has been shown that it can be doped to be used as a semiconductor, which means we can start to use it to make implantable active electronic circuits as well.” So graphene is both thin enough to interact with brains without harming them (as much as does metal) and conducive enough for electricity. That quality of thinness, in addition to its atomic purity, makes graphene compatible with biological material said Williams. “We have recently published studies that show than the less overall material that you implant into the brain, the more favorable the scarring reaction is,” Williams said. “Think of this as the areal density - that is how much material per unit area of the surface of the brain we need to achieve the device’s functionality. With traditional materials we are limited by the material’s conductivity and processing capabilities. That is, we can only process metals so thin, and pattern them so small before they lose the functionality that we need. With graphene we should be able to push these limits significantly smaller without losing the necessary conductivity and strength. In the current report we’ve already reduced the thickness by several orders of magnitude.”

The University of Wisconsin researchers devised a graphene-based device called carbon-layered electrode array or CLEAR, for visualizing and stimulating brain activity. It could lead to a much better understanding of the brain as well as devices that can interact directly with the brain. Because graphene is atomically pure carbon, it’s not toxic. This means that it’s far more biocompatible than even gold or platinum. The researchers tested the novel graphene-based brain chips on four rats and five mice to see if the material was sufficiently transparent to allow light to come through (for experiments based on light) but was also capable of delivering a robust enough signal to make the animals’ legs move. And the readings were better than could be achieved with regular metal implants. They published their findings in the journal Nature. It’s a small feat (controlling

small feet), but it suggests that scientists are one important step closer to designing chips and eventually mind-controllable arms, legs and even exoskeletons that are truly brain friendly. [Source: Defense One | Patrick Tucker | October 22, 2014 ++]

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## **Prescription Overdose ► Most Commonly Involved Drugs**

According to a 10 OCT CDC report, Opioid Pain Relievers (OPRs) and benzodiazepines are the prescription drugs most commonly involved in overdose deaths and Emergency Department (ED) visits. When these drugs are combined with alcohol, the risk for overdose increases. In 2010 the Drug Abuse Warning Network (DAWN) data, alcohol was involved in 18.5 percent of OPR and 27.2 percent of benzodiazepine drug abuse-related ED visits and over 20 percent of both OPR and benzodiazepine drug-related deaths. Men had a higher percentage than women of alcohol involvement in ED visits for both OPRs and benzodiazepines. More can be done to educate providers and the public about the dangers of combining these substances. Refer to [http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6340a1.htm?s\\_cid=mm6340a1\\_w](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6340a1.htm?s_cid=mm6340a1_w) to see what CDC's MMWR report says on the subject. [Source: VVA Web Weekly October 16, 2014 ++]

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## **Ebola ► What You Need to Know**

Ebola, previously known as Ebola hemorrhagic fever, is a severe, often fatal disease in humans and nonhuman primates (such as monkeys, gorillas, and chimpanzees). It is a rare and deadly disease caused by infection with a virus of the family Filoviridae, genus Ebolavirus. There are five identified Ebolavirus species, four of which have caused disease in humans. Ebola is found in several African countries. The first Ebola species was discovered in 1976 near the Ebola River in what is now the Democratic Republic of the Congo. Since then, outbreaks have appeared sporadically in Africa. The natural reservoir host of Ebola remains unknown. However, on the basis of available evidence and the nature of similar viruses, researchers believe that the virus is animal-borne with bats being the most likely reservoir. Four of the five subtypes occur in an animal host native to Africa.

**Transmission --** Because the natural reservoir host of Ebola has not yet been identified, the manner by which the virus first appears in a human at the start of an outbreak is unknown. However, researchers believe that the first patient becomes infected through contact with an infected animal. When an infection does occur in humans, there are several ways the virus can be spread to others. These include:

- Direct contact with the blood or body fluids (including but not limited to feces, saliva, urine, vomit and semen) of a person who is sick with Ebola
- Contact with objects (like needles and syringes) that have been contaminated with the blood or body fluids of an infected person or with infected animals

The virus in the blood and body fluids can enter another person's body through broken skin or unprotected mucous membranes in, for example, the eyes, nose, or mouth. The viruses that cause Ebola are often spread among families and friends, because they come in close contact with blood or body fluids when caring for ill persons. During outbreaks of Ebola, the disease can spread quickly within healthcare settings, such as clinics or hospitals. Exposure can occur in healthcare settings where hospital staff are not wearing appropriate protective clothing including masks, gowns, gloves, and eye protection. Dedicated medical equipment (preferably disposable, when possible) should be used by healthcare personnel providing care for someone

sick with Ebola. Proper cleaning and disposal of instruments, such as needles and syringes, is also important. If instruments are not disposable, they must be sterilized before being used again. Without adequate instrument sterilization, virus transmission can continue and amplify an outbreak

**Signs and Symptoms** -- A person infected with Ebola is not contagious until symptoms appear. Symptoms may appear anywhere from two to 21 days after exposure to Ebola but the average is eight to 10 days. Recovery from Ebola depends on the patient's immune response. People who recover from Ebola infection develop antibodies that last for at least 10 years. Signs and Symptoms of Ebola typically include: Fever (greater than 38.6°C or 101.5°F); Severe headache; Muscle pain; Vomiting; Diarrhea; Stomach pain; and Unexplained bleeding or bruising.

**Risk of Exposure** -- Ebola is found in several African countries. Because the natural reservoir host of Ebola, and the manner in which transmission of the virus to humans remain unknown, risk assessment in endemic areas is difficult. During outbreaks of Ebola, those at highest risk include healthcare workers and the family and friends of a person infected with Ebola. Healthcare workers in Africa should consult the Infection Control for Viral Hemorrhagic Fevers in the African Health Care Setting to learn how to prevent and control infections in these settings. Medical professionals in the United States should consult the Infection Prevention and Control Recommendations for Hospitalized Patients with Known or Suspected Ebola Hemorrhagic Fever in U.S. Hospitals. Since 1976, Ebola outbreaks have occurred in the following countries: Democratic Republic of the Congo (DRC); Gabon; South Sudan; Ivory Coast; Uganda; Republic of the Congo (ROC); South Africa (imported); Guinea; Liberia; Sierra Leone; Senegal; and Nigeria

**Diagnosis** -- Diagnosing Ebola in a person who has been infected for only a few days is difficult because the early symptoms, such as fever, are not specific to Ebola infection and are seen often in patients with more commonly occurring diseases, such as malaria and typhoid fever. However, if a person has symptoms of and had contact with blood or body fluids of a person sick with Ebola, contact with objects that have been contaminated with blood or body fluids of a person sick with Ebola or contact with infected animals, the patient should be isolated and public health professionals notified. Samples from the patient can then be collected and tested to confirm infection. Laboratory tests used in diagnosis include:

- Within a few days after symptoms begin: Antigen-capture enzyme-linked immunosorbent assay (ELISA) testing; IgM ELISA; Polymerase chain reaction (PCR); and Virus Isolation.
- Later in disease course or after recovery: IgM and IgG antibodies.
- Retrospectively in deceased patients: Immunohistochemistry testing; PCR; and Virus isolation.

**Treatment -- Currently** there are no specific vaccines or medicines (such as antiviral drug) that have been proven to be effective against Ebola. Experimental treatment has been tested and proven effective in some animals but has not yet been evaluated in humans. Timely treatment of Ebola is important but challenging since the disease is difficult to diagnose clinically in the early stages of infection. Because early symptoms such as headache and fever are not specific to Ebola viruses, cases of Ebola may be initially misdiagnosed. However, if a person has symptoms of Ebola and had contact with blood or body fluids of a person sick with Ebola, contact with objects that have been contaminated with blood or body fluids of a person sick with Ebola, or contact with an infected animal, the patient should be isolated and public health professionals notified. Supportive therapy can continue with proper protective clothing until samples from the patient are tested to confirm infection. Symptoms of Ebola are treated as they appear. The following basic interventions, when used early, can significantly improve the chances of survival:

- Providing intravenous (IV) fluids and balancing electrolytes (body salts).
- Maintaining oxygen status and blood pressure.
- Treating other infections if they occur

**Prevention --** When cases of the disease do appear, there is increased risk of transmission within healthcare settings. Therefore, healthcare workers must be able to recognize a case of Ebola and be ready to use appropriate infection control measures. The aim of these techniques is to avoid contact with the blood or body fluids of an infected patient. Appropriate procedures include:

- isolation of patients with Ebola from contact with unprotected persons
- wearing of protective clothing (including masks, gloves, impermeable gowns, and goggles or face shields) by persons caring for Ebola patients
- the use of other infection-control measures (such as complete equipment sterilization and routine use of disinfectant)
- avoid touching the bodies of patients who have died from Ebola

Healthcare workers should also have the capability to request diagnostic tests or prepare samples for shipping and testing elsewhere. CDC, in conjunction with the World Health Organization, has developed a set of guidelines to help prevent and control the spread of Ebola. Entitled Infection Control for Viral Hemorrhagic Fevers In the African Health Care Setting, the manual describes how to recognize cases of viral hemorrhagic fever and prevent further transmission in health care setting by using locally available materials and minimal financial resources.

[Source: TRICARE/DHA News Release October 15, 2014 ++]

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## **Tricare Breast Cancer Coverage Update 03 ► Early Detection is Key**

October was National Breast Cancer Awareness Month. Its goal was to raise awareness about the importance of early detection in treating breast cancer. The Centers for Disease Control and Prevention (CDC) report that breast cancer is the most common cancer among American women. The Department of Health and Human Services estimates that about 1 in 8 women born in the U.S. today will get breast cancer at some point. It is important that all women, especially those with a higher risk of breast cancer, get screened and know when to start getting mammograms. Mammograms are an x-ray picture of the breast used to look for early signs of breast cancer. When breast cancer is found early, many women go on to live long and healthy lives. Refer to [http://www.cdc.gov/cancer/breast/basic\\_info/mammograms.htm](http://www.cdc.gov/cancer/breast/basic_info/mammograms.htm) for information about mammograms and how they are done.

Breast cancer affects women of all ages and ethnicities. TRICARE covers clinical breast exams for women under forty years old during a covered periodic preventive health exam. After age forty, clinical breast exams are covered annually. Annual mammogram screening for women starts at 40. For women who have a 15% higher risk, TRICARE covers screening mammograms annually starting at age thirty. For women who don't fall into one of these categories, the CDC's National Breast and Cervical Cancer Early Detection Program works with health departments and other groups to provide low-cost or free mammograms for women who qualify. Go to <http://www.cdc.gov/cancer/nbccedp/screenings.htm> to find out if you qualify. Refer to <http://www.tricare.mil/breastexams.f> or more information regarding TRICARE breast cancer coverage and treatment.

