

RAO BULLETIN

15 September 2011

PDF Edition

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SBA Vet Issues Update 15: Since 2008, the Department of Veterans Affairs has awarded billions of dollars in contracts under a program to steer work to firms owned by veterans without requiring proof of their eligibility for the funding. A new mandate forcing companies to prove their ownership and management status has led to the removal of at least 18,800 companies from the VA vendor preference list, the government said. Until last year, contractors were able to self-certify their status as veteran-owned businesses. Air Force veteran Chad Gill, whose Plankinton, S.D.-based company supplies ammunition, insecticide and pesticide to federal agencies, said he welcomes the stricter requirements. “The honor system doesn’t really work in the real world,” said Gill, who served at a Merced, Calif., Air Force base and is the chief executive of Phoenix Environmental Design. Only about 8,200 veteran-owned companies remain in the agency’s “Vendor Information Pages,” said Josh Taylor, a VA spokesman. That represents a 70 percent reduction after the introduction of tougher certification measures.

Other federal agencies, which still allow self-certification, spent \$8.9 billion last year with companies that said they were owned by service-disabled veterans. Government auditors and investigators have been uncovering contract fraud and abuse by companies claiming to be owned and managed by veterans or service-disabled veterans for years. The VA inspector general found in July that the agency awarded \$46.5 million in contracts to 32 companies that weren’t owned or controlled by veterans or were passing most of the work on to non-veteran businesses. The IG estimated that the agency gives out as much as \$500 million in contracts a year to ineligible companies. An October 2009 audit by the Government Accountability Office found 10 ineligible companies received about \$100 million in government contracts through fraud or abuse during fiscal 2003 through 2009. Six of the 10 companies had received contracts from Veterans Affairs, according to the report. Some of the ineligible companies were used as pass-throughs for other non-veteran-owned businesses, including large, multinational corporations, that performed the contracted work. Others weren’t small businesses or weren’t controlled by a service-disabled veteran, according to the report.

A 2006 law directed Veterans Affairs to give contracting preference to companies owned by veterans and service-disabled veterans. Under the program known as “Veterans First,” the department can award contracts of up to \$5 million without competition to qualified companies. The law also made qualified businesses owned by service-disabled veterans the first choice for all contracts, and companies owned by veterans the second choice. Other federal agencies can’t favor one type of small business over another and

can only reserve contracts for veterans who were disabled in the service of their country. Since fiscal 2008, the first full year under Veterans First, the department has awarded about \$11.5 billion to veteran and service-disabled veteran businesses, according to data compiled by Bloomberg. That's about 20 percent of total procurement spending by the agency during that period. To increase oversight and improve veteran employment opportunities, President Obama signed a veteran benefits law in October that requires Veterans Affairs to verify the ownership and management of companies in the registry of companies eligible for contracts through Veterans First. Companies had until March 21 to submit documentation, such as tax paperwork and canceled checks, proving their eligibility.

Veterans Affairs has removed from the VetBiz Registry at least 18,800 companies that failed to meet requirements, had outdated information or didn't respond to requests for documentation, according to Taylor. Companies removed from the VA program weren't all intentionally misrepresenting themselves, Tom Leney, executive director of the department's Office of Small and Disadvantaged Business Utilization, said last month. Some, such as those with non-veteran business partners, aren't comfortable turning over complete control to one owner and opt not to participate, said Leney, who has overseen the small-business program since April. "Most of the firms that we end up having to deny verification to have a problem with their business model," Leney said. "They're not bad firms." Veterans Affairs has stepped up its efforts to pursue fraud, Leney said. The agency has conducted 840 on-site pre-certification visits this year compared to 110 last year. It also has completed since July roughly a dozen unannounced audits of certified companies to ensure compliance with veteran-owned requirements, he said. As of Aug. 24, the inspector general's office has debarred 12 companies or individuals this year for fraud related to veteran status. Seven proposed debarments are pending. The inspector general also can refer cases to the Justice Department for potential prosecution. Mark Amtower, who owns a Maryland company that advises federal contractors on how to win government business, said all U.S. agencies should require proof that companies are owned and managed by service-disabled veterans before awarding contracts. He also said there should be more severe punishments for those found guilty of fraud. [Source: The Washington Post By Leah Nylen and Kathleen Miller article 11 Sep 2011 ++]

SSA Death Reporting Update 02: According to an audit performed by the Office of the Inspector General in April of 2011, Social Security's "Death Master File" – which is used by many private companies from banks to insurance companies – is rife with errors. An erroneous death entry is caused by:

- An incorrect report,
- A death match with another agency that has received an incorrect report,
- An erroneous return by the financial institution with a reason code of death, or
- An input error at SSA

Once the erroneous death is on one of SSA's systems, it is propagated to other SSA and Medicare/Medicaid systems. Of the approximately 2.8 million death reports the Social Security Administration receives per year, about 14,000 — or one in every 200 deaths — are incorrectly entered into its Death Master File, which contains the Social Security numbers, names, birth dates, death dates, zip codes and last-known residences of more than 87 million deceased Americans. That averages out to 38 life-altering mistakes a day. Not only can a mistake in the Death Master File cause your bank and credit accounts to be frozen, it can stop Social Security benefits payments – and even result in the publication of your personal information, which can lead to identity theft once the bad guys figure out you're still alive.

How does this happen? The Social Security Administration sells your personal identifying information – Social Security number, date of birth, etc. – to the Department of Commerce's National Technical Information Services, which in turn makes it available to its customers, which can be anyone. This practice is designed to thwart criminal activity by notifying financial institutions as well as federal, state, and local governments of your death. And it works fine – at least if the person being reported as dead is. If you're still alive and kicking, however, anyone willing to pay for a subscription can download all the information they need to steal your identity. So if you discover that the Social Security Administration has accidentally

killed you off, here's the convoluted and time-consuming process to undo it – it's the government, after all...

- **Drive to the federal government:** While you were pronounced dead via computer, you can only revive yourself in person. So contact your local Social Security Administration office as soon as you can. (Here's how to find yours.) Go there in person and show a photo ID. The office will then launch an investigation.
- **Drive to the county government:** From there, drive down to the keeper of your county's vital records. In many cases, that's the Public Health Department. Ask to file an "amended death certificate." That requires you to fill out an affidavit and file it with the county registrar. That's what Blevins did, and it was relatively easy. "For \$7 and a few hours of my time, I was able to order a copy of my death certificate, complete the amendment affidavit, and file it with the Health Department," she says.
- **Get on the phone:** Call your creditors and bank to re-establish your existence. "Your best bet here is to contact as many of these companies as you can in person," Blevins says. "This gives them the opportunity to validate your identity via photo ID and other security measures." Some establishments may require you to wait until the Social Security Administration updates your record in the Master Death File before they can reinstate your accounts. "This was the toughest step for me," Blevins says. "I ended up taking a day off from work in order to go to my bank. Not only did I have to present my photo ID, but I had to show them a copy of my amended death certificate as well."
- **Get online:** Dispute any inaccuracies with the three major credit bureaus (Equifax, Experian, and TransUnion). Since the credit bureaus are required to validate your existence, you'll need to wait until the SSA has updated your record before submitting your disputes. "Thanks to the online dispute process, I was able to submit my corrections online," Blevins says. "However, it took eight weeks for the bureaus to get everything straightened back out."

For more information regarding the Social Security Administration's Death Master File, visit <https://secure.ssa.gov/apps10/poms.nsf/lrx/0202408700>. [Source: Money Talks Sandra Parker article 12 Sep 2011 ++]

COLA 2012 Update 06: Although federal workers face at least one more year without a pay raise, government retirees are cautiously looking forward to a cost of living adjustment of around 3.3 percent in their January checks. That COLA, if it holds up, would be the first inflation-catchup federal, military and Social Security retirees have had since they got a 5.8 percent increase in 2009. The actual amount of the 2012 COLA won't be known until mid-September. The raise could be higher if inflation creeps up in September. It would be less if living costs drop between now and the end of September. By law, retirees are supposed to get COLAs to match the rise in inflation as measured by the Bureau of Labor Statics Consumer Price Index. But for the past few years, inflation has been flat and there were actually months when living costs dropped. Result: No retiree COLA in 2010 or 2011. That despite the fact that health insurance premiums for retirees (and workers) have been going up. And up.

In recent months, there has been back-and-forth inflation. The January COLAs for retirees are based on the rise (if any) of the CPI from the third quarter of the previous year to its level for the current year. The third quarter measuring period is July, August and September. So that means there are still two months (August and September) left in the countdown. Many feds, fed up with the pay freeze, have indicated they may retire over the next few months if there is a retiree COLA in January. It's a great plan with one flaw: In order to get a COLA intended for retirees, you must be retired while the inflation is taking place. The COLAs are pro-rated. David Snell of the National Active and Retired Federal Employees says that individuals who retired in June will get one half (6/12ths) of the January COLA. If you retired last month

you will get even less and if you retire this month, less than that. [Source: Veteran Issues by Colonel Dan 11 Sep 2011 ++]

USFSPA Lawsuit Update 14: The AUG 2011 USFSPA Litigation Support Group (ULSG) Summit highlighted important lessons learned from their efforts and experiences in the Uniform Services Former Spouses Protection Act (USFSPA) struggle. While the conference took a great deal of time to review past efforts that had taken place at state and local levels in the legislative arena, it was noted that a major lesson learned at the federal level was that use of the word 'repeal' immediately runs into strong legislative opposition. Although the ultimate objective of the ULSG remains repeal of the USFSPA, it may not be necessary to use that word to literally get 'effective repeal' of the law. In fact, by framing desired changes as 'reform,' it could accomplish the vast majority of what the ULSG wants – no division of retention/retirement pay as property, termination of payments upon remarriage or cohabitation of the former spouse, limitation of payments to the actual value of the pay that corresponds to the time of marriage, prohibition of any payments before actual retirement and enforcement of the limits in the federal law. If these are accomplished in one or more steps, the retired community will effectively have repeal! The Summit reached a number of conclusions two of which were:

1. **Repeal of the USFSPA is not palatable on Capitol Hill.** After four years of efforts, from 2007 – 2011, the ULSG has been stonewalled in its efforts on all fronts. Therefore, their new objective and thus mission statement is to sell our points of opposition to the USFSPA and pursue the following changes to the law:

- Reclassify Military Retainer Pay as income only; no longer allow it to be treated as Property.
- Enter a remarriage clause.
- Consider only income that overlaps with marriage not the final income at retirement.
- Calculate division by grade and number of years service at time of divorce.
- No garnishment of retainer income until member retires and is awarded reserve status.
- Waive the ten year rule for direct payments from pay centers

2. **File lawsuits to compel action be taken.** Target goals are to:

- Convince the Department of Defense to mandate USFSPA education of the service member;
- Convince the American Civil Rights Union (ACRU) and similarly allied organizations to expose discrimination of the Uniformed Service Members as a separate class of citizens in matters of divorce.

To learn more about the ULSG, USFSPA, and how you can support their legislative efforts refer to <http://ulsg.org>. [Source: ULSG Newsletter 10 Sep 2011 ++]

HVAC Update 14: The House Veterans' Affairs Committee, chaired by Congressman Jeff Miller (R-FL) met 8 SEP to consider seven separate bills that should help veterans. These bills are expected to be voted on by the full House sometime this Fall. Here's a summary of the legislation that now advances to the House Floor:

- **HR 1025**, introduced by Congressman Tim Walz (D-MN) which would amend the US Code to recognize certain military retirees who spent 20 years or more in the National Guard or Reserves and, who through no fault of their own, did not accrue enough active duty time to qualify as veterans under existing law, as veterans. The bill explicitly states that no new veterans' benefits, other than the right to call themselves veterans, would be gained by this bill.

- **HR 2433**, The Veterans Opportunity to Work Act of 2011, which would allow 100,000 veterans aged 35-64 to use GI Bill benefits to attend school so that they can retrain themselves to be more marketable in this tough economy.
- **HR 1263**, which would amend the Servicemembers' Civil Relief Act (SCRA) to provide surviving spouses of deceased servicemembers with the same mortgage and mortgage foreclosure protections that servicemembers are granted.
- **HR 2074**, The Veterans Sexual Assault Prevention and Health Care Enhancement Act, which requires the VA to put in place policies and procedures to prevent the sexual assaults that have reportedly been taking place in VA hospitals, and to allow VA-issued service dogs to come into VA hospitals. Currently, veterans receiving care at VA hospitals are forced to leave their service dogs at home in order to use VA services at many facilities throughout the country.
- **H.R. 2646**: Veterans Health Care Facilities Capital Improvement Act of 2011.
- **H.R. 2302**: To amend Title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs.
- **H.R. 2349**: Veterans' Benefits Training Improvement Act of 2011.

[Source: TREA Washington News for the Enlisted 9 Sep 2011 ++]

Agent Orange Stateside Use Update 02: In recent complaints to the Air Force Inspector General, the chief of the Air Force Reserve, the Institute of Medicine and other officials, post-Vietnam War era, Wes Carter and Paul Bailey have cited documents showing that the Air Force knew, at least since 1994, of Agent Orange contamination aboard C-123 Provider aircraft flown at Westover and other bases — but failed to warn personnel of the health risks. Both men are diagnosed with prostate cancer along with many other in their Air Force Reserve former crewmates in the 74th Aeromedical Evacuation Squadron. Carter was stunned when he began checking and found that the first five crewmen he called had prostate cancer or heart disease. The sixth man he tried had died. Since then, he and Bailey have found dozens more former Westover reservists who are sick – with prostate cancer, diabetes, heart disease, peripheral neuropathy and other illnesses connected to exposure to Agent Orange [AO]. In just a few months, they have compiled a list of close to 40 of their fellow pilots, medical technicians, maintenance workers and flight engineers who are sick or have died of such illnesses, many of them from Connecticut and Massachusetts.

Among the documents the veterans cite is a 1994 Air Force report that found one of the airplanes, known as Patches, was “heavily contaminated” with dioxins. Tests on other planes showed similar contamination, records show. In a 2000 legal brief, the General Services Administration argued that the proposed sale of C-123s to a private buyer should be canceled, dubbing the planes “extremely hazardous” and saying their release would carry “the risk of dioxin contamination to the general public.” In a 1996 internal memo, an official in the Air Force Office of the Staff Judge Advocate, Directorate of Environmental Law, had expressed similar concerns about the possibly contaminated aircraft being sold to third parties, but said: “I do not believe we should alert anyone outside of official channels of this potential problem until we fully determine its extent. So far, attempts by Westover reservists to claim veterans’ benefits linked to Agent Orange exposure on C-123s have been stymied.

One of the veterans who tried was Aaron Olmsted of Ellington, CT, a retired Air Force Lieutenant Colonel who flew the C-123. Olmsted, 60, was killed in a plane crash in Pennsylvania in May, four years after he had lost a battle with the Board of Veterans Appeals to prove that he was sick from exposure to Agent Orange. While Olmsted had logged hundreds of hours piloting C-123s at Westover, the veterans’ appeals board in 2007 rejected his claim that his diabetes mellitus was connected to Agent Orange

exposure. “The Board acknowledges that the veteran maintains he was exposed to Agent Orange while flying aircraft from 1979 to 1982 in the Air Force Reserves because the aircraft were used to spray Agent Orange in Vietnam from 1962 to 1971 and that he was thus exposed to Agent Orange residue,” Veterans Law Judge Steven L. Cohn wrote in dismissing Olmsted’s claim. “[But] the veteran has not submitted any evidence substantiating his contention that there was any residual Agent Orange material on the aircraft he served on. His contention, standing alone, is not sufficient to show he had actual exposure to Agent Orange.”

Olmsted’s widow, Diane, said she was frustrated that the VA had denied her husband’s appeal on the grounds that he had not provided specific tail numbers of the C-123s he flew. He flew Patches and other planes that were found to be contaminated with dioxins, flight records and photographs show. “I don’t understand why they would put him through this, when it was clear he flew contaminated planes,” she said. “Why would they turn their backs on him after he had served his country so long and so well? I feel like it’s such an injustice.” She said federal aviation officials are now investigating whether her husband had a medical crisis that caused the small plane he was piloting to crash this spring. “We always joked he could have landed a refrigerator with wings,” she said. “The plane was fine, the weather was good – [the crash] makes no sense.”

Odd Smells, Stinging Eyes



A hazmat team at Davis-Monthan Air Force Base, Arizona.

Records show that some C-123 planes were held in quarantine storage in recent years, and then disposed of by shredding and smelting in 2010. In June 2009, an Agent Orange consultant to the Secretary of Defense had lobbied for the “immediate destruction” of the planes, in part to avoid attracting media attention to the health claims of stateside veterans. “A whole new class of veterans may claim that their exposure was due to the fact they were members of aircrews or mechanics associated with the contaminated aircraft that returned from Vietnam,” the consultant, Dr. Alvin L. Young, wrote in the June 26, 2009, memo.

Carter, Bailey and their fellow reservists want the Air Force to explain why it never warned former crew members of their exposure and the possible health consequences, even as tests confirmed the presence of dioxins in the planes. Work crews that prepared Patches for display in a museum were instructed in a 1994 memo to wear hazardous material suits and respirators—yet Carter, Olmsted and others had flown in the plane often, without protection. Carter and Bailey both recall the strange chemical smell of the C-123s and the stinging in their eyes and mouths – at the time, inexplicable sensations. “I was always pretty sick on the airplanes – I ended up throwing up a lot,” said Bailey, 65, who is undergoing radiation treatment for cancer. “I never knew why. Now it makes sense.” [Source: Connecticut Health I Team Lisa Chedekel article 7 Sep 2011 ++]

Military Funeral Disorderly Conduct Update 23: Gov. Jerry Brown on 7 SEP vetoed legislation that would have sharply limited protests at military funerals, delivering a victory to a small but vocal Kansas church that pickets somber goodbyes to fallen soldiers as a way to promote its anti-gay message. In his veto message, Brown said he was "very tempted" to sign the measure but in "good faith" could not because it conflicts with a recent U.S. Supreme Court ruling that upheld picketing by the Westboro Baptist Church. The veto comes just days before the 10th anniversary of 9/11, which the church contends reflected God's wrath on the U.S. for its sins. Similar protests have been staged at funerals for celebrities, at disaster sites and synagogues. Brown's rejection drew a sharp rebuke from Tom Richards, a retired marine and chairman of the San Diego United Veterans Council. "We understand the right of free speech. We all fought for the right to free speech. But this goes beyond the pale," Richards said in a phone interview. Richards said the governor should have signed the bill to force a court challenge. Even if California eventually lost, some families would have been able to hold services in peace, he said. "It's a tragic veto," Richards said.

Sen. Ted Lieu, a Torrance Democrat schooled in the law, said he was confident his measure would have survived a court challenge. Nevertheless, he will work with the governor to introduce a narrower version next year. Senate Bill 888 would have barred protests between one hour before and one hour after a funeral. Protesters also would have had to stay at least 1,000 feet away from a burial site, church service or mortuary. Lieu noted the Legislature's attorney had found the measure to be in line with the U.S. Supreme Court ruling. In previous high court decisions, some reasonable restrictions have been permitted. "Their protests are outrageously offensive and if there were no laws I would use physical force against them," Lieu said in an interview. Lieu is a veteran himself, having served four years in the Air Force. At that time he served as a prosecutor in the Judge Advocate General's Corps. He is now a lieutenant colonel in the reserves. "This bill would have been the most aggressive nationally," he said. The new version would have a smaller buffer zone and be tailored to meet the governor's concerns, he added.

