

# ***RAO BULLETIN***

***1 February 2011***

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**Veterans History Project:** A major film production company is asking friends of the Library of Congress Veterans History Project (<http://www.loc.gov/vets>) for assistance in locating WWII veterans from the Western European campaign who currently live in Florida and have interesting remembrances to share. The production company is creating a 6-part television documentary series called "The Last Great Heroes", which follows the Allied Forces from the D-Day landings to Berlin. They plan to interview British, American and Canadian veterans to get a complete picture of the Allied efforts in Western Europe. The program will air on HISTORY (formerly the History Channel) in North America and Channel 4 in Britain. The producer hopes to speak briefly with veterans by phone first and then, toward the end of February, interview several in person. This film is anticipated to reach a wide audience and possibly be incorporated into classroom curricula and public programs. The deadline for this effort is tight. If you're able to help contact the veteran(s) you have in mind for participation, gauge their interest in being interviewed and if they're amenable, send their contact information to Jessica Souva, Library

of Congress Tel: (202) 486-1840 / (888) 371-5848 or email jessica@jsouva.com . [Source: Sen. William Nelson's Director of Outreach/Regional Director Lynn T. Bannister msg 29 Jan 2011 ++]

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**Vet Housing:** Sen. Rand Paul (R-KY) introduced the Federal Reserve Transparency Act of 2011 (2.202) this week that would cut \$500 billion in government spending by the end of 2011, and one of the many casualties is the Department of Housing and Urban Development. According to the language in the bill, once ratified, all accounts and programs for HUD would be immediately defunded. It would also transfer all housing programs for veterans away from HUD and into the Department of Veteran's Affairs. HUD's fiscal year 2010 budget totaled \$43.7 billion, a 9% increase from 2009. "By removing programs that are beyond the constitutional role of the federal government, such as education and housing, we are cutting nearly 40% of our projected deficit and removing the big-government bureaucrats who stand in the way of efficiency in our federal government," Paul said in a statement released 25 JAN. The bill is the latest in a Republican surge against spending on housing policy and Wall Street reform. Days after the new Congress convened, Rep. Michele Bachmann (R-MN) introduced a bill that would repeal the Dodd-Frank Act. But housing alone is not the only cut in the bill. Paul proposes reductions in costs from the Environmental Protection Agency, the Department of Agriculture, the Departments of Energy and Education, and even defense. The bill cuts \$14 billion in payments made to military personnel among other operations. Paul said the bill rolls back government spending to 2008 levels. He said 85% of government funding would remain intact. "I am proud to introduce my own solution to the mounting debt our spendthrift, oversized government has accrued," Paul said. The bill has two cosponsors and has been referred to the Committee on Banking, Housing, and Urban Affairs. [Source: Housing wire Jon Prior article 31 Jan 2011 ++]

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**Vet Abuse Update 01:** A caretaker of a 93-year-old Pearl Harbor survivor found disoriented and living in filth in his San Diego County home has pleaded not guilty to elder abuse and other felonies. Milagros Angeles entered her pleas 31 JAN in an El Cajon court. The 62-year-old woman also is charged with false imprisonment of an elder, theft by a caretaker and being in possession of altered checks. She was ordered held on \$1 million bail. According to City News Service, Deputy District Attorney Danielle Hickman told the judge that Angeles had been working for widower Arnold Bauer since 2009. Hickman says the war veteran's bank became concerned when employees noticed he hadn't been in since October and notified Adult Protective Services. Angeles faces more than six years in prison if convicted. [Source: AP article 27 Jan 2011 ++]

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**Four Chaplains Day:** On Feb. 3, 1943, the United States Army Transport Dorchester was bound for an American base in Greenland as it pushed through the frigid North Atlantic waters with 902 servicemen aboard. But the ship did not arrive at its destination — a German U-boat fired a torpedo that struck the Dorchester's starboard side and exploded in the boiler room. Within 20 minutes the ship sank and 668 men perished, along with four chaplains of different faiths: Reverend George Fox (Methodist), Jewish Rabbi Alexander Goode, Reverend Clark Poling (Dutch Reformed) and Father John Washington (Roman Catholic). The four chaplains put the lives of others before their own by directing frightened servicemen to lifeboats, distributing life jackets, and putting their own life jackets on young soldiers. In all, 230 of the 904 men aboard the ship were rescued. Life jackets offered little protection from hypothermia, which killed most men in the water. The water temperature was 34 °F (1 °C) and the air temperature was 36 °F (2 °C). By the time additional rescue ships arrived, "...hundreds of dead bodies were seen floating on the water, kept up by their life jackets.

On December 19, 1944, all four chaplains were posthumously awarded the Purple Heart and the Distinguished Service Cross. The Four Chaplains' Medal was established by act of Congress on July 14, 1960, and was presented posthumously to their next of kin by Secretary of the Army Wilber M. Brucker at Ft. Myer, Virginia on January 18, 1961. The chaplains were also honored with a stamp, issued in 1948, and by an act of Congress designating February 3 as "Four Chaplains Day." Because of their bravery, every year, American Legion posts nationwide remember Four Chaplains Day with memorial services. Services this year will be held on Sunday, Feb. 6. To request information on how to conduct a Four Chaplains Memorial Service, contact Michael Novak (mnovak@legion.org) of the Americanism and Children & Youth Division at (317) 630-1212. The inspiring chaplains are remembered in many places in stained glass portraits and memorials. In Bottineau North Dakota they are memorialized in a small, four-columned cement arch, shading an upright cement slab to which is bolted a bronze plaque depicting the Dorchester going down. Above the doomed ship, in the cloud of steam and smoke exploding out of it, the giant faces of the chaplains can be seen, looking stern and saintly. Above their heads are the words: "For God And Country." [Source: American Legion Online Update 27 Jan 2011 ++]



American Legion archives painting by Dudley Summers

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**Marine Corps War Memorial:** The Marine Corps War Memorial, often referred to as the Iwo Jima Memorial, is dedicated to all personnel of the United States Marine Corps who have died in the defense of their country since 1775. The memorial, located in Arlington, Virginia, features the Marines and Sailor who raised the second flag on Mount Suribachi over Iwo Jima in 1945: Sgt Michael Strank, Cpl Harlon Block, PFC Franklin Sousley, PFC Rene Gagnon, PFC Ira Hayes, PM2 John Bradley. The larger than life-sized bronze statue consisting of 32 foot figures and a 60 foot flagpole is based on a photograph taken by Joe Rosenthal and is almost 60 years old. According to a Marine Corps news release, it is in need of a little sprucing up. The statue's original finish is faded. "The bronze should not be brown," James Donovan, the Marine Corps War Memorial Foundation's executive director, said in the release. "This bronze is supposed to be a Marine Corps green." Also, some of the granite panels are coming loose, and there are cracks and water accumulations in the structure.

The National Park Service, however, says that just one of the approximately 30 panels around the base of the memorial has subsided about an inch. National Park Service spokesman Bill Line said the memorial is in very good condition. "Back in 2005, the National Park Service conducted and completed a more than \$3.5 million renovation project at the Marine Corps Memorial. That included renovation of all the panels which I recognize are in question here," Line said. "That included full cultural and historic analysis of the condition of the entire memorial. The memorial's condition is in very, very good condition." According the Marine Times, the Marine Corps War Memorial Foundation wants to partner with the National Park Service to repair the monument. However, Line said no agreement has been reached. "There is nothing in writing," he said. "There is nothing in place other than just talk, verbal conversations about them wanting to be a partner organization."

The foundation said it also hopes to improve the experience of visiting the memorial. There are plans for improvements to restroom facilities and eventually a reception center staffed with volunteers. Line questions the need of those enhancements. "We would want to see why there is a need for that, and why government money and taxpayers' dollars in a tight economy would have to be spent on that sort of stuff," Line said. "Having and wanting stuff is great, but having to pay for it is another matter." The Marine Times explained that the memorial is special to tourists as well as veterans. On the granite base, the names and dates of every major Marine Corps engagement since November 10, 1775, are engraved. [Source: WCHS6 Portland ME Mark Gould article 26 Jan 2011 ++]



Sunset Parade at the Marine Corps War Memorial

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**VA Budget 2011 Update 03:** America's oldest and largest major combat veterans' organization announced it will do everything within its power to defeat a plan introduced by Rep. Michele Bachmann (R-MN-06] to cut \$4.5 billion from the Department of Veterans Affairs. "No way, no how, will we let this proposal get any traction in Congress," said Richard L. Eubank, the national commander of the 2.1 million-member Veterans of Foreign Wars of the U.S. and its Auxiliaries. On her website, the three-term congresswoman lists more than \$400 billion in suggestions to cut federal spending. The VA suggestion would cap increases to VA healthcare spending, and reduce disability compensation to account for Social Security Disability Insurance payments — in other words, an offset. She says her plan is intended to generate discussion. "The only discussion the VFW wants is to tell the congresswoman that her plan is totally out of step with America's commitment to our veterans," said Eubank, a retired Marine and Vietnam combat veteran from Eugene, Ore. "There are certain things you do not do when our nation is at war, and at the top of that list is not caring for our wounded and disabled servicemen and women when they return home," he said. "I want the congresswoman to join us in a tour of the Minneapolis VA Medical Center and Poly Trauma Center the next time she's in her home district to witness firsthand the great work the VA does

every day to heal their wounds and ease their pain. Then I want her to look those disabled veterans in the eye and tell them their service and sacrifice is too expensive for the nation to bear. "The day this nation can't afford to take care of her veterans is the day this nation should quit creating them," said Eubank. [Source: <http://www.vfw.org> 28 Jan 2011 ++]

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**SVAC Update 06:** On 27 JAN, U.S. Senator Patty Murray (D-WA) released the following statement after she was announced as the new Chairman of the Senate Veterans' Affairs Committee. Senator Murray, who has been a member of the Senate Veterans' Affairs Committee since 1995, is a widely recognized and outspoken advocate for America's veterans. She has been honored for her work for veterans by the Vietnam Veterans of America, American Ex-POWs, the VFW, the Paralyzed Veterans of America and the Washington State Department of Veterans Affairs. Among other things, Senator Murray has fought to give veterans access to quality care and benefits, has pushed Republican and Democratic administrations to provide the VA with responsible budgets, and has worked to ensure the VA is preparing for the influx of new veterans. Senator Murray has also worked to expand access to care for Washington state veterans by saving three state VA facilities from closure and by pressuring the VA to open community based health care clinics.

"This is a great honor, but an even bigger responsibility. As Chairman of the Senate Veterans' Affairs Committee, I have a tremendous duty to the 22 million veterans across the country who have stepped up to serve our nation and who deserve the highest quality care, benefits, and treatment in return.

"I am humbled by this Chairmanship not only because of the great veterans I'll serve, but also because of the man whose shoes I'll be working to fill. Senator Akaka has been, and always will be, a champion for his fellow veterans. I know that in the coming years he will continue to be a leader on this Committee, someone who I will rely on heavily, and someone who'll never stop fighting for the veterans of his home state and our nation.

"I plan to work each day to ensure that the VA is working for our veterans, not against them. Our service members should never have to come home from fighting a war only to fight to get the benefits and care that they deserve.

"I know the VA has some of the most dedicated employees in the world and provides tremendous services to many of our veterans. But I also know there are a great many challenges to be met. Today, too many veterans are waiting far too long to get the benefits they've earned. Too many veterans are struggling to get access to mental health care, worker training, and other resources to help them transition from the battlefield to the civilian world. And still, far too many veterans are sleeping on the streets after serving their country. These are among the many issues I plan to take an active and aggressive approach to helping find solutions for.

"It has been one of the great privileges of my Senate career to fight for veterans like my father - a World War II veteran, or the Vietnam veterans I met interning at the VA in college, or the countless Iraq and Afghanistan veterans who I have spoken to about returning home with the visible and invisible wounds of war.

"These men and women, and all American veterans, will always be who I fight for, who I listen to first, and who I answer to. Their needs, their struggles, and their stories will be the ones I bring to the VA to help deliver change and meet the many challenges we face."

[Source: VVA News Flash 27 Jan 2011 ++]

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**Vet Foreclosure Relocation Assistance:** Veterans who lose their homes to a short sale (i.e. a sale of real estate in which the sale proceeds fall short of the balance owed on the property's loan) or a deed-in-lieu of foreclosure can receive up to \$1,500 in relocation assistance. A Deed in lieu of foreclosure is a deed instrument in which a mortgagor (i.e. the borrower) conveys all interest in a real property to the mortgagee (i.e. the lender) to satisfy a loan that is in default and avoid foreclosure proceedings. The VA has for years encouraged mortgage servicers to work with veterans on the edge of default. Now, the agency has directed its approved servicers to provide that cash advance to borrowers who use a deed-in-lieu of foreclosure or who complete a VA compromise claim to unload their short sale. The directive went into effect on 6 JAN. Borrowers can use the money to cover moving expenses or to simply pay for lodging while they deal with the pending loss of their home. "VA has a longstanding policy of encouraging servicers to work with veteran borrowers to explore all reasonable options to help them retain their homes or, when that is not feasible, to mitigate losses by pursuing alternatives to foreclosure," according to the two-page VA circular released on the subject. "These options generally provide a substantially better outcome than a foreclosure sale for borrowers, investors, and communities."

Under the VA's Compromise Sale Program, the agency can pay a "compromise claim— for the difference between the sale price and the borrower's loan balance. That allows the veteran to complete a private sale to a borrower who either assumes the loan or who has secured separate financing. These aren't exactly everyday transactions. But the Compromise Sale Program is another of the VA's tools that can help keep service members out of credit and fiscal calamity. Given the unique nature of this program, there are a host of requirements and criteria for all stakeholders. Several factors must be met in terms of basic eligibility, including:

- The sale price must reflect fair market value
- Reasonable closing costs
- The sale must represent a better financial outcome for the government than foreclosure
- The seller must be able to document financial hardship
- There can be no second liens
- Sellers must have a sales contract in place before applying

A host of VA-approved lenders are authorized to conduct compromise sales. But the agency itself can do them in-house if necessary. A current VA appraisal is required before a Compromise Sale can proceed. The mortgage lender must also agree to have the amount of its VA guaranty reduced by that gap between sale price and loan balance — in other words, the value of the compromise. One issue veterans need to consider is losing, at least temporarily, some of their future buying power. The part of their VA entitlement tied up in the original mortgage guaranty will remain in limbo until the VA gets fully reimbursed. To learn more about this program, VA loan holders can contact the agency at 1-800-933-5499. The VA also has a VA compromise guide available for download. [Source: <http://www.ourbroker.com> Chris Birk articles 3 Nov 2010 & 19 Jan 2011 ++]

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**Medicare Database:** American taxpayers are blocked from seeing exactly where their money goes.

Under a three-decade-old court order, Medicare can't publish the billings of individual physicians who participate in the program. In this series, The Wall Street Journal explores Medicare's vast databases and shows how they can be used to expose potential fraud and waste. Dow Jones, owned by News Corp., claims the 1979 injunction hampered the paper's reporting since it limited its access to the data and its ability to name physicians and other providers. Dow Jones says the effort won't violate patient confidentiality. "It's time to overturn an injunction that, for decades, has allowed some doctors to defraud Medicare free from public scrutiny," Dow Jones general counsel Mark Jackson said in a statement. The AMA withstood at least two attempts to reverse the injunction in 2009. In one case, the U.S. Court of Appeals for the District of Columbia ruled that under the Freedom of Information Act, physicians' privacy interest outweighed the public interest in knowing how much doctors were collecting from Medicare.

In a statement, AMA President Cecil B. Wilson said, "Physicians, like all Americans, have the right to privacy and due process, and should not suffer the consequences of having false or misleading conclusions drawn from complex Medicare data that has significant limitations." He added that doctors who care for Medicare patients already are subject to significant oversight. A spokeswoman for the U.S. Department of Health and Human Services, which houses the Centers for Medicare and Medicaid Services, said the department wouldn't comment while the suit is being reviewed. Health-care advocates, law-enforcement officials and others have argued that access to the data would have a range of benefits, such as exposing instances of fraud, easing evaluations of the quality and cost of care, and helping to ensure the government is doing everything it can to protect taxpayer funds. "The Medicare system is funded by taxpayers, and yet taxpayers are blocked from seeing how their money is spent," said Robert Thomson, editor-in-chief of The Wall Street Journal. "It is in the interest of law-abiding practitioners that those who are gaming the system are exposed. Unless funds are used efficiently and intelligently, the health of the nation, physically and fiscally, will be undermined." [Source: WSJ Russell Adams article 26 Jan 2011 ++]

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**VA CAVC:** On 25 JAN, a three-judge panel of the Court of Appeals for Veterans Claims (CAVC) ordered Department of Veterans Affairs Secretary Eric Shinseki to pay a veteran's attorney fees to the tune of \$19,594.80. In *Harvey v. Shinseki*, Docket No. 10-1284, Judges Lawrence B. Hagel, Alan G. Lance, Sr., and Mary J. Schoelen found Secretary Shinseki to have failed to expeditiously handle a remand order, as required under federal law. Secretary Shinseki, a former Army general, began leading the VA in 2009. Cleveland Harvey sought to recover compensation in lieu of retirement pay and, in 2006, the Board of Veterans Appeals (BVA) denied him an earlier effective date for compensation benefits. In 2008, the CAVC concluded that the effective date should have been September 17, 1998, and reversed the BVA decision. The CAVC remanded the case in order to have benefits calculated in accordance with the court decision.

What followed was nothing less than, in the panel's written opinion, a "parade of administrative miseries," that included, among a list of other problems:

- an unexplained four-month delay before the BVA requested the veteran's claims file after the 2008 court order was issued;
- multiple transfers of the veteran's claims file, including the file being sent to the wrong regional office;
- poor electronic record-keeping meant to monitor claims; and
- staff neglecting an important letter that had most information necessary to calculate benefits.

After more than a year passed and nothing happened, Mr. Harvey filed a petition for extraordinary relief in March 2010 and oral argument was held on September 9, 2010. The CAVC was created in 1988 to hear appeals from adverse BVA decisions and is composed of seven judges. [Source: Newark Veterans Policy Examiner Nebojsa Zlatanovic article 25 Jan 2011 ++]

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**Military Funeral Disorderly Conduct Update 17:** Some Mississippi lawmakers want to impose penalties for any funeral demonstrations like those carried out by Westboro Baptist Church. The group from Kansas has been protesting for years at military funerals with signs blaming U.S. military deaths on the nation's tolerance of homosexuality. State Rep. Willie Bailey said he thought Westboro's picketing was tasteless enough. But when the group initially planned to picket the funeral of a 9-year-old girl killed in the Arizona shooting rampage, Bailey said things had gone too far. "It's one thing for a family to go through a normal process of mourning," said Bailey, D-Greenville. "It's another thing to be subjected to humiliation and anger and outrage because some group

wants to advance their political agenda." Even though the Westboro group backed off and didn't protest at the funeral of Christina Taylor Green in Arizona, Bailey said he'll ask the Mississippi House to support a bill that would set penalties for protesting at funerals in this state. "We're advancing the bill so people can have a discussion about it," said Bailey, who's chairman of the House Judiciary B Committee.