[Source: TRICARE Communications October 17, 2014 ++]



## Veterans Day 2014 Update 01 ► Meals & Deals

Veterans Day is soon approaching (11 NOV) and there are many restaurants and companies who want to thank our veterans by providing them with discounts or a free meal. To those companies offering veterans a free meal or discount, the military community gives a collective thanks! Two notes before jumping in:

- **Proof of Military Service.** Most companies require some form of military ID. These include: a **Military ID Card** (active/reserve/retired), Current Leave and Earnings Statement (LES), **Drivers License with Veterans Designation**, Photograph in uniform, be wearing uniform (if your service permits), Veterans Organization Card (e.g., American Legion and VFW), **DD214**, discharge paperwork, or other form of identification. Other restaurants and companies may go by the honor system.
- **Participation.** Second, always call ahead to verify locations, times, and participation. Many of the listed companies are franchises and may have different policies. We will do our best to keep this page updated as we find new info.



To see what is being offered this year refer to the attachment to this Bulletin titled, “**Veterans Day Meals Deals - 2014**”. [Source: The Military Wallet | Ryan Guina | October 21, 2014 ++]



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## **VA Credit Monitoring ► Free Offers Underutilized**

Only about one in 25 veterans offered free credit monitoring in the wake of Veterans Affairs Department security breaches has signed up for the service, a figure that VA officials call disappointingly low. Nearly 1 million veterans have had their personal information potentially compromised over the last seven years, a total that officials call upsetting but insist sits well below comparable private-sector security breaches. Most of those incidents involve employees printing veterans' personal data and failing to maintain a close hold on that paperwork. In the latest breach, about 2,200 veterans were notified by South Carolina officials that four boxes of medical records were reported missing from a Columbia VA facility. Free financial monitoring is offered for every such breach, even if no evidence of theft or abuse is found. Still, few veterans take up the offer, which involves contacting VA's office of technology and requesting a free report from one of the three national credit bureaus.

The number of veterans taking advantage of that credit monitoring "is not as high as it needs to be," VA's Chief Information Officer Stephen Warren said in a roundtable with reporters 1 OCT. "So we've reached out to [veterans service organizations]. The reason we're offering it is because somewhere within the VA, someone made a mistake. "When you get that offer of credit monitoring, take it. It's something you need to do." Warren worries that many veterans have misinterpreted credit warning alerts from VA, and think they'll have to pay for the financial check-ups. He also said that since none of the breaches has resulted in identity theft so far, some veterans may assume the monitoring is unneeded. "We think it's important for them to use it," he said. "We just want to make sure they take advantage of the opportunity." Additional information on VA credit monitoring services is available at <http://www.va.gov/identitytheft> or by calling 1-855-578-5492. [Source: MilitaryTimes | Leo Shane | October 23, 2014 ++]

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## **COLA 2015 Update 02 ► 1.7% Increase Announced**

Federal retirees will receive a 1.7 percent cost-of-living adjustment in JAN 2015, according to new figures released 22 OCT. The Consumer Price Index for Urban Wage Earners and Clerical Workers went up 0.1 percent in September, the Bureau of Labor Statistics announced. That statistic was the last piece of the puzzle needed to calculate the cost-of-living bump. The 2015 adjustment will be slightly higher than this year's boost of 1.5 percent, and equal to the 2013 increase. The annual cost-of-living adjustment, or COLA, affects payments to more than 70 million Social Security recipients, disabled veterans and military and federal civilian retirees. That's more than one-fifth of the country. For the typical Social Security recipient, the increase amounts to about \$20 a month.



While retirees will likely be happy to receive a bump, the announcement is a reminder that the method of calculating the COLA is “out of sync with the reality faced by millions of federal annuitants, Social Security recipients and military retirees,” said the National Active and Retired Federal Employees Association (NARFE), in a statement. Retirees “spend more than twice as much on medical care than the population measured by the current CPI-W” used in the COLA formula, NARFE said. The group recommended switching to the consumer price index for elderly consumers (CPI-E), and asked lawmakers and President Obama to consider that change while drawing up the fiscal 2016 budget. Obama did not recommend any changes to the COLA formula as part of the fiscal 2015 budget. The previous year, he had suggested moving to what is known as the “chained CPI,” a change opposed by retiree groups because it would result in a lower annual adjustment.

The annual COLA increase is based on the percentage increase in the average CPI-W for the third quarter of the current year over the average CPI-W for the third quarter of the last year in which a COLA became effective. If the percentage increase is less than 2 percent, then retirees under the Federal Employees Retirement System receive the full COLA (and the same amount as Civil Service Retirement System retirees). If the change is 2 percent to 3 percent, FERS retirees receive 2 percent. And if the increase is 3 percent or higher, FERS retirees receive 1 percentage point less than the full increase. Congress enacted such automatic increases in 1975, when inflation was high and there was a lot of pressure to regularly raise benefits. For the first 35 years, the COLA dipped below 2 percent only three times. Next year, the COLA will be less than 2 percent for the fifth time in six years.

Social Security is financed by a 12.4 percent payroll tax on the first \$117,000 of a worker’s wages — half is paid by the worker and half is paid by the employer. Next year, the wage cap will increase to \$118,500, the Social Security Administration said.. About 59 million retired and disabled workers, spouses and children get Social Security benefits. The average monthly payment is \$1,192. There are almost 1.96 million military retirees who receive slightly more than \$50 billion a year in military retirement pay. The COLA also affects benefits for about 4 million disabled veterans, 2.5 million federal retirees and their survivors, and more than 8 million people who get Supplemental Security Income, the disability program for the poor.

The American Federation of Government Employees noted that 2015 will be the third consecutive year the COLA has been less than 2 percent. “While any increase is better than no increase, the fact of the matter is that for millions of seniors, retirees and federal employees, these annual increases will be gone before most even receive them,” AFGE President J. David Cox Sr. said in a statement. Employees still working for the federal government do not receive a COLA; they are slated to receive a 1 percent pay raise in 2015. [Source: GovExec.com | Amelia Gruber | October 22, 2014 ++]

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## **Cell Phone Military Discounts ► Check Your Eligibility**

Military families are always on the go, and most times the best way to communicate with loved ones who may be spread throughout the country is with cell phones. That’s why it’s great news that most of the major cell phone service providers offer military discounts on cellular and wireless plans to active duty service members, and in some cases, veterans as well. Do some comparison shopping to find the right cell phone plan for you and your family. Remember to take into consideration the many different plans offered for cellular use (talk and text) and data use (Internet connection). For instance, if you use your cell phone mainly for talking and texting but not for surfing the web, focus on a plan with unlimited talk and text and a small

data plan. However, if you use your phone for frequently checking email and watching videos, you might look into a plan with more data. Overage charges can get costly so you want to avoid going over your data allocation. Once you know what you want, use the following military discounts to get the best deal to suit your needs. Please contact the cell phone provider to check your eligibility.

**AT&T.** AT&T Wireless offers special savings to military personnel and veterans – including 15% off your monthly service and discounted rates for devices and accessories. The discount is available at your local AT&T wireless store, a military installation, or you can call Customer Service.

**Boost Mobile.** To help deployed military personnel Boost Mobile allows service men and women to keep their accounts and phone numbers intact while deployed overseas. While enrolled in the Deployed Military Program, no service charges will be incurred and no reactivation fees will be applied when the account is restored.

**nTelos Wireless.** ntelos Wireless offers a 15% discount to all active duty military and veterans.

**Sprint.** The Sprint Discount Program offers active duty military personnel, National Guard, Reserves, and veterans a 15% discount off select rate plans. Sprint also offers a Military Suspend program for service personnel who are deployed. And if you're heading to Japan, U.S. military personnel receive special wireless benefits from SoftBank (the parent company to Sprint).

**T-Mobile.** The T-Mobile Advantage program offers up to 15% off to active duty military and veterans. This discount may apply to lines and data packages. Go online or call a T-Mobile representative to see if you're eligible. The actual amount of the discount varies.

**US Cellular.** Active duty military, National Guard, Reserve, and veterans who are U.S. Cellular customers can receive a 15% discount off their calling plan charges on individual single line and/or family plans.

**Verizon.** Verizon offers discounts to service members and veterans, including 15% off plans \$34.99 or higher. There may also be discounts on data as well as 25% off accessories in some cases.

**Vonage.** If you or a loved one is stationed overseas, Vonage is another way to communicate. Vonage is an Internet phone service in which you hook a box up to your high-speed Internet connection and then use your phone like a regular landline. Vonage offers military families unlimited calling to more than 60 countries and free shipping to APO/FPO addresses.

[Source: Military.com | Heather Sweeney | Oct 01, 2014 ++]

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## **Homeowners Insurance Update 04 ► Love your dog? Your insurer may not**

If you own a certain breed of dog, you may have a harder time getting homeowners insurance. Insurers balk at breeds and mixes that they believe are more likely to bite and cause injuries than other dogs. Einhorn Insurance, a San Diego agency specializing in dog liability insurance, has compiled a list of the 10 breeds most often deemed dangerous by insurance companies. Einhorn stresses that it doesn't agree with these opinions and helps responsible dog owners find carriers that don't discriminate. Following are the 10 dogs most often blacklisted by insurers:



**Pit bulls & Staffordshire terriers**



**Doberman pinschers**



**Rottweilers**



**Chow chows**



**Great Danes**



**Perro de Presa Canario**



**Akitas**



**Alaskan malamutes**



**German shepherds**



**Siberian huskies**

[Source: <http://www.bankrate.com/lite/insurance/dogs-most-often-blacklisted-by-insurers-1.aspx> Oct 2014  
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## Saving Money ► Rental Car Expenses

Planning to hit the road in the near future? A rental car may be in those plans, but don't let the hidden costs wreak havoc on your wallet. At [http://www.moneytalksnews.com/2014/10/15/12-surprising-ways-to-cut-rental-car-expenses/?utm\\_source=newsletter&utm\\_campaign=email-2014-10-19&utm\\_medium=email](http://www.moneytalksnews.com/2014/10/15/12-surprising-ways-to-cut-rental-car-expenses/?utm_source=newsletter&utm_campaign=email-2014-10-19&utm_medium=email) can be found 5 tips on saving you money. Some additional ways to cut rental car expenses:

1. **Don't limit yourself to big chains.** When most consumers think of car rentals, the big chains like Budget, Enterprise and Hertz come to mind. That doesn't mean they're the cheapest options out there. Says The New York Times: Look beyond Avis, Hertz and other big national chains to independent agencies like Payless <https://www.paylesscar.com/?hvid=3099124&gclid=CJyh1N2--K8CFUSK4Aoda0igHg> and Fox Rent a Car <http://www.foxrentacar.com>. Because of lower operating costs, their cars, which can be found at websites like [CarRentals.com](http://CarRentals.com) and <http://www.carrentalexpress.com>, typically cost 15 to 30 percent less than rentals from mainstream agencies.

2. **Look at the weekend and weekly rates.** Don't just look at the daily rate. See what the company charges for a weekend or a week. It could be a substantial savings. Bankrate wrote: *Some rental car companies offer rock-bottom rates on the weekends, as much as 50 percent lower than the daily rates offered during the week. And don't overlook specials on weekly rates. Daily rental rates are so expensive that renting a car for five days (and paying the daily rate multiplied by five) could be more expensive than the weekly rental rate.*

3. **Shop around.** Use comparison sites to see which company is offering the best deal, but confirm that the quotes are all-inclusive and reflect rates plus taxes and fees. A few sites to check out: Expedia; Orbitz; Travelocity; CarRentals.com; and AutoSlash.com. Another option: Use Hotwire or Priceline to name your own price.