Another veteran, San Diego Assemblyman Nathan Fletcher, said the governor should have stood up to the church and challenged the protesters to appeal. "We should do everything we can to protect military families in their time of grieving," said Fletcher, a Republican. Lieu's measure had sailed out of the Legislature with just one no vote. The small Baptist congregation, which is mostly made up of relatives of its leader, Fred Phelps, has drawn widespread denunciations for its practices. Phelps had been sued by Albert Snyder of Maryland after the congregation appeared at the funeral for his son, a Marine lance corporal killed in Iraq in 2006. The landmark free speech case was settled when the U.S. Supreme Court in early March of this year ruled 8-1 that the church had the 1st Amendment right to picket with signs saying "Thank God for dead soldiers" and others painted with slurs aimed at gays. Since, some states have enacted limits on protests at funerals and there are two measures pending in Congress as well. [Source: San Diego Union-Tribune Michael Gardner article 7 Sep 2011 ++]

Military Funeral Disorderly Conduct Update 24: A federal judge declared part of Michigan's hastily enacted funeral protest law unconstitutional 8 SEP, saying the ban on conduct that would "adversely affect" a funeral, memorial service, viewing or procession is too vague for police to enforce. But U.S. District Judge Thomas Ludington left intact provisions of the law that prohibit loud and raucous noise and statements and gestures that would cause a reasonable person to feel intimidated, threatened or harassed. He also left in place a ban on such conduct within 500 feet of a funeral or related activity.

The decision was a victory for Army veteran Lewis Lowden, 66, of Gratiot County, who with his late wife, Jean, was pulled out of a funeral procession in Clare County in 2007 for a fallen soldier they had helped raise. A deputy sheriff stopped them because they had anti-government protest signs in the windows of their van. The couple was arrested and jailed overnight, but the charges of carrying concealed weapons in their van -- a hatchet, machete and two knives they used for camping -- were dropped after the soldier's

family protested. The Lowdens sued, saying Clare County and sheriff's deputies had violated their constitutional rights. "It's a complete vindication of Lewis and Jean Lowden," said Detroit attorney Hugh (Buck) Davis, who represented the family with the American Civil Liberties Union of Michigan. He said they were humiliated for simply trying to attend a funeral. Lowden could not be reached for comment. The Michigan Attorney General's Office, which had tried to get the suit dismissed, also declared victory. "This is a victory for protecting the sanctity of funerals and the privacy of families who have suffered a tragic loss," said spokesman John Sellek, saying Ludington's decision struck two words -- "adversely affect" -- from the statute. "The law essentially remains in place."

Ludington decision dismissed Clare County from the suit. Ludington said there was no evidence the county had a formal policy of enforcing the law. But the former deputy who arrested the Lowdens, Lawrence Kahsin, remains a defendant. The suit against him will proceed to damages. The county's lawyer, Jason Kolkema, said the county must decide whether to appeal the ruling. The Legislature quickly enacted the law in 2006 in response to the Kansas-based Westboro Baptist Church, which gained notoriety by protesting at military funerals with signs bearing messages such as, "Thank God for dead soldiers." It said God is punishing the U.S. for tolerating homosexuality. Michigan is one of more than 40 states that passed such laws. [Source: Detroit Free Press David Ashenfelter article 9 Sep 2011 ++]

VA Fraud Waste & Abuse Update 40:



- **Norfolk VA** - A 68-year-old Navy sailor court-martialed for desertion last month is once again a wanted man. James Everett was to turn himself in to federal authorities to begin serving a 21-month sentence for fraud by 1 SEP. But he never showed. In July, Everett was sentenced to 21 months in prison for fraud by using his now-deceased brother's first name to receive more than \$60,000 in Veterans Affairs benefits. He also was ordered to repay the money. Everett posted a \$5,000 unsecured bond on 18 MAR, the same day he pleaded guilty to the charge. The conviction led Navy investigators to Everett. After serving more than 20 years, Everett deserted from the Navy in 1985, leaving his assigned ship in San Diego. He had been under scrutiny for possible theft of money from the now-decommissioned tank landing ship Fresno. At his court-martial last month, Everett pleaded guilty to desertion. He was sentenced to be reduced in rank from chief petty officer to petty officer first class and to receive a bad conduct discharge, but that sentence is under review. Now Everett has the U.S. marshals on his case. A warrant for his arrest was issued 2 SEP. [Source: The Virginian-Pilot Kate Wiltrout article 6 Sep 2011 ++]
- **Sacramento CA** - Randall Paul Wessar, 62, of Wilton pleaded guilty to three counts of mail theft in a plea agreement with federal prosecutors. Wessar, who began with the U.S. Postal Service in 1979, and most recently worked out of Sacramento's Parkway Branch post office, admitted to stealing at least 30 packages containing Vicodin sent by Veterans Administration to veterans. As part of the agreement, Wessar has to resign from the postal service, refrain from applying or working for USPS for 20 years, and pay restitution to those whose prescriptions he stole. Sentencing was set for 1 DEC. Horwood said the maximum sentence is five years in prison and a \$250,000 fine.
- **Montgomery AL** - Joy Farmer, 41, of Columbus, Georgia, was sentenced on 7 SEP to 33 months in federal prison for bank fraud arising out of her embezzlement of money from veterans' bank

accounts. Farmer who pled guilty on 1 JUN was employed as an administrative assistant for an attorney in Tuskegee, Alabama. The Attorney had been appointed as a fiduciary for several individuals receiving veterans benefits pursuant to the Fiduciary Program of the VA which oversees benefits paid to beneficiaries who are incapable of handling their funds—either because they are minors or because of injury, disease, or old age. For each beneficiary, the Attorney established a bank account to receive VA benefits and pay appropriate expenses. Farmer embezzled approximately \$626,101.67 from 25 different Beneficiary Accounts by writing 327 checks to herself from the Beneficiary Accounts, forging the Attorney's signature on the checks, depositing the checks in her own bank account, and using the funds to pay personal expenses. To conceal her conduct, Farmer would (a) deposit checks drawn on one Beneficiary Account into a different Beneficiary Account, and (b) deposit funds intended for one beneficiary to be deposited into the Beneficiary Account of a different beneficiary. Farmer remains released on a \$25,000 unsecured bond and has been ordered to report to prison on 1 NOV. [Source: WLTZ 38 News 8 Sep 2011 ++]

VA Application for Health Benefits Update 01: The Department of Veterans Affairs (VA) has automated its online Health Benefits Renewal (10-10EZR) form as part of its ongoing effort to streamline access to benefits. "This action dramatically reduces the time it will take for enrolled Veterans to submit updates to their demographic information and further reduces access barriers to needed care for Veterans," said Secretary of Veterans Affairs Eric K. Shinseki. Previously, Veterans filling out the online 10-10EZR were required to print a copy, sign it and send it to their local medical center before updates to their personal, insurance or financial information could occur. Veterans may now submit these updates online. For additional information, go to <http://www.va.gov/healtheligibility> or call VA's toll-free number at 1-877-222-VETS (8387). The online form is available at <https://www.1010ez.med.va.gov/sec/vha/1010ez/Form/1010ezr.pdf>. [Source: VA News Release 8 Sep 2011 ++]

Vet Cemetery Wisconsin Update 01: A maintenance supervisor at one of the most pristine veterans cemeteries in the country used the grounds as his private dump, burying everything from cans of paint thinner to television sets, according to documents obtained by The Associated Press. The cost to clean up the mess is already twice what state officials first estimated and growing. State Department of Administration officials say the company contracted to clean up the garbage has submitted \$37,000 in bills, with more likely to come. That's more than double the \$18,000 the state Department of Veterans Affairs estimated the effort would cost. Meanwhile, veterans are seething that a state worker would disgrace a cemetery that federal officials have designated as a national shrine. "Just totally repulsive to me and any veteran," said Brad Cramlet, a 50-year-old U.S. Navy veteran from Pleasant Prairie, a city about 20 miles from the cemetery. "That is hallowed ground. Our veterans are buried there. To have that happen is just totally unconscionable. That's abuse of position. That's abuse of government. Abuse of power."

The sprawling Southern Wisconsin Veterans Memorial Cemetery stands on 105 acres outside Union Grove, about 30 miles south of Milwaukee. About 8,400 veterans and nearly 1,900 spouses have been laid to rest there. The cemetery earned an excellence in appearance award from the National Cemetery Administration in April. The state DVA has released several news releases about the trash, including one last month saying the supervisor resigned in November and cleanup efforts had begun, but the statements offered few other specifics. DVA and state Department of Natural Resources emails and other documents the AP obtained through an open records request reveal more details. The documents show a whistleblower approached the DNR with a tip that the supervisor was ordering his employees to dig holes and bury all manner of trash from his rental properties, including refrigerators, mattresses, furniture and chemicals. The

DNR launched an investigation on 14 SEP 2010, Hirschboeck said in an interview. The DVA launched its own probe in early October, agency emails show.

The supervisor, who the AP is not naming because he hasn't been charged, resigned that November. According to a letter the DNR sent to then-DVA Secretary Ken Black in February, the supervisor and other cemetery employees told investigators the supervisor had employees dig holes to bury both cemetery waste and his personal property. The cemetery property included rebar, damaged burners, tools, lawn mower blades and a 55-gallon drum, the letter said. The supervisor's personal garbage included clothing, garden hose, pipes, television sets, aerosol cans, spray paint containers, screws, nails, insulation, turpentine cans, pesticide cans, paint thinner cans, furniture, carpeting, shingles and a mattress. Scott Ferguson, a DNR spills coordinator in charge of cleanup, said in an interview he remembered seeing a washer-dryer and file cabinets as well. The garbage was buried far from the nearest headstone, Ferguson said. He didn't have any estimates on much trash was recovered, but the cleanup contract with Veolia Environmental Services called for a front-end loader, trucks and backhoes, suggesting the amount was considerable. The supervisor told the cemetery director he dumped trash on at least three occasions and probably more, according to DVA emails.

Cleanup began during the first week in August and was completed in a matter of days. The DNR is still waiting for tests on the garbage to see if any of the items qualify as hazardous materials, which could be a factor if the agency decides to bring any civil lawsuits or criminal charges. The incident marks yet another public relations black eye for the veterans agency. It is still reeling from complaints that Black was trying to oust white workers. An audit earlier this year uncovered deficit spending and purchase violations at the agency's two veterans' homes. On top of that, agency secretary John Scocos alleged the DVA board improperly fired him from the post two years ago. Gov. Scott Walker reappointed Scocos to the position last week. Black said in a March letter to DVA Board member Peter Moran that agency leaders had met with cemetery staff to review proper disposal requirements and that an "effective communications plan" has been set up to give employees a way to report fraud and abuse to their supervisors. Veterans Affairs Board Chairman Dan Naylor said he was disappointed and frustrated with the whole affair. Alan Willis, department commander for Wisconsin AMVETS, said the former maintenance supervisor should at least be forced to reimburse the state. [Source: Associated Press article 7 Sep 2011 ++]

DoD/VA VLER Update 06: The Department of Veterans Affairs (VA) announced today it will expand its pilot for the Virtual Lifetime Electronic Record (VLER), which enables sharing of Veterans' health records. "The expansion of the VLER pilot program will allow more Veterans and facilities to participate in this exciting new technology," said Secretary of Veterans Affairs Eric K. Shinseki. "I invite Veterans to sign up for the program. It will keep health care providers informed, improve continuity and timeliness of care, and eliminate gaps in health care information." VLER is a multi-faceted business and technology initiative that includes a portfolio of health, benefits, personnel, and administrative information sharing capabilities. This pilot expansion is designed to share Veterans' health information electronically, safely, and privately between VA, Department of Defense (DoD), and selected private health care facilities that are members of the secure Nationwide Health Information Network.

VA is on track to implement health information exchange at 11 VA medical centers and to partner with both DoD and private health care entities by fall 2011. This expansion will enable authorized users to access health information and will provide seamless service to America's Servicemembers and Veterans. VA's goal is to have 50,000 signed authorizations from Veterans who are VA patients to participate in the pilot by the end of the fiscal year, Shinseki noted. In addition to other ongoing efforts to share benefits and administrative data, the pilot is an initial step toward a larger capability which will become available throughout VA. VA will expand this pilot to provide these services to Servicemembers and Veterans nationwide.

Existing Sites are:

- San Diego VA Medical Center and Kaiser Permanente San Diego, in operation since winter 2009;

- Hampton VA Medical Center in Virginia, MedVirginia and DoD, in operation since fall 2010;
- Spokane VA Medical Center in Washington, Inland Northwest Health Services and DoD, in operation since spring 2011;
- Hunter Holmes McGuire VA Medical Center in Richmond, Va., and MedVirginia, in operation since spring 2011;
- Richard L. Roudebush VA Medical Center in Indianapolis, and Indiana hospitals, in operation since summer 2011.

Expansion Sites are:

- Grand Junction VA Medical Center in Colorado, and rural Utah hospitals, first in Moab, Utah, through the Utah Health Information Network by fall 2011;
- Asheville VA Medical Center in North Carolina and Western North Carolina Health Network by fall 2011;
- VA Western New York Healthcare System in Buffalo, N.Y. and Buffalo area hospitals through the HEALTHeLINK Health Information Exchange by fall 2011;
- Ralph H. Johnson VA Medical Center in Charleston, S.C. and Charleston area hospitals through the South Carolina Health Information Exchange by fall 2011;
- Minneapolis VA Health Care System and Minnesota hospitals through the Community Health Information Collaborative Health Information Exchange by fall 2011; and
- VA Puget Sound Health Care System in Washington and MultiCare sites by fall 2011.

To find out more about VLER, Veterans may call 1-877-771-VLER (8537). [Source: VA News Release 8 Sep 2011 ++]

VA Claim Exams Overseas: The Department of Veterans Affairs (VA) has instituted a new program to provide comprehensive compensation and pension (C&P) examinations to U.S. Veterans living overseas. "We are proud to deliver these services to our Veterans living abroad," said Secretary of Veterans Affairs Eric K. Shinseki. "This is an example of how VA is supporting Veterans in unprecedented ways to help them get the benefits they have earned." In June, VA staff traveled to Camp Lester in Okinawa, Japan, to join with members of the Department of Defense in providing C&P exams to Veterans. Over the course of their three week trip, the team completed 247 examinations on 39 Veterans. Due to the success of the pilot program, a return visit is planned for Sept. 19-30. Typically, VA uses local physicians and the assistance of U.S. Navy personnel for disability examinations overseas, but these trips allow VA practitioners more familiar with VA protocols and requirements to provide the Veterans' examinations.

VA's C&P examination program includes providing a medical assessment to evaluate Veterans' current disabilities that may be related to their military service. If VA has previously determined a Veteran has a service-connected medical condition, the examination helps determine the current severity of the condition, which could affect the amount of VA disability compensation payable or entitlement to additional benefits. One Veteran can require separate examinations for various conditions. On average, Veterans receive four examinations during the VA C&P process. In addition, VA conducted its first international C&P examination in Okinawa using telehealth technology on April 13. To date, six Veterans have participated in remote C&P examinations between VA's National Telemental Health Center location and the U.S. Naval Hospital in Okinawa. VA is using telehealth technology to reduce the number of Veterans awaiting examinations overseas and to ease their burden of travel. VA plans to explore other opportunities to provide similar services to additional destinations in Europe and Asia where U.S. Veterans live. [Source: VA News Release 7 Sep 2011 ++]

Tricare Pharmacy Copay Update 01: In 2010 Congress blocked DoD from increasing TRICARE-related fees through September 30 of this year. That moratorium expires soon and based on action earlier this year, it is clear Congress no longer intends to block fees.

AFSA has confirmed that the new prescription copayments below will take effect for all non-active duty TRICARE beneficiaries on 1 OCT 2011. Copayments for active duty beneficiaries will remain the same.

- **30 Day Supply Retail Pharmacy**

- Formulary Generic \$5

- Formulary Brand \$12

- Non-Formulary \$25

- **90 Day Supply Home Delivery**

- Formulary Generic \$0

- Formulary Brand \$9

In May, the House voted to allow DoD to raise TRICARE Prime Fees and pharmacy copays for military beneficiaries. In June, the Senate Armed Services Committee agreed with their House colleagues that fees should be raised but the full chamber has yet to act on that legislation. It is unclear as of the writing if TRICARE Prime fee will rise also. Language in the House and Senate versions of the FY 2012 National Defense Authorization Act would increase TRICARE Prime fees to \$520 per year for family coverage and to \$260 per year for individual coverage. [Source: AFSA Alert 7 Sep 2011 ++]

JCSDR Update 02: Congress returned from its summer recess and the Joint Select Committee on Deficit Reduction (JCSDR) charged with reducing the deficit also began its work in earnest. With talk of the deficit dominating headlines, here's a look at key dates for the committee.

- Sept. 8: The committee holds its first organizational meeting; on the agenda will be setting the rules.
- Sept. 13: First public hearing, which will include testimony on "The History and Drivers of Our Nation's Debt and Its Threats" from Congressional Budget Office Director Douglas Elmendorf.
- Oct. 1-Dec. 31: Timeframe in which both houses of Congress must vote on a Balanced Budget Amendment.
- Oct. 14: House and Senate committees must submit recommendations to the committee by this date.
- Nov. 23: Deadline for the committee to vote on a plan with \$1.5 trillion in deficit reduction.
- Dec. 2: Deadline for the committee to submit report and legislative language to the president and Congress.
- Dec. 23: Deadline for both houses to vote on the committee bill.
- Jan. 15, 2012: Date that the "trigger" leading to \$1.2 trillion of future spending cuts goes into effect, if the committee's legislation has not been enacted.
- February 2012: Approximate time when the first \$900 billion of debt ceiling increase runs out.
- February/March 2012: During this period, 15 days after the president uses his authority in the bill to increase the debt ceiling a second time, is the deadline for Congress to consider a resolution of disapproval for the second tranche (\$1.2-\$1.5 trillion) of debt limit increase.
- Fall/Winter 2012: The additional \$2.1-\$2.4 trillion of borrowing authority from this law runs out.
- Jan. 2, 2013: OMB orders sequestrations for defense and non-defense categories of spending necessary to meet spending cuts required by the "trigger."

[Source: National Journal article 6 Sep 2011 ++]

JCSDR Update 03: Even as each member of the Joint Select Committee on Deficit Reduction (JCSDR) voiced concerns about the struggling economy in their opening statements, it was clear right from the start of its inaugural meeting 8 SEP that the members do not agree on just how jobs should figure into their final deficit-cutting package. Beyond the standard ruminations about American decline and warnings about the threat the deficit poses to national security that accompany nearly every deficit discussion in Washington, committee members spent much of the meeting discussing employment in the context of deficit reduction. Republicans insisted that bringing down the deficit would itself pave the way for job growth, while Democrats argued that a short-term jobs agenda needs to be part of a deficit-reduction plan in order to bring in more revenue in the future. "We can't fix our budget without fixing jobs, and we can't fix jobs without fixing our budget," Sen. John Kerry (D-MA) said, summarizing the dilemma others acknowledged.