The bill originally proposed penalties of up to five years in prison and a \$5,000 fine. The Judiciary B Committee changed that to one year in prison and a \$5,000 fine. Bailey said he knows there are potential constitutional problems about limiting expression, but he said those could be sorted out in court if the bill becomes law. It's unclear how the bill will fare in House debate, or if it would survive in the Senate. Lawmakers from both parties in both chambers have said they're reluctant to limit people's free-speech rights, but those concerns would be balanced with some members' desire to pass a bill presented as a protection for mourning military families. Some other states have tried to limit protests at funerals. Missouri enacted a law in 2006 that banned picketing at or near a funeral from one hour before until one hour after a service. Because of concerns about court challenges, Missouri enacted a separate law to set a 300-foot buffer zone between funerals and protesters. This past August, a federal judge declared both Missouri laws unconstitutional.

Protests rarely occur at funerals in Mississippi, where drivers frequently pull to the side of the road to let funeral processions pass. In 2006, when the mayor of Laurel heard Westboro members might protest at a soldier's funeral there, more than 100 members of the motorcycle group the Patriot Guard Riders showed up to keep any potential protesters away. None showed up. Supporters of the bill say they're trying to head off potential problems. "There's just a certain amount of respect you ought to show at any funeral, but especially for our military members. They're laying their lives on the line every day to protect our country," said Rep. Bryant Clark, D-Pickens. Clark signed on as a co-sponsor of the bill. The primary sponsor is Rep. Omeria Scott, D-Laurel. The bill is house bill 1215. [Source: The Associated Press 23 Jan 2011 ++]

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**Heart Disease Update 01:** The costs of treating heart disease are expected to triple by the year 2030, creating an "enormous financial burden" for millions of Americans, the American Heart Association says in a new policy statement. The tab for treating heart disease will rise to \$545 billion over the next 20 years, in large part because of the aging of the baby boom population, the oldest of which will be in their mid-80s by then. The policy statement is published in *Circulation: Journal of the American Heart Association*. Paul Heidenreich, MD, chair of the AHA's panel that issued the statement, says in a news release that despite great strides made in reducing heart disease and understanding its causes in the past 50 years, "even if we just maintain our current rates, we will have an enormous financial burden on top of the disease itself." Cost estimates for 2030 "don't assume that we will continue to make new discoveries to reduce heart disease," says Heidenreich, associate professor of medicine at the Veterans Affairs Palo Alto Health Care System, who is also associated with Stanford University. Future costs were estimated based on current rates of heart disease, and information from the U.S. Census Bureau was used to project population shifts in age and race.

The analysis did not take into account any changes in outcome for various heart disorders in the future, and assumed a continued acceleration of health care spending on heart disease based upon historical trends. Unless new ways are found to treat or perhaps slow down the increase in heart disease prevalence, costs will triple by 2020 simply through demographic changes, Heidenreich says. Heart disease is the leading cause of death in the U.S., accounting for 17% of overall health costs, and thus effective prevention strategies are badly needed, according the panel. "Unhealthy behaviors and unhealthy environments have contributed to a tidal wave of risk factors among Americans," Nancy Brown, CEO of the AHA, says in the news release. "Early intervention and evidence-based

public policies are absolute musts to significantly reduce alarming rates of obesity, hypertension, tobacco use, and cholesterol levels,” all causes of cardiovascular problems. The new policy statement says

- 36.9% of Americans already have some form of heart disease, including high blood pressure, coronary heart disease, heart failure, stroke, and other conditions.
- More than 40% of Americans will have cardiovascular disease by 2020, but by 2030, this will rise to 40.5%, or 116 million people, the panel report says. The biggest increases are expected in stroke, estimated to rise 24.9%, and heart failure, predicted to increase by 25%.
- The cost of medical care for heart disease will rise from \$273 billion in 2010 to \$818 billion, an increase Heidenreich described as “remarkable.”
- Heart disease also will cost the nation many billions of dollars in lost productivity, jumping to \$276 billion in 2030 from \$172 billion now. Productivity losses include days missed from home or work tasks because of illness and potential lost earnings from premature death.

The authors write that cardiovascular disease now accounts for 17% of overall national health expenditures, which are the highest in the world, eating up 15% of gross domestic product, compared to 10% in 1985. The growth in costs has accompanied a rise in life expectancy, suggesting that spending on cardiovascular problems has been of considerable value, but significant improvements can and should be made in the coming years, the policy statement says. Costs could rise even higher than projected, the panel says, if obesity and diabetes continue to increase rapidly. The panel recommends that the U.S. health care system should promote prevention and early intervention on risk factors for cardiovascular disease, as well as encourage community prevention efforts (such as reducing sodium content of foods and designing new communities to promote physical activity). [Source: WebMD Health News Bill Hendrick article 24 Jan 2011 ++]

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**Mobilized Reserve 25 JAN 2011:** The Department of Defense announced the current number of reservists on active duty as of 25 JAN 2011. The net collective result is 1572 fewer reservists mobilized than last reported in the 15 JAN 2011 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 69,948; Navy Reserve 5,587; Air National Guard and Air Force Reserve, 9,292; Marine Corps Reserve, 4,909; and the Coast Guard Reserve, 774. This brings the total National Guard and Reserve personnel who have been activated to 90,510 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/d20110125ngr.pdf> [Source: DoD News Release No. 070-11 dtd 26 Jan 2011 ++]

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**SBP for Reservist Update 02:** DFAS understands some Reserve retirees are concerned about a recent change in their Reserve Component Survivor Benefit Plan (RC-SBP) premiums. Affected retirees also received communication from DFAS that were unclear. DFAS is sorry for the confusion. The bottom line is this: In May 2010, they implemented changes that decreased the RC cost for retired Reservists. Later in the year, the DoD clarified that this decrease should not apply to Reservists who retired before April 2010. When DFAS discovered this error, they restored these customers' premiums to their previous level. This restoration in cost took effect in DEC 2010 and appeared on the recent account statement that was enclosed with your newsletter. DFAS apologizes to anyone affected for any confusion previous correspondence may have caused. You are still enrolled in RCSBP, and you are now paying the correct amount. "If anything good resulted from this confusion," said Director of R&A

Pay Jeffrey Johnson, "it's that a portion of Reserve retirees were able to keep a little extra money in their pockets for about seven months." [Source: DFAS December 2010 Retiree Newsletter ++]

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**DFAS 1099-R Update 01:** Military retirees and annuitants' 1099R tax statements were available on myPay starting Dec. 14, 2010 and were mailed to retirees by Jan. 15, 2011. If you did not receive a copy of your 1099R, it may be because DFAS does not have your correct address on file. Before requesting a duplicate 1099R, verify your address using myPay, or by calling 800-321-1080. To obtain a duplicate use one of the following three methods:

**myPay** - You can view, print or save a copy using your myPay account by following the below steps. If you have trouble accessing myPay, call 866-671-5031. Customer support is available M-F 07-1830 EST. You can also view videos that explain how to use myPay at <http://www.dfas.mil/rapay.html>:

1. Go to <https://mypay.dfas.mil/mypay.aspx>.
2. Enter your Login ID on the home page.
3. Enter your password on the virtual keyboard when prompted.
4. Access your 1099R from the "Main Menu" by clicking on the "Tax Statement" option.
5. View, print and save your tax statements. If you have trouble reading the graphic version, click on the "Text Version" link.

**Automated Phone System:**

1. Call R&A Pay at 800-321-1080.
2. Select option 4 to request a 1099R 24 hours a day, seven days a week, without waiting to speak to a customer service representative.
3. Enter your Social Security Number using your touch-tone keypad when prompted.
4. You should receive your 1099R in 7 to 10 business days.

[Note: If you have exhausted the above options or prefer to speak to a customer service representative, call Tue-Fri between 07-1900 EST and select option 0. In the event that call volumes are high and they are unable to serve you as quickly, you may experience a "courteous disconnect," indicating you are either being routed back to the self-service option, or requesting that you call back at another time. If this occurs, understand that this is a required measure to ensure that callers with high priority needs are properly supported. ]

**Written request:**

1. Write us a short letter requesting a new copy of your 1099R. Include your name, Social Security Number, mailing address, signature and date or complete a Request for 1099R form (DFAS 9190).
2. Fax your request to 800-469-6559 or mail it to:
  - Retirees: Defense Finance and Accounting Service, U.S. Military Retirement Pay, P.O. Box 7130, London, KY 40742-7130
  - Annuitants: Defense Finance and Accounting Service, U.S. Military Annuitant Pay, P.O. Box 7131 London, KY 40742-7131
3. You should receive a copy of your 1099R in about two weeks.

[Source: DFAS December 2010 Retiree Newsletter ++]

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**VA Cemeteries Update 04:** For the fourth consecutive time in ten years, the system of national cemeteries operated by the Department of Veterans Affairs has bested the nation's top corporations and other federal agencies in a prestigious, independent survey of customer satisfaction. "This survey is testament to the outstanding service that employees at VA's 131 national cemeteries provide to our nation's Veterans and their families," said Secretary of Veterans Affairs Eric K. Shinseki. "It is VA's privilege to care for our nation's heroes in perpetuity, using the highest standards of professionalism and compassion." The American Customer Satisfaction Index (ACSI) is the only national, cross-industry measure of satisfaction with the quality of goods and services available in the United States. Beginning in 1999, the federal government selected ACSI to measure citizen satisfaction.

Citing VA's consistently record-setting ACSI scores, the independent Federal Consulting Group saluted VA's "commitment to outstanding customer service to . . . Veterans' next of kin, as demonstrated by achieving an extraordinarily high ACSI score." More than 100 federal agencies have used ACSI to gauge consumer satisfaction with more than 200 services and programs. The Index was founded at the University of Michigan's Ross School of Business and the survey is produced by ACSI, LLC. VA's National Cemetery Administration participates in the ACSI every three years, previously in 2001, 2004 and 2007. This is the fourth time it participated and the fourth consecutive time it received the top rating in the nation. For 2010, the National Cemetery Administration achieved a customer satisfaction index of 94. Its score is nearly 29 points above the average for federal government agencies, which was 65 in the study.

The ACSI survey polled the next-of-kin or other people who had arranged for the interment of a loved one in a VA national cemetery within the previous six months to one year. More than 1,900 people received the survey and 444 responded, a high response rate for a mail survey. Using methodologies developed at the National Quality Research Center of the University of Michigan Business School, the National Cemetery Administration received ratings in the categories of "customer service" and "user trust" of 96 out of a possible 100 points, indicating respondents are exceptionally pleased with their experience at national cemeteries and willing to recommend their services to others. Veterans with a discharge issued under conditions other than dishonorable, their spouses and eligible dependent children can be buried in a VA national cemetery. Also eligible are military personnel who die on active duty, their spouses and eligible dependents.

Other burial benefits available for all eligible Veterans, regardless of whether they are buried in a national cemetery or a private cemetery, include a burial flag, a Presidential Memorial Certificate and a government headstone or marker. Families of eligible decedents may also order a memorial headstone or marker when remains are not available for interment. In the midst of the largest expansion since the Civil War, VA operates 131 national cemeteries in 39 states and Puerto Rico and 33 soldiers' lots and monument sites. More than 3.5 million Americans, including Veterans of every war and conflict, are buried in VA's cemeteries on more than 19,000 acres of land. Information on VA burial benefits can be obtained from national cemetery offices, from the Internet at <http://www.cem.va.gov> 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. [Source: VA News Release 25 Jan 2011 ++]

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**Agent Orange Korea Update 02:** Veterans exposed to herbicides while serving along the demilitarized zone (DMZ) in Korea will have an easier path to access quality health care and benefits under a Department of Veterans Affairs (VA) final regulation that will expand the dates when illnesses caused by herbicide exposure can be presumed to be related to Agent Orange. Under the final regulation published 25 JAN in the Federal Register, VA will presume herbicide exposure for any Veteran who served between April 1, 1968, and Aug. 31, 1971, in a unit determined by VA and the Department of Defense (DoD) to have operated in an area in or near the

Korean DMZ in which herbicides were applied. Previously, VA recognized that Agent Orange exposure could only be conceded to Veterans who served in certain units along the Korean DMZ between April 1968 and July 1969.

In practical terms, eligible Veterans who have specific illnesses VA presumes to be associated with herbicide exposure do not have to prove an association between their illness and their military service. This presumption simplifies and speeds up the application process for benefits and ensures that Veterans receive the benefits they deserve. VA encourages Veterans with covered service in Korea who have medical conditions that may be related to Agent Orange to submit their applications for access to VA health care and compensation as soon as possible so the agency can begin processing their claims. Individuals can go to <http://www.vba.va.gov/bln/21/AO/claimherbicide.htm> to get a more complete understanding of how to file a claim for presumptive conditions related to herbicide exposure, as well as what evidence is needed by VA to make a decision about disability compensation or survivors benefits. Additional information about Agent Orange and VA's services for Veterans exposed to the chemical is available at <http://www.publichealth.va.gov/exposures/agentorange>. The new regulation is available on the Office of the Federal Register website at <http://www.ofr.gov/>. [Source: VA News Release 25 Jan 2010 ++]

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**Medal of Honor Update 03:** The nation's oldest living recipient of the Medal of Honor, Barney Hajiro, died 21 JAN at Maunalani Hospital in Honolulu. He was 94. Hajiro had been awarded three Distinguished Service Crosses by the Army while serving with a rifle company in the 442 Regimental Combat Team during World War II in Europe. One of those awards was upgraded to the Medal of Honor 46 years after the war ended at the urging of Sen. Daniel Akaka who authored congressional legislation requiring the Army to determine whether 22 Asian and Pacific Island Americans who received the Distinguished Service Cross had not been properly recognized because of the war's anti-Japanese sentiment. Twenty, including Sen. Daniel Inouye, were members of the famed segregated Japanese American 100th Battalion and 442nd Regimental Combat Team.

During one of the 442nd's fiercest campaigns in dense forests of France's Vosges Mountains to free the towns of Bruyeres and Biffontaine, Hajiro on Oct. 29, 1944, led a charge on "Suicide Hill" drawing fire and single-handedly destroying two machine gun nests and killing two enemy snipers before being wounded by a third machine gun. The effort by the nisei soldiers of the 442nd Regimental Combat Team's I and K companies to rescue Texas 36th Division's "Lost Battalion" is considered to be one of the key battles in U.S. Army history. In a 2000 President Clinton hung the sky-blue ribbon that dangles a gold star around his neck at a special White House ceremony. Prior to the awarding he said, "There was shooting coming from all sides. I got hit in my arm ... my BAR was hit ... and then my helmet was blown off my head." During the battle, an enemy bullet had penetrated Hajiro's left wrist and severed a nerve. Another bullet had entered his shoulder. His left cheek also was scarred by an enemy bullet. Several days earlier Hajiro, while acting as a sentry near Bruyeres, helped allied troops by attacking a house 200 yards away by exposing himself to enemy fire and directing fire at an enemy strong point. He assisted the unit on his right by firing his automatic rifle, killing or wounding two enemy snipers. On Oct. 22, he and fellow soldier took up an outpost security position about 50 yards to the right front of their platoon, concealed themselves, and ambushed an 18-man, heavily armed enemy patrol, killing two, wounding one, and taking the rest as prisoners.

Edward Yamasaki, president of the 442nd Regimental Combat Team's I Company chapter, in his book -- "And Then There Were Eight" -- noted that I Company started the battle with 140 riflemen. "Then there only eight soldiers standing at the end." Hajiro was the eldest of nine children and left the 8th grade at Puunene on Maui to work in the sugar-cane fields for 10 cents an hour, 10 hours a day. Because he had to leave school to help support his family, Hajiro, an aspiring track star, was never able to pursue his dream to compete in high school and college.

He is survived by a son, Glenn; wife, Esther, and one grandson. Funeral services, which are being handled by Hosoi Mortuary, are pending. [Source: Honolulu Advertiser article 25 Jan 2011 ++]

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**VA Disability Evaluation System Update 01:** The OIG conducted an audit to determine whether Veterans Benefits Administration (VBA) correctly assigned 100 percent disability evaluations as either permanent or temporary and effectively monitored and adjusted temporary 100 percent disability evaluations. It was determined that the staff at the VA Regional Offices (VARO) are not correctly evaluating and monitoring 100 percent disability evaluations. Approximately 239,000 veterans were identified who had at least one service-connected condition rated 100 percent disabling as of SEP 09. Approximately 58,000 veterans were eliminated from the review with conditions that indicated no likelihood of improvement, such as double amputees. It is projected that of the remaining 181,000 veterans, VARO staff did not correctly process evaluations for about 27,500 (15 percent). It is further projected that since January 1993, VBA paid veterans a net amount of about \$943 million without adequate medical evidence. If VBA does not take timely corrective action, it will overpay veterans a projected \$1.1 billion over the next 5 years.

It was recommended the Acting Under Secretary for Benefits increase oversight by ensuring future exam dates are included in the electronic records and providing VARO staff the necessary training. VBA also needs to ensure claims folders with temporary evaluations are kept at the VARO and each temporary evaluation has a future exam date entered in the electronic record. The Acting Under Secretary for Benefits did not agree with the findings, particularly as they relate to the projected overpayment amounts, but agreed to implement the recommendations and provided responsive implementation plans. OIG maintains that the primary message in their report is VBA paid veterans without adequate medical evidence and that their projection is a reasonable and conservative estimate of overpayments based upon our review of compensation records available. To review the report go to <http://www.utvet.com/VAoigAudit.pdf> . [Source: Belinda J. Finn, Assistant Inspector General for Audits and Evaluations 24 Jan 2011 ++]

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**Arlington National Cemetery Update 20:** The Army is investigating how 9-foot-tall, decorative marble urns that once flanked the stage of Arlington National Cemetery's Memorial Amphitheater ended up on a private auction block. An Alexandria auction house is planning to sell 14 decorative urns that once stood in the amphitheater next to the Tomb of the Unknown Soldier, a memorial visited by presidents for 90 years. The urns were apparently removed from the cemetery during a 1990s renovation. Since 1997 they have been at a Maryland antiques shop, but the shop owner is closing the store and auctioning its inventory. He says he bought the urns from the company that renovated the amphitheater, replaced the urns and took away the originals. After learning of the sale from The Washington Post, the Army on 21 JAN asked The Potomack Company to halt the urns' auction. [Source: AP article 22 Jan 2011 ++]

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**Japan-U.S. Support Agreement:** The United States and Japan on 21 JAN officially signed off on the new Special Measures Agreement, a five-year plan that will maintain Japan's current spending to support U.S. military forces in the country. U.S. Ambassador John Roos and Japanese Foreign Minister Seiji Maehara signed the host nation support pact during a ceremony at the Ministry of Foreign Affairs in Tokyo. "It is the host nation support that allows us to maintain some of the critical defense capabilities that are not only important for the defense of

Japan, but critical for the stability in this region of the world,” Roos said during the ceremony, pointing out that it is one of Japan’s critical contributions to their alliance. The Japanese government will spend 188.1 billion yen — or \$2.02 billion — annually in the next five years on Japanese employee salaries, utilities and base maintenance. Japan has been spending roughly the same annual amount under the current three-year agreement that expires in March. Japan has been reducing the amount it pays for U.S. bases over the past decade from a high of \$3.17 billion in 1999.

