

RAO BULLETIN

15 December 2010

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Attachment - Veteran Legislation

Attachment - Illinois State Veteran's Benefits

Attachment - Battle of the Bulge

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Military Fraternal Organization Shutdowns: After 28 years, the south Louisiana chapter of the American Ex-Prisoners of Wars has disbanded because of dwindling numbers, a fate faced by several other military fraternities in recent years. Eight men bound by the experience of wartime detention exchanged hugs and handshakes last week in Metairie for the group's last meeting. Martin Richard, commander of the chapter, told The Times-Picayune there was a "pretty good turnout" at 9 DEC meeting. "But normally we've had at the most four ex-POWs. The last one was really just three. We decided to call it quits." At its peak in the late 1980s and early 1990s, the chapter counted 125 members, which included ex-POWs and spouses. Most of the veterans fought in World War II, while some fought in Korea. The group's crowning achievement was the 2001 Veterans Day dedication of a POW monument at Veterans Memorial Square. The organization raised \$40,000 to install an eagle statue with an 8-foot wingspan atop a 6-foot pedestal.

Richard, 86, lives in Metairie and has led the group for five years. He said membership has fallen to the point where it no longer makes sense to hold formal meetings and maintain the chapter's records and finances. A technical sergeant in the Air Force, Richard was shot down in a B-24 Liberator in France about two months after D-Day in 1944. German troops captured him, and over nine months in captivity he was paraded through Paris, taken to Germany, imprisoned in Poland, interrogated and forced back to Germany during a harsh winter march as the war

drew to a close. In 2009, he received the Legion of Honor knight medal, the highest decoration from the French government, for his efforts to free that country from Nazi occupation, adding to his various medals from the United States. Many members who joined after the group formed in 1982 have died, Richard said. Hurricane Katrina accelerated the losses, prompting some to move away and weakening others who already struggled with poor health, he said.

Kacey Hill, spokeswoman for the National World War II Museum in New Orleans, said reports of veterans groups closing chapters have become increasingly common, especially for those with large contingents of World War II veterans, as that generation fades. More than 142,000 U.S. military personnel have been held as POWs since World War I. Fewer than 30,000 are still living. [Source: The Times-Picayune AP article 12 Dec 2010 ++]

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Military Donations: Nonprofits this holiday season are offering alternative gift-giving ideas that support the troops and give volunteers the opportunity to honor their loved ones. "Men and women in uniform give to their country every single day," said Kate Kohler, former Army captain and chief operating officer for the **Pentagon Federal Credit Union Foundation**, a national nonprofit providing military families with financial literacy training, housing assistance and care for wounded service members. "We think an appropriate way to recognize them during the holidays is to give back." Donors can honor friends or family members who serve by making a donation to the PenFed Foundation in their name at [.http://www.pentagonfoundation.org/site/PageServer?pagename=home_index](http://www.pentagonfoundation.org/site/PageServer?pagename=home_index). At PenFed, donors can choose the program they would like to support, from grants for first-time home buyers and money management training, to child care support for wounded service members and free lodging for soldiers being treated at the Veterans Affairs hospital in Palo Alto, Calif. The PenFed Foundation currently is working to build a \$12.5 million dollar facility to house wounded service members as they undergo treatment at the hospital. "Sometimes the best gift you can give is a helping hand," said Kohler. Some other nonprofits offering alternative gift-giving ideas include:

- **United Service Organization:** USO is a congressionally chartered nonprofit dedicated to lifting the spirits of troops stationed abroad. A holiday donation to the USO can help bring the comforts of home to soldiers through programs that supply care packages, or free phone cards to call family members. Donations can be made online in the name of a loved one at <http://www.uso.org/donate>.
- **The Yellow Ribbon Fund Inc.:** The fund assists service members and their families as they undergo treatment at the Walter Reed Army Medical Center in Washington or the National Naval Medical Center in Bethesda, Md. Donations to the Yellow Ribbon Fund at http://www.yellowribbonfund.org/?page_id=147 can be made online in a loved one's name and will provide wounded soldiers with free transportation to and from the hospital and free lodging nearby. Volunteers also can take service members and their children on holiday outings, or help with grocery shopping and babysitting.
- **The Military, Veterans and Patriotic Service Organizations of America:** MVPSOA is a nonprofit that screens charities offering a variety of services to military members. The organization offers gift certificates that allow the recipient to direct donated funds to his or her preferred organization from a list of 75 legitimate nonprofits. Gift certificates can be purchased online at http://www.yellowribbonfund.org/?page_id=147 and e-mailed directly to the recipient.
- **The American Veterans Disabled for Life Memorial:** In November nearly 400 hundred people gathered in Washington for the groundbreaking of the American Veterans Disabled for Life Memorial. Private donations are funding the memorial, scheduled to be completed by Veteran's Day 2012. Donations can be made online at http://www.avdlm.org/site/c.gnKFIJNqEqG/b.5307925/k.914B/Ways_to_Donate.htm, by mail, or by phone in a loved one's name, and donors can chose from one of 15 cards with images of the future memorial to give to a friend or family member.

[Source: GovExec.com Norah Swanson article 10 Dec 2010 ++]

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Federal Pay Update 02: The proposal negotiated by President Obama and congressional Republicans this week to extend Bush-era tax cuts would provide tax breaks for most Americans. But the New York Times reports that one group of people--government employees, including some federal employees--could see their taxes go up as a result of the deal. The Obama plan would end the Making Work Pay tax credit, which provides a deduction of up to \$400 for low- and middle-income workers. Instead, the plan provides for a 2% reduction in the Social Security payroll tax for employees at all income levels. But millions of civil service workers at all levels of government don't pay Social Security taxes. That includes (as of 2007), 600,000 feds who are still covered by the Civil Service Retirement System. (Most federal employees hired after 1983 are covered under the Federal Employees Retirement System.) Some CSRS employees could lose the existing tax credit and get no benefit from the Social Security cut. "It makes so little sense that you have to hope that the people who negotiated this didn't think it through," Robert McIntyre, director of Citizens for Tax Justice, a public interest group aligned with labor unions, told the Times. "And when they do think it through, they'll realize it's not fair. It would be cruel not to do something about it." House Democrats already have expressed their displeasure with the tax plan, voting ton 9 DEC to approve a resolution stating that they're unwilling to bring the package to the House floor without significant changes. [Source: FedBlog Tom Shoop article 9 Dec 2010 ++]

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Aid & Attendance Update 06: The veterans of our country are entitled to health benefit programs from our federal government; however few take advantage of the Non-Service Connected "Improved Pension" benefit, commonly referred to as the Aid and Attendance benefit. The program's purpose is to assist veterans, as well as spouses, widows or widowers of veterans, with paying up to \$1,949 per month in assistance for their out-of-pocket medical costs. Benefits continue for as long as the Veteran or their spouse is living. This program offers veterans "This little known veterans' benefit could potentially become a significant source of financial aid for long-term care services provided either at home or in a facility. Unfortunately, most veterans do not know about it, or how to apply. Though nearly 1/3 of veteran seniors qualify for the Aid and Attendance benefit, government statistics show that only 5% are actually receiving it. To qualify, the veteran must be at least 65 years of age or have a medical qualification of disability, meaning he or she requires the regular assistance of another person to perform daily tasks. The veteran must have served 90 days or more of active duty for any branch of the armed services with just one day served during an official war time period, as designated by Congress. Veterans who were dishonorably discharged do not qualify. Widows or widowers of veterans are eligible to participate in these benefits, if they qualify medically and/or financially. Applicants may only receive the Aid and Attendance benefit if they are no longer actively serving.

The Aid and Attendance benefit can provide up to \$1,632 per month to a veteran, \$1,055 per month to a surviving spouse, or \$1,949 per month to a couple, in addition to monthly pension rates. It takes 4 to 6 months on average (depending on volume) to process an application. Applicants who are 70 years of age or older may request that their application process be expedited. Applicants must complete the VA Form 21-526 (veterans) or VA Form 21-534 (spouses). This form is available at www4.va.gov/vaforms/. The applicant must also include a letter, all required documentation and evidence of their age or disability. For additional information visit www.vba.va.gov/VBA/ or call 1-800-827-1000. If you require assistance with the application process, a qualified veterans' benefits consultant can help you apply for benefits. Start by contacting your regional VA office. This is the office that has jurisdiction over the claim. [Source: Veterans Today Michael Leon article 10 Dec 2010 ++]

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Wreaths Across America Update 02: Thousands of red-bowed wreaths decorate Veterans' graves and memorials across the country after volunteers placed them 11 DEC at 131 Department of Veterans Affairs (VA) national cemeteries, state Veterans cemeteries, and at Arlington National Cemetery and memorial sites. "This is one of the most beautiful events repeated across the country as thousands of volunteers honor our Nation's heroes," said Secretary of Veterans Affairs Eric K. Shinseki. "It is inspiring to see the volunteers show their respect and gratitude for the Veterans who served our Nation." Last year approximately 161,000 wreaths and more than 100,000 volunteers participated in activities. This marks the fifth year of the nationwide event. Most of the wreaths are donated by individuals, groups and businesses that purchase them through the Wreaths Across America (WAA) program, created and run by the Worcester Wreath Company of Harrington, Maine, which donated at least seven wreaths to every VA national cemetery - representing the branches of the military services. Civil Air Patrol units arranged brief ceremonies at many locations.

The company began donating leftover wreaths to Arlington National Cemetery in 1992 and in 2006 began the WAA program, supplying some wreaths to all VA national cemeteries and many state Veterans cemeteries. The WAA Web site has been used by hundreds of people to sponsor wreath placement. Other people have purchased wreaths locally and placed them at gravesites themselves. The ceremonies and wreaths at VA national cemeteries have increased every year and each family organizes its own wreath laying program. This year, the Houston National Cemetery expected the largest number of donated wreaths - 28,000 - and the largest crowd of volunteers to place them - approximately 13,000 people. No large organizations are involved; all donations have come from small businesses, a women's memorial group, local Boy Scout troops, school children and many family members of those interred at the cemetery.

The Sacramento Valley National Cemetery in Dixon, Calif., had over 1,000 people, including local elected officials, place approximately 6,000 wreaths. More than half of them were purchased from the WAA Web site by 15 organizations. Another group, Friends of the National Cemetery, raised funds to purchase wreaths locally to ensure 100 percent coverage of graves. For Hampton National Cemetery in Virginia, a church has been the main donor of artificial wreaths for five years, and 6,000 wreaths were provided this year. Local military installations have also contributed wreaths. Military youth groups and veterans group members assisted in their unloading from trucks and placement at the headstones. For more information about Wreaths Across America, refer to its Web site <http://www.wreathscrossamerica.org/>. [Source: VA News Release 11 Dec 2010 ++]

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COLA 2011 Update 07: On 8 DEC the Democrats in both the House and Senate failed to pass bills that would grant a onetime \$250 payment to Social Security recipients and other federal beneficiaries (including veterans.) For the second straight year the automatic method of calculating inflation was too low to provide a Cost-of-Living increase for Social Security and other federal beneficiaries. The Democratic Congressional leadership then proposed a onetime \$250 payment to be paid directly from the U.S. Treasury. The Democrats said we have a faulty calculator and that many of the costs for seniors are rising. The bill's sponsor, Senator Bernard Sanders (I-VT) said: "We have a very flawed methodology in terms of how we determine COLAs for Social Security. While [the price of] laptop computers and iPads and other communications technology may, in fact, have gone down, lowering the cost of inflation, the needs of seniors, and what they spend money on, have not gone down." Opponents said that it would increase the National deficit and is not necessary. Rep. Sam Johnson (R-TX) was opposed to the bill and said: "While many seniors are hurting, so too are American working families. Doing an end run around the current bipartisan COLA formula without even one hearing to examine whether it's working or the many options for change our colleagues have offered is wrong." The House leadership brought it up, under suspension of the rules which

requires a 2/3 vote. It failed 254-153. Then later in the evening the Senate vote to end debate on S.3985, the Senior Citizens Relief Act, was 53-45; failing to reach the required 60 votes. To see how your Senators voted, refer to <http://capwiz.com/dav/issues/votes/?votenum=267&chamber=S&congress=1112>. [Source: TREA Washington Update 10 Dec 010 ++]

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NDAA 2011 Update 07: Senate Democrats on 9 DEC failed on a 57-40 vote to overcome a Republican filibuster of the 2011 defense authorization bill that includes a provision repealing the 1993 exclusion of openly homosexual men and women from military service. Senate Majority Leader Harry Reid (D-NV), abruptly called for the floor vote to invoke cloture and allow the Senate to debate and vote on the defense authorization bill, acknowledging that negotiations with Republicans to get to the 60-vote threshold had fallen apart. "We've tried every possible way to move forward on this," Reid said, adding that he has "bent over backwards to get the bill done." Except for Sen. Susan Collins (R-ME), all other Republican moderates, whom Reid had hoped to win over to allow the defense bill to advance on the floor, voted with the rest of the GOP caucus to block the measure. Collins, who had been wrangling with Reid over the parameters for debate on the defense bill, called Reid's decision to call a vote unfortunate. Even though she ultimately voted with the Democrats, she and other Republicans also had insisted on completing work on the pending tax package before voting to proceed with the defense bill. "I just do not understand why we can't proceed along a path that would bring us to success and that will allow us to get the 60 votes to proceed," Collins said. "I thought we were extremely close to getting a reasonable agreement yesterday."

The vote left the defense bill on life support, raising the serious prospect that 2010 will mark the first time in 50 years that Congress won't pass a defense authorization bill. Failure to pass a defense bill poses significant risks for our troops and retirees, including termination of authority to pay enlistment and reenlistment bonuses and imposition of a \$110 per day increase in inpatient hospital copays. The House-passed continuing resolution to fund the government for 2011 would guard against some of the worst scenarios by including authority to renew bonuses and authorize a 1.4% military pay raise. But without a new defense bill, the Army won't get 7,000 more troops, currently serving people won't see any increase in family separation allowance or imminent danger pay, and retirees who need hospitalization will see significantly higher out-of-pocket costs, among many other things. [Source: National Journal Megan Scully and Dan Friedman article and MOAA Leg Up 9 Dec 2010]

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DFAS Tax Statement Schedule: The Defense Finance and Accounting Service has posted on its Web site a schedule for the release of 2010 tax statements such as W-2s, 1099Rs and 1099INTs via both its myPay online system and U.S. Mail. Military service members, military retirees and annuitants, and federal civilian employees paid by DFAS will be able to get their statements online through myPay access at <https://mypay.dfas.mil/mypay.aspx>. The first of the forms released, the Retiree Annual Statement, became available online Dec. 4, but will not be available via mail until the second half of the month. To see the release schedule, go to: www.dfas.mil/news/DFASRelease121001.pdf. or refer to the following. The first date below indicates the forms online availability and the next the mailing date:

- Retiree Annual Statement (RAS) Dec. 4, 2010 & Dec. 16-31, 2010
- Retiree 1099R - Dec. 14, 2010 & Dec. 16-31, 2010
- Annuitant Account Statement (AAS) - Dec. 15, 2010 & Dec. 19-31, 2010
- Annuitant 1099R - Dec. 15, 2010 & Dec. 19-31, 2010
- VSI/SSB W-2 - Not available via myPay & Jan. 4-5, 2011
- Active Duty Air Force, Army, Navy W-2 - Jan. 24, 2011 & Jan. 24-29, 2011

- Reserve Air Force, Army, Navy W-2 - Jan. 4, 2011 & Jan. 4- 7, 2011
- Marine Corps Active & Reserve W-2 - Jan. 18, 2011 & Jan. 19-20, 2011
- Civilian employee W-2 - Jan. 6, 2011 & Jan. 7-15, 2011
- Savings Deposit Program 1099INT - Jan. 21, 2011 & Jan. 21-22, 2011
- Vendor Pay 1099 - Not available via myPay & Jan. 20-25, 2011
- Vendor Pay MISC W-2 - Jan. 31, 2011 & Jan. 20-25, 2011
- Travel PCS W-2 - Jan. 31, 2011 & Jan. 20-25, 2011
- Army Non-Appropriated Fund Civilian Pay W-2 - Jan. 11, 2011 & Not available

[Source: <http://www.dfas.mil/news/DFASRelease121001.pdf> Dec 2010 ++]

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IRS FBAR Update 01: U.S. citizens who have joined the Philippine Retirement Authority (PRA) program to obtain a Special Residents Retiree Visa (SRRV) are, in most cases, required to initiate \$10,000 or more time deposits placed with an accredited Philippine bank in the applicant's name. The original time deposit certificate is held for as long as the PRA member remains in the program. The member has the option of either collecting interest on the instrument as paid by the bank or reinvest the interest back into the principal amount of time deposit. According to the U.S. Internal Revenue Service if you own or have authority over a foreign financial account, including a bank account, brokerage account, mutual fund, unit trust, or other types of financial accounts, you may be required to report the account yearly to the IRS. Under the Bank Secrecy Act, each United States person must file a Report of Foreign Bank and Financial Accounts (FBAR), if the person has a financial interest in, or signature authority (or other authority that is comparable to signature authority) over one or more accounts in a foreign country and the aggregate value of all foreign financial accounts exceeds \$10,000 at any time during the calendar year.

