

RAO BULLETIN

1 November 2011

PDF Edition

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Attachment - Veteran Legislation as of 28 OCT 2011

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RAO Bulletin Websites Update 01: I have received numerous calls/emails from subscribers who have attempted to go to the website http://post_119_gulfport_ms.tripod.com/rao1.html to read/download the Bulletin. When they did they found the latest Bulletin posted was the 15 AUG edition. Be advised that the webmaster of this site has been infected with a virus and lost all ability to receive and send that the emails and thus cannot post the Bulletin. It is unknown how long this situation will exist. Compounding the problem is the site webmaster's antiquated equipage and Post 119's present financial difficulties as the result of losing their post home to hurricane Katrina. Those using this website to receive their Bulletin should, in the interim, go to <http://s11.zetaboards.com/CFLNewsChat/forum/27519/> under Pined topics to read/download their Bulletin. There you can open a PDF attachment of the latest Bulletin which contains everything you would normally receive in the PDF email edition I send out. For an updated list of articles posted in the last 5 years send me an email request and I will forward it to as an attachment.

Note that Bulletins are sent on the 1st and 15th of each month and I have not missed publishing on those dates in 12 years . So, if you do not receive one there is most likely some type of problem on your end resulting from your computer setup or your server's spam filters. You can always tell if you missed a Bulletin by going to <http://s11.zetaboards.com/CFLNewsChat/forum/27519/> on the 2nd & 16th of every month. However, this site will not contain past Bulletins nor the index of articles available for recall. Under normal circumstances the site http://post_119_gulfport_ms.tripod.com/rao1.html would contain Website Editions of all Bulletins sent in the last calendar year and an alphabetical listing by title of all articles published in the last 5 years which are available for recall upon request.. The Website Edition is an abbreviated version of the Bulletin in text format. In it articles sourced from MilitaryTimes, due to their copyright restrictions, appear as abbreviated headers with websites to download the full article. The text format does not contain pictures/graphs/color coding/attachments other than the Legislative Updates. [Source: Editor/Publisher5 RAO Bulletin 30 Oct 2011 ++]

Arlington National Cemetery Update 30: A memorial to 14 Jewish chaplains who died during active military service was dedicated 24 OCT at Arlington National Cemetery, joining memorials to Protestant and Roman Catholic chaplains that had been in place for decades. The dedication service at the cemetery corrects an oversight that had more or less gone unnoticed until a few years ago, according to those who sponsored the memorial. "We have long awaited this day where we can recognize the crucial work and bravery of Jewish chaplains who have died in service to our country," said Jerry Silverman, president of The Jewish Federations of North America, one of the agencies that took the lead in organizing and sponsoring the privately funded memorial. Before Monday's dedication, three plaques stood on the cemetery's "Chaplain Hill." The first was dedicated in 1926 to all chaplains who died in World War I. A second memorial was built in 1981 to honor 134 Protestant chaplains who died in World Wars I and II. And a third was built in 1989 to memorialize 83 Catholic chaplains who died in World War II, Korea and Vietnam. The Jewish memorial lists the names of 14 Jewish chaplains who died while on active duty between 1943 and 1974.

Among those who attended the dedication was Alex Fried, 41, of Glen Rock., N.J., grandson of Alexander D. Goode, an Army lieutenant. Goode was one of four chaplains who died aboard the transport ship Dorchester, which was sunk by a German torpedo off the coast of Greenland. Goode was one of the famed "Four Chaplains" aboard the Dorchester, all of whom gave up their own life jackets to other Soldiers on the ship. The last anyone saw of the four, they were standing on the ship's deck, arms locked and praying together. Fried has been promoting the legacy of the Four Chaplains as an example of interfaith cooperation and goodwill. Monday's dedication marked the first time he

was able to meet the families of the other Jewish chaplains who died in service of their country. "You share that sense of pride, but also of loss," Fried said. "There's always that sense of, 'What would our lives have been like if they were in them?'" According to the cemetery, this year marks the 150th anniversary of service by rabbis in the U.S. Armed Forces. [Source: Baltimore Jewish Times 29 Oct 2011 ++]

Military Same Sex Marriage: A group of married gay current and former military personnel sued the U.S. government on 27 OCT, seeking equal recognition, benefits and the same support as married heterosexual couples who serve in the military. The lawsuit filed in U.S. District Court in Boston says the government's Defense of Marriage Act violates their constitutional rights and asks the military to recognize their legal marriages. "This case is about one thing, plain and simple," said Aubrey Sarvis, executive director of the Servicemembers Legal Defense Network, which filed the suit. "It's about justice for gay and lesbian service members and their families in our armed forces rendering the same military service, making the same sacrifices, and taking the same risks to keep our nation secure at home and abroad." The lawsuit names as defendants Secretary of Defense Leon Panetta, U.S. Attorney General Eric Holder and Secretary of Veterans Affairs Eric K. Shinseki.

Under current law, the Pentagon is required to ignore same-sex marriages. The Pentagon will evaluate the complaint and consult with the Justice Department, while at the same time continuing to follow the law, a spokesman said in a statement. The spokesman, Capt. John Kirby, pointed out that service members can already designate some benefits to people of their choosing regardless of sexual orientation, but other benefits are restricted by law. "In connection with 'Don't Ask, Don't Tell' repeal, the Defense Department is engaged in a careful and deliberate review of the possibility of extending eligibility for benefits, when legally permitted, to other individuals including same-sex partners," the statement said. The lead plaintiff in the case is Maj. Shannon McLaughlin, a judge advocate general in the Massachusetts National Guard. Another plaintiff is Chief Warrant Officer Charlie Morgan of the New Hampshire National Guard. Current policies cause "undue financial and emotional hardship," she said. Morgan said she has cancer and is worried that her spouse and their daughter would be unable to receive survivor's benefits. "We are only asking for equitable treatment as a recognized family," she said. [Source: Associated Press article 27 Oct 2011 ++]

VA Health Care Access Update 02: Some local veterans swear they wouldn't be alive today if it weren't for the health care they receive from the U.S. Department of Veterans Affairs. Others say dealing with the VA is like walking through molasses. You may someday reach your destination -- if you live that long. Rep. Kevin McCarthy (R-CA-22), has been dealing with complaints about the VA from constituents for years. So this week, he and a bipartisan group of congressional colleagues are demanding an independent investigation to find out once and for all what's ailing the VA and what can be done to cure it. "I'm tired of putting a Band-Aid on it," McCarthy said 26 OCT. To that end, he and more than two dozen members of both parties, including Rep. Jim Costa, D-Fresno, signed a letter asking the U.S. Government Accountability Office to begin an inquiry into why veterans commonly experience long delays in the processing of their benefits.

Many also experience difficulty in scheduling and attending medical appointments in the VA's Greater Los Angeles Healthcare System, of which Bakersfield is a part. According to the VA's own numbers, disability claims take an average of 236 days to process. That's simply unacceptable, McCarthy said. "This is a structural problem. This is not just someone slipping through the cracks," he said. And the problems are not new. Chuck Bikakis, director of Kern County Veterans Service, said in his 14 years of assisting veterans in Kern County, it has always been thus. One of the central problems boils down to one simple fact: The VA is being asked to serve more veterans

with fewer dollars. He's seen the same trend locally. "Rather than call on the GAO to ask the VA what the problem is, just ask the VA. They'll be happy to tell you," Bikakis said. In the early 1970s, about 7,000 employees in the VA's greater Los Angeles system were caring for about 50,000 veterans. Today, according to VA statistics, about 5,000 employees are caring for more than 82,000 veterans. It's a mathematical calculation that leaves many veterans waiting for months to get critical questions answered.

Mike Cortez, 63, an Army veteran who saw combat in Vietnam in 1967 and 1968, says the VA is just another arm of the octopus. "Since the day I first put on a uniform, it's always has been, 'Hurry up and wait,'" he said. "From right off the get. "You learn right away you're going to wait in line," he said. "It may take awhile, but you can't step out or you'll lose your place." Cortez said he lied to himself for more than 35 years about his Post Traumatic Stress Disorder, an illness that would send him flashing back to Vietnam in a split-second. It could be triggered by something as simple as an exploding firecracker on the 4th of July. He's not sure a GAO study will make a lasting difference, but he's happy to know someone cares enough to try. "I'm glad someone out there is screaming and yelling about these long waits at the VA," he said of the efforts by members of Congress.

Pat Pacana, wife of Vietnam veteran Frank Pacana, said the VA certainly has room for improvement, especially in the area of claims processing. But she and her 73-year-old husband are generally pleased with the service they receive from the VA. "I'm one of the happy ones," said Mrs. Pacana. Besides suffering from PTSD, Frank has undergone quadruple heart bypass surgery and suffers from diabetes and glaucoma. "Without the VA, we'd probably be homeless right now," Mrs. Pacana said. The VA covers the full cost of Frank's meds. They have little trouble getting appointments with a doctor and the service is excellent, she said. "They call you about two weeks before your appointment," she said. "They send you a notice and they call you the day before. "We just thank God we have that coverage."

Larry Fillipo, a spokesman for VA's Veteran Benefits Administration in Los Angeles, said they have received and reviewed the congressional letter, but until the GAO takes action, he said he cannot comment on it. In the meantime, he said, the Veteran Benefits Administration is already headed for a significant "transformation." In 2012, all records will be changed to an electronic format, he said. Whether the new technology will streamline the processing of claims remains to be seen. [Source: Californian Steven Mayer article 26 Oct 2011 ++]

Congress Unresolved Issues: Unemployment and the economy are still a problem, the national debt continues to grow, and so does the number of major, unsolved issues on Congress' plate. The Military Officers Association of America (MOAA) is confident America will rebound from these challenges in the long term, but in honor of Halloween they took a look at three scare-worthy issues:

1. Medicare/TRICARE Payment Cuts: It's back. The flawed statutory formula which determines Medicare and TRICARE payments to doctors is scheduled to cut payments to physicians by almost 30% on January 1 unless Congress intervenes. Allowing these cuts to go into effect would be devastating to access to health care for millions of Americans including much of the military community. No one in Congress wants to see that happen, but they keep squabbling over how to pay for a fix. The longer they wait the more difficult it gets to fund even short-term fixes, and we'll likely be in for more brinksmanship in the coming months if Congress keeps delaying the cuts one or two months at a time. Send your legislators a MOAA-suggested message available at <http://capwiz.com/moaa/issues/alert/?alertid=35633526> asking them to act now to pass a fix.

2. The Super Committee and Sequestration: The Joint Select Committee on Deficit Reduction (Super Committee) has until November 23 to propose a way to trim the national debt by \$1.2 trillion, and Congress has

until December 23 to vote on that proposal. If the committee fails to agree on a proposal, or if Congress rejects it, an automatic trigger mechanism called sequestration will cut spending across the board. Defense spending will be hit particularly hard – accounting for 50% of the cuts. This \$600 billion in defense cuts would come on top of the \$350 billion in cuts already agreed upon earlier this year. Defense leaders are on the record as saying that this level of cuts would be catastrophic and could "hollow out" our military.

3. No Defense Bill: With the legislative calendar winding down and major unresolved issues piling up in Congress, some again worry whether this may be the first year in decades that Congress fails to pass a defense authorization bill. Should that happen, it would be a major setback to a number of programs and a disruption to important retention bonuses. The House has passed its version of the bill, but the Senate still hasn't set aside a specific time to consider this crucial piece of wartime legislation.

[Source: MOAA Leg Up 28 Oct 2011 ++]

Medicare Premiums 2012: On 27 OCT Medicare officials announced the new Part B premium rates for 2012 – and they were significantly lower across the board than most people had expected. And for the first time in memory, large numbers of seniors will actually see their premiums drop significantly. Most beneficiaries with incomes under \$85,000 (or \$170,000 for couples) will see a small increase in monthly premiums from \$96.40 to \$99.90 – an increase of 3.6%. But for some in that category (specifically, those who first became eligible for Medicare in 2010 and 2011) the \$99.90 rate will be less than what they paid in 2011. Similarly, beneficiaries with incomes above \$85,000 (\$170,000 for married couples) will see their premiums drop by \$20-\$50 per month.

Why the declines? Because these two groups (new eligibles and upper-income beneficiaries) were hit with extra premium hikes for the past two years. That happened because the law generally bars any drop in Social Security benefits when there's no COLA. That means most people had their Part B premiums frozen for the last two years. But new eligibles and upper-income people were exempt from the freeze, so they absorbed not only their share of the 2010 and 2011 hikes, but also had to cover the share of all of the "frozen" beneficiaries. Now that the premiums for those 75% of beneficiaries who were held harmless are able to rise, Medicare was able to lift the extra premium burden previously imposed on the unprotected 25%. The bottom line: almost every Medicare-eligible will be paying lower premiums in 2012 than had been predicted, and a significant number will be paying much less. The following chart shows the 2012 premium rates.

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2012 Medicare Part B Monthly Premiums:

Individual Income	2011 Premiums	2012 Premiums	Change	Gov't Subsidy
Under \$85K	\$96.40	\$99.90	+\$3.50	75%
\$85+K - \$107K	\$161.50	\$139.90	-\$21.60	65%
\$107+K - \$160K	\$230.70	\$199.80	-\$30.90	50%
\$160+K - \$214K	\$299.90	\$259.70	-\$40.20	35%
Above \$214K	\$369.10	\$319.70	-\$49.40	20%

And one more piece of good news – Medicare also reported that the annual Part B deductible will drop to \$140 for all beneficiaries in 2012 – a \$22 drop from the 2011 deductible. [Source: MOAA Leg Up 28 Oct 2011 ++]

Mobilized Reserve 25 OCT 2011: The Department of Defense announced the current number of reservists on active duty as of 25 OCT 2011. The net collective result is 1087 more reservists mobilized than last reported in the 15 OCT 2011 RAO Bulletin. At any given time, services may activate some units and individuals while deactivating others, making it possible for these figures to either increase or decrease. The total number currently on active duty from the Army National Guard and Army Reserve is 70,518; Navy Reserve 4634; Air National Guard and Air Force Reserve, 10,748; Marine Corps Reserve, 4,634; and the Coast Guard Reserve, 780. This brings the total National Guard and Reserve personnel who have been activated to 92,398 including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found at <http://www.defense.gov/news/d20111025ngr.pdf>. Reservists deactivated since 9/11 total 737,468. [Source: DoD News Release No. 917-11 dtd 27 Oct 2011 ++]

Military Retirement System Update 10: The House Armed Services Personnel Subcommittee held a hearing on 25 OCT to take a look at the issue of military retirement reform. Chairman Joe Wilson (R-SC) scheduled the hearing to question the wisdom of proposals that would change the system to a civilian-style 401(k)-type program. The Pentagon's principal spokesperson, Dr. Jo Ann Rooney, Principal Deputy Under Secretary of Defense for Personnel and Readiness, opened her testimony noting "The primary goals of the military compensation system are to attract, retain and eventually separate members so the United States forces can support the numerous missions both here and abroad, and when called upon, succeed on the battlefield. Even though some consider military benefits far-reaching, we must remain cognizant that they support the men and women who volunteer to defend this great nation." As Dr. Rooney correctly pointed out, unlike the civilian sector, the military services must grow most of its workforce from within and it can take 15 to 20 years to properly prepare the next generation of military leaders. It is important that the benefits and services provided to service members foster their long-term commitment to serve this nation in uniform.

Dr. Rooney said the department does believe that a review of the military retirement system is both a fair and reasonable endeavor and that over the past year DoD has been reviewing the current system. In her words, the ongoing review is "deliberate, careful, and pragmatic" and involves officer, enlisted and civilian leadership from each of the Armed Forces and all three components (active duty, Guard and Reserve). She also indicated that the unpopular Defense Business Board proposal was one of many concepts being reviewed modeled to determine its impact on recruiting and retention. "The Department is working to strike the correct balance" said Rooney. "This includes weighing the impact on recruiting and retention, considering the welfare of individual service members and their families which includes grandfathering current serving members who took their oath under the current system, and acknowledging our responsibility to the American taxpayer." She emphasized that the department must ensure that any proposed changes do not break faith with currently serving members or negatively impact recruitment and retention efforts; and concluded by telling panel members that the current military retirement system is "neither unaffordable nor spiraling out of control, as some would contend."

A second DoD witness, Ms. Virginia Penrod, Deputy Assistant Secretary of Defense for Military Personnel Policy, shored up the observations of Dr. Rooney, noting the current system has supported the most successful all-volunteer service in the world. The Military Coalition was invited to testify as well and the written testimony outlines the history of the military compensation system, refutes arguments put forth by various "experts" and news

media to change the present benefits package, and most important, draws attention to past lessons like REDUX. That mandatory retirement system, enacted on August 1, 1986, reduced the value of 20-year retired pay value by approximately 25 percent for members who entered the service on or after that date. At the time, Secretary of Defense Casper Weinberger warned lawmakers that the lower retired pay REDUX offered compared to the sacrifices inherent in a military career would eventually undermine retention. He was right. Retention flagged, morale dropped, and in 1999, Congress was forced to repeal the compulsory function of REDUX. It's interesting to note that REDUX was the end result of a "budget-driven" exercise in the face of dwindling defense budgets. Then, much like now, there seemed to be no shortage of experts claiming the military retirement was too costly, too expensive or a drain on the department.

The most powerful argument offered for the current uniformed services retirement system is that it has worked – and worked extraordinarily well at sustaining career retention through the extraordinary variety of conditions the nation and our military have encountered over the last 60 years. Through multiple wars and budget-driven force build-ups and draw-downs, it has proven highly effective in accomplishing its intended purpose. The hard reality is that the extraordinarily arduous service conditions it was intended to offset have not changed. If anything, service conditions have been worse in recent years than at any time since the current system was created. Military service members deserve a compensation package commensurate with the high level of service and sacrifice they provide each and every day. And nothing in the civilian sector can compare to that same level of commitment. Instead of looking at what we should cut, our service members and this nation would be better served if Congress begins this discussion by talking about what this nation owes those who give 20 or more of the best years of their lives in service to our country. In response to concerns, Secretary of Defense Leon E. Panetta issued a public announcement of his support for grandfathering the benefits to be provided to currently serving service members. Unfortunately, Panetta has not disavowed entirely the Defense Business Board and related proposal. The hour and 16 minute hearing was taped and is now available online at <http://www.youtube.com/watch?v=yPhnp6X-IgU>. [Source: AFSA On Call 28 Oct 2011 ++]

Tricare Catastrophic Cap Update 04: The catastrophic cap is the maximum out-of-pocket amount TRICARE beneficiaries will pay each fiscal year (October 1–September 30) for TRICARE-covered services. The cap applies to annual deductibles, pharmacy copayments, TRICARE Prime enrollment fees, and other cost-shares based on TRICARE-allowable charges. The catastrophic cap amount is based on your beneficiary category and is not affected by the program option you use. The catastrophic cap for active duty family members and TRICARE Reserve Select (TRS) beneficiaries is \$1,000 per family, per FY, and the catastrophic cap for all other beneficiaries is \$3,000 per family, per FY. Note: The catastrophic cap does not apply to active duty service members. You are not responsible for any amounts above the catastrophic cap in a given FY, with a few exceptions. The catastrophic cap does not apply to cost-share amounts for services that are not TRICARE-covered; point-of-service charges; TRS, TRICARE Retired Reserve, and TRICARE Young Adult premiums; or the additional 15 percent above the TRICARE-allowable charge that nonparticipating providers may charge. For more information about the TRICARE catastrophic cap, contact your regional contractor or visit or call a local Beneficiary Counseling Assistance Coordinator (BCAC) or TRICARE Service Center. A BCAC directory is available online at <http://www.tricare.mil/bcac> . [Source: Tricare Fact sheet [http://www.tricare.mil/tricaresmartfiles/Prod_828/TRICARE Catastrophic Cap FS 2011 Lo.pdf](http://www.tricare.mil/tricaresmartfiles/Prod_828/TRICARE_Catastrophic_Cap_FS_2011_Lo.pdf) Oct 2011 ++]

Vet Jobs Update 39: President Barack Obama is using executive action to create new jobs for veterans in support of the American Jobs Act. "I think all Americans can agree that veterans shouldn't have to fight for a job

once they've come home from the fight overseas," said Matt Flavin, director of the White House Veterans, Military Families and Wounded Warrior Task Force. "But we've seen from the unemployment numbers, especially for post-9/11 veterans, that the case is too many of our veterans are having to [fight] that fight." Flavin cited the president's request for the private sector to hire and train 100,000 military veterans and spouses as the catalyst for new hiring initiatives. "We're making good progress on that," he said. "I think most of you probably saw last week the first lady announced that the American Logistics Association and their 270 affiliated companies committed to hiring 25,000 veterans and military spouses by the end of 2013. "We'll continue to do this private-sector work," he continued. "We'll continue to work with our partners in the private sector, the nonprofit space, as well as the veterans' groups and the military service organizations."

One of two new hiring initiatives introduced to help increase opportunities for vets comes via community health centers. "The Health Resources and Services Administration supports a network of community health centers that deliver high-quality primary care services at more than 8,000 service delivery sites across the nation," said Mary Wakefield, administrator of the Health Resources and Services Administration. "Today we're challenging those health centers to hire 8,000 veterans -- that's approximately one veteran per health center site 1/2 over the next three years." Wakefield said with the support of the Recovery Act and Affordable Care Act, health centers have added new full-time positions since 2009. "In fact, community health centers have added more than 18,600 new full-time positions in many of the nation's most economically distressed communities," she said. "Just last year, ... health centers employed more than 131,000 staff." Wakefield also discussed another new initiative to assist with veteran hirings. "We are working to speed up the process of training military medics to become physician assistants," she said. "Nearly \$45 million has been invested to support accredited physician assistant training programs in the past two years." Wakefield said 57 active physician assistant training grants are available through HRSA. "Going forward, we'll be giving priority in physician assistant grant awards to universities and to colleges that help to credential veterans," she added.

Tom Van Coverden, president of the National Association of Community Health Centers, said his organization embraces the initiatives fully and stands ready to serve. "Our community health centers already employ many, many veterans, from entry level staff to clinicians, all the way from doctors and dentists to administrative staff to nurses to network leaders," he said. Van Coverden cited attention to detail, administrative and technical skills in the use of technology, and life-saving skills as tools veterans bring to the table. He also lauded vets as "great employees" who are well-trained and bring real real-world experience. "I think that there's a deep and a rich history of the community commitment," Van Coverden said. "The community health center ... is a natural setting for those who really care about service." [Source: AFPS Tyrone C. Marshall article 25 Oct 2011 ++]

Congressional Untruths: A message has been circulating on the internet that gives misleading or outright false information regarding what Congress is doing or has done. This widely circulating message is similar to a falsehood-filled screed that went around last year, urging "retribution" against members of Congress in the 2010 midterm elections. This message makes somewhat different accusations — also false — and urges voters to "remember" in November 2012. You might want to consider voting those currently in out of office but it should not be for the following reasons:

Congressional Salaries. It falsely claims "Congress gave themselves a \$3,000 a month Cost of Living Adjustment," when the truth is that Congress voted to deny itself any pay increase at all, both for 2010 and 2011.

SSA COLA. It wrongly blames Congress for disallowing any cost-of-living increase for Social Security recipients. It's true there was no COLA for Social Security recipients in 2010 or in 2011, but that was due to the workings of a long-standing formula and not the result of any vote by the current Congress or the previous one.

Medicare Premiums. It claims that "those of you who are on Medicare" can thank "Obamacare" for increases in the per-person monthly Medicare premium — "to a wonderful \$247.00 in 2014." This is also false. The basic premium for Medicare Part B (which covers physician services) was indeed \$96.40 in 2009. But the other numbers are all wrong. It was \$110.50 last year, for example, and not \$104.20 as claimed. And it is \$115.40 this year, not \$120.20 as claimed. Actually, only 27 percent of Medicare beneficiaries are paying the basic rate. The rest — 73 percent — are paying less under a "hold harmless" provision triggered by the lack of a cost-of-living increase in Social Security this year or last year. Most are still paying \$96.40. As for the future, nobody can say with precision what the basic Part B premium will be next year or the year after, let alone in 2014. The premium is set each year at a level calculated to pay for 25 percent of the cost of the coverage. Medicare officials do keep close watch on the trends, however. And when we contacted Medicare's Office of the Actuary was contacted, they provided projections — the most recent available — which are current as of the president's budget for fiscal year 2012 issued in mid-February: 2012 \$108.20; 2013 \$112.10; and 2014 \$117.10.

Note: These figures are unpublished but publicly available on request from the Office of the Actuary. They are actually a few dollars lower than what Medicare officials were projecting six months earlier, in August 2010, when the most recent report (<https://www.cms.gov/ReportsTrustFunds/downloads/tr2010.pdf>) of the system's trustees was issued. Those published projections, now outdated, can be found on page 234. Officials said they lowered their projections because actual Part B costs in 2010 turned out to be somewhat lower than previously estimated. The actual premiums could turn out to be higher or lower than their table shows, but not by a lot. One major uncertainty is whether Congress will allow scheduled cuts in payments to physicians and other providers to take effect. Congress has already postponed those cuts every year since 2003, and did so again after the trustees issued their August report. The cuts have now been delayed until the end of this year at least. The projected premiums are based on assumptions that build in a "margin" to account for the high likelihood that Congress will not allow physician cuts to take effect, however. An official in the Office of the Actuary (OACT), who did not wish to be quoted by name, said in an e-mail message: "This margin includes an amount to account for the probability that the scheduled physician cuts will be legislatively overridden. Therefore, if the scheduled physician payment cuts are legislatively avoided, then the Part B premiums should not change significantly (depending on the nature of the legislative override)." That's not to say that the health care law won't have an effect on the premiums paid by some seniors. It will, but not in the way this bogus message claims.