The new deal provides more money for facility upgrades, including energy-efficient systems, officials said. The new agreement will also cover the cost of moving some training for Okinawa-based F-15 fighters to Guam. However, it comes at the expense of roughly 2% of the Japanese work force. Over the next five years, 430 of the 23,055 jobs that the Japanese government funds will be eliminated, ministry officials said. Japanese lawmakers have criticized using tax dollars to pay the salaries of workers at entertainment facilities on military bases. The rate Japan pays for base utilities expenses will be reduced from 76% under the expiring agreement to 72% over the next five years. Japan will pay 24.9 billion yen, or about \$267.8 million, for utilities. The budget proposal for funding host nation support — approved by Prime Minister Naoto Kan in late December — essentially followed the recommendation of a Japanese government panel, which said the country’s financial commitment to support U.S. forces should be given high priority among a special category of money reserves separate from the national defense budget. “The agreement we are signing today is significant not only to the security of Japan but to the peace and stability of this region,” Maehara said. “Host nation support is often referred to as ‘sympathy budget,’ but we will no longer use this term since host nation support is a strategic contribution by Japan,” he said. “I’d like to declare that it is something that is agreed based on mutual strategic grounds.” [Source: Stars and Stripes Hana Kusomoto 21 Jan 2011 ++]

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**CA Vet Services Update 01:** Military veterans are upset with Gov. Jerry Brown's proposal to end state support for local veterans service offices, which connect California veterans with millions of dollars in federal benefits. “It's an insult to the veterans, really,” said Bud Simmons of Santa Rosa, northern-area commander of AMVETS, a national organization representing 180,000 veterans. Advocates for veterans services say they are a jackpot that brings in more than \$100 in federal benefits funding for every \$1 spent to get them. Sonoma County's Veterans Service Office, which conducted interviews with 3,241 clients last year, helped veterans obtain nearly \$10 million in new and retroactive benefits in 2010. “This is new money going directly into the pockets of our county vets and their families,” said Chris Bingham, county veterans service officer. Simmons, who also belongs to the American Legion and Veterans of Foreign Wars, said he is lobbying state lawmakers about Brown's proposal to cut nearly \$10 million from the Department of Veterans Affairs budget in the fiscal year beginning 1 JUL. Many legislators are not veterans, and are “not fully attuned to some of the problems these guys have,” Simmons said.

Brown's move comes just three months after former Gov. Arnold Schwarzenegger signed the current state budget, boosting funding for local veterans service offices by \$5 million, including \$50,000 for the Sonoma County Veterans Service Office. Schwarzenegger also initiated Operation Welcome Home, a program aimed at the 30,000 veterans returning to California from military service each year. “This is a tough budget,” said J.P. Tremblay, spokesman for the state Department of Veterans Affairs, confirming that Brown intends to eliminate \$7.6 million in funding for local veterans service offices and \$2.3 million for Operation Welcome Home. Sonoma County's four-person Veterans Service Office gets \$120,000 a year from the state, or 26% of its total \$460,000 budget. If Brown's cuts are approved by the Legislature, the county office would lose that \$120,000, local officials said. “It's too early to know what we would do,” said Diane Kaljian, director of the county adult and aging division. The county general fund provides about 70% of the funding for the local veterans service office, which employs Bingham and three claims workers. Simmons gives the office top marks, saying the claims workers “really go to bat for veterans.”

Assemblyman John Cook, R-Yucca Valley, said that county service offices “with minimal funding” help thousands of veterans obtain \$250 million a year in benefits — “money that goes into the state's economy.” Cook, a retired Marine colonel and combat veteran, said the governor's proposal to eliminate funding for the county offices is “an extremely short-sighted move that serves neither state finances nor our veterans well.” More than 60% of county veterans offices in California are backlogged and have placed veterans on a waiting list for assistance in applying for benefits, according to the Assembly Veterans Affairs Committee. The U.S. Department of Veterans Affairs spent \$6 billion in California in 2005, more than 40% of it in disability and compensation payments. Texas veterans collect 44% more in disability benefits per capita, and Florida vets collect 31% more than California, the committee said. Tremblay, the state VA spokesman, noted that the proposed budget cuts do not affect care at six veterans homes, which accommodate 1,577 aged or disabled veterans. Despite a potential funding cut, the department will “continue our goal of reaching out and educating veterans and their families about the services and benefits available to them,” he said. Vets benefits include disability compensation, pensions, health care, vocational rehabilitation, life insurance and educational assistance. Assistance from county service offices is free. [Source: The Press Democrat Guy Kovner article 21 Jan 2011 ++]

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**Vet Websites:** Below are web-sites that provide information on Veterans benefits and how to file/ask for them. Accordingly, there are many sites that explain how to obtain books, military/medical records, information and how to appeal a denied claim with the VA. Nearly 100% of this information is free and available for all veterans provided they ask for it:

Appeals [http://www.warms.vba.va.gov/admin21/m21\\_1/mr/part1/ch05.doc](http://www.warms.vba.va.gov/admin21/m21_1/mr/part1/ch05.doc)  
Board of Veteran's Appeals <http://www.va.gov/vbs/bva/>  
CARES Commission <http://www.va.gov/vbs/bva/>  
CARES Draft National Plan <http://www1.va.gov/cares/page.cfm?pg=105>  
Center for Minority Veterans <http://www1.va.gov/centerforminorityveterans/>  
Center for Veterans Enterprise <http://www.vetbiz.gov/default2.htm>  
Center for Women Veterans <http://www1.va.gov/womenvet/>  
Clarification on the changes in VA healthcare for Gulf War Veterans  
<http://www.gulfwarvets.com/ubb/Forum1/HTML/000016.html>  
Classified Records - American Gulf War Veterans Assoc  
<http://www.gulfwarvets.com/ubb/Forum18/HTML/000011.html>  
Compensation for Disabilities Associated with the Gulf War Service  
[http://www.warms.vba.va.gov/admin21/m21\\_1/part6%20/ch07.doc](http://www.warms.vba.va.gov/admin21/m21_1/part6%20/ch07.doc)  
Compensation Rate Tables, 12-1-03 <http://www.vba.va.gov/bln/21/Rates/comp01.htm>  
Department of Veterans Affairs Home Page <http://www.va.gov/>  
Directory of Veterans Service Organizations <http://www1.va.gov/vso/index.cfm?template=view>  
Disability Examination Worksheets Index, Comp <http://www.vba.va.gov/bln/21/Benefits/exams/index.htm>  
Due Process [http://www.warms.vba.va.gov/admin21/m21\\_1/mr/part1/ch02.doc](http://www.warms.vba.va.gov/admin21/m21_1/mr/part1/ch02.doc)  
Duty to Assist [http://www.warms.vba.va.gov/admin21/m21\\_1/mr/part1/ch01.doc](http://www.warms.vba.va.gov/admin21/m21_1/mr/part1/ch01.doc)  
Electronic Code of Federal Regulations <http://www.gpoaccess.gov/ecfr/>  
Emergency, Non-emergency, and Fee Basis Care <http://www1.va.gov/opa/vadocs/fedben.pdf>  
Environmental Agents <http://www1.va.gov/environagents/>  
Environmental Agents M10 [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1002](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1002)  
Establishing Combat Veteran Eligibility [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=315](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=315)

Evaluation Protocol for Gulf War and Iraqi Freedom Veterans with Potential Exposure To Depleted Uranium (DU) <http://www1.va.gov/gulfwar/docs/DUHandbook1303122304.DOC> and [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1158](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1158)

See also, Depleted Uranium Fact Sheet <http://www1.va.gov/gulfwar/docs/DepletedUraniumFAQSheet.doc>

Evaluation Protocol for Non-Gulf War Veterans with Potential Exposure to Depleted Uranium (DU) <http://www1.va.gov/gulfwar/docs/DUHANDBOOKNONGW130340304.DOC>

Fee Basis, Priority for Outpatient Medical Services and Inpatient Hospital Care [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=206](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=206)

Federal Benefits for Veterans and Dependents 2005 <http://www1.va.gov/opa/vadocs/fedben.pdf> or, [http://www1.va.gov/opa/vadocs/current\\_benefits.htm](http://www1.va.gov/opa/vadocs/current_benefits.htm)

Forms and Records Request <http://www.va.gov/vaforms/>

General Compensation Provisions [http://www.access.gpo.gov/uscode/title38/partii\\_chapter11\\_subchaptervi\\_.html](http://www.access.gpo.gov/uscode/title38/partii_chapter11_subchaptervi_.html)

Geriatrics and Extended Care <http://www1.va.gov/geriatricsshg/>

Guideline for Chronic Pain and Fatigue MUS-CPG [http://www.oqp.med.va.gov/cpg/cpgn/mus/mus\\_base.htm](http://www.oqp.med.va.gov/cpg/cpgn/mus/mus_base.htm)

Guide to Gulf War Veteran's Health <http://www1.va.gov/gulfwar/docs/VHlgulfwar.pdf>

Gulf War Subject Index <http://www1.va.gov/GulfWar/page.cfm?pg=7&template=main&letter=A>

Gulf War Veteran's Illnesses Q& As <http://www1.va.gov/gulfwar/docs/GWIllnessesQandAsIB1041.pdf>

Hearings [http://www.warms.vba.va.gov/admin21/m21\\_1/mr/part1/ch04.doc](http://www.warms.vba.va.gov/admin21/m21_1/mr/part1/ch04.doc)

Homeless Veterans <http://www1.va.gov/homeless/>

HSR&D Home <http://www.hsr.d.research.va.gov/>

Index to Disability Examination Worksheets C&P exams <http://www.vba.va.gov/bln/21/benefits/exams/index.htm>

Ionizing Radiation <http://www1.va.gov/irad/>

Iraqi Freedom/Enduring Freedom Veterans VBA <http://www.vba.va.gov/EFIF/>

M 10 for spouses and children < [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1007](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1007)

M10 Part III Change 1 [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1008](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1008)

M21-1 Table of Contents [http://www.warms.vba.va.gov/M21\\_1.html](http://www.warms.vba.va.gov/M21_1.html)

Mental Disorders, Schedule of Ratings [http://www.warms.vba.va.gov/regs/38CFR/BOOKC/PART4/S4\\_130...DOC](http://www.warms.vba.va.gov/regs/38CFR/BOOKC/PART4/S4_130...DOC)

Mental Health Program Guidelines [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1094](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1094)

Mental Illness Research, Education and Clinical Centers <http://www.mirecc.med.va.gov/>

MS (Multiple Sclerosis) Centers of Excellence <http://www.va.gov/ms/about.asp>

My Health e Vet <http://www.myhealth.va.gov/>

NASDVA.COM <http://nasdva.com/>

National Association of State Directors <http://www.nasdva.com/>

National Center for Health Promotion and Disease Prevention <http://www.nchpdp.med.va.gov/postdeploymentlinks.asp>

Neurological Conditions and Convulsive Disorders, Schedule of Ratings <http://www.warms.vba.va.gov/regs/38cfr/bookc/part4/s4%5F124a.doc>

OMI (Office of Medical Inspector) <http://www.omi.cio.med.va.gov/>

Online VA Form 10-10EZ <https://www.1010ez.med.va.gov/sec/vha/1010ez/>

Parkinson's Disease and Related Neurodegenerative Disorders <http://www1.va.gov/resdev/funding/solicitations/docs/parkinsons.pdf> and <http://www1.va.gov/padrece/>

Peacetime Disability Compensation [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse\\_usc&docid=Cite:+38USC1131](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+38USC1131)

Pension for Non-Service-Connected Disability or Death [http://www.access.gpo.gov/uscode/title38/partii\\_chapter15\\_subchapteri\\_.html](http://www.access.gpo.gov/uscode/title38/partii_chapter15_subchapteri_.html) and, [http://www.access.gpo.gov/uscode/title38/partii\\_chapter15\\_subchapterii\\_.html](http://www.access.gpo.gov/uscode/title38/partii_chapter15_subchapterii_.html) and, [http://www.access.gpo.gov/uscode/title38/partii\\_chapter15\\_subchapteriii\\_.html](http://www.access.gpo.gov/uscode/title38/partii_chapter15_subchapteriii_.html)

Persian Gulf Registry [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1003](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1003)

This program is now referred to as Gulf War Registry Program (to include Operation Iraqi Freedom) as of March 7, 2005: [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1232](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1232)

Persian Gulf Registry Referral Centers [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1006](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1006)

Persian Gulf Veterans' Illnesses Research 1999, Annual Report To Congress  
[http://www1.va.gov/resdev/1999\\_Gulf\\_War\\_Veterans'\\_Illnesses\\_Appendices.doc](http://www1.va.gov/resdev/1999_Gulf_War_Veterans'_Illnesses_Appendices.doc)

Persian Gulf Veterans' Illnesses Research 2002, Annual Report To Congress  
[http://www1.va.gov/resdev/prt/gulf\\_war\\_2002/GulfWarRpt02.pdf](http://www1.va.gov/resdev/prt/gulf_war_2002/GulfWarRpt02.pdf)

Phase I PGR [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1004](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1004)

Phase II PGR [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=1005](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=1005)

Policy Manual Index <http://www.va.gov/publ/direc/eds/edsmps.htm>

Power of Attorney [http://www.warms.vba.va.gov/admin21/m21\\_1/mr/part1/ch03.doc](http://www.warms.vba.va.gov/admin21/m21_1/mr/part1/ch03.doc)

Project 112 (Including Project SHAD) <http://www1.va.gov/shad/>

Prosthetics Eligibility [http://www1.va.gov/vhapublications/ViewPublication.asp?pub\\_ID=337](http://www1.va.gov/vhapublications/ViewPublication.asp?pub_ID=337)

Public Health and Environmental Hazards Home Page <http://www.vethealth.cio.med.va.gov/>

Public Health/SARS <http://www.publichealth.va.gov/SARS/>

Publications Manuals <http://www1.va.gov/vhapublications/publications.cfm?Pub=4>

Publications and Reports [http://www1.va.gov/resdev/prt/pubs\\_individual.cfm?webpage=gulf\\_war.htm](http://www1.va.gov/resdev/prt/pubs_individual.cfm?webpage=gulf_war.htm)

Records Center and Vault Homepage <http://www.aac.va.gov/vault/default.html>

Records Center and Vault Site Map <http://www.aac.va.gov/vault/sitemap.html>

Request for and Consent to Release of Information from Claimant's Records  
<http://www.forms.va.gov/va/Internet/VARF/getformharness.asp?formName=3288-form.xft>

Research Advisory Committee on Gulf War Veterans Illnesses April 11, 2002  
[http://www1.va.gov/rac-gwvi/docs/Minutes\\_April112002.doc](http://www1.va.gov/rac-gwvi/docs/Minutes_April112002.doc)

Research Advisory Committee on Gulf War Veterans Illnesses  
[http://www1.va.gov/rac-gwvi/docs/ReportandRecommendations\\_2004.pdf](http://www1.va.gov/rac-gwvi/docs/ReportandRecommendations_2004.pdf)

Research and Development [http://www.appc1.va.gov/resdev/programs/all\\_programs.cfm](http://www.appc1.va.gov/resdev/programs/all_programs.cfm)

Survivor's and Dependents' Educational Assistance  
[http://www.access.gpo.gov/uscode/title38/partiii\\_chapter35\\_.html](http://www.access.gpo.gov/uscode/title38/partiii_chapter35_.html)

Title 38 Index Parts 0-17 [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1b0c269b510d3157fbf8f8801bc9b3dc&c=ecfr&tpl=/ecfrbrowse/Title38/38cfrv1\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1b0c269b510d3157fbf8f8801bc9b3dc&c=ecfr&tpl=/ecfrbrowse/Title38/38cfrv1_02.tpl)

Title 38 Index Part 18 [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1b0c269b510d3157fbf8f8801bc9b3dc&c=ecfr&tpl=/ecfrbrowse/Title38/38cfrv2\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1b0c269b510d3157fbf8f8801bc9b3dc&c=ecfr&tpl=/ecfrbrowse/Title38/38cfrv2_02.tpl)

Title 38 Part 3 Adjudication Subpart Pension, Compensation, and Dependency and Indemnity Compensation  
[http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=1b0c269b510d3157fbf8f8801bc9b3dc&tpl=/ecfrbrowse/Title38/38cfr3\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=1b0c269b510d3157fbf8f8801bc9b3dc&tpl=/ecfrbrowse/Title38/38cfr3_main_02.tpl)

Title 38 Pensions, Bonuses & Veterans Relief (also § 3.317 Compensation for certain disabilities due to undiagnosed illnesses found here) [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=1b0c269b510d3157fbf8f8801bc9b3dc&tpl=/ecfrbrowse/Title38/38cfr3\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=1b0c269b510d3157fbf8f8801bc9b3dc&tpl=/ecfrbrowse/Title38/38cfr3_main_02.tpl)

Title 38 PART 4--Schedule for Rating Disabilities - Subpart B--Disability Ratings  
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=ab7641afd195c84a49a2067dbbcf95c0&rgn=div6&view=text&node=38:1.0.1.1.5.2&idno=38>

Title 38 § 4.16 Total disability ratings for compensation based on unemployability of the individual. PART 4  
Schedule for Rating Disabilities - Subpart General Policy in Rating <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=1b0c269b510d3157fbf8f8801bc9b3dc&rgn=div8&view=text&node=38:1.0.1.1.5.1..96.11&idno=38>