FBAR is required because foreign financial institutions may not be subject to the same reporting requirements as domestic financial institutions. It is a tool to help the United States government identify persons who may be using foreign financial accounts to circumvent United States law. Investigators use FBARs to help identify or trace funds used for illicit purposes or to identify unreported income maintained or generated abroad. A person who holds a foreign financial account may have a reporting obligation even though the account produces no taxable income. Checking the appropriate block on FBAR-related federal income tax return questions (found on Form 1040 of Schedule B, the "Other Information" section of Form 1041, Schedule B of Form 1065, and Schedule N of Form 1120) and filing **Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts**, satisfies the account holder's reporting obligation. The FBAR is not to be filed with the filer's Federal income tax return. The granting, by the IRS, of an extension to file Federal income tax returns does not extend the due date for filing an FBAR. You may not request an extension for filing the FBAR. The FBAR must be received by the IRS on or before June 30 of the following year. File by mailing the FBAR to: U.S. Department of the Treasury, P.O. Box 32621, Detroit, MI 48232-0621. If an express delivery service is used, file by mailing to: IRS Enterprise Computing Center, ATTN: CTR Operations Mailroom, 4th Floor, 985 Michigan Avenue, Detroit, MI 48226. For delivery messenger service contact telephone number: (313) 234-1062.

Help in completing Form TD F 90-22.1 (PDF) is available at (800) 800-2877, option 2. The form is available online at www.irs.gov/pub/irs-pdf/f90221.pdf, www.fincen.gov/forms/files/f9022-1_fbar.pdf, or by telephone at (800) 829-3676. Questions regarding the FBAR can be sent to FBARquestions@irs.gov. Account holders who do not comply with the FBAR reporting requirements may be subject to the following civil penalties, criminal penalties, or both

- Negligence: Up to \$500
- Non-Willful Violation: Up to \$10,000 for each violation.

- Pattern of Negligent Activity: In addition to \$10,000 penalty, \$50,000.
- Willful-Failure to File FBAR or Retain Records of Account: Up to the greater of \$100,000 or 50% of the financial account amount at the time of violation.
- Knowingly Filing False FBAR: Up to the greater of \$100,000 or 50% of the amount in the financial account at the time of violation.

[Source: www.irs.gov/businesses/small/article/0,,id=148849,00.html & IRS Mr. Harden #1000571372 Dec 2010 ++]

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Veterans Affairs Services Update 01: The previous warning allegedly forwarded by Kevin Secor, VSO Liaison, Office of the Secretary of the Department of Veterans Affairs is no longer valid. It is based on conditions that existed in 2006 that have since been resolved. In 2006, the Department of Veterans Affairs (VA) Office of the General Counsel (OGC) corresponded with Veterans Affairs Services (VAS) regarding concerns that the organization’s name and seal created the impression that VAS was affiliated with, or endorsed by, the Department. OGC advised the Veterans Benefits Administration (VBA) of these concerns and VBA circulated the information. VAS later added a disclaimer at the top of its <http://www.vaservices.org/us/index.html> website home page that addressed some of our concerns. No further action was taken. Section 5902(a) of title 38, United States Code, authorizes VA to recognize organizations for the limited purpose of ensuring competent representation of Veterans seeking benefits. Organizations like VAS may provide services to Veterans without VA recognition, including informational websites, if the services do not include assistance with the preparation, presentation, and prosecution of claims for VA benefits. Since July 2006, OGC has had no communications with VAS and has not issued any advice regarding the organization. The recent e-mail message warning Veterans about VAS' activities, which has been widely disseminated, is from an unknown source but contains some of the information discussed with VAS and VBA in 2006. [Source: Kevin Secor, VSO Liaison, Office of the Secretary of the Department of Veterans Affairs 8 Dec 2010 ++]

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PTSD Update 59: Smoking cessation treatment that is made part of mental health care for Veterans with Post Traumatic Stress Disorder (PTSD) improves quit rates, according to a Department of Veterans Affairs study published in the 8 DEC Journal of the American Medical Association. “The smoking cessation techniques used in this new approach will give Veterans an important step towards a better quality of life,” said VA Under Secretary for Health Dr. Robert Petzel. “Veterans will be at a lower risk for cardiovascular or lung disease if they do not smoke.” On measures of smoking abstinence for shorter periods of time, researchers found that quit rates were as high as 18% for the integrated care group, versus 11% for those receiving usual care. When compared to usual care—referral to a standard smoking cessation clinic—the new, integrated approach nearly doubled the rate at which study volunteers stayed smoke-free for a year or longer, from 4.5% to almost 9%.

Importantly, Veterans in the study who quit smoking showed no worsening of symptoms of PTSD or depression. In fact, study participants averaged a 10% reduction in PTSD symptoms, regardless of which treatment they received or whether they quit smoking or not. The findings help dispel concerns that combining care for PTSD and smoking cessation detracts from PTSD treatment or makes it less effective. Study leaders Miles McFall, Ph.D., and Andrew Saxon, M.D., say the results validate a promising new VA model of care that can make safe, effective smoking cessation treatment accessible to far more Veterans with PTSD. The new approach may also be effective for smokers receiving mental health care for other psychiatric illnesses, they add. Says McFall, “One of the most important things mental health providers can do to improve the quality and length of their patients’ lives is to help them stop smoking by using proven, evidence-based practices.” McFall is director of PTSD Programs and Saxon is

director of the Addictions Treatment Center at the VA Puget Sound Health Care System. Both are professors in the department of psychiatry and behavioral sciences at the University of Washington.

VA smoking cessation care generally involves a mix of group and individual counseling, typically in combination with nicotine replacement therapy or other medication prescribed by a VA health care provider. In VA's study, Veterans in the integrated-care group worked with the same therapist on PTSD and smoking issues. Medication for smoking cessation, if used, was prescribed on an individual basis by the same medical provider managing pharmacologic treatment of the Veteran's PTSD symptoms. The study followed 943 Veterans at 10 VA medical centers nationwide. Prolonged abstinence from tobacco, as reported by participants, was confirmed using breath and urine tests to detect evidence of smoking. Using such "bio-verification" measures in combination with self-reports is considered the "gold standard" in smoking cessation research, says McFall. Of some 400,000 Veterans being treated for PTSD in the VA health care system, roughly 30 to 50% are smokers, compared to a smoking rate of about 20% among VA enrollees and U.S. adults in general. Research shows, also, that those with PTSD smoke more heavily than smokers without PTSD and have an especially hard time quitting.

Based on the findings and evidence from prior research, VA has begun piloting the integrated smoking cessation approach as a standard of practice at six VA medical centers. The researchers say they hope to see the new approach further expanded over time. McFall notes that while most of the participants in the study were Vietnam-era Veterans, integrated smoking cessation care may be especially beneficial for younger Veterans with PTSD, such as many of those returning from Iraq or Afghanistan, who stand to benefit greatly from quitting smoking relatively early in life. Says McFall, "Ideally, we can help Veterans quit smoking before it becomes a chronic or intractable condition and causes irreversible health problems such as cardiovascular or lung disease." The study was conducted by VA's Cooperative Studies Program. For more information on CSP, refer to <http://www.csp.research.va.gov>. [Source: Business Wire article 9 Dec 2010 ++]

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Gold Star License Plate Update 01: Since World War I, families who lost a son or daughter in the line of duty have hung a simple banner in a front window showing a simple gold star superimposed over a blue one, as a measure of the sacrifice made to the nation. Today in California you can get a license plate. Families who lost a son or daughter in the line of duty in any war and some related conflicts, like terrorist attacks, are also eligible to display the license plate. There are 618 Californians who have lost their lives during the Iraq and Afghanistan wars as of 2 DEC. The California Legislature approved the Gold Star license plate in 2008 and SB1455 was signed by Governor Arnold Schwarzenegger on 9 SEP 08. California joined at least 44 other states in offering a Gold Star license plate, according to Gold Star Mothers Inc., an organization started in 1928 to aid the families who lost sons and daughters in war. The plate has the iconic gold star on the left side followed by the license numbers, which will be issued sequentially. The bill creating the plate also required the Department of Veterans Affairs to raise the \$300,000 through private donations to pay for the creation of the new license plate program. The California DMV began accepting applications for these plates on 1 DEC 2010. The presentation of the first Gold Star license plates to three California families was made 9 DEC at the All Veterans Memorial by state Department of Veterans Affairs Secretary Roger Brautigam and Department of Motor Vehicles Director George Valverde in Sacramento. [Source: San Diego Union-Tribune Robert J. Hawkins article 90 Dec 2010 ++]

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Mobilized Reserve 7 DEC 2010: The Department of Defense announced the current number of reservists on active duty as of 7 DEC 2010. The net collective result is 967 fewer reservists mobilized than last reported in the 15 NOV 2010 RAO Bulletin. At any given time, services may activate some units and individuals

while deactivating others, making it possible for these figures to either increase or decrease. The total number currently on active duty from the Army National Guard and Army Reserve is 73,011; Navy Reserve, 6,190; Air National Guard and Air Force Reserve, 8,985; Marine Corps Reserve, 5,096; and the Coast Guard Reserve, 788. This brings the total National Guard and Reserve personnel who have been activated to 94,070 including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found at <http://www.defense.gov/news/d20101207ngr.pdf>. [Source: DoD News Release No. 1128-10 dtd 8 Dec 2010 ++]

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Holiday Scams: Charitable giving can be jolly or folly, depending on who you give to. This is the time of year that brings out the scams. There are a lot of rip-offs out there, especially online: from fake charities to knock-off merchandise sold at “bargain” prices. If you’re not careful, you can go from good Samaritan to victim in a blink of an eye, or the click of a mouse. Here are five of the worst scams to watch for this year:

1. Smishing By now, you’re probably familiar with phishing, where scammers try to steal passwords and credit card info with fake e-mails, often imitating your bank or other familiar merchants. Now some rip-off artists are turning to text messaging, resulting in this silly-named variant, “smishing.” (It’s short for SMS – short message service – phishing.) Scammers use text messages hoping you’ll trust them more than unsolicited e-mails, possibly preying on the assumption that phone numbers are more private or safe than e-mail addresses. Example? You get a text that says “We’re confirming you’ve signed up for our dating service. You will be charged \$2/day unless you cancel your order – go to www.I’mAboutToRipYouOff.com.” Another variation asks you to call a number, e.g., “Notice – this is an automated message from (your bank), your ATM card has been suspended. To reactivate call urgent at 866-###-####.” When you call, a legitimate-sounding automated voice response system asks for your account information.

Solution: If you get a text message from any company asking for personal details – including your cell phone provider – don’t call the number they provide. Contact the company directly and find out what’s up. For example, if the text concerns your credit card, call the number on the back of your card. Avoid using any contact information included in the text message.

2. Fake charities There are plenty of organizations supporting good causes, but there are also plenty of imitators and con artists — and many deliberately choose names that are similar to authentic charities. Other charities are technically legit, but are poorly run and spend too much of their revenue on executive salaries and fund-raising instead of programs that advance their stated purpose.

Solution: Before donating, check a charity out online. A good place to start is the Better Business Bureau which keeps a directory of charities along with evaluations and ways to inquire about them. Be especially wary of door-to-door solicitors asking for cash donations, and never be pressured to “act now”. Simply tell the person at your door that you never donate without thoroughly investigating a charity – you’ll look them up, and should you decide they’re a good cause, you’ll send a check.

3. Fake checks. There are a wide variety of check scams such as these noted by the the Federal Trade Commission:

- It’s your lucky day! You just won a foreign lottery! The letter says so. And the cashier’s check to cover the taxes and fees is included. All you have to do to get your winnings is deposit the check and wire the money to the sender to pay the taxes and fees. You’re guaranteed that when they get your payment, you’ll get your prize. There’s just one catch: The check is no good, even though it appears to be a legitimate cashier’s check. The lottery angle is a trick to get you to wire money to someone you don’t know. If you were to

deposit the check and wire the money, your bank would soon learn that the check was a fake. And you're out the money because the money you wired can't be retrieved, and you're responsible for the checks you deposit — even though you don't know they're fake.

- A scam artist replies to a classified ad or auction posting, offers to pay for the item with a check, and then comes up with a reason for writing the check for more than the purchase price. The scammer asks the seller to wire back the difference after depositing the check. The seller does it, and later, when the scammer's check bounces, the seller is left liable for the entire amount.
- In secret shopper scams, the consumer, hired to be a secret shopper, is asked to evaluate the effectiveness of a money transfer service. The consumer is given a check, told to deposit it in their bank account, and withdraw the amount in cash. Then, the consumer is told to take the cash to the money transfer service specified, and typically, send the transfer to a person in a Canadian city. Then, the consumer is supposed to evaluate their experience — but no one collects the evaluation. The secret shopper scenario is just a scam to get the consumer's money.
- You receive a cashier's check for something you sold on eBay, but for an amount in excess of the purchase price. The buyer asks you to deposit their check and send — or more often wire transfer — the difference. Weeks later your bank informs you that the cashier's check was counterfeit and the money comes back out of your account.

Solution: Con artists who use these schemes can easily avoid detection. When funds are sent through wire transfer services, the recipients can pick up the money at other locations within the same country; it is nearly impossible for the sender to identify or locate the recipient. If anyone sends you a check for the wrong amount, ask for a corrected one. Don't offer to return the difference, and avoid wire transfers, which have few safeguards or assurances if something goes wrong. Best bet? Don't accept checks at all: Use payment services like PayPal.

4. Internet pets. While it's certainly possible to deal with a legitimate breeder online, be especially careful when buying puppies long distance. As with anything you buy online, they could be non-existent. But even if they're real, you could be supporting a puppy mill (a business designed to generate profits at the expense of humane treatment). Know who you're dealing with: investigate before you invest. In addition, don't ever give an animal as a surprise gift. At the first of every year, the Humane Society is full of puppies and kittens given as unwanted gifts.

Solution: Be skeptical of independent sellers on sites like Craigslist, and check things out before you buy any pet online. If you're buying online because the price seems too good to be true, it probably is. Don't ever surprise anyone with an animal. And most important: why would you pay for a puppy or kitten, when dozens are waiting for you at your local animal shelter? Save some money while you save a cute and innocent life.

5. Counterfeit Merchandise. Buying generic is one thing. Buying counterfeit is something else entirely. There are two places where you're almost certain to confront counterfeit merchandise: on the sidewalks of major cities, and online. The U.S. government just last week shut down 82 websites selling counterfeit goods. Things that are commonly counterfeit are expensive brands of everything from golf clubs to clothing to watches.

Solution: "If it sounds too good to be true, it probably is" bears repeating. Only buy from trusted websites or from sellers who will show you the merchandise first, or otherwise provide evidence that they're legitimate.

[Source: MoneyTalksNews Brandon Ballenger article 8 Dec 2010 ++]

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112th Congress Schedule: The incoming Republican majority unveiled a 2011 House calendar that deviates considerably from next year's Senate calendar. The 112th Congress will convene 5 JAN. There's no official

date set for the State of the Union address, but the night of 25 JAN seems like a solid bet. The House GOP has set 8 DEC 2011 as a target adjournment date; Senate Democrats long ago gave up on the notion of setting even a straw-man adjournment date. But the two chambers have very different plans for their time off beyond a shared recess week in February, two weeks off at the same time surrounding Easter in April and the same five-week August break. These are the recesses planned next year:

- Week of Jan. 17 (MLK Day) for the Senate only
- Week of Jan. 31 for the House only
- Week of Feb. 21 (Presidents Day) for both chambers
- Week of March 21 for both chambers
- Weeks of April 18 and April 25 for both chambers (Passover begins the evening of Monday, April 18; Easter Sunday is April 24)
- Week of May 16 for the House
- Week of May 30 (Memorial Day) for the Senate
- Week of June 6 for the House
- Week of June 27 for the House
- Week of July 4 (Independence Day) for the Senate
- Week of July 18 for the House
- Week of Aug. 8 through Labor Day, Sept. 5, for both chambers
- Week of Sept. 26 for both chambers
- Week of Oct. 17 for the House
- Week of Oct. 24 for the Senate, which has nothing noted on its calendar after that
- Week of Nov. 7 for the House
- Week of Nov. 21 (Thanksgiving) for the House

[Source: CQ Roll Call Daily Briefing 8 Dec 2010 ++]

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Vet Cemetery California Update 10: Veterans in the San Diego area now have a national cemetery to call their own. The Miramar National Cemetery offers in-ground gravesites for caskets and cremated remains as well as a columbarium across its 313 acres. Miramar provides a final resting place for the 235,000 Veterans living in the area. Information on VA burial benefits can be obtained from national cemetery offices, from the VA's Burial and Memorial Benefits webpage <http://www.military.com/sitemap> or by calling VA regional offices at 800-827-1000. To make burial arrangements at the time of need at any VA national cemetery, call the National Cemetery Scheduling Office at 800-535-1117. Information about the Miramar National Cemetery is available by calling the Fort Rosecrans National Cemetery office at 619-553-2084. [Source: Mil.com Veterans Report 6 Dec 2010 ++]

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Military Retirement Locations: According to a study released 6 DEC and conducted with the help of Military.com and Sperling's BestPlaces, a private research firm, Waco and Oklahoma City, Okla., were the top places to retire in the U.S. for military retirees and their families. The study is said to be the first of its kind. The metro areas were chosen for their low housing costs, relatively stable local economies, favorable crime rates as well as nearby access to military bases and universities, according to USAA and the participating companies. Proximity to military installations and veterans' hospitals is important to retirees because they're eligible to obtain health care at military medical facilities and discounts at commissaries and base exchanges. Access to colleges and universities is important because many retirees want to take advantage of tuition aid available under the G.I. Bill and enhanced

Post 9/11 G.I. bill to earn advanced degrees and retrain for civilian careers, said June Walbert, a certified financial planner with USAA. States that don't tax military pensions also ranked highly. Texas was heavily represented among the top 10 cities; the state's economy is relatively robust at the moment and avoided some of the worst of the recent housing collapse. In the Northeast, Pittsburgh, Pa. and Syracuse, N.Y. also made the list. No West Coast cities made the grade because of relatively few military bases there and high housing costs. "It is not terribly affordable and the number of bases on the West Coast is limited," said Bert Sperling, president of Sperling's BestPlaces. There were about 2 million military retirees in the United States in 2009, according to USAA, 28% of them retired officers and 72% enlisted persons. For additional info on the following overall top 10 places for military retirement refer to <http://www.military.com/finance/usaa-best-places-to-retire/2010/>

1. **Waco, TX** - Waco earned its No. 1 ranking with high scores in a number of categories. Its reasonably priced housing helps military retirees find an affordable home, and Waco boasts a number of picturesque older neighborhoods. The area has low unemployment and a strong economic base consisting of small to mid-sized manufacturers in a variety of industries offering solid opportunities to start a new career. Fort Hood is within an hour's drive, offering excellent commissaries and base exchanges. In addition, a VA medical center also is located in Waco, as is Baylor University which provides all the sports, artistic events, lectures and resources of a well-respected college. Dallas is 100 miles to the north, offering all the attractions of a world-class city, while Waco's numerous lakes in and around the area provide enjoyment during the summer. An added benefit is that the state of Texas does not tax federal pensions.