- The change will affect only a small minority of upper-income Medicare beneficiaries. Currently, about the top 5 percent of seniors pay an "income-related premium" that was enacted as part of the same 2003 law that created the new Medicare prescription-drug benefit.
- Upper-income seniors have been paying more than the standard premium since 2007. Currently those earning between \$85,000 and \$107,000 for individuals (between \$170,000 and \$214,000 for couples) pay a total of \$161.50. The amounts grow larger for higher-income groups, reaching \$369.10 per month for seniors making more than \$214,000 (or \$428,000 for couples).
- The new law doesn't increase those premiums, but does ensure that more high-earning seniors will pay them. It does this by freezing the income brackets at 2010 levels through 2019, rather than allowing them to rise with inflation as originally enacted. The Kaiser Family Foundation released a report in December projecting that in 2019 the top 14 percent of seniors would be paying the income-related premiums — an additional 3.5 million seniors.
- The law also established a separate set of income-related premiums for Medicare Part D — the prescription-drug benefit — which previously had charged only a standard premium for all. Taken together, these changes are expected to bring in an additional \$36 billion over 10 years, Kaiser's study said.

[Source: <http://www.factcheck.org/2011/04/premium-nonsense-on-medicare> Oct 2011 ++]

Welcome Heroes Campaign: J. C. Penney Company, Inc. (NYSE: JCP) and Iraq and Afghanistan Veterans of America (IAVA), the nation's first and largest non-profit, nonpartisan organization for veterans of the wars in Iraq and Afghanistan, are joining forces to provide America's newest generation of military veterans with more than \$1 million in apparel and footwear to start new civilian wardrobes. With over two million servicemen and women who deployed as part of Operation Enduring Freedom and Operation Iraqi Freedom, the "Welcome Heroes" campaign seeks to honor and support recent vets with the apparel needed to pursue new career opportunities or to enjoy the leisure activities missed most at home. "Our military servicemembers spend years wearing a uniform and many do not get the opportunity to build a wardrobe that makes it possible for them to go to a job interview, attend a friend's wedding or simply enjoy a night out with their spouse," said Steve Lawrence, executive vice president and senior general merchandise manager for jcpenny. "Given all the sacrifices they make to serve our country, we're doing our part as a leading American retailer to outfit our nation's heroes with the head-to-toe looks needed to dress for any occasion with style."

To be eligible, military service members who served in Iraq or Afghanistan can go to <http://rucksack.iava.org/> from Oct. 20 through Nov. 20 to register for the jcpenny giveaway once they have confirmed their free membership with IAVA at <http://www.iava.org>. Following the registration period, over 6,000 qualified entries will be randomly selected to receive \$200 in merchandise certificates toward the purchase of men's or women's apparel available at jcpenny or <http://www.jcp.com>. "After taking off the uniform, one of the greatest challenges that Iraq and Afghanistan veterans face is transitioning to a civilian workforce that doesn't truly understand their experience. Thousands of veterans are coming home today to significantly higher rates of unemployment and underemployment than their civilian peers," said Paul Rieckhoff, founder and executive director of IAVA. "Having the confidence to walk into an interview and articulate the value of their military experience is absolutely critical for navigating today's job market. IAVA is proud to partner with jcpenny on 'Welcome Heroes' so veterans of this new greatest generation have the resources needed to continue their leadership and service at home."

To showcase J.C. Penney's assortment of professional and lifestyle attire, they featured real veterans to model for its "Matters of Style" mailer and captured behind-the-scenes footage from the photo shoot. Through video diaries posted on jcp.com/welcomeheroes and stories highlighted in the mailer, veterans share their deployment experiences by recalling some of the things they missed most from home and the importance of outfitting returning veterans with new clothes. Iraq and Afghanistan Veterans of America (IAVA) is the country's first and largest nonprofit, nonpartisan organization for veterans of the wars in Iraq and Afghanistan and has more than 200,000 Member Veterans and civilian supporters nationwide. Its mission is to improve the lives of this country's newest generation of veterans and their families. [Source: <http://multivu.prnewswire.com/mnr/jcpenny/51176/> 20 Oct 2011 ++]

VA Community Fee Care: The Veterans Administration has launched an internal review of its Phoenix system after discovering that millions of dollars were overspent on health care for veterans at non-VA facilities in metro Phoenix. VA representatives said they discovered last year that the Phoenix VA Health Care System had surpassed its budget for community fee care and initiated a review of the program. Community fee care describes a program that sends veterans to non-VA hospitals or outpatient facilities in metro Phoenix for specialty care, such as neurosurgery, that the VA does not provide. To send patients to other hospitals, the VA staff must determine that a veteran's required care could not be handled by VA physicians and medical staff. For fiscal 2010,

the Phoenix VA system spent \$10million more on community fee care for veterans than its budgeted amount of \$60million. The system also surpassed its \$75million budget for fiscal 2011, which ended 30 SEP, but the VA is still calculating the exact amount that was spent, officials said.

The Office of Inspector General at the Department of Veterans Affairs has initiated a review of the Phoenix VA system to find out what led to the overspending. The Phoenix VA also assembled its own investigative board to learn why the program overspent. Phoenix VA Health Care System Director Gabriel Perez retired earlier this year. James Robbins was named interim director of the Phoenix VA system, which provides health-care services to more than 80,000 veterans in Maricopa County. Phoenix VA representatives said that an internal review that launched last year found that the local system didn't have appropriate checks and balances to review the community fee program. "We didn't have strong internal controls, and we weren't following policies and procedures," said Jean Schaefer, public-affairs officer for the VA's Southwest Healthcare Network, which oversees metro Phoenix and six other VA systems in the Southwest. "We've implemented new standards, an action plan." Schaefer said that the Phoenix VA system already has made changes to stick to budget in the future. Clinical representatives must review all patient referrals to community hospitals and outpatient facilities to ensure they are appropriate. "You need to have the monitors in place to make sure you are not overspending your budget," Schaefer said. Although the Phoenix VA has made changes to its community fee care program, Schaefer said that veterans are still getting the health care that they need. Veterans who need specialty care are still being sent to community hospitals and outpatient facilities that offer such care.

Community fee care has been a growing concern for the VA across the country over the past two years. The federal agency's inspector general issued a report last year that found that such care had ballooned nationwide from \$1.6 billion in fiscal 2005 to \$3.8 billion in fiscal 2009. The inspector general's review concluded that the agency did not properly monitor the program for fraud and abuse, estimating that annual fraudulent claims could range from \$114 million to \$380 million based on health-care industry averages. Another VA Inspector General's Office audit issued last year found that 28% of claims paid to community hospitals were paid improperly during the first six months of 2009. The review estimated that the VA overpaid \$120 million on claims to community hospitals in fiscal 2009. An audit issued in AUG 09 said the federal agency needed to take "immediate action to strengthen the controls" over the non-VA outpatient fee care program. The report found that the program was riddled with payment errors, such as duplicate payments and incorrect payments. At the time, the report estimated that the improper payments would cost the VA more than \$1.1billion over five years. An Inspector General's Office spokeswoman said she expected that the report on the Phoenix VA system's community fee care program would be completed next month. [Source: Arizona Republic Ken Alltucker article 22 Oct 2011 ++]

TurboVet: Virginia volunteered to lead the way in developing a TurboTax-type system for processing veterans' disability claims, but delays and a lack of progress have forced the state to abandon the project. The Virginia Department of Veterans Services, or DVS, agreed to make Virginia the test state for TurboVet, a new program that would speed up the claims process for veterans applying for disability through the U.S. Veterans Administration, or VA. Processing disability claims through DVS' Roanoke office takes an average of 12 to 14 months. Once approved, a veteran receives between \$117 and \$3,000 per month, depending on the disability and the number of family members. Denied claims, however, can take between two to three years to get through the appeals system. The process depends on paper filing, and the DVS does not have enough agents to handle the number of claims. The state has more than 800,000 veterans, 117,000 of whom are disabled, according to the U.S. Department of Veterans Affairs.

The length of delays has frustrated many veterans with the VA benefits system. “We’ve always felt they drag it out,” Charles Absher, commander of Veterans of Foreign Wars-Virginia, said. Although he said the system is better than when he first filed claims in 1968, the delays create “a perception” among veterans that they have to fight the system. One company’s attempt at digitizing the claims process has done little to alleviate the problem. Atlanta-based Stratizon Inc. is developing TurboVet, which borrows its name and concept from the Turbo Tax program, in cooperation with AMVETS, a veterans advocacy group. U.S. Rep. Gerry Connolly, (D-11th), pushed for \$1.2 million for the TurboVet project, earmarked for fiscal 2010, but it was rejected by the U.S. House Appropriations Committee. By 2010, frustration with TurboVet’s lack of progress boiled over, and the state’s relationship with Stratizon broke down completely. “Nowhere have I found a bigger disappointment — and a bigger failing — than in the development of the TurboVet system,” Paul Galanti, DVS commissioner, told the Joint Leadership Council (JLC) of Veterans Service Organizations in July 2010. The only publicly available information on TurboVet is an outdated Facebook page with 13 “likes” with a post dated Veteran’s Day 2009 informing visitors “that TurboVet development is well under way.”

AMVETS spokesman Denny Boller declined to comment on the TurboVet program. Stratizon CEO Ned Hunter did not return repeated calls and emails seeking comment. The delays in developing an electronic TurboTax-style system for filing claims has drawn the ire of veterans. “It’s frustrating. Let’s have it already,” said Vietnam veteran Roger Sullivan, 65, who represents the Virginia Veterans Coalition and has spent 20 years with the Military Order of the Purple Heart helping veterans with disability claims. “Forms and applications are a minor aspect of this process,” Sullivan said, adding that case law, statutes and government regulations make the system almost as complicated as the national tax code. Galanti’s spokeswoman Anne Atkins said the state no longer has a partnership with Stratizon, and Virginia information technology specialists now are testing an upgrade of its own system, which would create a central database for agents processing claims. The department, however, does not know when, or if, it will be ready. DVS approved 90 percent of the disability claims, according to data from September 2010, the most recent available. [Source: Loudoun Times-Mirror Peter J. Smith article 23 Oct 2011 ++]

Tricare Young Adult Program Update 06: TRICARE Prime is now part of the TYA program. TRICARE Prime options are available for purchase starting 1 NOV with coverage beginning 1 DEC. Dependents who want to purchase TYA Prime must meet certain criteria:

- Must be under age 26;
- Unmarried;
- Not eligible for their own employer-sponsored health care coverage; and
- Their sponsor must be eligible for a TRICARE Prime option.

To purchase TYA Prime, dependents must submit a completed application with their initial 3 month premium to the appropriate regional contractor. The 20th of the month rule still applies. If dependents submit an application before November 20, 2011, coverage will begin December 1, 2011. Dependents who submit an application after November 20, 2011, their coverage starts January 1, 2012. The monthly premium for TYA Prime is \$213 for December and decreases to \$201 starting January 1, 2012. Dependents who purchase coverage to begin December 1, 2011, pay a 3 month premium of \$615 (\$213 DEC + \$201 JAN + \$201 FEB = \$615). For dependents whose coverage begins January 1, 2012, their initial 3 month premium would be \$603. TYA Standard monthly premiums are dropping to \$176 on January 12, 2012. Current TYA Standard beneficiaries may switch to a TRICARE Prime option by submitting a new application to their regional contractor. The premium is automatically adjusted. Dependents whose sponsor has TRICARE For Life are able to purchase a TYA Prime option, if available in their area. Dependents whose sponsor is TRICARE Retired Reserve or TRICARE Reserve Select cannot purchase TY Prime. [Source: BCAC Lackland AFB Roger Baker article 24 Oct 2011 ++]

Tax Changes 2012: The Internal Revenue Service announced for tax year 2012, personal exemptions and standard deductions will rise and tax brackets will widen due to inflation. By law, the dollar amounts for a variety of tax provisions, affecting virtually every taxpayer, must be revised each year to keep pace with inflation. New dollar amounts affecting 2012 returns, filed by most taxpayers in early 2013, include the following:

- The value of each personal and dependent exemption, available to most taxpayers, is \$3,800, up \$100 from 2011.
- The new standard deduction is \$11,900 for married couples filing a joint return, up \$300, \$5,950 for singles and married individuals filing separately, up \$150, and \$8,700 for heads of household, up \$200. Nearly two out of three taxpayers take the standard deduction, rather than itemizing deductions, such as mortgage interest, charitable contributions and state and local taxes.
- Tax-bracket thresholds increase for each filing status. For a married couple filing a joint return, for example, the taxable-income threshold separating the 15-percent bracket from the 25-percent bracket is \$70,700, up from \$69,000 in 2011.

Credits, deductions, and related phase outs

- For tax year 2012, the maximum earned income tax credit (EITC) for low- and moderate- income workers and working families rises to \$5,891, up from \$5,751 in 2011. The maximum income limit for the EITC rises to \$50,270, up from \$49,078 in 2011. The credit varies by family size, filing status and other factors, with the maximum credit going to joint filers with three or more qualifying children.
- The foreign earned income deduction rises to \$95,100, an increase of \$2,200 from the maximum deduction for tax year 2011.
- The modified adjusted gross income threshold at which the lifetime learning credit begins to phase out is \$104,000 for joint filers, up from \$102,000, and \$52,000 for singles and heads of household, up from \$51,000.
- Student Loans. The \$2,500 maximum deduction for interest paid on student loans begins to phase out for a married taxpayers filing a joint returns at \$125,000 and phases out completely at \$155,000, an increase of \$5,000 from the phase out limits for tax year 2011. For single taxpayers, the phase out ranges remain at the 2011 levels.
- *Estate and Gift* -- For an estate of any decedent dying during calendar year 2012, the basic exclusion from estate tax amount is \$5,120,000, up from \$5,000,000 for calendar year 2011. Also, if the executor chooses to use the special use valuation method for qualified real property, the aggregate decrease in the value of the property resulting from the choice cannot exceed \$1,040,000, up from \$1,020,000 for 2011.
- For 2012, annual deductible amounts for Medical Savings Accounts (MSAs) increased from the tax year 2011 amounts.
 - a) Minimum annual deductible self-only coverage \$2,100 and family coverage \$4,200.
 - b) Maximum annual deductible self-only coverage \$3,150 and family coverage \$6,300.
 - c) Maximum annual out-of-pocket expenses self-only coverage \$4,200 and family coverage \$7,650.

Other Items

- The monthly limit on the value of qualified transportation benefits exclusion for qualified parking provided by an employer to its employees for 2012 rises to \$240, up \$10 from the limit in 2011. However, the temporary increase in the monthly limit on the value of the qualified transportation benefits exclusion for transportation in a commuter highway vehicle and transit pass provided by an employer to its employees expires and reverts to \$125 for 2012.

- Several tax benefits are unchanged in 2012. For example, the additional standard deduction for blind people and senior citizens remains \$1,150 for married individuals and \$1,450 for singles and heads of household. Also, the annual exclusion for gifts remains at \$13,000.

Details on these inflation adjustments can be found in Revenue Procedure 2011-52 [<http://www.irs.gov/pub/irs-drop/rp-11-52.pdf>], which will be published in Internal Revenue Bulletin 2011-45 on November 7, 2011. (Source: IRS Newsletter)

DoD/VA VLER Update 07: The Department of Veterans Affairs has reached the final stretch of what's been a long effort to employ technology that allows private hospitals access to veterans' medical records that can be used to evaluate health history and deliver better care. The move is one of many within the VA as it strives to overhaul its image and provide the best care for America's veterans and protect the security of their records. "It is a huge step. We expect to turn that on nationwide in 2012," VA CIO Roger Baker told AOL Government. Baker said pilot projects for the Virtual Lifetime Electronic Record (VLER) have been ongoing for more than a year, opening the door for private hospitals in 11 cities to gather VA medical information. The hospitals are located in San Diego, Indianapolis, Richmond, Va., Hampton, Va., Spokane, Wash., Moab, Utah, Asheville, N.C., Buffalo, N.Y., Charleston, S.C., Minneapolis and Puget Sound, Wash. The things we do here today will affect veterans for the rest of their lives." Baker said.

Next year, doctors at hospitals in those test cities and many others throughout the U.S. will be able to have the complete medical record of an admitted veteran through VistA, the VA's electronic database of veteran records. The information will be available through the nationwide Health Information Network, a national network that is part of VLER. The hospital must have the veteran's approval before accessing the records. "This new technology will enhance our ability to continue providing veterans with high quality health care," said VA Secretary Eric K. Shinseki. Art Wu, a champion of veterans' issues who worked for the House Veterans Affairs Committee for 16 years, most recently as the deputy staff director, said the VA is taking the right steps in helping veterans. "They certainly got the VA out of the inertia of the status quo. And they forced the DoD to be at the table," Wu said. The VA and the Defense Department, which operate the two largest healthcare systems in the country, are building a single, seamless electronic record arsenal. When veterans retire from the military, DoD will send their medical records to VistA.

The VA is the nation's largest single payer system with 152 hospitals that see over 6 million patients a year. Combined with the DoD's medical records, the two agencies are the custodians of between 15 and 20 million electronic patient records that can be used to evaluate the history of a veteran's health problems and deliver better care. Baker said the complete project will be operational and both agencies will be running "common software across the board" in the next few years. The following capabilities are already under way:

- Some information is already being shared by DOD for the VA such as a patient's prescriptions, lab results and images.
- The VA and DOD officially launched the Open Source Electronic Health Record Agent (OSEHRA) in September to help unify their electronic records.
- A tight cybersecurity system is being embedded in the network to make sure veterans' medical records are always protected.
- Every veteran can choose how much medical information to make available on the network.

"The real focus is on the Virtual Lifetime Record and doing a stronger job of sharing information from DOD and the VA," Baker said, adding that VA Secretary Shinseki has been the driving force behind VA's IT transparency. "The

things we do here today will affect veterans for the rest of their lives. You think about the service these individuals rendered to their country, and you know exactly why you do this job," he said. [Source: AOL Government Judi Hasson article 19 Oct 2011 ++]

VA Home Loan Update 33: Thousands of surviving spouses currently ineligible for VA home loan benefits would gain access to the program if a U.S. House bill passed Wednesday becomes law. The VA Loan Guaranty program has helped more than 18 million service members become homeowners since 1944. The program provides no-down payment, government-backed mortgages and features less stringent credit and underwriting guidelines than other loan programs. But in its present form, the loan program is only open to surviving spouses of veterans whose death is linked to a service-connected disability. The bill, the Disabled Veterans' Surviving Spouses Home Loans Act H.R., 120, would eliminate that stipulation and grant eligibility to all surviving spouses of permanently disabled veterans. The bill passed by a 418-6 vote as part of the wide-ranging Veterans Opportunity to Work Act H.R.2433. "As we approach Veterans Day, we should ask ourselves if this Congress doing all that can be done for our veterans," U.S. Rep. Virginia Foxx (R-NC), the bill's sponsor, said before the House. "This bill maintains our promise not only to the men and women that have served in the Armed Forces, but to their families as well." A host of military organizations and veterans' groups endorsed the bill, including the American Legion, Veterans of Foreign Wars and Disabled American Veterans. A tighter lending climate has made the VA loan program increasingly popular. Loan volume has soared 135 percent since 2007. The VA guaranteed 314,011 loans last year, including about 1,000 to surviving spouses. [Source: VA Loans Insider Chris Burke article 14 Oct 2011 ++]

VA Home Loan Update 34: There are many reasons why a military member would want to sell a home in today's distressed housing market. A permanent change of station move as part of an overseas long tour is one reason some are motivated to sell, another is change in marital status requiring sale of the home. Whatever the reason, if you purchased a home using a VA loan when the market was strong, you might not have anticipated selling the home under today's conditions. Depending on the housing market in your area you could wind up taking a loss on the sale of the home you purchased with a VA loan. For homeowners struggling to make ends meet, that loss could be financially devastating. Fortunately, some VA mortgage holders have an alternative called the VA compromise sale. If you put your home up for sale and get an offer lower than the payoff amount on the VA home loan, you can send a request to the VA for a compromise sale. Once the VA receives your request, a representative reviews your VA loan with the finance company. If you are approved for a compromise sale, the VA steps in to pay the difference between the offer and the amount which remains due on the VA mortgage. There are several requirements which must be met for the VA to approve a compromise sale;

- The borrower must demonstrate financial hardship
- The home must be sold at fair market value based on current market conditions
- No second liens are permitted (the VA says an exception may be made if the amount is "insignificant")
- Closing costs must be typical for such a sale
- The VA compromise sale must cost the government less than if the home went into foreclosure
- The sale requires a VA appraisal
- The borrower must provide a statement explaining why they must sell the property

For VA loans originating prior to December 31, 1989 the seller may be required to sign a promissory note and enter into a payment plan to compensate the VA for a portion of the compromise claim payment. According to the

VA, the amount will be less than what would be owed if the seller did not have VA assistance and the payment plan is based on the seller's financial situation and ability to pay. Compromise sales are provided to help VA loan holders in financial distress, and to reduce the number of foreclosures. Contact the VA to learn if you qualify for this special VA mortgage assistance in selling your home. For more information on VA loans go to <http://www.valoans.com>. [Source: http://www.valoans.com/va_article.cfm?id=103 Oct 2011 ++]

Veteran Charities Update 18: The White House on 20 OCT honored the founders of three veterans charities with the Citizens Medal, recognizing their “exemplary deeds of service for their country.” The groups – The Soldiers Project, New Directions and Soldier’s List – were among 12 community service groups awarded the honor this year. In a statement, President Barack Obama said each of the groups highlighted serves as an inspiration for all citizens, and provides critical services to needy Americans. Here’s a closer look at each of the veterans groups honored:

- **Michelle McIntyre-Brewer, Soldier’s List.** McIntyre-Brewer is a military spouse who founded Soldier's List in 2003 to support high-risk troops and their families. The group has sent tens of thousands of care packages around the world, both to deployed and recently returned servicemembers. McIntyre-Brewer has also expanded the charity’s original goals to include education programs on Tricare and other military medical benefits.
- **John Keaveney, New Directions.** Keaveney, a Vietnam combat veteran, founded New Directions in 1992 as a home for homeless and disabled veterans with addiction or mental health problems. As a former homeless veteran himself, Keaveney began the program with a promise that all of the troops who entered the program would be guaranteed housing for at least a year and wouldn’t leave “unless he had a suit, a place to stay and an income.” The charity has boasts more than 200 beds and has aided nearly 20,000 homeless veterans.
- **Judith Broder, the Soldiers Project.** Broder created the Soldiers Project in 2004 as a way to meet the mental health needs of servicemembers, military families and returning veterans. More than 600 therapists have provided over 7,400 hours of pro bono, confidential psychological services to veterans since the group’s launch, all separate from official military or veterans counseling services. Beyond post-traumatic stress and depression counseling, the group also deals with substance abuse and domestic violence cases, all at no charge.

[Source: Stars & Stripes Leo Shane article 20 Oct 2011 ++]

VA GWVITF Update 02: On 21 OCT Secretary of Veterans Affairs Eric K. Shinseki announced that the Department's Gulf War Veterans' Illnesses Task Force has completed the draft of a comprehensive report that will outline how the Department of Veterans Affairs (VA) addresses the concerns of Veterans who deployed during the Gulf War in 1990 and 1991. "This report provides a roadmap for our continued enhancements in our care and services we provide to Gulf War Veterans," said Shinseki. "We will be applying lessons learned from this report to Veterans of all eras." Notification of the draft written report is published in the Federal Register, and the draft written report addresses seven areas where VA provides services for this group of Veterans. Over the past year, the task force has examined, evaluated, designated and adjusted the initial roadmap outlined in last year's report. VA has designated steps to improve care and services to Gulf War I Veterans and these improvements are becoming a part of our culture and operations.

This year's report focuses on improvements in the delivery of health care for Gulf War Veterans. One of the most substantial additions is modifications to clinical care models used for Gulf War Veterans, which is the most critical

point of service VA provides. There are better linkages between specialty knowledge and services at the basic point of care. Clinical research and development is significantly contributing new concepts and methods to clinical practice and clinical education throughout VA. Two new positions were established in the Office of Research and Development for deployment and Desert Shield and Desert Storm health-related issues. Both positions have been filled and are enhancing research efforts for Gulf War Veterans and will continue to do so in the coming years. VA is also strengthening partnerships and medical surveillance to address the potential health impacts on Veterans from the environmental exposures on today's battlefield. Additionally, VA continues to use social media to improve communication with Gulf War Veterans.

The Chairman of the Gulf War Veterans' Illnesses Task Force is John R. Gingrich, chief of staff at VA, a retired Army officer who also served in the Gulf War. "To ensure we are tracking the needs of our Veterans, we want to get feedback from Gulf War Veterans on this draft report," said Gingrich. "Their feedback is critical to our efforts to understand and serve their specific needs. Therefore, we hope they take advantage of one of the different opportunities to provide feedback that we have created for them." As a first step, VA is seeking public comments on the draft written report before final publication. The public notice and instructions for how to submit electronic and comments via postal mail will be posted at <http://www.regulations.gov>, and the draft written report will be open for comment for 30 days. In addition, VA recognizes that a great number of Gulf War Veterans use the Internet on a daily basis to share their ideas and concerns, so VA has also created a public discussion board on the seven recommendations at: <http://vagulfwartaskforce.uservoice.com/>. To view the report without making recommendations, refer to VA's website at http://www.va.gov/opa/publications/Draft_2011_GWVI-TF_Report.pdf. [Source: VA News Release 21 Oct 2011 ++]

Cell Phone Brain Cancer Link: For those who remain unconvinced, a team of Danish researchers reported that long-term data do not support a link between use of mobile phones and risk of brain cancer. During an additional five years of follow-up, there was no association between central nervous system tumors and subscription to a mobile phone service, Patrizia Frei, PhD, of the Danish Cancer Society, and colleagues reported online in BMJ. "In general, our findings are in line with most of the epidemiological research that has been conducted to date," Frei told MedPage Today. "They are also in line with in vitro and [animal] studies that show no carcinogenic effects on the cellular level." Nor were there any associations when assessed by length of subscription or tumor type, they reported. "I'm impressed with the quality and size [of the study], so I think it significantly weakens the idea that cell phones can cause brain cancer," Timothy Jorgensen, MD, of Georgetown Lombardi Comprehensive Cancer Center, told MedPage Today and ABC News.