Even if the committee members hadn't wanted to focus on jobs during their first meeting, a pack of more than a dozen protesters made that impossible. A little over 20 minutes into the roughly hour-long meeting, protesters huddled outside the meeting room's doors interrupted the proceedings with chants of "What do we want? Jobs! When do we need 'em? NOW!" The chants caused Rep. Dave Camp (R-MI) to stop speaking, and the meeting paused briefly as staff struggled to block out the noise. When Camp did resume, he was barely audible over the shouts. But he, like most of the members, focused his opening remarks on the dual need for job growth and deficit reduction facing the committee. "The final product must be looked at through the prism of job creation," Camp said. "By reducing the burden the federal debt places on employers, families, and taxpayers, we can help get the country back on track and Americans back to work." Rep. Chris Van Hollen (MD) meanwhile, reversed that causal link: "The quickest, most effective way to reduce the deficit in the short-term is to kick the economy into a higher gear and grow jobs."

Members also brought up tax reform, even as they acknowledged that the committee has just 77 days to make its recommendations. That time crunch may explain the repeated references to the work of past bipartisan groups dedicated to bringing down the deficit. The plan put forward by the president's fiscal commission last December, the plan championed by former Sen. Pete Domenici, (R-NM) and former CBO Director Alice Rivlin, and the work of the Gang of Six all figured into the opening meeting. Each of those plans addresses comprehensive tax and entitlement reform to achieve savings in the neighborhood of \$4 trillion over 10 years. "If this committee fails - and I'm confident it won't - it won't be from a lack of ideas, but a lack of political will," Van Hollen said. Sen. Pat Toomey (R-PA) called on fellow committee members to go above and beyond the \$1.2-\$1.5 trillion in deficit cuts they are tasked with identifying and look to larger reforms of both entitlements and the tax code. "You - we - could choose to just nibble around the edges of this problem and just look for redundant programs and obsolete programs ... and it might even be that they'll add up to one and a half trillion dollars, which is our statutory goal," Toomey said. "But if that's all we do then I would suggest, as I think Senator [Rob] Portman observed, that we really wouldn't be doing all that is necessary to put us on a pro-growth and sustainable path." President Obama is also expected to urge the panel to cut more than \$1.5 trillion from 10-year spending plans and "overshoot" its target, White House press secretary Jay Carney said.

Yet, belying the cordiality of the committee's first meeting, it's clear that there are places each side isn't willing to go. During an American Enterprise Institute event after the meeting, Sen. Jon Kyl (R-AZ) warned against any more cuts to defense than the \$350 billion already planned for the next decade. Defense, he said, "cannot be seen as a solution to deficit reduction." Kyl added that he has already warned his GOP colleagues on the deficit-reduction committee that he will quit the panel if further defense cuts are considered. And on the other side of the aisle, Rep. Xavier Becerra (D-CA) voted against the fiscal commission's plan last December because of its cuts to benefit programs. But the most contentious of issues may not be discussed in public, its two leaders said, despite calls from colleagues that the panel's work all be done in open session. The committee's official deadline to report out recommendations for deficit reduction is Nov. 23, but Kyl said that realistically the panel needs to complete its work by the end of October in order to have a final package by Thanksgiving. [Source: National Journal Katy O'Donnell article 8 Sep 2011 ++]

VA Coaching into Care: The Department of Veterans Affairs (VA) has launched a telephone service, Coaching into Care, to provide assistance to family members and friends trying to encourage their Veteran to seek health care for possible readjustment and mental health issues. "Those closest to Veterans are often the first to recognize when Veterans are having difficulties," said Secretary of Veterans Affairs Eric K. Shinseki. "Family members and friends may not know what to say to encourage their Veterans to seek much needed readjustment and health care. The Coaching into Care line will help them find the right words." To help Veterans address problems and support Veterans in making decisions about getting care, the Coaching into Care program offers unlimited, free coaching with family members or friends over a series of telephone calls. The priority is connecting Veterans with VA care in their community through the family member's help and encouragement. Callers receive professional coaching on solving specific logistical obstacles and encouraging sometimes reluctant Veterans to seek care while still respecting the Veteran's right to make personal decisions.

Coaching into Care, launched in MAR 2011, has had more than 650 calls with family members or friends of greater than 175 Veterans to encourage them to seek care. This phone line is connected to VA's Veterans Crisis Line, Caregiver Support Line, and the National Call Center for Homeless Veterans. This way, if the caller or Veteran is in an immediate crisis, or has concerns regarding caregiving for a disabled Veteran, or seeking assistance regarding homelessness, there is no wrong number for families to call. Callers can reach VA's Coaching into Care program at the toll-free number 1-888-823-7458, 8 a.m. - 8 p.m., Mondays through Fridays, and online at <http://www.mirecc.va.gov/coaching/>. As always, Veterans can reach immediate help at the Veterans Crisis Line at 1-800-273-8255, press 1 for Veterans. [Source: VA News Release 6 Sep 2011 ++]

VA Disputed Claims: Agnes Chandonnet is a person who keeps meticulous files - letters, reports, even an autopsy report. An unimaginably painful autopsy report. This attention to detail has been critical in her 12-year battle against an insensitive federal bureaucracy. Since 1999, Chandonnet has been pleading with Veterans Affairs to reconsider its version of how her husband died. Despite decades of treating Joseph Chandonnet for what no one disputes were military-related injuries, the government ruled that the dementia that took his life in 1993 was completely unrelated. There is considerable evidence to the contrary, but for years no one has been willing to look at it. "They know I'm 90 years old," Chandonnet said with a wry smile. "They're just waiting for me to go away."

Joseph Chandonnet joined the old Army Air Corps in 1942. By the time Captain Chandonnet was discharged in 1946, he had osteoarthritis, among other maladies. He had left a funeral home business to enlist in the war of the century. But by the time he returned, the business had withered away. He looked for a while for another funeral home to buy, but ended up selling health insurance. His own health care was taken care of, for decades, at the VA Hospital in Lowell. Over time, Chandonnet's symptoms got more serious. He was prescribed Indocin for his arthritis. Indocin is considered an effective drug against arthritis and gout, but regular use can take a serious toll on internal organs. In 1988, he had 70 percent of his stomach removed. After the surgery, records show, he went on Lanoxin, a heart medication. Rather than taking .125 mg, as prescribed, he was given a dose of 0.25. After he became lethargic and obviously ill, his wife insisted on having him tested at Massachusetts General Hospital. What doctors there found shocked her: He had a resting heart rate of 40 beats a minute, and was told he had been taking far too much medication for far too long.

They were from a generation that simply didn't question men in white coats. "Joe would go in the office and the doctor would just take his blood pressure and renew his prescriptions," Agnes Chandonnet said. "We were stupid enough at that time to just take a doctor's word for it." This time the Chandonnets took more aggressive action, but Joseph's memory and mental faculties were beginning to fail. When he died in 1993, his death certificate listed the cause as Alzheimer's disease. His autopsy, however, reached a

different conclusion. It says he died of Lewy Body Dementia, a different form of the disorder, albeit one with similar symptoms. The distinction is critical because if he died of LBD, as it is known, his death may have been caused by the treatments - or mistreatments - for his service-related injuries which would mean his wife would be entitled to monthly Disability Indemnity Compensation payments (DIC). [Source: Boston Globe Adrian Walker article 3 Sep 2011 ++]

Veteran Charities Update 17: The final months of the U.S. Navy Veterans Association were marked by frantic attempts to fend off reporters and investigators who suspected the charity was a fraud. Though it had reported raising nearly \$100 million to assist veterans, the nonprofit's directors were nonexistent, its headquarters nothing more than mail drops. Run out of a dilapidated duplex in Ybor City, a historic neighborhood in Tampa, Flor but soliciting donations nationwide, the group sent much of its money to politicians, not needy veterans. Under scrutiny in the spring of 2010, the Navy Veterans stonewalled subpoenas and scrambled to survive. But as spring turned to summer, the group's leader, a scruffy 60-something who called himself Commander Bobby Thompson, vanished from view. The last two board members resigned. The group's tricked-out pickup was sold. Private investigators and a PR person were hired. Those and other details about the waning days of the Navy Veterans are contained in documents released as part of ongoing investigations into the group, which so far have sent a Hillsborough County woman to prison and made Thompson a wanted fugitive. Also detailed in the documents: how by July 2010, even the Navy Veterans' long-time lawyer Helen Mac Murray had severed her relationship with the group and gone to the authorities with serious accusations of wrongdoing.



(l-r) Commander Bobby Thompson, Blanca Contreras and Executive Assistant Karmika Rubin, all of the US Navy Veterans Assoc.

For more than six months the Navy Veterans' general counsel, had been fielding queries from the media, including one seemingly easy request: Prove that dozens of directors and officers exist. Of 85 officers listed for the group, only one could be found: Thompson. In her affidavit to Florida officials, Mac Murray urged quick action to secure the Navy Veterans' documents at Contreras' home. Florida and federal officials took nearly a month to act on her tip. By the time authorities seized documents from the Clair-Mel home of one of Thompson's associates, some records already had been shredded. Florida's criminal investigation into the Navy Veterans is ongoing, but its civil action has been closed. With Thompson a fugitive, state officials say, there is no one to sue. Ohio officials, who estimate their state's residents were bilked for more than \$2 million by the Navy Veterans, have been the most aggressive in their prosecution of the case. Last month one of Thompson's volunteers, Blanca Contreras, was sentenced to five years in an Ohio prison after

pleading guilty to aggravated theft and money laundering. In a separate civil action, Ohio investigators continue to hunt for clues that could lead to Thompson, who was last seen at an ATM in New York City on June 16, 2010. [Source: St. Petersburg Times Kris Hundley and John Martin article 4 Sep 2011 ++]

VA Claims Backlog Update 54: The U.S. Department of Veterans Affairs is installing a computer system that should help reduce a huge backlog of disability claims from wounded service members, but it's impossible to say when the problem will be cleared up, the agency's chief said. Eric Shinseki said during a news conference in Des Moines last week that the new computer system will go into use next year and will help clear the hundreds of thousands of cases bogged down in a paper-bound system. "How quickly does that tide turn? We'll see. This has been decades in the making," he said of the snarl. "I'm telling you we start in 2012 and you're just going to have to help us watch this." He said the VA is working carefully to ensure the new system works correctly. "You don't just automate bad processes and expect the best outcomes. If you're not careful, you automate a bad process and you just get bad outcomes faster."

Many injured veterans have complained that their disability claims can take years to process, meaning they struggle to support themselves and their families while they wait for an answer. Shinseki said he doesn't know why it took so long for the VA to start automating its claims process. He noted that he has been on the job for only two years. President Barack Obama drew Shinseki out of retirement to reform the VA, and the secretary said at the news conference that the agency has made big strides. He said he knows that some soldiers returning from Afghanistan or Iraq are skeptical of the VA's care, sometimes because they've heard complaints from older veterans. "My outreach to them is, 'Try us. You'll find us different from the VA you might have run into a few years ago.'" Among the differences, he said, was the addition of outpatient clinics in rural areas, including 13 in Iowa. "Instead of saying, 'Come to us,' this system has provided health care delivery to where they live."

Shinseki spoke to reporters at the VA Medical Center in Des Moines before heading to Indianola, where he held a discussion with about 30 veterans and representatives of veterans groups and members of Congress. That meeting was closed to the public because the secretary wanted to hear frank views, an aide said. Richard Bayliss, a retired National Guard command sergeant major who attended the Indianola meeting, said he was impressed with Shinseki. "He definitely has his eye on the problems in the system." Timothy Laird, 63, an Air Force veteran, said he moved to Des Moines so he could be close to the VA hospital. His main concern is that his \$985-per-month disability pension hasn't risen in three years. If he could meet Shinseki, Laird said, "I'd ask him if we're going to get our pay raises and when. If we got just \$25 or \$30 a month, it would help." [Source: Asbury Park Press Tony Leys article 5 Sep 2011 ++]

DFAS Payroll Update 01: The Defense Accounting and Finance Service announced that payday for military retirees will be changing to the first day of the month versus the first "business day." The change will affect the October 2011 and January 2012 payments which will be on September 30 and December 30 respectively. This change effects regular retired pay, Concurrent Retirement and Disability Pay and Combat Related Special Compensation. The new rule also applies to retiree allotments, garnishments and court-ordered former spouse and child support payments. The new rule doesn't affect annuity (Survivor Benefit Plan) payment dates. According to DFAS, the 2011 National Defense Authorization Act requires future military retiree pay to be processed on the first day of the month. When that day falls on a weekend or national holiday, the pay date is moved to the previous business day.

As previously noted, the Oct. 3, 2011 will be issued on Sept. 30, 2011 and the payment scheduled for Jan. 3, 2012, will be issued on Dec. 30, 2011. For the calendar year 2011, this means military retirees will receive 13 rather than the normal 12 payments. Retirees should be aware that the extra payday in the 2011 tax year could affect their taxes. DFAS recommends that retirees speak with a tax advisor, the Internal Rev-

enue Service or their state tax authority to determine if their tax withholding will satisfy federal and state income taxes when they file returns next year. For tax year 2012 and beyond, retirees will receive their normal 12 payments.

If retirees need to make changes to their federal or state tax withholding, the quickest and most secure way to do so is through myPay. Available 24 hours a day, seven days a week, myPay enables eligible users around the world to make routine changes to their pay information, including tax withholding, that become effective within days. Customers who cannot access myPay can change federal withholding amounts by completing a new IRS Form W-4 or W-4P, or change state withholding amounts using a DD 2866. These forms can be found on the DFAS website and should be mailed or faxed to this address once completed: Defense Finance and Accounting Service, U.S. Military Retired Pay, P.O. Box 7130, London, KY 40742-7130 Fax: 800-469-6559. **Note:** It may take up to 30 days for changes to be made when mailing in a paper form. [Source: Military.com Terry Howell article 5 Sep 2011 ++]

VA Blue Water Claims Update 18: Veterans who served aboard U.S. Navy and Coast Guard ships operating on the waters of Vietnam between January 9, 1962, and May 7, 1975, may be eligible to receive Department of Veterans Affairs (VA) disability compensation for 14 medical conditions associated with presumptive exposure to Agent Orange. An updated list of U.S. Navy and Coast Guard ships confirmed to have operated on Vietnam's inland waterways, docked on shore, or had crewmembers sent ashore, has been posted at <http://www.publichealth.va.gov/exposures/agentorange/> to assist Vietnam Veterans in determining potential eligibility for compensation benefits. A copy of this list is contained in this Bulletin as an attachment titled, **“AO Exposed Ship list Sep 2011”**.

VA presumes herbicide exposure for any Veteran with duty or visitation within the country of Vietnam or on its inland waterways during the Vietnam era. Comprehensive information about the 14 recognized illnesses under VA's "presumption" rule for Agent Orange is also located on the webpage. In practical terms, Veterans with qualifying Vietnam service who develop a disease associated with Agent Orange exposure need not prove a medical link between their illnesses and their military service. This presumption simplifies and speeds up the application process for benefits. For questions about Agent Orange and the online list of ships, Veterans may call VA's Special Issues Helpline at 1-800-749-8387 and press 3. When a claim is filed by a Veteran, surviving spouse or child, VA will determine whether the Veteran qualifies for the presumption of exposure based on official records of the ship's operations. Ships will be regularly added to the list based on information confirmed in these official records. Even if a Veteran is not filing a claim, a Veteran may conduct his or her own research and submit scanned documentary evidence such as decklogs, ship histories, and cruise book entries via email to 211_AOSHIP.S.VBACO@va.gov.

Service on board ships anchored in an open water harbor, such as Da Nang Harbor, or on ships on other open waters around Vietnam during the war, is not considered sufficient for the presumption of Agent Orange exposure. For Veterans interested in obtaining deck logs, contact the National Archives at College Park, Md., at <http://www.archives.gov/dc-metro/college-park/researcher-info.html>. The Agent Orange Claims Processing System website located at <https://www.fasttrack.va.gov/AOFastTrack/> may be used to submit claims related to the three conditions added to the list of Agent Orange presumptives last year (Parkinson's disease, hairy cell and other chronic B-cell leukemias, and ischemic heart disease). This website makes it easy to electronically file a claim and allows Veterans and their physicians to upload evidence supporting the claim. It also permits online viewing of claim status.

Veterans claiming other conditions may file online at VA's My-eBenefits web site at: <https://www.ebenefits.va.gov/ebenefits-portal/ebenefits.portal>. They can check the status of their claim with a premium account (confirming their identity), and use a growing number of online services. Servicemembers may enroll in My-eBenefits using their Common Access Card at any time during their military service, or before they leave during their Transition Assistance Program briefings. Veterans may also enroll through their myPay or MyHealthVet accounts, by visiting their local VA regional office or Veteran Service Organization, or by calling 1-800-827-1000. [Source: VA News Release 2 Sep 2011 ++]

PTSD Update 77: A military widow from Yelm who contends the Army is not providing enough care for Soldiers returning from combat confronted former Defense Secretary Donald Rumsfeld to "vent" her feelings -- and got escorted out of the building where he was holding a book signing. Ashley Joppa-Hagemann's husband, Staff Sgt. Jared Hagemann, a father of two, was scheduled to be deployed to Afghanistan for a ninth time this month. He had been diagnosed with Post-Traumatic Stress Disorder many years ago, and Joppa-Hagemann said that although they had asked for help, he never received any help. On 28 JUN he committed suicide. "In the end, all the horror and hell that my husband saw ... got to him," she said.

On 26 AUG, Joppa-Hagemann and friend Jorge Gonzalez decided to go to Joint Base Lewis McChord, where Rumsfeld was holding a book signing for his new book, 'Known and Unknown: A Memoir.' "I just grabbed my husband's funeral program and handed it to him (Rumsfeld) and mentioned that my husband had joined the military because of 9-11 and recently took his life, and his name was Staff Sergeant Hagemann . He said, 'Oh I heard about that.' "He didn't say 'him' -- he says 'that,'" she said. After sharing her thoughts with Rumsfeld, she and Gonzalez were escorted out of the building. Joppa-Hagemann said the encounter may have been brief, but the impression it left upon her was lasting. "It's what my husband wanted to do, so I did it for him," she said. "I definitely don't plan on stopping or being quiet." JBLM confirmed that two people became disruptive at Rumsfeld's book signing last Friday and had to be escorted out. There are two investigations underway regarding Hagemann's death, and the 75th Ranger Regiment said that his widow's concerns will be addressed by those investigations. After her husband's death, Joppa-Hagemann teamed up with Gonzalez, an anti-war veteran, who manages "Coffee Strong," a local hangout that offers counseling and resources to troops. "We're trying to stop the deployment of traumatized troops, with PTSD, and TBI and military sexual trauma," Gonzalez said. [Source: Q13 Fox News Kirsten Joyce article 29 Aug 2011 ++]



Ashley Joppa-Hagemann's & son



U.S. Army Staff Sgt. Jarad Hagemann

VA Compensated Work Therapy: Compensated Work Therapy (CWT) is a Department of Veterans Affairs (VA) vocational rehabilitation program that endeavors to match and support work ready veterans in competitive jobs, and to consult with business and industry regarding their specific employment needs. In some locations CWT is also known as Veterans Industries; these designations are synonymous. CWT veterans have been successfully employed over the years in various competitive positions including, but not limited to, health care, information technology, manufacturing, warehousing, construction trades, clerical and office support, retail and the services delivery. CWT programs develop an individual rehabilitation plan for each veteran. They provide a wide range of support services to the veteran at the CWT locations. VA benefits including service-connected compensation, and non-service connected pensions cannot be reduced, denied, or discontinued based on participation in CWT.