2. **Oklahoma City, OK** - Population: 1,215,611 / Median Home Price: \$128,000 / Military Installation: Tinker AFB. Homes are affordable and the economy is solid, even in these challenging times. The nearby city of Norman is home to the University of Oklahoma, with many educational, recreational and cultural resources. Tinker Air Force Base is located within the metro area offering a large commissary and exchange, plus there is a VA hospital center located in Oklahoma City. However, Oklahoma is the only state in the list of top 10 places which taxes federal pensions.

3. **Austin/Round Rock, TX** - Population: 1,659,140 / Median Home Price: \$180,000 / Military Installation: Fort Hood (Within 57 miles). Austin has the reputation as a hip and quirky place, due in part to the 50,000 students at the University of Texas, located in the heart of the city. Like other Texas metros in the top 10 rankings, federal pensions aren't taxed, and Austin housing has managed to remain fairly affordable. As a larger metro area, Austin offers the retiree more arts and culture, trendy restaurants and mass transit. It has a reputation as one of the most progressive cities in the U.S., with "green" initiatives and thoughtful urban design. One drawback for the military retiree is that access to benefits and amenities such as base exchanges, commissaries and a VA medical center are all 60 miles away.

4. **College Station/Bryan, TX** - Population: 208,481 / Median Home Price: \$111,400 / Military Installation: Fort Hood (Within 89 miles). The College Station-Bryan metro area has a low cost of living and has avoided the housing issues seen in much of the United States. In addition to no taxes on federal pensions, the local economy is stable, due in part to the presence of Texas A&M University, with 45,000 students. Sports are a huge part of Texas A&M's culture and their teams are some of the best in the nation. And, as with any large university, there is a steady selection of lectures and concerts by world leaders, famous personalities and performers. There are no military bases in the College Station metro area, but excellent commissary and exchange amenities are available to the military retiree at Fort Hood, which is 90 miles away. The nearest VA medical center is in Temple, which is a 66-mile drive. College Station is centrally located with easy access to major Texas cities like Austin (85 miles), Houston (100 miles) and Dallas (150 miles) for big-city amenities like shopping, fine dining and museums

5. **Harrisburg/Carlisle, PA** - Population: 533,812 / Median Home Price: \$144,200 / Military Installation: Carlisle Barracks. The Harrisburg-Carlisle metro area is about 100 miles west of Philadelphia, which offers a wide variety of

resources to military retirees with its big-city amenities and cultural opportunities. Carlisle is home to a small military installation — the Carlisle Barracks. While it offers a medium-size commissary and modest exchange, the installation is conveniently located. The Harrisburg metro area also boasts a low crime rate, quality health resources and affordable home prices. In addition, Pennsylvania doesn't tax federal pensions and the nearest VA medical center is about 30 miles away in Lebanon. One downside is the lack of a major university, though the area has a number of smaller colleges and a system of two-year community colleges.

6. **San Angelo, TX** - Population: 107,660 / Median Home Price: \$88,500 / Military Installation: Goodfellow AFB. Originally a frontier fort, the city retains that western character along with a Spanish/Mexican influence. The city is a commercial, health and cultural center for the surrounding region and is home to Goodfellow Air Force Base, which offers high-quality amenities for military retirees such as a commissary and base exchange. While there is a VA clinic on the base, the nearest VA medical center is over 125 miles away in Kerrville. Like other metros in central Texas, federal pensions are not taxed, home prices are low and the economy is stable with low unemployment. Local industries include light manufacturing, with some oil and gas development. San Angelo also is home to Angelo State University, which has 6,000 students and is included as one of the Princeton Review's list of Best Colleges in the U.S.

7. **Madison, WI** - Population: 558,913 / Median Home Price: \$216,500 / Military Installation: Fort McCoy (Within 91 miles). Madison has low unemployment, a healthy lifestyle, recreation and cultural opportunities and all the benefits from being home to the University of Wisconsin. Home prices are the most expensive of the places in the top 10, but are still generally affordable and have held their value well during the recent downturn. There is a local VA medical center, but military retirees will need to travel a few hours (90 miles) to Fort McCoy in Sparta to shop at their commissary and exchange. Federal pensions are not taxed in Wisconsin.

8. **Pittsburgh, PA** - Population: 2,340,213 / Median Home Price: \$116,400 / Military Installation: Carlisle Barracks (Within 144 miles). Pittsburgh has met the challenge of transitioning from an aging steel town to a modern community, with the benefit of all the infrastructure from its former life as an important industrial hub. It is home to the University of Pittsburgh and Carnegie Mellon University, and its mature, affordable neighborhoods provide plenty of affordable choices for the retiree. There is a strong cultural scene and Pittsburgh has no less than three professional sports teams to cheer. One downside is that the nearest military base with a commissary and exchange is 150 miles away, but there is a local VA medical center.

9. **New Orleans/Metairie/Kenner LA** - Population: 1,148,994 / Median Home Price: \$157,800 / Military Installation: New Orleans NAS. While some areas of New Orleans continue to recover from Hurricane Katrina, there are many housing options available, and the overall economy is stable. New Orleans is home to well-respected Tulane University, as well as two professional sports teams. And, everyone will agree that the culture of New Orleans is one of the most interesting and unique in the world. Military retirees also will enjoy no taxation on their federal pensions and the commissary and exchange at New Orleans Naval Air Station. In addition, they can access health care at the VA medical center in Biloxi, which is about 90 miles away, as well as at the local VA medical center when it is scheduled to reopen in 2013.

10. **Syracuse, NY** - Population: 643,298 / Median Home Price: \$125,200 / Military Installation: Fort Drum (Within 80 miles). The large metro area of Syracuse has a low cost of living, with a stable economy and affordable housing that has avoided the national meltdown of home prices. The city is home to well-known Syracuse University, which provides the local residents with educational, sports and cultural activities. The nearest shopping resources for the military retiree is 80 miles away at Fort Drum, but there is a local VA medical center. And New York has no state tax on federal pensions.

[Source: Veterans Today Michael Leon article 7 Dec 2010 ++]

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Tax Tips 2010: The filing deadline is four months away but if you plan before the year's over, you can lower your current tax bill. There are a lot of strategies for year-end financial planning, and they're designed for people with differing incomes and situations. Here are some things to think about right now to make the new year less taxing:

1. You can take up to a 30% tax credit – for a maximum of \$1,500 – on certain energy-efficient home improvement purchases. This includes insulation, doors, windows, heating and air conditioning systems, and water heaters. The credit ends with the year, though, so make that purchase before 31 DEC if you want it to qualify. And if you've used this credit before, be careful: The \$1,500 is cumulative, not per year. Read more about this tax credit at EnergyStar.gov.

2. Now is the best time to convert a regular IRA to Roth because there's currently no income limitation – it used to be capped at \$100,000 – and you can split the tax bill for converting between 2011 and 2012. This expires on New Year's Eve, so take advantage if it's right for you.

3. Use your flexible spending plan to buy as many over-the-counter medications as you can now, because the healthcare overhaul means no OTC meds through FSAs starting in 2011.

4. You can also get a write-off by selling losing investments. You can deduct up to \$3,000 of losses against current income. Once again, that's a limited time government offer: It's only good through 31 DEC, so act now to dump bad investments.

5. It's the season for giving, and that can help you with taxes, too. When it comes to charitable donations, try to donate appreciated stocks instead of cash – you'll get a deduction for the current value, not what you originally paid. You get a higher deduction this way, and it's also more cost-effective than selling the stock, paying taxes on it, and then donating the proceeds. If you don't have a stock certificate or cash, use a credit card. That way, you can take the deduction this year and pay the bill next year. Regardless of what charity you give to or the form of donation keep the following in mind to make sure you don't get Scrooged by the IRS...:

- **Right charity, right tax form.** Records won't matter if the charity isn't legit. As the Illinois CPA Society succinctly puts it, "Contributions of any kind are not deductible unless the donation is made to a qualified charity." So how do you find out who's qualified? The IRS has a section of its website dedicated to helping you find out. But generally this means an organization that files taxes as a 501(c)(3) organization, or a church. Political parties and candidates are not qualified organizations. You also have to itemize your deductions on Form 1040, Schedule A. If you don't itemize, you can't deduct your contributions.
- **Your time isn't money to the IRS.** Many charities call a donation of your time precious, but the IRS calls it worthless. Even if you work professionally as, say, a cook for \$15 an hour, and you spend four hours preparing dinner for the homeless, you can't deduct \$60 of your taxes – despite the fact you can prove beyond a shadow of a doubt the value of your time. But you can deduct out-of-pocket expenses you incur while donating your time, such as food, hotel, airfare, tolls and other travel costs. For 2010, the IRS says you can deduct 14 cents per mile driven in service of charitable organizations.
- **Be careful donating used stuff.** Cleaning out your attic doesn't mean cleaning up on your tax return. The IRS says, "Clothing and household items donated must generally be in good used condition or better to be deductible." If you're unsure whether your item qualifies for a tax deduction, then consider this: if you would give it to a relative or friend, then the item is most likely in good condition and is appropriate to donate. Also, the IRS says your donations have to be useful and not just valuable. As to the value you

should place on your donated stuff, Goodwill offers a list of prices at which they typically sell stuff in their stores as a guide at http://docs.goodwill.org/alfresco/d/d/workspace/SpacesStore/f23927e7-06f1-4261-ac59-d7e5dc00f95b/Donation_Valuation_Guide.pdf. For a similar guide from the Salvation Army refer to http://www.salvationarmyusa.org/usn/www_usn_2.nsf/vw-dynamic-arrays/D477340FFA28755C8525743D0049D1EF?openDocument. For more details, see IRS publication 561.

- **Keep receipts.** It doesn't matter how little you give, the government wants a record of it. So you need a receipt or a canceled check. If you donate more than \$250 in cash or property, you need written acknowledgment from the organization that includes the amount of cash or a description of any property you contributed, including a good faith estimate of value.
- **Be honest and on time – or else.** If you deduct more than fair market value (simply the price a willing buyer would pay a willing seller) or you make your donation after 1 JAN but claim it on your 2010 taxes you could get audited.

[Source: MoneyTalksNews 28 Nov 2010 ++]

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POW Network PX: Head's Up! We were forwarded a copy of the following letter to the VA Inspector General requesting an investigation of alleged illegal access of private vet information. Bear in mind that at this point this only an allegation which if acted on by the VA IG will disclose the integrity of this 501c3 EDUCATIONAL organization founded in 1989. Comments should be forwarded andreas229@aol.com:

VA Inspector General:

As the POW/MIA Chairman for the Disabled American Veterans, State of Florida I ordered from a company named POW Network POW/MIA related items. Part of my responsibilities include POW flag dedication ceremonies, raising awareness, etc. I had the misfortune of ordering items from POW Network (www.pownetwork.org) where I was billed for items that I did not receive. I contacted Chuck and Mary Schantag and was ridiculed, cursed at and told to go expletive myself. After investigating these individuals, I see that the IG previously investigated (http://www.offe2008.org/public_html/archives9.htm) the practices of these individuals.

There are countless complaints pertaining to this company as they seem to have connections within the Veterans Administration, boast about it and have read that anyone that complains against Chuck and Mary Schantag than make their contact within the VA and than post and proceed to defame the individual the individual who complains. Well, it happened to me, now I am the victim....I recontacted the Schantag's and was advised by Chuck and I quote verbatim "go fu_k yourself, I found out that you are 70% service connected veteran, unemployable and will post everything about you on the internet, you piece of sh_t and call Paypal and tell them never to sell you anything anymore." He became enraged and threatening when I told him that I had the receipts to show what I had ordered and not received and billed for. He hung up on me. Please note the days prior, I attempted to contact about my refund and they hung up on me also.

How did they know that I am 70% and have been deemed unemployable by the Veterans Administration???? My Medical records are restricted record as a patient at the West Palm Beach VAMC as I was once a VA employee before my disability. These people knew nothing about me nor did they care until I complained that I did not receive the full order that I received. I have disputed the charge through Paypal.

Yet, the Schantag's continue to follow their vicious pattern of illegally gaining access to personal information which is a federal offense. These individuals act as though they are acting on behalf of the VA in addition to the Department of Defense. They do NOT have my Power of Attorney, therefore I am demanding that an investigation be performed regarding the release of private information to this illegal company who attempts to get over by attempting to use strong arm, illegal tactics. This is unacceptable, especially since they have been investigated in the

past. All because I placed an order for POW flags so I may dedicate them to the local schools and now I am dealing with scam artists having access to my private records. Please investigate accordingly.

Frank Anthony Plescia
2010 Bonisle Circle
Palm Beach Gardens, Florida 33418
561-845-9341
POW/MIA Chairman, State of Florida
5th Area Committeeman
Disabled American Veterans

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VA Hospitals Update 06: The Veterans Affairs Department is “raising the bar” for its healthcare centers by providing online tools so veterans can compare how well the VA’s 153 hospitals perform, with the ultimate goal of spurring further improvements at those facilities. Acute care, patient safety and intensive care are the principal areas targeted by the tools, which veterans and their families can access through the Linking Information Knowledge and Systems (Links) dashboard at VA’s Hospital Compare Web site <http://www.hospitalcompare.va.gov>. The dashboard shows the relative strengths in traffic light colors of hospitals in these three areas, as well as the areas that need improvement, at the national, regional and local hospital level, said Dr. Robert Petzel, VA’s under secretary for health. For example, VA measures the percentage of veterans who smoke and what steps have been taken to help them stop smoking, such as cessation classes, counseling and medications.

Another dashboard system called Aspire documents the quality and patient safety goals in specific measures, as well as VA’s progress in performing them from local to national levels, he said in an announcement 23 NOV. The goal for veterans with high blood pressure is to manage it with blood pressure readings less than 140/90, for example. The measure shows the current percentage of veterans accomplishing that objective. VA measures some health data in the Links and Aspire systems that other health systems do not evaluate. VA often sets its standards and goals higher than the benchmarks in other systems, such as scoring hospitals as red, or underperforming, with more than a 30% difference from achieving the objective. Similar to the Hospital Compare Web site of private sector facilities at the Centers for Medicare and Medicaid Services, VA’s Web site also tracks the mortality rates and readmissions after 30 days from discharge and best treatments for congestive heart failure, heart attack and pneumonia. [Source: Government HealthIT Mary Mosquera article 29 Nov 2010 ++]

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Mojave Desert Veteran Memorial Update 08: The judge in the long-running dispute over a memorial cross on federal land in San Bernardino County's High Desert has set a 12 JAN hearing to review discussions on settling the case. Senior U.S. District Judge Robert Timlin has also turned down an effort by a veterans group to intervene in the case, court records show. The cross on Sunrise Rock in the Mojave National Preserve near Baker has been the subject of a national debate over whether the religious symbol should be allowed on public land. In May, the Supreme Court allowed the cross to remain while Timlin revisited the legality of a land swap meant to situate it on land owned by a California post of the Veterans of Foreign Wars. The Mojave Cross was stolen shortly after the ruling, and it has not been replaced. At the most recent court session, on 25 OCT, records show Timlin was told by attorneys for the U.S. Department of the Interior and the American Civil Liberties Union that settlement discussions were under way. Timlin then set the January date.

In denying intervention by the Veterans of Foreign Wars in the 9-year-old case, Timlin noted in his 22 OCT decision that the land-swap proposal started with 2003 legislation, and legal proceedings on the issue began the next year. "The land exchange statute," Timlin wrote, "has been exhaustively litigated." He also said a VFW intervention would introduce a new issue of defining the land swap property boundaries, and cause further delays in resolving the matter. The land swap was engineered by Rep. Jerry Lewis, R-Redlands, and approved by Congress. The Mojave Cross was erected in 1934 as a memorial to soldiers killed in World War I. The ACLU represents Frank Buono, who objected to it. They say it violates the Constitution's ban on government endorsement of any religion. Proponents of the cross say the memorial is meant not as a religious symbol, but was erected by a group of veterans who wanted to honor their fallen brethren. [Source: Riverside Press-Enterprise Richard K. De Atley article 1 Dec 2010 ++]

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Arlington National Cemetery Update 18: The Army has launched the first criminal investigation into the misplacement of remains at Arlington National Cemetery after discovering the cremated remains of eight people dumped in a single grave site there. Unlike past burial problems, which could have been caused by human error, the discovery of eight urns in a single grave site marked "Unknown" is "not likely a mistake," said Christopher Grey, spokesman for the Army's Criminal Investigation Command. "It demanded an investigation to determine if there's any criminality involved in the burials." The urns were found in October, but the discovery was not announced until 2 DEC.