U.S. Court of Appeals for Veterans Claims <http://www.vetapp.gov/>

VA Best Practice Manual for Posttraumatic Stress Disorder (PTSD)  
<http://www.avapl.org/pub/PTSD%20Manual%20final%206.pdf>

VA Fact Sheet <http://www1.va.gov/opa/fact/gwfs.html>

VA Health Care Eligibility <http://www.va.gov/healtheligibility/home/hecmmain.asp>  
VA Instituting Global Assessment of Function (GAF) <http://www.avapl.org/gaf/gaf.html>  
VA Life Insurance Handbook Chapter 3  
<http://www.insurance.va.gov/inForceGliSite/GLIhandbook/glibookletch3.htm#310>  
VA Loan Lending Limits and Jumbo Loans [http://valoans.com/va\\_facts\\_limits.cfm](http://valoans.com/va_facts_limits.cfm)  
VA MS Research <http://www.va.gov/ms/about.asp>  
VA National Hepatitis C Program <http://www.hepatitis.va.gov/>  
VA Office of Research and Development <http://www1.va.gov/resdev/>  
VA Trainee Pocket Card on Gulf War <http://www.va.gov/OAA/pocketcard/gulfwar.asp>  
VA WMD EMSHG <http://www1.va.gov/emshg/>  
VA WRIISC-DC <http://www.va.gov/WRIISC-DC/>  
VAOIG Hotline Telephone Number and Address <http://www.va.gov/oig/hotline/hotline3.htm>  
Vet Center Eligibility - Readjustment Counseling Service <http://www.va.gov/rcs/Eligibility.htm>  
Veterans Benefits Administration Main Web Page <http://www.vba.va.gov/>  
Veterans Legal and Benefits Information <http://valaw.org/>  
VHA Forms, Publications, Manuals <http://www1.va.gov/vhapublications/>  
VHA Programs - Clinical Programs & Initiatives [http://www1.va.gov/health\\_benefits/page.cfm?pg=13](http://www1.va.gov/health_benefits/page.cfm?pg=13)  
<http://webmaila.juno.com/webmail/new/UrlBlockedError.aspx>>  
VHA Public Health Strategic Health Care Group Home Page <http://www.publichealth.va.gov>  
VHI Guide to Gulf War Veterans Health [http://www1.va.gov/vhi\\_ind\\_study/gulfwar/istudy/index.asp](http://www1.va.gov/vhi_ind_study/gulfwar/istudy/index.asp)  
Vocational Rehabilitation <http://www.vba.va.gov/bln/vre/>  
Vocational Rehabilitation Subsistence <http://www.vba.va.gov/bln/vre/InterSubsistencefy04.doc>  
VONAPP online <http://vabenefits.vba.va.gov/vonapp/main.asp>  
WARMS - 38 CFR Book C <http://www.warms.vba.va.gov/bookhtml>  
Wartime Disability Compensation [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse\\_usc&docid=Cite:+38USC1110](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+38USC1110)  
War-Related Illness and Injury Study Center - New Jersey <http://www.wri.med.va.gov/>  
Welcome to the GI Bill Web Site <http://www.gibill.va.gov/>  
What VA Social Workers Do <http://www1.va.gov/socialwork/page.cfm?pg=3>  
WRIISC Patient Eligibility <http://www.illegion.org/va1.html>  
[Source: Various Jan 2011 ++]

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**Family Care Giving Update 01:** Growing numbers of families are compensating relatives who serve as caregivers to elders. But to avoid exacerbating tensions, it is important to disclose such arrangements to the entire family. According to a report by the National Alliance for Caregiving and AARP, 43.5 million Americans looked after a friend or relative age 50 or older in 2009, 28% more than in 2004. In a survey conducted for Home Instead Senior Care, a home-care franchiser, nearly 7% of respondents said they receive compensation for providing care to a relative. A number of factors are feeding the trend: the high unemployment rate, the rising cost of nursing-home care, an aging population and a 2006 change in Medicaid law that makes it harder for people who wish to qualify to give away assets. Some 37% of caregivers surveyed by the NAC in 2007 said they had quit a job or reduced their hours to accommodate their responsibilities. There are several ways to compensate a family caregiver: (i) pay an hourly wage; (ii) annual gifts; or (iii) a lump-sum payment designed to cover services over an extended period. When making a determination, families must consider tax consequences and Medicaid law. In situations where a care recipient may eventually need to rely on Medicaid it is important to draft a written agreement ("personal care contract") that documents the caregiver's responsibilities and hours and sets a rate of pay in line with that of local service providers. The payments can help deplete savings and allow the care recipient to qualify for

Medicaid. Without an employment contract, Medicaid can consider all of the payments a gift made to hide assets and subject the care recipient to delays in coverage. [Source: Elder Law Issues Marc J. Soss article 23 Jan 2011 ++]

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**Medicare Part B Premiums Update 06:** The Military Retiree Health Care Relief Act of 2011 (H.R.238), was introduced in the 112th Congress by Representative Jo Ann Emerson (R-MO-08). The bill would restore a long broken promise relating to free life time health care by amending the Internal Revenue Code of 1986 to allow a refundable credit to military retirees and their spouses/widows for premiums paid for coverage under Medicare Part B. Veterans are encouraged to contact their legislators and request they actively support this bill and urge their colleagues to do the same. One method to accomplish this is to access the USDR Action Alert site [http://capwiz.com/usdr/issues/alert/?alertid=23523796&queueid=\[capwiz:queue\\_id\]](http://capwiz.com/usdr/issues/alert/?alertid=23523796&queueid=[capwiz:queue_id]) and forward the editable message provided to their representatives. [Source: USDR Action Alert 23 Jan 2011 ++]

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**IRS Refund Update 01:** Timed for tax season, the U.S. Department of the Treasury launched a pilot today to offer taxpayers a safe, convenient and low-cost financial account for the electronic delivery of their federal tax refunds. The new account card option provides everyday money-saving conveniences and consumer protection features for Americans with limited or no access to traditional banking services. “This pilot program will provide low- and moderate-income Americans with a low-cost option for faster delivery of their federal tax refund,” said Deputy Secretary of the Treasury Neal Wolin. “This innovative card can be used for everyday financial transactions, such as receiving wages by direct deposit, withdrawing cash, making purchases, paying bills and building savings safely and conveniently, giving users more control over their financial futures.” As the next step in this pilot, originally announced in September, Treasury will mail letters to 600,000 low and moderate income individuals nationwide. The letters will invite these taxpayers to consider activating a MyAccountCard Visa Prepaid Debit Card in time to have their 2010 federal tax refund direct deposited to the card. Compared to paper checks, direct deposit provides a safer, faster and more convenient way to receive a federal tax refund as well as other regular income.

Also, the Treasury began a companion pilot to encourage tens of thousands of current and potential payroll card users to direct deposit their 2010 federal tax refund onto existing payroll cards. Nationwide, more than 1.7 million workers use payroll cards to receive and access their wages, often because they do not have bank accounts. Working with ADP, a provider of payroll services, Treasury will highlight the safety, ease and convenience of direct deposit onto payroll cards through tax season communications, including materials distributed with pay statements. The letters mailed to taxpayers about MyAccountCard contain information about the card’s features, including free services and the fee structure for optional services. Many of the features, including free point-of-sale transactions, free online bill pay, free ATM cash withdrawals at more than 15,000 ATM machines nationwide, and free cash back at participating retail stores, will help cardholders limit the costs of using the card. The information also explains how to sign up, and how to use the card to receive a federal tax refund and conduct everyday financial transactions. As part of the pilot, Treasury will randomly offer several different variations of MyAccountCard in order to evaluate which product features, fee structures and marketing messages generate the greatest positive response from taxpayers. The results of the pilot will help determine the benefits and feasibility of a card account as an integrated part of the tax filing and refund process.

The Visa branded MyAccountCard will be issued by Bonneville Bank, acting as Treasury’s financial agent and pursuant to a license from Visa U.S.A. Inc., with additional services provided by Bonneville Bank through its program manager, Green Dot® Corporation, a prepaid financial services company. Bonneville Bank, Visa® and

Green Dot® will offer MyAccountCard cardholders a wide variety of card features, reliable customer service support by telephone and Internet, and a large nationwide reload network. The tax-time pilots build on the Obama Administration's continuing efforts to increase electronic payments and to empower Americans to make informed financial decisions. For example, those who receive Social Security, Supplemental Security Income (SSI) and other types of federal benefits already have the choice to get their payments through the Direct Express Debit MasterCard card, which was designed for federal benefit recipients and is recommended by the U.S. Department of the Treasury. More information about MyAccountCard can be found at <http://www.myaccountcard.gov>. [Source: U.S. Treasury Dept Press Center article 13 Jan 2011 ++]

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**VA OPCC&CT:** The Department of Veterans Affairs (VA) is creating a new office to develop personal, patient-centered models of care for Veterans who receive health care services at VA's more than 1,000 points of care across the Nation. "VA has become one of the Nation's leaders in quality health care and is increasingly cited as the standard to emulate," said VA Under Secretary for Health Dr. Robert A. Petzel. "However, we must always continue to find ways to deliver more with our systems to the incredible patients we are honored to serve. We need to be data-driven, providing the treatments and therapies with the best clinical evidence, and we need to be patient-centered, never losing sight that we have been given the noble mission to care for our Nation's Veterans, families and survivors."

The new VA Office of Patient Centered Care and Cultural Transformation (OPCC&CT) began operations on 17 JAN and is based in Arlington, Va. The office's director, Dr. Tracy Williams Gaudet, comes to VA from Duke University Medical Center where she has served as the executive director of Duke Integrated Medicine since 2001. Dr. Gaudet received her Bachelor of Arts and medical degrees from Duke University. "The VA's vision and commitment to cultural transformation comes at a pivotal moment for health care in this country, and I am deeply honored to be joining VA in this important work," said Dr. Gaudet. "The Office of Patient Centered Care and Cultural Transformation will be a living, learning organization in which we will discover and demonstrate new models of care, analyze the results, and then create strategies that allow for their translation and implementation across the VA. VA will continue to be a national leader in innovation, and, in this way, we will provide the future of high-quality health care to our Veterans." The Office will have four regional implementation teams at select VA medical centers across the country: Birmingham, Ala; East Orange, N.J.; Dallas; and Los Angeles. Each VA medical center was selected for excellence already demonstrated in producing cultures of patient-centered care based on established criteria. These regional teams, comprised of patient-centered care consultants, will be responsible for facilitating the culture change for patient-centered care at all VA facilities. [Source: VA News Release 19 Jan 2011 ++]

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**Medicare Home Health Care Update 01:** Medicare recipients could see a sizable new out-of-pocket charge for home health visits if Congress follows through on a recommendation issued 13 JAN by its own advisory panel. Until now, home health visits from nurses and other providers have been free of charge to patients. But the Medicare Payment Advisory Commission says a copayment is needed to discourage overuse of a service whose cost to taxpayers is nearing \$20 billion a year amid concerns that fraudsters are also taking advantage. The panel did not prescribe an amount, but its staff has suggested the charge be \$150 for a series of related visits. Medicare requires copays for many other services, so home health has been the exception, not the rule. Defying opposition by AARP, the seniors' lobby, the congressionally appointed commission voted 13-1 to recommend that lawmakers impose the new charge. Two commissioners abstained and one was absent. "At the extreme, this benefit can turn into a long-term care social support system," said commission chairman Glenn Hackbarth. "A modest

copayment is one tool to help deal with that problem." The commission was created by Congress to provide unbiased expert advice on complicated issues of Medicare benefits and financing. It's also known as MedPAC.

More than 3 million seniors and disabled people on Medicare use home health services — visits from nurses, personal care attendants and therapists, available to those who can't easily get out of the house. Home health was once seen as a cost saver, since it's clearly cheaper than admitting patients to the hospital. But it's been flagged as a budget problem because of rapidly increasing costs and big differences in how communities around the country use the benefit. Part of the problem appears to be rampant fraud. In some counties home health admissions exceed the number of residents on Medicare. Several commissioners said they worried about the impact of a new charge on seniors with modest incomes. Numerous studies have shown that even small copayments can discourage patients from getting medical services. The charge would be collected for each home health agency admission, not for every visit by a nurse or provider. Patients can be under home health care for weeks at a time. The recommendation exempts low-income patients, whose copayments would be covered by Medicaid, as well as those just discharged from the hospital. More than 30 million beneficiaries in traditional Medicare would be directly subject to the fee. Repercussions for seniors in private Medicare Advantage plans are uncertain. [Source: TMC World News AP article 16 Jan 2011 ++]

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**Pentagon FCU Data Breach:** Personal information has been stolen from the Pentagon Federal Credit Union, officials confirmed last week. PenFed's executive vice president of operations, Roderick B. Mitchell, confirmed in a letter to customers that names, addresses, Social Security numbers, and credit and debit card numbers were stolen from the company database. PenFed said no personal identification numbers or passwords were obtained by the hackers. Company officials also said there was no indication the stolen personal information had been misused. An estimated 1 million credit union customers, mostly military personnel, had their information absconded, company officials confirmed. Company officials would not say in which state most of the victims resided. Brochures with instructions to help deal with the issues were sent out to PenFed customers, and the Federal Trade Commission (FTC) has online guidance regarding measures to protect against identity theft at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft). Identity theft also can be reported to the FTC at 1-877-IDTHEFT. For more information on the PenFed issue, customers are asked to call (800) 247-5626 or contact the fraud departments of Experian <http://www.experian.com> or Equifax <http://www.equifax.com>.

**(Editor's Note:** Readers are encouraged to look into obtaining personal protection against identity theft. Hackers continue to be able to access both civilian and government data bases which store personal information on you and your family. In the wrong hands your financial assets and credit rating can vanish overnight and drastically change your lifestyle. A number of companies such as Lifelock <http://www.lifelock.com> offer protection for around \$10 a month. In this day and age obtaining personal protection for you financial well being is a prudent investment.) [Source: News Herald article 17 Jan 2011 ++]

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**Mt. Soledad Veterans Memorial Update 01:** A group of California lawmakers are pushing for congressional protection for religious symbols included at U.S. war memorials after the latest court challenge to a San Diego veterans monument that features a 43-foot high cross. Earlier this month, the 9th Circuit Court of Appeals ruled that the Mount Soledad cross -- which has been at the center of legal fights for more than two decades -- amounts to an unconstitutional display of government favoring a specific religion, and must be changed. Supporters of the memorial have vowed to continue fighting the case to the Supreme Court. But California Republican Rep. Duncan D. Hunter hopes his latest legislative bid might settle the fight before that, by allowing

religious symbols to be included in any federal military memorial by law. The measure could circumvent the courts' interpretation of the Establishment Clause, which prohibits the U.S. government from showing preference for one religious group over another. "The War Memorial Protection Act (H.R.290) is just as much about Mount Soledad as it is every other war memorial across the country," Hunter said in a statement. "In cases where religious elements are present, the fact that these monuments stand as symbols of military service and sacrifice does not change." But opponents of the cross say its presence replaces the military focus of the memorial with a Christian one. Supporters say a defeat in California could have widespread changes for memorials throughout the country, including Arlington National Cemetery in Virginia, where religious symbols are engraved in the headstones of thousands of fallen servicemembers. So far two other California congressmen -- Republicans Brian Bilbray and Darrell Issa -- have also signed onto the legislation, but no similar proposals have been floated in the Senate. [Source: Stars and Stripes Leo Shane article 14 Jan 2011 ++]

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**DoD Retiree Pay Offset Update 02:** The Disabled Veterans Tax Termination Act Take Action(H.R.333) has been reintroduced by Rep. Sanford Bishop (D-GA -02) in the 112th Congress. If enacted it would correct several wrongs enacted with the original concurrent receipt legislation in 2004.

- ❖ First, HR 333 would enable those 480,000 retired members of the Armed Forces with disability ratings less than 50% to draw their military retirement pay under CRDP (Concurrent Retirement Disability Pay, 10 US Code Section 1414) without offset by VA disability compensation awarded for service connected disability. If the disability was combat-related, these retirees were enfranchised for CRSC (Combat Related Special Compensation, 10 USC Section 1413a) with the 2008 NDAA.
- ❖ Second, HR 333 would enable those 200,000 members (already contained within the 480,000 just discussed) of the Armed Forces retired for medical disability with less than 20 years service under 10 US Code, Chapter 61, to draw both their VA disability and their military retirement pay under CRDP. If the disability were combat-related, these retirees were enfranchised for CRSC with the 2008 NDAA.
- ❖ Third, HR 333 would eliminate the 10-year phase-in of CRDP which is currently in the 6th year and is 88% restored. In 2011, restoration will be 95% complete. Distributing the remaining 5% over the next 4 years is not cost effective, because the cost of processing the payments exceeds the cost of the CRDP payments. In the last year of the phase-in, the average increment will be less than \$1 per month.
- ❖ Fourth, HR 333 would cause the Department of Defense (DoD) to compute CRSC pay for Chapter 61 retirees as originally intended Congress. Basically, HR 333 would eliminate the "donut hole" into which some combat related retirees fall which awards them ZERO compensation.

As of 19 JAN the bill has gained 72 cosponsors. Veterans are encouraged to contact their legislators and request they actively support this bill and urge their colleagues to do the same. One method to accomplish this is to access the USDR Action Alert site [http://capwiz.com/usdr/issues/alert/?alertid=23493506&queueid=\[capwiz:queue\\_id\]](http://capwiz.com/usdr/issues/alert/?alertid=23493506&queueid=[capwiz:queue_id]) and forward the editable message provided to their representatives. [Source: USDR Action Alert 22 Jan 2011 ++]

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**Congress ~ 112th Update 01:** Following is an estimated timeline of when important actions will occur in the first year of the 112th Congress:

- Feb. 14: The president will submit his annual budget proposals to Congress. On this date we'll find out what the Pentagon will propose for military manpower levels, the 2012 pay raise, TRICARE fee levels and more.
- Late March: Six weeks after the President delivers his budget to Congress, congressional committees are required to submit their "views and estimates" of spending and revenues within their respective jurisdictions to the House and Senate Budget Committees.
- April: House and Senate Budget Committees draft and mark up concurrent resolution on the budget, which sets spending limits for the year. April 15 is the deadline for completion of action on the budget resolution (though partisan and fiscal differences have precluded approval of a formal budget resolution in recent years, and that may prove true again in 2011.)
- May: The House and Senate Armed Services Committees will likely begin work on the FY2012 Defense Authorization Bill 2011 ++Jan, including any changes that may be imposed by budget resolution spending limits.
- May-July: Full House and Senate pass their respective versions of the defense bill.
- July-October: House and Senate negotiators resolve differences between their respective versions.
- October-December: Final Defense Authorization Bill passed by House and Senate and becomes law.