4. **Lock in your rate early.** Rental prices can rise as demand increases closer to the rental date, so you might benefit by booking early to lock in a lower rate. A deposit isn't required to make a reservation online, and you may be able to cancel and re-book if you find a better deal elsewhere without incurring a penalty. Check the requirements before you book.

5. **Skip the airport.** Renting at the airport is convenient for passengers traveling by air, but you'll usually pay a higher price. "On average, renting at the airport adds 10 percent to your overall rental fee, and 20 percent in Europe," ABC News said. *If your hotel has a shuttle, consider being picked up from the airport and dropped off at the hotel, then catching a cab or bus to retrieve a rental car at a free-standing location. Or check with the rental car company to see if they'll pick you up at the hotel.*

6. **Consider package deals.** Taking a vacation? An all-inclusive package that covers airfare and lodging may yield a lower rate on the price of a rental car.

7. **Pick up and return at the same location.** To avoid paying a transfer fee, make arrangements to pick up and return the vehicle at the same location. Even if the two locations are a few miles apart, expect to fork over a hefty fee to cover the expenses incurred to drive the rental back to its original location.

8. **Upgrade at pickup.** Has the guy at the counter ever tried to throw in an upgrade offer at the last minute? More than likely the rate he quotes you will be much lower than what's online because of slow demand. And if you desire a larger car but the representative doesn't make an offer, simply ask. I've successfully secured an upgrade on several occasions for just a few dollars more than what I was initially slated to pay.



9. **Choose insurance coverage wisely.** Rental car companies make a handsome sum of cash when you buy the insurance coverage they offer. It sometimes exceeds the cost of the rental, especially when coupled with an underage fee. According to Esurance, most rental car companies offer these coverage options at the counter:

- Loss-damage waiver — \$9 to \$19 per day.
- Liability coverage — \$7 to \$14 per day.
- Personal accident coverage — \$1 to \$5 per day.
- Personal effects coverage — \$1 to \$4 per day.

Despite the cost, these plans may be very enticing and give you peace of mind, but check with your car insurance provider first to see if you need them. Also, check with your credit card company to see if it provides insurance coverage when you use it to rent a car. (See: “The Best Credit Cards to Use When You Rent a Car at <http://www.moneytalksnews.com/2014/07/30/the-best-credit-cards-to-use-when-you-rent-a-car/>)

10. **Inquire about prepayments.** When reserving a rental car online, a deposit isn’t necessary. But if you decide to pay in full, you may be able to save a substantial amount of money. These prepayment discounts generally range from 10 to 35 percent. The only catch is that you’re locked in and could incur a fee of \$5 to the full cost of the rental if you cancel.

11. **Use discount codes.** We’re all about getting the biggest bang for your buck, and car rentals are no exception. Says AARP: *All sorts of organizations offer car rental discounts. You can get a special rate if you’re a member of AARP, AAA, USAA and Costco, to name just a few. Couponing sites like RetailMeNot.com and RentalCodes.com often advertise deals. You can also find discounts with an Internet search: Just enter the name of the car rental company and the words “discount code” or “coupon” and you’ll get a list of deals the company provides.*

12. **Rent directly from the owner.** No desire to deal with rental car companies? Renting from private owners using sites such as <https://relayrides.com> or <https://flightcar.com> may be an option. Says ABC News: *RelayRides.com lets you rent directly from a car owner. It’s like VRBO for cars. Flightcar.com is trying a different tack on the direct rental idea. People parking at the airport rent their vehicle out to other travelers. If you’re the car owner, not only do you avoid parking fees, you can make up to \$20 a day. There are no guarantees on the condition of the vehicle you’ll be driving, but the rates are much cheaper.*

[Source: MoneyTalksNews | Allison Martin on | October 15, 2014 ++]

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## **Free Medical Devices Scam ► How It works**

Watch out for scammers offering free medical devices. Fall is peak season for telemarketing calls that attempt to trick seniors into parting with personal information or agreeing to be billed for devices that don't exist.

### **How the Scam Works:**

- You receive a prerecorded telemarketing call saying that you have been selected to receive free medical supplies. Common offers include a personal emergency alarm system, medications or supplies for a specific health condition, such as diabetes.



- In one version, the recorded call claims that you can get an alarm system or medical supplies worth several hundred dollars for free. You are just responsible for a low monthly charge. In another variation, the call claims that "doctor-ordered" medicine or medical device is already in the mail, and the call is confirming the shipment. In both cases, you will be asked to provide personal and/or insurance information. Just don't expect your "free" products to ever arrive.

Medical identity theft scams occur year-round, but they tend to peak in the fall. This is when the United States has Medicare open enrollment, which runs from Oct. 15 through Dec. 7. These scams typically target seniors, but anyone can become a victim.

**How to Spot a Telemarketing Scam:** If a call does the following, it's probably a scam:

- Tries to create a sense of panic. Scammers try to scare victims into immediate action, don't fall for it.
- Claims you have been specifically identified for an offer, but doesn't know your name or anything about you. This is a sign that the call is actually being blasted out to thousands of phone numbers.
- Promises something for free... that really isn't. Be wary of "free" offers that ask you to pay a handling fee or other charges.
- Implies an endorsement from a well-known organization. In this case, the call claims the alarm system is endorsed by the American Heart Association and the "American Diabetic Association," which is really the "American Diabetes Association." Others claim a good BBB rating, so be sure to check this on <http://www.bbb.org/search>
- Watch for errors in fraudulent calls, such as referring to the American Diabetes Association as the "Diabetic Association."
- The business doesn't have a legitimate mailing address and website. Victims of this scam report that staff refuse to provide basic business information, such as the address.

Read more about medical freebie scams on the AARP website <http://blog.aarp.org/2014/09/19/the-cost-of-health-freebies> and medical identity theft on the FTC's site. <http://www.consumer.ftc.gov/articles/0171-medical-identity-theft>. To find out more about other scams, check out <http://www.bbb.org/council/bbb-scam-stopper> BBB Scam Stopper. [Source: BBB Scam alert Aug 22, 2014 ++]

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## Medicare Telephone Scam ► Back Brace Offer

TRICARE beneficiaries need to be aware of a telephone scam affecting beneficiaries over 65 and on Medicare nationwide. A caller will usually identify themselves as being an official Medicare vendor, and will then offer to sell you back braces. The caller may have specific information that makes the call seem official, typically your address, phone numbers and doctor's name. The caller is hoping this will convince you they are a legitimate vendor and that you will give them your social security number and additional personal information. If you receive a call like this, DO NOT give any of your personal identifiable information, such as birth date, social security number or banking information. TRICARE never asks beneficiaries for this information when calling for an official Department of Defense survey. The Defense Health Agency (DHA) Program Integrity Office is closely monitoring this situation. If you receive a call of this nature, please do not provide your information and contact the DHA Program Integrity Office directly. For more information on fraud and abuse reporting visit, <http://www.TRICARE.mil/fraud>.

[Source: TRICARE Communications October 17, 2014 ++]

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## **Ebola Treatment Product Scam ► How It works**

Scammers make their living preying on our fears. With the Ebola outbreak making headlines across the US and Canada, scammers are cashing in on our anxiety about the disease. Don't fall for cons that claim to cure or prevent Ebola.

### **How the Scam Works:**

- You are worried about Ebola and hear about a "cure" from a friend, on social media, in an email or by web search. The product has a website that claims it can cure Ebola and prevent new infections. The site contains a lot of information about the product, including convincing testimonials. You figure it can't hurt to give the medicine a try, so you get out your credit card.
- Don't do it! Currently there are no FDA-approved vaccines or drugs to prevent Ebola, although experimental treatments are in the early stages of development. No approved vaccines, drugs or products specifically for Ebola can be purchased online or in stores.
- Peddling quack medicines isn't the only way scammers are trying to cash in on Ebola fears. Con artists are also sending Ebola-themed emails in attempt to trick recipients into clicking on phishing links or downloading malware. Scammers are also trying to con people into donating to fake Ebola charity efforts.

### **To spot a fraudulent health product watch out for these red flags:**

- One product does it all... instantly. Be suspicious of products that claim to immediately cure a wide range of diseases. No one product could be effective against a long, varied list of conditions or diseases.
- Personal testimonials instead of scientific evidence. Success stories are easy to make up and are not a substitute for scientific evidence.
- It's "all natural." Just because it's natural does not mean it's good for you. All natural does not mean the same thing as safe.
- The medicine is a "miracle cure." If a real cure for a serious disease were discovered, it would be widely reported through the news media and prescribed by health professionals - not buried in print ads, TV infomercials or on websites.
- Conspiracy theories. These statements are used to distract consumers from the obvious, common-sense questions about the so-called miracle cure.
- Check with your doctor: If you're tempted to buy an unproven product or one with questionable claims, check with your doctor or other health care professional first.

To read more on Ebola scams refer to the FDA's website and the BBB blog at.

- <http://www.bbb.org/blog/2014/08/quack-products-prey-on-ebola-fears>
- <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm410086.htm>

To find out more about scams or report what you suspect to be one, check out BBB Scam Stopper at <http://www.bbb.org/council/bbb-scam-stopper>.

[Source: BBB Scam Alert Sept. 11, 2014 ++]

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## Tax Burden for Nebraska Retirees ► As of Oct 2014

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 Nebraska. **Note:** The state has a statutory provision for automatic adjustment of tax brackets, personal exemptions or standard deductions to the rate of inflation.

### Sales Taxes

**State Sales Tax:** 5.5% (food and prescription drugs exempt); local option taxes could add an additional 2.0% to the state rate. For local rates, [click here](#).

**Gasoline Tax:** 45.5 cents/gallon (Includes all taxes)

**Diesel Fuel Tax:** 50.9 cents/gallon (Includes all taxes) (*Fuel taxes are variable and are reset on July 1 and January 1*)

**Cigarette Tax:** 64 cents/pack of 20

### Personal Income Taxes

**Tax Rate Range:** - 2.56%; High – 6.84%

**Income Brackets:** Four. Lowest – \$2,400; Highest – \$27,000 (The tax brackets reported are for a single individual. For married couples filing jointly, the same rates apply for income under \$4,800 to over \$54,000.)

**Personal Tax Credits:** Single – \$120; Married – \$240; Dependents – \$120.

**Standard Deduction:** Single – \$5,450, Married – \$10,900

**Medical/Dental Deduction:** Federal amount

**Federal Income Tax Deduction:** None

**Retirement Income Taxes:** Railroad Retirement benefits are exempt. Out-of-state government pensions are fully taxed. Social Security is taxable to the extent of federal taxation.