The investigation comes after a series of revelations that have marred the reputation of the country's most prestigious military burial ground and led to the ouster of its top two leaders. Under pressure from Congress and military brass to figure out what happened at Arlington, cemetery officials flew in a top military forensic anthropologist from Hawaii, a scientist who typically searches foreign countries for the remains of prisoners of war or missing service members. But instead of tramping through jungles in Southeast Asia or historic battlefields in Europe, the anthropologist, whose name was not released, found himself trying to solve a mystery among the meticulously spaced white headstones at Arlington. He helped determine that one set of remains in an urn was unidentifiable, officials said. That urn was reburied in the grave site marked "Unknown." So far, Army investigators have positively identified three of the dumped remains and are notifying those families. Officials are still trying to identify the other remains.

The investigation began in October after Kathryn Condon, director of the Army's National Cemeteries Program, became "aware of questionable practices," she said in a statement. Condon said eight sets of remains were buried under a headstone that read "Unknown," and cemetery records showed that only one set of remains was to be buried there. Grey would not discuss how the remains might have ended up in a single plot or what particular laws could have been violated, saying "that will be determined as we move forward with the investigation." Army regulations state that burials at national cemeteries "are considered permanent" and that absent a court order, disinterments require the approval of the top Army Memorial and Casualty Affairs official and "all close relatives of the decedent." Another law requires all graves in national cemeteries to have an appropriate marker.

The revelation comes after an Army inspector general's report, released in June, that cited widespread problems at the cemetery, including more than 200 unmarked or misidentified graves and at least four urns that had been unearthed and dumped in an area for excess dirt. One of those urns was reburied under a headstone marked "Unknown," the report says. Citing the ongoing investigation, officials would not say whether the eight sets of cremated remains found in October were in that same "Unknown" grave site. The report says that the urns could have been unearthed by accident when ground crews, unaware that someone else was buried there, went to dig a grave. Cemetery experts said it appears that the urns were merely reburied in a mass grave. "I think the likely scenario is they discovered these [remains] and rather than do due diligence and try to assess who they were, they

tried to put them in an unmarked grave," said John Fitch, a senior vice president at the National Funeral Directors Association. "I think the whole notion of how the cemetery was mismanaged over this period of time certainly lends credence to the notion that there was very little responsibility for making sure everyone was buried in the right place."

The latest discovery follows a series of revelations in August, in which one grave site at Arlington was found empty, another contained the wrong remains and a third had two sets of remains, only one of which matched the headstone's name. Those problems were likely caused by human error, officials said. But the burial of eight remains in a single site "is very suspect," Grey said. Since the IG's report, cemetery officials have learned that two more urns were found in 2005 in the same dirt pile as those detailed in the report. In October, Condon spoke with a cemetery contractor who in 2005 came across two other urns that had been unearthened. Tim Langowski, of Frederick, told WTOP radio that he was clearing brush when he found the urn. When he looked inside, Langowski found a plastic bag "that had a small letter and also a picture of a girl that was a cheerleader for a hockey team," he told the station. "She was wearing a blue and white uniform." Two weeks later, a backhoe operator found yet another urn, Langowski said. The urns, he said, were turned over to "the proper authorities." A cemetery spokeswoman said those two urns are believed to be among the eight found in the single grave site in October. [Source: Washington Post Christian Davenport article 3 Dec 2010 ++]

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Tricare User Fees Update 57: Veterans groups and military retirees are among those mobilizing to fight back, in anticipation that the Pentagon will recommend higher Tricare premiums in the president's 2012 budget plan. As part of the social contract between the nation and the all-volunteer military, Tricare is one of the most emotionally charged targets for spending cuts, particularly in a time of war. "The heavy lifting [for this nation] is being done by the military," said Norbert Ryan, a retired Navy admiral who is president of the Military Officers Association of America. "They should be the last ones to give. Don't ignore the service and sacrifice that has earned them that benefit. Don't confuse it with Social Security. Don't confuse it with Medicare and Medicaid." Tricare includes plans that cover uniformed service members, retirees and their dependents, in the U.S. and overseas. Coverage for active-duty troops is largely at no charge. The Department of Veterans Affairs, which provides care for wounded veterans no longer on active duty, or who have service-related disabilities, has a separate budget.

The deficit panel report issued 3 DEC was short on specifics, but a series of draft recommendations called for raising Tricare fees for retirees, a move that would save the Pentagon about \$6 billion in 2015. They noted that around 57% of the people who use Tricare are retirees and their dependents, not active-duty service members. The cost for a military retiree to enroll his family in Tricare Prime, which is similar to a health maintenance organization, is \$460 a year, a rate that hasn't changed since 1995. According to the Kaiser Family Foundation, the average annual premium currently paid by private-sector workers is around \$4,000 a year. In the past decade, the military's health-care budget has more than doubled, ballooning from \$24 billion a year to more than \$50 billion. Mr. Gates has complained health-care costs are "eating the department alive." In 2008, medical care ate 6% of the Department of Defense's funding, according to the Congressional Budget Office. By 2026, these costs are expected to more than double to 13% of spending.

Tricare took a shot across the bow in August, when retired Marine Corps Maj. Gen. Arnold Punaro decried "GM-style fringe benefits" in a speech at the Center for Strategic and International Studies in Washington. Mr. Punaro singled out health-care costs for retired personnel as the primary culprit. The speech rippled through the retired military world. In an interview, Mr. Punaro joked that he was "probably burned in effigy five or six times." The Defense Department has previously attempted moderate increases in premiums and co-pays, but has been met with a furious response from Congress and veterans groups. That coalition of Congress veterans groups may be on less

solid ground now. The arrival in Congress of lawmakers with a mandate to rein in spending has some veterans' advocates nervous, especially after key pro-military members of Congress lost their seats in November. "A lot of people who understood our issues, who are our biggest champions...are gone," said Steve Strobridge, the director of government relations for the MOAA. [Source: WSJ Nathan Hodge article 3 Dec 2010 ++]

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Medicare Reimbursement Rates 2010 Update 17: On 1 DEC Congress "fixed" the Medicare "Doc Fix" problem for one month by passing H.R.5712. As a result, the 1 DEC scheduled 23+% cut in physician payment rates did not go into effect. They had to pay for either by cutting spending elsewhere, borrowing the money, or increasing taxes. Raising taxes is not a consideration at all, and neither is increasing the national debt by borrowing the money. So this one month extension will be paid for by a new policy that reduces Medicare payments for multiple therapy services provided to patients in one day. In addition to redirecting the funds saved, the measure would reduce from 25 % to 20% the discount rate used under the policy to provide relief to affected therapists.

On 9 DEC, the House passed legislation allowing military families and retirees covered under Medicare and TRICARE to continue seeing their regular doctors. The Senate approved the bill the day before. The bill, the 2010 Medicare and Medicaid Extenders Act, amends the Medicare physician payment formula -- which also sets payment levels for TRICARE -- to allow doctors enrolled in the programs to receive current levels of compensation through the end of 2011. If the House had failed to pass similar legislation, a 25 % cut to Medicare and TRICARE physician payments would have taken effect on 1 JAN 2011. "With a double-digit payment cut, some doctors would stop seeing Medicare and TRICARE patients," Sen. Chuck Grassley, (R-IA), said in a statement on 8 DEC. Grassley is ranking member of the Finance Committee, the panel that has jurisdiction over Medicare. "This bipartisan legislation will help ensure that older Americans and military families can continue to get quality health care," he added.

To maintain the 2010 levels of compensation for Medicare and TRICARE doctors, the bill amends the current policy for overpayments of the health care affordability tax credit. Under the current policy, individuals and families who receive an overpayment are required to return a fixed amount (\$250 for individuals and \$400 for families) regardless of income bracket. The proposed legislation would require paybacks based on the income bracket of the recipient. "I'm encouraged that we were able to work together in a bipartisan way and protect access to care for America's 45 million Medicare beneficiaries in a fiscally responsible manner," Minority Leader Mitch McConnell (R-KY), said in a statement. Senate Majority Leader Harry Reid (D-NV), also applauded the Senate's vote as a bipartisan victory. "This bipartisan agreement gives peace of mind to seniors and military families in Nevada and across the nation," Reid said in a statement.

The bill, now awaiting President Obama's signature, also extends the life of a number of provisions including Transitional Medical Assistance -- allowing low-income families to keep Medicare coverage for a limited time after finding a job that makes them ineligible for coverage -- and the Special Diabetes Program, which provided funding for research on the prevention and cure of type 1 diabetes. An extension of protections for rural hospitals and doctors is included in the bill as well. [Source: TREA Washington Update and GovExec.com Norah Swanson articles 3 & 9 Dec 2010 ++]

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GI Bill Update 87: The price of improving the 1-year-old Post-9/11 GI Bill may be the death of the 24-year-old Montgomery GI Bill. The tradeoff is part of a package of changes to the new GI Bill program that

advocates are trying to ensure does not increase the government's overall costs. Most veterans wouldn't miss the Montgomery GI Bill and its flat rate monthly benefit because they can get more money under the new GI Bill, which pays tuition, fees, a living stipend and book allowance. Still, some students are better off today under the old program, such as those attending schools in low-cost areas where tuition is discounted or free for veterans. The Montgomery GI Bill also has been useful to veterans because it covers apprenticeships, on-the-job training and vocational training excluded from the original Post-9/11 GI Bill. However, one of the proposed improvements to the Post-9/11 GI Bill is to extend coverage to include these non-college courses. Under the compromise unveiled 18 NOV, Montgomery GI Bill payment rates would be frozen at current levels and new enrollments in the program would cease 1 OCT 2012. Those already enrolled in the program would be allowed to continue using their benefits, which are available for up to 10 years after separation from the service.

The new attempt at balancing improvements and costs is part of an effort to get a bill passed soon. A previous version has run into a legislative roadblock because the Congressional Budget Office placed a \$1.3-billion price tag on the measure. One of the other cost-cutting measures in the new proposal is to lower a proposed nationwide cap on tuition and fee payments for private and foreign schools. The version of the GI Bill reform legislation passed by the Senate Veterans' Affairs Committee in August created a \$20,000 cap, but the new plan, drawn up with approval from veterans advocacy groups, would set the cap at \$17,300. Higher payments are possible for students attending schools that take part in the Yellow Ribbon program, in which the Veterans Affairs Department and school split the cost for providing an additional benefit. The changes are being made to a package that tries to simplify GI Bill benefit calculations and apply benefits more fairly by allowing National Guard and reserve members to count more active-duty time toward earning benefits, and to be more specific about limitations on using more than one education program at a time.

Dean Ferguson, a spokesman for bill sponsor Rep. Walt Minnick, (D-ID) said the hope is that the cost-neutral package of changes could jump-start the stalled legislative process so the bill could pass by the end of the year, allowing VA to begin planning for changes. Minnick, who lost his re-election bid 2 NOV, had discussed the compromise with Rep. Bob Filner (D-CA,) the House Veterans' Affairs Committee chairman, to see if Filner is willing to schedule a vote on the measure, but has not received a commitment. Filner aides did not respond to questions, but congressional sources who spoke on condition of anonymity said they do not expect the committee to act. The panel's Democratic membership was decimated by the 2 NOV elections — 13 of 18 were defeated — making it difficult to get them to return in the current lame-duck session of Congress. If the compromise, which has bipartisan support, does not pass this year, the current proposal would expire. Veterans advocates would have to find another sponsor to reintroduce it next year. **(Note: Military Times Copyrighted material - Not authorized for reproduction on any website or website accessed newsletter. However, it can be forwarded via email in personal communications.)** [Source: NavyTimes Rick Maze article 6 Dec 2010 ++]

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GI Bill Update 88: The Congressional Budget Office has reported that the new version of the "Veterans Benefits Improvements Act of 2010," S.3447, will save \$734 million over 10 years. Previously, the bill was projected to cost \$2.3 billion over the same period. The savings were achieved by reducing the guaranteed amount for veterans who attend private colleges from \$20,000 to \$17,500 a year. Cost-cutting measures in the bill also included tying the housing allowance to course load. A veteran who takes 6 credit hours would get 50% of the housing benefit - 12 hours would earn 100% of the subsidy. Also, the VA would be the "payer of last resort" for student-veterans who have other sources of public and private financial aid including scholarships and loans (except Pell Grants). Veterans who enroll in public colleges will continue to have all their tuition and fees paid. Improvements incorporated into the new version include:

- Benefits for National Guard members ordered to state active duty (Title 32)

- Vocational, OJT and apprenticeship training, flight training, and other types of non-degree training.
- A housing stipend for full-time online (distance) learners.
- A book allowance for servicemembers and their spouses enrolled while on active duty.
- An upgraded subsistence allowance for disabled veterans using Vocational Rehabilitation and Employment (VRE) program benefits.
- Coverage for multiple licensure and certification tests.
- Authority to let USPHS and NOAA Corps officers transfer benefits to family members

With the CBO score in hand, Veterans Affairs Committee Chairman Daniel Akaka (D-HI) and Senate Majority Leader Harry Reid (D-NV) have urged quick passage of the measure under a procedure known as "hotlining." Under the hotline procedure, if no Senator places a "hold" on the bill, the measure is adopted. But prospects for final action are uncertain, as the House also would have to pass the measure before the lame duck session ends. [Source: MOAA Leg Up 10 Dec 2010 ++]

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GI Bill Update 89: For-profit colleges are reaping hundreds of millions of dollars in federal higher-education aid for military personnel and veterans, a Democratic senator reported 9 DEC. The money represents a fast-growing source of revenue for an industry now scrutinized because of allegations that its students are often overloaded with debt and fail to obtain jobs whose salaries justify the tuition. The colleges reject those claims. Sen. Tom Harkin (D-IA), who issued the report and is chairman of the Committee on Health, Education, Labor and Pensions, said the funding trend "raises serious questions about the share of military educational benefits that go to for-profit schools that have very poor outcomes." Eighteen education companies examined by Harkin's staff were on track to receive about \$175 million in Defense Department aid in 2010, up from \$40 million in 2006. The companies were projected to receive \$286 million this year through the Department of Veterans Affairs, Harkin said, up from \$26 million in 2006. Republicans, who have often defended the industry, said all sectors of higher education – public and private – deserve closer scrutiny. Retired Army Col. Garland Williams, an associate regional vice president with the for-profit University of Phoenix, said Harkin drew the wrong conclusions. He said that if the university did not offer "a high-quality education, I wouldn't be doing it." The Education Department is considering regulations to force for-profit colleges to show that their graduates obtain "gainful employment." Some federal aid could be cut off for those that fail to meet proposed standards. The industry is fighting the plan. [Source: Washington Post Nick Anderson article 10 Dec 2010 ++]

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Stolen Valor Update 28: A senior noncommissioned officer with the North Carolina National Guard will be leaving the service a stripe lighter as a result of a Guard and Army investigation into his wearing unauthorized unit patches, tabs, decorations and badges. Officials would not offer details on the actions of former Command Sgt. Maj. John Letuli, but a retired Green Beret who had been pressuring for the investigation since SEP 09 said he is outraged that the Guard and the Army appear to be letting Letuli retire with just "a slap on the wrist." Retired Master Sgt. Jeffrey "JD" Hinton said he has written Sen. John McCain (R-AZ) the top Republican on the Senate Armed Services Committee, hoping for a congressional inquiry into how the Army and North Carolina Guard handled their investigation of Letuli, including why he is not being more seriously disciplined.

The investigation was launched after Hinton published photos of Letuli on his website, Professionalsoldiers.com. In one photo, Letuli is wearing a Special Forces patch and tab on his BDUs; in another, he is in Class As, wearing the Purple Heart and Soldier's Medal ribbons, and a Military Freefall Badge, or "HALO wings" -- none of which he earned. As a result of the investigation, Letuli is in the process of retiring, but as a

master sergeant, not a command sergeant major. "Punishment has been dispensed," Maj. Matthew Handley said in a 22 NOV e-mail. "The [punishment's] nature and severity I am not in a position to divulge." Letuli is currently assigned to the 139th Regiment of the North Carolina National Guard. Because he was on active duty at the time the allegations surfaced, First Army Division East based at Fort Meade, Md., took the lead in the investigation, Handley said. Hinton, founder of ProfessionalSoldiers.com -- an online forum geared toward the Army spec ops community - - said he began looking into Letuli's patches, awards and decorations after a Soldier deployed to Iraq sent him a photo of Letuli with other command sergeants major. Hinton said the Soldier became suspicious of Letuli after asking him some questions about Special Forces that the senior NCO would not answer.

Hinton, who is a retired Green Beret, said he contacted people in the active-duty Special Forces community for information. "I sent the picture to Special Forces Command and they came back immediately and said, 'he's not SF,'" Hinton said. At that point, he began using the Freedom of Information Act to secure copies of official records, including a listing of Letuli's assignments, decorations, medals and badges.

The record does not list a Purple Heart or Soldier's Medal. It notes Letuli has a basic parachutist badge, but not the Military Freefall Badge. Hinton said he's angry that Letuli appears to be retiring with full benefits, with only the loss of one stripe as punishment. "He needs to be court-martialed and thrown out," Hinton said. "How does an E-8 or E-9 get away with this, with only a slap on the wrist? I don't get it."