Several epidemiological studies have turned up no increased risks of brain cancer with mobile phone use. The largest of these, the INTERPHONE study, found no risk of glioma or meningioma in general with use of the devices, although it did find a greater risk of glioma in those with the greatest levels of use. However, those levels were criticized as "implausible" -- a word many used to describe the study overall, given findings in the same study that cell phone use appeared to be protective against cancer in certain groups. And last spring, a work group of the WHO declared the radiofrequency electromagnetic fields emitted by cell phones to be "possibly carcinogenic to humans" -- a mild category that includes progestins and anti-epileptic drugs. Still, epidemiologists say the weight of the evidence has shown that cell phone chatting doesn't cause cancer. Earlier results from the Danish study found no evidence of an increased risk of brain or nervous system tumors or any cancer among cell phone users.

In their updated report, Frei and colleagues looked at data on 358,403 subscribers followed through 2007 who had accrued 3.8 million person-years of usage. During that time, there were 10,729 cases of tumors of the central nervous system. Overall, the researchers found that there was no risk of brain or central nervous system tumors for

men or women. When assessed by the longest length of use -- 13 years of subscription or more -- there was no significant association with tumors (incidence rate ratio 1.03 for men, 0.91 for women). Nor did those who'd been subscribed for 10 or more years have an increased risk of meningioma or glioma, they reported, noting that these data clarify earlier findings showing a diminished risk for this group. However, those results were based on only 28 cases and the researchers suspected they were due to chance, Frei said. When she and colleagues looked at the data by tumor subtype, they found a slight but nonsignificant increased incidence rate ratio for glioma in men -- though there was no relationship with this type of cancer for women, they found. Men also had a 22% reduced risk of meningioma, but there was no association for women, they added, although the numbers were small. They added that further subdivision of gliomas in men by site showed a marginally increased risk for cancer in the temporal lobe, but it wasn't significant -- an "important" finding given that the temporal lobe "has been described as the region of the brain with the highest absorption of energy emitted from mobile phones."

The study was limited by a potential misclassification of exposure, as those who have a subscription but do not use it may be misclassified. Nor did the researchers have information on actual phone usage, so they couldn't determine the risk of the subgroup of heaviest users. Still, researchers pointed out that using subscription plan data had a number of advantages. "They assumed that people who subscribe to cell phone plans are using their phones, and I think that's a reasonable assumption," Jorgensen said. "The alternative is to talk to people and ask them to tell you about their cell phone use. But people are notoriously inaccurate." In an accompanying editorial, Anders Ahlbom, PhD, and Maria Feychting, MD, PhD, of the Karolinska Institute in Stockholm, said not relying on self-report is certainly an advantage of the study. Yet they cautioned that "having a mobile phone subscription is not equivalent to using a mobile phone, and conversely some users will be nonsubscribers." Still, they said the findings are in line with numerous other epidemiological studies that have found no increased risk of brain cancer with cell phone use. "The research that has been conducted for the safety of public health with regard to this new and rapidly spreading technology is now extensive," Ahlbom and Feychting wrote. "The question is how much more research is needed." "Continued monitoring of health registers and prospective cohorts is warranted," they wrote, "but more case-control or other studies with built-in selection and recall bias are not needed." [Source: MedPage Today Kristina Fiore article 20 Oct 2011 ++]

USS Scorpion: A U.S. Navy ship that's rested on the bottom of the Patuxent River for nearly 200 years is slowly revealing its secrets to archaeologists, a senior Navy administrator said 19 OCT. During a "DOD Live" bloggers roundtable, Bob Neyland, head of the Navy's underwater archaeology branch, discussed the excavation of the USS Scorpion, which was scuttled during the War of 1812. The excavation is part of Maryland's effort to create a tourism sites for the bicentennial of a war whose biggest claim to fame is inspiring "The Star-Spangled Banner." Based in part on Virginia's experience with revenue generated by Civil War sites, bicentennial boosters estimate the 32 months of events planned to commemorate the War of 1812 could generate \$1 billion in tourism spending. This vessel was the namesake for five more U.S. naval vessels the last of which (SSN-589) disappeared in MAY 1968 from still unknown causes.

The Scorpion, the flagship of Commodore Joshua Barney's Chesapeake Bay Flotilla, is located about 30 minutes outside Washington. During the War of 1812, Barney was charged to protect Washington from invading British forces. Barney's plan called for the construction of a flotilla containing smaller barges and gunboats that would be able to outmaneuver the larger British ships in the shallow Chesapeake waters. The flotilla fought in several battles and played a key role in draining British resources and slowing the invasion. However, Barney's Chesapeake Bay Flotilla met its end Aug. 22, 1814. After the Battle of St. Leonard's Creek, Barney was forced to flee up the Patuxent River to what is now Highway 4, near Pig Point, Md. He was outflanked, seriously wounded, and had used up most of his ammunition. Neyland said it was there that Barney scuttled his flotilla, including the USS Scorpion,

to prevent the approaching British navy from commandeering his vessels. As the flotilla sank, Barney and his remaining crew left Pig Point and made their way to join American troops and citizen-soldiers fighting at the Battle of Bladensburg, Md. As the British forces overcame the Americans, many of the citizen-soldiers retreated, but Barney and his crew stayed to fight. In the end, they were among the last on the battlefield. Barney died in Pittsburgh in 1818 while traveling to Kentucky, where he planned to retire.

Until now, little was known about the construction of Barney's fleet and, in particular, the Scorpion. Historians knew the Scorpion was a converted gunboat, built in 1806. "We really don't know a whole lot about the construction of it," Neyland said, "other than it was one of the larger sloop brig vessels." In the late 1970s, amateur archaeologists found 13 vessels on the same spot where Barney scuttled his flotilla. Preliminary evidence suggested the vessels dated to the War of 1812. "They verified that it was a War of 1812 vessel from recovered parts of a surgeon's kit, [and from] materials that were appropriate to the War of 1812," Neyland said. The ships' location suggested they were part of Barney's flotilla. But additional and deeper exploration yielded evidence that removed all doubt that the flotilla and the USS Scorpion had, indeed, been found.

Archaeologists have found some very telling personal items aboard one of the vessels, Neyland said. "They found a grog cup ... and the initials C.W. were on that cup," Neyland said. "The only C.W. listed with Barney was an African-American sailor named Caesar Wentworth. He was assigned to Barney's flagship, called the Scorpion. So, hence, that's part of the evidence that suggests the wreck we are looking at today is that of the Scorpion." With the excavation under way, the plan is in place to make the USS Scorpion part of the War of 1812 bicentennial commemoration. The commemoration will start in 2012 and continue through 2014. The Scorpion will join the commemoration in 2013. At that point, Neyland said, he and his team will put a steel structure called a cofferdam -- around the 75-foot shipwreck. The water will then be pumped out, thus fully excavating the USS Scorpion. This method allows a more detailed recording of artifacts and the hull, Neyland said, and will allow for public viewing both on the site and by webcam. [Source: AFPS Bradley Cantor article 20 Oct 2011 ++]

Credit Card Agreements Update 01: Most major banks are pretty good about disclosing terms and conditions on credit cards. The following tips fall into the "I didn't know that!" category -- that you can, indeed, negotiate with your credit card company. If you've had problems making payments on time or have had other issues being a responsible cardholder, though, you might not want to initiate contact with your card issuer because it can backfire .

#1: You're the boss. The card issuers work for you, not the other way around. You have more power than you know. Really, you do. And the higher your credit score, the more power you have. How high does it have to be? At least 700 to wield a moderate amount of power. Over 750, and you're in a sweet bargaining position. It's easy to fall into a trap of complaining about how you're being treated. But if you don't like something, take action. This might mean "firing" your credit card issuer or just having a serious talk with someone about your concerns. But even if your credit score suffered in wake of the Great Recession, you're still in command. You don't have as much negotiating power as those with excellent credit do, for sure. But you're still in charge of your credit life and you're the one who will choose how to get your credit back on track.

#2: You can lower your current interest rate. You know what tactic works well here? Flirting with the competition. Let's say you get an offer in the mail for a good-looking credit card that has a lower interest rate than the card you currently have. Call your current issuer and be your nicest, most cordial self. Tell the customer service rep that you're considering getting this new credit card so you can have a lower interest rate. If there are any other features the new card offers, such as no baggage fees, then mention those, too. Say that you'd really prefer to stay

put since you've been such a loyal customer for so long. If you've been a stand-up customer, you have a chance of making this work. If you don't get anywhere with the service rep, ask to speak with a supervisor. And through all of it, be polite and don't get frustrated. Even if you don't succeed on the first try, make a note of the supervisor's name. Be the best-ever cardholder for six months and then try again.

#3: You can play hard to get before you apply for a new card. You'll need a little bit of confidence to pull this off. It also helps if you've had acting lessons because no matter how much you want the card, you act indifferent. Your attitude is: What will you offer me to get my business? The card issuer needs you more than you need them, and that's why this tactic can work. Again, having competitive offers in hand helps give you the necessary clout. You explain that you'd like to become a cardholder, but you're looking at an offer from a competitor and this other card doesn't have an annual fee. Or maybe the other card has a lower interest rate. Ask your would-be issuer if they can waive the annual fee or beat the competitor's interest rate.

#4: You don't actually get 45 days' notice when your bank decides to raise your interest rate. According to the CARD Act, the issuer does have to give you 45 days' notice when your interest rate is being increased. That just means that you have 45 days before you have to pay the higher rate. You actually start accruing interest at the higher rate on any purchases you make 14 days after the notice was mailed. So on the 15th day after the notice is mailed, you start paying a higher interest rate on new purchases. Legally, credit card issuers aren't doing anything wrong. But don't you suspect a few of them are counting on consumers to be unaware of this loophole in the CARD Act? As soon as you get the notice in the mail, look at the postmark date so you know when the new rate takes effect.

#5: You can get a late fee removed. Many issuers say they don't report a good customer if they're slightly late just one time. But don't take chances. As mentioned above in #2, call the issuer and be really polite while you tell the story of why you're late this one time. In the South, there is a saying that you can catch more flies with honey than with vinegar. If you don't have a past history of tardiness, you have a good chance of pulling this off.

#6: You can eliminate -- or at least decrease -- an annual fee. This tactic is usually presented as an all-or-nothing thing. Try to get the whole fee waived, but if it looks like you can't make it happen, ask to have half the fee waived. I know a few people who have succeeded at getting a 50 percent fee cut. You can also plan ahead and say something like, "How about a 50 percent cut for the next two years?" You don't always get what you want, but if you aim high, you can end up in a better place than you were in when you started.

#7: You can ask to have your credit limit raised. When you contact the issuer, give a few reasons why you're worthy of an increase (e.g., you have stable employment and just got a raise, never made a late payment). Whatever you do, don't sound needy. This is another tactic when acting lessons might pay off. However, if you have a high balance and don't have a good payment history this could backfire and result in your limit being lowered when they realize how much you owe and bounce it against your payment history
[Source: Military.com Beverly Blair Harzog article 20 Oct 2010 ++]

VA Fraud Waste & Abuse Update 41: For two weeks, a house at 1131 Woodrow Street was the subject of neighborhood complaints about tenants fighting and approaching children. When investigated police arrested Mitchell Smith and charged him with posing as a social worker. They say Smith put vulnerable adults in this house, which did not meet code standards for electricity and water. Subsequently, Columbia police investigator Steve Narewski told Family Court Judge Gwen Smalls 18 OCT that Mitchell Smith, 45, charged with posing as a social worker while running two Columbia group homes for the disabled. Narewski testified that Veterans Administration officials told him Smith "would go through the Veterans Administration nursing home area and the

care areas and try to enlist clients to go to (his) facilities over the course of some time.” The hearing was to determine whether the seven “vulnerable adults” removed 16 OCT from the houses should remain in protective custody. Narewski described conditions at Smith’s Woodrow Street home as “horrendous” and said one of the adults taken into protective custody might have had to have his leg amputated if he hadn’t gotten medical care when he did. “His bandage was oozing some green stuff which would mean inadequate medical care being provided to him,” Narewski testified. “I had seen him earlier in the week, and it was not oozing then.” Another man, who has schizophrenia, was not getting prescriptions, Narewski testified.



Mitchell Smith

At the hearing’s end, the judge ruled there was probable cause for the S.C. Department of Social Services to keep the seven tenants in emergency protective custody. Smalls ruled police and DSS had cause to take the seven into protective custody and that the government checks Smith had been getting on behalf of his residents be “redirected” to them. All Smith’s residents were receiving either Veterans Administration benefits or Social Security benefits and giving their checks to Smith each month, according to a Columbia police report. Currently, two of the seven “vulnerable adults” taken by DSS are at Columbia’s Veterans Hospital. The other five are at Palmetto Health Richland hospital. All have received medical attention, officials said. Smith, who was shackled hand and foot, appeared in court in dark blue jail garb. He is currently in the Richland County jail, charged with posing as a social worker. The misdemeanor charge carries a fine of \$1,000 and a year in jail. On Monday, after hearing what Narewski said about conditions in the homes, the judge set bond of \$100,000 for Smith. He has remained in jail. The judge allowed Smith, 45, who had no attorney present, to question Narewski before she ruled.

- “Did you know I had a licensed group home at one time?” Smith asked the investigator. “I know your wife had a licensed group home at one time,” replied Narewski. “Sir, you may have assisted in the operation of that facility, but when I went to Woodrow Street and Gervais Street, I did not see a licensed group home. I had also contacted LLR prior to your arrest ... and confirmed that you are not a licensed social worker – which is what you are charged with.”
- Smith also questioned Narewski on his statement about the man with the bad leg. “Did you know his leg has been like that for about seven years?” Narewski replied he acted in an emergency situation based on complaints from neighbors and is waiting for detailed medical records. “My concern long-term is that I will get medical records, and they will allow me to charge you with additional charges.”
- Smith also asked: “Did you know these guys before I got them were all homeless?” Narewski replied: “My concern is not that they were homeless prior to your taking them. My concern is that they receive adequate care for whatever useful life they have left.”
- Smith: “They had food, they had shelter, they had water, and a bed. What are you saying is adequate care?” Narewski: “My concern was for safety for the residents at Woodrow, and medical and perhaps psychiatric care for residents at both houses.”

Other details which emerged during the hearing were:

- The Woodrow Street house had “six inches” of standing water in it when city inspectors checked it two weeks ago. The water touched the home furnace and the base of the electric water heater. The fire department came to the house and disconnected the electricity and turned off the water for safety reasons.
- Those in protective custody are two women and five men. They range in age from their early 40s to their early 60s.
- One has a serious leg infection, three have serious mental conditions and two are in wheelchairs. One of the wheelchair-bound tenants is a double amputee with chronic obstructive pulmonary disease.
- Smith said in court that his last job was with the U.S. Navy, and that he left the service in 1992 with a disability. He told the judge he has a 2007 master’s degree in social work from USC; the university confirms the degree.

Under the state’s vulnerable adults law, a hearing will be held Nov. 17 on the merits of charges that Smith was exploiting vulnerable adults. As a result of that hearing, Smith could face further criminal charges that he exploited vulnerable adults in his care. [Source: The State John Monk article 19 Oct 2011 ++]

VA Cemetery Texas Update 09: The Department of Veterans Affairs has agreed to a settlement of a lawsuit alleging religious censorship at Houston National Cemetery. Local veterans and volunteer groups had accused VA and cemetery officials of banning them from using religious speech - including the words Jesus and God - during services at the cemetery. Under the settlement, VA has agreed to not ban, regulate or interfere with prayers, recitation or words of religious expression unless asked to do so by family members of the deceased. Veterans families will be allowed to hold services with any religious or secular content they desire. Also under the settlement, local members of the Veterans of Foreign Wars District 4 and a local organization named the National Memorial Ladies will resign their positions as official VA volunteers and instead will be free to make their services known to local funeral homes that make arrangements for the families and do so in their private capacity. Families can then decide what, if any, services they would like these groups to provide at their committal services. As part of the settlement, VA has agreed to pay plaintiffs an amount for attorney fees and costs. [Source: American Legion Benefits Center post 20 Oct 2011 ++]

Vet Jobs Update 38: President Obama and the first lady, together for the last leg of his latest bus tour, announced on 19 OCT a commitment by the American Logistics Association to hire 25,000 veterans and their spouses by the end of 2013. The association represents 270 companies, including Coca Cola, Tyson Foods, and ConAgra, with the primary focus of placing veterans at those companies. The group was a logical first step for Michelle Obama and second lady Jill Biden's "Joining Forces" initiative to hire 100,000 veterans in the private sector by the same deadline. It remains unclear which of ALA's affiliates will hire what proportion of the slated 25,000 veterans and spouses. The first and second ladies initiative props up a portion of Obama's jobs bill, which has so far failed to gain traction in Congress. The president's American Jobs Act proposes a tax cut to companies who hire veterans and an additional incentive to those hiring disabled veterans. It's a section of the bill, Obama said, that has bipartisan support, which may propel Senate Majority Leader Harry Reid, D-Nev., to take it up for a vote soon. "When I first proposed this idea in a joint session of Congress, people stood up and applauded on both sides of the aisle," Obama said. "So when it comes for a vote in the senate, I expect to get votes from both sides of the aisle. Don't just applaud about it. Vote for it!" The president concludes this three-day bus tour in Chesterfield, Va., with a return to focus on the piece of his jobs bill that would provide states and local agencies with federal money to rehire public workers. [Source: National Journal Julia Edwards article 19 Oct 2011 ++]

COLA 2012 Update 07: Federal retirees which include military retirees will receive up to a 3.6 percent cost-of-living adjustment increase in 2012 -- the first boost since 2008. But there are two categories of military retirees who won't receive a 3.6% COLA.

- 2011 Retirees: Servicemembers who retired during calendar year 2011 will receive a somewhat smaller, partial COLA for this year only, because they already received a January military pay raise (which also raised their 2011 retired pay). Members who retired between Jan. 1, 2011, and Sept. 30, 2011, will receive a partial COLA based on the calendar quarter in which they retired. Jan.-Mar. retirees will receive 3.6%; Apr.-Jun. retirees, 2.4%; and Jul.-Sept. retirees 0.4%. Those who retire after Oct. 1, 2011, will see no COLA this year. Members retired during 2011 will receive full-year COLAs in future years.
- REDUX Retirees: Servicemembers who entered service on or after Aug. 1, 1986 and elected to accept a \$30,000 career retention bonus at 15 years of service agreed to accept reduced retired pay and COLAs as a trade-off for the bonus. REDUX retirees' COLAs are depressed 1% below the normal COLA rate, so they'll see a 2.6% COLA.

The Bureau of Labor Statistics on 19 OCT released the Consumer Price Index figures for September, which are the final data point for determining the 2012 COLA. The CPI, a measure of the average change over time in the prices urban consumers pay for goods and services, rose 3.9 percent between September 2010 and September 2011, largely due to an increase in gasoline and food prices. COLAs are determined based on the CPI-W, a formula that takes into account increases in the CPI for urban wage earners and clerical workers. Federal retirees under the Civil Service Retirement System as well as Social Security recipients will receive the full 3.6 percent COLA increase. Those in the Federal Employees Retirement System will receive a 2.6 percent bump in 2012. If the full COLA increase is 3 percent or higher, as it is for 2012, FERS retirees receive 1 percent less than the full increase. If the increase is less than 2 percent, FERS retirees receive the same as CSRS retirees.

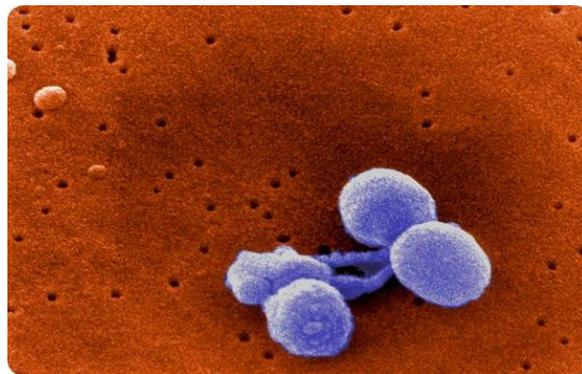
In contrast to the 3.6% retiree COLA for 2012, currently serving personnel are scheduled for a 1.6% pay raise in January. Active duty (and Guard/Reserve) pay raises are tied to private sector pay growth in order to maintain pay comparability standards. Because private sector pay raises have been relatively small the last couple of years, currently serving troops got a 1.4% raise last January and will get a 1.6% raise this coming January. Retiree COLAs on the other hand, aren't "pay raises" but cost-of-living adjustments that are tied to inflation (as measured by the consumer price index). They're meant to sustain the same purchasing power of retired pay from year to year. Because consumer prices actually dropped pretty steeply three years ago, retirees haven't seen any COLA for the last two years. Because they're tied to different things, currently serving pay raises and retiree COLAs are rarely the same number. Here's a sample of just the last six years:

- 2007: 2.7% pay raise vs. 3.3% COLA
- 2008: 3.5% pay raise vs. 2.3% COLA
- 2009: 3.9% pay raise vs. 5.8% COLA (largest COLA in 27 years) 2010: 3.4% pay raise vs. zero COLA
- 2011: 1.4% pay raise vs. zero COLA (smallest military pay raise in almost 50 years)
- 2012: 1.6% pay raise vs. 3.6% COLA

The government publishes the annual cost-of-living adjustments typically in late October, based on the percentage increase (if any) in the average CPI-W for the third quarter of the current year over the average for the third quarter of the last year in which a COLA became effective. This year's increase takes effect on 1 DEC, and will be reflected in retirees' first annuity payments in January 2012. The joint congressional committee on deficit reduction is considering switching to what's known as the "chained CPI" formula to determine COLAs for federal retirees and Social Security beneficiaries. It is viewed as a more accurate measure of how people substitute one item

for another in the face of a price increase. The result would be lower COLAs over time. For a more detailed analysis of how the COLA will affect you, check out http://www.govexec.com/story_page.cfm?filepath=/dailyfed/1011/101411rp.htm. [Source: GovExec.com Kellie Lunney article 19 Oct 2011 ++]

Pneumonia Update 02: Pneumonia is an inflammatory illness of the lung. Frequently, it is described as lung parenchyma/alveolar inflammation "and" abnormal alveolar filling with fluid (consolidation and exudation). The alveoli are microscopic air-filled sacs in the lungs responsible for absorbing oxygen. Pneumonia can result from a variety of causes, including infection with bacteria, viruses, fungi, or parasites, and chemical or physical injury to the lungs. Its cause may also be officially described as "idiopathic"—that is, unknown—when infectious causes have been excluded.



Scanning Electron Micrograph of Streptococcus pneumoniae

Typical symptoms associated with pneumonia include cough, chest pain, fever, and difficulty in breathing. Diagnostic tools include x-rays and examination of the sputum. Treatment depends on the cause of pneumonia; bacterial pneumonia is treated with antibiotics. Pneumonia is a common illness which occurs in all age groups, and is a leading cause of death among the elderly and people who are chronically and terminally ill. Additionally, it is the leading cause of death in children under five years old worldwide. Vaccines to prevent certain types of pneumonia are available. The prognosis depends on the type of pneumonia (Bacterial, Viral, or Aspiration), the appropriate treatment, any complications, and the person's underlying health.

Most cases of pneumonia can be treated without hospitalization. Typically, oral antibiotics, rest, fluids, and home care are sufficient for complete resolution. However, people with pneumonia who are having trouble breathing, people with other medical problems, and the elderly may need more advanced treatment. If the symptoms get worse, the pneumonia does not improve with home treatment, or complications occur, the person will often have to be hospitalized. [Source: <http://www.news-medical.net/health/Pneumonia.aspx> Bews Medical article Oct 2011 ++]

POW Torture: George Everett “Bud” Day (born February 24, 1925) is a retired U.S. Air Force Colonel and Command Pilot who served during the Vietnam War. He is an American Hero and is often cited as being the most decorated U.S. Service member since General Douglas MacArthur, having received some seventy decorations, a majority for actions in combat. Day is a recipient of the Medal of Honor. Bud Day has certain specific comments about the actions of our current commander-in-chief based on his personal experiences. You the reader can decide

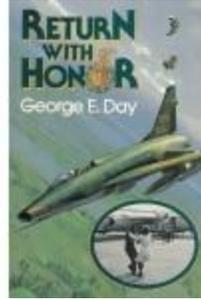
on their relevance to the chaos and dangers in the world today. This extract of Col. Day's story reinforces his credentials as an expert in what real torture is about:

... Let me inform him what real torture is about. I got shot down over N Vietnam in 1967. I was a Squadron Commander. After I returned in 1973, after five years of punishing torture, I published 2 books that dealt a lot With "real torture" in Hanoi.