[Source: MOAA Leg Up 21 Jan 2011 ++]

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**Congress ~ 112th Update 02:** Republicans in control of the House and Democrats in control of the Senate have approved dramatically different budget rules for the 112th Congress that would appear to make it difficult for them to reach agreements on almost any major budget changes without major compromises by one or the other or both. The most important change in the House was to replace the "pay-as-you-go" (PAYGO) spending rule with the "cut-as-you-go" (cut-go) policy. Under the PAYGO rule still used by the Senate, any increases in so-called "entitlement" spending must be offset either by cuts in other entitlement spending programs or increases in revenue. Entitlement spending (also known as mandatory spending) involves any program that is subject to automatic adjustment mechanisms (e.g., COLAs) and doesn't require annual appropriations. It includes such programs as Social Security, Medicare, military and federal civilian retirement and survivor programs, TRICARE For Life, VA disability payments, and more. PAYGO rules also require offsetting the cost of any proposed tax cuts with equivalent spending cuts. The new House "Cut-Go" rule requires that any new increase in mandatory spending can be offset only by other mandatory spending cuts, and not by tax increases. It also exempts tax cuts from any offset requirements.

Practically speaking, what will this mean? The focus in the House is clearly to force significant spending reductions and make it easier to enact tax cuts. But the different rules between the House and Senate raise the prospect that un-offset tax cuts approved by the House would violate Senate rules, and revenue increases proposed by the Senate to cover the cost of Medicare or other fixes would violate House rules. To add to the complexity, the PAYGO offset rules are set in law, even though the House has chosen to use different rules for its deliberations. In the past, the most frequently used way to get around the statutory PAYGO rule was to declare the spending increase an "emergency" need, as emergencies aren't subject to PAYGO offset requirements. The new House rules likely will cut down on emergency spending increases, but will House members now seek "emergency tax cuts"? The bottom line is a pretty familiar one: expect more gridlock. [Source: MOAA Leg Up 21 Jan 2011 ++]

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**Virginia Vet Legislation Update 01:** Governor Bob McDonnell announced 14 JAN his legislation to continue his effort to make Virginia the most veteran-friendly state in America. The legislation focuses on the continued need to streamline services that help Virginia's military, and increase the access to and efficiency of these services. It includes waiving the one-year residency requirement needed to qualify for in-state tuition for veterans; allowing the Department of Human Resource Management to offer voluntary TRICARE supplement health coverage for state employees who are veterans of the armed forces; providing to a veteran, free of charge, one copy of vital record if that record is to be used to determine the eligibility for state or federal veteran benefits; and, renaming the existing Office of Commonwealth Preparedness to the Secretary of Veterans Affairs and Homeland Security. Speaking about the legislation, Governor McDonnell remarked, "Virginia is home to over 820,000 veterans and almost 200,000 active duty military. These men and women have served our country; it is essential that we continue to work to better serve them."

Delegate Chris Stolle (R-Virginia Beach) also noted, "Last year, with Governor McDonnell's leadership, we passed 24 pieces of legislation to help our veterans and active duty military. But there is more to be done to ensure that this is the most veteran friendly state in the nation. This year we are going to provide more veterans access to a quality higher education once they leave the military by granting in state tuition to any veteran who wants to make Virginia home. We're also going to ensure that families don't lose in state tuition rights if the parents move due to a change in assignment. This is a great service we can provide to our veterans and active duty military to ensure that they remain in the Commonwealth or choose to return after their service." At present the following 2011 veteran legislation has been introduced:

- **In-State Tuition** (Senator Edwards SB 824 and Delegate Stolle HB 1848) - Increase educational opportunity for veterans by waiving the one-year residency requirement needed to qualify for in-state tuition rates.
- **Secretary of Veterans Affairs and Homeland Security** (Senator Vogel and Delegate Sherwood HB 1773) - Renaming the existing Cabinet Office, Commonwealth Preparedness (OCP), to Secretary of Veterans Affairs and Homeland Security, to move Department of Veteran's Services and related Boards and Commissions to this Office, and to Reorganize Certain Boards and Commissions Related to this Office
- **COPN Exemption** (Senator Locke SB 986 and Delegate Athey HB 1697) - Provide an exemption to the Certificate of Public Need (COPN) process to all current and future veterans care centers. This will facilitate the construction of an addition to the Sitter & Barfoot Veterans Care Center in Richmond, as well as new care centers planned for Hampton Roads, Northern Virginia, and Southwest Virginia
- **Vital Record** (Senator Northam SB 959 and Delegate Massie HB 1719) - Provide to a veteran of his/her spouse, free of charge, one copy of vital record, if that record is to be used in the determination of eligibility for state or federal veterans benefits. By submitting a copy of the vital record with the claims application package, we can eliminate the time it takes for the VA to request the record and for it to be sent to the VA for review. This will speed the VA review process, and could help our veterans receive their federal disability benefits sooner.
- **The Veterans Care Center Advisory Committee** (Senator J. Miller SB 958 and Delegates Cole and Watts HB 1666) - Eliminate the requirement for an advisory committee on veterans care centers The Veterans Care Center Advisory Committee has not met for almost two years and the functions of the committee are duplicated by the Care Centers Committee of the Board of Veterans Services
- **Zero Cost Benefit for Veteran Employees: TRICARE Supplement** (Delegate Kirk Cox HB 1761 and Senator Wampler SB 892) - This legislation will permit DHRM to offer voluntary TRICARE supplement health coverage under the Commonwealth's IRC Section 125 cafeteria plan. Because eligible state employees pay the full cost of TRICARE supplemental coverage, there is no fiscal impact to the state for implementation of such a program. State employees who elect to receive primary coverage under the TRICARE Military Health System will benefit from the convenience and savings of payroll deduction for TRICARE supplemental coverage on a pre-tax basis.

- **Domicile protection for Military Spouses** (Senator McWaters and Delegate Stolle HB 1848) - This legislation will provide clarification to Virginia institutions of higher education, when evaluating domicile status, that a Virginia domiciled military spouse does not forfeit domicile status due to accompanying the active duty service member while stationed outside of Virginia.
- **Virginia Commission on Military and National Security Facilities** (Senator Ruff and Delegate Anderson HB 2041) - A Bill to Amend the Freedom of Information Act by adding a Commission Created by Governor's Executive Order for the Purpose of Retaining, Growing or Attracting Military and National Security Facilities to the Exemptions presently covering the Virginia Military Advisory Council, the Virginia National Defense Industrial Authority and other Similar local Organizations.
- **Professional Licenses** (Senator Stosch and Delegate Cosgrove HB 1862) - Legislation to Provide an Extension of the Expiration of Certain Licenses, Certifications, Registrations or Other Documents Held by the Spouse of a Service Member When Stationed Overseas. This legislation will position military spouses to return to Virginia and to work in a professional career quickly.
- **Virginia Council on the Interstate Compact on Educational Opportunity for Military Children** (Delegate Greason HB 1976) - Legislation to Conform Membership of the Virginia Council on the Interstate Compact on Educational Opportunity for Military Children with the Required Membership Agreed to by the Commonwealth in the Interstate Compact

Budget Amendments:

- \$387,000 to increase the veteran cemetery budget
- \$6,700,000 million for repair and maintenance of National Guard armories

[Source: Times Virginian article 14 Jan 2011 ++]

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**VFW Operation Uplink:** As of 16 JAN VFW's Operation Uplink "Free Call Day" (FCD) surpassed 5 million connections made from deployed military personnel to their loved ones. Operation Uplink initially provided calling cards to deployed and hospitalized troops, but on Mother's Day 2006, due to the growing popularity of the program and thanks to the generosity of corporate donors like Sport Clips and Harleysville Insurance, the program began hosting "Free Call Days." Operation Uplink hosts a Free Call Day for service members serving in Iraq, Afghanistan, Kuwait, and hospitalized veterans, giving them the opportunity to call their loved ones in the States at no cost. Free Call Days are available at more than 700 MWR internet cafes using SPAWAR. Soldiers use their regular SPAWAR prepaid PIN number and use regular dialing procedures, if they don't have a PIN, on the day of the FCD, the café manager can issue them one. A sponsor message greets them before the call is placed to inform them that the call is at no charge and they are free to talk for as long as they are able.

The program is the only one of its kind and provides two designated days each month where deployed service members making calls from their Morale, Welfare & Recreation (MWR) center to the U.S., and Germany and Italy land lines are greeted by a recording which states their call will be free courtesy of Operation Uplink. Members of the VFW and Ladies Auxiliary VFW Posts, as well as other caring citizens generously support the program. The VFW is proud of Operation Uplink because it provides an easy way for individuals and organizations to make an immediate difference in the lives of active-duty military personnel.

[Source: VFW www.vfw.org 19 Jan 2011 ++]

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**Combat Veteran Health Care Update 07:** Certain combat Veterans who were discharged from active duty service before 28 JAN 03 had until 27 JAN 2011 to take advantage of their enhanced health care

enrollment opportunity through the Department of Veterans Affairs (VA). Now that the deadline has passed combat veterans may have a few questions on what they missed out on and/or their eligibility for future VA enrollment. The following Q&A addresses a number of these:

1. I am a Veteran but don't know if this impacted me? Where can I go to find out more information?

You can visit <http://www.va.gov/healtheligibility>, call 1-877 222-VETS (8387), or visit/call your local VA facility's Enrollment Coordinator. A list of VA medical facilities can be found at [http://www2.va.gov/directory/guide/division\\_flsh.asp?dnum=1](http://www2.va.gov/directory/guide/division_flsh.asp?dnum=1).

2. I am Veteran already enrolled in VA care, did I need to do anything?

No. This only impacted Veterans who served in a theater of operations and discharged prior to January 28, 2003 who had yet to take the opportunity to enroll in VA's health care system.

3. Why did the enhanced enrollment window close now?

The National Defense Authorization Act of 2008 provided an additional 3 year enhanced enrollment window for Veterans who served in a theater of operations and discharged prior to January 28, 2003 to enroll in VA's health care system. By law, this enhanced enrollment window expired January 27, 2011.

4. What were the advantages of enrolling before the deadline?

You would not have been subject to VA's current enrollment restriction in place for higher income Veterans. Accordingly, you would have been placed into Priority Group 6. After January 27, 2011 those Veterans who did not enroll will continue to enjoy enrollment in VA's health care system though their Priority Group may change based on other eligibility factors.

5. Can I still receive VA healthcare if I did not enroll before the window closed?

Yes. You may apply for enrollment at anytime. However, certain Veterans may not be eligible for enrollment (for instance they do not have other eligibility such as service connected disability and they have higher incomes).

6. What were the differences between enrolling before and after the window closed?

You would have been afforded enrollment in VA's health care system regardless of your income status. After the window closed your eligibility for enrollment may be dependent on your income status.

7. Who should I contact or what website should I visit for more information? For more information visit [www.va.gov/healtheligibility](http://www.va.gov/healtheligibility), call 1-877 222-VETS (8387), or visit/call your local VA facility's Enrollment Coordinator. A list of VA medical facilities can be found at

[http://www2.va.gov/directory/guide/division\\_flsh.asp?dnum=1](http://www2.va.gov/directory/guide/division_flsh.asp?dnum=1).

8. I served in the theater of operations but was discharged after January 28, 2003. Did this affect me?

No. Veterans discharged after January 28, 2003, still have 5 years from the date of their discharge or release from active duty to apply under VA's enhanced health care enrollment authority.

[Source: VA Enhanced Enrollment Window FAQ 5 Jan 2011 ++]

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**Vietnam War Commemoration Update 01:** The Defense Department has begun a project to pay tribute to the nation's Vietnam War veterans. Preparations are underway for the 50th Anniversary of the Vietnam War Commemoration as directed by the 2008 National Defense Authorization Act. "It was a very important time period for veterans, because most Vietnam veterans as a whole never received the homecoming that

our troops receive now," said Army Lt. Col. Hunter Holliday, public affairs officer for the commemoration. At the center of the project is a website, "50th Anniversary of the Vietnam War Commemoration," at <http://www.vietnamwar50th.com>, which will serve as a clearinghouse for information on the war once it is fully functional, a milestone expected this spring. Information gleaned from the website is expected to be used for myriad purposes, such as to chronicle facts, provide educational materials, and offer resources for a commemorative partners program, Holliday said. The partners program will comprise guidance and materials for agencies, veterans groups, local government and nongovernment organizations to conduct their own Vietnam War commemoration activities. The website is expected to play a major role in the campaign, said Jeff Wilson, who handles marketing for the project, noting it will be highly interactive and will include content on historical events, a timeline, photos, documents, video and audio. A calendar will list major Defense-sponsored events. The website offers a prelude of activities and ceremonies to:

- Honor Vietnam War veterans and their families -- including prisoners of war and those listed as missing in action -- for their service and sacrifice on behalf of the United States.
- Highlight Armed Forces service during the Vietnam War, in addition to contributions made by government and private organizations.
- Pay tribute to the contributions made on the home front by U.S. citizens.
- Highlight the advances in technology, science and medicine in military research made during the war.
- Recognize contributions and sacrifices made by U.S. allies during the war.

"Hopefully [the commemoration] will be a healing process for the veterans who were never recognized properly when they came home," Holliday said, noting the volatile political landscape that surrounded the war. [Source: AFPS Terri Moon Cronk article 19 Jan 2011 ++]

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**Arlington West Memorial:** Arlington West refers to two closely related projects, both of which are intended to draw public attention to, and to open a discourse on the subject of both military and civilian deaths during the invasion and occupation of Iraq of the early 21st century. There is also the similar, but differently named Lafayette Hillside Memorial in Lafayette, in the San Francisco Bay Area of California. Arlington West refers to the "temporary cemetery" itself, as well as Veterans for Peace's project of installing the temporary memorial. The name, Arlington West, was given to the memorial by WWII veteran Ted Berlin and reflects the name of the national cemetery of the United States, Arlington National Cemetery, a burial place of honor for fallen war heroes. Arlington West—in a manner similar to "real" cemeteries—is intended by the project organizers to be a place to mourn, reflect, contemplate, grieve, and meditate, to honor and acknowledge those who have lost their lives, and to reflect upon the costs of war.

The memorial in Santa Barbara, California, which was first put together on 2 NOV 03 by local activist Stephen Sherrill, was soon adopted by the local chapter of Veterans for Peace. It was installed each Sunday by a team of volunteers on the beach immediately west of Stearns Wharf. Visitors walking to the tourist attractions on the wharf had a clear view, from the boardwalk, along the beach with the white crosses in the foreground. From the walkway, visitors could see a flag-draped coffin and more than 3,000 crosses, made of wood, intended to resemble and represent traditional military grave markers. In addition to the simulated graveyard, a placard listing all the fallen American military personnel since the U.S. invaded and occupied Iraq was prominently displayed; this list is updated weekly. Eventually, after the installation stretched out to cover more than an acre's worth of the beach, the decision was made in late 2006 to cap the number of crosses at 3,000 for the sake of streamlining the labor-intensive installation process and switching the memorial to more of a symbolic representation.



Santa Barbara, California

The second Arlington West was installed in Santa Monica, California on 5 FEB 04, a Sunday. It was built on the sand just north of the pier at Santa Monica Beach, "as a way to acknowledge the costs and consequences of the addiction to war as an instrument of international policy" (quote from Veterans for Peace). Like the initial memorial in Santa Barbara, it has been reinstalled each Sunday and Fourth of July since its inception. Because of the difficulty of finding out the faiths and/or philosophies of the people who died, the cross (a common symbol of Christianity) was selected to be used as a default marker. But both memorials have many markers that are the Star of David or crescents. Approximately twenty similar memorials have been installed in various locations across the United States and on the West Coast of the U.S.. The San Diego Veterans For Peace, Chapter 91, installs the memorial 6-8 times/year on beaches and parks in San Diego County.



The second Arlington West memorial, Santa Monica Beach, California.

Veterans For Peace, an official non-governmental organization (NGO) founded in 1985 includes men and women veterans from World War II, Korea, Vietnam, the Gulf War, and other conflicts, as well as peacetime veterans. The group has published a 'how-to' for organizing, planning and constructing and erecting Arlington West. Several other Memorials have been erected by chapters of Veterans for Peace and other groups. In the spring and summer of 2005, a similar Arlington West display was taken on a U.S. tour, being installed at places such as Ohio's Kent State University (for the 35th commemoration of the tragedy of 4 MAY 70), as well as at "Camp Casey," the site of anti-war protestor Cindy Sheehan's vigil outside the ranch of President George W. Bush near Crawford, Texas. In August of 2010, the members of the Santa Barbara chapter of Veterans for Peace decided to replace the traditional Arlington West memorial with one which focuses on the War in Afghanistan. The 3000+ crosses for the casualties in Iraq were removed and replaced with 1200+ plastic tombstones representing the fatalities in Afghanistan, ending the memorial dedicated specifically to the Iraq war. [Source: [http://en.wikipedia.org/wiki/Arlington\\_West](http://en.wikipedia.org/wiki/Arlington_West) Jan 2011 ++]

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**Voluntary Separation Incentive Update 04:** Voluntary Separation Incentive (VSI) veterans are another group of disabled veterans on the DOD payroll that are totally excluded from the benefits of the restoration of concurrent receipt. VSI veterans are those who separated from service under provision of title 10 US Code Sec 1175 - Voluntary Separation Incentive that was used in conjunction with Temporary Early Retirement Authority (TERA, PL 102-484 Sec 4403(f)) to reduce the size of the military establishment during 1992 through 2001. Beginning 31 DEC 92, VSI was offered to service members having at least 6 but less than 20 years of service. They receive an annual amount funded by the DoD that equals the multiplication product of four factors: (1) their base pay at separation, (2) number of years of service, (3) 12 and (4) 2.5%. Note that while the annual amount is identical to the 12 times the monthly amount they would have received if retired for the same length of service, the VSI amount is not considered retirement pay.

If the VSI veteran later qualifies for VA compensation for service connected disability, the same title 38 US Code sections that require a \$1 for \$1 offset of military retired pay also require the same offset of the VSI amount. While the 2003 NDAA included TERA retirees under Concurrent Retirement Disability Pay (CRDP, 10 USC 1414) it excludes VSI recipients because they are not "retired." The 2008 NDAA included Chapter 61 medical disability retirees under the Combat Related Special Compensation (CRSC, 10 USC 1413a) but not CRDP. Regardless, one can be retired under Chapter 61 with a minimum of 30 days active service. Extending CRSC to Chapter 61 restores their retirement pay (based on 2.5% x length of service x base pay) that is offset by VA disability compensation. The President's Budget Request for 2010 included restoration of CRDP for Chapter 61 over 5 years, but included nothing for VSI recipients. Thus there is some form of relief of the VA disability compensation offset extended to TERA and Chapter 61 retirees, but absolutely no relief for VSI recipients.