The CWT program mission is to provide realistic and meaningful vocational opportunities to veterans; encouraging successful reintegration into the community at the veterans' highest functional level. To achieve this mission CWT staff endeavor to match an individual veteran's vocational strength and area of interest to work and employment opportunities with local businesses and industry. Veterans and employers interested in learning more about the Compensated Work Therapy program should contact either:

- **Employer Services Contact:** Charles McGeough, National Director of Marketing, Office of Mental Health Services, Therapeutic & Supported Employment, VA Central Office, 4500 South Lancaster Road (122), Dallas, Texas 75216 Tel: (800) 355-8262 or (214) 857-0381 Fax: (214) 857-0382 Email: Charles.McGeough@va.gov
- **Veteran Services Contact:** Donna Tasker, National CWT Program Specialist, Office of Mental Health Services, Therapeutic & Supported Employment, 400 Veterans Avenue (18), Biloxi, Mississippi 39531 Tel: (800) 929-7690 ext. 5335 or (228) 523-5335 Fax: (228) 523-5323 Email: Donna.Tasker@va.gov
- **Transitional Residence Contact:** Jamie Ploppert, Program Specialist, 590/302/116D Bldg 148, VA Medical Center (122), Hampton, Virginia 23667 Tel: (757) 722-9961 ext. 1123 Fax: (757) 728-3143 Email: Jamie.Ploppert2@va.gov

CWT Programs for Veterans include:

- **Incentive Therapy** (not available at all CWT locations). Incentive Therapy (IT) is a pre-employment program that provides a diversified work experience in the VA medical center for veterans who exhibit severe mental illness and/or physical impairments. IT services extend for an indefinite period of time, as is clinically appropriate, and may consist of full or part-time work at nominal remuneration. Each participant in the IT program has an individual treatment or service plan, case manager and treatment team to monitor services.
- **Sheltered Workshop** (not available at all CWT locations). CWT operates the Sheltered Workshop (SW) program in approximately 20% of the total number of CWT locations. SW provides an opportunity for work hardening and assessment in a simulated work environment. The activity in SW is paid for on a piece rate basis and the average length of stay generally is four to six months based on the veteran's Individual Treatment Team and Service Plan.
- **Transitional Work and Vocational Assistance.** The Transitional Work (TW) is a pre-employment vocational assessment program that operates in the VA medical center and local community businesses. TW participants are screened by vocational rehabilitation staff, assessed and matched to a work assignment for a limited time as deemed clinically appropriate. TW work assignments are supervised by work site staff, and impose the same job expectations as are experienced by non-CWT workers in the organization or company. Every TW participant has an Individual Treatment or Service Plan and is vocationally case managed by a VA Vocational Specialist. Each participating veteran must be referred by order from someone privileged in the VA medical center for vocational services, and may have a mental or physical impairment, including veterans who are homeless, and/or diagnosed with substance abuse or PTSD. Veterans participating in TW are not considered employees of the VA or participating company, and receive no traditional employee benefits. Payments received by participating TW veterans are tax exempt. There are no direct government entitlements that subsidize the veteran's earnings in TW programs.
- **Supported Employment and Post-Employment Supports.** The Supported Employment (SE) program consists of competitive employment with therapeutic supports integrated into treatment. The focus of SE is to assist veterans with psychosis and other serious mental illness gain access to meaningful competitive employment. When there is a co-occurring mental health diagnosis, limited SE services may be available on a case by case basis to veterans with spinal cord injury or traumatic brain injury. Veterans perceived to have significant barriers to competitive work are able

to engage in full and part-time employment with appropriate supports and workplace accommodation. SE follow-up may continue indefinitely, but generally participation and supports are phased out after the veteran is able to maintain employment independently.

- **Transitional Residence** (not available at all CWT locations). The Transitional Residence (TR) program is a work-based Psychosocial Residential Rehabilitation Treatment Program offering a therapeutic residential setting for veterans involved in CWT. The TR program provides a rehabilitation-focused residential setting for veterans recovering from chronic mental illness, chemical dependency and homelessness. TR provides a bridge between hospitalization or intensive outpatient treatment and successful community reintegration. It utilizes a residential therapeutic community of peer and professional support, with a strong emphasis on increasing personal responsibility and achievement of individualized rehabilitation goals. This program differs from other VA-operated residential bed programs in that participants contribute (using their CWT earnings) to the cost of operating and maintaining their residences and are responsible for planning, purchasing and preparing their own meals. Veterans interested in learning more about the Transitional Residence program should contact Jamie Ploppert.

CWT programs strive to maintain highly responsive long term quality relationships with business and industry promoting employment opportunities for veterans with physical and mental disabilities. Many of VA's individual programs are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) and are members of the U.S. Psychiatric Rehabilitation Association (USPRA). Typically CWT programs are located within VA medical centers in most large metropolitan areas and many smaller communities. CWT Locations page and program-specific information (contact information, veteran services provided, physical address, and days and hours of operation) are available at <http://www.cwt.va.gov/locations.asp>. [Source: VA website <http://www.cwt.va.gov/index.asp> Sep 2011 ++]



Vet Jobs Update 35: A comprehensive jobs outreach effort led by the Texas Veterans Commission has helped Texas place more veterans in jobs than any other state, officials said. The commission has had responsibility for veteran job searches for just four years, but in that time has helped veterans prepare themselves for the labor force and sent recruiters out to workplaces looking for jobs that create the best fit for both sides. “We try to match employees with the skills employers need,” said Stan Kurtz, the commission's operations specialist in the employment sector. “No other state is focusing on employment outreach like we do in Texas.” U.S. Department of Labor statistics released by the commission show those efforts have succeeded. For the 12 months ended June 30, 2010, the most recent data available, 38,714 veterans in Texas found jobs after seeking the commission's assistance. That's about 18,000 more jobs than veterans filled in the second most-successful state, North Carolina.

Part of Texas' production is due to the size of its veteran population. The U.S. Department of Veterans Affairs reports that Texas is home to nearly 1.7 million veterans, the second-largest count to the 2 million veterans residing in California and just ahead of Florida. But Texas found jobs for about 56 percent of the veterans who sought assistance last year, the DOL said. Only Kansas, Montana, North Dakota and South Dakota achieved higher success rates. In California, 36 percent of the veterans seeking assistance found jobs. Duncan McGhee, a veterans commission spokesman, said the commission operates in state workforce centers around Texas, becoming a one-stop shop for veterans. It provides educational, claims-processing and employment services. "It allows us to have a more holistic view of the veteran," he said.

The veterans commission has more than 175 employment representatives in Texas. Those representatives and the outreach workers who go to job sites promoting veterans work closely to find the most suitable applicants for the jobs. "They like our process," said Bryan Daye, the veterans job outreach representative for San Antonio and South Texas. "It's less hit or miss. We create a steady pool of qualified candidates." Kurtz said the commission has four representatives who meet with the largest employers in the state about filling positions with veterans. Often, employers need help understanding how the veteran's skills can be translated into the work place, he said. Demand from employers is growing and many are giving a preference to veterans, officials said.

With the unemployment rate of veterans who served in the military since Sept. 11, 2001 at 13.3 percent in June — 4.2 points above the national average — and more than 1 million service members expected to leave the military between this year and 2016, improving the job outlook for veterans has become a key priority. The Obama administration has proposed \$120 million in new tax credits to encourage businesses to hire servicemen and women. It also recommended reforms aimed at improving both the transition programs military personnel receive before discharge and the career development services given to veterans in civilian life. The tax credits could convince some employers to take on veterans as the economy struggles to rebound, officials said. But a different credit given for hiring veterans did not provide a significant hiring boost in Texas before expiring at the end of 2010. The Texas Workforce Commission reported that less than \$194 million in potential tax savings were claimed by employers under the Work Opportunity Tax Credit in 2009. Last year, that total fell to less than \$184 million. Fewer than 5 percent of the state's 452,000 employers took advantage of the credit in either year. [Source: San Antonio Express William Pack article 31 Aug 2011 ++]

Vet Jobs Update 36: Statement from Veterans Affairs Secretary Eric K. Shinseki on the American Jobs Act:

"Yesterday, the President sent the American Jobs Act <http://www.whitehouse.gov/sites/default/files/omb/legislative/reports/american-jobs-act.pdf> to Congress for consideration. With the American Jobs Act, the President is again demonstrating unwavering support of Veterans and of business by putting forward an aggressive plan that will help create new jobs for Veterans and boost the American economy.

"By providing tax credits from \$5,600 to \$9,600 to encourage businesses to hire unemployed Veterans, the American Jobs Act not only helps put more Veterans back to work, it sends a message that a grateful Nation honors their service and sacrifice. Congress should pass this bill as soon as possible.

"As the President said in his address to Congress and the Nation, 'We ask these men and women to leave their careers, leave their families, and risk their lives to fight for our country. The last thing they should have to do is fight for a job when they come home.' We at VA could not agree more.

"Under the President's leadership, VA will continue to prepare the next generation of leaders by administering the new Post-9/11 GI Bill to over 558,000 Veterans and family members. In October, thanks to strong leadership from the President and Congress, VA will expand that GI Bill program to provide

vocational training and other non-degree job skills for Veterans -- a tremendous opportunity to create more good-paying jobs for Veterans in a matter of months.

"The President also challenged the private sector to hire or train 100,000 unemployed Veterans or their spouses by the end of 2013. We at VA already employ over 100,000 Veterans, about 30 percent of our workforce. Our goal is to up that to 40 percent. VA joins the President in challenging the private sector to join us in this important effort to support Veterans."

[Source: VA Press Release 13 Sep 2011 ++]

Medal of Honor Update 08: In SEP Cpl Dakota Meyer will be awarded the Medal of Honor at the White House. He will be the first living Marine to receive the Medal of Honor since 1973. In 2009 at the age of 21 both American and Afghan troops were trapped under heavy fire while in Ganjgal to negotiate with village elders. 5 times he entered into the "kill zone" with his Humvee. Repeatedly he jumped off the truck to drag wounded Afghan soldiers inside and look for his 4 fellow Marines. While he did save the lives of 13 Marines and 23 Afghan soldiers when he found the four he was looking for they were all shot dead. He carried their bodies back while under fire. All he says about the incident is: "I don't remember being afraid. But looking back on it now, it's pretty crazy. I didn't have any idea I was even getting shot at. It was only like about 150 people shooting at me. I couldn't even tell. Nobody can say what they would do until they're in that situation. But it's what I trained to do. My brothers were in there.....I wouldn't expect less from anyone else in that situation." Marine Corps Commandant General James Amos was extremely proud. He said: "Meyer embodies all that is good about our nation's Corps of Marines. He is a living example of the brave young men and women whose service, fidelity and sacrifice make us so proud." Following are the Medal of Honor recipients to date from the Iraq and Afghanistan Wars:

- **Marine Cpl. Jason L. Dunham**
Born: Nov. 10, 1981
Awarded: posthumously on Jan. 11, 2007
Dunham was on patrol April 14, 2004, in Karabilah, Iraq, when insurgents attacked his unit. Upon seeing an enemy grenade, he dropped to the ground and covered the explosive to save nearby Marines. Dunham died eight days later from his injuries in the blast. He was the first Marine to receive the Medal of Honor since the Vietnam War.
- **Army Staff Sgt. Salvatore A. Giunta**
Born: Jan. 25, 1985
Awarded: on Nov. 16, 2010
Giunta was serving in northeastern Afghanistan's Korengal Valley when insurgents targeted his squad on Oct. 25, 2007. As approaching fighters split his team into two groups, Giunta braved enemy fire to retrieve a wounded soldier who was being dragged away by the enemy. He was the nation's first living Medal of Honor recipient since the Vietnam War.
- **Army Pfc. Ross A. McGinnis**
Born: June 14, 1987
Awarded: posthumously on June 5, 2008
McGinnis was the gunner for his Humvee during a convoy patrol on Dec. 4, 2006, in Baghdad, Iraq. Enemy forces conducted an ambush, and an insurgent from a nearby rooftop threw a grenade into McGinnis' vehicle. McGinnis is credited with saving at least four other soldiers by throwing himself on the explosive and blunting its impact.
- **Army Staff Sgt. Robert J. Miller**

Born: Oct. 14, 1983

Awarded: posthumously on Oct. 6, 2010

After leading a battle during a Jan. 25, 2008, reconnaissance mission in the Kunar province of northeastern Afghanistan, Miller and a small squad conducted a damage assessment. More insurgents ambushed the group, prompting Miller to order his men to move back as he rushed forward to counter the enemy. He continued shooting and throwing grenades despite his injuries. Miller is credited with saving seven U.S. and 15 Afghan soldiers.

- **Navy Petty Officer 2nd Class Michael A. Monsoor**

Born: April 5, 1981

Awarded: posthumously on April 8, 2008

A grenade hit Monsoor's body and landed near his feet Sept. 29, 2006, on a rooftop in Ramadi, Iraq. He had the chance to flee through a nearby exit, but instead yelled "Grenade!" and jumped on the explosive. He is credited with saving at least two teammates and several Iraqi soldiers. Monsoor was a Coronado-based Navy SEAL.

- **Army Sgt. 1st Class Jared C. Monti**

Born: Sept. 20, 1975

Awarded: posthumously on Sept. 17, 2009

On June 21, 2006, dozens of insurgents attacked Monti's team, which was at a small base in the Nuristan province of northeastern Afghanistan. He insisted on trying to rescue a fellow soldier who had been severely injured and left lying between the two forces' cover positions. Monti made three attempts despite heavy fire. After being hit by a rocket-propelled grenade, he crawled back and asked comrades to tell his parents that he loved them before dying.

- **Navy Lt. Michael P. Murphy**

Born: May 7, 1976

Awarded: posthumously on Oct. 22, 2007

Murphy led a four-man Navy SEAL reconnaissance team in June 2005 in a mountainous area of Kunar province, Afghanistan, near the border with Pakistan. Some local residents tipped off the Taliban, and soon Murphy's group was confronting at least 30 enemy fighters. During an hours-long battle, Murphy exposed himself to enemy fire so he could get a clear communications signal with headquarters and request air support. He was eventually killed.

Murphy was the first member of the Navy to receive the Medal of Honor since the Vietnam War.

- **Army Sgt. 1st Class Leroy A. Petry**

Born: July 29, 1979

Awarded: on July 12, 2011

Petry and his squad worked to clear a house that potentially had high-value insurgents on May 26, 2008, in the Paktya province of eastern Afghanistan. He was shot in both legs early into the mission, but managed to throw a grenade to provide cover for another injured soldier. The enemy moved closer and knocked down two more soldiers. After seeing a grenade land a few feet away from those servicemen, Petry grabbed the explosive and threw it away. The grenade exploded as Petry released it, ripping off his right hand. Petry continued to coordinate reinforcements after tying on a tourniquet himself.

[Source: TREA Washington News 2 Sep 2011 ++]

Arlington National Cemetery Update 28: For the last 3 months late at night troops from The Old Guard Delta Company of the 1st Battalion of the 3rd U.S. Infantry Regiment-the Army's official ceremonial unit) has been photographing every grave at Arlington National Cemetery. (With an iPhone). This mission is called Task Force Christman named for Pvt. William Henry Christman, a Civil War soldier and the first buried at Arlington. The enormous job which covers 219,000 grave and 43,000 columbarium markers is part of the effort to update, correct and digitize all the records and maps at Arlington. The soldiers are doing it at night to avoid interrupting funerals, inconveniencing the public and avoiding the stifling summer heat. Last year it became clear that the Cemetery's records were woefully inadequate and that its administration did not know where the more than 330,000 people were interred. There were many unmarked or mismarked graves. Congress directed the Army to account for all the graves. Now, the photos are being compared with other records to discover and correct any discrepancies. Eventually they hope to use them to create an online database to be used by the public. [Source: TREA Washington News 2 Sep 2011 ++]



Stolen Valor Update 45: Republican city council candidate David Oh claimed he was a Green Beret officer in 1988 before returning to Philly in the early 1990s and becoming a successful attorney. He leveraged his Army resume in politics, working for then-Mayor Ed Rendell and later Gov. Tom Ridge during a trade mission to South Korea. But an online watchdog group that investigates claims of Special Forces qualifications uncovered evidence that Oh was never a tab-wearing Green Beret. According to former SF Master Sgt. Jeff "JD" Hinton, Oh was authorized to wear a Green Beret while his unit supported the Special Forces, but that hardly makes him a Green Beret. "During that time [Oh was in], everyone in the unit wore the Green Beret," Hinton said. "It was organizational headgear. That included cooks, truck drivers, lawyers, supply guys. ... That, however, did not make them SF cooks, SF truck drivers, SF lawyers, SF supply guys, or SF officers." Oh is "parsing words for political gain," said Hinton, who runs the Web site ProfessionalSoldiers.com.

Oh's campaign office did not return Military.com's calls, but the candidate has been posting apologies on his campaign Facebook page to Hinton and other SF veterans, and on SOCNET, another special operations-oriented website that challenged his claims. In many of his postings, he maintains that while he wore the Green Beret, he never wore the tab that only SF-qualified Soldiers may wear. In his posting to SOCNET, Oh said he was sorry for his offenses. Retired Army Brig. Gen. Bruce B. Bingham said Oh "is seriously out of order. Just because this guy served briefly as a non-qualified [detachment] commander does not give him the right to wear the beret after leaving that unit or after leaving the service when wearing his uniform, like at Veterans Day events," said Bingham, who previously commanded the Army Civil Affairs and Psychological Operations Command (Airborne) at Fort Bragg, N.C., one of four major commands comprising the U.S. Army Special Operations Command. Even qualified Special Forces Soldiers, if reassigned to another unit, may wear the Green Beret only under certain circumstances and with the permission of his local commander, according to Bingham.

Oh is the second candidate for public office this month to be called out over claims he served in the military as a Green Beret. In Florida, a retired Army Reserve colonel and U.S. Senate candidate pulled from his campaign website a claim that he served with Army Special Forces, including in "black ops" programs. Mike McCalister removed the claim after a group called "Stolen Valor" looked into his record and contacted his campaign and the media. McCalister also had to retract claims that he testified before

Congress on national security matters. "If there was any misrepresentation, I accept responsibility," he said 20 AUG. "Fooling individuals is relatively easy as very few people are too intimidated or would be too embarrassed to question a 'Green Beret' concerning his claims or credentials, especially in today's climate," Hinton said. "We have found that this sort of behavior continues until the individual is confronted by another, real, Special Forces Soldier."