[Source: Military.com Bryant Jordan article 29 Nov 2010 ++]

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Stolen Valor Update 29: Before receiving a one-year prison sentence 1 DEC David M. Perelman said he deserved whatever punishment the judge chose to impose. "I take full responsibility for everything I've done," Perelman said. "I brought not only dishonor to the military but to my own family." The Las Vegas man said he was "deeply sorry" for his actions, which included fraudulently obtaining a Purple Heart and about \$180,000 in disability benefits. U.S. District Judge Kent Dawson sentenced the defendant and gave him until Feb. 4 to surrender to prison. Perelman, 57, was a Veterans Affairs employee when a federal grand jury indicted him in OCT 09. He pleaded guilty in August to theft of government funds, a felony, and unlawful wearing of a service medal, a misdemeanor. The case against Perelman is the first known prosecution in Nevada under the Stolen Valor Act of 2005, which outlawed false claims of military honor.

Critics say the act violates free speech rights, and the 9th U.S. Circuit Court of Appeals recently declared the law unconstitutional in a separate case. But Dawson ruled that the circumstances in Perelman's case differed from those in the 9th Circuit case. The judge did, however, allow Perelman to retain his right to appeal the constitutionality of the Stolen Valor Act. Assistant Federal Public Defender Rene Valladares said he plans to pursue the appeal. In court Valladares argued that Perelman deserved a sentence of probation. The lawyer said Perelman is the son of a career serviceman who died in 2000. He described Perelman's father as a strict disciplinarian who subjected his son to physical and psychological abuse. "His father always thought that he was basically a wimp," Valladares said. "His father always thought that he was basically a coward." Nevertheless, the lawyer argued, Perelman grew up to be a decent individual. The judge noted that Perelman had expressed his willingness to accept whatever punishment he deemed appropriate. "In so doing, he will have demonstrated that he is not a coward, or a wimp, that he is willing to accept the consequences of his actions," the judge said.

According to the defendant's sentencing memorandum, Perelman enlisted in the Air Force at the age of 18. After being sent to Vietnam, the realities of war and the responsibilities of service were too much for him, and he was administratively discharged from the military only nine months after enlisting. Perelman claimed he had been wounded in Vietnam. In fact he accidentally shot himself in the right thigh in 1991. Based on fraudulent documents submitted by Perelman, the Air Force awarded him various medals, including a Purple Heart, in 1994. The following

year, Perelman applied for Veterans Administration disability benefits. Retired Army Col. Bill Olds, a Vietnam War veteran and two-time Purple Heart recipient, attended Perelman's sentencing with two other Purple Heart recipients. Olds, a Las Vegas resident who works as a private contractor in Iraq and Afghanistan, recalled meeting Perelman once. He said the man deserves prison time. Valladares estimated that Perelman will serve about 10 months of his sentence after receiving credit for good behavior. [Source: Las Vegas Review-Journal Carri Geer Thevenot article 4 Dec 2010 ++]

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Federal Pay Update 01: President Obama said his new budget will propose freezing federal civilian pay for the next two years (2011 and 2012) as an effort to shrink the growing federal deficit. It would target the annual across-the-board pay raise and locality adjustments, but would not extend to step increases and bonuses. The president expressly exempted military pay raises. As it stands the military will receive at least a 1.4% pay raise in 2011, and it is expected the administration's budget will include a 1.6% pay increase in 2012. In reaction to the president's announcement, House Majority Leader Steny Hoyer (D-MD) quickly said the freeze should also extend to troops in uniform. The president's proposal "would have produced significantly more savings had that sacrifice been shared between federal civilian and military personnel," said Hoyer in a statement, "with a strong exception for the members of our military and civilian employees risking their lives on our behalf in Afghanistan, Iraq, and anywhere else they are serving in harm's way."

Anyone who implies that military people are coming up short on any scale of shared sacrifice hasn't been paying attention for the last 10 years while military members and families have been forced to absorb 100% of our national sacrifice - while the rest of America has been urged to contribute to the war effort by "going shopping." And how exactly is one supposed to exempt only people serving in war zones from a pay freeze?

- Create a new and separate pay table for the deployed?
- Take back the raise when they return home?
- Do you get a raise if you're in Iraq on January 1, but not if you don't deploy until January 10 or if you came back on December 31?
- Do you give a raise to the person who embarks on a first tour in Iraq on January 1, but not to the person who just returned from a fifth tour in December?

Our wartime military is already off the scale in any comparison of relative sacrifice, and anyone who implies they're somehow trailing anyone else in America on that count needs a serious reality check. Should you wish to weigh in on this issue the Majority Leader's Web comment site can be found at www.majorityleader.gov/content/email-leader . [Source: MOAA Leg Up 3 Dec 2010 ++]

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Military Funeral Disorderly Conduct Update 16: A wounded veteran was charged 2 DEC with targeting members of a fundamentalist church infamous for protesting at soldiers' funerals. Ryan Newell of Marion Kansas faces five misdemeanor counts after he allegedly followed members of the Westboro Baptist Church after a protest at a Mulvane school. The 26-year-old veteran allegedly was armed with an M4 rifle, a .45-caliber Glock pistol and a .38 Smith and Wesson pistol when he was arrested in the Wichita City Hall parking garage. He is being held on a \$500,000 bond. Newell, who lost both his legs in a roadside bomb explosion in Afghanistan, was formally charged with intentional conduct causing fear to a person or family, falsely representing himself to be a law enforcement officer, and three counts of unlawfully carrying a concealed weapon. He did not have an attorney at his court appearance via video link from the jail. His trial was tentatively set for 12 DEC and in the interim has been released so he could get treatment at the VA hospital. The family-dominated church from Topeka, Kan., is known

for its protests across the nation with signs like "Thank God for Dead Soldiers" and "God Hates the USA" to express their view that U.S. deaths in Afghanistan and Iraq are God's punishment for American immorality and tolerance of homosexuality and abortion. In October, the U.S. Supreme Court heard oral arguments in a case that pits the rights of a father of Marine killed in Iraq to grieve privately against the First Amendment rights of church members to say what they want.

Sedgwick County Sheriff Robert Hinshaw said one of his detectives observed a vehicle driven by Newell that appeared to be following members of the church and stopped it. Newell initially told the officer he was providing security for church members and he was allowed to go. Shortly after, the detective stopped the van carrying the Westboro members and learned they did not know Newell. The detective stopped Newell again and then released him after he told the detective he was a reserve law enforcement officer in Marion County. After returning to the courthouse, the detective found that Newell had a revoked driver's license and was not a law enforcement officer, Hinshaw said. The detective went to the city hall where the Westboro group was meeting with city police and checked the city garage. He found Newell's vehicle backed into one of the stalls and arrested him. Shirley Phelps-Roper, the daughter of Westboro pastor Fred Phelps and one of the protestors at the Mulvane demonstration, said violence against church members has been escalating since September of last year, when a bicyclist slashed their tires in broad daylight while the group was demonstrating in Oklahoma. This summer a counter-protestor in Nebraska sprayed them and bystanders with pepper spray, she said. And a window of their van was broken out at a protest at a prayer vigil for a slain Great Bend teenager. [Source Associated Press Roxana Hegeman article 2 Dec 2010 ++]

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Debt Reduction Commission Update 04: Adding detail - but no fundamental policy shifts - to a draft plan floated last month by its chairmen, President Obama's fiscal commission on 1 DEC called for "America's leaders to put up or shut up" and adopt a massive overhaul of taxation, government spending and the social safety net, in order to reduce the nation's mounting national debt. The commission's final proposal was dubbed The Moment of Truth. It includes cuts to both defense and non-defense discretionary spending; comprehensive tax reform; Social Security reform; and health care cost containment. Appearing on Capitol Hill following the release, commission co-chairs Alan Simpson, a Republican, and Erskine Bowles, a Democrat, expressed little hope that Congress will act on the plan's recommendations immediately, or even that the plan would gather the 14 votes on the commission required to guarantee the proposal a Senate vote. But the chairmen warned Washington would be forced to deal with the issue in short order. "Whether we get two votes or 18" on the commission, Simpson said, "this baby ain't going away. Oh sure, it may be buried in an unmarked grave, and soon, but when the votes for the budget and extending the debt limit and debate on that comes up in the spring, this cadaver will rise from the crypt."

Bowles said the commission had "fundamentally changed the debate in America. We've put the debt issue on the map." And he conceded that "I don't like every aspect of this plan. To vote for this plan, each of us will need to tolerate provisions we oppose or previously opposed to reach a compromise." When Simpson and Bowles released a draft document three weeks ago, they were met with indignation and outrage. House Speaker Rep. Nancy Pelosi, D-Calif., called the plan "simply unacceptable." The final plan offers little real change from that proposal, other than more details and some flexibility in rates. Perhaps most importantly, the final proposal adds emphasis on the importance of economic growth to deficit reduction. It pledges to delay major spending cuts until 2012 to allow the economy more time to recover, and it floats an idea to further spur growth: asking Congress to consider a temporary payroll tax holiday, originally proposed by the Bipartisan Policy Center's unrelated Domenici-Rivlin commission, to encourage consumer spending.

Still, the basic concept of the plan's attack on the deficit remains the same. It begins with a modest increase in the overall tax burden, softened by a broad tax reform that knocks out most tax breaks and reduces tax rates at every level. It then calls for an increase in the retirement age for Social Security -- which would save tens of billions of dollars over the next decade alone -- and more changes aimed at slowing the growth in health care costs. The commission goes further than the president's stated goal of reducing the deficit to 3% of gross domestic product, instead whittling it down to 2.3% of GDP by 2015. It caps revenue and spending, meanwhile, at 21% of GDP each. More specifically the plan:

- Recommends the immediate implementation of fundamental tax reform and the elimination of nearly all of the 150-plus tax expenditures, with a few exceptions: the earned income tax credit, the child credit, mortgage interest deductions (but only for primary homes), employer-provided health insurance credits, retirement savings and pensions credits, and charitable giving deductions. Itemized deductions would be eliminated, and capital gains and dividends would be taxed at ordinary rates.
- Cuts tax rates across the board, reducing the top rate to between 23% and 29%. Originally, the co-chairs recommended establishing three rates at 15, 25, and 35% percent. Their proposal to implement a 15 cent-per-gallon fuel tax hike within the next five years remains unchanged.
- Streamlining the corporate tax rate with the rate necessarily falling between 23 and 29%, down from the current top rate of 35%. The plan suggests a 28% rate in its illustrative proposal, a 2-point increase over the chairmen's mark proposal. Meanwhile, a territorial system would be established for foreign-owned companies with U.S. subsidiaries, allowing them to keep foreign profits. All tax deductions and expenditures for businesses would be eliminated.
- Calls for discretionary spending to return to pre-crisis 2008 levels in 2013, while freezing spending in 2012 at 2011 levels and constraining spending growth to half the rate of inflation through 2020. It would cut non-war defense spending at the same rate as non-defense spending, while war spending would fall under the responsibility of the president, who would be required to propose annual limits.
- Adds details on how to reduce federal health care spending, which were noticeably absent in the initial Simpson-Bowles proposal. They include changing how Medicare pays doctors, scrapping a long-term care insurance plan created by President Obama's signature health care bill, overhauling medical malpractice litigation, and chipping away at Medicare and Medicaid costs through a variety of measures.

The final proposal still lacks specifics on how to control upward-spiraling health care cost increases throughout the economy - the biggest driver of long-term budget deficits, according to the Congressional Budget Office. The commission's boldest attempt to control those costs is by eliminating the tax exemption for employer-paid health benefits, which many economists say would help reduce costs by forcing individuals to shoulder more of the burden of their health-care choices. The retirement age would be raised to 69 from 65 in order to rein in Social Security spending to ensure the program's solvency. More generally, the plan proposes budget process reforms to encourage accountability in the budgeting process. The plan faces opposition from both liberals and conservatives. Republicans remain implacably opposed to any increase in the overall tax burden. Democrats, meanwhile, oppose cuts in domestic programs and are even more militant about imminent cuts in Medicare. Under the panel's charter, any recommendation to Congress needs the support of at least 14 members. But that threshold has always been viewed as unrealistic, given the intense party polarization in Congress. Current House and Senate lawmakers make up 12 of the panel's members. [Source: National Journal Katy O'Donnell/Jim Tankersley/ Clifford Marks article 1 Dec 2010 ++]

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Debt Reduction Commission Update 05: The President's Deficit Commission on 1 DEC revealed its final plan for reducing federal spending. The plan would cut federal spending nearly \$4 trillion by 2020, and reduce the nation's debt to 60% of Gross Domestic Product by 2023. The final vote on the plan has been

postponed until 3 DEC as co-chairs Alan Simpson and Erskine Bowles unsuccessfully tried to convince 14 of the 18 members to agree on the plan - the number required to bring the commission's recommendations up for a vote in Congress. Surprisingly, the commission plan was silent on most of the proposals previously highlighted by its two co-chairs for dramatic spending cuts affecting military health care, retirement, and commissaries. Instead, it proposed a general requirement for significant cuts in defense spending, leaving particulars to be developed. But the report recommended creating yet another commission to propose reform of both military and federal civilian retirement systems.

One dramatic new commission proposal would impose significant restrictions on Medicare supplement plan coverage - including TRICARE For Life for military Medicare-eligibles. Under this plan, TFL, federal civilian coverage, and other Medicare supplements would be required to have a \$500 first-dollar deductible, and would be limited to covering 50% of the next \$5,000 of coverage. In essence, it would require many Medicare-eligibles to incur additional costs of \$3,000 per person per year. Some additional proposals were:

- Repealing the alternative minimum tax, capping deductible mortgage interest at \$500,000 for a primary residence, and eliminating itemized deductions
- A freeze on federal civilian pay for 3 years and a 200,000 federal civilian workforce cut
- Overhaul Medicare; pay for the "Doc fix", and reduce fraud
- Raise the Social Security retirement age to 69 by 2075; increase the payroll tax to cover 90% of wages, and adopt changes to the consumer price index to suppress COLA growth.

The plan ultimately only gained the support of 11 of the 18 commissioners - not enough to force a congressional vote on the plan and perhaps because of that the commission declined to take a final vote before they adjourned for the final time. But even that degree of support surprised many observers, and the bipartisanship among the supporters was even more surprising. The plan is endorsed not only by co-chairs Simpson and Bowles, but also Kent Conrad (D-ND) and Judd Gregg (R-NH), the current Democratic chairman and senior Republican on the Senate Budget Committee, and Senators Tom Coburn (R-OK) and Mike Crapo (R-ID). President Obama has said he will consider including selected commission recommendations in his February budget submission to Congress, and both Conrad and incoming House Budget Committee chairman Paul Ryan (R-WI) asserted they would include some of the proposals in their respective draft congressional budget resolutions next spring.

On a parallel course the Debt Reduction Task Force, which is a bipartisan committee formed by President Obama and chaired by (retired) Senator Pete Domenici, is recommending cutting military retirement cost in half by making three changes to impact on military personnel with less than 15 years of service.:

- Instead of drawing retirement pay/benefits immediately after completing active duty, retirement pay would not start until age 57.
- Instead of calculating retirement pay/benefits on the highest three years of basic pay (as most active members are now under), the highest five years of consecutive service would be used as a multiplier.
- Instead of using the current formula for calculating cost-of-living (COLA) adjustments for retirees, a new, more austere COLA formula would be adopted for military and federal civilian retirement pay and social security payments

[Source: MOAA Leg Up 3 Dec 2010 ++]

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DoD Benefit Cuts Update 08: Proposals to raise VA health care fees for some veterans in efforts to curb federal budget deficits, causes some to conclude that veteran benefits are under attack. Bernard Rostker, former under secretary of defense for personnel and now a senior fellow at the RAND Corp., has a more optimistic perspective on how America cares for and compensates its wartime veterans. For more than a year Rostker has

researched what will be a two-volume study on the treatment of veterans and their survivors, going back to before the Revolutionary War, with a special focus on wounded warrior care. His original premise, he said, was that veterans' care and benefits today reflect a deeper attachment to the force, the result of moving from a military of conscripts after the Vietnam War, to a more professional force comprised of volunteers. But as he completed volume one, covering the Colonial era through World War II, Rostker said he found the premise to be wrong. Much of what's being done today for veterans of the all-volunteer force is "rediscovering" what's been done before.

One exception, he said, are the unprecedented resources aimed at the invisible mental wounds, reflecting more medical knowledge, the nature of current wars and an attitude shift, even since the Persian Gulf War. Otherwise, the infusion of money and staff for veterans' care and benefits fits an historical pattern, Rostker said, noting the nation's deep appreciation for those who fight for country and suffer wounds or illness. Other patterns emerge, Rostker said. Government support tends to deepen with budget surpluses. Benefits tend to improve as veterans age, their ranks thin out, and enhancements become more affordable. Wars bring change too. The Department of Veterans Affairs budget has more than doubled since U.S. troops invaded Afghanistan in OCT 01 -- from \$51 billion then to \$114 billion in the fiscal years that ended 30 SEP. VA spending is set to climb another 10% this year, to \$125 billion. Vet groups laud a 25% rise in VA spending since President Obama took office. Some contrast that largess to the Bush administration difficulty in JUN 05 when it had to request a \$2 billion supplemental for VA to meet pressing health care obligations. Some veterans groups had called the original budget that year "tightfisted, miserly" and "woefully inadequate."

Rostker avoids such comparisons. But his research might inform cost-conscious politicians about the perils of scrimping on veterans. President Franklin Roosevelt made such a misstep, he said, while trying to pull the nation out of the Great Depression. At his urging, Congress in 1933 passed the Economy Act, which cut deeply into veterans' benefits. Roosevelt told the American Legion convention "the mere wearing of a uniform" in war should not entitle a veteran, and later his survivors, to a pension for disabilities incurred after he left service. The backlash was strong enough that the following March, Congress overrode Roosevelt's veto and restored most benefits it had cut a year earlier. The Continental Congress in 1776 first recognized responsibility for wounded veterans, voting to authorize half pay for life to anyone who lost a limb or their ability to earn a living due to the revolution. By 1805 Congress approved pay for disabilities developed years after a veteran left service. By 1818, with federal coffers flush with tariff money, the Department of War gave pensions to anyone who served in wartime, not just disabled. Ten years later Congress settled complaints of Revolutionary War veterans by granting 850 surviving officers and soldiers full pay for life.