To correct this situation legislation is needed. Veterans are encouraged to contact their legislators and request they take action by including language in the next NDAA that will allow concurrent receipt payments to VSI vets. One way to do this it to go to [http://capwiz.com/usdr/issues/alert/?alertid=13382371&queueid=\[capwiz:queue\\_id\]](http://capwiz.com/usdr/issues/alert/?alertid=13382371&queueid=[capwiz:queue_id]) and use the editable preformatted message provided to send to their legislators. [Source: USDR Action Alert 16 Jan 2011 ++]

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**National Parks:** Secretary of the Interior Ken Salazar has announced that National Park Service officials will waive admission fees on 17 selected dates throughout 2011 to encourage all Americans to visit a national park this year. With 394 national parks throughout the country, most Americans live within a few hours of a park, making them places for easy and affordable vacations any time of the year. Many national park concessions also will offer discounts on fee-free days, saving visitors money on food, lodging, tours and souvenirs. For more information, visit

the National Park Service website [www.nps.gov/findapark/feefreeparks.htm](http://www.nps.gov/findapark/feefreeparks.htm). Following are the fee-free days in 2011:

- January 15-17 (Martin Luther King, Jr. Birthday weekend)
- April 16-24 (National Park Week)
- June 21 (First day of summer)
- September 24 (Public Lands Day)
- November 11-13 (Veterans Day weekend)

[Source: Military.com Veterans Report 17 Jan 2011 ++]

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**National Park Pass Program:** The National Park Service is an important participant in the new Interagency Pass Program which was created by the Federal Lands Recreation Enhancement Act and authorized by Congress in DEC 04. Participating agencies include the National Park Service, U.S. Department of Agriculture - Forest Service, Fish and Wildlife Service, Bureau of Land Management and Bureau of Reclamation. The Access Pass offered under the program is the replacement for the Golden Access Passport as of JAN 07. Golden Access Passports remain valid and do not have to be replaced with the Access Pass. It is a lifetime pass for U.S. citizens or permanent residents, regardless of age, with permanent disabilities. A permanent disability is a permanent physical, mental, or sensory impairment that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Documentation is required to obtain the pass and it must be obtained in person by the applicant. Acceptable documentation includes:

- Statement by a licensed physician;
- Document issued by a Federal agency such as the Veteran's Administration, Social Security Disability Income or Supplemental Security Income; or
- Document issued by a State agency such as a vocational rehabilitation agency.

The pass provides access to, and use of, Federal recreation sites that charge an Entrance or Standard Amenity. It is not valid at state parks or local recreation areas. Photo identification may be requested to verify pass ownership. The pass admits the pass holder and passengers in a non-commercial vehicle at per vehicle fee areas and pass holder + 3 adults, not to exceed 4 adults, at per person fee areas (children under 16 are admitted free). The pass can only be obtained in person at the park. The Access Pass provides a 50% discount on some Expanded Amenity Fees charged for facilities and services such as camping, swimming, boat launching, and specialized interpretive services. In some cases where Expanded Amenity Fees are charged, only the pass holder will be given the 50% price reduction. The pass is non-transferable and generally does not cover or reduce special recreation permit fees or fees charged by concessionaires. [Source: [http://www.nps.gov/pub\\_aff/access/access\\_pass.htm](http://www.nps.gov/pub_aff/access/access_pass.htm) Jan 2011 ++]

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**Veteran Email Scam:** An old e-mail scam has reappeared and is targeting veterans. Recently forwarded throughout the Army community and titled "Warning To Veterans," the current version of the e-mail advises against using the services of an organization called Veterans Affairs Services. An earlier version of this e-mail, purportedly from Michael G. Daugherty, staff attorney with the Department of Veterans Affairs, Office of General Counsel, contains a Facebook link that may be an attempt to upload a virus according to Better Business Bureau (BBB) Military Line officials. The BBB advises anyone receiving this e-mail not click on the link. Also, the VA advises veterans seeking assistance to use a VA-recognized service organization in order to submit a claim for benefits. [Source: Military.com Veterans Report article 17 Jan 2011 ++]

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**Manila VARO Update 02:** After five years of planning and construction, on 31 JAN the new VA Manila facility opened - located on the U.S. Embassy Seafront Compound . The new VA facility will provide enhanced services by establishing a "one stop shop" for all VA needs. The new facility doubles the number of clinical exam rooms, provides new diagnostic equipment in a number of clinical areas and offers greater and more convenient access to all VA services in a modern, secure and state-of-the-art facility. The Manila VA Regional Office opened for business in their new location 24 JAN 2011. New location, telephone numbers, hours of operation regarding the new facility are:.

UNITED STATES DEPARTMENT OF VETERANS AFFAIRS  
1501 Roxas Boulevard 1302 Pasay City, Philippines  
Business Hours: 7:30 am - 4:30 pm (Monday to Friday)  
Appointment Hours: 8:00 am - 3:30 pm (Mon. to Fri.)  
Call Center Hours: 8:00 am - 4:00 pm (Mon. to Fri.)  
Website: [www.va.gov](http://www.va.gov) Email: [https://iris.va.gov](mailto:https://iris.va.gov)

**Regional Office**

Trunk line: (632) 550-3888  
Toll Free No: 1-800-1888-5252  
Fax No: (632) 550-3945

**Out Patient Clinic**

Trunk line: (632) 318-8387  
Toll Free No: 1-800-1888-8782  
For Audio Care: (632) 556-8387  
Fax No: (632) 310-5957  
Pharmacy No: (632) 318-8311  
[Source: VARO Manila Director Jon Skelly msg 18 Jan 2011 ++]

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**VA Claim Tips Update 02:** Filing a first claim for disability compensation can be a stressful experience. The stress can originate from one or more of the following factors:

- Physical or mental discomfort
- Financial need
- That transitional feeling when you are no longer in the military but not really a civilian
- Concern about the outcome
- Lack of knowledge of the process
- Unrealistic expectations
- Erroneous assumptions
- Things you have heard from other Veterans and the media and, just
- Dealing with a bureaucracy

To overcome your concerns VA's Deputy Under Secretary for Disability Assistance responsible for oversight of Compensation Service, Pension Service, Benefits Assistance Service, Fiduciary Service, and Insurance Service in

the Veterans Benefits Administration and Vietnam veteran of the 101st Airborne Division advises the following to demystify the process and empower you with information you need and what you can expect.

### **Recommendations**

Dealing with large organizations can be frustrating. Some things that appear clear and certain to you may not be to others. Additionally, legal requirements can sometimes be confusing and time consuming. To have the best experience possible I recommend the following:

1. If you are still on active duty and thinking about getting out and filing a claim, go through the Benefit Delivery At Discharge or BDD program at your installation. To qualify you must have between 60 and 180 days left on active duty. We will take your claim and get you examined before you go home. Normally, decisions are available about two months after you separate or retire.
2. If you are still on active duty but have less than 60 days to go, you can still file a “Quick Start” claim. Quick Start claims are processed at dedicated facilities so decisions are quicker for most Veterans.
3. If you are out of service for less than a year, think you might have a claim, but are unsure if you want to “go through the hassle” apply. The evidence is fresher and cleaner, there are unlikely to be what we refer to as “inter-current injuries” (i.e. your back hurts a little but when you get out you get a job as a long haul truck driver or a construction worker and don’t file a claim for years. In such cases even if there is some documentation of “something in service” without evidence of treatment for the condition within the first year, service connection is less certain).
4. If you’re concerned that it might not be appropriate to take money for a condition because “I’m fine, was just doing my duty and I have a job”—there are a lot of people who feel that way—consider this. I think you should file your claim. If granted you can always decline to receive the money. If, at a later date, your condition worsens or you age and it interferes with your work, or you decide you want compensation after all you can always contact us. That way we will examine you and determine your current level of disability. We won’t be trying to determine whether you warrant service connection in the first place.
5. If you have been out of the service longer but still think you have a condition related to your service apply! There is no filing time limit. It just might be a little more complex and take a little longer because of the need to develop more records.
6. Our goal is to complete all claims within 125 days or four months by 2015 with 95 percent accuracy. Right now more than 30 percent of our claims have been pending longer than that. Some claims, such as those involving participation in nuclear tests, covert operations, military sexual trauma or other similar circumstances where records may be difficult to locate can and frequently do take longer, sometimes much longer.
7. To meet the challenge of a rapidly growing claims volume, VA has been provided with significant numbers of new staff in the last couple of years. Their jobs are complex and it takes a while to become fully qualified so if you think we made a mistake, ask you may be right. As I said earlier, one of our goals is to get our quality level to 95 percent by 2015. Currently our quality level is 84 percent. While a significant portion of our quality problems reflect process errors rather than errors in the final decision with respect to the granting or denying of benefits, rates paid and effective dates of payment, we do make mistakes.

### **How You Can Help Yourself and VA**

The claims process doesn't need to be a hassle. Here is what you can do to help yourself and VA:

1. Communicate, communicate, communicate
2. Appoint a representative. While there are attorneys who will represent you for a fee, it is rarely necessary to pay to have your claim processed efficiently and successfully. National Service Organizations such as the Disabled American Veterans, Veterans of Foreign Wars, American Legion, Vietnam Veterans of America, Paralyzed Veterans of America, as well as State Departments of Veterans Affairs or Veterans Commissions and County Veteran Service Officers can give excellent assistance and its free. Call your local regional office to see what organizations are available at that office.
3. Consider what you want to claim. Many Servicemembers and veterans have been told they should go through their service medical records and claim everything they have ever had or been treated for. While you can do that, it is likely to significantly increase your frustration level, result in unnecessary examinations, and slow the process without getting added benefits. You should not claim acute disabilities or illnesses you had in service unless they left a residual. For example, if you got the flu in service and got over it, the claim will be denied. On the other hand if you broke your leg and recovered from it you should claim that because the fracture, if found on x-ray, can be service connected. While it might only warrant a zero percent evaluation now, if you develop arthritis at the site later, you are covered. Don't claim things like personality disorders, baldness, the fact that you wear glasses, or similar kinds of things because they are considered "constitutional or developmental abnormalities" that you would have gotten whether or not you were in service. The law doesn't permit payment for these. Don't claim lab results like hematuria (blood in the urine) or high cholesterol. We don't pay for those either. On the other hand, you should claim pseudofolliculitis barbae (a skin condition that affects some black people).
4. If private providers have treated you, get the records and send them to us. While the application you fill out does offer the opportunity to sign a release and we will request the records for you, we cannot compel providers to send us records nor can we pay for them. It is my experience that many times—maybe even most—when VA sends a release a private provider, the provider ignores the request. If the provider does respond, many times they will ask that we pay them in advance for the records. In either case, we will have to write to you and tell you that if you want the records considered you will have to get them and send them. In the worse case this can add two to three months to the process.
5. Show up for your examinations.
6. The first thing you will get from VA once you file your claim is a lengthy letter commonly referred to as a "VCAA letter." This is a letter required by the law that tells you what we will do, what you will be expected to do, and in very general terms tell you how we will decide. The letter may also include specific requests from your local regional office for information. Read it carefully for specific requests for information from us. Finally, the letter offers the option of completing an attachment telling us you have no more information. If that is the case, complete the form and return it immediately. If you don't and you have no more information, we will wait for 30 days before proceeding for no good reason. Even if, during the course of working the claim you do get additional information you can always submit it when you get it.
7. When you get your decision, read it carefully. It will have attached to it the text of the actual rating decision explaining why we decided what we did. If you think our decision didn't consider something, didn't cover a topic, or is wrong, call your representative right away. If we have made a mistake, we would rather just fix it now than get involved in a lengthy appeal that isn't terribly satisfying for you or VA.

Final Note: VA exists to serve those who served and their survivors. I have worked for VA for over 36 years and the overwhelming majority of people who work for VA are committed to the mission. If we are not clear or you think we have made a mistake, let us know so we can both fix it, and provide a learning opportunity for our staff to serve other Veterans better.

[Source: VA's Vantage Point Tom Pamperin article 4 Jan 2011 ++]

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**VA Tinnitus Care Update 02:** Scientists from the University of Texas announced in the scientific journal Nature that they have found a way to treat chronic tinnitus. Tinnitus, a chronic ringing in the ears is the most common service connected disability for enlisted Air Force retirees and veterans returning from the wars in Iraq and Afghanistan. The VA pays approximately one billion dollars (\$1 billion) a year for service connected disability payments for tinnitus. Doctors believe that over 23 million Americans suffer from some degree of this condition including 10% of seniors and a whopping 40% of veterans. The scientists believe that it is caused by the brain failing to adjust to nerve damage caused to exposure to loud or continual noise. Michael Kilgard, the co-author of the study said: "Brain changes in response to nerve damage or cochlear trauma cause irregular neural activity believed to be responsible for many types of chronic pain and tinnitus. We believe the part of the brain that processes sounds- the auditory cortex-delegates too many neurons to some frequencies and things begin to go awry." The treatment (so far successful in rats) electronically stimulates the Vagus nerve (which runs from the brain to the abdomen) while playing a high pitched tone. Human clinical trials are expected to start in the next several months. This technique called VNS is already used to treat approximately 50,000 people with epilepsy or depression. If the trials are successful this would be the first treatment that would eliminate rather than just mask tinnitus. [Source: TREA Washington Update 14 Jan 2011 ++]

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**Fluoridation:** The Department of Health and Human Services (HHS) is seeking public comment on proposed new guidance that will update and replace the 1962 U.S. Public Health Service Drinking Water Standards for fluoride concentrations in community drinking water. To review the proposed HHS recommendation for fluoride concentration in drinking water for prevention of dental caries refer to Federal Register 76:2383-2388, 2011 at [http://www.dentalwatch.org/fl/hhs\\_fl\\_2011.pdf](http://www.dentalwatch.org/fl/hhs_fl_2011.pdf). Too much fluoride can cause fluorosis, which, in its mildest form, causes small, white, virtually invisible opaque areas on teeth. Severe fluorosis causes brownish mottling, which occurs mainly in areas where the natural level of fluoride is considerably greater than one part per million. Fluoridation's goal is to provide as much protection as possible while minimizing the incidence of problematic fluorosis. The current Public Health Service recommendations for optimal fluoride concentrations are based on the air temperature of geographic areas and range from 0.7 to 1.2 mg/L. The new recommended level (0.7 mg) is based on four findings:

1. Community water fluoridation is the most cost-effective method of delivering fluoride for the prevention of tooth decay.
2. Recent data do not show a convincing relationship between fluid intake and local air temperature. Thus, there is no need for different recommendations in different temperature zones.
3. In addition to drinking water, other sources of fluoride exposure have contributed not only to the prevention of dental caries but also to an increase in dental fluorosis prevalence.
4. Significant caries preventive benefits can be achieved and risk of fluorosis reduced at 0.7 mg/L, the lowest concentration in the range of the USPHS recommendation.

Comments are preferred electronically and may be addressed to [cwfcomments@cdc.gov](mailto:cwfcomments@cdc.gov). Written responses should be addressed to the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, CWF Comments, Division of Oral Health, National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), 4770 Buford Highway, NE, MS F-10, Atlanta, GA 30341-3717. [Source: Consumer Health Digest #11-02 13 Jan 2011 ++]

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**Tricare Dental Program Update 03:** DoD has awarded the new Tricare Dental Program (TDP) contract to Metropolitan Life Insurance Company, Inc. The contract provides worldwide coverage for enrolled family members of active duty personnel and to members of the Selected Reserve and Individual Ready Reserve and their eligible family members. Approximately 1.9 million beneficiaries are currently enrolled in the premium-based TDP worldwide. Dental care under the new contract will begin 1 FEB 2012, following a 12-month transition period. New features of the TDP contract include:

- An increase in the annual maximum from \$1,200 to \$1,300
- An increase in the lifetime orthodontic maximum from \$1,500 to \$1,750
- Coverage of posterior resin (white) fillings
- Additional \$1,200 maximum per year for services related to accidents/injuries
- No cost shares for some periodontal services for diabetics
- Coverage of an additional cleaning for women during pregnancy
- First-year premiums below current rates

[Source: MOAA Leg Up 14 JAN 2011 ++]

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**Saving Money:** President Obama signed the CARD Act in 2009 to end “the days of unfair rate hikes and hidden fees,” but many financial experts surmised the banks would just dream up new fees that found some loophole. Money Talks News founder Stacy Johnson even predicted that free checking accounts could go “the way of the dinosaur.” Sure enough, one month in to 2011, and the banks have already proved him right. Bank of America and Chase are taking the lead – and the headlines. Bank of America is testing out a new program in Arizona, Georgia, and Massachusetts. Customers there now get to choose from multiple types of checking accounts. The catch? Monthly fees of \$6 to \$25, depending on your choice. Associated Press called the program “the latest in a series of moves by big banks that signal the end of free checking accounts.” Starting 8 FEB, Chase will enroll new customers in a new “Total Checking” account. The catch? A \$12 annual fee. Also starting in February, the free checking accounts of former Washington Mutual customers will be replaced with fee-based accounts from JPMorgan Chase, which bought Washington Mutual in 2008. Again, to avoid the new fees, customers will have to meet certain requirements, like maintain a minimum balance, according to the Wall Street Journal. If you bank with one of these companies or are worried your bank may be the next to institute fees and call them choices, here are some tips for how you can still get free checking.

- ❖ Just ask! If your bank takes away your free checking, but you’ve been a good customer, talk to a branch manager. They may be able to make an exception for you and it never hurts to ask.
- ❖ Credit Unions are typically smaller and more local than banks, thus much more likely to offer free checking as an incentive to bring in new members. If you’re not eligible for a credit union through your job just go to the Credit Union Association’s Credit Union Locator at [http://www.creditunion.coop/cu\\_locator/quickfind.php](http://www.creditunion.coop/cu_locator/quickfind.php), put in your zip code and you’ll get a list of the

credit unions closest to your house. Look for “community” as the type: that means you’re probably eligible to join by virtue of where you live as opposed to belonging to some profession or group. Then compare their rates and fees to those you’re paying now. Also, find out if they’re a member of a shared branch network by going to <http://www.CUServiceCenter.com>. If they are, that means you can go to any other shared branch credit union or ATM in the world to conduct business just like you would your own.

- ❖ If you still can’t find free checking at a bank branch near you, you might want to check out online only checking accounts. Since they have no branches to pay for, they’re much more likely to offer free checking and usually pay higher interest rates for your deposits. So, if you get paid (or have the option to be paid) through direct deposit and get all your cash from ATMs, there’s no reason why you can’t simply forgo the brick and mortar bank altogether.