- I was put thru a mock execution because I would not respond to the Communist interrogators. Exhausted, they pistol whipped me on the head. A couple of days later, I was hung by my feet all day. I escaped the prison into the jungles with no food and little water. A couple of weeks later, I got shot and recaptured. Being shot was OK...what happened afterwards was not.
- They marched me to Vinh.....put me in the rope trick; that trick almost pulled my arms out of the sockets. Then, they beat me on the head with a little wooden rod until my eyes were swelled shut, and my unshot, unbroken hand was beaten to a pulp.
- The next day hung me by the arms...rebroke my right wrist...wiped out the nerves in my arms that control the hands, and my fingers rolled p into a ball. I was only left with the slightest movement of my left forefinger. So I started answering the torturing asses with some incredible lies.
- The frustrated Commie gooks then sent me to Hanoi strapped to a barrel of gas in the back of a truck. Now in the Hanoi Hilton (our name for the horrible prison) I was once again placed kneeling on my knees before they did the shoulder rope trick on me again. Following my no response, I was beaten severely by a big fool. When that failed, they strapped me with leg irons onto a bed in Heartbreak Hotel.
- I spent much of my 'out of leg iron' time held in a kneeling position. There was so much kneeling—hands up at Zoo. In the middle of this arduous process, I took some really bad beatings for refusing to condemn Lyndon Johnson. Following several more inescapable kneeling events. I could see my knee bones through Kneeling holes in my skin.
- Once there was a prisoner escape from the annex to the Zoo. I was the Senior Officer of a large building... because of escape...they started a mass Torture of all commanders. I think it was July 7, 1969...they started beating me with a car fan belt. In the first 2 days I took over 300 strokes...then stopped counting because I never thought I would live thru it.
- They continued day-night torture to get me to confess to a non-existent part in the escape. This went on for at least 3 days. On my knees... fan belting...cut open my scrotum with one fan belt stroke. Opened up both knee skin holes again with my kneecaps showing. My fanny looked like hamburger...I could not lie on my back, even with the leg irons on me.
- They tortured me into admitting that I was in on the escape...and that my 2 room-mates knew about it. The next day I denied the lie. They commenced torturing me again with 3- 6- or 9 strokes of the fan belt every day from about July 11 or 12th.to 14 October 1969. I continued to refuse to lie about my roommates again.

Now, the point of this is that our elected officials have declared to the world that we (U.S..) are a bunch of torturers... ..thus it will be OK to torture us next time when they catch us...because that is what the U.S. does. These officials think that pouring a little water on some one's face, or hanging a pair of women's pants over an Arabs head is TORTURE.. I just talked to MOH holder Leo Thorsness, who was also in my squadron, In jail...as was John McCain...and we agree that McCain does Not speak for the POW group when he claims that Al Ghraib was Torture...or that "water boarding" which has no after-effect is torture. If it got the Arab to cough up the story about how he planned the attack on the twin towers in NYC ... Hurrah for the guy who poured the water! ...

Editors Note: I have paraphrased and softened a few of Col. Days comments on this subject. Those who want to know his EXACT words regarding his feelings about our official's position on this subject can read them at <http://www.veteransnewsnow.com/2011/10/18/medal-of-honor-winner-col-bud-day-american-hero/> [Source: Veterans News Now Tom Dillman article 18 Oct 2011 ++]



MOH George Everett "Bud" Day

Funeral Honors Update 06: A story about the White House changing the military funeral protocols for the presentation of the American flag to survivors has gained a good deal of traction in recent weeks. The email, a variation of which is shown below, states that the statement made by the soldier to the recipient of the flag has been changed to remove mention of the President of the United States and replaced with 'Secretary of Defense'. However, there has been no change in policy regarding funeral protocols. and the separate services maintain their own version of the presentation statement. The presentation of the flag and the accompanying statement from the service varies by service. They are as listed below:

- **United States Army:** On behalf of the President of the United States and the people of a grateful nation, may I present this flag as a token of appreciation for the honorable and faithful service your loved one rendered this nation.
- **United States Navy:** On behalf of the President of the United States and the Chief of Naval Operations, please accept this flag as a symbol of our appreciation for your loved one's service to this Country and a grateful Navy.
- **United States Marines Corps:** On behalf of the President of the United States, the Commandant of the Marine Corps, and a grateful nation, please accept this flag as a symbol of our appreciation for your loved one's service to Country and Corps.
- **United States Air Force:** On behalf of the President of the United States, the Department of the Air Force, and a grateful nation, we offer this flag for the faithful and dedicated service of (Service member's rank and name).
- **United States Coast Guard:** On behalf of the President of the United States, the Commandant of the Coast Guard, and a grateful nation, please accept this flag as a symbol of our appreciation for your loved one's service to Country and the Coast Guard.

Military funeral protocols are spelled out in law under U.S. Code, Title 10, Chapter 75, Section 1491, last revised in January 2007. But the code only governs who receives the flag at the presentation. The statement made is left up to the services and according to each source contacted, there has not been any modification of their tradition. [Source: MOAA News Exchange 19 Oct 2011 ++]

Dangerous Drones: Described by its manufacturer as an "agile munition system," the Switchblade gets its name from its compact folding wings. It can be stored in a launcher that resembles a mailing tube and fits in a backpack. Its quiet motor, the company says, makes it an "ideal weapon for today's fight and for U.S. military forces of the future." John Villasenor, a senior fellow at the Brookings Institution's Center for Technology

Innovation, agrees with the assessment, calling the Switchblade a “genius design” that responds to a military need. The problem, he says, is that small, relatively inexpensive drones such as the Switchblade are bound to spawn imitators — and those could fall into terrorists’ hands. “Drones are obviously such a high-profile topic,” he says, “that it would belie logic to think that the bad guys, terrorists, aren’t just as aware of the headlines as the rest of us.”



“Switchblade” unmanned aircraft

In a recent policy paper, Villasenor laid out some of the reasons why small suicide drones would give terrorists, guerrilla fighters and insurgents a dangerous new tool. Predators and other large unmanned aircraft cost billions to develop, deploy and maintain. Smaller drones are cheaper and could easily be smuggled close to a target within a city before launching. Once in the air, they would be much harder to detect and destroy. “If you think about the infrastructure that we have to protect places, it largely involves fencing and walls and gates and restricted access,” Villasenor says. “If you can take a little plane and fly over that, you bypass billions of dollars’ worth of security. Even if you did detect it, how would you stop it?” The strategy has already gone beyond the theoretical, according to federal investigators. Last month, the Justice Department charged Rezwan Ferdaus, a 26-year-old U.S. citizen from Massachusetts, with plotting to pack C-4 explosives into remote-controlled airplanes and fly them into the Pentagon and the Capitol. “That’s a sobering precedent,” Villasenor says. “This is on their radar screen.” Ferdaus was allegedly planning to use sophisticated, speedy model aircraft guided by GPS. With models that can carry several pounds of payload commercially available, drones with similar technology are probably within easy reach of anyone with the funding and desire to build them, Villasenor said.

The Pentagon is well aware of the threat. Since 2003, the Air Force has sponsored an annual exercise called Black Dart, held at China Lake Naval Air Weapons Station in California, that investigates the small-drone threat and experiments with countermeasures. To date, those have included systems to scramble the aircrafts’ wireless control systems, nets carried by other drones to catch them, and ballistic and laser systems to try to shoot them down. Mark J. Lewis, chairman of the University of Maryland’s aerospace engineering department, has observed Black Dart and says countermeasures show promise. Small drones, though, pose a problem common in the counterterrorism world, he says. “What happens if your countermeasures cost so much, but the threat is only a remote one?” The alleged model-plane bomb, for instance, could have carried only 10 to 12 pounds of explosives. Lewis says, “It’s hard to believe this guy could have interrupted a dinner party.”

Nevertheless, Villasenor says, the government should track small unmanned planes the way it does other potentially dangerous items. U.S. military contractors and federal agencies have tightly restricted access for drones. But countries such as China, which is expanding its drone manufacturing, might not have the same level of control,

he says. And countries that have a history of proliferation problems with nuclear materials are starting to acquire drones. Last year, the United States agreed to provide Pakistan with a dozen unmanned, 11-foot surveillance aircraft. Given the connections between militant groups and the Pakistani military and intelligence networks, those drones could end up being used by the wrong people, Villasenor says. "There's not only a danger," he says, "there's an absolute inevitability that these are proliferating." [Source: GQ Weekly Vantage Point Rob Mareta article 15 Nov 2011 ++]

POW/MIA Update 03: After a six-year hiatus, the Pentagon agreed to negotiate with North Korea on resuming an effort to recover remains of the estimated 5,500 U.S. service members unaccounted for from the Korean War. In a brief announcement 17 OCT, and negotiations began 18 OCT in Bangkok. It offered no explanation for seeking to resume a recovery operation that Washington suspended in May 2005. Prior to that time, U.S. specialists from the Joint POW/MIA Accounting Command conducted operations in that country for 10 years, recovering remains believed to be more than 225 servicemen since 1996. The Pentagon statement said the talks will address a "stand-alone humanitarian matter" and are not linked to other issues, which include most prominently the North Korean nuclear program and U.S.-supported international sanctions aimed at stopping North Korean weapon proliferation. The U.S. and North Korea have no formal diplomatic ties, and relations have been especially rocky in recent years. During a state visit to Washington last week by South Korean President Lee Myung-bak, President Barack Obama had strong words for communist North Korea, saying that "if Pyongyang continues to ignore its international obligations it will invite even more pressure and isolation."

Still, there have been recent signs that relations are getting better. Diplomats from the United States and North and South Korea have separately met to discuss resuming long-stalled international nuclear disarmament negotiations. There also have been a flurry of cultural exchanges between the Koreas and some easing of antagonistic rhetoric. Leading the U.S. delegation to Bangkok will be Robert J. Newberry, the deputy assistant secretary of defense for POW/MIA affairs. When the administration of President George W. Bush suspended recovery operations in 2005 amid rising tensions with North Korea it said it was concerned about the safety of U.S. recovery teams in North Korea. Among the concerns cited then was a ban on U.S. personnel making phone calls outside the country. The remains recovery program had been suspended once before, from October 2002 to June 2003, after the North Koreans disclosed to a State Department envoy that they had secretly been running an active nuclear weapons program.

U.S. veterans' organizations have long advocated an aggressive U.S. effort to recover remains from the 1950-53 war. Many U.S. war dead were left behind when Chinese forces overran U.S. positions in North Korea in the fall of 1950. Joint recovery missions began in 1996 and are the only form of U.S.-North Korean military cooperation. Sen. Kelly Ayotte, R-N.H., said she was pleased that the Pentagon was making a renewed effort to recover war remains in North Korea. In August, she wrote to Defense Secretary Leon Panetta and Secretary of State Hillary Rodham Clinton urging a relaunching of recovery missions as soon as possible. "Most Korean War veterans are in their 80s," she said in a statement Monday. "And the U.S. Veterans Administration says close to 1,000 Korean War veterans die each day. We cannot wait any longer to resume this critical work." Prior to the 2005 suspension of recovery efforts, the U.S. paid the North Koreans hundreds of millions of dollars for their support of the effort each year. Under previous arrangements, two U.S. teams of up to 13 people each entered North Korea on a mission. Two other people were stationed in Pyongyang, the capital, to provide logistical and communications support. The arrangements included helicopters for use in the event of a medical emergency.

The talks were led by Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs Robert J. Newberry. His negotiating team included representatives from across the Department of Defense, the Department of

State, the U.S. Pacific Command and the United Nations Command-Korea. On 20 OCT it was announced as a result of the three-day talks held in Bangkok that an agreement has been reached. The arrangement calls for U.S. teams to work in two areas in North Korea Unsan County, about 60 miles north of Pyongyang, and near the Chosin/Jangjin Reservoir where more than 2,000 soldiers and Marines are believed to be missing. The arrangement includes details on logistics and matters that will ensure the effectiveness and safety of remains recovery teams operating in the DPRK. Accounting for Americans missing in action is a stand-alone humanitarian matter, not tied to any other issue between the two countries. The operations in North Korea are expected to begin next year. Of the approximately 83,000 Americans missing from all conflicts, more than 7,900 are from the Korean War with 5,500 of those believed to be missing in the DPRK. [Source: Associated Press Robert Burns & DOD Press Release article 17 & 20 Oct 2011 ++]

POW/MIA Update 04: Harry Corre, 88, and six other men held as prisoners of war by Japan during World War II arrived in Tokyo 16 OCT for a weeklong “reconciliation tour” sponsored by the Japanese government. Some 27,000 U.S. troops were captured by Japan during the war and forced into slave labor. The POWs suffered in hellacious conditions at the hands of their Japanese captors; torture, starvation, disease, exposure and the constant deaths of their brothers in arms. Japan organized the trip to help the men gain a sense of closure to the horrific ordeal. For while they recovered from their injuries and renourished their bodies, many say the pain from their psychological wounds has not dulled with time. “It doesn’t go away,” said Corre, who works for the Department of Veterans Affairs in Los Angeles. “And it never will.”

Many of the Americans captured by Japan — including Corre and the others in his group — were sent to work directly for Japanese companies fueling the war effort at more than 100 camps throughout Japan. Several of the some 60 companies are still in business today, though only one agreed to participate in the tour. Those not sent to the companies worked directly for the Japanese military in the Philippines, China and elsewhere in the Pacific. Tens of thousands of other Allied troops and Chinese, Koreans and Filipinos were also captured by Japan during WWII and the preceding Sino-Japanese War and worked alongside the Americans at the corporate and military work camps. Corre attributes his own survival at a work camp in Omuta in southwestern Japan to the demise of his fellow soldiers, some of whom would trade their meager daily mush rations for his cigarettes. “I’m sure there’s a lot of guys I starved to death,” he said during a lecture at Temple University in Tokyo. “I’m not proud of it, but I survived,” Corre said. “When you are a POW, the only thing you think about is how to live, not the next guy.” The guilt and horror still consume his thoughts, even his dreams. “The best thing you can do is talk about your experience,” Corre said, echoing advice he said he doles out to other veterans at the VA hospital in Los Angeles. “But there’s no way you forget it.”

Following their release after Japan’s surrender in August 1945, the POWs said they tried to forget. Most failed. “The government said go home, forget about the war and don’t tell anyone about the atrocities,” Harold Bergbower, 91, said at the Temple lecture. “It was terrible.” Bergbower, who now lives in Peoria, Ariz., returned to Japan with his family in the mid-1950s while still in the Air Force to help train the Japanese military. The Japan Self-Defense Forces were established under the auspices of the U.S. during its occupation of Japan following WWII. Bergbower spent three years in Japan following the war, but until this trip had never gone back to the site of the chemical plant where he worked after being shipped to Japan from the Philippines after his capture. He was joined by 88-year-old James Collier, also held captive at the chemical plant. “We wanted to participate in the program in hopes that their visit to our company will help to mitigate the pains that they had to go through and the feelings they have harbored for many years,” said company spokesman Takao Hamada. “I understand that it was a hard decision for them to make to come back here.”

But hard doesn't come close to the emotions that played into Collier's decision to return to Japan. "I was torn," said Collier, a retired teacher and guidance counselor from Salinas, Calif., who spoke to Stars and Stripes via telephone after touring the Takaoka factory on the 18th. "The company officials were so gracious and well-prepared." But all the pleasantries essentially distracted him, he said, and the site had totally changed after decades of development. "I didn't slay any demons today," Collier said. "It was a very nice distraction. ... But those feelings are always right there lurking under the surface, like a volcano." [Source: Stars & Stripes Charlie Reed article 20 Oct 2011 ++]



Jim Collier and six other WWII former POWs speak to an audience during a lecture at Temple University on Oct. 17, 2011, in Tokyo.

POW/MIA Update 05: Of the 16 million Americans who served in World War II, more than 400,000 died. At the end of the war, the U.S. government was unable to recover and identify approximately 79,000 Americans. Today, more than 73,000 remain unaccounted-for from the conflict. The Department of Defense POW/Missing Personnel Office (DPMO) announced in OCT the recovery and identification of the following MIA's:

Korean War Soldier: : The remains of Army Pfc. Aaron Pearce, 23, of Johnston, N.C., missing in action from the Korean War, have been identified and returned to his family. He was buried with full military honors. on 8 OCT in Kenly, N.C.

- late April of 1950, Pearce and the 25th Infantry Division were advancing north of the Han'tan River in South Korea when Chinese forces attacked, in what came to be known as the "Spring Offensive." After days of heavy fighting, the 25th Infantry Division was pushed back to Seoul, Korea. Pearce and many other soldiers were reported missing in action as a result of this engagement.
- In 1952, U.S. Graves Registration Service personnel recovered military clothing and human remains near the area that had been covered by the 25th Infantry Division during the Spring Offensive. At the time the Army was unable to identify Pearce, and the remains were buried as "unknown" at the United Nations Military Cemetery in Tanggok, South Korea.
- In 1954, the remains were exhumed and reanalyzed. No identification was possible given the technology of the time and the remains were once again interred as "unknown" at the National Cemetery of the Pacific in Honolulu.
- In 2010, analysts from the Department of Defense's Central Identification Lab reexamined the records for all unaccounted-for losses in the vicinity of where the unknown remains had been recovered, and exhumed the remains for further analysis. Military clothing and metal identification tags that were included with the

remains, along with improved technology and methods of analysis helped to determine the identity of the remains.

- Among forensic identification tools and circumstantial evidence, scientists from the Joint POW/MIA Accounting Command used dental records and radiography in the identification of Pearce's remains.

WWII Aircrew.. The remains of 10 U.S. servicemen, missing in action from World War II, have been identified and returned to their families for burial with full military honors. Those identified were Army Air Forces 2nd Lt. Robert R. Bishop, 24, of Joliet, Ill.; 2nd Lt. Thomas Digman, Jr., 24, of Pittsburgh; 2nd Lt. Donald W. Hess, 28, of Sioux City, Iowa; 2nd Lt. Arthur W. Luce, 24, of Fort Bragg, Calif.; Staff Sgt. Joseph J. Karaso, 21, of Philadelphia; Staff Sgt. Ralph L. McDonald, 22, of East Point, Ga.; Sgt. John P. Bonnassiolle, 20, of Oakland, Calif.; Sgt. James T. Blong, 19, of Port Washington, Wis.; Sgt. Michael A. Chiodo, 22, of Cleveland; and Sgt. John J. Harringer, Jr., 20, of South Bend, Ind.. The remains of 8 were interred as a group, in a single casket representing the entire crew on 26 OCT in Arlington National Cemetery near Washington, D.C. Hess and Karaso were interred individually at the same ceremony in Arlington.

- On April 29, 1944, the 10 airmen were ordered to carry out a bombing mission over Berlin, Germany, in their B-24J Liberator aircraft, piloted by Bishop and Luce. German documents captured after the war noted that the aircraft crashed near the town of East Meitze, Germany, and there were no survivors. German forces buried the remains of Digman, Blong, and one unknown airman in a cemetery near Hannover, Germany, around the time of the crash. In 1946, the Army Graves Registration Service exhumed the remains of the three individuals for identification and reburied them in a U.S. Military Cemetery in Condroz, Belgium.
- In 2003, a German national located the site of the crash and recovered human remains, which were turned over to U.S. officials. In 2005, a Joint POW/MIA Accounting Command (JPAC) team excavated the crash site and gathered additional human remains, military equipment, and metal identification tags for Bishop, Blong, Bonnassiolle, and Harringer. The team also recovered a class ring with the initials AWL – presumably belonging to Luce. In 2007, a JPAC team completed the site excavation and found additional evidence that helped to confirm the identity of the crew.
- Among other forensic identification tools and circumstantial evidence, scientists from JPAC and the Armed Forces DNA Identification Laboratory used dental analysis and mitochondrial DNA—which matched that of some of the crewmembers' families—in the identification of their remains

Korean War Soldier: The remains of Private First Class Henry L. Gustafson, 18, of Cook Ill., missing in action from the Korean War, have been identified and were returned to his family for burial with full military honors. He was buried on 22 OCT in West Lebanon IN

- Gustafson was assigned to 31st Regimental Combat Team in North Korea, when the division came under attack near Kaljon-ri, near the Chosin Reservoir. The unit was forced to withdraw to a more defensible position near Hagaru-ri, south of the reservoir. Private First Class Gustafson was taken as a prisoner of war by the Communist Forces. After the 1953 armistice, a surviving POW confirmed that Private First Class Gustafson had been captured by enemy forces, and died from lack of medical care in captivity shortly after being captured.
- Between 1991 and 1994, North Korea gave the United States 208 boxes of remains believed to contain the remains of 200-400 U.S. servicemen. In the late 1990s and early 2000s, additional human remains were recovered by joint U.S./Democratic People's Republic of Korea teams in North Korea. From these remains the Department was able to identify the remains of Private First Class Gustafson through DNA testing.
- Among other forensic identification tools and circumstantial evidence, scientists from the Joint POW/MIA Accounting Command and the Armed Forces DNA Identification Laboratory also used dental comparisons and mitochondrial DNA – which matched that of Private First Class Gustafson's mother—in the identification of the remains.

Vietnam Airman. The remains of Air Force Capt. Thomas E. Clark, 29, of Emporium PA, missing in action from the Vietnam War, have been identified and were returned to his family for burial with full military honors. in his hometown on 22 OCT.

- On Feb. 8, 1969, Clark was attacking an anti-aircraft artillery position in Savannakhet Province, Laos, when his F-100D Super Sabre aircraft was struck by enemy fire and crashed. Three other American pilots on the mission did not see a parachute or any other signs of Clark. Immediate search and rescue missions were not able to locate the crash site.
- In 1991, and again in 1992, joint U.S./Lao People's Democratic Republic (L.P.D.R.) teams investigated the area of the crash and recovered aircraft wreckage and military equipment. The teams also conducted interviews with locals who reported witnessing the crash. Local Laotians gave the investigators two military identification tags that identified Clark, and human remains, which had been recovered from the site shortly after the crash. In 2009, an additional excavation of the site recovered dental remains which also helped to identify Clark.
- Among other forensic identification tools and circumstantial evidence, scientists from the Joint POW/MIA Accounting Command were able to use dental analysis to help identify Clark.
- Today more than 1,600 American remain un-accounted for from the Vietnam War. More than 900 servicemen have been accounted for from that conflict, and returned to their families for burial with military honors since 1973. The U.S. government continues to work closely with the governments of Vietnam, Laos, and Cambodia to recover all Americans lost in the Vietnam War.

For additional information on the Defense Department's mission to account for missing Americans, visit the DPMO web site at <http://www.dtic.mil/dpmo> or call (703) 699-1420. [Source: DPMO News Releases Oct 2011 ++]

Postal Rates 2011: The cash-strapped U.S. Postal Service announced on Tuesday a one-cent increase in the cost of mailing a letter, starting in January. The new prices lift the cost of a first-class stamp to 45 cents starting on January 22, 2012, the first increase in more than two years. The Postal Service is facing a financial crisis because mail volumes have declined as more people use electronic mail or the services of private sector competitors such as FedEx and United Parcel Service. The Postal Service said the cost to mail a postcard will go up three cents to 32 cents, letters to Canada or Mexico will increase five cents to 85 cents, and letters to other international locations will increase seven cents to \$1.05. The agency, which is allowed to raise prices in line with the rate of inflation, said it filed the new prices with the Postal Regulatory Commission on Tuesday. The regulator has 45 days to approve the changes.

Until the price changes take effect, consumers can still purchase 44-cent Forever stamps, which do not require additional postage after prices go up. "The overall average price increase is small and is needed to help address our current financial crisis," said Postmaster General Patrick Donahoe. "We continue to take actions within our control to increase revenue in other ways and to aggressively cut costs." The Postal Service has asked Congress for permission to drastically overhaul its business, including cutting Saturday mail delivery and eliminating a massive annual payment to prefund retiree health benefits. The agency also is studying thousands of post offices and processing facilities for possible closure. [Source: Reuters Emily Stephenson article 18 Oct 2011 ++]

Tricare Dental Program Update 04: TRICARE Dental Program (TDP) survivor benefits have changed as a result of legislation that has recently been approved by the U.S. Congress. As a result, the TDP

survivor benefit is now available to a larger segment of the military population and provides extended care to children of survivors. Current TDP enrollees do not have to take any action for the new benefits to take effect. Beneficiaries not currently enrolled in the TDP can enroll online now for coverage to be effective as early as 1 NOV 2011. Key changes include the following:

- Survivors do not need to have prior enrollment in the TDP at the time of the sponsor's death to receive the TDP Survivor Benefit. In the past, enrollment was required to be eligible for benefits.
- Surviving children are eligible to receive survivor benefits through the end of the month in which they turn age 21, or 23 if enrolled in a full-time accredited college or university. Additionally, incapacitated children are eligible to receive TDP coverage for the greater of:
 - a) three years from the sponsor's date of death; or
 - b) the date which the dependent turns 21, or 23 if enrolled in a full-time accredited college or university. This is an increase in coverage from the three years children received prior to legislation.
- Eligible surviving family members not enrolled in the TDP at the time of the sponsor's death will be notified by the Government of their eligibility for enrollment in the TDP. The surviving spouse, parent, or dependent 18 years of age or older may complete the enrollment process at <https://secure.ucci.com/tdptie/secure/home/home.jsp> for the TDP Survivor Benefit to take effect.

To review the survivor benefit in its entirety, visit the Benefits section at http://www.tricareentalprogram.com/tdptws/enrollees/benefits/survivor_benefits.jsp of the TDP website. [Source: National Military Family Association newsletter 18 Oct 2011 ++]

GI Bill Update 107: For the past 1-1/2 years, a new bill H.R.3167 was referred to as our "VET BIZ GI Bill". It's now officially: The Veterans Entrepreneurial Transition Act of 2011. From World War II to the wars in Iraq and Afghanistan, the federal government has been paying to send war veterans to college. But many soldiers these days find that they aren't interested in hitting the books and would rather just use the skills they've learned to start their own business. That's why Rep. Jeff Fortenberry (R-NE) introduced legislation 12 OCT that would allow veterans to cash in their educational benefits for money toward starting up their own small businesses. He said it is in keeping with the original purpose of the educational benefits: to ease a veteran's transition back into civilian life and the workforce. Fortenberry said that historically only about a third of veterans end up using their benefits. "Giving veterans entrepreneurial opportunity by giving them access to capital through a benefit that's already defined by the federal government to us seems a way to meet multiple policy objectives of job creation, assistance to veterans and empowerment of small business entrepreneurs," Last November, White House Tech Czar Anees Chopra speaking before the 2010 at the Ernst & Young's 2010 Strategic Growth Forum, one of the America's premier small business conferences, said "It Doesn't Take An Act Of Congress" if veterans want to go into business. "The government has resources on websites."