Rostker noted too that in 1833 Congress first approved "concurrent receipt" -- payment of both an "invalid pension" and service pension. In 1836, Congress extended pension eligibility to widows and children of Revolutionary War veterans, adding enormously to the cost. The last spouse eligible for that Revolutionary War pension died in 1906, Rostker said. The Civil War Pension Law of 1862 was viewed as the most generous any government had ever adopted, Rostker said, allowing disability payments for injuries or ailments incurred as a direct result of service. It set up a medical screening system, though reliance on hometown doctors led to rampant fraud and soon a purging of the rolls, Rostker said. Payments to surviving spouse and children could exceed what veterans got. The last Civil War pensioners lived well into the 20th Century.

The study will span newer, more controversial periods including Gen. Omar Bradley's reform of the VA after World War II, Korea and Vietnam and Gulf War Syndrome. Through history, Rostker said, "you see the generosity in many ways. You see it in the amount of money given, in the change of eligibility standards. And recently in the understanding of the mental aspects of conflict." To comment, send e-mail to milupdate@aol.com or write to Military Update, P.O. Box 231111, Centreville, VA, 20120-1111. [Source: Colorado Springs Gazette Tom Philpott article 30 Nov 2010 ++]

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USAA Phishing Scam: Military banking and insurance company USAA is warning customers of a phishing scam: an authentic-looking email that asks for members' sensitive information because of the supposed release of a new "confirmation form." USAA members have reported receiving an email informing them of the release of a new USAA confirmation form. Readers are instructed to log on through a link and give their personal information, to include: online ID, password, name, USAA card number, expiration date, security code, pin, and/or email address. Although the email looks authentic and includes a USAA logo, it is not. USAA does not ask for any personal or account information via email, including PINs or passwords. Valid USAA websites use Extended Validation (EV) certificates which are an authentication method that turns the web address bar green, helping to confirm that you are visiting a legitimate website. With EV certificates it's more difficult for an imposter site to appear authentic. If there is a problem validating the website, the address bar will be yellow or red. If you are suspicious about any emails or websites claiming to be from USAA, they ask that you notify them immediately at abuse@usaa.com. For more tips about phishing, refer to the Federal Trade Commission's OnGuard Online website <http://www.onguardonline.gov>. [Source: BBB Military Line 15 NOV 2010 ++]

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National Veterans Golden Age Games: More than 700 "golden age" Veterans from the East Coast to the West and from the Pacific islands will travel to Hawaii to participate in the nation's largest sporting event for senior military Veterans. The 25th National Veterans Golden Age Games, a national sports and recreational competition sponsored by the Department of Veterans Affairs (VA), Veterans Canteen Service and Help Hospitalized Veterans, will take place 26-31 MAY 2011, in Honolulu. Events at the games are open to all U.S. military Veterans age 55 or older, who are currently receiving care at a VA medical facility. Hosted by the VA Pacific Islands Healthcare System, the games will have 14 competitive events, including swimming, cycling, horseshoes, bowling, croquet and air rifles.

A leader in rehabilitation, VA offers a spectrum of health care services to military Veterans. The games have grown from 115 participants its first year to more than 700 in 2010. It is the only national multi-event sports and recreational seniors' competition program designed to improve the quality of life for all older Veterans, including those with a wide range of abilities and disabilities. It is one of the most progressive and adaptive rehabilitative senior sports programs in the world. The 2011 games begin with a gala opening ceremony 26 MAY at Kuroda Field. Competitive events run from 27-31 MAY. The National Veterans Golden Age Games serve as a qualifying event for competition in the National Senior Games in a number of competitive events. The National Senior Olympics are a community-based member of the United States Olympic Committee and recognize senior athletes as the best athletes in their respective age groups in the United States. For more information about the National Veterans Golden Age Games and other VA national rehabilitation programs, refer to VA's web site at <http://www.veteransgoldenagegames.va.gov>. [Source: VA News Release 30 Nov 2010 ++]

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Identity Theft Update 10: Able to fit in an identity thief's palm or masquerade as a pen in a shirt pocket, a tiny battery powered "skimmer" is emerging as the newest threat to bank accounts. "It's almost like being pick-pocketed, but you still have your wallet," said Assistant Harris County District Attorney Ed McClees. "It's something that can be done with sleight of hand, without the person even knowing it has been done." In addition to scimmers in the hands of would-be conspirators, they also can be placed on ATMs and gas stations to capture information during a legitimate transaction. The skimmer is set up as a small hood on the real reader so the card is

seen by both. A hidden camera records the PIN entry so a fraudulent card can be used at any ATM. The tiny digital devices can collect and hold information from hundreds of cards then can be easily downloaded and transferred worldwide over Internet black markets. With the holidays approaching, authorities are warning consumers to stay vigilant by regularly checking their accounts online, keeping receipts from where they shop and watching who handles their card.

Authorities estimate that dozens of store clerks and servers are arrested every year in Houston. Authorities are reluctant to quantify how often skimming happens, however, because one waiter at one restaurant can skim hundreds of numbers. There also are cases of identity theft that may have involved skimmers but cannot be traced or were not reported, investigators said. "What we catch is a fraction of what happens," McClees said. Secret Service special agent Marvin Wright said consumers generally are victimized 24 to 48 hours after the number is compromised. "That information can then be encoded on a lost, stolen or counterfeit credit card and used anywhere in the world," Wright said. Possessing a skimmer is not a crime, but having one with stolen numbers is, he said. Attorneys and other legitimate small-business owners may use skimmers every day. If used illegally, the amount of information in the memory determines the degree of the charge, ranging from misdemeanors to first-degree felonies, which can carry a maximum punishment of life in prison.

In July, four women who ate together at a Houston chain restaurant all discovered fraudulent charges on their bank accounts. When they alerted police, they recalled that their waitress took a long time with their cards. When police questioned her, the woman cooperated and said she was approached and given a gift card to skim cards at her jobs. She also worked as a cashier at a big box retailer. Police set up a sting days later in which the woman asked for another skimmer, scanned five cards that had been set up with accounts for fraud investigations and returned it to the identity thief who lived in a Houston motel. Prosecutors arrested the man for debit card abuse and forgery, accusing him of using the data to create credit cards to buy \$100 gift cards. Identity thieves enlist friends, neighbors and other contacts to get more numbers, said John Brewer, chief of the Harris County District Attorney's identity theft section. [Source: Houston Chronicle Brian Rogers article 22 Nov 2010 ++]

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VA HIV Care Update 06: The human immunodeficiency virus (HIV) was first discovered 30 years ago, and some of the first cases of HIV/AIDS (acquired immunodeficiency syndrome) were diagnosed by VA clinicians. Since then, VA has been a leader in HIV care and has made significant strides in treatment of Veterans infected with the virus. VA is the largest provider of care in the country to those living with HIV, serving more than 24,000 Veterans with the infection. In JUL 2010, the White House released the National HIV/AIDS Strategy to strengthen and coordinate a national response to the domestic HIV/AIDS epidemic, identifying VA as one of the lead federal agencies in the implementation of the plan. VA is responding by increasing its outreach for HIV testing, ensuring that all Veterans with HIV receive high-quality care, and continuing to reduce any health disparities. VA has recently simplified its HIV testing policy, making HIV testing of all Veterans part of routine care with the goal of having all Veterans tested at least once. To promote this effort, VA has launched a campaign to educate both providers and Veterans about the benefits of routine HIV testing in all Veterans regardless of age, gender, race, or ethnicity.

HIV in older patients is of particular interest in VA; because more than 66% of Veterans in care with HIV are over the age of 50. Mortality from HIV-related illnesses has been greatly reduced. People with HIV can now expect to live longer, healthier lives if they have access to and are adherent to antiretroviral therapy for their HIV infection. "Because half of those living with HIV infection in the United States will be 50 years or older by 2015, we must prepare now to care for these individuals, who are likely to experience a greater burden of disease from non-HIV related illnesses," said Dr. Amy Justice, section chief of general internal medicine in the VA Connecticut Healthcare

System. VA is a leader in research on HIV and aging through the large-scale Veterans Aging Cohort Study run by Dr. Justice.

VA has all 23 FDA-approved medications available for HIV patients, and VA providers follow federal treatment guidelines. VA monitors HIV care in its health care facilities through its National HIV Clinical Case Registry (CCR). Data from the CCR show that 91% of Veterans with HIV who are candidates for antiretroviral therapy are currently on treatment and more than 96% of newly HIV positive Veterans were linked to care within 90 days of diagnosis. Significant progress in HIV diagnosis, treatment, and research has been made at VA. The department has been a leader in HIV care for the nation for decades and will continue to strive to provide excellent care to all Veterans infected with the virus. For more information on HIV/AIDS care in VA, refer to www.hiv.va.gov. [Source: VA News Release 1 Dec 2010 ++]

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Dietary Supplements Update 01: The Institute of Medicine (IOM) has published new calcium and vitamin D recommendations for healthy Americans. Vitamin D is essential for promoting calcium absorption in the gut and maintaining the blood calcium and phosphate levels needed for bone growth and maintenance. Together with calcium, it helps protect older adults from osteoporosis. Much recent attention has focused on vitamin D because studies suggest that it may play a major role in the prevention of cancer and several other diseases. There has also been widespread concern that Americans are not getting enough. However, the new IOM report concludes:

- Aside from bone health, current evidence does not support other benefits for vitamin D or calcium intake.
- The amount of calcium needed after infancy ranges from 700 to 1,300 milligrams per day, depending on age.
- Most Americans up to age 70 need no more than 600 international units (IU) per day of vitamin D.
- People 71 and older may require as much as 800 IU per day because of potential physical and behavioral changes related to aging. Higher levels have not been shown to confer greater benefits and have been linked to other health problems.
- Except for institutionalized elderly and dark-skinned people, most Americans are getting enough vitamin D.
- The number of people with vitamin D deficiency in North America may be overestimated because many laboratories that measure blood levels appear to be using standards that are much higher than the IOM report considers appropriate.

The new report, Dietary Reference Intakes for Calcium and Vitamin D, can be read online or purchased at a discount from the National Academy Press Web site. <http://www.iom.edu/Reports/2010/Dietary-Reference-Intakes-for-Calcium-and-Vitamin-D.aspx> [Source: Consumer Health Digest #10-48, 2 Dec 2010 ++]

\$250K Settlement

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Pennsylvania Veterans' Homes Update 04: The Pennsylvania state Department of Military and Veterans Affairs agreed to pay \$250,000 to settle the negligence and wrongful death lawsuit filed by the family of a retired Philadelphia police officer who froze to death after wandering from a state veterans home. Harold C. Chapman Jr., 75, who suffered from dementia and Alzheimer's disease, wandered away from the Delaware Valley Veterans Home at 5:30 p.m. 31 DEC 07. A surveillance camera recorded Chapman walking unnoticed past a security desk, wearing pajamas. No one noticed Chapman's absence for two hours, even though employees were supposed to monitor him, an internal investigation found. His body was discovered the next morning. The body lay only a few hundred yards from the home. The temperature that night fell below freezing and an icy rain blanketed

the Philadelphia area. An autopsy listed hypothermia as the cause of death. Chapman's daughters charged that workers at the home were negligent and distracted because of plans for a New Year's party. A state Health Department inspection report cited the home for failing to take timely action, "resulting in actual harm and death to the resident." Records show several staffers were reprimanded or suspended. One aide quit rather than undergo questioning, and state officials later learned he previously was convicted of stalking. One of six state-operated nursing homes for veterans, the 130-bed Delaware Valley Veterans Home implemented procedures to prevent a recurrence, according to agency officials. [Source: Pittsburgh Tribune-Review Walter F. Roche article 27 Nov 2010 ++]

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VA Women Vet Benefits Update 02: House leaders postponed a debate scheduled for 29 NOV on a measure that would require Department of Veterans Affairs facilities to display a so-called 'Women Veterans Bill of Rights' amid Republican concerns over abortion and the addition of language on injured and amputee veterans. The Women Veterans Bill of Rights (H.R.5953) legislation contains language which would establish a list of 24 rights for women veterans of the armed services. The rights women veterans should have according to the bill include the rights to health care and health care providers. Although that sounds innocuous, the rights could then be used as a basis to require funding for abortion and access to abortion at veterans facilities in much the same way ObamaCare contained little or no prevention of abortion funding. The Department of Veterans Affairs (VA) does not currently do abortions and abortions are currently excluded from the VA health benefits package, because abortion is excluded from the scope of general reproductive health care under the law that guides the department. But that exclusion does not extend a prohibition to other authorities created by earlier or later legislation and this bill could lay the groundwork and legal precedent for the VA to provide abortions in the future.

The legislation contains a right to coordinated, comprehensive, primary women's health care that could provide a legal basis to require funding for abortion because this language would be in conflict with current policy. Also, a right to a primary care provider who can meet all her primary care needs, including gender-specific could be used to mandate access to abortionists at every VA health facility. The right to 'innovation in care delivery' raises concerns about the provision of telemed abortions through which abortion pills are dispensed without a physician present. That has been a concern of pro-life advocates ever since Planned Parenthood president Cecile Richards visited an Iowa affiliate and said the state's first-in-the-nation approach is an eventual nationwide model. The bill's 'right to request and get treatments by clinicians with specific training and experience in women's health issues' could be a used as grounds to demand access to an abortion provider and could create a funding conflict as well because it implies a right to have abortion paid for. The legislation also contains rights to 'Gender equity,' 'equal access' and 'parity' which could also give rise to abortion access and funding demands.

Although debate was postponed the bill was voted upon and passed 30 NOV by the House. On 1 DEC it was received in the Senate and read twice and referred to the Committee on Veterans' Affairs. The legislation, which is ceremonial but could have lasting policy ramifications, would direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights. The measure is sponsored by California Rep. Russ Filner, a pro-abortion Democrat. [Source: LifeNews.com article 30 Nov 2010 ++]

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Saving Money: A sweater you buy for Christmas goes on sale for half price the next day. You might be able to get the difference back if you paid with a credit card. The fine print in cardholder agreements often includes a number of protections overlooked by shoppers. Taking a minute to understand them could help you decide when to use credit instead of cash or debit. If you can't locate a copy of your cardholder agreement or find the language too dense, call customer service to ask about the benefits that interest you. Be sure to get a full rundown on the terms

and conditions too, since they can be extensive. There are usually deadlines for making claims and caps on how much money you can recover per claim. Here are five relatively common protections:

1. Extended warranty.

How It Works: It's tempting to pay for an extended warranty when making a big purchase. But you may already have comparable coverage through your credit card.

Card companies often extend coverage on purchases for up to one year depending on the terms of the original warranty. American Express gives an extra 90 days of coverage on a 90-day warranty. For a four-year warranty, the extension is for a year.

The cardholder generally has to make the claim. Some banks let gift recipients make claims as long as they have all the necessary documentation, such as the store receipt, a copy of the appropriate credit card statement and the original warranty.

Watch For: The extended warranty provided by the store or manufacturer may be more comprehensive or last longer than the one offered by your card issuer, notes Bill Hardekopf, CEO of LowCards.com.

2. Price protection.

How It Works: You splurge on an expensive gift for your spouse, only to see it heavily discounted a week or two later. Even if the store won't credit back the difference to you, your card company might. With the Chase Sapphire card, shoppers can get the price difference back for up to 90 days. That's far more than most retailers allow. In addition to the original receipt, however, you'll need proof of the lower price, such as a sales circular or printed advertisement.

Watch For: The protection usually doesn't apply toward close-out sales and other special discounts.

3. Purchase protection.

How It Works: This is protection for customers if an item that doesn't come with a warranty breaks or is stolen. It typically lasts for a couple months after the purchase is made. Depending on the situation, your bank might offer to replace an item, pay for its repair, or credit the amount of the purchase back to your account. There's usually a cap on the amount you can be reimbursed for. A police report may be needed to file claims for stolen items. Lost items generally aren't covered. Antiques and collectibles usually aren't covered either.

Watch For: If the theft or damage can be covered by your homeowner's or auto insurance, the card issuer might require you to file a claim with those places first.

4. Return protection.

How It Works: If the deadline to return a purchase to the store passes, your credit card issuer might give you some extra time. Many card issuers accept returns for 90 days after purchase as long as the item is still in new condition. There are generally caps on the value. American Express refunds up to \$300 per purchase and cardholders are capped to \$1,000 a year. Card holders generally need to ship the item to the card issuer, which then sells it online or elsewhere through a third party.

Refunds are generally credited to the account within two weeks or less if all the information is provided.

Watch For: You may need to pay to ship the item to your card issuer.

5. Car rental insurance.

How It Works: The cost of renting a car is often far higher than advertised because of all the add-ons at the counter. You may be able to knock at least one of those extras off the bill. If you have a trip planned soon, it's worth calling your bank to see if you're covered in case of an accident. It's one of the more common protections offered on credit cards.

Watch For: The insurance provided by a card issuer may not be as comprehensive as you think. The insurance may cover against collision or theft, but not accident liability if you're sued.