This is what happened when an author and lecturer who long posed as a former Green Beret and expert on human trafficking encountered Iraq and Afghanistan war veterans taking his course at the Monterey Institute of International Studies in California earlier this year. William "Bill" Hillar's claims of having been a Special Forces colonel who later unsuccessfully tried to rescue a daughter who had been kidnapped by sex slave traffickers in Asia didn't ring true for the veterans in his class, and some of them began asking questions. Hinton began exposing the truth about Hillar on his website. Hillar was arrested at his Maryland home in January and pleaded guilty in March to wire fraud. Among his victims were law enforcement agencies, including the FBI, which paid him to lecture on international crime and human trafficking. He is scheduled to be sentenced next week, and Hinton has been subpoenaed to testify at the hearing. [Source: Military.com | by Bryant Jordan article 24 Aug 2011 ++]



Republican candidate David Oh

Stolen Valor Update 46: A federal judge sentenced Michael Hamilton of Richlands NC who was convicted in APR to 16 months in prison for counts one and two (false statements and larceny of government property, respectively), six months on count three (unlawful wearing of uniform), and 12 months on count four (unlawful claim of military decorations and medals). The sentences are to run concurrently, meaning the shorter sentences will be completed while serving the longer 16 month sentences. Hamilton will be on supervised release for three years after his prison term. The judge ordered Hamilton to pay \$37,635 in restitution and \$235 for a special assessment fee. The judge did not impose any additional fines, stating Hamilton would not be capable of paying. Hamilton has been held at the Pitt County Jail, but will be transferred to the Butner Federal Corrections Complex. Hamilton faced up to 16 years in prison and \$600,000 in fines.

Authorities at Camp Lejeune began investigating the 67-year-old Hamilton after his picture showed up in the Jacksonville Daily News. Hamilton was a speaker at a Vietnam veteran ceremony where he was dressed in a Marine colonel's uniform decorated with four Silver Stars and eight Purple Hearts. At his trial, several people testified that Hamilton had been seen at other military installations in recent years wearing high ranking Marine uniforms. An FBI agent says Hamilton was caught at the Naval Air Station in Norfolk wearing a general's uniform, in the summer of 2000 a Marine 2nd lieutenant saw Hamilton in San Diego at a Marine graduation in a colonel's uniform, and in July 2007 Camp Lejeune got a call about man wearing a lieutenant general's uniform. In that case Marines say Hamilton could not produce ID and was escorted off base. A records custodian for the Marine Corps says Hamilton was on active duty from July 1961 and April 1962 and never served in combat and was never wounded overseas. Hamilton's own sister testified that after getting his fingers hurt at Camp Lejeune he lived at home with his parents and she could account for

where he was between 1961 and 1966. It was during that time period that Hamilton said he was involved in secret operations in Vietnam, Laos and Cambodia. [Source: Eyewitness News 9 Greenville NC Alex Freedman article 8 Sep 2011 ++]



68-year-old, Michael Hamilton, allegedly violated the Stolen Valor Act.

Stolen Valor Update 47: Jesus M. Garcia, 20, accused of posing as a wounded U.S. Army veteran who served four tours in Afghanistan will apply for accelerated rehabilitation according to his attorney Mark Sherman . Garcia, who appeared in state Superior Court on Tuesday after he was charged 16 JUN with fraudulent use of military insignia, fraudulent representation of an armed forces uniform and several counts of larceny, will also pay back about \$1,200 he allegedly made while asking friends, family and the public to pay for fabricated medical procedures. If the court approves Garcia's application for AR, he will enter a special program for first-time, nonviolent offenders that involves placing him on probation and dropping the charges after he completes the terms with no further arrests. "Let me be very clear that this case is not really about money," Sherman said. "It's about the egregious act of posing as a veteran." Greenwich Police Capt. James Heavey said he suspected Garcia was a fraud in late May because Garcia's uniform was askew. Garcia did not have his military identification card when Heavey asked him for it, Heavey said then. During an interview, Garcia said he had wanted to join the military since he was a child. Garcia failed a test to enlist and never graduated high school. Garcia posted bond and is scheduled to appear in court 6 OCT.



Jesus M. Garcia

Purple Heart Veterans Foundation: A national group made up of veterans who received the Purple Heart medal has asked a federal judge to bar an unaffiliated Kansas nonprofit from using the Purple Heart trademark to solicit funds. The Military Order of the Purple Heart, which was founded in 1932 and chartered by Congress in 1958, filed a federal lawsuit last week against Tonganoxie-based Purple Heart Veterans Foundation, claiming trademark infringement. The Lawrence Journal-World reported that the suit accuses the foundation of using the trademark in a misleading manner, both online and in person, to collect donations. An investigation by the newspaper found that only 11 cents of every \$1 donated to the foundation goes to support veterans.

Foundation director Andrew Gruber said the lawsuit will probably force him to dissolve the charity because of its limited financial resources. Gruber said he wasn't aware of the Military Order of the Purple Heart when he founded his organization in 2009, and he didn't intend to deceive anyone with its soliciting and marketing practices. He said information brought to light by the newspaper's investigation "kind of opened my eyes." He said he meant well in his charity efforts, but "didn't have the proper skills to get it done." The lawsuit seeks a permanent injunction to prevent the foundation from using the Purple Heart name and registered logos. The Kansas attorney general's office has the authority to file a restraining order against a nonprofit if anyone involved in soliciting funds has been convicted of theft. Gruber spent six months in a Kansas prison after pleading guilty to stealing a rental car, and has been paying a fundraising company run by his brother Scott Gruber, who also has a criminal record, the newspaper reported. A spokesman for the attorney general said the office was aware of Gruber's case, but would not comment further. Gruber also founded another nonprofit, Kids vs. Cancer, which his brother Steven Gruber operates in Texas. Andrew Gruber said he plans to transfer leadership of that group to his brother. [Source: Associated Press article 1 Sep 2011 ++]

Pentagon 911 Casualties Update 01: A retired naval officer honored for his valor during the Sept. 11 attack on the Pentagon was found guilty Monday of defrauding the victims' compensation fund by exaggerating his injuries. After a three-week trial, a federal court jury found retired Cmdr. Charles Coughlin of Severna Park, Md., guilty of making a false claim and stealing public money after he got \$331,034 from the fund set up by Congress after the 2001 attacks. The charges carry maximum penalties of up to 15 years in prison, but prosecutors say they expect to argue for three to four years based on his lack of a criminal record and the nature of the offense when U.S. District Judge Royce Lamberth sentences Coughlin on 21 NOV. Coughlin's claim said he was in constant pain after being injured twice on Sept. 11, 2001 — first when objects fell on him when a hijacked plane struck the building and later when he went back inside to rescue others and hit his head. But prosecutors said Coughlin, now 52, continued playing lacrosse and ran a marathon after the attacks and lied when he claimed he needed surgery.

The case was not a slam dunk for prosecutors: It took three trials to convict him. Coughlin was first tried in 2009 along with his wife, also accused of making a false claim to the fund in support of her husband's application. The jury found Charles Coughlin not guilty on three mail fraud counts, but couldn't agree on a verdict on four counts against him or the charge against his wife. Afterward jurors said they thought Coughlin was the kind of man who would exercise through pain and seemed credible when testifying that he didn't lie. Prosecutors dropped the case against Sabrina Coughlin but put Charles Coughlin on trial again a few months later on the remaining four counts. In the midst of that trial, a Supreme Court decision changed the standard for retrying defendants after a hung jury, eliminating two remaining mail fraud counts against Coughlin. This time he was tried on the remaining two counts, which were the most serious against him. Coughlin bowed his head and pursed his lips as the guilty verdict was read from the jury of seven men and five women.

Coughlin, a graduate of the U.S. Naval Academy and Harvard Business School, spent most of his 21-year naval career in the submarine service. He had a top-secret security clearance and commanded nuclear submarines. He was working at the Pentagon when a plane hijacked by terrorists crashed into the building about 75 feet from his office. He said he went back inside the burning building to help rescue others, and he was awarded the Meritorious Service Medal and Purple Heart for his actions and injuries that day.

Coughlin's claim to the victims' compensation fund said he was left with constant pain in his neck, headaches, weakness in his left arm and numbness in his left hand and elbow. He said it changed his life physically — he used to work out daily, play basketball and lacrosse, run marathons and work on projects around the house.

But prosecutor Susan Menzer said Coughlin ran another marathon in November 2001 and showed the jury a picture of him running on the lacrosse field gripping a stick, taken after the attacks. She also showed jurors copies of check carbons she said he gave to the fund, falsely claiming they were for services he could no longer perform around the house. For example, she said he claimed a check for his lacrosse league dues was actually for someone to lay mulch in his yard. Coughlin said they were not fraudulent but mistakes due to sloppy accounting by his wife. Prosecutors argued Coughlin should have to forfeit to the government the family's two vehicles — a 2002 Mercedes Benz C230 and a 2002 Honda Odyssey — as proceeds of his theft because Coughlin paid them off after receiving his check from the fund. But the jury sided with Coughlin that he didn't have to forfeit them. The government also has a civil case pending against the Coughlins in which they could potentially be fined up to the three times the amount of their award from the fund. [Source: - The Associated Press Nedra Pickler article 29 Aug 2011 ++]

SECNAV Retiree Council Update 01: The Secretary of the Navy Retiree Council met at the Washington Navy Yard May 2-6 to discuss Navy and Marine Corps retiree issues and provide a report to the Secretary of Navy regarding the most pressing matters raised. The following is a summation of the six issues included in this year's report:

1. **Issue:** Use Shift Colors to communicate with and realize significant budget saving through the Navy's "recruiters for life" – its retired community.

Summarized position and desired outcome: The council members feel that Shift Colors is a necessary medium to communicate with the retiree community and that the Navy could realize a drastic savings by educating the audience about the benefits of using the mail order pharmacy and switching to direct deposit. The council recommends that the newsletter be sent out to those retirees who are not signed up for e-mail delivery at least once a year.

2. **Issue:** The Navy has only one paid Retired Activities Office (RAO) Regional Program Coordinator (RPC). There should be more.

Summarized position and desired outcome: An increase in RPCs will provide training to the RAO volunteers that link the retiree community with Navy commands. This would result in a greater retiree contribution to cost-savings programs; assistance to active duty and Reserve members with the transition to retired status; increased presence of retirees on Navy installations to improve retiree/active-duty interface and create retiree mentors and "recruiters for life;" and meet the information needs of the retiree community. The council recommends that the Navy fund four more RPCs.

3. **Issue:** Reverse the recoupment of retired pay for those retirees who die after the Defense Finance and Accounting Service (DFAS) monthly processing date.

Summarized position and desired outcome: When a retiree dies after the DFAS monthly processing date, which is typically around the 20th of each month, DFAS recoups the entire payment. The surviving spouse is required to submit an array of paperwork to DFAS to receive a prorated payment. The council recommends that DFAS not recoup the entire payment; just the prorated amount.

4. **Issue:** Inconsistent performance of medical personnel on medical boards.

Summarized position and desired outcome: There is no formal training for military physicians on the processes of medical boards and temporary disability retired list re-examinations. The council recommends that the Navy establish a training program at the Surface Warfare Medical Institute to be conducted online or in groups to be disseminated to military treatment facilities.

5. **Issue:** Automatic enrollment of qualifying veterans in the Department of Veterans Affairs healthcare under the VA's "combat veteran" program.

Summarized position and desired outcome: The 2008 National Defense Authorization Act provides for veterans to be eligible for the "enhanced combat veteran" benefits if they served on active duty in a combat theater after Nov. 11, 1998, and have been discharged or retired under other-than-dishonorable conditions. However, many of those eligible have not been enrolled and have missed the five-year enrollment window. The council recommends that the SECNAV present to the SECDEF a proposal to make enrollment automatic for qualifying veterans.

6. **Issue:** Private providers are refusing to see TRICARE and Medicare beneficiaries due to low reimbursement rates.

Summarized position and desired outcome: There is a trend among providers to not accept TRICARE and Medicare patients because of low reimbursement rates. The council recommends that the SECNAV support legislative change to Health and Human Services and DOD statutes to incentivize the program by protecting providers from medical malpractice claims except for gross negligence.

The Council received updates regarding recommendations made in previous reports and was pleased to see progress made on many recommendations. It understands items remaining open continue to be pursued through appropriate processes and/or potential legislation. Two items remain of great concern to the council: paid Navy Retiree Activities Officers (RAO) at regional locations and resumption of the printed and mailed 'Shift Colors,' the Navy retiree newsletter. The Marine Corps has stepped forward to authorize 16 RAO positions and continues to publish 'Semper Fidelis'. The 2010 SECNAV Retiree Council Report which contains the Navy and Marine Corps' response to the report can be seen at http://www.public.navy.mil/bupers-npc/support/retired_activities/Documents/2010%20SECNAV%20Retiree%20Council%20Report.pdf.

To call your local Navy and Marine Corps Retired Activates office for inputs or questions on the Council Report or any other retirement issue refer to this Bulletin's attachment titled, "**USN & USMC RAO Phone Listing**". For information on how to contact other retiree support activities refer to this Bulletin's addendum titled, "**Ready Reference Contact Information**". [Source: Shift Colors Fall 2011 ++]

VA Presumptive VN Vet Diseases Update 20: Secretary of Veterans Affairs Eric K. Shinseki announced 31 AUG that more than \$2.2 billion in retroactive benefits has already been paid to approximately 89,000 Vietnam Veterans and their survivors who filed claims related to one of three new Agent Orange presumptive conditions. On August 31, 2010, the Department of Veterans Affairs (VA) amended its regulations to add ischemic heart disease, hairy cell leukemia and other chronic B-cell leukemias, and Parkinson's disease to the list of diseases presumed to be related to exposure to Agent Orange. "As the President said to the American Legion 30 AUG, VA is committed to ensuring Veterans and their families receive the care and benefits they have earned," said Secretary of Veterans Affairs Eric K. Shinseki. "I encourage all potentially eligible Veterans to apply as soon as possible to preserve the most favorable effective date for payments."

For new claims, VA may authorize up to one year of retroactive benefits if a Veteran can show that he or she has experienced one of those conditions since the date of the regulatory change. VA has reviewed, and continues to review, thousands of previously filed claims that may qualify for retroactive benefits under a long-standing court order of the U.S. District Court for the Northern District of California in *Nehmer vs. U.S. Veterans Administration*. "VA encourages survivors of Veterans whose death may be due to one of the three diseases to file a claim for dependency and indemnity compensation," added Under Secretary for Benefits Allison A. Hickey. Secretary Shinseki's decision to add these conditions to the list of Agent Orange presumptive conditions was based on a study by the Institute of Medicine, which indicated a positive association between exposure to certain herbicides and the subsequent development of one or more of the three conditions. Potentially eligible Veterans include those who were exposed based on duty or

visitation in Vietnam or on its inland waterways between January 9, 1962, and May 7, 1975; exposed along the demilitarized zone in Korea between April 1, 1968, and August 31, 1971; or exposed due to herbicide tests and storage at military bases within and outside of the United States.

The Agent Orange Claims Processing System website located at <https://www.fastrack.va.gov/AOFastTrack/> may be used to submit claims related to the three new presumptive conditions. The website makes it easy to electronically file a claim and allows Veterans and their physicians to upload evidence supporting the claim. It also permits online viewing of claim status. Beyond the three new presumptive disabilities, Veterans may file online at VA's My-eBenefits web site at: <https://www.ebenefits.va.gov/ebenefits-portal/ebenefits.portal>. They can check the status of their claim with a premium account (confirming their identity), and use a growing number of online services. Servicemembers may enroll in My-eBenefits by using their Common Access Card at anytime during their military service, or before they leave during their Transition Assistance Program briefings. Veterans may also enroll through their myPay or MyHealtheVet accounts by visiting their local VA regional office or Veteran Service Organization, or by calling 1-800-827-1000. For more information about Agent Orange presumptives and disability compensation, go to <http://www.publichealth.va.gov/exposures/agentorange/>. For questions about Agent Orange, Veterans may call VA's Special Issues Helpline at 1-800-749-8387 and press 3. [Source: VA News Release 31 Aug 2011 ++]

American Quilt Memorial: The creator of a charity under investigation for allegedly misusing thousands of dollars donated for a 9/11 memorial is apparently running a separate business that is raising some eyebrows across the country. Kevin Held promised students, police and other supporters of the American Quilt Memorial to use the \$713,000 they painstakingly raised over the course of several years to create a massive quilt in honor of the victims of 9/11, The Associated Press reported 25 AUG. The quilt, he said, would be crafted by sewing hundreds of king-sized sheets together to cover an area the size of 25 football fields. But almost eight years after he created the Arizona-based nonprofit Stage 1 Productions to support the project, all he has to show for it are “several hundred decorated sheets packed in boxes at a storage unit,” the AP reported. A recent post on the nonprofit’s website, www.americanquiltmemorial.org, indicates the project was abandoned due to “tough economic times.” The AP’s investigation, however, revealed Held and his family members pocketed \$270,000 — more than one-third of the donated funds. The article prompted a probe by the Arizona Attorney General’s Office.

Tax records obtained by the AP showed Held received \$141,000 in compensation, more than \$45,000 to pay an undocumented loan and \$200 a week in car allowance. He also paid two of his brothers another \$12,000 for consulting fees and charged the nonprofit more than \$37,000 for office space, utilities and other related expenses even though records indicated he worked from home. A Monitor reporter spoke to Held 30 AUG outside the lavish Weslaco home in which he currently resides, but he refused to comment, saying he was “in the middle of something big.” He promised to call back before the end of the day, but no calls were returned by press time. “If I made a mistake, I made a mistake,” Held told the AP. “I never said I was a professional at this.” Held, however, is giving the fundraising business a second try — this time under the shield of a for-profit company. Held registered Operation Adopt-A-Soldier as a limited liability corporation with the Texas Secretary of State in March, records from the state agency show. The company’s website, <http://www.operationadoptasoldier.net> promises to distribute student-led tribute care packs to all types of servicemen and women, including those who are overseas or retired.

The packs do not include typical items often sent to service members abroad — such as books, batteries and other nonperishable items. Instead, each pack consists of a poster of appreciation and postcards to send to the soldiers, as well as a “handsome Certificate of Appreciation ... suitable for framing,” the website states. Each classroom, however, must first pay Held between \$20 to 40. That enraged Terri Perry, the co-chair of Operation Adopt a Soldier, a nonprofit corporation based out of New York. Perry’s organization also sends care packages to troops, but at little to no cost, she said. And perhaps most importantly, not for monetary gain. “It really annoys me when I hear people are doing this for profit. They’re taking advantage

of the situation and it shouldn't be that way," she said. "I know what our guys go through and for someone to turn this into their own profit is sad." Perry said her office began receiving an average of 10 to 15 phone calls a week in OCT 2010 from schools across the nation looking for Held's business because the name of her nonprofit and his for-profit company are so similar. (Even their Web addresses are alike — the only difference is that Perry's ends in ".org" and Held's ends in ".net") "We were trying to tell them, 'It's not us,'" she said.