[Source: MoneyTalksNews Karla Bowsher article 25 Jan 2010 ++]

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## Notes of Interest:

- **Economy.** A lopsided 87% in a Pew Research Center poll disclosed 20 JAN say strengthening the economy should be a "top priority" for Congress and the President this year — with 84% also pointing to improving the job situation. Controlling the budget deficit — the most overt goal of the new House Republican majority — ranked sixth among the 22 issues tested, at 64%, although that was a boost from the 60 percent who called it a top priority at the start of last year and the 53% in 2009. The other issues in the top tier for this year, Pew found, were terrorism, education and Social Security; revising last year’s health care law, which has been the GOP’s focus for the first month, was ninth, at 56%.
- **Medicare Doctor Reimbursements.** On 20 JAN, the House approved an amendment to House Resolution 9 to direct the committees of jurisdiction over health care legislation to draft a permanent fix for the Medicare/TRICARE physicians payment formula, known as the Sustainable Growth Rate (SGR). The amendment offered by Rep. Jim Matheson (D-UT) instructs the appropriate committee of jurisdiction to replace the flawed sustainable growth rate formula used to set Medicare payments for doctors. And it requires that Congress adopt a permanent fix to what has previously been an ongoing problem.
- **Women in Combat.** The Military Leadership Diversity Commission appears poised to recommend allowing female troops to serve in combat units without any restrictions, calling the current prohibition an out-of-date idea that unnecessarily discriminates against women. If approved by military officials, the move could open front-line posts to military women for the first time. Until now, either U.S. law or Pentagon policy has prohibited female troops from serving in any unit whose primary mission is direct ground combat, although they may serve in combat support roles.
- **HCVA.** 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.
- **Corporate Taxes.** Given the choice should Congress increase taxes on individuals or corporations. According to the Tax Foundation <http://taxfoundation.org/publications/show/26974.html> the United States at 35% has the highest corporate tax rates among the 34 member countries in the Organization for Economic Cooperation and Development (OECD). This does not include what they are taxed by each state which often is another 5%.
- **Camp Lejeune.** If you were stationed or worked at Camp Lejeune before 1987, you may have been exposed to dangerous contaminants in the drinking water supply. Marine Veterans stationed at Camp Lejeune can register for water testing notifications, read about previous studies, and receive more information at the Camp Lejeune Historic Drinking Water website <https://clnr.hqi.usmc.mil/clwater/index.html>

- **Service Newsletters.** Each branch of service has newsletters available online? Check them out at the links below:

Army Echoes <http://www.armyg1.army.mil/RSO/echoes.asp>

Navy Shift Colors <http://www.npc.navy.mil/referencelibrary/publications/shiftcolors>

Marine Corps Semper Fidelis

[https://www.manpower.usmc.mil/portal/page/portal/M\\_RA\\_HOME/MM/SR/RET\\_ACT/Semper\\_Fidelis](https://www.manpower.usmc.mil/portal/page/portal/M_RA_HOME/MM/SR/RET_ACT/Semper_Fidelis)

Air Force Afterburner <http://www.retirees.af.mil/afterburner>

- **State of the Union Address.** Obama made the following comments regarding vets: Veterans can now download their electronic medical records with a click of the mouse. ... Tonight, let us speak with one voice in reaffirming that our nation is united in support of our troops and their families. Let us serve them as well as they have served us – by giving them the equipment they need; by providing them with the care and benefits they have earned; and by enlisting our veterans in the great task of building our own nation.
- **Presidential Election Funding.** The House passed legislation that would end the public financing of presidential campaigns and conventions in order to save an estimated \$617 million over a decade. The bill is likely a dead letter in the Democratic Senate, and Obama has vowed to veto it.
- **Military Compensation.** Military personnel receive higher salaries and better benefits than most federal civilian employees, according to the Congressional Budget Office. In a 20 JAN study requested by Rep. Steny Hoyer, D-Md., CBO found the average enlisted service member receives higher cash compensation - - made up of basic pay, housing and food allowances, and tax benefits -- than 75 percent of civilian workers with comparable education. CBO also found benefits for service members are more generous than those available to federal employees.
- **Food and Drug Administration.** FDA's "Food Defect Action Levels" allow 59 aphids, thrips (tiny, slender insects with fringed wings) and/or mites in every three-and-a-half ounces of frozen broccoli. For ground paprika they allow an average mold count of no more than 20 percent; or average of no more than 11 rodent hairs per 25 grams; or an average of no more than 75 insect fragments per 25 grams.

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

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## **Medicare Fraud Update 58:** On 24 JAN Department of Health and Human Services (HHS)

Secretary Kathleen Sebelius and U.S. Associate Attorney General Thomas J. Perrelli announced a new report showing that the government's health care fraud prevention and enforcement efforts recovered more than \$4 billion in taxpayer dollars in Fiscal Year (FY) 2010. This is the highest annual amount ever recovered from people who attempted to defraud seniors and taxpayers. Additionally, HHS announced new rules authorized by the Affordable Care Act which will help stop health care fraud. The provisions of Act implemented through this final rule include new provider screening and enforcement measures to help keep bad actors out of Medicare, Medicaid and CHIP. The final rule also contains important authority to suspend payments when a credible allegation of fraud is being investigated. "Thanks to the new law, CMS now has additional resources to help detect fraud and stop criminals from getting into the system in the first place," CMS Administrator Donald Berwick, M.D. said. "The Affordable Care Act's new authorities allow us to develop sophisticated, new systems of monitoring and oversight to not only help us crack down on fraudulent activity scamming these programs, but also help us to prevent the loss of taxpayer dollars across the board for millions of American health care consumers." Specifically, the final rule:

- Creates a rigorous screening process for providers and suppliers enrolling Medicare, Medicaid and CHIP to keep fraudulent providers out of those programs. Types of providers and suppliers that have been identified in the past as posing a higher risk of fraud, for example durable medical equipment suppliers, will be subject to a more thorough screening process.
- Requires new enrollment process for Medicaid and CHIP providers. Under the Affordable Care Act, States will have to screen providers who order and refer to Medicaid beneficiaries to determine if they have a

history of defrauding government. Providers that have been kicked out of Medicare or another State's Medicaid or CHIP will be barred from all Medicaid and CHIP programs.

- Temporarily stops enrollment of new providers and suppliers. Medicare and state agencies will be on the look out for trends that may indicate health care fraud – including using advanced predictive modeling software, such as that used to detect credit card fraud. If a trend is identified in a category of providers or geographic area, the program can temporarily stop enrollment as long as that will not impact access to care for patients.
- Temporarily stops payments to providers and suppliers in cases of suspected fraud. Under the new rules, if there has been a credible fraud allegation, payments can be suspended while an action or investigation is underway.

A copy of the regulation is on display today at the Federal Register and may be downloaded from the following link: <http://www.ofr.gov/inspection.aspx> . Several days after the regulation is published, that link will be deactivated and the published version of the regulation will be available on the National Archives website at <http://www.archives.gov/federal-register/news.html>. CMS will continue to take public comments on limited areas of this final rule for 60 days. More information can be found at <http://www.HealthCare.gov>, a web portal made available by the U.S. Department of Health and Human Services. A fact sheet on the new rules is available at <http://www.HealthCare.gov/news/factsheets>. [Source: HHS.gov News Release 24 Jan 2011 ++]

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## Medicare Fraud Update 59:

- **Miami FL** - Renier Vicente Rodriguez Fleitas, 60, has been to three years in federal prison for conspiring to bilk Medicare through his pharmacy in Hialeah and ordered to pay \$135,930 to the Medicare healthcare program. Rodriguez, who pleaded guilty to the fraud conspiracy in October, acquired Pirifer Pharmacy and Discount in NOV 09, opened three bank accounts and completed numerous prescription-drug plan applications under Part D of the Medicare program. He admitted that Pirifer submitted about \$1.8 million in false claims to various Part D plan administrators between DEC 09 and MAR 2010. In turn, the pharmacy received about \$135,930 from Medicare. Rodriguez was arrested upon returning from a visit to Cuba last year. He was a former lieutenant colonel in the Cuban military, serving in Angola and the Congo.
- **Gary IN** - Ebb Greenwood, 59, was charged in an indictment returned 13 JAN with two counts of health care billing fraud and two additional counts of conspiracy to commit billing fraud. In particular, the indictment alleges that Greenwood, as part of one fraud scheme, caused Human Services Transport Provider Incorporated, located in Gary, Indiana, to submit fraudulent billings to Indiana Medicaid from 2006 through 2010 for medical transportation services that were never in fact provided. A second fraud count alleges that Greenwood executed and participated in a similar fraud scheme on behalf of At Your Service Transport Provider from 2009 through 2010. The indictment alleges a loss to Medicaid of \$1.9 million. These charges were filed as the result of an investigation by the Federal Bureau of Investigation and the Indiana Medicare Fraud Control Unit.
- **Plano TX** - Dr. Harold Wagner, 53, pleaded guilty 20 JAN to federal health care fraud-related charges for accepting illegal kickbacks involving health care programs . According to information presented in court, Wagner had accepted kickbacks from a wheelchair supplier for referring wheelchair patients, who were Medicare and Medicaid recipients to the supplier. The supplier was later reimbursed by these programs for the wheelchairs. It is against federal law for a Medicare or Medicaid provider to make referrals to medical equipment suppliers in exchange for kickbacks. Wagner was indicted by a federal grand jury on 14 JAN 2010. Wagner faces up to five years in federal prison.
- **Houston TX** - Clifford Ubani, 52, and Princewill Njoku, 51, owners of Family Healthcare Group, pleaded guilty in federal court for their roles in a multi-million-dollar Medicare fraud scheme. They hired people to

recruit beneficiaries to file Medicare claims for skilled nursing that was either unnecessary or not provided, officials said. Federal officials said the scheme bilked taxpayers out of more than \$5 million. Both pleaded guilty 20 JAN to one count of conspiracy to commit health care fraud, one count of conspiracy to pay kickbacks and 16 counts of paying kickbacks to their hired recruiters. Ubani and Njoku face up to 20 years in prison. Sentencing is scheduled for 19 JUL.

- **Baton Rouge LA** - Three Baton Rouge residents have pleaded guilty to participation in a health care fraud conspiracy that was intended to scam more than \$2.6 million from the federal government. The charge carries a possible penalty of 10 years in prison for 56-year-old Thompson W. Chinwoh, 47-year-old Samuel B. Johnson and 49-year-old Stephanie Dangerfield. The three admitted 24 JAN that they caused Medicare to be billed for power wheelchairs and other medical equipment that either had not been prescribed by physicians or was never provided to patients. In return for the guilty pleas, federal prosecutors agreed to dismiss additional charges of health care fraud and money laundering. No sentencing date has been set.
- **Temple PA** - Joseph Kubacki, 61, a former assistant dean of the Temple University School of Medicine was charged 26 JAN by a federal grand jury with bilking Medicare and eight private health insurers of more than \$1.5 million. Authorities said he submitted thousands of false claims for services rendered to patients totaling more than \$3 million from JUL 02 to OCT 07. Kubacki, who was charged with 72 counts each of health-care fraud and of making false statements, did not personally see or evaluate the patients, the indictment said. Prosecutors said Kubacki, the assistant dean for medical affairs and chairman of the Ophthalmology Department, directed staffers in his department to bring charts of patients seen by other doctors so he could make notations in the charts that he had seen and treated them. Kubacki then allegedly signed the charts and filled out fee slips for services that he falsely claimed he had provided to patients at Temple. Most of the claims for which Kubacki was paid were for \$290 to \$410 each. In some cases, Kubacki was outside Pennsylvania when he claimed to have seen patients at Temple PA.
- **Niagara Falls NY** - On 27 JAN Dr. Pravin Mehta MD,73, alias Doctor Feel Good was among fourteen people charged as part of a major prescription drug investigation. Patients could see him and get a prescription if they paid \$85 in cash. Police say that many of the narcotic pain killers he was prescribing were being sold on the streets for up to \$100 per pill. Dr. Mehta was supplying prescription pain killers to dealers who sold the medicine illegally. Named 'Operation Whatever U Want', agents executed their warrants taking him as well as his office manager taken into custody at his 550 Main Street offices in Niagara Falls. Police say so far they have arrested twelve of the fourteen people they are looking for.. Mehta was arraigned in US Federal Court in Buffalo and faces 20-years in prison plus a \$250,000 fine. His DEA registration was suspended prohibiting him from possessing, dispensing, or prescribing a controlled substances.

[Source: Fraud News Daily 1-14 Jan 2011 ++]

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### **Medicaid Fraud Update 31:**

- **Joplin MO** - On 24 JAN Dana Opfer, a Jasper County audiologist, pled guilty to three felony counts of Medicaid fraud following an investigation by the Medicaid Fraud Control Unit of the Missouri Attorney General's office. A review of Opfer's subpoenaed records and Medicaid claims found evidence of billing for services and hearing devices that were not provided. Opfer fraudulently billed more than \$12,000 to Medicaid. She will be sentenced on 14 MAR and faces up to 7 years in prison for each violation, plus penalties and restitution.

[Source: Fraud News Daily 1-14 Jan 2011 ++]

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**State Veteran's Benefits:** The state of Kansas provides several benefits to veterans as indicated below. To obtain information on these refer to the “**Veteran State Benefits –KS**” 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/kansas-state-veterans-benefits> Jan 2011 ++]

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**Military History:** On 4 June 1944, a hunter-killer group of the United States Navy captured the German submarine U-505. This event marked the first time a U.S. Navy vessel had captured an enemy vessel at sea since the nineteenth century. The action took place in the Atlantic Ocean, in Latitude 21-30N, Longitude 19-20W, about 150 miles off the coast of Rio De Oro, Africa. The American force was commanded by Captain Daniel V. Gallery, USN, and comprised the escort Carrier Guadalcanal (CVE-60) and five escort vessels under Commander Frederick S. Hall, USN: Pillsbury (DE-133) Pope (DE-134), Flaherty (DE-135), Chatelain (DE-149), and Jenks (DE-665). Alerted by American cryptanalysts, who--along with the British--had been decrypting the German naval code, the Guadalcanal task group knew U-boats were operating off the African coast near Cape Verde. They did not know the precise location, however, because the exact coordinates (latitude and longitude) in the message were encoded separately before being enciphered for transmission. By adding this regional information together with high-frequency direction finding fixes (HF/DF)--which tracked U-boats by radio transmissions--and air and surface reconnaissance, the Allies could narrow down a U-boat's location to a small area. The Guadalcanal task group intended to use all these methods to find and capture the next U-boat they encountered through the use of trained boarding parties.

The task group sailed from Norfolk, Virginia, on 15 May 1944 for an anti-submarine patrol near the Canary Islands. For two weeks they searched unsuccessfully, even steaming as far south as Freetown, Sierra Leone, in a vain effort to locate a U-boat. On Sunday, 4 June 1944, with fuel running low, the warships' reluctantly turned north and headed for Casablanca. Ironically, not ten minutes later at 1109 that morning, USS Chatelain (DE-149), Lieutenant Commander Dudley S. Knox, USNR, made sonar contact on an object just 800 yards away on her starboard bow. Guadalcanal immediately swung clear at top speed, desperately trying to avoid getting in the way, as Chatelain and the other escorts closed the position. In the minutes required to identify the contact definitely as a submarine, however, Chatelain closed too rapidly and could not attack--as her depth charges would not sink fast enough to intercept the U-boat. The escort held her fire instead, opened range and setup a deliberate attack with her "hedgehog" (ahead-thrown depth charges which explode on contact only) battery. Regaining sonar contact after a momentary loss due to the short range, Chatelain passed beyond the submarine and swung around toward it to make a second attack with depth charges.

As the ship heeled over in her tight turn, one of two General Motors FM-2 "Wildcat" fighter planes launched overhead by Guadalcanal, sighted the submerged U-boat and dived on it, firing into the water to mark the submarine's position. Chatelain steadied up on her sound bearing and moved in for the kill. A full pattern of depth charges set for a shallow target splashed into the water around the U-boat. As their detonations threw geysers of spray into the air, a large oil slick spread on the water; the fighter plane overhead radioed "You struck oil! Sub is surfacing!" Just six and one-half minutes after Chatelain's first attack, U-505 broke the surface with its rudder jammed, lights and electrical machinery out, and water coming in. As the submarine broached only 700 yards from

Chatelain, the escort opened fire with all automatic weapons that would bear and swept the U-boat's decks. Pillsbury, Lieutenant George W. Casselman, USNR, and Jenks, Lieutenant Commander Julius F. Way, USN, farther away, and the two "Wildcats" overhead all joined the shooting and added to the intense barrage. Wounded in the torrent of fire and believing that his submarine had been mortally damaged by Chatelain's depth charges, the commanding officer of U-505 quickly ordered his crew to abandon ship. So quickly was this command obeyed that scuttling measures were left incomplete and the submarine's engines continued to run.

The jammed rudder caused the partially-submerged U-505 to circle to the right at a speed near seven knots. Seeing the U-boat turning toward him, the commanding officer of Chatelain ordered a single torpedo fired at the submarine in order to forestall what appeared to be a similar attack on himself. The torpedo passed ahead of U-505, which by now appeared to be completely abandoned. About two minutes later, the escort division commander ordered cease fire and called away Pillsbury's boarding party. While Chatelain and Jenks picked up survivors, Pillsbury sent its motor whaleboat to the circling submarine where Lieutenant (junior grade) Albert L. David, USN, led the eight-man party on board. Despite the probability of U-505 sinking or blowing up at any minute and not knowing what form of resistance they might meet below, David and his men clambered up the conning tower and then down the hatches into the boat itself. After a quick examination proved the U-boat was completely deserted (except for one dead man on deck - the only fatality of the action), the boarders set about bundling up charts, code books, and papers, disconnecting demolition charges, closing valves, and plugging leaks. By the time the flood of water had been stopped, the U-boat was low in the water and down by the stern.