[Source: Military.com | Money Matters 3 Dec 2010 ++]

Notes of Interest:

- **DADT.** It appears that until the economy improves there is not much chance Don't Ask - Don't Tell policy will be repealed. Sen. John McCain of Arizona, the ranking Republican on the Armed Services Committee and the leading opponent of an immediate repeal said on Meet the Press, "I will not agree to have this bill go forward, and neither will, I believe, 41 of my colleagues, either, because our economy is in the tank."
- **Call Cards.** Military families must sign up by 22 DEC at goo.gl/voicemilitary if they want \$10 call credits at no cost being offered by Google through a partnership with Sesame Street and Blue Star Families. The \$10 credits will provide about 30 minutes of call time to Afghanistan, 60 minutes to Iraq, or hundreds of minutes to countries in Europe and around the world. There are no time constraints in when the credit can be used, and all calls must be made from the U.S.
- **Vet Disruptive Patients.** On 16 NOV after "months of discussion, the Veterans Affairs Department issued final rules...for dealing with disruptive patients" at its "hospitals and clinics. When outbursts or behavior jeopardizes health and safety, a written order restricting access to the facility may be issued, but it would be narrowed for patients so that VA could still attempt to provide treatment."
- **Pearl Harbor Assn.** The group's numbers have dropped so low, the possibility of shuttering it was discussed at the Honolulu convention. Association President Art Herriford on 6 DEC said about 100 members decided against disbanding. Instead, the association will have four district directors around the country instead of eight. Out of 60,000 servicemembers on the island during the attack, the association estimates only about 3,000 survivors still participate in chapters scattered across the country.
- **English.** Dozens of Filipino hospital workers in California sued their employer Tuesday alleging they were the sole ethnic group targeted by a rule requiring them to speak only English. The group of 52 nurses and medical staff filed a complaint accusing Delano Regional Medical Center of banning them from speaking Tagalog and other Filipino languages while letting other workers speak Spanish and Hindi. Under California law, employers may require workers to speak English if there is a business necessity.
- **HVAC.** Congressman Jeff Miller (R-FL-01) has been elected Chairman of the House Committee on Veterans' Affairs. The Committee on Veterans' Affairs is responsible for authorization and oversight of the Department of Veterans Affairs (VA.) VA is the second largest department in the federal government with over 300,000 employees and a budget of over \$119 billion. Since being elected to Congress in 2001, Miller has established himself nationally as a strong advocate for veterans' concerns including his successful support for changes to concurrent pay receipt and his advocacy of a greater co-sharing between the military and veterans' facilities. In 2004, Miller spearheaded a measure to remedy the inequity in the Survivor Benefit Plan (SBP) for Social Security recipients. A staunch fiscal conservative, Miller aims to bring efficiency and a streamlined approach to the Department of Veterans Affairs. Miller plans for a return to strict oversight, focusing on issues such as claims backlogs as well as safety and security breaches within the department.
- **GI Bill.** The Montgomery GI Bill full-time payment rate increased to \$1,426 for the 2011 fiscal year. Eligible veterans and servicemembers could receive more than \$51,000 in total benefits over 36 months.
- **Gold Star Wives.** This week the Senate passed a resolution designating 18 DEC as a day to honor and recognize the contributions of the members of the Gold Star Wives of America, Inc. The VSO, founded in World War II with approximately 10,000 members, provides service, support and friendship to the widows and widowers of military personnel who died on active duty or as the result of a service-connected cause. GSW's is a member of both The Military Coalition (TMC) and the National Military Veterans Alliance (NMVA).

- **Patriot Express.** A business loan program for veterans is being renewed for three more years, according to the U.S. Small Business Administration. Patriot Express, a streamlined pilot loan product based on the agency's SBA Express program, offers an enhanced guaranty and interest rate on loans to small businesses owned by veterans, reservists and their spouses. In three-and-a-half years, the program has provided roughly \$560 million in loan guarantees to nearly 7,000 veterans to start or expand small businesses. The loans are available for up to \$500,000. Patriot Express launched 28 JUN 07, to expand upon more than \$1 billion in loans SBA guarantees annually for veteran-owned businesses across all its loan programs. Refer to www.sba.gov/patriotexpress.
- **Assurity Financial Services.** Colorado's attorney general "is suing Englewood business Assurity Financial Services for allegedly deceptive advertisements, falsely claiming the company was affiliated with the U.S. Veterans Administration and the U.S. Department of Housing and Urban Development." The company "is also accused of misleading customers through mailers they sent out asking people to apply for refunds of their mortgage insurance premiums and escrow accounts. According to a news release the mailers appeared to be from the federal government although Assurity did not have the government's authority to send out official notices."
- **Camp Lejeune Claims.** An official with the Department of Veterans Affairs told members of a community assistance panel in Jacksonville NC that all water claims will be sent to the VA Center in Louisville, Ky. The claims are a way to track the cases and keep the procedure for handling them consistent. It comes after veterans and their families living on the base reported multiple cases of breast cancer and non-Hodgkins Lymphoma. The victims, who lived on the base in the 1950's and 1960's said the illnesses were due to contaminants in the water.
- **VA Oversight.** Newly-named House Veterans Affairs Committee chairman Rep. Jeff Miller (R-FL-01)), said in a phone interview that his main priority heading the panel "will be 'general oversight and investigation of the Department of Veterans' Affairs. 'This is the second largest agency in the federal government and we have had very little, if any, oversight,' he said. Miller said he has spent some time recently studying the agency. 'I'm seeing some areas where spending is being done that I think anyone would agree no one needs to do,' he said."

[Source: Various 1-15 Dec 2010 ++]

Medicare Fraud Update 54:

- **Trenton NJ** - Arnold Jacques, 61, the former medical director of the now-defunct Chambers Mental Health Clinic LLC, a mental health counseling center, was sentenced 29 NOV to three years in state prison and ordered to pay a total of \$49,941 restitution to the Medicaid and Medicare programs. Jacques' sentence was based on his guilty plea to second-degree conspiracy, second-degree health care claims fraud, and third-degree Medicaid fraud. In pleading guilty, Jacques, a medical doctor who practices as a psychiatrist, admitted that between JAN 04 and NOV 05, he conspired with the two co- owners of the Clinic to fraudulently over-bill the Medicaid and Medicare programs. Jacques and his co-defendants, Pedro Acosta, 65, and Osvaldo Morales Sr., 62, caused Medicaid and Medicare claims to be billed under Jacques' Medicaid and Medicare provider numbers even though he did not personally provide the counseling services billed. In addition, among other things, the defendants billed Medicaid and Medicare for longer counseling sessions than those that were actually provided, billed for family counseling in addition to individual sessions for the same patient in the same day, and billed for counseling services that were not rendered at all. Medicaid pays a higher rate for longer counseling sessions and for counseling services provided by a specialist medical doctor as opposed to counselors with lesser licenses.
- **St. Louis MO** - The parent companies of St. John's and an affiliated hospital agreed to pay a \$2.2 million civil settlement and have closed foot clinics at the Springfield hospital and five others. The settlement

followed a federal investigation into Medicare and Medicaid claims. No charges were filed. Foot clinics at St. John's hospitals in Springfield, Lebanon, Aurora and Cassville, St. Francis Hospital in Mountain View and St. John's Mercy Medical Center in St. Louis were closed. St. John's Hospital spokeswoman Cora Scott said hospital officials thought they were following the rules in submitting their bills and that the program, which had been in place in Springfield for 10 years, had been repeatedly audited. She said hospital officials changed their procedures after guidelines for the program changed in AUG 09. The settlement by St. John's parent companies comes more than two years after CoxHealth reached a \$60 million settlement with the Justice Department over Medicare bills. The investigation started in 2009 after a Medicare provider called about licensed practical nurses improperly providing podiatry services. Medicare typically doesn't pay for routine foot care, but from JAN 05 thru MAR 2010, St. John's and the other hospitals allegedly billed for treatment such as trimming toenails and removing calluses that was done by nurses and other employees who were not doctors. Investigators claimed the services were not medically necessary or covered under Medicare.

- **Detroit MI** - Federal agents arrested Maira Suleman, 30, John Thomas, 32, Sherry Prescott, 50; and Myra Jones, 50, 8 DEC as part of an ongoing investigation into a \$14.5 million home health care fraud scheme. The individuals allegedly participated in a Medicare fraud scheme operated out of Patient Choice Home Healthcare and All American Home Care, two Oakland County home health agencies that purported to provide home health therapy services to Medicare beneficiaries that were unnecessary, and/or were never performed, according to the indictment unsealed today. Each was charged with conspiracy to commit health care fraud. Pramod Raval, a 57-year-old doctor who was previously charged with conspiracy to violate the Anti-Kickback Statute, also was charged with conspiracy to commit health care fraud. To date, 21 individuals have now been charged for their alleged roles in a health care fraud scheme. Suleman, Thomas and Prescott allegedly falsified medical records used to justify and/or bill services to Medicare. In addition, the indictment alleged that Jones and several other individuals recruited Medicare beneficiaries for the owners of Patient Choice and All American, paying the beneficiaries kickbacks for their Medicare information and their signatures on documents that detailed physical therapy services that were either never rendered or not medically necessary. The indictment also alleged that Dr. Raval and the owner and operator of Patient Choice, Muhammad Shahab, engaged in a conspiracy where Shahab would pay kickbacks to Raval in exchange for patient referrals and access to Medicare beneficiaries under Dr. Raval's care. Shahab was charged in the original indictment and pleaded guilty on Feb. 25 to conspiracy to commit healthcare fraud. Shahab will be sentenced Feb. 11. Medicare paid Patient Choice and All American more than \$14.5 million for services that were medically unnecessary or not provided between AUG 07 and SEP 09.
- **Washington DC** - Three pharmaceuticals giants have agreed to pay more than \$400 million to settle allegations that they charged Medicare and Medicaid as much as 20 times what some prescription drugs really cost. Under a deal reached by federal officials in Boston, Miami and Washington, D.C., Abbott Laboratories agreed to pay \$126.5 million, while B. Braun Medical Inc. will pony up \$14.7 million and Roxane Laboratories \$280 million. However, none of the firms admitted any wrongdoing as part of the settlement, the latest in a series of similar deals that have netted Uncle Sam \$1.8 billion from the pharmaceuticals industry. Government lawyers began investigating Abbott, B. Braun and Roxane after Ven-A-Care, a Florida home-infusion company, filed "whistleblower" lawsuits against the trio in Boston and Miami federal courts. Under federal law, anyone who knows of scams against the U.S. Government can bring such lawsuits and get a share of any money recovered. Authorities said Ven-A-Care will get \$88.4 million from today's deal. Prosecutors say the three firms overcharged the government by providing false information to the "Average Wholesale Price" list, a database of drug costs that Medicare and Medicaid used to use when reimbursing doctors and pharmacies. Assistant Attorney General Tony West said the list ran on an "honor system" that companies violated so often the industry joked that AWP stood for "Ain't What's Paid." West said putting false prices on the AWP let doctors and pharmacies buy drugs at low prices, then bill the government for higher costs and pocket the difference. The Justice Department said

it has no plans to go after individual doctors and pharmacies in the case, saying that most of the alleged blame lies with the three drug makers.

[Source: Fraud News Daily 1-15 Dec 200 ++]

Medicad Fraud Update 27:

- **Boise ID** -- On 2 DEC the United States Attorney's Office successfully settled a health care fraud lawsuit against speech therapists Matthew Stevens, Michelle Dahlberg, their speech therapy businesses and three hospitals in eastern Idaho. In 2007, Jennifer Putnam brought a "whistleblower" case under the False Claims Act, revealing Stevens' and Dahlberg's scheme. The United States joined Putnam in alleging that beginning in 2001, Dahlberg and/or Stevens and their businesses used unqualified aides when delivering speech therapy services to outpatients of Eastern Idaho Regional Medical Center, Madison Memorial Hospital, and Idaho Falls Recovery Center. The lawsuit alleged that the improperly delivered services were ultimately billed to Medicaid as licensed speech therapy. The lawsuit was settled without admissions of liability. In Idaho, the United States provides approximately 70% of all Medicaid funds. The United States will recover \$2.425 million from this lawsuit. Approximately \$364,425.00 will go to Putnam.

[Source: Fraud News Daily 1-15 Dec 2010 ++]

State Veteran's Benefits: The state of Illinois provides several benefits to veterans as indicated below. To obtain information on these refer to the "**Veteran State Benefits – IL**" attachment to this Bulletin for an overview of those benefits listed below. Benefits are available to veterans who are residents of the state. For a more detailed explanation of each click on "**Learn more about ...**" wording highlighted in blue on the attachment.

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

[Source: <http://www.military.com/benefits/veteran-benefits/illinois-state-veterans-benefits> Dec 2010 ++]

Military History: The Battle of the Bulge (also known as the Ardennes Offensive and the Von Rundstedt Offensive) (16 December 1944 - 25 January 1945) was a major German offensive (die Ardennenoffensive), launched toward the end of World War II through the densely forested Ardennes Mountains region of Wallonia in Belgium, hence its French name (Bataille des Ardennes), and France and Luxembourg on the Western Front. The Wehrmacht's code name for the offensive was Unternehmen Wacht am Rhein ("Operation Watch on the Rhine"), after the German patriotic hymn Die Wacht am Rhein. This German offensive was officially named the Ardennes-Alsace campaign by the U.S. Army, but it is known to the English-speaking general public simply as the Battle of the Bulge, the "bulge" being the initial incursion the Germans put into the Allies' line of advance, as seen in maps presented in contemporary newspapers. The German offensive was supported by several subordinate operations known as Unternehmen Bodenplatte, Greif, and Währung. Germany's goal for these operations was to split the British and American Allied line in half, capturing Antwerp, Belgium, and then proceed to encircle and destroy four Allied armies, forcing the Western Allies to negotiate a peace treaty in the Axis Powers' favor.

The offensive was planned with the utmost secrecy, minimizing radio traffic and moving troops and equipment under cover of darkness. Although ULTRA suggested a possible attack, and the Third U.S. Army's intelligence staff predicted a major German offensive, the Allies were still caught by surprise. This was achieved by a combination of Allied overconfidence, preoccupation with their own offensive plans, and poor aerial reconnaissance.

Near-complete surprise against a weakly-defended section of the Allied line was achieved during heavy overcast weather, which grounded the Allies' overwhelmingly superior air forces. Fierce resistance, particularly around the key town of Bastogne, and terrain favoring the defenders threw the German timetable behind schedule. Allied reinforcements, including General George Patton's Third Army, and improving weather conditions, which permitted air attacks on German forces and supply lines, sealed the failure of the offensive. In the wake of the defeat, many experienced German units were left severely depleted of men and equipment as survivors retreated to the defenses of the Siegfried Line. For the Americans, with about 500,000 to 840,000 men committed and some 70,000 to 89,000 casualties, including 19,000 killed, the Battle of the Bulge was the single largest and bloodiest battle that they fought in World War II. For more detailed history on the aforementioned events refer to the Battle of the Bulge attachment to this Bulletin. [Source: http://en.wikipedia.org/wiki/Battle_of_the_Bulge Dec 2010 ++]

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Military History Anniversaries: Significant December events in U.S. Military History are:

- Dec 16 1864 Civil War: Union forces under General George H. Thomas win the battle at Nashville, smashing an entire Confederate army.
- Dec 16 1950 - Korea: President Harry Truman declares a state of National Emergency as Chinese communists invade deeper into South Korea.
- Dec 16 1998 - Iraq: The United States launches a missile attack on Iraq for failing to comply with United Nations weapons inspectors.
- Dec 17 1777 - Revolutionary War: France recognized American independence.
- Dec 17 1862 - Civil War: General Ulysses S. Grant issues General Order No. 11, expelling Jews from Tennessee, Mississippi, and Kentucky.
- Dec 17 1943 - WWII: U.S. forces invade Japanese-held New Britain Island in New Guinea.
- Dec 17 1944 - WWII: The German Army renews the attack on the Belgian town of Losheimergraben against the defending Americans during the Battle of the Bulge. Within 5 days the 101st Airborne Division is surrounded at Bastogne Belgium.
- Dec 17 1944 - WWII: Battle of the Bulge Malmedy massacre - 90 American 285th Field Artillery Observation Battalion POWs are shot by Waffen-SS Kampfgruppe Peiper.
- Dec 17 1944 - WWII: U.S. approves end to internment of Japanese Americans.
- Dec 17 1969 - The U.S. Air Force ended its "Project Blue Book" and concluded that there was no evidence of extraterrestrial activity behind UFO sightings.
- Dec 18 1916 - WWI: The Battle of Verdun ends with the French and Germans each having suffered more than 330,000 killed and wounded in 10 months. It was the longest engagement of World War I.
- Dec 18 1941 - WWII: Defended by 610 fighting men, the American-held island of Guam falls to more than 5,000 Japanese invaders in a three-hour battle.
- Dec 18 1944 - WWII: The Supreme Court upheld the wartime internment of Japanese-Americans.
- Dec 18 1972 - Vietnam: The Paris Peace talks temporarily fail and President Nixon orders a resumption of full-scale bombing of targets in North Vietnam.
- Dec 19 1777 - Revolutionary War: George Washington's Continental Army goes into winter quarters at Valley Forge PA.