Perry went as far as publishing a note on her website <http://www.operationadoptasoldier.org> stating they were not affiliated with Operation Adopt-A-Soldier. "We are a 501 (c) 3 (or nonprofit) organization that would sincerely welcome all donations but we do not solicit from schools," the memo reads. "If you would like to send letters or items to the troops we would gladly accept them at no charge. The only cost would be to ship them to us." Perry said she also received a \$520 check in the mail that was made out to Held's business. She returned it to the sender and tried to contact them but was unsuccessful. Felix Vazquez, the McAllen Vet Center team leader for the U.S. Department of Veterans Affairs, was surprised to learn that Operation Adopt-A-Soldier had allegedly charged classrooms for items Vazquez received in person from Held on 11 JUL. Held approached Vazquez earlier that month and told him he had 250 postcards for veterans made by children from out-of-state schools, Vazquez said. "He didn't ask for money. He didn't ask for anything. They were just going to give us the posters," he said.

The businessman told Vazquez he was with a nonprofit organization that simply wanted to show its appreciation for South Texas veterans. He did not mention they had charged classrooms to do so. "As federal agencies we don't deal with for-profits," Vazquez said. "We're barred from doing it unless you're purchasing stuff." Vazquez said Held dropped off several boxes filled with postcards that his office delivered to veterans as they came in to the establishment. "They liked them," he said about the notes. "Guys like to be appreciated for what they did, especially the Vietnam vets and the Korean vets. They never got a proper welcoming. This really meant a lot to them." Vazquez, however, also disliked the idea of making a profit. "They need to be investigated and they need to be judged and taken to court," he said. "To take advantage of people's goodwill, especially vets, they really need to be looked at." A Monitor reporter contacted the Texas Attorney General's Office about the matter Tuesday afternoon, but staff at the press office said they did not have any information concerning the subject. [Source: The Brownsville Herald Naxiely Lopez article 30 Aug 2011 ++]

WWII Vets Update 06: When the Japanese bombed Pearl Harbor, Arlo Becker of Enid Oklahoma was still two months shy of his 16th birthday. He had no way of knowing then he would play a role in the last major battle of World War II, helping to push the Japanese from their last foothold in the Pacific before the Home Islands. The war caught up with Becker little more than two years later, when he was drafted shortly after his 18th birthday. He traveled to the Selective Service depot in Oklahoma City, where he asked to be enlisted in the U.S. Marine Corps. When asked this week why he chose the Marines, Becker laughed and said, "I have no idea." While he might not recall his reasoning for the choice, it led him to one of the hardest-fought chapters of the war.

Becker was placed in the 1st Marine Division, a battle-hardened group that had just finished the Corps' bloodiest battle of the war on Peleliu. Some units from the division lost as much as 60 percent of their men on Peleliu, and men like Becker were sorely needed to fill the ranks for the upcoming thrust towards Japan. "We were replacements," Becker said matter-of-factly about the thousands of new recruits who joined the 1st Marine Division after Peleliu. He said the older, battle-hardened Marines "were very receptive" of the fresh recruits, but were hesitant to share their combat experiences with the new arrivals. "There was never very much said about Peleliu ... they just wouldn't talk about it much at all," he said. The division's men settled into a training regimen shortly after Becker's arrival, honing their combat skills on the island of Pavuvu. Even as the men prepared for battle, their exact destination remained a closely guarded secret. Up until the invasion was launched, many, including the Japanese, speculated the attack would come in Formosa, off the coast of mainland China. "We boarded a ship and we all thought we were going to hit

Formosa, but we were wrong,” Becker said. Once the troops were safely sealed up in their transports and assault craft, the orders were revealed: they would be invading Okinawa.

Okinawa was to be the last amphibious invasion of the island-hopping campaign in the Pacific, and the last major battle of the war. But, as troops began massing for the invasion of Okinawa, it was seen not as a likely end to the war’s fighting, but rather as a prelude to a much bigger and bloodier task: the invasion of the Japanese Home Islands. Located less than 350 miles from Japan’s nearest home island, Okinawa would allow American and Allied bombers to establish supremacy in the skies over Japan, and would serve as the final staging area for the invasion. Okinawa’s strategic importance wasn’t lost on the Japanese. They amassed 100,000 Imperial Army soldiers and Okinawan conscripts on the island with one mission: to inflict as many American casualties as possible and give the Allies a taste of what to expect in an invasion of the Home Islands. Facing the Japanese defenders was the U. S. Tenth Army, supported by the 1st, 2nd and 6th Marine Divisions.

American and Allied forces were well-versed in amphibious invasions by the time they came up against the Japanese at Okinawa. They had been invading and conquering islands from the sea for more than two-and-a-half years, beginning with Guadalcanal and most recently raising the American flag over Mount Suribachi on Iwo Jima. But, for new recruits like Becker, there was little idea of what should be expected, and the worst possibilities weighed on their minds as the invasion force approached Okinawa. “We were wondering the whole way there, ‘How’s our landing going to go, and how many guys are going to be killed?’” Becker said. “You always have that on your mind when you get on that invasion ship ... what’s going to happen when you hit the beach.” The men of the invasion force would find out on Easter morning, April 1, 1945, the day picked for the amphibious landing. A naval force of more than 1,400 ships was assembled for the invasion, a larger show of sea power than was present at Normandy on D-Day. “When we got to Okinawa, as far as you could see in every direction, there were ships ... it seemed like there were thousands of them,” Becker said. The Allied forces converged on the northern end of Okinawa on Easter morning, expecting heavy Japanese resistance to the amphibious landings.

When the troops hit the beaches, however, almost no Japanese forces could be found. “It really was April Fool’s Day — hardly a shot was fired,” Becker said. The Japanese had made a strategic decision to give up the northern three-quarters of the island and mass their troops in the dense, mountainous jungles of the island’s southern sector. But, it did not take Becker and the 1st Marine Division long to catch up to the Japanese in their heavily fortified defensive positions. “It took us a few days to catch up to them,” Becker said, “and that’s when you-know-what hit the fan.” Once the Marines advanced on the Japanese positions, Becker said the fighting was heavy: “We always had machine gun fire, mortars and artillery coming in ... it was pretty constant.” While the fighting seemingly was uninterrupted, Becker said he and his comrades seldom saw the enemy. “You hardly ever saw them,” he said. “They were in caves or hidden, and you almost never knew where they were.”

One instance in which Becker did come into close action with the Japanese occurred shortly after his unit’s first contact with the enemy. Becker said as his unit advanced one day, a Japanese machine-gunner opened fire. He was pinned down between the enemy gunner and one of his friends when a round struck his friend’s helmet, wounding and knocking him unconscious. The gunner kept firing at Becker’s wounded friend. “The Jap would come up, fire a round, go down, move over, come up, fire another round ... I figured out what he was doing, so the last time he came up ... he shouldn’t have,” Becker said. He returned fire on the Japanese gunner, and a corpsman later confirmed a tracer from Becker’s Browning Automatic Rifle, or BAR, went through the enemy soldier’s head. Becker was hesitant to take credit for saving his friend’s life that day because he “didn’t want to seem like he was bragging.” He prefers to remember it as one of many instances in which a higher power preserved his life on Okinawa. “I was right there between that gunner and my buddy, but he never did shoot at me,” Becker said. “I can remember several times when I’d be running for cover and I’d see machine gun bullets hitting the ground all around me ... I had people get shot all around me, but I never got hit. I attribute that to God ... it was like He was saying, ‘no, Arlo, it’s not your time.’”

The battle for Okinawa raged on for 82 days of almost constant enemy contact. As the battle wore on, soldiers on both sides found themselves fighting another battle against the elements in the Pacific rainy

season. "It rained so much and the mud got so deep that the trucks couldn't get supplies to us," Becker said. "They would fly airplanes in and drop supplies, but half that stuff would end up going over to the Japanese ... that's how close we were to them," he said. He said being constantly wet, tired, hungry and in fear of violent injury or death began to wear on the men: "You're on edge the whole time, day and night. Even when you're not engaged in a battle, you're wondering if there's a sniper out there or if some guy's going to creep into your foxhole and kill you ... the fear's always there." The constant strain proved to be too much for some of the fighting men. "Some of the guys couldn't handle it, and had to be taken out of there," Becker said. For those who weren't killed or wounded in the fighting, the end of the Battle of Okinawa offered only a temporary reprieve. Ninety-two percent of the Japanese troops had fought to the death or committed suicide by the battle's end. Before they died, they killed 12,520 American troops and wounded 36,613 more while more than 33,000 troops suffered from non-combat injuries or disease.

The toll from Okinawa offered a grim look at what could be expected in an invasion of Japan. "We heard if we invaded Japan that we should expect at least a million guys to get killed," Becker said, "so that was a big worry for us ... we knew it was going to be a big fight." The Marines continued training for an invasion of Japan, an invasion that likely would have been a death sentence for a majority of the men. All that changed when the atomic bombs fell on Hiroshima and Nagasaki, bringing an end to the war. Becker said he couldn't recall his reaction when he found out about the atomic bombs being dropped; he just knew he was going home. Becker spent six months with the 1st Marine Division in China before being shipped home to be discharged at the rank of Corporal. He kept in touch with a few of his Marine buddies from Okinawa over the years, writing Christmas cards each year to a list of about 20 men. "Today," Becker said, "I am the only one on that list who's still alive." While time has claimed most of the men who survived Okinawa, and faded the memories of those who remain, it has not tarnished Becker's pride at having served. He stated his feelings on the matter are best described by a bumper sticker that adorns his pickup. It reads, simply, "OOH-RAH ... It's a Marine thang." [Source: Enid News and Eagle James Neal article 23 Aug 2011 ++]



Arlo Becker sits with a photo of himself fresh out of Marine Corps boot camp during World War II.

Veteran Hearing/Mark-up Schedule: Following is the current schedule of Congressional hearings and markups pertaining to the veteran community as of 13 SEP. Congressional hearings are the principal formal method by which committees collect and analyze information in the early stages of legislative policymaking. Hearings usually include oral testimony from witnesses, and questioning of the witnesses by members of Congress. When a U.S. congressional committee meets to put a legislative bill into final form it is referred to as a mark-up. Veterans are encouraged to contact members of these committees prior to the event listed and provide input on what they want their legislator to do at the event. Membership of each committee and their contact info can be found at <http://www.congress.org/congressorg/directory/committees.tt?commid=svete>:

- September 21, 2011. SVAC and HVAC will hold a full committee joint hearing on the legislative agenda of the American Legion. (8:00 A.M.; G-50 Dirksen)
- September (Date TBD). The Committee on Oversight and Government Reform will conduct a hearing on "Is This Any Way to Treat Our Troops? Part IV: Lack of Progress and Accountability."

Vet Toxic Exposure ~TCE: As early as WWII, United States Air Force and other Military bases used and disposed of chemical degreasers and other toxic substances that were later determined to contaminate drinking water and pose multiple health risks including: Cancers, Reproductive disorders, Birth defects, and Multiple other serious difficulties. Countless military personnel, their families, and private individuals living and working in the near vicinity of the bases may have been affected by these contaminants, through drinking water, general water usage and exposure through vapor seepage. The four most alarming contaminants are: Trichloroethylene (TCE), Tetrachloroethylene (PCE), Vinyl Chloride, and Benzene. Scientific studies show that some or all of these chemical compounds have breached the ground water supply on several of our US Military Bases and in some instances, have affected civilian properties adjacent to the bases including churches, schools and private wells. Currently, on-going research is being conducted on military bases around the country and on properties directly adjacent to these bases to identify just how wide spread this contamination may be.

March AFB in Riverside CA opened in 1918 for training pilots and consisted of 640 acres east of Highway 395. In 1940, Camp Haan was constructed west of Highway 395 primarily as an anti-aircraft gunnery training encampment and a staging area for tank forces during World War II. After World War II, Camp Haan became part of March AFB and the area became known as West March. From 1918 to 1949, the base was used primarily for aircrew (pilot, bombing and gunnery) training. In 1949, the Strategic Air Command took control of March AFB primarily to support bombers and refueling tankers (Tetra Tech 1994). After 1982, the base's primary mission became aircraft refueling. The U.S. Defense Secretary's Commission on Base Closure and Realignment announced March AFB for base closure and realignment in the third round of closures in 1993. March AFB was closed and realigned on April 1, 1996. In the realignment, the U.S. Air Force Reserve Command retained 2,258 acres for March Air Reserve Base as the predominant operating entity (CEDAR 1997) with tenants including the Air National Guard. Concurrent with base redevelopment activities, the AFBCA and Air Force Reserve Command (AFRC) are conducting environmental characterization and clean up activities to address chemical contamination of the environment.

The chemical contamination is the result of past disposal, accidental spills, and routine releases of waste and materials. Wastes from base operations have included spent solvents, cleaners, waste and recoverable fuels, waste oils, refuse, and small-scale munitions (Earth Technology, 1989, Tetra Tech 1994, 1997b). In 1989, U.S. EPA listed March AFB as a National Priorities List (NPL) site for cleanup under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) because of contaminated groundwater found in a base drinking water well and contaminated soils at several on-base areas. To carry out the investigation and cleanup, the AFBCA has been operating under the Department of Defense Installation Restoration Program (IRP), and the authorities of CERCLA and the Resource Conservation and Recovery Act (RCRA) To date, the IRP program has identified and investigated 43 sites under CERCLA and 105 Solid Waste Management Units and 50 Areas of Concern under RCRA through a base wide Expanded Source Investigation/RCRA Facility Assessment. Through an Environmental Baseline Survey (EBS) of the entire base, March AFB identified an additional 35 sites. Appendix B includes a list of these sites and their status. For additional info refer to <http://www.atsdr.cdc.gov/hac/pha/pha.asp?docid=52&pg=0>. [Source: <http://www.militarycontamination.com> Jul 2011 ++]

Saving Money: Healthcare costs aren't just skyrocketing for humans. The cost of treating your pets can easily top \$1,000 – and there's no Obama health care plan in the works for Fido. Be prepared to shell out big bucks to fix a torn knee ligament and/or cartilage. That's the No. 1 health problem for pets, and it can cost nearly \$1,600 to treat, according to a new study. VPI, provider of pet health insurance, tallied its claims from 2010 and made a list of those requiring more than \$1,000 for treatment. "While

surgical treatment for a torn knee ligament/cartilage occurred with the greatest frequency,” the report said, “the condition with the highest average cost per claim was intervertebral disc disease, for which pet owners paid an average of \$3,282 in 2010.” Here’s the entire list:

Condition | Number of claims | Average cost per claim

1. Torn knee ligament/cartilage | 6,831 | \$1,578
2. Intestinal – foreign object | 1,005 | \$1,967
3. Stomach – foreign object | 954 | \$1,502
4. Intervertebral disc disease | 879 | \$3,282
5. Stomach torsion/bloat | 372 | \$2,509
6. Broken leg (plate) | 350 | \$1,586
7. Laryngeal paralysis | 126 | \$2,042
8. Tumor of the throat | 124 | \$1,677
9. Ear canal surgery | 104 | \$1,285
10. Ruptured bile duct | 102 | \$2,245

“Pet owners should be aware that these \$1,000 accidents and illnesses can happen to just about any pet – indoor, outdoor, young or old,” says Dr. Carol McConnell, VPI’s vice president and chief veterinary medical officer. “Though the cost of care for these conditions may be high, the prognosis is usually positive, and many of the pets that are treated will recover.” So what can you do to keep your costs down? Keep Fido away from cigarettes, fatty foods, and busy streets. Pet insurance has been around for years. Cost varies widely...from as little as 6 bucks and up. What should you be look for in a pet policy? The same things you look for in two-legged policies. First and foremost, what’s covered and what’s excluded. Second, the deductible or co-pay. Third, the maximum the policy will pay. And finally, company strength. Remember, if they’re out of business, you’re out of luck.



Many pet policies won’t cover preventative care, older animals, or breed-specific genetic conditions – read the fine print and find out if your critters will get coverage worth the price. Here are some other ways to save, insured or not:

- Check out the local animal shelter <http://www.aspc.org/adoption/shelters>. The American Society for the Prevention of Cruelty to Animals has local listings for animal shelters. These places may offer discounted services and cheaper (sometimes even free) vaccinations. Plus, they work for animals, not for profit – so they may be a good source for recommendations and referrals as well.
- Comparison shop. Just like doctors who treat two-legged patients, vets don’t all charge the same rates. Visit HealthyPet.com for local listings of vets accredited by the American Animal Hospital Association. Then call them up and get some quotes.

- Find cheaper prescriptions. Compare the prices your vet charges with online and local stores, including warehouse stores. Ask your friends and animal shelter workers what they use. There are plenty of places to find pet medications online: Just do a search for “Pet Medications.”
- Pet sitters. Sometimes you need someone to watch your animals while you’re out of town. Last year, we wrote about sitter scam artists who robbed houses: The same story explains how to find a trustworthy pet sitter. If your family and friends can’t do it, try [PetSitters.org](http://www.PetSitters.org) or Pet Sitters International <http://www.petsit.com/locate>, where you should be able to find a good local sitter for \$15-\$35 a day.
- Take good care of your pets. This sounds straightforward, but it’s easy to miss if you have a busy lifestyle. Make sure your pets are getting a proper diet – some animals have very specific needs. (This doesn’t mean generic pet food is bad, as long as it has the right ingredients.) Make sure they get enough exercise, and that you follow all your vet’s recommendations. Don’t skimp on preventative care like vaccines. Spend enough time and money to save yourself heartache and debt later.
- Prioritize your pet budget. Many people treat their pets like kids, and it’s natural to want to spoil them. If you have the money, that’s OK. But remember that health is more important than luxury, and animals don’t need a lot of expensive toys or high-priced food. Unlike kids, they have no sense of how much money you spent. Your time and affection are worth more than what’s in your wallet.

[Source: Money Talks Brandon Ballenger 6 Jul 2011 ++]

Notes of Interest:

- **Budget Cuts.** While addressing the American Legion, President Obama declared his support and admiration for America's servicemembers and veterans. In an effort to alleviate vet's fears about budget cuts, the president told the American Legion audience, "As a nation, we're facing tough choices as we put our fiscal house in order. But I want to be absolutely clear--we cannot, and we must not, balance the budget on the backs of our veterans. And as Commander in Chief, I won't allow it."
- **Shift Colors.** To receive the Navy’s Shift Colors newsletter via email send the following information to Mill_ShiftColors@navy.mil -- First name; Last name; E-mail address; Title (Mr., Mrs., rank, etc.); and Military affiliation (retiree, surviving spouse, veteran, other). There is no longer any funding for hard copies to be printed and mailed. To receive Shift Colors it does matter whether or not you’re retired, active duty, a veteran, a surviving spouse, or just someone who’s interested in receiving the newsletter
- **Food Stamps.** Recent data reveals the number of Americans who are now relying on food stamps to meet their basic living needs increased to a record high of 45.8 million in May. This figure is a 12% increase from one year ago. In order to be eligible, individuals’ annual income may not exceed \$14,088 per year, or \$1,174 per month.
- **Silver Star.** The Associated Press reports the Navy has revoked the Silver Star Medal from a top Navy official in the Clinton administration who is now serving time for child pornography. Wade R. Sanders, former deputy assistant secretary of the Navy for reserve affairs, was stripped of the military's third-highest honor last year according to an August 9, 2010, memorandum to the chief of naval personnel from Navy Secretary Ray Mabus. Sanders received the Silver Star in 1992 for his alleged courage in battling the Viet Cong in 1969 as a swift boat captain.
- **Labor Day.** It originated in Canada and was first celebrated in New York City on September 5, 1882. It marks the symbolic end of summer and the last holiday weekend before children return to school. It also marks the return of Congress to Washington.