**Retired Military Pay:** Follows federal tax rules.

**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

Real property is assessed at 100% its actual (market) value. A property tax credit is provided for all parcels of property based on the valuation of each parcel. The estimated credit for 2012 is \$71.50 for each \$100,000 in valuation. The state has a homestead exemption that provides relief from property taxes by exempting all or a portion of the valuation of the homestead from taxation. There are three groups of exemptions: A) persons age 65, B) certain disabled individuals, and C) certain disabled veterans and their widow(er)s. Call

800-742-7474 or 402-471-5984 for details or go to [www.revenue.nebraska.gov/info/96-299.pdf](http://www.revenue.nebraska.gov/info/96-299.pdf). Refer to [www.revenue.nebraska.gov/PAD/homestead.html](http://www.revenue.nebraska.gov/PAD/homestead.html) For information about the homestead exemption

**Inheritance and Estate Taxes**

Nebraska’s inheritance tax, which is collected at the county level, applies to bequests, devises, or transfers of property or any other interest in trust or otherwise having characteristics of annuities, life estates, terms for years, remainders, or reversions. Nebraska inheritance tax is computed on the fair market value of such annuities, life estates, terms for years, remainders, and reversions. The fair market value is the present value as determined under the provisions of the Internal Revenue Code of 1954, as amended, and its applicable regulations with respect to estate tax. The Nebraska estate tax and generation-skipping transfer tax have been repealed for decedents dying or transfers made on or after January 1, 2007.

Visit the Nebraska Department of revenue site [www.revenue.nebraska.gov/index.html](http://www.revenue.nebraska.gov/index.html) for further information, [Source: <http://www.retirementliving.com/taxes-kansas-new-mexico#NEBRASKA> Oct 2014 ++]

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**Thrift Savings Plan 2014 ▶ Share Prices + YTD Gain or Loss**

Average Annual Returns (As of December 2013)										
	I Income	I 2020	I 2030	I 2040	I 2050	G Fund	F Fund	C Fund	S Fund	I Fund
1-Year	6.97%	16.03%	20.16%	23.23%	26.20%	1.89%	(1.68%)	32.45%	38.35%	22.13%
3-Year	4.64%	8.76%	10.49%	11.73%	-	1.94%	3.42%	16.22%	16.59%	8.51%
5-Year	5.64%	11.13%	13.20%	14.74%	-	2.32%	4.58%	18.00%	22.50%	12.39%
10-Year	-	-	-	-	-	3.39%	4.65%	7.44%	10.43%	7.08%
Since Inception	4.50%	6.09%	6.65%	7.02%	12.40%	5.54%	6.66%	10.30%	9.31%	5.38%
Inception Date	08/01/05	08/01/05	08/01/05	08/01/05	01/31/11	04/01/87	01/28/88	01/29/88	05/01/81	05/01/01
Calendar Year Returns										
	I Income	I 2020	I 2030	I 2040	I 2050	G Fund	F Fund	C Fund	S Fund	I Fund
2009	8.57%	19.14%	22.48%	25.19%	-	2.97%	5.99%	26.68%	34.85%	30.04%
2010	5.74%	10.59%	12.48%	13.89%	-	2.81%	6.71%	15.06%	29.96%	7.94%
2011	2.23%	0.41%	(0.31%)	(0.96%)	-	2.45%	7.89%	2.11%	(3.38%)	(3.81%)
2012	4.77%	10.43%	12.61%	14.27%	15.85%	1.47%	4.29%	16.07%	18.57%	18.62%
2013	6.97%	16.03%	20.16%	23.23%	26.20%	1.89%	(1.68%)	32.45%	38.35%	22.13%
<b>YTD</b>	2.61%	3.38%	3.70%	3.88%	3.97%	1.75%	4.73%	8.41%	1.18%	(1.08%)
Monthly Returns (Past 12 Months)										
	I Income	I 2020	I 2030	I 2040	I 2050	G Fund	F Fund	C Fund	S Fund	I Fund
<b>2013</b>										
Oct	1.01%	2.23%	2.79%	3.11%	3.47%	0.19%	0.89%	4.60%	2.94%	3.38%
Nov	0.58%	1.24%	1.54%	1.74%	1.93%	0.18%	(0.35%)	3.05%	2.49%	0.75%
Dec	0.58%	1.25%	1.56%	1.77%	1.98%	0.19%	(0.56%)	2.54%	2.94%	1.51%
<b>2014</b>										
Jan	(0.42%)	(1.57%)	(2.64%)	(2.35%)	(2.71%)	0.21%	1.58%	(3.45%)	(1.91%)	(4.03%)
Feb	1.15%	2.73%	3.44%	3.94%	4.44%	0.18%	0.62%	4.58%	5.43%	5.58%
Mar	0.19%	0.17%	0.14%	0.12%	0.09%	0.19%	(0.15%)	0.85%	(0.69%)	(0.57%)
Apr	0.31%	0.39%	0.37%	0.32%	0.32%	0.20%	0.90%	0.75%	(2.47%)	1.51%
May	0.64%	1.20%	1.46%	1.63%	1.78%	0.20%	1.21%	2.35%	1.52%	1.72%
Jun	0.58%	1.19%	1.52%	1.77%	1.96%	0.19%	0.14%	2.07%	4.45%	0.99%
Jul	(0.26%)	(0.97%)	(1.34%)	(1.63%)	(1.86%)	0.19%	(0.19%)	(1.37%)	(4.38%)	(1.95%)
Aug	0.84%	1.54%	2.07%	2.40%	2.61%	0.20%	1.12%	4.01%	4.98%	(0.14%)
Sep	(0.42%)	(1.36%)	(1.84%)	(2.18%)	(2.50%)	0.18%	(0.58%)	(1.40%)	(5.10%)	(3.82%)
<b>Last 12 mo</b>	4.86%	8.35%	9.88%	10.82%	11.82%	2.32%	4.70%	19.83%	9.89%	4.59%

Thrift Savings Plan Returns thru SEP 2014

**TSP Share Prices for Oct. 30, 2014**

	Close	YTD
G Fund	\$14.5648	+1.94%
F Fund	\$16.6627	+5.85%
C Fund	\$26.2093	+9.78%
S Fund	\$34.9817	+3.89%
I Fund	\$24.6477	-3.59%
L 2050	\$14.6869	+4.43%
L 2040	\$25.9242	+4.39%
L 2030	\$24.4286	+4.13%
L 2020	\$22.6110	+3.74%
L Income	\$17.3131	+2.95%

[Source: [www.myfederalretirement.com/public/237.cfm](http://www.myfederalretirement.com/public/237.cfm) & <http://tspcenter.com/tspReturns.php?view=year>

**\* General Interest \***



**Notes of Interest** ► 16 thru 31 Oct 2014

- **Eating Out.** According to the Los Angeles Times more than a dozen primarily high-end restaurants in the Los Angeles area are now adding a 3 percent surcharge to the bill for their workers' health insurance to the checks of their customers.
- **Congress.** The Illinois National Guard announced Rep. Tammy Duckworth (D-IL) is retiring from the military after 23 years. Duckworth, a lieutenant colonel, lost both legs in 2004, when the Black Hawk helicopter she was piloting in Iraq was struck by a rocket-propelled grenade.
- **Operation Inherent Resolve.** The Pentagon announced 15 OCT the U.S. has named the air campaign in Iraq and Syria as "Operation Inherent Resolve". The name will be retroactive to actions against the self-named Islamic State in Iraq and Syria (ISIS) extremists in the region going back to 8 AUG, when airstrikes began.
- **Operation United Assistance.** Members of the U.S. military have begun to deploy to the Ebola-stricken nation of Liberia to provide support to the clinical and public health workforce in Africa.
- **Social Security.** If you take Social Security when you turn 62, you'll get 25 percent less than if you wait until you turn 66. If you wait until 70, you'll get 32 percent more than if you took your benefits at 66, and 76 percent more than you'd have gotten at 62.
- **Divorce.** According to a recent study by Emory University, men who spent \$2,000 to \$4,000 on an engagement ring were 1.3 times more likely to get divorced than those who spent between \$500 and \$2,000. But before you rush out to buy a cubic zirconia, take note that men who spent less than \$500 were also more likely to have their marriage end in divorce.
- **Passports.** Passports are available to family members free of charge for the purpose of visiting their loved one's grave or memorialization site at the American military cemeteries on foreign soil.

- **Falls.** According to CDC 1 out of 3 adults fall each year. Getting up may not be that easy. To see recovery various methods check out <http://www.techenhancedlife.com/articles/fallen-how-get-up>.
- **Blackwater.** Seven years after American security contractors killed 14 unarmed Iraqis by firing machine guns and grenades into a Baghdad traffic circle, a jury in Washington on 22 OCT convicted four Blackwater Worldwide guards of murder and manslaughter charges in the incident, one of the most ignominious chapters of the Iraq war.
- **Wastebook.** Sen. Tom Coburn (R-OK) has released his final "Wastebook" before he retires, featuring \$25 billion in alleged federal misspending on 100 items. To see how tax dollars are being spent go to [http://www.coburn.senate.gov/public/index.cfm?a=Files.Serve&File\\_id=6932c44c-6ef4-491d-a0f1-078b69f1f800](http://www.coburn.senate.gov/public/index.cfm?a=Files.Serve&File_id=6932c44c-6ef4-491d-a0f1-078b69f1f800).
- **VA Home Loans.** The Department of Veterans Affairs (VA) announced in OCT that it has guaranteed 21 million home loans since the Home Loan Guaranty program was established in 1944 as part of the original Servicemen's Readjustment Act of 1944, better known as the "GI Bill."
- **Virginia Real Estate.** Taxes Virginians heading to the polls on Election Day will decide whether to approve a constitutional amendment that would exempt the surviving spouses of U.S. military members killed in action from paying real estate taxes.

## RP~China Dispute Update 05 ► Johnson Reef Development

The Philippine government on 15 MAY released the below military surveillance photos of Chinese land reclamation on a reef claimed by Manila in the South China Sea that it said showed Beijing violated a regional agreement not to escalate territorial disputes. Foreign Affairs Department spokesman Charles Jose said the pictures show Chinese aggressiveness in asserting its claims over the entire South China Sea. The aerial photographs were accompanied by a caption stating that they were obtained from "Philippine intelligence sources." And that the "extensive reclamation" by China on the Johnson South Reef, called Mabini by Manila and Chigua by Beijing, was "destabilizing." The Chinese Embassy in Manila had no immediate comment, but a Foreign Ministry spokesman in Beijing has said that the area is part of China's territory, and that any Chinese activities at the reef should be of no concern to Manila.



Feb. 28, 2013



Feb. 25, 2014

Johnson Reef, called Mabini by the Philippines and Chigua by China, is located in the Spratly Islands in South China Sea. In the above photo taken by a surveillance plane Feb. 28, 2013 a concrete building, likely to be China's outpost on the reef, stands on the southern edge of the emerging islet. The Philippines has protested China's reclamation of land in the disputed reef in the South China Sea that can be used to build an airstrip or an offshore military base in the increasingly volatile region, the country's top diplomat and other officials said. In the Feb. 25, 2014 photo a Chinese dredging vessel, top center, is used to expand structures and land on the reef. China's moves to assert its territorial claims in the South China Sea are giving fresh



impetus to a Japanese push to play a bigger role in regional security, adding to the growing strains between the two Asian rivals. The reef is also claimed by Vietnam, which fought a deadly naval battle against China in the area in 1988. [Source: AP | Oliver Teves | May. 15, 2014 ++]

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## Army Art Collection ► WWI Samuel J. Woolf Paintings

The US Army has found what it believes to be a great deal on a group of paintings, and has been approved to spend \$600,000 in order to add them to its already huge collection of art. The service filed an “Unusual and compelling urgency” notice on 16 OCT to pull the funds from its fiscal year 2014 Operations & Maintenance account to purchase a collection of 23 World War I painting by Samuel J. Woolf, an artist for Collier’s Weekly magazine who was embedded with American forces in Europe during the war. Woolf’s paintings are so valuable to the service because they depict scenes of combat he was able to witness himself on the Western Front, and the Army claims that its own WWI art collection is rather thin. Almost all of the Army’s WWI artwork was sent to the Smithsonian Institution upon conclusion of the conflict, stripping the service of the majority of the original artwork it once owned depicting the US combat actions which claimed 116,000 American lives.