- Dec 20 1941 - WWII: The Flying Tigers, American pilots in China, enter combat against the Japanese over Kunming.
- Dec 20 1989 - Operation Just Cause, the invasion of Panama, begins to oust General Manuel Noriega and replace him with Guillermo Endara.
- Dec 23 1941 - WWII: Despite throwing back an earlier Japanese amphibious assault, the U.S. Marines and Navy defenders on Wake Island capitulate to a second Japanese invasion.
- Dec 24 1814 - War of 1812: Treaty of Ghent signed, ending the War of 1812 between the United States and England.
- Dec 27 1944 - WWII: General George S. Patton's Third Army, spearheaded by the 4th Armored Division, relieves the surrounded city of Bastogne
- Dec 29 1890 - The last major conflict of the Indian wars takes place at Wounded Knee Creek in South Dakota after Colonel James W. Forsyth of the 7th Cavalry tries to disarm Chief Big Foot and his followers.
- Dec 30 1813 - War of 1812: British soldiers burn Buffalo, New York
- Dec 30 1862 - Civil War: The USS Monitor sinks off Cape Hatteras, North Carolina.
- Dec 30 1972 - Vietnam: After two weeks of heavy bombing raids on North Vietnam, President Nixon halts the air offensive and agrees to resume peace negotiations with Hanoi representative Le Duc Tho.
- Dec 31 1942 - WWII: After five months of battle, Emperor Hirohito allows the Japanese commanders at Guadalcanal to retreat.

[Source: Various Dec 2010 ++]

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Military Trivia 18: In the 1 DEC Bulletin there was an erroneous statement concerning the awarding of the Medal of Honor more than once to the same person. What it should have said is that this has happened 19 times. Five of these men were awarded both the Army and Navy Medal of Honor for the same action. Since February 1919, no single individual can be awarded more than one Medal of Honor for the same action although a member of one branch of the armed forces can receive the Medal of Honor from another branch, if the actions for which it was awarded were under the authority of the said branch. The maximum number of Medals of Honor earned by any service member has been two. Recipients of more than one medal have been:

- First Lieutenant/Captain Frank Baldwin USA American Civil War & Indian Wars.
- Major Smedley Butler USMC in Veracruz & Haiti.
- Coxswain John Cooper USN American Civil War.
- Sergeant Louis Cukela USA/USMC World War I (Both awarded for same action).
- Second Lieutenant Thomas Custer USA American Civil War.
- Private/Gunnery Sergeant Daniel Daly USMC Boxer Rebellion & Haiti.
- First Sergeant Henry Hogan USA Indian Wars.
- Gunnery Sergeant Ernest A. Janson USMC World War I (Both awarded for same action. Received the Army MOH under the name Charles F. Hoffman).
- Private John J. Kelly USMC World War I (Both awarded for same action).
- Water tender John King USN Peacetime 1901 and 1909.
- Sergeant Matej Kocak USMC World War I (Both awarded for same action).
- Fireman/First Class Fireman John Lafferty USN American Civil War & peacetime.
- Coxswain/Chief Boatswain John C. McCloy USN Boxer Rebellion & Veracruz.
- Boatswain's Mate Patrick Mullen USN Civil War.
- Corporal John H. Pruitt USMC World War I (Both awarded for same action).
- Ordinary Seaman Robert Sweeney USN Peacetime 1881 & 1883.
- Captain of the Mizzen Top Albert Weisbogel USN Peacetime 1874 & 1876.

- Captain of the Hold Louis Williams USN Peacetime 1883 & 1884.
- Sergeant William Wilson USA Indian Wars

[Source: http://en.wikipedia.org/wiki/Medal_of_Honor#cite_note-60 Nov 2010 ++]

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Military Trivia 19:

- In 1866, by Act of Congress, the African American regiments were established. Originally Congress established two Cavalry regiments, the 9th and the 10th, and four Infantry regiments, the 38th, 39th, 40th, and 41st. In 1869, the 39th and the 40th were reorganized into the 24th Infantry Regiment and the 38th and the 41st were reorganized into the 25th Infantry Regiment.
- African-American units were originally set up to be commanded by white officers and most officers were white. However, some African-American officers did serve. Among them were Henry Flipper, the first African-American graduate of West Point, and William McBryar, who won the Congressional Medal of Honor as a Sergeant and later became a Commissioned officer.
- Although African-American regiments had fought in the Civil War, it was not until their deployment out west that they received their nickname. That nickname can be traced to three plausible explanations. It originated with the Cheyenne, the term actually meant "Wild Buffalo" or, it originated as a term of respect for the fierceness of the 10th Cavalry, or it originated with the Comanche in an 1871 campaign.
- The Buffalo Soldiers faced at one time or another Native American tribes on the frontier inclusive of the Apache, Comanche, Arapaho, Cheyenne, Sioux, Cherokee, Osage, Pawnee, and Choctaw among others. They never had any dealings with the Iroquois which were a confederation of tribes in the Northeastern United States.
- Geronimo was the last renegade Apache leader to surrender to the 10th Cavalry. However, they fought one of the last battles of the Apache Wars well after the surrender of Geronimo in 1886. On 7 MAR 1890, elements of the 10th and the 4th Cavalry encountered renegade Apaches north of Globe, Arizona. A man from each unit would win the Congressional Medal of Honor in the fighting. Sgt. William McBryar's (Company K, 10th Cavalry) citation reads: "Distinguished himself for coolness, bravery and marksmanship while his troop was in pursuit of hostile Apache Indians."
- General John Pershing gained the nickname "Black Jack" for his time serving with the 10th Cavalry as a young lieutenant. Pershing commanded a troop of the 10th Cavalry for over a year in 1895-1896. After this he moved on to West Point. It was at West Point where he earned the nickname. It was given to him by cadets unhappy over his strictness. In 1898 he was once again attached to the 10th Cavalry and was cited for bravery in the charge up San Juan Hill. Throughout his career he was a champion of the African-American soldier. The name that started out derisively became an accolade and term of endearment over the years.
- In the Battle of Tayacoba in Cuba during the Spanish-American War four Buffalo Soldiers were awarded the Congressional Medal of Honor. The battle was an attempt to resupply Cuban rebels fighting against the Spanish. A recon team had been sent ashore and was ambushed by the Spanish. Several attempts were made to rescue the team, all ending in disaster. Finally one last attempt was made by four members of the 10th Cavalry. It was successful and the recon team was rescued. Dennis Bell, William Thompkins, Fitz Lee, and George Wanton of the 10th were awarded the Medal of Honor for their actions. Their citation reads: "Voluntarily went ashore in the face of the enemy and aided in the rescue of his wounded comrades; this after several previous attempts had been frustrated."
- Singer Bob Marley had a hit song entitled "Buffalo Soldier" that was a tribute to these brave fighting men? It was released posthumously in May 1983 on the "Confrontation" album, and became one of Marley's biggest hits. He wrote it because he saw what the Buffalo Soldiers went through as a symbol of black resistance.

- The main star of the 1997 TV movie called "Buffalo Soldiers" was actor Danny Glover who was also famous for starring in another movie series with Mel Gibson. Danny Glover starred in "Buffalo Soldiers" as Sgt. Wyatt. It was set in New Mexico but filmed in Cochise County, Arizona. Both states were states where the Buffalo Soldiers served. The movie depicts Sgt. Wyatt going after an Apache chief, Victorio. Both the 9th and 10th Cavalry were involved in the campaign against Victorio in 1879-1880. Although a fictionalized account, the setting of the final confrontation at Rattlesnake Springs is historically accurate as the 10th did have a major confrontation with the Apaches there.
- As of 2010, the 9th Cavalry, 10th Cavalry, and 24th Infantry were still active units. The 25th Infantry Regiment, part of the 93rd Infantry Division serving in the Pacific Theater in WWII, was deactivated in 1946. During its years on the American frontier it served in Texas, Dakota Territory, Minnesota, and Montana.

[Source: http://www.funtrivia.com/quizzes/world/military_matters/us_military.html Dec 2010 ++]

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Tax Burden for Tennessee Retirees: 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. Following are the taxes you can expect to pay if you retire in Tennessee.

Sales Taxes

State Sales Tax: 7% on tangible property (prescription drugs exempt); 6% on food and food ingredients. Counties and cities may add another 1.5% to 2.75% to the total of either rate. Refer to <http://state.tn.us/revenue/pubs/taxlist.pdf>.

Gasoline Tax: * 21.4 cents/gallon

Diesel Fuel Tax: * 18.4 cents/gallon

Cigarette Tax: 62 cents/pack of 20; 77.5 cents/pack of 25

* Tax rates do not include local option tax of 1 cent.

Personal Income Taxes

Salaries, wages, Social Security, IRAs and pension income are not taxed. A 6% tax is levied on stock dividends and interest from bonds and other obligations. The first \$1,250 in taxable income received by a single filer is exempt (\$2,500 for joint filers). For details refer to <http://www.state.tn.us/revenue/taxguides/indincguide.pdf>.

Retirement Income:

Retirement Income Taxes: Persons over 65 with a total income of less than \$16,200 (single filer) or \$27,000 (joint filer) are exempt from the above tax.

Retired Military Pay: See above.

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

Tennessee does not have a homestead exemption. However, there is a property tax relief program for the elderly, disabled and veterans. Refer to <http://www.comptroller1.state.tn.us/pa/patxr.asp>. The assessed valuation of a property is based on 25% of its fair market value. Depending on the location of the residence, homeowners will be assessed property taxes from the city only, the city and county, or the city, county, and a special school/fire district rate. A local government may authorize (at their option) a person who is 65 years of age or older to defer payment of tax up to \$60,000 of the appraised fair market value of the homeowner's residence if the combined income is not more than \$12,000. Local option could increase it to \$25,000. For more information, call 615-741-4883 or refer to <http://www.comptroller1.state.tn.us/sboe/sbptxov.asp> for an overview of property taxes..

Inheritance and Estate Taxes

There is an inheritance tax in which all real and personal property in which the decedent owned or has an interest is taxed. It ranges from 5.5% to 9.5% of the value of the property transferred at death. Spouses are exempt. The estate tax is limited and related to federal estate tax collection. For more information refer to <http://www.state.tn.us/revenue/taxguides/inheritoutline.pdf> or call 615-532-6438.

For further information, visit the Tennessee Department of Revenue site <http://www.state.tn.us/revenue> or call 615-741-2837.

[Source: www.retirementliving.com Dec 2010 ++]

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Congressional Alphabet: To better understand what is happening to veteran legislation as it proceeds through Congress it is useful to know the language used by our representatives as they conduct business. Following are some of the words or expressions you will see while reading about or listening to House and Senate sessions:

- **Ramseyer Rule.** requires House committee reports to show in detail how a bill would change current law. The rule is named after the Iowa member who suggested it, William C. Ramseyer who served from 1915-1933.
- **Ranking Member.** Refers to the 2nd highest rank on a committee on the majority side, after the chairman.
- **Ranking Minority Member.** The Member who has the highest rank on a Committee on the minority side.
- **Recede and Concur.** A motion for resolving differences between House and Senate versions of a bill. One chamber withdraws from its text of a bill or amendment and accepts the language of the other.
- **Recess .** A temporary break in a session for a short period of time within the same day. In the House the Speaker has the authority to declare recesses without a vote. The Senate often recesses overnight rather than adjourn at the end of the day. Recess also refers to longer breaks over several days, such as holiday periods, which are approved by vote.
- **Recognition.** When the chair grants permission to a member to speak. Members may not speak without first obtaining recognition.
- **Recorded Vote: House.** A specific type of vote held on the record. It links the name of each Representative with his/her voting position. A Recorded Vote is the only type of vote on the record in the Committee of the Whole. In the House, there are 3 types of record votes: a Recorded Vote, the Yeas and Nays, and an automatic Roll Call. All 3 are electronic votes and are on the record. The difference is the method used to obtain each one.
- **Recorded Vote: Senate.** A vote held on the record. It links the name of each Senator with his/her voting position. The technical term for a record vote in the Senate is the "Yeas and Nays." The vote is held by a call of the roll -- the Senate Clerk reads the names of all Senators in alphabetical order and they respond when their name is called with "yea" "nay" or "present."

- **Reconciliation Bill.** The bill which makes the changes in law required to meet pre-set spending and revenue levels. The bill arises when a prior budget resolution passed by the House and Senate calls for it. The budget committee packages the bills produced by all the other committees into one omnibus bill.
- **Refer.** To send a bill just introduced to the appropriate committee for initial examination. Referral decisions are made by the parliamentarian in both the House and Senate.
- **Regular Order.** Refers to the regular rules of procedure in the Chamber. In the Senate, the term may also refer to the daily order of business. A call for the regular order asks the chair to restore proper procedure.
- **Reporting Out.** Refers to the vote of a committee to send a bill to the full House or Senate for review.
- **Rescission Bill.** Cancels previously approved but unspent funds. Congress or the president may propose it. Rescissions must receive approval from Congress within 45 days of the request to cancel allotted funds.
- **Reserve the Balance of Time.** To save the remainder of the time allotted for later in the debate.
- **Reserving the Right to Object.** A method used to be able to briefly discuss a unanimous consent request. Under regular order, a request ought to be objected to immediately or be allowed to proceed. Under reservation of objection, the chair has the discretion to allow some discussion first.
- **Revenue Bill.** A bill that focuses on methods for raising money, e.g. taxes, user fees, customs duties, and tariffs.
- **Revise and Extend.** Asking to revise and extend allows a member to add to or edit his/her floor remarks in the Congressional Record. Making changes to the words actually spoken on the floor requires the consent of the entire House. Revisions are limited to those that make technical or grammatical corrections. Extensions are usually the text of articles, letters, or reports to accompany the floor statement.
- **Rider.** An amendment attached to a bill, usually unrelated to the subject of the underlying bill. Its sponsor tries to "ride" it to passage on the strength of the original bill. Riders are permitted in the Senate and are routine. House rules ban riders unless an exception is made.
- **Roll Call.** A private Capitol Hill newspaper focusing on the people, events, and activities of Congress.
- **Roll Call Vote: House.** a vote held on the record. The name of the Representative and his/her voting position are noted together. Members cast their vote through an electronic device using a plastic i.d. card. Voting stations are scattered around the House floor. After inserting their card, Members push either a "present" "yea" or "nay" button to record their vote. In the House, there are 3 types of record votes: a Recorded Vote, the Yeas and Nays, and an automatic Roll Call. All 3 are electronic votes and are on the record. The difference is the method used to obtain each one. Although often used generically to describe any vote held on the record, the technical term for this type of vote -- an automatic roll call -- describes those votes held after a Member rises and objects to a vote on the grounds that a quorum is not present. In the absence of a quorum, a roll call vote is automatic. No sufficient second is required.
- **Roll Call Vote: Senate.** a vote on the record, noting the name of each Senator and his/her voting position. The technical term for a roll call vote in the Senate is the "yeas and nays." The Senate Clerk reads the names of all Senators aloud in alphabetical order. Senators vote by responding when their name is called, and shouting out "yea" "nay" or "present." To speed up the process, Senators often go directly to the desk on the Senate floor and let the Clerk know their position, out of alphabetical sequence. Senators also sometimes give the Clerk a hand signal from the entrance doors to the chamber -- thumbs up or thumbs down -- rather than approach the desk or wait for their name to be called in order.
- **Room Lottery.** A drawing for office space held every two years. Members choose according to rank. Member offices are in one of three House office buildings: Cannon, Longworth, or Rayburn.
- **Rule 22.** Governs cloture, the procedure used to end a filibuster. Cloture takes 60 votes. If it wins, up to 30 hours of debate may still be held, although this is rarely utilized. Instead, debate usually ends shortly after a cloture vote, followed by an immediate vote on final passage.
- **Rule From The Rules Committee.** a set of guidelines for the debate and amendment of a particular bill. Known as "special rules", these rules are temporary and distinct from the standing rules of the House.

[Source: C-SPAN Congressional Glossary Dec 2010 ++]

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Veteran Legislation Status 12 DEC 2010: Congress will most likely end its lame duck session 17 DEC which will mark the end of the 111th Congress. The 112th Congress will commence 3 JAN and all bills not passed by then will die with the end of the 111th and have to be reintroduced. For a listing of Congressional bills of interest to the veteran community that have been introduced in the 111th Congress to date refer to the 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 on that likelihood is the number of cosponsors who have signed onto the bill. Any number of members may cosponsor a bill in the House or Senate. At <http://thomas.loc.gov> you can review a copy of each bill's content, determine its current status, the committee it has been assigned to, and if your legislator is a sponsor or cosponsor of it. To determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d111/sponlst.html>.

Grassroots lobbying is perhaps the most effective way to let your Representative and Senators know your opinion. Whether you are calling into a local or Washington, D.C. office; sending a letter or e-mail; signing a petition; or making a personal visit, Members of Congress are the most receptive and open to suggestions from their constituents. The key to increasing cosponsorship 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 on <http://thomas.loc.gov> your legislator's phone number, mailing address, or email/website to communicate with a message or letter of your own making. Refer to http://www.thecapitol.net/FAQ/cong_schedule.html for dates that you can access your legislators on their home turf. [Source: RAO Bulletin Attachment 28 Nov 2010 ++]

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Have You Heard?

Let me get this straight.

We're going to maybe have a health care plan written by a committee whose head says he doesn't understand it, passed by a Congress that hasn't read it but exempts themselves from it, signed by a president that also hasn't read it and who smokes, with funding administered by a treasury chief who didn't pay his taxes, overseen by a surgeon general who is obese, and financed by a country that's nearly broke.

What could possibly go wrong?

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"The ten most dangerous words in the English language are "Hi, I'm from the government, and I'm here to help."
--- **Ronald Reagan [Remarks to future Farmers of America 1988]**

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Lt. James "EMO" Tichacek, USN (Ret)
 Associate Director, Retiree Assistance Office, U.S. Embassy Warden & IRS VITA Baguio City RP
 PSC 517 Box RCB, FPO AP 96517
 Tel: (951) 238-1246 in U.S. or Cell: 0915-361-3503 in the Philippines.
 Email: raoemo@sbcglobal.net Web: http://post_119_gulfport_ms.tripod.com/rao1.html
 AL/AMVETS/DAV/FRA/NAUS/NCOA/MOAA/USDR/VFW/VVA/CG33/DD890/AD37 member

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