- **California National Guard.** Maj. Gen. William H. Wade II was summarily forced into retirement by his successor the current Adjutant General David S. Baldwin due to a pay controversy. He had served as head of the California National Guard from 2005 until early last year. It is alleged that Wade had been double dipping and received \$155,000 improperly. He has denied the allegations. The Guard has demanded the return of \$80,720 (the statute of limitations has already run for the balance of the claimed amount). The General is presently serving as NATO deputy chief of staff of operations in Italy.
- **Vet Cemetery.** VA Secretary Eric Shinseki approved a \$7,015,564 grant to finance the construction of the Alabama State Memorial Cemetery in Spanish Fort. The Cemetery, in the southern part of the state will be constructed by the federal government and maintained by the state of Alabama. Construction may begin in as little as 2 months. The site is 4.5 miles north of Spanish Fort, adjacent to Saluda Hill Cemetery near the entrance to Blakeley State Park. It is expected that when completed it will host approximately 200 burials a year.
- **Fisher House.** A second Fisher House will be built on the campus the VA Palo Alto Health Care System in California to provide on-campus housing for veterans and their families while they are receiving care on the site. The present Fisher House, which opened in 2006 has had a 98% occupancy rate and has hosted approximately 3500 families.
- **Funeral Honors.** Minnesota Veterans Affairs Commissioner Larry Shellito says that his agency has the funds to keep paying for veteran funeral honors, even though the spending was cut in the new state budget. Shellito says he won't let the funeral honors fall through the cracks. The state has reimbursed service organizations up to \$50 for each funeral since 2008. It was previously reported that the budget cut was forcing the American Legion, Veterans of Foreign Wars and other veterans groups to try to raise money to continue providing military honors at veteran funerals.
- **Driver License.** Honorably discharged veterans in Texas soon will be able to list their status on their driver's licenses thanks to a bill passed during the 82nd legislative session.
- **Free Canes.** A national program, "Hugo Salutes Our Veterans," run by the Hugo Folding Cane Company, will provide at no charge 36,000 state-of-the-art Hugo Folding Canes to any U.S. Military veteran in need of mobility assistance. The Hugo Folding Canes, which retail for \$29.99, will be distributed at all Sam's Clubs nationwide, November 9, 10 and 11, 2011.
- **Divorced Retirees.** The ULSG - Uniformed Services Former Spouses Protection Act Liberation Support Group - is looking to hear from any retirees of the seven uniformed services who have been divorced and a state court has ordered division of their retired pay to that retiree's former spouse. Contact: Leadership@ulsg.org with your name and the name of the state where your divorce was issued.
- **Free Vaccines.** TRICARE officials have begun expanding the number of preventive vaccines covered at retail network pharmacies. The expanded program covers immunizations for measles, mumps, shingles and many other preventable diseases. The expanded list of vaccines available from authorized TRICARE retail pharmacies is available at <http://tricare.mil/mybenefit/ProfileFilter.do;jsessionid=ThRd72bLS4Q12P5yypFXb4GM1YfmrJj2qNdVyTglMfwLYdz2zW2j!-1383707687?puri=%2Fhome%2Fprescriptions%2Fmedications%2Fvaccines>.
- **SBP & Remarriage.** Remarriage to a former spouse will provide no benefits if the retired military dies within one year. However, the SBP can be reinstated immediately with monthly payment amounts calculated by DFAS.
- **USCG.** More than 50 Coast Guardsmen have been selected by a panel for forced retirement, a measure that the Coast Guard says likely will be used again next year. About 260 retirement-eligible Coast Guardsmen, E-5 through E-9, faced a career retention screening panel in June.
- **Military Widows.** OPM has published final regulations that eliminate the requirement for some military spouses of deceased or 100 percent disabled veterans to apply for a federal job under the military

spouse hiring authority. OPM hopes the new rule, which was published in the Aug. 31 Federal Register, will make it easier for more eligible spouses to gain federal employment.

- **Women Vets.** VA broadened its coverage of special monthly compensation for women Veterans who suffered loss of breast tissue related to their military service. The benefit covers those losing 25% or more tissue from a single breast or from both breasts in combination. It includes loss by mastectomy or partial mastectomy, or following radiation treatment. In addition to breast tissue loss, special monthly compensation rates also apply when a Veteran experiences loss of a reproductive organ or its use. Women Veterans with service-connected breast tissue loss who are not receiving the special monthly compensation should contact VA (1-800-827-1000) to find out if they are eligible.
- **Electric Vehicles.** Walgreens plans to offer electric vehicle (EV) charging stations at approximately 800 locations across the country by the end of the year, making it the nation's largest retail host. The company's neighborhood stores will provide convenient locations for EV drivers to recharge near home or work.
- **Vet Jobs.** President Obama's American Jobs Act includes tax credits of up to \$5,600 for companies who hire unemployed veterans and up to a \$9,600 tax credit for those who hire veterans with service-connected disabilities that have been looking for a job six months or longer.
- **FTC Action.** Marketers of two mobile phone applications have signed consent agreements with the FTC under which they must refrain from making baseless claims that their products could successfully treat acne by generating colored lights.

[Source: Various 1-15 Sep 2011 ++]

Medicare Fraud Update 75:



- **Houston TX** - The owner of a Houston medical supply business has been sentenced to eight years in federal prison in a \$4.3 million Medicare fraud case. A federal jury in March convicted 42-year-old Sunny Robinson of 19 counts of health care fraud and anti-kickback violations. Prosecutors say that Robinson, who was sentenced 30 AUG, illegally obtained Medicare beneficiary information and used it to submit false claims for reimbursement for power wheelchairs and other supplies. Prosecutors say the time frame was 2005 to 2009.
- **Sioux Falls SD** - Diane Cogley, a counselor who blew the whistle on Catholic Family Services over Medicare and Medicaid billing errors, will receive \$15,000 under a settlement agreement. The Catholic Diocese of Sioux Falls' counseling program admitted no wrongdoing in the case but agreed to forfeit \$90,000 to the U.S. government, which in turn will give \$15,000 to Diane

Cogley. Cogley was working in Mitchell as a CFS counsel JUN 09 or in June 2009 when she uncovered evidence of false billing claims. According to her complaint, CFS routinely would put Cogley's name on reimbursement claims for services actually provided by other counselors who didn't hold the same credentials and would not have been eligible for Medicaid and Medicare payments. "Through her own investigation, learned that it was a common practice of Defendant to use (Cogley's) name and license number on claim forms for work that was performed by other providers that did not have Cogley's level of certification, training and credentials," the complaint said. Cogley confronted the executive director, who turned over documents that acknowledged filing at least one false claim for 38 clients, including Medicare recipients and seven on Medicaid. Cogley secretly filed a federal whistleblower lawsuit a week later but continued working for CFS until NOV 09. The case was unsealed 26 AUG when the parties agreed to a settlement. The diocese released a statement that cited its cooperation with the state's audit and acknowledged "mistakes in billing (that) resulted in about \$34,000 in over payments."

- **Detroit MI** - The federal government on 1 SEP charged 18 people with bilking Medicare of \$28 million in separate health care schemes that billed the government for services that weren't necessary or never provided, including hundreds of psychotherapy treatments for dead people. The defendants charged in the schemes include three physicians, four clinic owners and managers, two clinic employees, one nurse and four physical therapists and physical therapy assistants. Fifteen of the defendants were arrested on the 1st; one defendant was arrested in July; two remain missing. According to court documents, the defendants paid kickbacks to beneficiaries and others, and falsified medical documents in order to deceive the Medicare program. The charges show fraud schemes in Detroit have branched out to newer areas, such as psychotherapy services that prey on vulnerable residents in adult foster care homes, said Maureen Reddy, a Detroit-based FBI special agent. The charges also suggest that home health care scams, which are prevalent in regions such as Miami, are on the rise in Detroit, Reddy said. These indictments came one month after the federal government charged 26 people in Metro Detroit in a massive prescription pill scheme that billed the government for more than \$57 million worth of bogus prescriptions for OxyContin, Vicodin, Xanax and cough syrup with codeine.
- **San Juan, Puerto Rico** - Thirteen people including three doctors have been indicted for conspiracy to commit health care fraud. The first indictment accuses Jose Lopez Diaz of charging Medicare more than half a million dollars for services never rendered at a medical center where he never worked. Lopez also is accused of billing Medicare for a procedure he claimed he performed on female patients that can only be done on men, prosecutors say. Also charged is Lopez's brother, Carlos Lopez Diaz, a dentist whom prosecutors say provided his brother with names and Medicare beneficiary numbers of his patients. Two daughters of Jose Lopez Diaz also are accused of filling out fake claim forms and receiving gifts from their father as rewards. A second indictment accuses Dr. Edgard Rivera Morales of overbilling Medicare for a muscle relaxer and receiving nearly \$660,000 in return. A third indictment accuses Damaris Carrasco Flores, president of a medical equipment company, and Nahomy Baez Martinez, the employee of a local Medicare carrier, of filing more than 1,000 fraudulent claims. Prosecutors say Carrasco received more than \$1 million as a result of the fraud and accuse her of paying Baez more than \$250,000 for her help. A fourth indictment accuses Maria Montiel and husband Armando Montiel, the owners of Care Plus, of submitting more than 464 false claims to Medicare for more than \$1.5 million in medical equipment.
- **Dallas TX** - Parkland Memorial Hospital and the University of Texas Southwestern Medical Center at Dallas have agreed to pay \$1.4 million to end a federal investigation of alleged Medicare

billing fraud at Dallas County's general hospital. A statement from the U.S. attorney's office in Dallas says the defendants "fully cooperated with the investigation, and by settling, did not admit any wrongdoing or liability." The probe centered on Medicare claims submitted for care by physician residents under the supervision of teaching physicians when no such supervision was given. Such "upcoding" was alleged to have occurred at Parkland between 2004 and 2007. A UT Southwestern statement says it still "vigorously denies any lapse in the supervision of physicians-in-training, inappropriate billing, wrongdoing, or liability." It says the settlement releases it and the hospital from all claims.

- **CA & LA** - Janzen, Johnston & Rockwell Emergency Medicine Management Services Inc. (JJ&R), a provider of billing services for physicians, hospitals and other health care providers, has agreed to pay the United States \$4.6 million to settle allegations that it submitted false claims to Medicare and Louisiana's Medicaid program. JJ&R is headquartered in El Segundo, Calif. The settlement resolves allegations that JJ&R inflated claims that it had coded on behalf of emergency room physicians in Louisiana and California. From approximately 2000 through 2007, JJ&R utilized a coding formula that had a tendency to generate claims for a marginally higher level of evaluation and management service than the physicians had actually provided. In addition, JJ&R routinely added charges to the evaluation and management claim for minor services, such as pulse oximetry, that had been provided by hospital nursing staff or other physicians. Finally, during this time period, JJ&R often failed to comply with Medicare's coding rules governing the submission of claims for teaching physicians, resulting in the submission of claims that were not properly payable. While these coding practices had a relatively small impact on the reimbursement of any particular claim, over time they generated significant overpayments from Medicare and Medicaid.
The Today's settlement resolves allegations that were the subject of a federal investigation and a lawsuit brought by Le Jeanne Harris, a former employee of JJ&R. The lawsuit was filed under the False Claims Act, which enables private persons to sue on behalf of the United States, and to receive a share of any recovery. In this case, Ms. Harris will receive \$774,450.
- **U.S.A** A nationwide law enforcement crackdown has charged 91 people - including doctors and other medical professionals - with participating in Medicare fraud schemes involving \$295 million in false billing. Charges were filed in Baton Rouge, La.; Brooklyn, N.Y.; Chicago, Dallas, Detroit, Houston; Los Angeles and Miami. Eleven of the people charged were doctors, three were nurses and 10 were licensed health professionals. Over half the defendants - 46 - and \$160 million of the total in phony claims announced 7 SEP came from South Florida, still leading the nation in Medicare fraud. In Miami, investigators noticed a new twist in which people who already were receiving Medicare disability checks were recruited with promises they could live in a halfway house in South Florida - as long as they agreed to receive mental health services they did not need. Many were addicted to drugs or alcohol, and some were homeless, and Ferrer said they would be threatened with eviction if they did not participate in the fraud scheme. That particular scheme and other frauds, operated out of an entity called Biscayne Milieu, accounted for \$50 million of the fraudulent Medicare claims, prosecutors said. It provided no legitimate services. In Houston, two people were charged with fraud schemes involving \$62 million in false claims for home health care and medical equipment. One defendant allegedly sold beneficiary information to 100 Houston-area home health care agencies. The home agencies used the information to bill Medicare for services that were unnecessary or never provided. In Baton Rouge, La., a doctor, nurse and five other co-conspirators were charged with billing Medicare more than \$19 million for skilled nursing and other home health services that were not necessary or never provided.

- **Jackson MS** - A 15-count indictment says a shuttered clinic in south Mississippi gave cancer patients less chemotherapy or cheaper drugs than they were led to believe and reused the same needles on multiple people as part of a multimillion-dollar Medicare and Medicaid fraud. Three women, including Dr. Meera Sachdeva, the 50-year-old founder of Rose Cancer Center in Summit, were charged 8 SEP. The clinic had already been shut down by the state Health Department for “unsafe infection control practices.” The defendants “knew that the liquid solutions that were infused into the patients treated at Rose Cancer Center contained a smaller amount of the chemotherapy drugs than the defendants had billed to various health care benefit programs, or contained different, less expensive drugs,” the indictment says. The clinic also billed the agencies for new syringes for each patient, even though it reused some on multiple people, authorities said. Prosecutors say Medicaid and Medicare paid the clinic \$15.1 million during that time. Authorities have seized \$6 million. The others charged are employees, 24-year-old Brittany McCoskey of Monticello and 43-year-old Monica Weeks of Madison. Sachdeva faces up to 165 years in prison and more than \$3.2 million in fines if convicted.

[Source: Fraud News Daily 1-15 Sep 2011 ++]

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Medicad Fraud Update 47:

- **Dallas TX** - Joanna Jones Ellis Kemp, 68, and her husband, Peter A. Kemp, 67, appeared in federal court 2 SEP morning pleaded guilty to one count of conspiracy to commit false statements relating to health care matters. They each face a maximum statutory sentence of five years in prison and a \$250,000 fine. In addition, restitution could be ordered. Sentencing is set for December 21, 2011. According to documents filed in the case, Joanna Kemp, a licensed psychologist, and Peter Kemp were general partners and operators of New Horizons General Partnership. Joanna Kemp served as New Horizons’ Director and Qualified Mental Retardation Professional (QMRP) and Peter Kemp served as the Administrator. New Horizons consisted of three intermediate care facilities for persons with mental retardation or a related condition (ICF/MR) that were located on Redbird Lane in Granbury, Texas and on Kenshire Drive and Sunridge Drive in Benbrook, Texas. These residential facilities provided 24-hour supervision for disabled persons with mental retardation or a related condition, such as cerebral palsy. Joanna Kemp was also a contract employee for the Bureau of Prisons at the Federal Correctional Institution located in Seagoville, Texas (FCI-Seagoville).

Joanna and Peter Kemp admitted that from at least January 1999 through April 2010, they conspired to unlawfully enrich themselves by defrauding the Texas Medicaid program. As part of their scheme, Joanna Kemp, during her contract employment as the special education diagnostician at FCI-Seagoville, obtained the names and social security numbers of at least 12 inmates and other persons and used this stolen information to create “ghost” employees for New Horizons. They also created false time sheets for these ghost employees and their CPA unwittingly relied on these false representations to process the payroll, issue payroll checks and prepare cost reports for New Horizons. Joanna and Peter Kemp opened three bank accounts, which were never disclosed to the CPA, which they used to deposit the ghost employees’ pay checks after Joanna forged endorsement signatures. They then transferred the monies from the secret accounts to other bank and investment accounts they used for their own personal benefit. In addition, Joanna Kemp submitted to Medicaid false claims for ICF/MR services, for at least 10 residents, which were not rendered. In total, they fraudulently obtained \$1,820,359 from the Texas Medicaid program.

- **Johnston RI** - Bruce Fields, age 34, was sentenced 1 SEP to three years in state prison, followed by a five year period of probation. A hearing will be held on 28 SEP, to determine the amount of restitution owed by Fields. He pled guilty to defrauding the Massachusetts Medicaid Program of more than \$100,000 by claiming that he provided personal care attendant services to an associate while he was in fact incarcerated. On 16 MAR, Susanne Jordan, Fields' co-defendant in the case, age 59, also pled guilty to the charges of Medicaid False Claims and Larceny by False Pretenses. Jordan was sentenced to serve two years in the House of Correction, suspended for a five year probationary period. In 2008, the Attorney General's Office began an investigation after the matter was referred by the Office of the State Auditor's Bureau of Special Investigations (BSI). Susanne Jordan was approved to receive assistance under the MassHealth Personal Care Attendant (PCA) program, which is a benefit MassHealth provides to its members with chronic or long-term disabilities. In 1999, Jordan employed Fields as her personal care attendant. During the time period of DEC 04 and SEP 08 Jordan and Fields submitted fraudulent timesheets to the Massachusetts PCA program, certifying that Fields provided PCA services to Jordan. The two were required to sign forms which indicated that the information contained within was true and accurate to the best of their abilities. During this period, however, records confirmed that Fields was incarcerated at various institutions in Massachusetts and Rhode Island, and therefore unable to have performed the services. Despite Fields' incarceration, Jordan, with Fields' knowledge and consent, continued to submit timesheets on a bi-weekly basis. As a result of these fraudulent statements, MassHealth made reimbursements for the claimed PCA services. The PCA funds were deposited in a joint bank account that Fields shared with Jordan. Jordan also made frequent visits to Fields while he was incarcerated and deposited money into his canteen account.

- **Wilkes-Barre PA** - Podiatrist Paul Chromey was sentenced 2 SEP to one year in prison for illegally billing Medicare while he was barred from participating in federal health care benefit programs. In addition to serving a period of one-year probation upon his release from prison, Chromey, 56, of Plains Township, was ordered by U.S. Magistrate Judge Malachy Mannion to pay Medicare \$764,758 in restitution. Chromey pleaded guilty to health care fraud earlier this year, admitting he billed the program for diabetic shoe inserts and other items through his business Northeast Podiatric Center between JAN 06 and JUL 09. During that time he was in the midst of a 10-year ban on participating in the benefit programs for a 1999 fraud case in which he billed Medicare \$89,260 for services that were not performed. Back then he was business manager for a podiatrist with offices in Old Forge and Exeter. He pleaded guilty to mail fraud and was sentenced to three years' probation and ordered to pay restitution.