After the session, original GI Bill author Andy Gibbs met with Chopra to explain that with our national economic crisis and one million jobless veterans, an 'Act of Congress' is precisely what's needed for our veterans, and said "I'm writing a new GI Bill" Chopra smiled, and responded simply: "Impossible". Daunting, discouraging, and challenging, perhaps. But impossible? A year later, and nearly two years after a service disabled veteran took to the keyboard, the "impossible" is now H.R. 3167. Gibbs is founder and Chairman of Patriot Enterprise Project, Inc. a nonprofit formed solely to write and advocate a NEW GI BILL. His vision was to empower America's one million jobless veterans to start tens of thousands of new small businesses, build solid financial futures for their families, and create 500,000 new sustainable jobs across America. "Creating a landmark GI Bill that to change the future for a

million veterans should be the job for a national veteran service organization with a huge budget and legal staff, not for an ex-combat medic working on a shoestring budget. I could sit back and hope, or learn the legislative process and lead out." Gibbs is not one to sit back and hope. "Our veterans need a tangible, boots-on-the-ground, NON-PARTISAN solution NOW, as does our Nation. A pat on the back and a 'Thank you for your service' doesn't put food on the table or create America's new jobs."

But the new Vet Act of 2011 hasn't met with 100% support. Detractors say that veterans are not skilled enough, or experienced enough to start and succeed in a civilian business - they'll waste taxpayer's money. Others (even government executives who are supposed to support veterans) have told Gibbs: "11,000 bills are introduced during every 2-year session of congress, and only 150 are enacted. Your bill will never make it to Congress". "The fact is that members of America's military are the most capable, most disciplined workforce in the world. They are trained to pursue a mission, encounter the unknown, and prevail. They are experienced in assessing a hostile environment, creating a tactical solution on the fly, and implementing it without command direction. Sounds like a the perfect definition of a successful small business owner." says Gibbs. Pointing to himself: "I'm not a lawyer, a big corporate lobbyist, a politician or lawmaker, and I've certainly never written a piece of Congressional legislation before. What makes me think I can do the impossible? My one mission is to serve my fellow veterans - and our Country, not a corporate employer or special interest campaign contributors. If you're a veteran, you already know the rest of the answer."

One group opposed to it is the Veterans of Foreign Wars, which doesn't want to see the GI Bill's fundamental purpose changed. Ryan Gallucci, VFW's deputy legislative director said,. "This isn't capital to start up a business. It's a program to make yourself a more marketable employee." He said other avenues exist for veterans to get help starting a business, such as loans from the Small Business Administration, federal government contracting preferences and various state-based programs. One of the VFW's concerns is that many small businesses fail. Soldiers could come home from war and use their educational benefits to start a business that quickly goes bust. "Now you're left with nothing to fall back on, and that's what that benefit is really about — it's about preparing you for what comes after military service," Gallucci said. Fortenberry said a process would be established for screening business proposals. "We're not going to hand out money here," Fortenberry said. Department of Veterans Affairs officials have previously expressed concern that the VA does not have the expertise to evaluate business plans. [Source: World-Herald Bureau October 13, 2011++]

VA Mental Health Care Update 05: The number of veterans of the wars in Afghanistan and Iraq receiving mental healthcare from the Veterans Affairs Department climbed more than 300% in the five years through 2010, to 139,000 veterans, according to a new report from the Government Accountability Office. The rise in the care of veterans of the two current wars helped drive up growth in the overall mental healthcare of veterans by 34% from 2006 to 2010, to 1.2 million veterans, according to the GAO. The number of veterans of the wars in Afghanistan and Iraq receiving mental healthcare from the VA as a percentage of veterans receiving any kind of healthcare from the VA, climbed to 2.66% in 2010 from 0.72% in 2006, according to GAO data. The data result from a report designed to inform members of Congress on how many veterans are receiving mental healthcare, to identify what the barriers to such care are and to identify VA's efforts to increase veterans' access to mental healthcare. Some of the barriers to care include: stigma, lack of understanding or awareness of mental healthcare, logistical challenges to accessing such care, and concerns about VA's care, according to the GAO report. [Source: Modern Healthcare Paul Barr article 16 Oct 2011 ++]

VA Mental Health Care Update 06: The mental health care provided by the US Department of Veterans Affairs for veterans is as good as or better than that reported by the private, Medicare, or Medicaid systems. But US veterans with mental health or substance-use disorders receive care that varies greatly by geographic region and costs more than care for veterans with just physical medical disorders, researchers reported online October 19 in the journal *Health Affairs*. Variation within the organized and integrated VA system probably indicates that the variation in other care sectors is much greater, the researchers wrote. "While the VA does a better job at providing mental health services than other healthcare systems, there is still substantial room for improvement," said Katherine Watkins, MD, lead author of the study. "With some changes, the VA could provide even better and more cost-effective care for the nation's veterans, as well as serve as a model for other healthcare systems."

Included in the study were veterans who sought care from the VA for at least 1 of 5 diagnoses (schizophrenia, bipolar I disorder, post-traumatic stress disorder, major depression, and substance-abuse disorders) and who had at least 1 inpatient stay or 2 outpatient visits. The researchers tracked 23 performance indicators and assigned percentages of care performance for the care units. For example, units assessed 82% of patients for suicidal ideation but only 23% for response to psychotherapy. Sixty percent of study veterans with at least 1 prescription for an antidepressant filled prescriptions for a 12-week supply. Only 16% of study veterans received pharmacologic treatment of alcohol dependence. Of the veterans identified with schizophrenia or bipolar disorder, fewer than one-third were treated continuously with antipsychotics or mood stabilizers. As for cost of care, the average for each veteran studied totaled \$12,337, almost 3 times more than the \$4579 for veterans not included in the study. Researchers attribute the difference to a higher number of inpatient and outpatient visits for mental and physical care services.

For the report, researchers from the Altarum Institute in Ann Arbor, Michigan, and the RAND Corporation in Santa Monica, California, analyzed data from fiscal year 2007 for veterans who also received mental health treatment or treatment for other disorders in fiscal year 2008. Additional veterans' data made up the study group for a medical records analysis. In all, the researchers studied the records of 836,699 veterans. The data came from the Veterans Integrated Service Networks, consisting of hospital and outpatient medical centers in 21 US geographic regions. Enabling the researchers to obtain cost data — the VA does not bill directly — was the VA's Decision Support System, a managerial cost accounting system that can attribute direct and indirect costs of care down to the care units and patients. [Source: *Medscape Today News* Larry Hand article 20 Oct 2011 ++]

VA Home Loan Update 32: The chairman of the House Veterans' Affairs Committee ordered his staff to begin an investigation 14 OCT into allegations that some of the nation's largest lending institutions have cheated veterans and taxpayers out of hundreds of millions of dollars by charging illegal fees in home refinancing loans. Committee staff members met with officials from the Department of Veterans Affairs to discuss the charges, which are made in a whistleblower lawsuit unsealed this month by a federal court in Atlanta. "I will reserve judgment on the appropriate next course of action, to include the potential for a full Committee hearing, after having the opportunity to review the results of the staff investigation," Rep. Jeff Miller (R-Fla.), chairman of the committee, wrote in a letter to Rep. Bruce Braley (Iowa), the ranking Democrat on the committee's subcommittee on economic opportunity. Braley on 12 OCT requested that the committee hold a hearing to examine the allegations. "It is disconcerting that charges have arisen that banks are not following rules governing fees that can be charged for refinancing loans," Braley wrote in a letter to Miller. On 11 OCT, Sen. Jon Tester (D-MT), a member of the Senate Veterans' Affairs Committee, sent a letter to Attorney General Eric H. Holder Jr. demanding that the Justice Department investigate the allegations. "If true, this type of behavior is illegal and it's un-American," wrote Tester.

Under a VA program, veterans are able to refinance with loans guaranteed by the government, enabling them to lower their interest rates or shorten the terms of their mortgages. The rules prohibit lenders from charging attorney fees. The lawsuit was brought under the False Claims Act by two mortgage brokers in Georgia who allege that the banks instructed them to disguise attorney charges by listing them as part of the title examination fee. The suit, which was filed in 2006 but remained sealed while the allegations were investigated, seeks to recover damages and civil penalties from 13 lending institutions on behalf of the U.S government. The Justice Department has notified the federal court in Atlanta that it is not taking over the case but will consider doing so at a later date. "I request that you provide justification for this decision, and urge you to reconsider," Tester wrote in his letter to Holder. "I also request that you investigate the full extent of these illegal activities." The Justice Department has not yet responded to the request, according to Tester's office. Sen. Sherrod Brown (D-Ohio), chairman of the Senate Banking subcommittee on financial institutions and consumer protection and a member of the Veterans' Affairs Committee, has called on the departments of Justice and Veterans Affairs to release the results of any internal investigations related to the suit.

Over the last 10 years, more than 1.2 million of the refinanced loans have been made to veterans and their families, and as many as 90 percent may have been affected by the alleged fraud, according to attorneys for the plaintiffs. The loans are guaranteed by the federal government, making them less risky and more profitable for banks. "That resulted in better prices from the loans that banks and mortgage brokers sold to investors," Tester said. "And as more of these loans went into default or foreclosure, it was ultimately American taxpayers who were on the line." Tens of thousands of the VA loans have gone into foreclosure, costing taxpayers hundreds of millions of dollars, and the costs will rise as more go into default, according to the suit. [Source: Washington Post Steve Vogel article 16 Oct 2011 ++]

Veterans Day 2011 Update 02: Many businesses honor Veterans and Servicemembers by offering Veterans Day discounts on goods, services and dining. Most businesses require some proof of military service, this includes a VA Universal Access Card, Military I.D., DD-214 (Discharge Papers) or in some cases a picture of the veteran in uniform. Be aware that not all franchise locations participate in their national chain's Veterans Day programs, be sure contact your nearest establishment to be sure they are participating. check out the following:

Food

- **Abuelo's Mexican Food** - Abuelo's offerings vary by region, be sure to call ahead to see what the discounts or freebies are included.
- **Applebees** - All veterans and active duty military eat free from a limited menu at Applebee's on Veterans Day. Refer to <http://www.applebees.com/menu/vetsday> for locations.
- **America's Incredible Pizza Company** (St. Louis and St. Peters, MO) - Free meal Nov. 11th. Call ahead to verify hours and locations.
- **Barmuda (Iowa)** - Barmuda is offering a free meal to all active duty members and veterans in all restaurants. 1100-2200 on 11 NOV.
- **Boston's Gourmet Pizza** (Denver area) – Free individual pizza. All military veterans and active duty military personnel can enjoy an FREE individual one topping pizza this Veteran's Day 5-7 PM.
- **Chili's** - Veterans and active duty dine for free from a special limited six item menu on Veterans Day.
- **Golden Corral** - Golden Corral Restaurants' Military Appreciation Monday free dinner will be available on November 15, from 5 p.m. to 9 p.m. Military retirees, veterans, active duty, National Guard and Reserves are all welcome.

- **Hooters** - All Veterans and active duty eat free. The free entrees must be selected from a special Veterans Day menu.
- **Hy-Vee** - Free breakfast on Veteran's Day during regular breakfast hours. Select from scrambled eggs, hashbrown casserole, biscuits and gravy and more. A free small drink is also included.
- **Krispy Kreme** - All active-duty, retirees & veterans get a free doughnut on Veterans Day. Be sure to call ahead to verify your local Krispy Kreme is participating.
- **McCormick & Schmick's Seafood Restaurants** - Participating McCormick & Schmick's Seafood Restaurants offer a complimentary entree to vets from a special menu on a space available basis, online reservations are highly recommended.
- **Outback Steakhouse** - Veterans and active-duty military get a complimentary Bloomin' Onion and non-alcoholic beverage on Veterans Day.
- **Ruby's Diner** - Free Cinnamon Roll French Toast a la carte for all veterans and active duty military personnel on Veteran's Day with coupon. Breakfast is served until 11:30 a.m.
- **Subway** - Participating Subway's are offering free six-inch sub sandwiches to veterans or active-duty members on November 11th. Please call ahead for details.
- **T.G.I. Friday's** - Veterans and Service members Buy one get one free from Nov 11-14. Contact your nearest location for more details on their Veterans Day BOGO offer.
- **Texas Roadhouse** - Free meal from opening until 4pm. on Veterans Day. Call ahead to your local restaurant for more information.
- **Tim Hortons** - all US locations are offering a free donut to all veterans on 11 NOV.
- **UNO Chicago Grill** - UNO is offering a Buy One Get One free offer to Service members or Veterans with a military or veteran I.D. or in uniform or with a photo of themselves in uniform. The Veterans Day BOGO offer includes a free entree or individual pizza, with the purchase of an entree or pizza of equal or greater value.

Retail

- **Amazon.com** - Free ?Veterans Day Honor? MP3 album download. The album includes 12 songs by The Bands and Ensembles of the U.S. Armed Forces.
- **Build-a-Bear Workshop** - Members of the armed services including the Army, Navy, Marine Corps, Air Force, Coast Guard, and Reserve Officer Training Corps, will receive a 20% discount November 11-15 on any one transaction at Build-A-Bear Workshop.
- **Cabela's Outdoor Store** - Offers their employee discount to all veterans, active-duty military and reserves, law enforcement, fire and EMS personnel November 11-12. Discounts vary from 5% to 50%, depending on the item.
- **Fashion Bug** - 20% off all plus-size and misses clothing purchases with a copy of military ID or spouse's military ID.
- **Home Depot** - Offers a 10 percent discount to all Veterans during Veterans Day, Memorial Day and Independence Day.
- **Lowe's** - All veterans receive the 10-percent discount on Veteran's Day, Memorial Day and the Fourth of July. The offer is available in stores only and is limited to in-stock and special-order purchases of up to \$5,000.
- **Sam's Club** - Sam's give away 36,000 collapsible Hugo Canes on Veterans Day to military veterans in need of mobility assistance. Sam's Club will require membership for this offer, but proof of service may be necessary.
- **Sears** - 10% discount Thursday and Friday, Nov. 11-12. Sears is offering a "Salute to Local Heroes" discount to all military, veterans, police, firefighters, teachers, and hospital staff. Offer is good for 10% of regular, sale, and clearance prices.

- **Sleep Number Stores** - Free travel pillow to all active duty military & retirees now through Nov. 14. Find your “sleep number” setting, and get a free pillow.
- **Sports Clips Haircuts** - The men's hair salon chain is offering a free haircut to active military and veterans on Veterans Day.
- **The Dollar General** - Veterans, Service members (Active, Guard, and Reserve), and their immediate families will receive a 10-percent discount with a Veterans Day coupon. The coupon may be found in store circular ads or by asking a sales associate.

Other

- **Aquarium of the Pacific** - Free admission to the (November 11, 2011)
- **B&B's for Vets** - Bed and Breakfasts across the nation are offering a one night stay, the night before Veteran's Day, free to Veterans. Many also offer discounts to military and veterans throughout the year.
- **Brevard Zoo FL** - Free admission deployed November 11-13, 2011 (even to spouses whose loved one is
- **Colonial Williamsburg** - Free weekend-long admission tickets active-duty military, reservists, retirees, veterans, and their immediate dependants November 11-13, 2011.
- **Concerts** - Free Veterans Day Concert from The San Antonio Symphony and the United States Air Force Band of the West November 13, 2011.
- **Des Moines Botanical Center** - Free admission to the November 11, 2011.
- **Grace for Vets** - Free car wash for all vets on 11 Nov at 1620 Total Participating Locations in 50 States. Check locations at <http://graceforvets.org/2011/participating.php>.
- **Knott's Berry Farm** - Veterans and active duty members will receive free admission and one guest from November 1st through Thanksgiving. Identification is required. Six additional tickets can also be purchased for \$15 a piece.
- **National Parks, Forests, & Monuments** - Free Entrance to the public November 11-13, 2011.
- **Pembroke Pines** - Free event on November 11, 2011.
- **Red Roof Hotels** - Veterans will receive a 15 percent discount at participating hotels during the month of November. Use coupon code “606310” or mention your military status when reserving. Identification of past or present military service is required.
- **Registry Inns** - Select Registry Inns is offering a one night stay, November 10th, the night before Veteran's Day to qualified Veterans and their families. You must present a valid military ID or Veteran's Administration card to take advantage of this program. Some of the sites offer additional services and amenities for reduced rates as well.
- **San Jacinto Monument and Museum** (La Porte, TX). November 7-13: Free admission to the theatre, Observation Floor, and (on November 12-13) the special exhibit to all veterans and their families
- **Sea World, Busch Gardens & Sesame Place** - Up to 3 direct military dependents will receive a free, single-day complimentary admission.
- **Wet n Wild Hawaii Water Park** - Wet n Wild Hawaii is hosting the eighth annual Veterans Day event, Thursday, November 11. All active duty and retired military, reservists and national guards (with valid identification) receive FREE entry into the park. Friends and family members can also purchase a special discount admission for just \$19.99 each plus tax.

Year-Round Veterans Discounts

- **FarmerBoy Restaurants** - Offers a year-round 15% discount to all active military, reserve, retired or disabled veterans and their family members with a valid military ID.

- **Foot Locker** - Veterans, Service members (Active, Guard, and Reserve), and their immediate families with a Foot Locker Veterans Advantage Card receive a 20 percent discount every day of the year. That offer is good both online and at any store location, including Foot Locker, Lady Foot Locker, Kids Foot Locker, Footaction and Champs Sports - even on sale items
- **Home Depot** - Offers a 10 percent discount (up to a \$500 maximum) to all active military, reserve, retired or disabled veterans and their family members with a valid military ID.
- **Lowe's** - Lowe's offers a year-round 10 percent discount offer for all active duty, National Guard and Reserve, retirees and disabled Servicemembers and their immediate families. The discount is available on in-stock and special-order purchases of up to \$5,000. The offer can't be used on sales at Lowes?.com, on previous sales or on sales of services or gift cards. You must present a valid military I.D. card to receive the discount

[Source: Military.com Terry Howell article 9 Oct 2011 ++]

Veterans Day 2011 Update 03: Jamie Woodson (R--Knoxville) and Representative Ryan Haynes (R--Knoxville) announced 4 MAR that they have been informed that an administrative change will take place to allow for the long-standing practice of placing American flags on the graves of veterans in Tennessee's veteran cemeteries on Veteran's Day. The Knoxville lawmakers have worked with Governor Bill Haslam and Veterans Affairs Commissioner Many-Bears Grinder to make the appropriate administrative changes to permit volunteers, like the boy scouts, to place the flags on the graves. The cemeteries fall under the federal Floral Regulations for the gravesites of military veterans which prohibits the practice except on Memorial Day. Adherence to those regulations raised many concerns and questions by community organizations and others who sought to decorate the graves with flags last year on Veteran's Day. The administrative change anticipates a change in the federal regulations.

- Commissioner Grinder remarked, "Placement of flags on the graves of our heroes reflects honor and respect. It makes a public statement that the State of Tennessee shall never forget the many sacrifices of a few so that all can enjoy our freedom. Changing this policy is the right thing to do."
- Speaker Pro Tempore Woodson said, "I greatly appreciate Commissioner Grinder's and Governor Haslam's support in this effort. This action will allow for the time-honored tradition of placing flags on the graves at our veteran cemeteries in Tennessee in memory of those who died for their country ... Over the years, volunteers, including many children, have continued to honor their sacrifice. This policy will allow for us to continue to remember the many Tennesseans who died for our freedoms."
- Rep. Haynes stated, "This is a victory for both common sense and the dignity we owe our brave service members who gave the ultimate sacrifice in the service of our Republic ... This is a twenty year old tradition that I am honored to help continue for East Tennesseans."

On February 18, 2011, the Tennessee Department of Veterans Affairs changed State Cemetery policies and procedures to permit decoration of all graves with American flags at each State Veterans Cemetery (East, West, and Middle) for Veterans Day and Memorial Day. Previously, the placement of American flags on graves was permitted only on Memorial Day. The department's change in policy regarding placement of flags on graves on Veterans Day is expected to conform to the *anticipated* change in Federal policy. The placement and removal of such American flags will be coordinated with the applicable Cemetery Director. [Source: Knoxville News Sentinel Tom Humphrey Blog 4 Mar 2011 ++]

Wreaths Across America Update 04: 2011 will mark the 20th anniversary of Worcester Wreath Company donating Maine wreaths to adorn the headstones of our Nation's veterans at Arlington National Cemetery. In addition to 15,000 wreaths destined for Virginia, Worcester Wreath will again donate 7 ceremonial wreaths to over 410 State, National and local cemeteries across the Country. Also, continuing a tradition started in 2009, wreath-laying ceremonies will be coordinated in 24 foreign cemeteries and aboard Naval ships in all Seven Seas.. In response to the many voices who wanted to share in the project, the non-profit Wreaths Across America (WAA) organization was formed (EIN: 20-8362270) to expand the program by offering supporters the opportunity to sponsor a wreath. Their goal is to one day see every veterans grave in the country covered to honor every veteran during the holidays. The 2011 Schedule of events is:

- Sunday, December 4th, 2011
- Start of World's Longest Veterans Parade from Maine to Arlington National Cemetery and participating locations
- Monday, December 5th
- State House wreath-laying ceremonies in all 50 States and Puerto Rico
- Saturday December 10th, 12:00 noon (EST)
- Simultaneous wreath laying ceremonies at nearly 600 locations all across the country and beyond.

Anyone desiring to participate or help bring sponsored wreaths to their local community can contact WAA who will help connect them with other groups already working in their area. Contact can be made via 877-385-9504; 207-470-0967; Fax 866-956-1625; or mail to Wreaths Across America, PO Box 249, Columbia Falls, ME 04623. Those desiring to sponsor a wreath can do so by filling out a sponsorship form available at <http://www.wreathscrossamerica.org/wp-content/uploads/2011/07/Downloadable-Order-Form-for-website.pdf>. Note that the Wreaths Across America national office is not able to accommodate grave-specific requests. However, you may choose a specific location from the hundreds of participating sites across the country which can be found at <http://www.wreathscrossamerica.org/locations/>. The leader for that location MAY be able to accommodate a grave specific request. [Source: Veterans Corner with Michael Isam article 17 Oct 2011 ++]

Health Care Reform Update 43: The Obama administration has given up on a controversial long-term care insurance program called the CLASS Act, Health and Human Services Secretary Kathleen Sebelius said on Friday. Sebelius told Congress she did not see a way forward for the program, which Senate appropriators had cut off funding for in September. Republicans have strongly opposed the program. "...despite our best analytical efforts, I do not see a viable path forward for CLASS implementation at this time," Sebelius wrote. The controversial insurance program, established under the 2010 health reform law, had been on indefinite hiatus. Staff at the CLASS office within HHS were reassigned last month. Senate Democrats removed all funding for CLASS in the Labor-Health and Human Services 2012 spending bill because program "implementation has been delayed." The program was originally intended to start collecting premiums in October 2012. Sebelius has said changing the income and premium levels, among other items, set in the health care law to make the program solvent are potential fixes. But critics say the department would need legislation to make those changes. [Source: National Journal Meghan McCarthy article 14 Oct 2011 ++]

Health Care Reform Update 44: If you have a high-deductible health plan, or are otherwise responsible for a lot of your health care costs, be aware that "free" preventive care isn't necessarily free. You could be charged by your physician for the office visit, the cost of drawing blood, or many of the tests dependent on

whether or not proper coding was assigned on the forms submitted to your insurance company for services provided. Before you schedule your next preventive visit to your doctor, review the following to see what the law actually covers:

Covered Preventive Services for Adults

- Abdominal Aortic Aneurysm one-time screening for men of specified ages who have ever smoked
- Alcohol Misuse screening and counseling
- Aspirin use for men and women of certain ages
- Blood Pressure screening for all adults
- Cholesterol screening for adults of certain ages or at higher risk
- Colorectal Cancer screening for adults over 50
- Depression screening for adults
- Type 2 Diabetes screening for adults with high blood pressure
- Diet counseling for adults at higher risk for chronic disease
- HIV screening for all adults at higher risk
- Sexually Transmitted Infection (STI) prevention counseling for adults at higher risk
- Tobacco Use screening for all adults and cessation interventions for tobacco users
- Syphilis screening for all adults at higher risk
- Immunization vaccines for adults--doses, recommended ages, and recommended populations vary: Hepatitis A; Hepatitis B; Herpes Zoster; Human Papillomavirus; Influenza; Measles, Mumps, Rubella; Meningococcal; Pneumococcal; Tetanus, Diphtheria, Pertussis; and Varicella

Covered Preventive Services for Women, Including Pregnant Women. Note: Services marked with an asterisk (*) must be covered with no cost-sharing in plan years starting on or after August 1, 2012.