Meanwhile, Pillsbury twice went alongside the turning submarine to put over tow lines and each time the escort's side was pierced by the U-boats' bow plane. Finally, with three compartments flooded, she was forced to haul clear to attend to her own damage. The boarding party was then reinforced by a party from Guadalcanal. Led by Commander Earl Trosino, USNR, the carrier's men completed temporary salvage measures, and took a towline from Guadalcanal. The salvage crew was later joined by Commander Colby G. Rucker, USN, who arrived with the seaplane tender Humbolt (AVP-21). In an ingenious solution to the heavy flooding, the salvage crew disconnected the boat's diesels from her motors. This allowed the propellers to turn the shafts while under tow. After setting the main switches to charge the batteries, Guadalcanal towed the U-boat at high speed, turning the electric motors over which recharged the boat's batteries. With power restored, the salvage crew could use the U-boat's own pumps and air compressors to finish pumping out seawater and bring her up to full surface trim. After three days of towing, Guadalcanal was relieved of her burden by the fleet tug Abnaki (ATF-96). Arriving with the tug was the tanker Kennebec (AO-36), sent to provide much-needed fuel to the hunter-killer group. On Monday, 19 June 1944, U-505 was brought into Port Royal Bay, Bermuda, after a tow of 1,700 miles.

Fifty-eight prisoners had been taken from the water during the action. One man had been killed and three (the commanding officer, executive officer, and one enlisted man of the U-boat) wounded. For his part in saving the abandoned submarine, Lieutenant (jg) David was awarded the Medal of Honor; Torpedoman's Mate Third Class A. Knispel and Radioman Second Class S. E. Wdowiak, each received the Navy Cross; and Commander Trosino received the Legion of Merit. The task group itself was awarded the Presidential Unit citation, in part because of the unique and difficult feat of boarding and capturing an enemy warship on the high-seas--something the U.S. Navy had not accomplished since the 19th-century. More significantly, however, the capture of codebooks on U-505 allowed American cryptanalysts to occasionally break the special "coordinate" code in enciphered German messages and determine more precise locations for U-boat operating areas. In addition to vectoring in hunter-killer task groups on these locations, these coordinates enabled Allied convoy commanders to route shipping away from known U-boat locations, greatly inhibiting the effectiveness of German submarine patrols.

As the U.S. Navy was far more interested in the advanced engineering design of fast underwater U-boats--such as the streamlined German Type XXI and XXIII submarines--rather than the familiar fleet-boat types illustrated by the U-505, the captured submarine was investigated by Navy intelligence and engineering officers during 1945 and then

promptly slated for disposal. The intention was to use the hulk for gunnery and torpedo target practice, a fate similar to those of many other captured enemy submarines. In 1946, however, Father John Gallery learned of this plan from his brother (then Admiral Daniel Gallery) and called the Chicago Museum of Science and Industry (MSI) President Lenox Lohr to see if MSI would have an interest in saving U-505. The museum, established by Chicago businessman Julius Rosenwald as a center for "industrial enlightenment" and public science education, specialized in interactive exhibits, not just view displays and artifacts. Lohr immediately revealed 10-year old plans to include a submarine in the exhibits of the museum and began a plan to bring the U-505 to Chicago. The people of Chicago raised \$250,000 to help prepare the boat for the tow and installation at the museum. In September 1954, U-505 was donated to Chicago at no cost to the U.S. Government. On September 25, 1954 U-505 was dedicated as a war memorial and as a permanent exhibit. In 1989, the U-505--as the only Type IX-C boat still in existence--was designated a National Historic Landmark. [Source: <http://www.history.navy.mil/faqs/faq91-1.htm> Jan 2011 ++]

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**Military History Anniversaries:** Significant February events in U.S. Military History are:

- Feb 01 1848 - Mexican-American War: The Treaty of Guadalupe Hidalgo is signed.
- Feb 01 1909 - U.S. troops leave Cuba after installing Jose Miguel Gomez as president.
- Feb 01 1943 - WWII: The last German forces surrender to the Soviets after the Battle of Stalingrad.
- Feb 01 1945 - WWII: U.S. Rangers and Filipino guerrillas rescue 513 American survivors of the Bataan Death March.
- Feb 01 1968 - Vietnam: U.S. troops drive the North Vietnamese out of Tan Son Nhut airport in Saigon.
- Feb 02 1848 - The Treaty of Guadeloupe Hidalgo formally ends the Mexican War.
- Feb 03 1904 - Colombian troops clash with U.S. Marines in Panama.
- Feb 03 1917 - WWII: The U.S. breaks off diplomatic relations with Germany a day after the former announced a new policy of unrestricted submarine warfare.
- Feb 03 1944 - WWII: Beginning of the German Army offensive against the Anzio bridgehead in Italy.
- Feb 03 1944 - WWII: United States troops capture the Marshall Islands.
- Feb 03 1944 - WWII: The United States shells the Japanese homeland for the first time at Kurile Islands.
- Feb 03 1945 - WWII: As part of Operation Thunderclap, 1,000 B-17's of the Eighth Air Force bomb Berlin.
- Feb 03 1945 - WWII: Sinking of allied troop ship Dorchester results in Congress declaring this as Four Chaplains Day.
- Feb 04 1899 - The Philippine-American War begins.
- Feb 04 1941 - WWII: The United Service Organization (USO) is created to entertain American troops.
- Feb 04 1945 - WWII: American, British and Soviet leaders meet in Yalta to discuss the war aims.
- Feb 04 1957 - The first nuclear-powered submarine, the USS Nautilus (SSN-571), logs its 60,000th nautical mile.
- Feb 05 1918 - WWI: Stephen W. Thompson shot down a German airplane. It was the first aerial victory.
- Feb 05 1945 - WWII: General Douglas MacArthur returns to Manila.
- Feb 05 1958 - A hydrogen bomb known as the Tybee Bomb is lost by the US Air Force off the coast of Savannah, Georgia, never to be recovered.
- Feb 05 1968 - Vietnam War: Battle of Khe Sanh begins.
- Feb 06 1862 - Civil War: Ulysses S. Grant gives the United States its first victory of the war, by capturing Fort Henry, Tennessee, known as the Battle of Fort Henry.
- Feb 06 1899 - Spanish-American War: The Treaty of Paris (1898), a peace treaty between the United States and Spain, is ratified by the United States Senate.
- Feb 06 1922 - The Washington Naval Treaty was signed in Washington, DC, limiting the naval armaments of United States, Britain, Japan, France, and Italy.

- Feb 06 1945 - WWII: MacArthur reports the fall of Manila, and the liberation of 5,000 prisoners
- Feb 07 1968 - Vietnam: North Vietnamese use 11 Soviet-built light tanks to overrun the U.S. Special Forces camp at Lang Vei at the end of an 18-hour long siege.
- Feb 08 1971 - Vietnam: South Vietnamese ground forces, backed by American air power, begin Operation Lam Son 719, a 17,000 man incursion into Laos that ends three weeks later in a disaster.
- Feb 09 1775- Revolutionary War: British Parliament declares Massachusetts in rebellion.
- Feb 09 1943 - WWII: Allied authorities declare Guadalcanal secure after Imperial Japan evacuates its remaining forces from the island, ending the Battle of Guadalcanal.
- Feb 09 1965 - Vietnam: The first United States combat troops are sent to South Vietnam.
- Feb 10 1763 - French and Indian War: The 1763 Treaty of Paris ends the war and France cedes Quebec to Great Britain.
- Feb 10 1954 - President Dwight Eisenhower warns against United States intervention in Vietnam.
- Feb 11 1938 - Japan refuses to reveal naval data requested by the U.S. and Britain.
- Feb 11 1942 - WWII: The Battle of Bukit Timah is fought in Singapore.
- Feb 11 1943 - WWII: General Dwight Eisenhower is selected to command the allied armies in Europe.
- Feb 11 1973 - Vietnam: First release of American prisoners of war from Vietnam takes place.
- Feb 12 1946 - WWII: Operation Deadlight ends after scuttling 121 of 154 captured U-boats.
- Feb 12 1951 - Korea: U.N. forces push north across the 38th parallel for the second time
- Feb 13 1991 - Gulf War: Two laser-guided "smart bombs" destroy a bunker in Baghdad. It was being used as a military communications outpost and unknown to allied forces, as a shelter for Iraqi civilians.
- Feb 14 1945 - WWII: 800 Allied aircraft firebomb the German city of Dresden. Smaller follow-up bombing raids last until April with a total death toll of between 35,000 to 130,000 civilians
- Feb 14 1979 - Armed guerrillas attack the U.S. embassy in Tehran.
- Feb 15 1898 - U.S. battleship Maine mysteriously blows up in Havana Harbor, Cuba killing more than 260 crew members and bringing the United States closer to war with Spain.
- Feb 15 1943 – WWII: The Germans break the American Army’s lines at the Fanid-Sened Sector in Tunisia, North Africa.
- Feb 15 1967 – Vietnam: Thirteen U.S. helicopters are shot down in one day in Vietnam.

[Source: Various Jan 2011 ++]

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## **Military Trivia 21:**

1. On May 7, 1998, the Government made the decision to open the Tomb of the Unknown Soldier. Secretary of Defense William Cohen made the announcement of the grave opening indicating there could be a possible identity of the remains of the Vietnam War soldier contained in the Tomb. However, there wasn't a body, only the bones of part of a pelvis, upper arm bone, and four ribs.

2. The human remains that had rested in the Tomb of were identified by Mitochondrial DNA testing to be First Lieutenant Michael Blassie. On May 11, 1972, First Lieutenant Blassie flew for the Air Force and piloted an A-37B Dragonfly aircraft over An Loc, about 60 miles north of Saigon in South Vietnam when he was shot down. Major James Connally was his flight commander and watched helplessly as Blassie's plane turned over, took a nose-dive, and exploded on impact. The crash took place in a heavily controlled enemy force area, making it virtually impossible for an immediate attempt in recovering their comrade.

3. Five months later, on October 31, 1972, when ARVN forces were sweeping the area they discovered a crash site. However, since eight other servicemen went down the same day as Blassie, evidence of the remains found was not

certain. They recovered a few human bones, a life raft, remnants of a flight suit, parachute pieces, and part of a holster with USAF on it. They bagged it and marked "BTB (Believed To Be) Lt. Blassie" then sent it to Hawaii for possible identification. But over time, and inconclusive testing, the remains were later designated and marked as "Unknown".

4. The Friday before Mother's Day, in May 1972, George and Jean Blassie were informed of the tragic news about their eldest son being missing. Michael had purchased and shipped some fine china to his mother as a gift. Just a few days before that package arrived, an unopened box of home-baked chocolate chip cookies were returned from Vietnam. His mother had shipped them over as a gift for his 24th birthday.

5. Vietnam War Medal of Honor recipient Sgt. Major Allan Kellogg, Jr. placed a wreath at a ceremony at Pearl Harbor before the casket that held Blassie's remains. Airman 1st Class Michael Leonard was one who who carried Blassie's casket and folded the American flag for the family at his final resting place.

6. Blassie was the oldest of five children. He attended St. Louis University High School, where he earned a music scholarship for playing the bassoon. He was captain of his soccer team and excelled in tennis.

7. Blassie graduated from the U.S. Air Force Academy in 1970. He did his pilot training and was pinned with his silver wings by his parents at Columbus Air Force Base in Columbus, Mississippi. He met his girlfriend Lou Adams Pennebaker while she was attending Mississippi University for Women in Columbus. Michael had taught her to play golf, and they spent a year together before he left for Vietnam. Plans of their marriage was even made upon his return from the war. She founded and established in 1998 The Memory Tree Foundation as a loving tribute to the memory of her USAF fighter pilot. She was sitting at her kitchen table in Meridian, Mississippi, when, 26 years later, CBS News declared that the Unknown Soldier was First Lt. Michael J. Blassie.

8. While at the Academy Blassie was designated as Lucille Ball's official escort when she spent a month at the academy he was attending. She was there shooting the comedy movie, "Yours, Mine and Ours" (1968) with Henry Fonda, Van Johnson, and Tom Bosley. Lucy could be seen many times wearing Michael's athletic jacket onto the movie set.

9. Blassie's sister Patricia, followed in her brother's footsteps and joined the Air Force. She served as a captain in the Pentagon and made many visits to the Tomb of the Unknowns. On Memorial Day, May 28, 1984, President Ronald Reagan eulogized the interment and awarded the Medal of Honor to the Unknown Soldier of the Vietnam War. She was in the crowd at the Tomb of the Unknowns to pay tribute to the fallen hero, but had no idea at that time, the unknown soldier wasn't unknown after all. It was her brother. Pat was 14 years old when her brother left for Vietnam to serve his country.

10. An MC-130 airplane from Blassie's unit, the 8th Special Operations Squadron, flew his remains back home to Missouri. His family buried him on July 11, 1998 at Jefferson Barracks National Cemetery, on the banks of the Mississippi River, next to his father who also served in WWII. It had been reported that 3,000 to 5,000 people attended the emotional funeral service, mostly veterans of the Vietnam War that came to pay tribute and honor one of their own fallen comrades. Among others in attendance were Secretary of Defense William S. Cohen, other government and military dignitaries, and the love he left behind, Lou Adams Pennebaker. There are still over 2,000 American soldiers unaccounted for from the Vietnam War. The Tomb of the Unknowns in Arlington National Cemetery still holds unknown soldiers from World War I, World War II, and the Korean War who have not yet been returned home. Hopefully, with DNA and modern scientific technology, there will never have to be another, "Unknown Soldier".

[Source: <http://www.funtrivia.com/submitquiz.cfm?quiz=254720> Jan 2011++]

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**Tax Burden for Vermont 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 Vermont:

**Sales Taxes**

**State Sales Tax:** 6% (medical items, food, equipment and fuel, residential fuel and electricity, clothing and shoes with a purchase price of \$110 or less, prescription and non-prescription drugs are exempt); Local jurisdictions may add an additional 1%. Tax is 9% of prepared foods and restaurant meals and lodging. 10% on alcoholic beverages served in restaurants.

**Gasoline Tax:** 24.5 cents/gallon

**Diesel Fuel Tax:** 29 cents/gallon

**Cigarette Tax:** \$2.24/pack of 20

**Personal Income Taxes**

**Tax Rate Range:** Low - 3.55%; High - 8.95% (Tax year 2010). For details refer to <http://www.state.vt.us/tax/individual.shtml>

**Income Brackets:** Lowest - \$34,000; Highest - \$373,650

**Number of Brackets:** 5

**Personal Exemptions:** Single - \$3,650; Married - \$7,300; Dependent - \$3,650

**Standard Deduction:** Federal amount

**Medical/Dental Deduction:** Federal amount

**Federal Income Tax Deduction:** None

**Retirement Income:**

**Retirement Income Taxes:** No exemptions, except for Railroad Retirement benefits. Out-of-state government pensions are fully taxed.

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

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

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

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

**Vermont Tax Guidelines for Military Personnel:**

<http://www.state.vt.us/tax/pdf.word.excel/individual/MILITARY%20PERSONNEL.pdf>

**Property Taxes**

- Real estate taxes have two components; school property tax and municipal property tax. Both taxes are billed and collected by the town or city where the real estate is located.
- A statewide education tax is imposed on all nonresidential and homestead property at the following rates: (1) the tax rate for nonresidential property is \$1.35 per \$100.00; and (2) the tax rate for homestead property is \$0.86 multiplied by the district spending adjustment for the municipality, per \$100.00, of equalized

education property value. The homestead property tax rate for each municipality which is a member of a school district is calculated under subsection "e" of state statute section 5405. For rates by town, refer to <http://www.state.vt.us/tax/pvredtaxrates.shtml>.

- A Homestead Declaration is no longer required to be filed each year. The declaration filed in 2010 remains on record until the homestead is sold or there is a change in the use of the homestead.
- The Municipal Property Tax is based on the town's grand list and is used to fund the town's services. The rate varies in each town depending on the funds needed to operate municipal services. Eligible Vermont residents can make a claim for a rebate of their school and municipal property taxes if household income does not exceed a certain level. Generally, household incomes of \$97,000 or more do not receive an adjustment. Maximum property tax adjustment for 2010 is \$8,000. The rebate refunds the difference between a percentage of the claimant's household income and the eligible taxes. Eligible taxes are combined school and municipal property taxes less the education property tax payment. There is a property tax exemption for veterans. The first \$10,000 (may be increased to up to \$40,000 by a vote of the town) of appraisal value of the established residence of a qualifying veteran, his or her surviving spouse or child is exempt if: (a) the residence is owned in fee simple by one or jointly by a combination of them, and, a written application for the exemption is filed before May 1 of each year. For more information refer to <http://www.state.vt.us/tax/pvrilitary.shtml>

### **Inheritance and Estate Taxes**

Although Vermont does not have an inheritance tax, it has an estate tax. Vermont Estate Tax Return must be filed if the decedent had Vermont income and filed U.S. Estate Tax Return. Federal estate tax returns are required when an estate exceeds specified gross estate values. In 2009, estates valued at more than \$3.5 million will have to pay a tax.

For further information, visit the Vermont Department of Taxes site <http://www.state.vt.us/tax/index.shtml> or call 802-828-2865. [Source: [www.retirementliving.com](http://www.retirementliving.com) Jan 2011 ++]

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**Veteran Legislation Status 28 JAN 2011:** The Senate convened 25 JAN as scheduled but the House has now recessed until 8 FEB. For or a listing of Congressional bills of interest to the veteran community introduced in the 112<sup>th</sup> Congress 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](http://www.thecapitol.net/FAQ/cong_schedule.html) for dates that you can access your legislators on their home turf.

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## Have You Heard?

### Bumper Stickers for Seniors:

- Cremation? Think outside the box.
- I'M Retired. I was tired yesterday, and I am tired again today.
- When I was younger all I wanted was a BMW. Now, I don't care about the W.
- We got married for better or worse. He couldn't do better and I couldn't do worse.
- I was always taught to respect my elders. Now I don't have anybody to respect.
- I asked my wife if old men wear boxers or briefs? She said Depends.
- I's so old ... I don't buy green bananas.
- The Snap, Crackle, Pop in the morning ain't my freaking Rice Krispies.
- Sometimes I wake up grumpy ... and some days I let him sleep.
- Senior Campbell's. New Large Type Alphabet Soup.
- The secret to staying young is to live honestly ... eat slowly, and lie about your age.
- Retirement is the best medicine.
- Florida is God's waiting room.
- I'm so old that whenever I eat out, they ask me for the money up front.

### Perks:

- There is nothing left to learn the hard way.
- Your joints are more accurate meteorologists than the national weather service.
- No one expects you to run----anywhere.
- People call at 9 pm and ask, "Did I wake you?"
- People no longer view you as a hypochondriac.
- You no longer think of speed limits as a challenge.
- Things you buy now won't wear out.
- You can eat supper at 4 pm.
- You can live without sex but not your glasses.
- Your secrets are safe with your friends because they can't remember them either.
- You quit trying to hold your stomach in no matter who walks into the room.
- You can't remember who sent you this list.

And never, under any circumstances, take a sleeping pill & a laxative on the same night !

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"There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit."

--- **Ronald Reagan [1981 Inaugural Address]**

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