Most of the American-produced art that we have been handed down from the war come from the brushes of a group of artists who were commissioned as captains in the Corps of Engineers, and subsequently sent to Europe to record the fighting. Woolf remains a rather obscure figure, even if his paintings have floated around between various collections over the decades. But the last time Woolf paintings were available for sale was in 1992, making this opportunity to buy 23 of them one that the Army doesn’t want to miss. After researching auction records from Sotheby’s and Christie’s auction houses, the service claims in its justification document that only nine WWI paintings have been sold worldwide over the past 20 years. The Army calls the paintings “one of a kind historic documents” that are “the only known collection of this kind available at this time.” Since the 19th century the Army has collected about 16,000 paintings, most of which are stored at the U.S. Army Center of Military History Museum Support Center at Fort Belvoir, Va. [Source: Intercepts | Paul McLeary | October 21, 2014 ++]

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## Passport Additional Pages Update 01 ► Phase Out

For cost and security reasons, the U.S. Department of State has begun phasing out the option of additional visa pages for U.S. passports. Beginning October 1, 2014, all embassies worldwide will issue only 52-page passport books for full-validity passports. The thinner 28-page book option will no longer be available. Requests for additional visa pages will be accepted for existing passports through December 31, 2015. Starting January 1, 2016, applicants who need extra pages will need to apply to renew their passports and be issued the standard 52-page book. Note that the cost of additional passport pages is \$82 as of July 13, 2010. You may only request for additional pages if your passport is undamaged. Each set of supplemental visa page inserts (also known as "visa page inserts") adds an additional 24 pages to a passport. A passport, during its validity, can only be added with no more than two sets of visa page inserts. Instructions on how to renew your passport or apply for visa pages for your existing passport online can be found below.

**Step 1:** Fill out electronically and print the DS-4085 Application for Additional Visa Pages wizard form at <https://pptform.state.gov/?Submit=COMPLETE+FORM+DS-4085+ONLINE>. If you experience trouble with this Passport Application Wizard, go to <http://www.state.gov/documents/organization/212247.pdf> for Form DS-4085 (PDF format). Make sure to include a valid email address. To view PDF files, you need a PDF reader such as Adobe Acrobat. You can obtain a free download (<http://get.adobe.com/reader/>) from the Adobe website.

**Step 2:** Mail your documents to your overseas embassy. For the Philippines use following mailing address: Citizenship and Passport Unit, American Citizen Services, Consular Section, U.S. Embassy, 1201 Roxas Boulevard, 1000 Manila. (Note: mailed-in applications may take longer to be received at the ACS Unit due to the high volume of mails being received by the Embassy mailroom). You may also use their contracted courier by calling (02) 879-4747 to have Air21 courier pick-up the documents and deliver them directly to the ACS unit. Do not book an online appointment for this service. However, if you have an urgent travel in less than 3 days and you urgently need visa pages on your passport, it is recommended that you submit your application in person along with your proof of urgent travel (e.g. confirmed itinerary, purchased ticket, medical records, etc.). Please read about Emergency Passports. Whether in person or via mail you must provide the following:

- DS-4085 application form (completed and signed)
- Your current and undamaged passport

**Step 3:** Once your documents are received, the Embassy will notify you through email for the instructions on when to come to the Embassy to pay the application fee. Alternatively, you may send a representative to pay the application fee on your behalf. You will need to bring:

- \$82 in cash (U.S. dollars or Philippine pesos equivalent) or credit card.
- A printout of the email notification sent to you by the Embassy.
- If only a representative will come, the representative must have an authorization letter from the passport owner and a valid photo I.D.

**Step 4:** Once payment has been made and application has been approved, passport will be processed and delivered within 3-5 days. Note: Please expect a much longer turn-around time if the application was initially submitted or the payment was made at an authorized facility other than the Embassy such as the American Consular Agency in Lahug, Cebu.

[Source: <http://manila.usembassy.gov/service/passports/add-pages-to-your-existing-passport.html> Oct 2014 ++]

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## **SSA Payments Outside U.S. Update 01 ► Millions for expelled Nazis**

Former Auschwitz guard Jakob Denzinger lived the American dream. His plastics company in the Rust Belt town of Akron, Ohio, thrived. By the late 1980s, he had acquired the trappings of success: a Cadillac DeVille and a Lincoln Town Car, a lakefront home, investments in oil and real estate. Then the Nazi hunters showed up. In 1989, as the U.S. government prepared to strip him of his citizenship, Denzinger packed a pair of suitcases and fled to Germany. He later settled in this pleasant town on the Drava River, where he lives comfortably, courtesy of U.S. taxpayers. He collects a Social Security payment of about \$1,500 each month, nearly twice the take-home pay of an average Croatian worker. Denzinger, 90, is among dozens of suspected Nazi war criminals and SS guards who collected millions of dollars in Social Security payments after being forced out of the United States, an Associated Press investigation found.

Rep. Carolyn Maloney (D-NY) demanded 20 OCT that the inspectors general at the Justice Department and Social Security Administration launch an “immediate investigation” of the payments. Maloney is a high-ranking member of the House Oversight and Government Reform Committee. In letters to the inspectors general at both agencies, Maloney called the payments a “gross misuse of taxpayer dollars.” The Justice Department said it was reviewing Maloney’s letter. The Social Security Administration did not immediately respond to a request for comment. The payments flowed through a legal loophole that has given the U.S. Justice Department leverage to persuade Nazi suspects to leave. If they agreed to go, or simply fled before deportation, they could keep their Social Security, according to interviews and internal government records. Like Denzinger, many lied about their Nazi pasts to get into the U.S. following World War II, and eventually became American citizens. Among those who benefited:

- Armed SS troops who guarded the Nazi network of camps where millions of Jews perished.
- An SS guard who took part in the brutal liquidation of the Warsaw ghetto in Nazi-occupied Poland that killed as many as 13,000 Jews.
- A Nazi collaborator who engineered the arrest and execution of thousands of Jews in Poland.
- A German rocket scientist accused of using slave labor to build the V-2 rocket that pummeled London. He later won NASA’s highest honor for helping to put a man on the moon.

The AP’s findings are the result of more than two years of interviews, research and analysis of records obtained through the Freedom of Information Act and other sources. The Justice Department has denied using Social Security payments as a tool for removing Nazi suspects. But records show the U.S. State Department and the Social Security Administration voiced grave concerns over the methods used by the Justice Department’s Nazi-hunting unit, the Office of Special Investigations. State officials derogatorily called the practice “Nazi dumping” and claimed the OSI was bargaining with suspects so they would leave voluntarily. Since 1979, the AP analysis found, at least 38 of 66 suspects removed from the United States kept their Social Security benefits.

Legislation that would have closed the Social Security loophole failed 15 years ago, partly due to opposition from the OSI. Since then, according to the AP’s analysis, at least 10 Nazi suspects kept their benefits after leaving. The Social Security Administration confirmed payments to seven who are deceased. One living suspect was confirmed through an AP interview. Two others met the conditions to keep their benefits. Of the 66 suspects, at least four are alive, living in Europe on U.S. Social Security. In newly uncovered Social Security Administration records, the AP found that by March 1999, 28 suspected Nazi

criminals had collected \$1.5 million in Social Security payments after their removal from the U.S. Since then, the AP estimates the amount paid out has reached into the millions. That estimate is based on the number of suspects who qualified and the three decades that have passed since the first former Nazis, Arthur Rudolph and John Avdzej, signed agreements that required them to leave the country but ensured their benefits would continue.

Long-living beneficiaries can collect hundreds of thousands of dollars in payments. A single male who earned an average wage of \$44,800 a year and turned 65 in 1990 would receive nearly \$15,000 annually in Social Security benefits, according to the Urban Institute, a nonprofit public policy group in Washington. That's \$375,000 over 25 years. The amounts are adjusted for inflation. The Social Security Administration refused the AP's request for the total number of Nazi suspects who received benefits and the dollar amounts of those payments. Spokesman William "BJ" Jarrett said the agency does not track data specific to Nazi cases. A further barrier, Jarrett said, is that there is no exception in U.S. privacy law that "allows us to disclose information because the individual is a Nazi war criminal or an accused Nazi war criminal." The agency also declined to make the acting commissioner, Carolyn Colvin, or another senior agency official available for an interview.

AP last week appealed the agency's denial of the information through the Freedom of Information Act. The appeal cited several concerns about the Social Security Administration's handling of the request submitted in April. Without first informing AP, the agency altered the scope of the request "in a manner serving both to undercut AP's inquiry while simultaneously sparing the SSA from having to disclose potentially embarrassing information," the Oct. 16 appeal said. The Justice Department declined the AP's request for an official to speak on the record. Spokesman Peter Carr said in an emailed statement that Social Security payments never were used as an incentive or as a threat to persuade Nazi suspects to depart voluntarily. "The matter of Social Security benefits eligibility was raised by defense counsel, not by the department, and the department neither used retirement benefits as an inducement to leave the country and renounce citizenship nor threatened that failure to depart and renounce would jeopardize continued receipt of benefits," Carr said. The department opposed the legislation in 1999, Carr acknowledged, because it would have undermined the OSI's mandate to remove Nazi criminals as expeditiously as possible to countries that would prosecute them. Refer to <http://www.navytimes.com/article/20141020/NEWS/310200047> for the complete story. [Source:AP | David Rising, Randy Herschaft & Richard Lardner | October 20, 2014 ++]

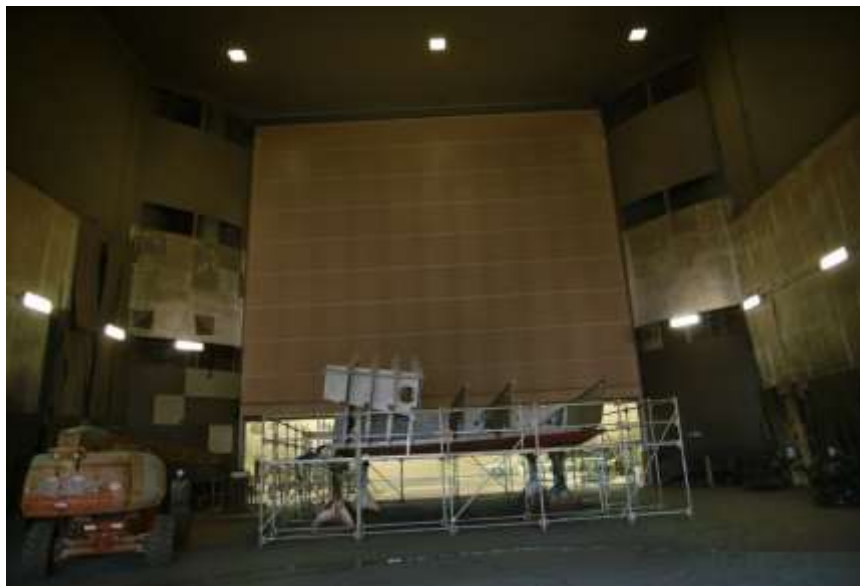
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## **Navy Ship Painting ► If it moves, salute it; if it doesn't, paint it**