- Anemia screening on a routine basis for pregnant women
- Bacteriuria urinary tract or other infection screening for pregnant women
- BRCA counseling about genetic testing for women at higher risk
- Breast Cancer Mammography screenings every 1 to 2 years for women over 40
- Breast Cancer Chemoprevention counseling for women at higher risk
- Breastfeeding comprehensive support and counseling from trained providers, as well as access to breastfeeding supplies, for pregnant and nursing women*
- Cervical Cancer screening for sexually active women
- Chlamydia Infection screening for younger women and other women at higher risk
- Contraception: Food and Drug Administration-approved contraceptive methods, sterilization procedures, and patient education and counseling, not including abortifacient drugs*
- Domestic and interpersonal violence screening and counseling for all women*
- Folic Acid supplements for women who may become pregnant
- Gestational diabetes screening for women 24 to 28 weeks pregnant and those at high risk of developing gestational diabetes*
- Gonorrhea screening for all women at higher risk
- Hepatitis B screening for pregnant women at their first prenatal visit
- Human Immunodeficiency Virus (HIV) screening and counseling for sexually active women*
- Human Papillomavirus (HPV) DNA Test: high risk HPV DNA testing every three years for women with normal cytology results who are 30 or older*
- Osteoporosis screening for women over age 60 depending on risk factors
- Rh Incompatibility screening for all pregnant women and follow-up testing for women at higher risk

- Tobacco Use screening and interventions for all women, and expanded counseling for pregnant tobacco users
- Sexually Transmitted Infections (STI) counseling for sexually active women*
- Syphilis screening for all pregnant women or other women at increased risk
- Well-woman visits to obtain recommended preventive services for women under 65*

Covered Preventive Services for Children

- Alcohol and Drug Use assessments for adolescents
- Autism screening for children at 18 and 24 months
- Behavioral assessments for children of all ages
- Blood Pressure screening for children
- Cervical Dysplasia screening for sexually active females
- Congenital Hypothyroidism screening for newborns
- Depression screening for adolescents
- Developmental screening for children under age 3, and surveillance throughout childhood
- Dyslipidemia screening for children at higher risk of lipid disorders
- Fluoride Chemoprevention supplements for children without fluoride in their water source
- Gonorrhea preventive medication for the eyes of all newborns
- Hearing screening for all newborns
- Height, Weight and Body Mass Index measurements for children
- Hematocrit or Hemoglobin screening for children
- Hemoglobinopathies or sickle cell screening for newborns
- HIV screening for adolescents at higher risk
- Iron supplements for children ages 6 to 12 months at risk for anemia
- Lead screening for children at risk of exposure
- Medical History for all children throughout development
- Obesity screening and counseling
- Oral Health risk assessment for young children
- Phenylketonuria (PKU) screening for this genetic disorder in newborns
- Sexually Transmitted Infection (STI) prevention counseling and screening for adolescents at higher risk
- Tuberculin testing for children at higher risk of tuberculosis
- Vision screening for all children
- Immunization vaccines for children from birth to age 18 —doses, recommended ages, and recommended populations vary: Diphtheria, Tetanus, Pertussis; Haemophilus influenzae type b; Hepatitis A; Hepatitis B; Human Papillomavirus; Inactivated Poliovirus; Influenza; Measles, Mumps, Rubella; Meningococcal; Pneumococcal; Rotavirus; and Varicella.

For more detailed information on these preventive services refer to <http://www.healthcare.gov/law/resources/regulations/prevention/taskforce.html>. [Source: MoneyTalksNews Oct 2011 ++]

VA Bonuses Update 05: The House has approved a bill that would limit the amount of money the Veterans Affairs Department can pay in performance awards to senior employees during the next four years. The legislation, sponsored by Rep. Jon Runyan (R-NJ) caps the amount of performance awards to senior staff to \$2 million per year from 2012 to 2016. VA paid out about \$3.3 million in performance awards payments in 2010,

according to a fact sheet posted on GOP.gov. "At a time when the entire legislative branch is reducing spending, and many executive branch employees will not see pay increases, the committee believes it is appropriate that VA reevaluate its entire bonus program and exercise restraint in its awarding of bonuses," GOP.gov said in a summary of the bill.

The 2011 Veterans Benefits Act also directs VA to establish a pilot program at five regional offices to test how well benefits claims processing personnel do their jobs and submit an annual report to Congress. Employees and managers who do not perform up to par would receive remediation or more training. The bill allows the department to take personnel actions against employees who fail the skills assessment twice. The four-year pilot program, which would cost \$5 million from fiscal 2012 to fiscal 2016, would test employees every two years. Currently, the Veterans Benefits Administration requires 85 hours of annual mandatory training for all employees, including claims processing personnel. The agency also assesses their performance through appraisal ratings and standards. "If an employee fails to meet performance standards, remedial training courses are given, along with biweekly mentoring by the supervisor," VBA said in a statement. "If, after at least 90 days, the employee's performance is still unacceptable, the employee is reassigned, reduced to a lower grade or removed."

The bill, which the House passed 11 OCT, extends VA's authority through 2013 to access tax information to verify the income of those receiving vets' pension benefits. The department saved about \$4 million in 2010 in pension overpayments through the verification process. The legislation in addition excludes insurance settlements made to a vet, surviving spouse or child from being counted as income in determining disability pension awards. Currently, payments for casualty losses are excluded from such determinations, but awards for pain and suffering are included as income in pension calculations. In addition, the bill reinstates penalties for soliciting a fee or compensation in assisting a veteran in filing an application for benefits. The Congressional Budget Office estimated H.R.2349 would decrease direct spending by \$11 million from 2012 to 2016, and by \$16 million by 2021. [Source: GovExec.com Kellie Lunney article 14 Oct 2011 ++]

Tax Brackets: No one likes paying taxes, but there's some good news on the horizon: Taxes for many people will go down next year. This will happen despite the political gridlock that has seized Washington, so neither party can claim the credit. If you've been to the grocery store or gas station lately, you know that prices are rising. But while inflation is bad news for the budget, it's good news for taxpayers. That's because the IRS uses inflation stats to adjust tax brackets every year to fight "bracket creep:" something that would happen if inflation-indexed wages unfairly pushed people into higher tax brackets. In other words, if your pay doesn't go up next year, at least your taxes might go down. Here are the three ways that will happen...

- **Personal Exemptions.** Exemptions are an amount you get to subtract before arriving at your taxable income, so the higher the better. For 2011, the personal exemption amount was \$3,700 -unchanged from the year before. But for 2012, thanks to inflation, it's estimated by tax publisher CCH to rise to \$3,800. If that turns out to be the case, that's \$100 less you'll be paying taxes on.
- **Standard Deduction.** When you file your taxes, you have the option of itemizing your deductions or just taking the standard deduction. If you have a lot of tax-deductible expenses, such as interest on a mortgage or charitable donations, you'll probably save more money by itemizing. If not, you'll claim the standard deduction. Like the personal exemption, this too is indexed to inflation. If CCH's estimate is correct, married couples filing jointly will have a \$11,900 standard deduction in 2012, an increase of \$300 over the 2011 amount. Single filers will have a standard deduction of \$5,950, up \$150 from 2011.
- **Tax-Bracket Adjustments.** Of the three parts of the income tax code that are indexed to inflation, this is the one can have the greatest effects on those who earn the most. If you understand marginal tax rates, you

know that different parts of your income are taxed at different rates. For example, in 2011, the first \$8,500 of taxable income earned by a single person was subject to a Federal Income Tax rate of 10 percent, and earnings from \$8,500 to \$34,500 were taxed at 15 percent. Fortunately, these thresholds rise every year, depending on inflation. In 2012, those first two brackets are estimated to move to \$8,700 and \$35,550. The top bracket of 35 percent, applied on income more than \$379,150 in 2011, will move to \$388,351 in 2012.

While inflation adjustments apply to all taxpayers, those who make the most benefit the most. According to CCH, a married couple with taxable income of \$100,000 will owe \$190 less in income taxes in 2012 than 2011. A married couple with taxable income of \$450,000 in 2012 would pay \$732 less in taxes. At a time when everyone seems to be simultaneously complaining about high taxes and the fact that the government is running a deficit, it's nice to know that at least some part of our tax code is making sure that your tax bill for next year doesn't rise unchecked by inflation. [Source: MoneyTalks Jason Steele article 12 Oct 2011 ++]

Vitamin Supplements Update 02: If it's Monday, it must be bad news about multivitamin day -- or was that Wednesday? No, Wednesday was good news about vitamin D, not so good news about vitamin E -- if you're confused, join the club. The alphabet soup of vitamin studies making headlines in the last few weeks has left more than one head spinning, and most clinicians scrambling for answers. As the dust begins to settle, physicians interviewed by MedPage Today and ABC News agreed on a bit of simple wisdom -- a healthy diet is more important than a fistful of supplements. "I had already asked my patients to stop their vitamin supplements four to five years ago, with the exception of those with a deficiency of vitamin D, ... pregnant patients [who should get] folate and prenatal multivitamins, or those with cognitive impairment, when I would recommend a vitamin B complex," Albert Levy, MD, a primary care physician in New York, said in an email to MedPage Today and ABC News. Whether patients heed the advice is another question, as recent research has shown that more take supplements now than ever before. More than half of Americans report taking a multivitamin or other dietary supplement, up from 40% just two decades ago. And there's sure to be pushback from the largely unregulated dietary supplements market -- estimated to be a \$20 billion industry -- which has already launched multiple critiques of the latest evidence.

Here's a sample of the supplement headlines over recent weeks: B12 deficiency leads to cognitive decline, vitamin D helps fight off tuberculosis, vitamin E ups the risk of prostate cancer, calcium won't improve outcomes for Mom or baby. The one that garnered particular attention reported an increased risk of death in postmenopausal women taking multivitamins, as well as vitamin B6, folic acid, iron, magnesium, zinc, and copper. Though multivitamins carried only a slightly increased mortality risk, many clinicians say they've written off the supplement for good. That's because multivitamins were never recommended on the basis of strong evidence anyway, David Katz, MD, of Yale's prevention research center, told MedPage Today. "What we had was a notion that this was an insurance policy," he said in an interview. "Many people don't eat the way they ought to, so they're not getting the optimal doses of nutrients from food. Instead, we can rely on a pill that ought to do you some good, and certainly couldn't do you harm. That was the thinking."

But more studies have suggested that the health outcomes in patients taking multivitamins appear to be slightly worse, Katz said. Still, he cautions that the present study is merely observational and can't prove cause and effect. For instance, some patients may take supplements as a result of being diagnosed with a condition, or they take them because they have a family history of chronic disease and are trying to prevent it, he said. And clinicians certainly are not concerned that taking multivitamins will kill their patients. It's just that there is no longer a dearth of evidence that they won't confer any harm at all, Katz said. "Considering the weak basis for recommending

multivitamins in the first place," he said, "when you combine that with evidence that maybe it could hurt, the rationale for making routine use of multivitamins goes away."

That's not to say supplements shouldn't be used at all, Katz said. He recommends omega-3 fatty acids and vitamin D for most of his patients, plus calcium for women. Prenatal vitamins and folic acid supplementation are also on that list. There's evidence behind those supplements, he said. The GISSI trial found cardiovascular benefits for omega-3s. Study after study has shown that the majority of Americans are deficient in vitamin D, and the supplement study flood included more positive findings for folic acid supplementation around the time of conception. As for the rest of the supplement lot -- give them only in the face of deficiencies, Katz said. It's long established, for instance, that B12 deficiency plays a role in dementia and other neurological disorders, and supplementation can stave that off. As well, certain vitamins are established treatments for a host of diseases, from vitamin C in scurvy to B12 in pernicious anemia.

But how can clinicians be sure that their patients actually need specific nutrients, especially since there are usually no obvious symptoms? Katz said, in most cases, doctors should ask about their patients' diets and about what vitamins they currently take, though he makes the exception for children who are meeting growth milestones or for adults with good muscle tone. The majority of clinicians reporting in a MedPage Today poll -- 70% -- said they supported annual screening of specific vitamin levels to treat deficiencies. They may simply be following recommendations -- in June, the Endocrine Society recommended screening for vitamin D deficiency in at-risk patients, setting various levels of treatment for different risk populations, to keep at bay rickets and bone complications.

Just as vitamin E was recently found to be unable to prevent prostate cancer -- it was actually associated with an increased risk of developing the cancer, albeit a "marginally significant" one -- several other nutrients once touted for their preventive benefits flopped in trials. "We fell in love with vitamin C in middle of the century, but trials didn't confirm the benefits of preventing colds or cancer," Katz said. Similarly, B-complex vitamins promised to lower heart disease risk, he said. While they did lower homocysteine, trials turned up no clinical cardiovascular benefits. The carotenoid antioxidants beta-carotene and lycopene also proved to be a bust, with both having no benefit in prostate cancer and the former no use in eye disease nor heart disease. We have a long litany of barking up the wrong tree," Katz said.

It's not clear why these vitamins don't do what they're expected to do, and researchers are actively looking into why. The latest theory is that vitamin isolates don't work quite as well on their own. The vitamin E isolate used in the prostate cancer trial was alpha-tocopherol, which is only one in the family of E-complex vitamins, Katz said. Rather, it may take the full blend of antioxidants and phytochemicals found within the context of a whole food in order to deliver any potential benefits. That appears to concur with clinician consensus on the majority of supplements, particularly in healthy patients: they're not needed. Eat a healthy diet instead. "[Patients] should stop trying to look for health in a pill," Lee Green, MD, of the University of Michigan, said in an email. "Health is not found in pills. It's found in good food and regular exercise. There's something in our psyche that makes us want to believe in magic, and that desire to believe has focused on vitamins." [Source: MedPage Today Kristina Fiore article 14 Oct 2011 ++]

Stolen Valor Update 49: A criminal case has been dismissed against a Nebraska veteran accused of lying about his military record. A federal judge in Maryland ruled in August that the Stolen Valor Act of 2005 was unconstitutional and dismissed the case against Aaron Lawless, an Iraq War veteran from Gothenburg, the Lincoln Journal Star reported on 15 OCT. The government is appealing. Court records filed in U.S. District Court in

Greenbelt, Md., say Lawless claimed to have won four Purple Hearts, two Bronze Star Medals and a Silver Star Medal. As a result of those claims, gun manufacturer Glock gave Lawless an award in 2008 along with plane tickets to Las Vegas, hotel accommodations and two pistols. But federal officials who investigated Lawless' claims found they were false, according to a criminal complaint. Under the Stolen Valor Act, falsely claiming to have earned a military medal is a misdemeanor punishable by up to a year in prison.

Lawless' attorneys, James Wyda and Susan Bauer, argued the act violates constitutional rights to free speech because it can be applied to mistakes and bragging. Magistrate Judge Thomas DiGirolamo agreed. "While it is highly unlikely that anything but the most egregious violations of the act would be prosecuted, the constitutionality ... is not to be determined on assumptions of how prosecutors will, in their discretion, enforce it," he wrote in his decision. The District of Maryland is the third federal court to deem the act unconstitutional. The Ninth Circuit Court of Appeals and the U.S. District Court for the District of Colorado also have done so. Lawless joined the Army in March 2005 and was sent to Iraq. He was awarded an Infantry Badge and the Iraqi Freedom Campaign Ribbon but no other military awards. In July 2006, Lawless was sent to Walter Reed Army Medical Center for a pre-existing brain lesion. During his recuperation, Lawless worked at a Maryland gun store, where he made the false statements about his military records, according to court records. Lawless' attorneys said he now suffers from post-traumatic stress disorder and has other mental health issues. [Source: Columbus Telegram AP article 15 Oct 2011 ++]

Stolen Valor Update 50: The Supreme Court will decide whether a law making it a crime to lie about having received military medals is constitutional. The justices said 17 OCT they would consider the validity of the Stolen Valor Act, which passed Congress with overwhelming support in 2006. The 9th U.S. Circuit Court of Appeals struck down the law on First Amendment free-speech grounds and appeals courts in Colorado, Georgia and Missouri are considering similar cases. The Obama administration is arguing that the law is reasonable because it applies only to instances in which the speaker intends to portray himself as a medal recipient. Previous high court rulings have limited First Amendment protection for false statements.

The case the high court agreed to hear, U.S. v. Alvarez, 11-210, concerns the government's prosecution of Xavier Alvarez of Pomona, Calif. A member of the local water district board, Alvarez said at a public meeting in 2007 that he was a retired Marine who had received the Medal of Honor, the nation's highest military decoration. In fact, he had never served in the military. He was indicted and pleaded guilty with the understanding that he would challenge the law's constitutionality in his appeal. He was sentenced under the Stolen Valor Act to more than 400 hours of community service at a veterans hospital and fined \$5,000. A panel of the San Francisco-based 9th Circuit voted 2-1 to strike down the law. The majority said there was no evidence that lies such as the one told by Alvarez harm anybody and no compelling reason to make a crime out of them.

In a dissent, Judge Jay Bybee said his colleagues should have followed previous Supreme Court rulings holding that false statements are not entitled to First Amendment protection. The 9th Circuit refused the government's request to have the case heard again by a larger panel of judges. 9th Circuit Chief Judge Alex Kozinski, agreeing with the majority, said people often tell lies about themselves in day-to-day social interactions. He said it would be "terrifying" if people could be prosecuted for merely telling lies. But seven appellate judges said they would have heard the case, suggesting that Alvarez's conviction should have been upheld. The law had been the latest congressional effort to try to keep people from wearing medals they did not earn. But it was the first time that lawmakers made it a crime for someone to claim falsely that he had been awarded a medal. The law has led to dozens of arrests at a time when veterans coming home from wars in Afghanistan and Iraq are being embraced as heroes. Many of the cases involve men who were not accused of trying to profit from their claims. Almost everyone

convicted under the law has been ordered to perform community service. Arguments will take place early next year. [Source: Mercury News AP Marc Sherman article 1Oct 2011 ++]

Stolen Valor Update 51: The host of the show "Deadliest Warrior" -- a TV series that pits warriors of different eras against each other -- has resigned over lying about his purported Green Beret background. Robert Daly, a former imagery specialist assigned to an intelligence unit at the Presidio in Monterey, Calif., claimed online in May to "having been in the Special Forces." In an 11 OCT mea culpa (i.e. a Latin phrase that translates into English as "my mistake" or "my fault") to ProfessionalSoldiers.com, a website run by a former Special Forces master sergeant, Daly said he served as an intelligence analyst for the 12th Special Forces Group from 1991 to 1994, but was not a Green Beret. "While I wore the [Green Beret] as part of my uniform, I utterly regret that I have misrepresented my role by creating the impression that I was a 'Green Beret,'" Daly wrote. "I have nothing but the utmost respect for the Green Berets and my fellow servicemen, and I respectfully apologize to the Special Forces community."



Host of the show "Deadliest Warrior" Robert Daly

In the same posting Daly said he was resigning as studio head of Pipeworks Software, which produces "Deadliest Warrior," and would no longer host the program. Pipeworks did not respond to Military.com's request for comment. The new host for "Deadliest Warriors" will be Richard "Mack" Machowicz, a former Navy SEAL and current host of "Future Weapons," according to an announcement on Spike TV's website. Spike carries both shows as original programming. The same web page also continues to refer to Daly as a "former Green Beret." Hinton told Military.com, "Robert Daly had no doubt to the validity of his 'Green Beret' claims, neither did Professionalsoldiers.com. There is no debate, no gray area. Being referred to as a 'Green Beret' is analogous to being pregnant. You either are or you are not."

Daly is not the first veteran who served in a Special Forces unit to later promote himself as a Green Beret. In Philadelphia, city council candidate David Oh claimed in campaign literature to having been a Green Beret. Oh ended up making an online apology to the Special Forces community via the website Socnet.com. Hinton has become the bane of phony Green Berets and Navy SEALs, exposing numerous fakes by getting their publicly available records through Freedom of Information Act requests and using his own network in the Special Forces. In August Hinton testified before a Maryland judge prior to the sentencing of William G. "Bill" Hillar, who for years passed himself off as a former Special Forces colonel and expert in international sex trafficking. Hillar taught classes on the subjects at the Monterey Institute of International Studies, and conducted paid lectures to law enforcement groups and agencies. Among his victims was the FBI. Hillar was sentenced to 21 months in jail for

wire fraud after admitting that an email he sent to the University of Oregon to apply for work included fraudulent information about his military background and experience. "All I do is expose them," Hinton said. "Ninety-nine percent of the time someone else 'finds' them and then asks that poser questions." Once a skeptic asks "Is this guy for real?" he said, "That's the last words for a poseur." [Source: Military.com News Bryant Jordan article 14 Oct 2011 ++]

DoD Pay and Benefits: The Veterans of Foreign Wars on 18 DEC urged its 2 million members to plead with Congress to spare military and veterans' benefits as a special deficit-cutting panel looks to slash \$1.2 trillion from the federal budget. In a "call to action," the VFW said it opposes any changes to the programs and decried any congressional attempt to balance the budget on the backs of military retirees and disabled veterans. The organization implored members, their families and friends to contact lawmakers immediately. "It is critical that our voices not be lost in the ongoing budget debate that seems to now equate national service and sacrifice with the size of health care premiums," said Richard L. DeNoyer, a retired Marine and head of the VFW. "The 'people programs' inside the (departments) are expensive because it takes people to fight our wars, and with less than 1 percent of our citizens currently in uniform, any degradation of these hard fought-for programs will break faith with those who sacrifice the most."

The American Legion also concerned by potential cuts to vets' benefits. The Legion is "disappointed with the 'tepid' stand taken by House and Senate Veterans Affairs' Committee leaders against federal budget cuts that would compromise the welfare of military veterans." Legion "leaders say they plan to draft a strong and detailed response to the proposals submitted to the 'supercommittee.' Recently, The American Legion's board of directors warned that proposed fiscal cuts to the Department of Defense and VA would not only hurt the economy, but would also do 'irreversible and irreparable harm to the military capability of the US to defend the nation...'"

The pleas are prompted by several recommendations to the so-called supercommittee that sent shock waves through the powerful groups of retired officers and veterans. Last Friday, the top Democrat and Republican on the Senate Armed Services Committee suggested that the panel consider some of President Barack Obama's proposed cost-saving changes to health and retirement benefits for the military. Sens. Carl Levin, (D-MI), and John McCain, (R-AZ) said they would support establishing an annual enrollment fee for TRICARE for Life, the health care program that has no fee for participation. Obama had proposed an initial annual fee of \$200. McCain also urged the supercommittee to consider restricting working-age military retirees and their dependents from enrolling in TRICARE Prime, which has the lowest out-of-pocket expenses. The retirees could still enroll in other TRICARE programs. McCain pointed out that the Congressional Budget Office has estimated that such a move would save \$111 billion over 10 years. Active-duty personnel still would be enrolled in the program automatically. McCain also said he supported Obama's proposal for a commission to review military retirement benefits that should consider changes to the military compensation system. He said he agreed with Defense Secretary Leon Panetta, who said those currently serving in the military should be "grandfathered" in, so expected benefits aren't reduced.

Sen. Levin also backed creation of a commission, but suggested that it look at all elements of military compensation, including basic pay, allowances such as housing, incentive pay and the tax structure for military pay. He said current service members should be grandfathered in "to avoid breaking faith with the force." The Pentagon's health care costs have skyrocketed from \$19 billion in 2001 to \$53 billion, but lawmakers and various groups argue that members of the military and their families sacrifice far more than the average American, with a career that includes long and dangerous deployments overseas that overshadow civilian work. Health and retirement benefits help attract service members to the all-volunteer force. Asked about the response from groups such as the VFW, McCain said 18 OCT in an interview, "They're very worried and we want to assure them that we will protect

present beneficiaries.” Another member of the Armed Services Committee, Sen. Lindsey Graham, (R-SC) expressed support for McCain’s proposal.

Separately, the top lawmakers on the House and Senate Veterans’ Affairs committees also sent a letter to the supercommittee that offered no specific recommendations on cuts but did describe cost-saving steps that Congress and administrations have taken in the past. “In past times of fiscal restraint, thoughtful and measured areas of budgetary savings found within veterans’ programs have advanced on a bipartisan basis,” the lawmakers wrote. “We recommend that the Select Committee refer to these lists when making the difficult decisions ahead.” Signing the letter were Reps. Jeff Miller (R-FL) and Bob (D-CA) and Sens. Richard Burr (R-NC) and Patty Murray (D-WA). Murray is co-chair of the supercommittee. [Source: The Associated Press Donna Cassata article 18 Oct 2011 ++]

DoD Pay and Benefits Update 01: (Note: Military Times Copyrighted material - Not authorized for reproduction on any public domain website or website accessed newsletter . Forwarding via email in personal communications is authorized.) Would troops prefer the promise of Tricare for Life health care coverage or a cash bonus of \$5,500 for every year they serve on active duty? That’s the kind of question the Pentagon needs to start asking as it seeks “better value” for its personnel spending, according to a Washington think tank. The Center for Strategic and Budgetary Assessments released a 19 OCT report (<http://www.csbaonline.org/wp-content/uploads/2011/10/Changing-the-Business-of-Defense.pdf>), “Changing the Business of Defense,” that says the Pentagon does little research into the kind of benefits troops really want and appreciate. “Rather than focusing exclusively on how to reduce costs, [the Defense Department] should instead focus on how to get better value from its compensation and benefits programs,” stated the report.

Personnel costs have soared during the past decade and the military today spends 46 percent more per service member than in 2001. Yet a recent survey suggesting troops are less satisfied with current pay and benefits than they were before 2001, the report said. To improve satisfaction levels, the military should offer a menu of pay-and-benefits packages so they can select the ones that will have the most positive impact on their recruitment and retention decisions. “The goal would be to create a total compensation package that service members prefer over the existing package at a lower total cost to the department,” the report said. This sort of “preference-based benefits optimization” has helped some private-sector businesses save up to \$4,000 per employee, the report said.