- **Jackson MS** - A Judge found in favor of the State of Mississippi in its Medicaid Fraud suit against pharmaceutical company Sandoz, Inc., and awarded a total verdict of \$38,191, 427.00. The case involves allegations that Sandoz caused to be published inflated "Wholesale Prices" (AWPs) for the drugs manufactured by Sandoz, which resulted in the Mississippi Division of Medicaid (DOM) reimbursing pharmacies at an inflated prices in violation of the Mississippi Consumer Protection Act, the Mississippi Medicaid Fraud Control act, and common law fraud. The case was heard in the Chancery Court of Rankin County, Mississippi. The Court ruled in favor of the State of Mississippi on the Consumer Protection Act and common law fraud. It awarded Mississippi \$23,661,618 in compensatory damages; it awarded Mississippi \$11,830,809 in punitive damages; and it awarded \$2,699,000 in civil penalties (for 2,699 quarterly reports, at \$1,000.00 each), for a verdict total of \$38,191,427.00. In addition, the court entered an injunction on Sandoz using false AWPs when reporting prices to Mississippi. Mississippi is pursuing legal action against 54 pharmaceutical companies accused of defrauding the state's Division of Medicaid with inflated

AWPs. The Sandoz case was the first in the State's litigation to go to trial. To date, Mississippi has settled with eight other pharmaceutical companies for a net of \$38,709,700.

- **Indiana** - The State of Indiana has intervened in a whistleblower lawsuit against Par Pharmaceutical that alleges the drug manufacturer engaged in a scheme to wrongly switch its generic drugs for those prescribed so it could collect larger Medicaid reimbursements than it was due. Indiana alleges Par Pharmaceutical Companies Inc. was overpaid more than \$2 million in reimbursements for its generics through the illegal scheme with certain pharmacies. The lawsuit, originally filed five years ago by a private plaintiff, by an Illinois pharmacist who became a whistleblower and exposed the illegal conduct Par Pharmaceutical Companies Inc. markets generic versions of some of the most widely prescribed drugs in the United States, including the generic versions of:
 - The antidepressant Prozac, called fluoxetine
 - The antacid Zantac, called ranitidine
 - The anti-anxiety medication buspar, called buspirone.

Pharmacists are allowed to substitute a generic drug for a therapeutically equivalent brand-name drug if the generic is less expensive and has the same dosage form and strength. The U.S. Food and Drug Administration (FDA) has determined that drugs with different dosage forms and strengths - even if they include the identical active ingredient - are not therapeutically equivalent and not interchangeable, the complaint said. The difference between the Medicaid reimbursement Par Pharmaceutical received for the dispensing of three of its generic drugs in Indiana and what it should have received was an overpayment of \$2,010,157.49, the investigation found. Indiana's portion of the lawsuit seeks civil penalties of at least \$5,000 for each false claim submitted, treble damages, attorneys' fees, litigation costs and interest.

- **Buffalo NY** - An Orleans County pediatrician has been sentenced in connection with misuse of free vaccines intended for Medicaid patients. Ghulam Mustafa pleaded guilty in March to grand larceny after receiving free vaccines intended for Medicaid patients. He used the vaccines for non-Medicaid patients and billed their private insurers. Mustafa will serve five years of probation, 200 hours of community service and was ordered to pay \$260,877 in restitution, including \$81,544 to insurers and \$179,333 to Medicaid.

[Source: Fraud News Daily 1-15 Sep 2011 ++]

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State Veteran's Benefits: The state of New York provides several benefits to veterans as indicated below. To obtain information on these refer to the “**Veteran State Benefits NY**” 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/content/veteran-state-benefits/new-york-state-veterans-benefits.html> Sep 2011 ++]

Military History: During the American involvement in World War I, there were various battles that caught the American public's attention, but none were like the one like the story of the "Lost Battalion". This battalion consisted of about five hundred men of the 308th Infantry of the 77th Division along with attachments from other units. This mission was to capture the Charlevaux Ravine in the Argonne Forest during the Meuse-Argonne offensive in October 1918. The offensive through the Argonne Forest would be a tough battle for the Americans since the Germans had dug themselves in over the last four years. Also the rough terrain would add to the difficulty in any attack in the Argonne. In theory, if the AEF broke through here, they could punch a hole all the way past the main lateral rail line the German Army needed to keep the front supplied. A major break through here would then be catastrophic for the Germans. To read the outcome of this mission and the tribulations the men of the 308th had to endure over five days of continuous fighting refer to this Bulletin's "**The Lost Battalion**" attachment. [Source: MilitaryHistoryOnline.com Kevin Mulberger article 22 May 09 ++]

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

- Sep 16 1942 - WWII: The Japanese base at Kiska in the Aleutian Islands is raided by American bombers
- Sep 16 1950 - Korea: The U.S. 8th Army breaks out of the Pusan Perimeter in South Korea and begins heading north to meet MacArthur's troops heading south from Inchon.
- Sep 16 1972 - Vietnam: South Vietnamese troops recapture Quang Tri province in South Vietnam from the North Vietnamese Army.
- Sep 16 1967 - Vietnam: Siege of Con Thien Began.
- Sep 17 1778 - The Treaty of Fort Pitt is signed. It is the first formal treaty between the United States and a Native American tribe (the Lenape or Delaware Indians).
- Sep 17 1862 - Civil War: The Battle of Antietam, the bloodiest day in U.S. history, commences. Fighting in the corn field, Bloody Lane and Burnside's Bridge rages all day as the Union and Confederate armies suffer a combined 26,293 casualties
- Sep 17 1862 - Civil War: The Allegheny Arsenal explosion results in the single largest civilian disaster during the war.
- Sep 17 1900 - Philippine-American War: Filipinos under Juan Cailles defeat Americans under Colonel Benjamin F. Cheatham at Mabitac, Laguna.
- Sep 17 1902 - Latin America Interventions: U.S. troops are sent to Panama to keep train lines open over the isthmus as Panamanian nationals struggle for independence from Colombia.
- Sep 17 1944 - WWII: Allied Airborne troops parachute into the Netherlands as the "Market" half of Operation Market Garden.
- Sep 18 1947 - The United States Air Force becomes an independent service.
- Sep 18 1964 - Vietnam: North Vietnamese Army begins infiltration of South Vietnam.
- Sep 18 1964 - Vietnam: U.S. destroyers' fire on hostile targets.
- Sep 19 1777 - American Revolution: : First Battle of Saratoga/Battle of Freeman's Farm/Battle of Bemis Heights.
- Sep 19 1862 - Civil War: Battle of Iuka - Union troops under General William Rosecrans defeat a Confederate force the most significant Union defeat in the Western Theater of the American Civil War.
- Sep 19 1918 - WWI: American troops of the Allied North Russia Expeditionary Force receive their baptism of fire near the town of Seltso against Soviet forces.
- Sep 19 1994 - Latin America Interventions: Operation Uphold Democracy began (Haiti).

- Sep 20 1863 - Civil War: The 2 day Battle of Chickamauga ends in the most significant Union defeat in the Western Theater of the War.
- Sep 20 1965 - Vietnam: Seven U.S. planes are downed in one day.
- Sep 21 1780 - American Revolution: Benedict Arnold gives the British the plans to West Point.
- Sep 21 1944 - WWII: U.S. troops of the 7th Army, invading Southern France, cross the Meuse River.
- Sep 21 1961 - Maiden flight of the CH-47 Chinook transportation helicopter.
- Sep 22 1776 - American Revolution: American Captain Nathan Hale is hanged as a spy by the British in New York City; his last words are reputed to have been, "I only regret that I have but one life to give for my country."
- Sep 22 2006 - The F-14 Tomcat is retired from the United States Navy.
- Sep 23 1779 - American Revolution: The American navy under John Paul Jones, commanding from Bonhomme Richard, defeats and captures the British man-of-war Serapis.
- Sep 23 1780 - American Revolution: British Major John André is arrested as a spy by American soldiers exposing Benedict Arnold's change of sides.
- Sep 23 1945 - The first American dies in Vietnam during the fall of Saigon to French forces.
- Sep 24 1780 - American Revolution: Benedict Arnold flees to British Army lines after his plot to surrender West Point is exposed by the arrest of British Major John André.
- Sep 25 1915 - WWI: An allied offensive is launched in France against the German Army.
- Sep 25 1929 - Jimmy Doolittle performs the first blind flight from Mitchel Field proving that full Instrument Flying from take off to landing is possible.
- Sep 25 1944 - WWII: Surviving elements of the British 1st Airborne Division withdraw from Arnhem in the Netherlands, thus ending the Battle of Arnhem and Operation Market Garden.
- Sep 26 1777 - American Revolution: The British army launches a major offensive, capturing Philadelphia.
- Sep 26 1950 - Korea: General Douglas MacArthur's American X Corps, fresh from the Inchon landing, links up with the U.S. Eighth Army after its breakout from the Pusan Perimeter.
- Sep 27 1950 - Korea: U.S. Army and Marine troops liberate Seoul, South Korea.
- Sep 28 1906 - Latin America Interventions: U.S. troops reoccupy Cuba, stay until 1909
- Sep 29 1789 - Congress votes to create a U.S. army.
- Sep 29 1864 - Civil War: Union troops capture the Confederate Fort Harrison, outside Petersburg VA.
- Sep 29 1899 - Veterans of Foreign Wars (VFW) was established.
- Sep 30 1949 - Cold War: The Berlin Airlift is officially halted after 277,264 flights.
- Sep 30 1950 - Korea: U.N. forces cross the 38th parallel as they pursue the retreating North Korean Army.

[Source: Various Sep 2011 ++]

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Military Trivia Update 35: See if you can answer the following related to the Manhattan Project and the eventual use of the atomic weapons dropped on Japan:

- (1) General Leslie Groves was chosen to be the military leader of the Manhattan Project. What major project had he overseen for the Army just prior to this appointment? The construction of the Pentagon ↔ The construction of the airfields in Honolulu ↔ The development of the Sherman tank ↔ The development of the B-17 Bomber

- (2) The first two atomic weapons utilized different elemental isotopes to create explosive fission. Which isotope of Uranium was used? U-238 ↔ U-235 ↔ U-234 ↔ U-233
- (3) Natural uranium ore is composed mostly of two isotopes. What percentage of the isotope needed for an atomic weapon is found in uranium ore? 0.71% ↔ 6.03% ↔ 14.26% ↔ 3.73%
- (4) Special plants were built to separate and concentrate the required uranium isotope from the natural ore. Where were these plants built? Hanford, WA ↔ Oak Ridge, TN ↔ Los Alamos, NM ↔ Wendover, UT
- (5) The 509th Composite Group was an air combat group created to deliver the atomic bombs over mainland Japan. Who was the commanding colonel of the 509th? Charles Schultz ↔ Charles Sweeney ↔ Paul Tibbets ↔ James Hopkins
- (6) The very first of the atomic weapons was detonated in the New Mexico Desert. What was the date of this test of the weapon? July 16, 1945 ↔ July 5, 1945 ↔ June 24, 1945 ↔ August 1, 1945
- (7) What was the name given to the first atomic weapon tested in New Mexico? Jumbo ↔ Thin Man ↔ Little Boy ↔ The Gadget
- (8) Hiroshima was the target of the first bomb used against Japan, which was dropped by the Enola Gay. Nagasaki was the target of the second weapon used. Which plane dropped the Nagasaki bomb? Bocks Car ↔ The Big Stink ↔ The Great Artiste ↔ Necessary Evil
- (9) Nagasaki was not the first choice of targets on the day the atomic bomb was used on it. Which city was the first choice, but spared due to local weather conditions? Kyoto ↔ Yahata ↔ Kokura ↔ Niigata
- (10) Where was the base used by the 509th Group to launch the planes that dropped the bombs over Japan? Kwajalein ↔ Okinawa ↔ Tinian ↔ Midway

Answers

- 1) The construction of the Pentagon. He was a Colonel when the Pentagon was built and was promoted to General before taking on the Manhattan Project.
- 2) U-235. U-235 is a fissile isotope, meaning it is capable of spontaneous supercritical interaction if enough mass is brought together in the right geometrical configuration.
- 3) 0.71%
- 4) Oak Ridge, TN. The two plants for U-235 production were the K-25 and Y-12 plants. The Oak Ridge National Laboratory (ORNL), formerly known as X-10, is also in Oak Ridge. Hanford was the site of the plant for plutonium production.
- 5) Paul Tibbets. Sweeney and Hopkins were also members of the 509th. Charles Schultz (creator of the "Peanuts" comics) served in the European theater in the 20th Armored Division from 1943 to 1945.
- 6) July 16, 1945. The first atomic bomb detonated was of the same type as 'Fat Man' used over Nagasaki (using plutonium). The 'Little Boy' bomb (using uranium) was thought to be of a more reliable design, so they didn't bother testing it before using it over Hiroshima.
- 7) The Gadget. Jumbo was a large steel vessel meant to contain the first explosion, but it wasn't used. Little Boy was the name given to the bomb dropped over Hiroshima. There was no "Thin Man".
- 8) Bocks Car. All of these planes were part of the 509th Group, but only Enola Gay and Bocks Car actually carried live bombs to their targets.
- 9) Kokura. It had been the second choice of targets when the Hiroshima bomb was dropped three days earlier.
- 10) Tinian. The planes launched from Tinian's North Field on their 13 to 14 hour round trips.

[Source: http://www.funtrivia.com/quizzes/history/war_history.html Sep 2011 ++]

Tax Burden for Georgia 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 Georgia as of 13 JAN 2011:

Sales Taxes

State Sales Tax: 4% (food, prescription drugs exempt), local taxes may add an additional 3%.

Gasoline Tax: 20.9 cents/gallon

Diesel Fuel Tax: 20.6 cents/gallon

Cigarette Tax: 37 cents/pack of 20

Personal Income Taxes

Tax Rate Range: Low - 1.0%; High - 6%

Income Brackets: Six. Lowest - \$750; Highest - \$7,000

Personal Exemptions: Single - \$2,700; Married - \$5,400; Dependents - \$3,000

Standard Deduction: Single - \$2,300; Married filing joint return - \$3,000; Taxpayer over 65 - \$1,300 additional.

Medical/Dental Deduction: Same as Federal taxes

Federal Income Tax Deduction: None

Retirement Income Taxes: Social Security is exempt. Taxpayers who are 62 years of age or older, or permanently and totally disabled regardless of age, may be eligible for a retirement income adjustment on their Georgia tax return. Retirement income includes income from pensions and annuities, interest income, dividend income, net income from rental property, capital gains income, and income from royalties. For married couples filing joint returns with both members receiving retirement income, the maximum adjustment for the applicable year may be up to twice the individual exclusion amount. Retirement income exceeding the maximum adjustable amount will be taxed at the normal rate. The retirement income exclusion for the tax year is \$40,000. For more income tax information, refer to

https://etax.dor.ga.gov/IndTax_TSD.aspx.

Retired Military Pay: Same as above.

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

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

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

Property Taxes

A homeowner may pay a combination of county, city, school or state taxes depending on location. Property tax relief measures are included in the state's comprehensive property tax credit law that can be viewed on their web site. Homeowners 62 and older who earn \$10,000 or less, will find that up to \$10,000 of their property's assessed value is exempt from school taxes. Persons 62 or older whose family income does not exceed \$30,000 may qualify for an exemption from state and county property taxes equal to the amount by which the assessed value of the homestead exceeds the assessed value for the preceding tax

year. For those 65 and older who earn \$10,000 or less, \$4,000 of their property's value is exempt from state and county taxes as well. Call 404-968-0778 for details. To view additional information about property taxes, refer to https://etax.dor.ga.gov/IndTax_PropTax.aspx.

The state offers homestead exemptions to persons that own and occupy their home as a primary residence. Many counties offer homestead exemptions that are more beneficial to the taxpayer than the exemptions offered by the state. Homestead exemptions are filed with the county tax commissioner or the county tax assessor's office. The homestead exemption is deducted from the assessed value (40% of the fair market value) of the home. Then the millage rate is applied to arrive at the amount of ad valorem tax due. Individuals age 65 and older get additional deductions. For more information on homestead exemptions refer to <https://etax.dor.ga.gov/ptd/adm/taxguide/exempt/homestead.aspx>.

Inheritance and Estate Taxes

There is no inheritance tax or gift tax and only a limited estate tax which is an amount equal to the amount allowable as a credit for state death taxes under Section 2011 of the Internal Revenue Code. In effect, the estate taxes paid to Georgia may be used to reduce the estate taxes due the IRS. For details on the estate tax refer to <https://etax.dor.ga.gov/inctax/estatetax/index.aspx>.

For further information, visit the Georgia Department of Revenue site <https://etax.dor.ga.gov>. [Source: www.retirementliving.com Sep 2011 ++]

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Veteran Legislation Status 12 SEP 2011: Both chambers of Congress have returned from recess. For a listing of Congressional bills of interest to the veteran community introduced in the 112th 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 for dates that you can access your legislators on their home turf.

Have You Heard? Signals

The new ensign was standing his first night watch on the bridge of a destroyer. Far out on the horizon, the USS New Jersey was conducting a night gunnery exercise.

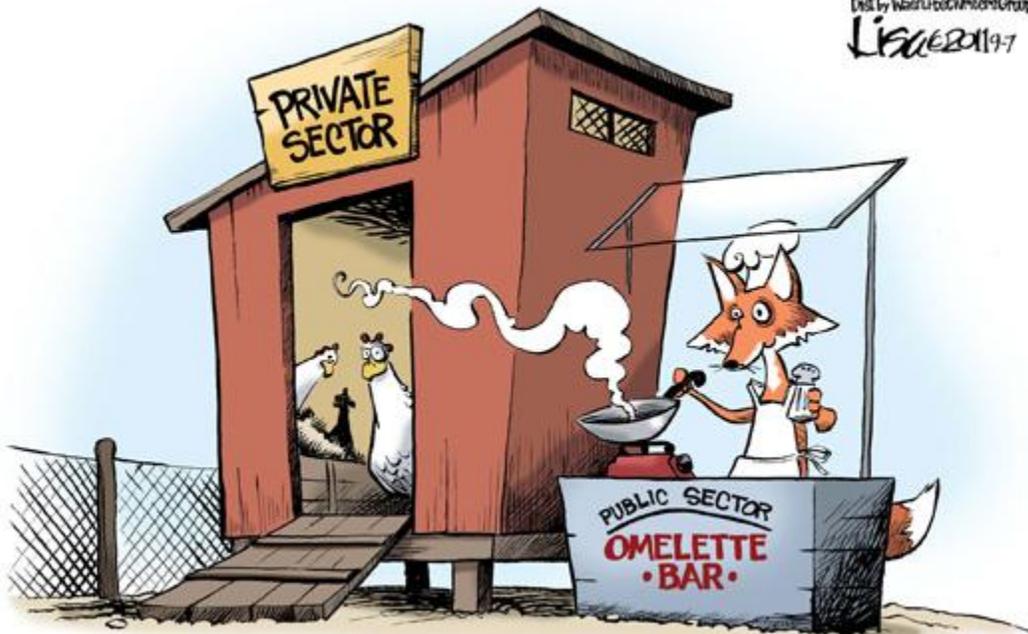
The ensign, seeing the flashes of light from the battleship, ran excitedly up to the signal bridge and pointed out the "Morse code" coming from the other ship.

Ensign: "What are they saying? What are they saying?"

Signalman: "Boom. Boom."

"The Strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

-- Thomas Jefferson



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