They call it "haze gray," the war paint of the Navy's fleet, designed to make its vessels tougher to see. It's hard to fathom how many millions of gallons of it have been slathered on the sides of Navy ships over the years. "If it moves, salute it; if it doesn't, paint it," was a motto of sailors in previous generations, said Rob Hogan, director of steel manufacturing at Newport News Shipbuilding and the son of one such sailor. But what may have been viewed as a simple, if detested, chore years ago has morphed into a highly sophisticated enterprise driven by engineering. Within the past decade or so, an increasing share of what used to be called "painting" has been pushed into the earliest stages of shipbuilding, when vessels aren't even vessels yet, just pieces in the building-block stage. "We've moved beyond the days of bustin' rust, with a needle gun and a wire brush," Hogan said during a recent tour of the two dozen shops and open areas he manages in the sprawling Newport News yard, where between 120 and 170 people work in the "surface prep and treatment group."

The 550-acre yard - a city within a city along the James River, with more than 23,000 employees and its own police and fire departments - is the only one in the country that builds nuclear-powered aircraft carriers and one of two that build submarines. Once it delivers a carrier to the Navy, it's likely the yard won't see it again for 25 years, when it will be refueled and overhauled to extend its life for another 25. In the intervening years, it may be drydocked and repainted at facilities elsewhere. Corrosion takes a costly toll on military equipment and infrastructure: about \$3.1 billion per year for the Navy, according to a 2012 consultant's report. That amounts to about a quarter of its most complex repair costs. In 2003, the Pentagon created an Office of Corrosion Policy and Oversight, charged with preventing and mitigating corrosion.

The coatings developed in recent years are designed to significantly extend a ship's life span and the time between drydockings, according to Hogan's team. Some protect against heat and ultraviolet rays, while others have "self-healing" qualities. There also are quick-drying "ultra-high solids coatings," which allow greater thickness with fewer layers, curing in minutes instead of hours. Putting them on might be considered the fun part. Like paint jobs at home, the process of coating a Navy ship begins with intensive preparation. The plates of steel delivered to a staging area on a few acres at the northeast end of the shipyard arrive by truck and rail. The massive plates can weigh anywhere from 5 to 40 tons. They are generally 20 to 40 feet long and 6 to 8 feet wide and vary in thickness depending on where the steel will be used on the ship. Hoisted by giant magnets on rail-mounted cranes, the plates are moved on conveyor belts through a series of facilities that cleanse them thoroughly to remove any rust, then rough them up a bit to give them what's known as a "profile" - a certain scruffiness that will enable paint to stick to it.



**One of Newport News Shipbuilding's blast rooms, where steel ship components are peppered for painting**

Each plate is tagged with a number, enabling it to be tracked individually, after which it's moved through the Wheelabrator, a Rube Goldberg-like contraption that applies an initial, preconstruction primer coat on both sides. The primer colors - blue, green, yellow and orange, among others - identify a particular type of steel and where that piece is headed in the construction process. Next stop is the fabrication shop where the plates - not unlike sheets of drywall in home construction - are cut to specific dimensions and "framed" to form certain types of pieces: T-bars and angle bars, channel bars and H-beams. Those are welded together to create the 1,200 or so "puzzle pieces" - some the size of small cars or trucks - that will, in turn, be combined to form jet-fuel tanks or sections of a ship's keel.



Years ago, a majority of a carrier's component parts were prepped and painted after becoming incorporated into a ship's superstructure. Workers wearing protective gear crawled into confined spaces in the belly of a ship to paint the insides of tanks and the like. Increasingly, the Navy requires such work to be done at the preconstruction stages, when a ship is still in pieces that can be accessed easily. Using nozzles that project tiny bits of steel at 100 pounds per square inch, workers create what's known as an "anchor tooth profile" on a steel surface, a microscopic series of peaks and valleys that range from 4 to 8 thousandths of an inch in depth. That's the foundation of the coatings process, each profile carefully calibrated to match the kind of paint that will cover it. The blasting throws off so much grit that it covers the floor like sand on a beach, creating footprints visible in all directions. The grit is eventually vacuumed and recycled. Coating the ship's parts before they're put together is not only faster, it's safer for employees and the environment and produces higher-quality work, Hogan said.

All of these factors combined keep the cost of the ship lower than it otherwise would be, he added. If you can imagine covering about 8,000 football fields - or 360 million square feet - that's the total surface space that will be painted on an aircraft carrier, said Jim Coppa, the trade director who oversees all of the surface preparation work done at the Newport News yard. All totaled, it takes about 4 million gallons of paint to cover a carrier. Those parts of the carrier above the waterline will generally get three coats; those below, seven. The changes in how new ships are painted have generated a new lexicon as well. A half dozen or more coats on an area of a ship aren't thought of as six layers of paint anymore. "That's a system," said Charlie Harvilicz, a former submariner and protective-coatings specialist at the shipyard. "There's a difference between a coat of paint and a coating system. In a system, every layer has a job to do." You'll have a preconstruction primer, maybe another primer on top of that, two barrier coats of epoxy in between those layers and then a low-solar absorption coat. If the coating is below the waterline, a ship might get three or four coats of "anti-foulant" paint, designed to inhibit the spread of barnacles, coral, algae or anything else that can attach to the bottom of a ship, increasing its drag.

Fighting drag has become a priority for the Navy in recent years, particularly as the cost of bunker fuel used by surface ships went through the roof, said John Hopewell, director of international affairs for the Washington, D.C.-based American Coatings Association, a trade group. Just as with airplanes, a fuel-efficient ship needs "a slipstream with the least amount of drag possible," he said. The number of units prepped and painted at the blast-and-coat facility has nearly tripled in recent years, from about 400 during construction of the carrier Ronald Reagan to 700 with the George H.W. Bush, 1,000 with the Gerald R. Ford and 1,100 that will make up the John F. Kennedy. [Source: The Virginian-Pilot | Robert McCabe | October 20, 2014 ++]

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## Lemons ► Ways You Can Use





You can make more out of lemons than lemonade. In fact, lemon juice is a really useful liquid that can be used to clean your home, treat cold symptoms, and even be part of your beauty regimen. Here are a couple of other uses for the yellow fruit:

- **Wash your hands:** When you're serving messy food like crabs or ribs, put out little bowls of lemon water for guests to wash the smell and gunk off their fingers.
- **Relieve flu symptoms:** If you have a sore throat or a cough, mix lemon with honey and water for a drink that will soothe your throat.
- **Clean a chopping board:** Add some lemon juice or use a lemon slice to wipe the chopping board to deodorize and sanitize it.
- **Lighten blemishes:** If you have some blemishes or you notice your face darkening in pigment in some spots, put some lemon juice on it every day until it lightens.
- **Brighten white loads:** To make the whites even brighter, use lemons to whiten the clothes that you throw into the washing machine. Go to <http://www.popsugar.com/smart-living/How-Naturally-Whiten-Lemons-35371513> for instructions.
- **Brighten fingernails:** Soak your fingernails in a lemon water mixture to whiten and brighten them.
- **Freshen household equipment:** Make your appliances fresh by adding lemon juice or lemons to them. For example, microwave slices of lemons to freshen it up. Add lemon juice to the dishwasher when it's empty and let it run a cycle and clean itself with the lemon juice. Add a bit of lemon juice to the humidifier or vacuum bag if those appliances are getting a little smelly and old.
- **Disinfect wounds:** Stop bleeding and clean small cuts and scrapes with lemon juice.
- **All-purpose cleaner:** This homemade citrus spray is so easy to make and so useful.
- **Planters:** You can use lemon rinds as cute and natural planters for your seedlings, which you can then plant directly into your garden.
- **Feet-odor remover:** Rub lemons on your feet to remove the odor and the acids will help to exfoliate as well.
- **Garbage-disposal refresher:** The lemon rinds do a good job of freshening your garbage disposal. We also have two great recipes for garbage-disposal refreshers that incorporate the peels here and here.
- **Sneaker refresher:** Dump some lemon peels into your sneakers to make them smell good again.
- **Candle holders:** You can turn lemon rinds into candle holders. The citrus oils will help to chase away bugs as well.
- **Potpourri:** Lemons are a great ingredient for homemade potpourri.
- **Face mask:** The citrus in lemons are a natural exfoliant and brightener for the skin, which means the lemon fruit a great ingredient for any DIY face mask. Combine lemon juice, yogurt, and honey for an amazing mask that will leave your skin looking and feeling so good.
- **Bug repellent:** Squeeze lemon juice into crevices or hot spots where bugs are commonly found in your home. Or you can use it when you're making these bug repellent candles.
- **Air freshener:** Use lemon rinds or a lemon juice and water concoction to make any place smell fresh. We also recommend this recipe for an air freshener and reed diffuser that uses lemon rinds.
- **Fridge-odor remover:** Dab your fridge with lemon juice to deodorize it.
- **Prevent browning:** Prevent browning in food and produce, like your freshly made guac or apple slices, by adding lemon juice to it.
- **Litter-box deodorizer:** Dab lemon juice in an empty litter box to clean out any funky scents.
- **Soaps:** Toss lemon rinds into DIY soaps to brighten them up with a yellow coloring and as an added disinfectant. It will also leave your hands smelling great!
- **Clean brass:** Clean brass naturally with half a lemon and baking soda.

- **Clean stainless steel:** Clean stainless steel appliances by rubbing a lemon peel all over them.
- **Berry-stain remover:** Remove berry stains from fingers with lemon juice. You can even remove them from clothing by running the stains by cold water first, then squirting lemon juice on the stains.

[Source: MoneyTalksNews | Sarah Lipoff | July 31, 2014 ++]

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## Car Accident Lawsuits ► What to Expect

You've been involved in an auto accident, and totally out of the blue, you find yourself being sued over the wreck. Once you get over your initial shock, you don't need to start a frantic search for a defense attorney. Instead, you should immediately pick up the phone and call your car insurance company. Your insurer will have its own list of attorneys it calls on in times like this, and your insurance company will cover the costs of your defense. But time is of the essence. "We want to have enough time to assign it to a defense attorney," says Bruce Rockwell, vice president of claims at Mercury Insurance. Depending on where you live, your insurance company usually has 20 to 30 days to answer the lawsuit, or you could be found in default. During the window it has in which to respond, your insurer wants to have adequate time to review the case and answer it appropriately, Rockwell says.