Tricare for Life is one example of a benefit that may cost more than it’s worth in terms of troops’ perceived value, the report said. Less than 20 percent of the force ever qualifies for retirement and Tricare for Life does not kick in until age 65. Nevertheless, the Pentagon sets aside \$5,580 a year for each active-duty service member to cover the future cost of providing that benefit. “Do service members value this benefit commensurate with what it costs DoD to provide?” the report said. “Someone who plans to stay 20 years and make a career of the military would likely value this benefit more than someone who plans to stay only 5 years. But it is possible that even those who plan to stay 20 years do not value the benefit as much as it costs — they may prefer an annual cash bonus that is less than the \$5,580 DoD spends to provide this benefit.” The report also suggested a “bi-partisan, BRAC-like commission to recommend reforms to the military compensation and benefits system,” referring to the Base Realignment and Closure process that has helped Congress agree on controversial moves to shutter dozens of bases worldwide. [Source: NavyTimes Andrew Tilghman article 19 Oct 2011 ++]

VA Service Dogs Update 05: (Note: Military Times Copyrighted material - Not authorized for reproduction on any public domain website or website accessed newsletter . Forwarding via email in personal

communications is authorized.) The Veterans Affairs Department soon could be going to the dogs after a key House vote 11 OCT to expand the types of assistance dogs allowed in VA facilities. VA service-dog regulations, last changed in 1985, guarantee access to only seeing-eye dogs. Other canines trained to help with mobility, hearing impairment, seizure disorders or post-traumatic stress or other mental illnesses are allowed onto VA facilities only by local policy, which is inconsistently applied. "As a result of current regulations, disabled veterans may be denied entrance to VA medical facilities if accompanied by their VA-approved service dog," the House Veterans' Affairs Committee said in a 5 OCT report about why the change is needed. The provision, passed by the House on a voice vote, would open VA hospitals, clinics, vet centers and regional offices, including any property owned or leased by the agency. The provision is included in H.R.2074, a veterans' health-care bill. No policy change would occur unless the Senate also passes the bill. The Senate Veterans' Affairs Committee has approved a similar provision as part of a veterans' health bill, but the measure has not yet come to a vote in the full Senate.

Responding to complaints from veterans, VA issued a directive in March requiring hospitals and clinics to have written policies for the dogs. The directive authorized but did not require access and demanded only that facilities have the same rules for veterans that apply to the general public. The 1990 Americans with Disabilities Act, which allows service dogs to accompany owners into most public and private buildings, does not apply to Defense Department or VA facilities, said Christina Roof, deputy national legislative director for the veterans' service organization AmVets. "The directive did not resolve the problem," Roof said. "I still receive calls from people who were denied access." Rep. John Carter, R-Texas, the chief sponsor of legislation to allow service dog access, said making the change would cost nothing and it would keep up with advances in treatment. "With this increased usage, it is crucial that we help these veterans and their dogs gain access to all VA facilities," he said. [Source: ArmyTimes Rick Maze article 12 Oct 2011 ++]

VA Service Dogs Update 06: Waterman Entertainment has acquired the rights to the New York Times bestseller "Until Tuesday" and attached "Mr. Holland's Opus" writer Patrick Sheane Duncan to adapt it into a film. "Until Tuesday" is about Army Capt. Luis Carlos Montalvan's true story about his return from two tours of duty in Iraq. During the war, he sustained traumatic brain injury, post-traumatic stress disorder and other injuries. The pressures of life were overwhelming for the captain. Then he met Tuesday, a golden retriever that became his service dog and best friend. "Captain Montalvan's story is incredibly inspiring and we feel very privileged to bring it to the big screen with the help of such a talented screenwriter as Patrick Sheane Duncan," Tucker Waterman, executive vice president of Waterman Entertainment, said in a written statement. "Service dogs have played a crucial role in the rehabilitation of many American soldiers, and this film will pay tribute to them as well as the soldiers who have sacrificed so much for our country." The movie is scheduled to begin production next summer. [Source: Reuters Joshua L. Weinstein article 17 Oct 2011 ++]

VAMC Miami: Lawmakers on 13 OCT called for the dismissal of the director of the troubled Miami Veterans Administration hospital, saying she and her staff are not making enough progress in the aftermath of a scandal two years ago that left thousands of patients exposed to HIV and other illnesses. Both Republicans and Democrats on the House Veterans' Affairs committee harshly criticized the leadership at the Miami VA during a Capitol Hill hearing to review lessons learned from the failures at the hospital. In 2009, nearly 2,5000 veterans were given colonoscopies that were done with improperly cleaned equipment. The revelation led to a congressional investigation and a federal lawsuit. "I am so saddened by what I have heard today, things that are going on at Miami VA medical center that are atrocious," said Rep. Jeff Miller, R-Pensacola, chairman of the House Veterans' Affairs committee. "I can only imagine how bad it must have been if you think it is moving in the right direction."

But William Schoenhard, a deputy undersecretary with the VA, defended the hospital's director, Mary Berrocal, and said the VA believes it has in place "leadership that's in the best interest of our veterans." "She's turning this ship around," Schoenhard said. "It takes time to change the culture, it takes time to ensure that people are held accountable at the local level, that we are patient centered." He told the committee that both Berrocal and the regional VA director, Nevin Weaver, who also was at the hearing, could make more money in the private sector. "I'd recommend that you let them go," said Rep. Bill Johnson, R-Ohio. "That would be my recommendation." The committee also asked for more specifics about the August death of 32-year-old Catawaba Howard, an Air Force veteran killed by a Miami-Dade police officer after she shot at him and another officer when they were called to a domestic disturbance. Howard had originally come to Jackson Memorial Hospital with psychiatric problems, but was transferred to the VA when they realized she was a veteran, officials said. Berrocal said there was been some confusion whether Howard had been voluntarily or involuntarily committed. Regardless, Howard left the facility and headed home.

When asked whether any employees had been disciplined as part of the incident, VA officials said it would be addressed in the "performance appraisal process." "We've got veterans that are escaping the facility and committing suicide," said Johnson, who heads up the Veterans' Committee's oversight and investigations subcommittee. "That's not accountability, not when patients are leaving your facility and dying." Berrocal told the committee she was "keenly cognizant of anything that would be less than perfect for our veterans." She also said she believes her staff is held accountable for problems — but said that she also aims for a workplace culture that allows people to report problems without threat of recrimination. "We have set policies in place ... and when members of our staff deviate, we have a variety of systems in place to understand what happened," she said. "It is my policy to always start looking at the process." A VA board concluded that Berrocal and her former chief of staff, Dr. John Vara, should be disciplined for "lack of oversight" that led to long delays in notifying 79 local veterans that they might have been infected with HIV or hepatitis through improperly performed colonoscopies at the hospital.

Officials at the congressional hearing said that Berrocal had been "admonished," a disciplinary action that stays in an employee's record for two years. She remains at the hospital's helm, however; Vara has departed and is working at another VA facility. Berrocal was not paid a bonus in either 2010 or 2011, Weaver said. She was paid a retention bonus of 10 percent, which came out to about \$18,000 each of the two years. The VA Administrative Investigative Board (AIB) in Washington completed its report on the issue in September 2010, but the VA only released the report last month in response to a Freedom of Information Act request filed by the Miami Herald last December. About 11,000 veterans nationwide were told they might have been exposed to infection at three VA hospitals through colonoscopies performed with improperly cleaned equipment. In 2009, the Miami VA hospital notified more than 2,500 local veterans of the potential exposure. But it failed for more than a year to inform another 79 who were missed in the initial round of notification. And it wasn't until nearly two years after the first notifications that 12 more veterans learned they, too, may have been infected.

Some of the people who contracted diseases have filed malpractice lawsuits. The VA has settled some cases, but declined to say Wednesday during the hearing how much they've cost the system. Of the 2,500 Miami vets, blood tests showed five positive for HIV, eight for hepatitis C and one for hepatitis B. The VA has said there is no way to know whether the improperly cleaned equipment caused the infections. It has promised free lifetime care for those infected. Congress already has held hearings on the colonoscopies. Hospital officials have had plenty of time to work with the committee to make good on some of the initial findings, said Rep. Ileana Ros-Lehtinen, R-Miami, who does not sit on the Veterans' committee, but who attended the hearing. "This is a mess that has been getting messier," Ros-Lehtinen said. "I understand no one wants Congress looking over their shoulders, but this goes to the heart of what the VA is all about. Vets deserve the best. I feel we've let them down." [Source: The Miami Herald Erika Bolstad article 12 Oct 2011 ++]

Filipino Vet Inequities Update 21: There's no doubt about Romeo Barreras' service to the country. After he came to the United States from the Philippines, he was drafted into the Marine Corps in 1951. He has the paperwork to show it, and he still wears his dress green Marine uniform with the red-and-black buck sergeant chevrons. A Purple Heart dangles below his lapel. The medal was awarded for a leg wound he suffered during the Korean War when a tank shell exploded at Won Son in 1953. What the government doesn't recognize is Barreras' World War II service in the Philippines as a soldier in a U.S. armed forces guerrilla warfare squad. He was in one of the many units that conducted guerrilla raids in support of U.S. military operations. Some Philippine guerrillas later became U.S. Army infantry scouts. On 11 OCT at a seafood market off Maryland Parkway that is popular with Las Vegas' Philippine community, Barreras, 82, joined two other Philippine-Americans in signing a petition to remove red tape in the Department of Veterans Affairs policy that precludes them from up to \$15,000 in benefits promised under the American Recovery and Reinvestment Act of 2009. "It's a double wham-o that I don't get my Philippine service compensation," said Barreras, a medical technician from Los Angeles who moved to Las Vegas in 2003 to retire. "What I don't understand is I've got all the papers." His discharge papers from the Philippines show that he served in the 15th Infantry in 1945.

Barreras is one of 250,000 to 400,000 Filipinos who served with the U.S. military during World War II. The 2009 act provides payments of \$9,000 and \$15,000, respectively, to non-U.S. citizens and U.S. citizens who served, or their surviving spouses. Through March, the VA had rejected 42 percent of all claims by Philippine-American veterans, roughly 24,000 claims. More than 500 shoppers at the market had signed the petition. They included 87-year-old Augusto Oppus, a combat military policeman who served in the Philippines in 1945, and 89-year-old Alejandro Hisola, a scout in the Army's 57th Infantry Regiment in the Philippines in 1942. Like Barreras, claims and appeals by Oppus and Hisola have been denied by the VA because rosters from their units from the Philippine government, which document their service, aren't recognized by the VA's Manila office or the VA's National Personnel Records Center in St. Louis. The petition calls for President Barack Obama, who signed the 2009 act, to issue an executive order to compel the VA to accept rosters and other "authenticated documents from the Philippine government or the military" that prove they served.

"We ask for an emergency order (due) to the fact many of these elderly men and (women) are dying weekly fighting to be paid and are not recognized as veterans after they served the United States of America under current VA policy," the petition reads. A VA spokesman in Las Vegas, David Martinez, had no comment on any of the Philippine-American veterans' claims cases. Luke Perry, community outreach director for the Filipino-American Veterans of Nevada, said his father-in-law in the Philippines, Edilberto Briones, 93, qualifies for a \$9,000 payment, but his claim has been denied twice by the VA though his discharge papers acknowledge his service "to the United States of America." Perry said he pressed the VA's Manila office to no avail to accept the papers and provide them to the National Personnel Records Center to support Briones' claim. "All I got was a signed document that I could look at my father-in-law's papers," Perry said. He said he is trying to arrange a meeting with Obama when the president visits Las Vegas this month. "This money is coming from stimulus funds under the Recovery Act," Perry noted. "I don't think he's going to be happy to hear there's been 24,000 denials by the VA in the U.S. and the Philippines." [Source: Las Vegas Review-Journal Keith Rogers article 12 Oct 2011 ++]

Filipino Vet Inequities Update 22: President Benigno Simeon Aquino III on 20 OCT said the Philippine government is working hard to appeal the Filipino war veterans' claims earlier denied by the United States government. "Our officials are also hard at work in appealing the denied claims of some of our veterans in the Filipino Veterans Equity Compensation Act of America," he said in a speech during the commemoration of the 67th

anniversary of the Leyte Gulf landing. On October 20, 1944, General Douglas MacArthur returned to the Philippines to help defeat the Japanese invaders. The MacArthur Landing Memorial in Palo, Leyte was built to commemorate this historic return. Aquino said a few months ago, Foreign Affairs Secretary Albert del Rosario met with United States Department of Veterans Affairs Secretary Eric Shinseki to ask for a more liberal system in processing the claims of Filipino veterans. He added the Philippine Veterans Affairs Office is in discussions with the USDVA for the grant of payments to the heirs of the deceased veterans who have approved FVEC claims so that checks will not be forfeited just because spouses of late veterans are absent. "The freedom our country enjoys now—where this country finds itself at present—is a result, in large part, of the efforts of our veterans; and we are making sure that they get what they deserve for the sacrifices they have made for this country," the President said.

He further said that the PVAO has been very active in their Pensioners' Revalidation Program, making certain that their list of pensioners is updated and accurate. "Fraudulent pensioners are the ultimate show of disrespect to those who have served their countries valiantly; and we are ensuring that a few greedy individuals do not pocket funds set aside for our heroes," he said. He noted that the government also improved the medical care available to our veterans and said the Veterans Memorial Medical Center (VMMC) has widened veteran access to hospitalization services by accrediting 562 government hospitals as of August this year. The VMMC subsidizes the hospital bills not merely of veterans, but also of their qualified dependents. Aquino also mentioned that efforts of his administration to upgrade and modernize the capability and training of the soldiers and provide them with additional benefits and compensation. "Clearly, the lessons of the past are not lost on us. The bravery of our soldiers must be matched by giving them sufficient equipment and compensation so that they may do their jobs to yield the best possible results, without having to worry as much about their families and livelihood," he said. [Source: GMA News Amita Legaspi article 20 Oct 2011 ++]

Defense of Marriage Act: A disabled Navy veteran from Connecticut is going to court to try to force the Department of Veterans Affairs to recognize her marriage to her longtime female partner. Carmen Cardona, who filed a notice of appeal with the U.S. Court of Appeals for Veterans Claims on 13 OCT, plans to challenge the constitutionality of a federal statute -- and its legal cousin the Defense of Marriage Act, the controversial 1996 law that prohibits the U.S. government from recognizing same-sex marriages -- cited when the VA denied her spousal disability benefits, her legal team said. The Puerto Rico native, now living in Norwich, said she was unable to collect her veterans' benefits because her wife is of the same sex. The couple has been married since 2010. Most veterans receive an increase in their monthly disability benefits when they marry. "They [the VA] stated this outright: 'You cannot get benefits ... because your spouse is not a male,'" Cardona said, "I'm not the only one that is homosexual, so I would like for everybody to hear about this and come forward. "I'm privileged to be in the state of Connecticut, [where] they do recognize same-sex marriage," she said.

Cardona, 45, held a press conference at Yale Law School to discuss the details of the suit, according to a press release issued by the Veterans Legal Services. Sofia Nelson, who is part of Cardona's legal team, which comprises law-student interns from the Veterans Legal Services Clinic at Yale Law School, says that the case could set a legal precedent for future gay rights litigation. "It's our understanding that Ms. Cardona is the first veteran to demand the VA recognize [same-sex marriages]," Nelson said Thursday. "While President Obama has said that the Department of Justice will not defend DOMA in court, that does not mean that federal agencies will [stop] enforcing DOMA." Nelson added that the appeals court has "the jurisdiction to declare both DOMA and the VA statute unconstitutional," she said.

Cardona, who was honorably discharged after 18 years of service -- including stints in Florida, Connecticut and Puerto Rico -- works as a correctional officer at York Correctional Institute in Niantic. "We could use the help to

pay our mortgage, but this is not only about the money," Cardona said in the release. "President Obama is right that DOMA discriminates against gay and lesbian people. There are many other veterans out there just like me. I am standing up and asking to be treated equally in part to let others know they are not alone." Cardona was first diagnosed with carpal tunnel syndrome in 1994, she said, which was exacerbated by years of working in naval aviation, dismantling aircraft panels without the aid of power tools. "In order to do those inspections and maintenance of the aircraft, I had to remove these panels," she said. She says that she hopes the suit will illuminate the continued struggles of gay military veterans. "I want it to be where we are treated as equals," Cardona said, "that the word does go out there, no matter who we are that [we] are all treated as Americans." [Source: McClatchy-Tribune Labor Jany article 14 Oct 2011 ++]

Legislation of Interest Update 15: The House voted 418-6 on 12 OCT to approve the "Veterans Opportunity to Work Act of 2011", H.R.2433, sponsored by House Veterans Affairs Committee Chairman Jeff Miller (R-FL). The "VOW Act" would re-open GI Bill vocational training benefits to 100,000 unemployed older (34 - 64) veterans to help them qualify for jobs in growth areas like health care and technology; upgrade the Transition Assistance Program (TAP) and mandate participation by all service members prior to separation; and strengthen reemployment rights for National Guard and Reserve members returning from deployments. The House also voted to approve:

- H.R.1025 (Rep. Walz, D-MN), which would authorize veteran status for career Guard/Reservists who were never activated under Federal orders (but may have served on other orders for airport security after 9/11, border security, disaster relief, and many other purposes during their careers). The bill forbids the award of any veteran's benefit under the legislation but provides an honorific in recognition of a full Guard or Reserve career that qualifies for a reserve retirement.
- H.R.1263 (Rep. Filner, D-CA), would strengthen the Servicemembers Civil Relief Act (SCRA) by protecting surviving spouses of servicemembers who die on active duty, or whose death is service-connected, from mortgage foreclosure for a period of 12 months (instead of the current 9 months). It would require large lending institutions to designate an SCRA compliance office and maintain a toll-free number on its website for SCRA issues for servicemembers, veterans, and their families.
- H.R.2349, the Veterans' Benefits Act of 2011 (Rep. Runyan, R-NJ), would authorize the VA to notify veterans electronically regarding their claims to speed up the process and protect veterans' (and dependents') pension benefits from reduction after casualty losses, among other improvements.
- H.R.2074, the Veterans Sexual Assault Prevention and Health Care Enhancement Act (Rep. Buerkle, R-NY) requires the VA to establish a comprehensive policy on reporting and tracking sexual assault and other safety incidents at VA medical facilities, and for other purposes.

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

JCSDR Update 06: Hill committee leaders owed inputs on 14 OCT to the Super Committee tasked with cutting the deficit by \$1.2 trillion over the next 10 years. The Military Officers Association of America (MOAA) obtained copies of two Armed Services Committee leaders' letters that offer markedly different inputs on military retirement and health care benefits.

House Armed Services Committee Input:

- More than two pages of House Armed Services Committee Chairman Howard "Buck" McKeon's (R-CA) letter were devoted to defense of military retirement and health care programs. He highlighted a long list of

the unique demands and sacrifices required of the military that aren't demanded of civilians, and said military retirement and health care systems "should reflect that reality."

- On retirement, McKeon said bluntly, "We strongly oppose the recommendations of [recent] proposals that the military retirement system should be more like civilian retirement plans...These proposals do not assess the impact of such changes on either the retention of the current or future all-volunteer military."
- "Changes to TRICARE For Life must also be examined with caution. Some have suggested a combinations of changes to both TRICARE For Life enrollment fees and pharmacy co-pays, which would constitute a substantial double hit on the TRICARE For Life population...Likewise, if Medicare Part B enrollment fees are also increased, the TRICARE For Life beneficiaries will absorb a third increase in their health care costs."
- His letter also noted with irony that, "The President and some in Congress have proposed exempting any reforms to veterans' health care benefits. As a result, those who served less than 20 years in the military would not be asked to contribute to deficit reductions, but those who served in the military for 20 or more years would."

Senate Armed Services Committee Input:

- Sen. John McCain (R-AZ), Ranking Minority Member on the Senate Armed Services Committee, expressed similar concerns about further cuts to the defense budget in general, but expressed willingness to consider some changes recommended by the President and others in recent months.
- He said the President's proposal to establish an annual enrollment fee for TRICARE for Life "is a reasonable step and should be considered." On proposed pharmacy copay increases, McCain's letter said, "While generating savings from the TRICARE pharmacy benefit is feasible, I recommend you consult with DoD."
- Citing another proposal to force working-age retirees out of TRICARE Prime and into TRICARE Standard, his letter said, "I recommend the [Super Committee] give this proposal, and the other CBO options involving TRICARE reform, consideration in coordination with DoD."
- On military retirement, McCain said he would vigorously oppose any recommendation to change the retirement system for currently serving or currently retired members. But he said, "I...support the President's proposal to establish a commission to review military retirement benefits, and I believe such a commission, and a BRAC-like approach to its recommendations, should also consider changes to the current, largely-outdated military compensation system."

MOAA was surprised and disappointed by these recommendations, especially since Sen. McCain was one of the champions of repealing REDUX when that 1986 retirement cutback ended up hurting retention and readiness in the late 1990s. They strongly disagree with establishing a TFL enrollment fee, curtailing retirees' eligibility for TRICARE Prime, and subjecting military retirement and compensation programs, even for future entrants, to a BRAC-like legislative plan that can force dramatic and ill-advised changes with little opportunity for debate or amendment. The REDUX experience showed that grandfathering the current force to whack future service entrants' retirement only delays the inevitable adverse retention and readiness effects. [Source: MOAA Leg Up 14 Oct 2011 ++]

JCSDR Update 07: Members of the bipartisan "Gang of Six" met behind closed doors on 19 OCT with the super committee to explain their plan from earlier this year to cut about \$3.7 trillion from the nation's deficit over 10 years. Afterward, it remained unclear exactly how interested the 12 Republicans and Democrats on the new panel were in that earlier plan -- or specific elements of it -- as they continue to race against a 23 NOV deadline to come up with their own strategy for at least \$1.2 trillion in savings. The meeting at the Capitol was kept private,

although as recently as last week others in Congress -- including House Minority Leader Nancy Pelosi, D-Calif. -- have been calling for any such discussion between the new and old deficit-reduction panels to be conducted in public. Instead, members of both panels emerged from their private session, offering little insight and no specifics. Asked about the Gang of Six's tax recommendations,

- Rep. Jeb Hensarling (R-TX) a member of the new panel, said, "I think it's a group of very serious members who understand the gravity of the situation. They will admit that there were a number of specifics that were left out of their plan."
- "We very much appreciated the chance to go into significant detail the conclusions we came to," said Sen. Kent Conrad, (D-ND). But aside from explaining that he and others on the Gang of Six spent time discussing their earlier plan, Conrad and the others declined to answer questions about what else, if anything, occurred. "I think it would be inappropriate for me to say any more," Conrad said. "We've been asked to respect the deliberations of the committee. And I certainly do respect them ... As a nation, we need a balanced, comprehensive plan to get this debt under control, and it's absolutely essential we do."
- Sen. Saxby Chambliss, R-Ga., another Gang of Six member, said the super committee faces a big challenge, but that, "we're very confident at the end of the day they're going to produce something positive." Sen. Mark Warner, D-Va., added, "We want them to do their job...and make some bold choices."
- Two members of the super committee, Sen. John Kerry, D-Mass., and Rep. James Clyburn, D-S.C., said only that it was a good meeting.

In saying "balanced, comprehensive plan," Conrad used a term often coined for the outline of a deficit-reduction plan that the Gang of Six recommended. It would have relied on several approaches -- reducing both security and non-security discretionary spending, enacting some Medicare reforms, and reforming the U.S. tax code to gain about \$1 trillion in added revenues. Some of its elements were itself based on an earlier presidential deficit-reduction commission. But the Gang of Six plan got set aside during this summer's battle between President Obama and congressional Republicans over increasing the nation's debt limit. Since then, however, more than 40 senators from both parties have endorsed all or part of it. [Source: National Journal Billy House article 19 Oct 2011 ++]

JCSDR Update 08: Sens. Jon Tester (D-MT) and Kay Bailey Hutchison (R-TX) on 19 OCT introduced legislation (S.1733) to create a new commission to "scrutinize the necessity of the United States' current overseas basing structure" and do a cost-benefit analysis of closing multiple overseas bases. Earlier in the week, the pair sent a letter to the congressional supercommittee charged with trimming \$1.2 trillion in government spending, urging them to make significant cuts in future overseas military construction projects. In particular, the letter called into question U.S. military projects in Europe and on Guam, saying the Defense Department has not justified the need for billions more in base spending there. In a statement, Hutchison called the commission an important step toward ending unnecessary military spending. "With today's historic levels of debt, we need to move quickly to identify ways that we can bring our military training capabilities home, create American jobs in military construction and save taxpayer dollars without sacrificing the security needs of U.S. forces and the American people," she said.

In May, Tester petitioned the Defense Department to consider closing Cold War-era military installations on foreign soil, saying the move could save billions of taxpayer dollars. The National Commission on Fiscal Responsibility and Reform earlier this year estimated that "responsible" overseas base closings could save taxpayers \$8.5 billion in the next four years. The president's own Commission on Debt Reduction put that figure closer to \$9 billion. But Defense Department officials have pushed back on those claims. In June, former Defense Secretary Robert Gates said that those savings don't include the corresponding military construction needed stateside to house returning troops, and don't take into account the strategic risk such moves would invite. "The biggest policy

question that has to be asked is what kind of signal do you want to send the rest of the world,” Gates told members of the Senate Appropriations Committee. “Are we basically sending the message to the rest of the world, to China, to Iran, to North Korea . . . that the U.S. is closing up and heading home? What kind of a role do you want for the United States in the world?” The eight-member panel would be appointed by both Republicans and Democrats in the House and Senate. The legislation would have to be approved by both chambers and signed into law by the president before becoming law. [Source: Stars & Stripes Leo Shane article 19 Oct 2011 ++]

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

- Hearing - November 10, 2011. SVAC will hold a hearing entitled "VA Mental Health Care: Addressing Wait Times and Access to Care." 10:00 A.M.; 418 Russell
- Hearing (new date) - November 30, 2011. HVAC, Subcommittees on Oversight and Investigations, and Economic Opportunity will hold a joint hearing on the SDVSOB certification process.