Initially, your insurance company will investigate the allegations of liability that are brought against you, as well as the damages the plaintiff claims, says John Kinney, chief claims officer at The Hartford. "Your company has an obligation to protect your interests and will attempt to amicably resolve claims made against you as afforded by the terms of your policy," Kinney says. One of your auto insurance company's goals is to wrap up the case as soon as possible, Rockwell says. A trained mediator may be called in to try to help reach a settlement. But if no agreement is reached, you could be questioned in a deposition. "It gets very uncomfortable," Rockwell says. To prepare you for questioning, your defense attorney will coach you on "how to handle yourself on very heated questions."

While the vast majority of cases ultimately settle outside the courtroom, about 1 to 2 percent actually go to trial, he says. Those cases typically involve accidents with very serious injuries. In the other cases that may go to court, the plaintiff "alleges injuries that didn't occur in the accident," Rockwell says. "They try to allege something happened in the accident, when it didn't." And those false allegations are something that companies such as Mercury will fight. "We don't want to be a target," Rockwell says. "Once an insurance company starts paying that, it's like a slot machine." If your case does wind up going to trial, your insurance company will most likely want you to attend. "The jury wants to see people," and see that they care, he says. "In the event the lawsuit results in a judgment, your insurance company will pay for the covered claims against you, up to your policy limits," Kinney says.

Usually the plaintiff will accept payment up to your policy limits, Rockwell says, but that isn't always the case. That's why it's crucial to have an adequate amount of auto insurance coverage in place. Each state has minimum liability limits, but, generally, "that really doesn't cover much," Rockwell says. If you're a young person working a minimum-wage job who doesn't have any assets and doesn't own a home, "the minimum limits are probably fine. You can't squeeze blood from a turnip. There's nothing there." But if you have assets and you're ordered to pay an amount greater than your policy limits, "the insured is personally exposed," he says, which means you'd have to pay the difference between your policy limits and the court judgment out of your own pocket. One option is to purchase an umbrella insurance policy, along with your auto insurance policy, which will provide you with a higher amount of coverage, Kinney says. For example, "if you're involved in a lawsuit in which your primary auto bodily injury policy limit is insufficient to pay

the damages sought by an injured person, you could end up having to pay the excess amount. The additional policy limits available under a personal umbrella policy may fully protect you in that instance,” Kinney says.

Costs for umbrella policies vary by state and risk factors, but are typically \$200 to \$400 a year for the first \$1 million in coverage, then \$75 to \$100 a year for the next \$1 million. Your insurance company may require you to buy a certain amount of primary auto or homeowners insurance before you can purchase an umbrella policy. Even if you’ve been sued after an accident, there’s a good chance you’ll be able to retain your car insurance coverage, Rockwell says. But if you have a stack of other moving violations, or you were involved in a wreck while you were driving under the influence, it could be a different story. “It just depends on your driving record,” he says. You’ll probably lose your good driver discount at a minimum, says Des Toups, Insurance.com managing editor, or face an accident-related surcharge at renewal time. “Thresholds vary by company and by state, but it’s unlikely a wreck serious enough to trigger a lawsuit would leave your car insurance rates unscathed,” he says. [Source: MoneyTalksNews | Susan Ladika | Oct. 08, 2014 ++]

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## **Elder Abuse ► Types and Indications**

The thought of intentionally inflicting harm on an elderly person is anathema to most people. Yet thousands of older Americans are abused each year by their caregivers, reports the National Center on Elder Abuse (NCEA), an agency of the U.S. Administration on Aging. Exact figures are difficult to determine because many abuse victims have dementia or decline to report the abuse, out of fear or because they don’t want to get the abuser in trouble. However, the most recent major studies on incidence found 7.6 to 10 percent of study participants experienced some type of abuse in the prior year. Elder abuse is defined as intentional actions that cause harm or create a serious risk of harm, whether or not harm is intended, to a vulnerable elder by a caregiver or other trusted. It includes:

- Physical abuse: inflicting or threatening to inflict physical pain or injury on a vulnerable elder or depriving them of a basic need such as food, care, or medication.
- Emotional abuse: inflicting mental pain, anguish, or distress on an elder person through verbal or nonverbal acts.
- Sexual abuse: nonconsensual sexual contact of any kind.
- Exploitation: illegal taking, misuse, or concealment of funds, property, or assets of a vulnerable elder.
- Neglect: refusal or failure by those responsible to provide food, shelter, health care, or protection for a vulnerable elder.
- Abandonment: the desertion of a vulnerable elder by anyone who has assumed the responsibility for care or custody of that person.

Elder abuse can occur in any environment. In the home, an abuser might be a spouse, a family caregiver, or someone hired to assist the elder person. In a nursing home, an assisted-living facility, or a group home, abuse might occur at the hands of staff or others. According to the NCEA, most cases of abuse are perpetrated by someone known and trusted by the victim. Some signs of elder abuse are obvious, others less so. Common indicators include:

- Bruises, abrasions, pressure marks, broken bones, or other signs of physical abuse, neglect, or mistreatment;
- Unexplained withdrawal from normal activities or unusual depression (potential signs of emotional mistreatment);
- Bruises around the breasts or genital area, which may indicate sexual abuse;

- Bedsores, unattended medical needs, poor hygiene, or unusual weight loss (strong signs of caregiver neglect);
- Agitation at the mention of a particular caregiver’s name or in the caregiver’s presence by an elder with dementia, which might suggest abuse by that caregiver. Because people with advanced dementia cannot communicate verbally, it is sometimes difficult to determine whether they have been abused. However, unexplained changes in behavior are a possible indicator; and/or
- A gradual or sudden depletion of funds, missing checks, or unauthorized “gifts” to caregivers. This might indicate financial exploitation.

If you or someone you know is a victim of elder abuse or you suspect a vulnerable senior is being abused by a caregiver, report your concerns to the protective services agency in your community. If physical abuse is indicated, the police also should be notified so they can investigate. Elder veterans receiving care at VA medical centers are encouraged to tell their primary care providers as well as their local protective services agency of any abuse. You can help prevent elder abuse by talking to the elders in your family or circle of friends to make sure they are aware of the signs of elder abuse and know who to contact should they experience mistreatment or know someone who has. Silence allows abusers to continue their mistreatment. [Source: MOAA News Exchange | Don Vaughan | October 6, 2014 ++]

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## **Omori POW Camp | Tokyo ► Reflections**

The prisoners of war held in Tokyo's Omori POW camp saw some of the most horrific destruction during the last months of World War II, as American B-29 bombers dropped incendiary bombs that obliterated much of the city. But in those hungry times, they also were among the luckiest, says Bill Sanchez, 96, who along with two other former prisoners visited on 16 OCT the Heiwajima Kannon, a statue of the Goddess of Mercy built near the site of the former POW camp to mourn the war dead. Like many other POWs held in Omori, Sanchez was put to work loading and unloading cargo on the docks. "Which was great work because we had a lot of opportunities to pinch food. We learned real quick," said Sanchez, of Monterey Park, California, who watched as American fire bombs incinerated nearby neighborhoods.



**U.S. veterans, William Sanchez, center, 96, Oral C. Nichols, left, 93, and Jack Schwartz, 99, , stand together in front of Heiwajima Kannon, the former site of Omori camp**

The Omori camp's barracks once occupied nearly half of a tiny island reclaimed from Tokyo Bay with help from prisoners like Sanchez. Today Heiwajima, or Peace Island, is barely distinguishable from the rest of Tokyo. The camp's former site is now a boat racing venue surrounded by bland office buildings. "All this land you see was reclaimed by us, the American prisoners of the war and the British prisoners of the war," Sanchez said. "And I am amazed at how well they have used the land." Seven former POWs, all in their 90s, are visiting Japan at the invitation of the Japanese government under a friendship program that started five years ago. Oral C. Nichols, 93, of Carlsbad, New Mexico, was working in construction on Wake Island in the Pacific when the Japanese took the island in 1941, capturing 5,000 prisoners. By the time the war ended, he had been moved to Shanghai and then to an open pit iron mine in northern Japan. "But also I was young and had set myself a goal to live, that I was going to live regardless," Nichols said.

Jack Schwartz, 99, of Hanford, California, was a civil engineering graduate of the California Institute of Technology when he enlisted in the Navy Civil Engineer Corps in 1940. Taken prisoner in Guam, he spent much of his imprisonment at the Zentsuji Camp, a "showcase" camp on western Japan's Shikoku Island. Still, he said, "In four years, I never had a good meal." "I arrived two days ago and had my first good meal ever in Japan," he said in a talk by the group at Tokyo's Temple University on Wednesday. Like the other former POWs, Schwartz marveled at Tokyo's progress since Japan's surrender in August 1945, especially high-tech toilets equipped to warm, wash and dry. "I sat down on a toilet seat and it was warm!"

During the war, the Japanese held over 30,000 allied force members as prisoners in dozens of camps in Japan, China and elsewhere in Asia, according to the POW Research Network Japan. The former POWs said they understood that the cruelty and brutality they experienced during the war had much to do with the times. One of 91-year-old Darrel Stark's most vivid memories is of a supervisor in the prison camp at Yokkaichi, a copper smelting center in western Japan, who did not retaliate when Stark and another prisoner stole his lunch. "He came the next day with two lunches, 'One for you, and one for me,'" said Stark, of Stafford Springs, Connecticut. "If he had reported me, I wouldn't have been speaking to you tonight." [Source: AP | Elaine Kurtenbach and Kaori Hitomi | October 16, 2014 ++]



17887 Six hundred thirty six allied POW's from five prison camps, within its walls at the heart of Tokyo were liberated and evacuated to a hospital after twelve hours after a special navy rescue mission landed on the shores of Tokyo Bay. 43/06/29



18176 A Red Cross nurse on the left attends three captives and other prisoners in one of the hospital beds at Tokyo Bay. 43/06/29

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## Car Insurance Update 07 ► 10 Reports Insurers Pull on You

Car insurance companies don't like guessing games. When you ask for a quote, they want to know who you are and what you've been up to. Fortunately for insurers, there are a lot of companies willing to help them. Here are the most common reports used by car insurance companies to help determine whether they want to insure you and at what price. Some reports you can get yourself, and others you'll never see.

1. **Insurance score** - Your credit history is important to car insurance companies because it's a predictor of how likely you are to pay on time and make a claim. There are exceptions: If you live in California, Hawaii or Massachusetts, auto insurers can't use credit information to set rates. A credit score typically takes into account your payment history, amounts owed, length of credit history, new credit and types of credit. Insurers often pull a report called a FICO insurance score. You can't get your own insurance score, but your credit score generally mirrors your insurance score as it moves up or down. Therefore, monitoring your credit is important, because bad credit can bump you to a more expensive rate class for insurance. Sites like WisePiggy.com (a sister site of CarInsurance.com) offer free credit score reports so that you can monitor your status.

2. **Attract score** - Another credit-based score comes from LexisNexis, a provider of risk and data information services. This is called the Attract Insurance Score and helps insurers judge your risk. Unlike a FICO insurance score, you can get your own Attract score from LexisNexis for a modest cost.

3. **Disclosure report** - Did you give 100 percent accurate information to your car insurance company? If not, it will find out. LexisNexis offers insurers a report called RiskView that promises to provide a comprehensive view into a person's financial health. Not only does it determine your creditworthiness, but the report also confirms some of the information you have provided. You can order this report from LexisNexis. It will include a RiskView Consumer Disclosure Report that contains public record information, including: Personal identifying information; Property ownership; Deed ownership; Bankruptcy history; Criminal and lien data.

4. **Claims history** - There's no hiding past claims against you, even if you've never told a single soul about an accident. Car insurance companies feed claims information into central databases. From this massive collection of information, insurers can request a loss report on an individual. Auto insurers regard your past claims activity as a predictor of future claims. LexisNexis offers the C.L.U.E. (Comprehensive Loss Underwriting Exchange) report, which contains up to seven years of personal auto claims, including your policy information, vehicle information, claim information, loss information and amounts paid. Verisk, provider of services to insurers, offers a similar report called the A-Plus (Automobile-Property Loss Underwriting Service). You can order your own free copy once within a 12-month period from either provider.

5. **Motor vehicle record** - You may not remember the when or where of your traffic violations, but these details are pretty important to car insurance carriers. To double-check the information you provided when asking for a car insurance quote, insurers obtain motor vehicle reports (MVRs) so that they can assess your driving. Car insurance companies use third-party providers, such as Verisk or LexisNexis, which have access to driving records from all 50 states and the District of Columbia, to obtain your driving record. You, however, can go straight to the source, your state's Department of Motor Vehicles, and request a copy of your official record. A small fee is typically required.

6. **Undisclosed-driver report** - Maybe your nephew moved in and has been driving your car. Maybe you never mentioned it to your insurance company. Well, it's only a matter of time before they catch up to you. Car insurance companies want to know about all household members who are licensed drivers and potentially driving your car. Both Verisk and LexisNexis offer insurance companies reports that uncover undisclosed drivers living in your residence by cross-checking public records. One report focuses on drivers between the ages of 15 and 25 who are newly licensed but haven't been disclosed. If a "hidden" driver of any age is found, you'll likely be asked to add the person as a driver or exclude the individual if your state and insurer allow this option.



7. **Current carrier report** - When you're applying for auto coverage, a prospective car insurance company can find out how long you've been with your current carrier or if you've had a lapse in coverage. They access a report that identifies and verifies your current and previous insurance providers. The report also outlines current and previous policy information including: Policy period; Policy status; Cancellations, lapses and reinstatements; Coverage; Limits; Deductibles; Driver information; Vehicle information; and Insurance discounts.

8. **Mileage report** - The number of miles you drive makes a difference in how much you pay. To keep drivers from underestimating their annual mileage, insurance companies can use reports such as Verisk's MileageConfirm to verify mileage given by applicants or policyholders. The report provides details such as "annual mileage, commute distance and business use for accuracy, currency and legitimacy." See what else makes your rates go up or down at <http://www.carinsurance.com/calculators> with CarInsurance.com's car insurance calculator.

9. **Vehicle registration report** - Your auto insurer may know more about your car than you do after it obtains a report that checks public vehicle and registration information. A registration report is originally issued by the DMV, but both Verisk and LexisNexis offer the service for insurers using the bulk data that it buys. The report normally details: Vehicle make, model, year, body style and VIN; Name and address of vehicle registrant; Name of co-signer or second owner (if applicable); Registration expiration date; Plate type (regular, vanity, commercial or dealer); Leasing company name (if applicable); and if the vehicle has a branded title (salvaged, rebuilt, junked, flooded, or the like). This report gives your car insurance company insight into your lapses in registration, shared vehicle ownership, or if the vehicle has a branded title.

10. **OFAC compliance** - Insurance companies are mandated by the federal government to check customers' names (and those to whom they send claim settlement checks) against a list published by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC). This is so insurers don't do business with people suspected of international drug trafficking, terrorism or activities related to the production of weapons of mass destruction. Verisk offers insurance companies a service that checks customers against the OFAC watch list. A notification report is produced only if there is a match, so this is one report that insurance companies would prefer not to receive.

[Source: MoneyTalksNews | Penny Gusner| October 20, 2014 ++]

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## Normandy Then & Now ► Omaha Beach near Colleville sur Mer



June 18, 1944: US Army reinforcements march up a hill past a German bunker overlooking Omaha Beach after the D-Day landings near Colleville sur Mer, France. `Here youths hike up he same hill past the bunker

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**Photos That Say it All** ▶ What sacrifice looks like



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**WWII Ads** ▶ Pep Boys Work Clothes



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## **Have You Heard? ► 2013 Darwin Awards**

### **Eighth Place**

In Chicago, a 41-year-old man got stuck and drowned in two feet of water after squeezing head first through an 18-inch-wide sewer grate to retrieve his car keys.

### **Seventh Place**

A 49-year-old San Francisco stockbroker, who was "totally zoned when he ran," accidentally off a 100-foot high cliff on his daily run.

### **Sixth Place**

While at the beach, Daniel Jones, 21, dug an 8 foot hole for protection from the wind and had been sitting in a beach chair at the bottom, when it collapsed, burying him beneath 5 feet of sand. People on the beach used their hands and shovels trying to get him out, but could not reach him. It took rescue workers using heavy equipment almost an hour to free him. Jones was pronounced dead at a hospital.

### **Fifth Place**

Santiago Alvarado, 24, was killed as he fell through the ceiling of a bicycle shop he was burglarizing. Death was caused when the long flashlight he had placed in his mouth to keep his hands free rammed into the base of his skull as he hit the floor.

### **Fourth Place**

Sylvester Briddell, Jr., 26, was killed as he won a bet with friends who said he would not put a revolver loaded with four bullets into his mouth and pull the trigger.

### **Third Place**

After stepping around a marked police patrol car parked at the front door, a man walked into H&J Leather & Firearms intent on robbing the store. The shop was full of customers and a uniformed officer was standing at the counter. Upon seeing the officer, the would-be robber announced a hold-up and fired a few wild shots from a target pistol.

The officer and a clerk promptly returned fire, and several customers also drew their guns and fired. The robber was pronounced dead at the scene by Paramedics. Crime scene investigators located 47 expended cartridge cases in the shop. The subsequent autopsy revealed 23 gunshot wounds. Ballistics identified rounds from 7 different weapons. No one else was hurt.

### **HONORABLE MENTION**

Paul Stiller, 47, and his wife Bonnie were bored just driving around at 2 a.m. so they lit a quarter stick of dynamite to toss out the window to see what would happen. Apparently they failed to notice that the window was closed.

### **RUNNER UP**

Kerry Bingham had been drinking with several friends when one of them said they knew a person who had bungee-jumped from a local bridge in the middle of traffic. The conversation grew more excited, and at least 10 men trooped along the walkway of the bridge at 4:30 a.m. Upon arrival at the midpoint of the

bridge, they discovered that no one had brought a bungee rope. Bingham, who had continued drinking, volunteered and pointed out that a coil of lineman's cable lay nearby. They secured one end around Bingham's leg and then tied the other to the bridge. His fall lasted 40 feet before the cable tightened and tore his foot off at the ankle. He miraculously survived his fall into the icy water and was rescued by two nearby fishermen. Bingham's foot was never located.

**AND THE WINNER IS...**

Zookeeper Friedrich Riesfeldt (Paderborn, Germany ) fed his constipated elephant 22 doses of animal laxative and more than a bushel of berries, figs and prunes before the plugged-up pachyderm finally got relief. Investigators say ill-fated Friedrich, 46, was attempting to give the ailing elephant an olive oil enema when the relieved beast unloaded.

The sheer force of the elephant's unexpected defecation knocked Mr. Riesfeldt to the ground where he struck his head on a rock as the elephant continued to evacuate 200 pounds of dung on top of him. It seems to be just one of those freak accidents that proves *Shit happens.*

**IT ALWAYS SEEMS IMPORTANT TO THANK THESE PEOPLE FOR REMOVING THEMSELVES FROM THE GENE POOL**

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**They Grew Up to Be? ► Jonathan Lipnicki (Jerry Maguire)**



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**Words You Don't Hear anymore**

*Watch for the postman, I want to get this letter to Willie in the mail today.*

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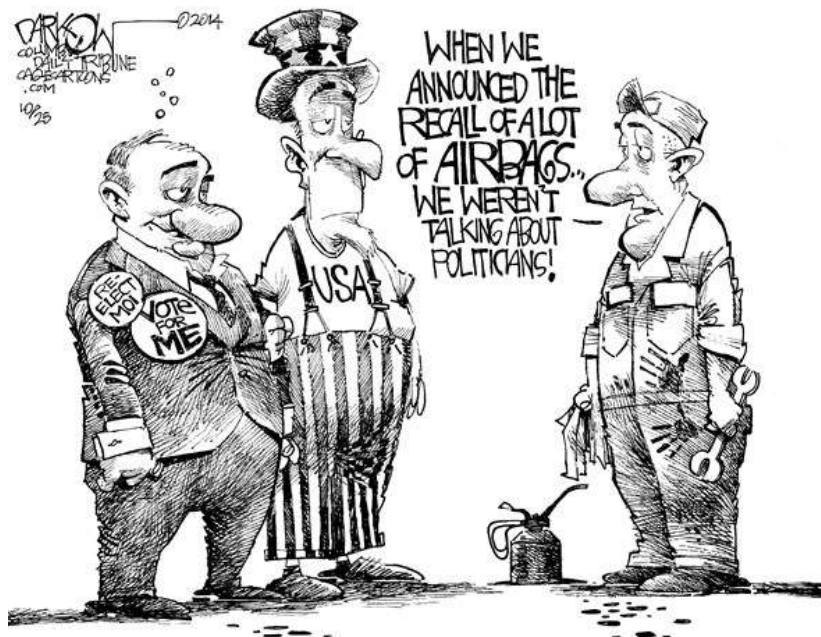


**Interesting Ideas** ▶ Car Imported From the Wrong Country!



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## Notes:

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 internet user's capability to send email. SPAMHAUS told us to stop sending the Bulletin in its entirety to individual subscribers and to validate the subscriber base with the threat of removing all our outgoing email capability if we did not. To avoid this we have notified all subscribers of the action required to continue their subscription. This Bulletin notice was sent to the 18,762 subscribers who responded to that notice. All others are in the process of being deleted from the active mailing list.
2. Anyone who no longer wants to receive the Bulletin can use the automatic "UNSUBSCRIBE" tab at the bottom of this message or send a message to [raoemo@sbcglobal.net](mailto:raoemo@sbcglobal.net) with the word "DELETE" in the subject line.
3. Bulletin recipients with interest in the Philippines, whether or not they live there, 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.

4. New subscribers and those who submit a change of address should receive a message that verifies their addition or address change being entered in the mailing list. If you do not receive a message within 7 days it indicates that either I never received your request, I made an error in processing your request, or your server will not allow me to send to the email addressee you provided. Anyone who cannot reach me by email can call (951) 238-1246 to ask questions or confirm info needed to add them to the directory.

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