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.

Andersen Air Force Base (Andersen AFB) is made up of several parcels of land situated on the northern end of Guam, an unincorporated island territory of the United States. Guam, the largest and most southern island of the Marianas Island group, is located in the southwest Pacific Ocean. Guam's landmass, about 30 miles long and 4 to 12 miles wide, covers approximately 209 square miles (USAF 1992a). The base covers approximately 24.5 square miles. It consists of two major areas and several smaller areas, called annexes. The major areas, collectively known as "the main base," are North Field, containing the base's active operations, and Northwest Field, containing abandoned runways and landing fields. The annexes are scattered throughout northern Guam and contain base housing, communications services, and water and petroleum storage facilities. The two largest annexes are the Marianas Bonins Command (MARBO) Annex (also known as Andersen South) and the Harmon Annex. The MARBO Annex lies about 4 miles south of the main base and covers approximately 3.8 square miles. The Harmon

Annex, 4 miles south of Northwest Field, covers about 1,817 acres in western Guam. Both the MARBO and Harmon annexes are largely deserted and covered with brush.

During World War II, the U.S. Army Air Corps built and maintained three air bases on the island: North Field, a B-29 bomber facility; Northwest Field, a fighter-plane base; and Harmon Field, an aircraft depot and maintenance base. During this time of rapid military growth, the Air Force disposed of some wastes (of unknown type) on private lands adjacent to Andersen AFB. After World War II, large quantities of war materials and left-over equipment (e.g., ammunition, artillery, and vehicles) were disposed of at Andersen AFB. Harmon Annex and Northwest Field closed soon after the war ended, but the rest of the base continued to be used for ongoing Air Force activities, including logistical and military support during the Korean and Vietnam Wars. During the decades of military use, chemicals were used and stored in various locations on the base and spilled during routine aircraft, vehicle, and ground maintenance operations. Wastes from military and housing operations were buried in two landfills at the south end of the North Field runways from 1946 to the late 1970s. Soil and groundwater beneath these landfills, and in dozens of other areas on base, may have been contaminated over the years by routine waste disposal, military operations, and occasional fuel spills. Ten acres in the North Field area still serve as a sanitary landfill for Andersen AFB's non-hazardous waste. Hazardous waste is now disposed of offsite in compliance with federal law).

During the 1970s, Andersen AFB began monitoring its nine water supply wells on a monthly basis. Results of the sampling indicated that chemicals, including solvents, pesticides, fuel products, and some metals, had entered certain water supply wells. Under the DOD Installation Restoration Program (IRP), Andersen AFB then began a Phase I study in 1983 to track the history of the use and disposal of materials on the base. Using the results of this records search, Andersen AFB identified several areas around the base where chemicals may have spilled, leaked, or been stored or disposed of. The areas included fire training areas, chemical storage areas, and landfills. As soil and groundwater samples were collected and analyzed, Andersen AFB determined that some of the sites required further investigation. In early 1985, Andersen AFB made recommendations for Phase II field investigations. Results indicated that the principal site contaminants are trichloroethylene (TCE), tetrachloroethylene (PCE), pesticides, fuel products, and some metals. Most of the contamination reportedly is contained within Andersen AFB property, although some chemicals migrate off base via groundwater and biota pathways or may exist at off-base locations proposed for further investigations. Andersen AFB was placed on the U.S. Environmental Protection Agency's (EPA's) National Priorities List (NPL) on October 14, 1992, due to the extent of groundwater contamination under the base. To obtain details on sites investigated and contaminant levels found refer to the ATSDR report at http://www.atsdr.cdc.gov/HAC/pha/anderson/and_toc.html. [Source: <http://www.militarycontamination.com> Oct2011 ++]

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Saving Money: Dealers Want You to Buy, Buy, Buy. Car buyers might think the process ends when they shake the dealer's hand and agree on a price, but as some shoppers would attest, the sales pitches only continue once you step in the dealer's office to do the paperwork. Many dealerships want consumers to drive off the lot with additional services, insurance policies and other "protections" in tow. But much like dealer-installed car options that are available prior to purchase, these services are largely meant to boost the dealer's personal income. "The dealer is trying to maximize the profit on each sale because they don't make a lot of them," Jack R. Nerad, executive editorial director and executive market analyst for the car valuation site Kelley Blue Book tells MainStreet. To find out which add-ons are really worth the cost, MainStreet talked to the experts for their take on what to skip and what to buy. Here's what they said.

- **Fabric Protection.** VERDICT: Skip - Fabric protection lets owners bring in their vehicles any time to have the upholstery cleaned or repaired if it becomes ripped, soiled and/or stained. Reed estimates most

dealerships charge around \$250 for this service, which is unfortunate since it really isn't necessary. Nerad agrees that interior protections "are virtually worthless in this day and age" since car manufacturers have vastly improved the fabrics they use to upholster interiors. "It will last quite a long time, longer than you would think it is going to," he says. A cheaper way to protect your interior: buy Scotch-Guard for around \$5.

- **Extended Warranty.** VERDICT: Consider ... at a later date. - Philip Reed, senior consumer advice editor for car review site Edmunds, says that an extended warranty can have "real value" for consumers looking to buy piece of mind. However it can also be a big waste of money if the consumer never uses it and the warranty only covers major repairs. "It's a gamble for both sides," Reed admits, explaining that the dealership will lose money if you take advantage of the extension. Most people don't end up using the warranty, and according to Consumer Reports, around 42% of extended warranties are never used, mostly because the vehicle didn't need repairs or the standard manufacturer's warranty sufficed. These warranties typically cost about \$1,000, so someone concerned about buying a lemon who intends to keep the car for more than three years should take some time to review the fine print of a dealer's offer and manufacturer's warranty before agreeing to buy the extension. "You don't have to buy any of these services that day," Reed says, adding that you can buy the warranty at a later date.
- **VIN Etching.** VERDICT: Skip - Consumers who opt for this option are paying for the dealership to etch the vehicle identification number (VIN) onto the car's windshield, windows or other expensive parts in a move to dissuade thieves, who would need to replace those parts to sell the car, from stealing it. The feature sounds attractive until you realize that it's often overpriced. Many companies actually sell DIY etching kits directly to consumers. "The dealership will offer etching for around \$200," Mike Quincy, automotive content specialist with Consumer Reports, says. "You can probably get it done yourself for around \$25."
- **Gap Insurance.** VERDICT: Consider - Nerad explains that at some time during the life of a car loan, many owners will owe more than what the car is worth, because it depreciates in value over time. This can be problematic since someone who totaled his or her car during this "gap" would only recoup what the car was worth at the time of the crash. Dealers tend to offer gap insurance as a way to recoup the difference and Nerad says you may want to consider taking them up on their offer, depending on how much your insurance company is charging for it. "See what they cover," Nerad says. He explains that just like with the car's price, dealers are often willing to negotiate the costs of these services and a little research on competitive rates could help you make a deal that is mutually beneficial. If you don't know whether your insurance provider has gap coverage or what its rates are, you can always find out and then purchase the dealer's insurance at a later time.
- **Paint Protection.** VERDICT: Skip - Nerad advises against taking up the dealership on any exterior protection services like rust-proofing, scratch guard or paint seals. It's a glorified wax job," Reed agrees, estimating that dealerships may charge around \$275 for the service, a price you could probably beat if you had the detail done elsewhere.
- **Credit Insurance.** VERDICT: Skip - Billed as a way to make sure your next of kin doesn't get stuck with your auto loan payments if you die before the car is paid off, these services are generally overpriced, especially if you have a poor credit history, according to Consumer Reports. They also tend to be unnecessary, since most life insurance policies provide this type of coverage.
- **Driver-Installed Alarm Service.** VERDICT: Skip (unless you store valuables in your trunk) - To make a buck, dealers will often install an upgraded alarm system with additional security or anti-theft services.

They may have installed LoJack, a service that specializes in tracking and recovering lost or stolen vehicles. These services can be good, but are also unnecessary. According to Reed, many cars will already have an alarm that was installed by the manufacturer, and a consumer's insurance policy typically covers the cost of a stolen car. However, a very niche audience might benefit from the added security. "This service can be really good for jewelry salesmen who carry samples in the trunk of their car, or for a car collector who would be interested in having the vehicle returned," he says.

[Source: <http://financiallyfit.yahoo.com/finance> Jeanine Skowronski article 12 Jul 2011 ++]

Notes of Interest:

- **DoD.** The Defense Department has formally terminated a more than decade old, \$15.9 billion program to develop a radio capable of transmitting broadband data on the battlefield. A congressional mandate for termination of any program whose cost has grown by more than 25 percent over the original estimate was triggered after Defense scaled back plans to buy 86,209 to 10,293.
- **TFL.** The 2011 Tricare for Life Handbook is now available for download at http://www.tricare.mil/tricaresmartfiles/Prod_502/TRICARE_For_Life_Handbook_2011_Smaller_Lo_Res.pdf.
- **Army Base Decals.** Vehicle base registration decals might soon become a thing of the past on stateside Army installations, according to an Army news release. The Army Provost Marshal General has authorized base commanders to eliminate base registration and decals if they view the security measures as redundant, according to the news release. Vehicles driven on base must continue to be registered in accordance with local laws. The Army estimates that eliminating decals at all bases would save \$256,000 annually. Eighth Army soldiers will continue to receive bar-coded registration decals that allow servicemembers to drive in South Korea.
- **NPRC.** The new \$115 million dollar, state of the art new National Personnel Records Center officially opened 15 OCT. It holds personnel files for 100 million people who've served in the military or worked for the government, mostly during the 20th century.



National Personnel Records Center, 1 Archives Drive, St Louis, MO 63138-1002

- **USMC Uniform Policy.** In a Corps-wide administrative message, Commandant Gen. James Amos said that starting Oct. 24 Marines must wear all combat utility uniforms "with sleeves down, year round."
- **DFAS.** DFAS Military Retiree Newsletter is now online. The latest issue covers upcoming pay schedule change, tips on logging into myPay, and how to plan ahead for tax season at <http://www.dfas.mil/retiredmilitary/newsevents/newsletter.html>.
- **USMC Tuition Aid.** Little more than a week after slashing tuition assistance by 80 percent, the Marine Corps has restored its tuition assistance program to previous levels.
- **VA Comms.** The U.S. Department of Veterans Affairs is exploring security systems that would permit employees to use as many as 100,000 mobile devices, including Apple Inc.'s iPad and phones using Google Inc.'s Android software.

- **USMC.** On 25 OCT the US House of Representatives "voted unanimously...to award the Congressional Gold Medal, the nation's highest civilian honor, to our nation's first black Marines.
- **OIF mail.** With the announcement that the 43,000 U.S. troops left in Iraq will leave by the end of the year, the U.S. Postal Service will soon stop accepting mail addressed to military post offices in the country. After 17 NOV, USPS will delete the ZIP codes for Iraq military post offices from its databases, Defense officials announced Wednesday. Items en route to Iraq as of 17 NOV still will be delivered. Service members remaining in Iraq under assignments for the Office of Security Cooperation or the Chief of Mission in Iraq will receive mail through the State Department embassy and consulate post offices.

[Source: Various 15-31 Oct 2011 ++]

State Veteran's Benefits: The state of Oregon provides several benefits to veterans. To obtain information on these refer to the "**Veteran State Benefits OR**" attachment to this Bulletin for an overview of those benefits. Benefits are available to veterans who are residents of the state in the following areas:

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

[Source: <http://www.military.com/benefits/content/veteran-state-benefits/oregon-state-veterans-benefits.html> Oct 2011 ++]

Military History: To all those interested in the Naval War of 1939-1945, a list detailing the fate of some 180 major ships of all nations: the Battleships, Cruisers, Aircraft Carriers, Destroyers and the civilian luxury passenger liners (some pressed into service as troop transports) is included in this Bulletin's attachment titled, "**Maritime Disasters of WWII**". The sinking's are listed in chronological order and each listing contains a short narrative recounting the cause and result of the sinking along with numbers of personnel involved and subsequent casualties. [Source: <http://members.iinet.net.au/~gduncan/maritime-1a.html> Oct 2011 ++]

Medicare Fraud Update 78:

- **Baltimore MD -** The federal government has filed a lawsuit against Kernan Hospital seeking \$8.1 million because of what is says was improper billing to the Medicare and Medicaid system. The lawsuit filed by the Department of Health and Human Services and Department of Defense accuses the rehabilitation hospital in Baltimore of falsely manipulating its computerized billing system so that it looked like patients had a severe form of malnutrition called kwashiorkor. The hospital denies the allegation.
- **Miami FL -** The owner and president of a Miami-area halfway house company Natalie Evans, 50, pleaded guilty 19 OCT for her role in a kickback scheme that funneled patients to a fraudulent mental health provider, American Therapeutic Corporation (ATC), and its related company, the American Sleep Institute (ASI), announced the Department of Justice, FBI and Department of Health and Human Services (HHS). She pleaded guilty to one count of conspiracy to commit health care fraud. According to court filings, ATC's owners and operators paid kickbacks to owners and operators of assisted living facilities and

halfway houses and to patient brokers in exchange for delivering ineligible patients to ATC and ASI. In some cases, the patients received a portion of those kickbacks. Throughout the course of the ATC and ASI conspiracy, millions of dollars in kickbacks were paid in exchange for Medicare beneficiaries who did not qualify for PHP services. The ineligible beneficiaries attended treatment programs that were not legitimate so that ATC and ASI could bill Medicare for more than \$200 million in medically unnecessary services. Evans's participation in the fraud resulted in more than \$645,975 in fraudulent billing to the Medicare program. At sentencing, scheduled for Jan. 19, 2012, Evans faces a maximum of 10 years in prison and a \$250,000 fine.

- **Wheeling, WV** - A Hardy County ambulance service will pay the federal government more than \$1 million to settle charges it submitted false claims to Medicaid and Medicare. The settlement with Mathias-Baker EMS in Baker was announced on 26 OCT. Federal prosecutors had accused the EMS service of billing for non-emergency transports between May 2008 and January 2010. Investigators say the patients were being taken to routine medical appointments, even though their medical conditions didn't require ambulance transport. U.S. Attorney William Ihlenfeld said the federal programs shouldn't be billed when less expensive means of travel is available. He says it's fraudulent and won't be tolerated. He also urged any other ambulance provider that may have committed similar violations to self-report the infractions. That could lead to less formal and more lenient settlement proceedings
- **Casper WY:** Whistleblower Gale Bryden alleges in a federal lawsuit that Wyoming Medical Center defrauded Medicare and Medicaid by altering hospital records to collect higher fees from the government. She accuses records clerks of changing the admission statuses of patients without a doctor's order. The change allowed the hospital to seek higher reimbursements from federal insurance programs. The hospital denies the allegations but is reportedly is working on a settlement for the case. Bryden, who was responsible for collecting fees that had been denied by insurers, filed the lawsuit on behalf of the federal government in October 2007. The suit seeks a percentage of any award or settlement in the case. Because she made the allegations under a federal whistleblower law, the suit was put under seal as the government investigated the matter. U.S. District Judge Scott Skavdahl ordered the documents unsealed Monday. Among other things the lawsuit cites 21 examples of clerks modifying patient records. The changes allegedly resulted in increased charges ranging from \$35 to \$1,100. Billing clerks aren't permitted to alter the admissions status of patients, and generally, medical records are finalized when a patient is discharged. The suit, however, claims workers retroactively made changes to patient records. Under Medicaid regulations, the outpatient status is given to patients with hospital stays of less than 24 hours. The term "inpatient" refers to someone who was admitted for more than that time.

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

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Medicad Fraud Update 50:

- **Indianapolis IN** - Joseph H. Hogsett, United States Attorney, announced 18 OCT that Ahmed Mohamed Abugroon, 56, of Indianapolis, Indiana, was charged with health care fraud following an investigation by the Federal Bureau of Investigation and the Indiana Attorney General's Medicaid Fraud Control Unit. Abugroon operated Pacific Transportation, which provided transportation services to Indiana Medicaid patients, and the information alleges that Abugroon made false and fraudulent representations to the Indiana Medicaid Program in order to secure reimbursements at a higher rate than he was entitled. Specifically, it is alleged that, between January 2005 and February 2008, Abugroon received \$24,869.81 from the Indiana Medicaid Program to which he knew he was not entitled. According to Assistant U.S. Attorney Nicholas E. Surmacz, who is prosecuting the case for the United States, Abugroon faces a

maximum of 10 years in prison and a \$250,000 fine. An initial hearing will be scheduled before a U.S. Magistrate Judge.

- **New York** - Tahira Mundiya, 45, of Farmingdale, was arrested on 14 SEP and charged with grand larceny in the second degree, welfare fraud in the second degree, and offering a false instrument for filing in the first degree. Between Sept. 2001 and June 2010, Mundiya stole more than \$62,000 in undeserved Medicaid benefits by failing to disclose the ownership of a second home with rental income and a gas station. Mundiya faces up to 15 years in prison if convicted and is due back in court on 2 DEC. Others charged in the sweep include Hicksville resident Dennis Melandro, who stole more than \$11,000 and failed to disclose he was a licensed real estate agent with deposits into his bank accounts between \$158,000 and \$738,000 during the fraud period and Massapequa residents Matthew and Angela Sutphen, who stole more than \$167,000 in benefits by underreporting their income and assets and failing to disclose the ownership of timeshares, a co-op in Florida, a second home in Suffolk County and the ownership of Cornerstone Bancor Mortgage Company. The charges are merely accusations and the defendants are presumed innocent until and unless proven guilty.



Tahira Mundiya

- **Humble TX** - Lula Thurman pleaded guilty to conspiracy to commit health care fraud 18 OCT before U.S. District Judge Thad Heartfield. According to information presented in court, from Aug. 2005 to March 2007, Thurman, the owner of LT's Faith-N-Action, a durable medical equipment (DME) supplier, devised and managed a scheme to commit \$483,833.76 in health care fraud by falsifying Medicare applications and filing fraudulent Medicare and Medicaid claims for power wheelchairs allegedly supplied to victims of Hurricanes Katrina and Rita. Thurman and her associates recruited unwitting Medicare/Medicaid beneficiaries in Texas and Louisiana by promising them a free motorized wheelchair after Hurricanes Katrina and Rita.
- **Milwaukee WI:** Six women and one man were charged 25 OCT with Medicaid fraud and identity theft on allegations of bilking Wisconsin's Medicaid program out of more than \$1.2 million through a medical equipment billing. The seven are accused of filing bogus claims for mechanical devices, which support weakened joints or limbs, that were never provided to recipients, according to a news release from Van Hollen's office. Charged in criminal complaints alleging about 70 counts of Medicaid fraud and almost 60 counts of identity theft were Donnis Carrington, 37, Lynnesha Craig, 31, Erica Danley, 35, Darius Jarrett, 39, Elizabeth Thomas, 35, Ericka Thomas, 25, and Kimberly Thomas, 44. The total amount claimed through the fraudulent billings was \$1,286,066.73, according to the release. Criminal complaints attached to the released allege all seven submitted applications to Wisconsin Medicaid to become durable medical equipment providers before receiving provider numbers and authorization to bill the program. Such equipment typically requires specialized medical treatment for installation and use, but there were no complementary claims from hospitals or physicians. Also, recipients for whom the devices were requested did not know the providers and did not have a need for such orthotic devices, his office said.

[Source: Fraud News Daily 15-31 Oct 2011 ++]

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

- Nov 01 1943 - WWII: American troops invade Bougainville in the Solomon Islands.
- Nov 01 1968 - Vietnam: President Lyndon B. Johnson calls a halt to bombing in Vietnam, hoping this will lead to progress at the Paris peace talks.
- Nov 02 1775 - American Revolution: Americans under General Richard Montgomery capture the British fort of Saint Johns.
- Nov 03 1783 - American Revolution: The American Continental Army is disbanded.
- Nov 03 1942 - WWII: The Koli Point action begins during the Guadalcanal Campaign and ends on November 12.
- Nov 03 1943 - WW II: 500 aircraft of the U.S. 8th Air Force devastate Wilhelmshafen harbor in Germany.
- Nov 03 1967 - Vietnam: The Battle of Dak To 3-11 NOV.
- Nov 04 1791 - The Western Confederacy of American Indians win a major victory over the U.S. in the Battle of the Wabash.
- Nov 04 1962 - The last atmospheric nuclear test is conducted by the U.S. in a test of the Nike-Hercules air defense missile, Shot Dominic-Tightrope.
- Nov 04 1967 - Vietnam: American troops broke a North Vietnamese 6 day assault at Loc Ninh, near the Cambodian border .
- Nov 04 1979 - At the American Embassy in Teheran, Iran, 90 people, including 63 Americans, are taken hostage for 444 days by militant student followers of Ayatollah Khomeini. The students demand the return of Shah Mohammad Reza Pablavi, who was undergoing medical treatment in New York City.
- Nov 05 1814 - War of 1812: Having decided to abandon the Niagara frontier, the American army blows up Fort Erie.
- Nov 05 1917 - WWI: General John Pershing leads U.S. troops into the first American action against German forces near the Rhine-Marne Canal in France.
- Nov 06 1945 - The first landing of a jet on a carrier takes place on USS Wake Island when an FR-1 Fireball touches down
- Nov 06 1986 - The Iran arms-for-hostages deal is revealed, damaging the Reagan administration.
- Nov 07 1957 - Cold War: The Gaither Report calls for more American missiles and fallout shelters.
- Nov 08 1942 - WWII: Operation Torch begins with Allied landings in northwest Africa.
- Nov 09 1989 - Cold War: The Berlin Wall is opened after dividing the city for 28 years.
- Nov 10 1775 - American Revolution: Continental Congress establishes two battalions of Marines.
- Nov 10 1782 - American Revolution: In the last battle of the Revolution, George Rodgers Clark attacks Indians and Loyalists at Chillicothe, in Ohio Territory.
- Nov 11 1865 - Civil War: Dr. Mary E. Walker, the first female surgeon in the Union Army, is presented with the Medal of Honor, the first woman to receive that award.
- Nov 11 1918 - WWI: War ends at the eleventh hour of the eleventh day of the eleventh month with the signing of an Armistice. This is annually honoured with a two-minute silence.
- Nov 11 1909 - Construction begins on the naval base at Pearl Harbor in Hawaii.
- Nov 11 1921 - The Tomb of the Unknown Soldier at Arlington Cemetery is dedicated by U.S. President Warren G. Harding.
- Nov 11 1968 Vietnam : Operation Commando Hunt initiated. The goal was to interdict men and supplies on the Ho Chi Minh Trail, through Laos into South Vietnam

- Nov 11 1970 - Vietnam: U.S. Army Special Forces raid the Son Tay prison camp in North Vietnam but find no prisoners.
- Nov 12 1948 - Hiredi Tojo, Japanese prime minister, and seven others are sentenced to hang by an international tribunal.
- Nov 12 1951 - Korea: The U.S. Eighth Army is ordered to cease offensive operations and begin an active defense.
- Nov 12 1969 - Vietnam: My Lai Massacre - Independent investigative journalist Seymour Hersh breaks the My Lai story.
- Nov 13 1982 - The Vietnam Veterans Memorial is dedicated in Washington, D.C. after a march to its site by thousands of Vietnam War veterans.
- Nov 14 1910 - First airplane flight from the deck of a ship (USS Birmingham at Hampton Roads to Norfolk VA).
- Nov 14 1961 - Vietnam: President Kennedy increases the number of American advisors in Vietnam from 1,000 to 16,000.
- Nov 14 1965 - Vietnam: Battle of Chu Pon-ia Drang River. U.S. 1st Calvary fought North Vietnamese regulars 14-17. The second battle was fought by ARVN Airborne Brigade 18-26 NOV.
- Nov 15 1864 - Civil War: Union General W.T. Sherman's troops set fires that destroy much of Atlanta Georgia as he began his march to the sea in an effort to cut the Confederacy in two.
- Nov 15 1960 - Cold War: The first submarine with nuclear missiles, USS George Washington, takes to sea from Charleston, South Carolina.
- Nov 15 1969 - Vietnam: A quarter of a million anti-War demonstrators march in Washington, D.C.

[Source: Various Nov 2011 ++]

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Military Trivia Update 38: See if you can answer the following related to escapes from military prisons:

1. The movie "The Great Escape" (1963) depicts the true story of the escape of 76 men from a prisoner of war camp during which war? World War I, World War II, Korean War, or Vietnam War.
2. Colditz Castle is a German Renaissance castle on the top of a hill. It was turned into a high security prisoner of war camp during World War II. At the end of the war when Allied prisoners were released, it became known that an unusual escape plan was to be attempted using which of the following methods? Pole Vaulting over the fences, Tunneling under the fences , Using a glider, or Using a luge
3. The 1969 novel "Papillon" is based on the escape of Captain Henri Charrière from a POW camp during the Vietnam War. True or False.
4. One of the largest prison breakouts of World War II was the Cowra breakout, in which over 500 Japanese prisoners of war escaped from a prison camp located in which Allied country? China, New Zealand, The Soviet Union, or Australia.
5. In January of 1943, at Camp 354 in Kenya, Italian POW Felice Benuzzi attempted to escape by which of the following unusual routes? He tried to:

Swim across Lake Victoria - Climb Mount Kenya - Tunnel under the Nile River - Ride a camel and get it to jump the fences

6. During the Spanish Civil War almost 800 prisoners attempted an escape from Fort San Cristobal which was located near which city famous for its "Running of the Bulls"? Rio De Janeiro, Brazil | Pamplona, Spain | Lisbon, Portugal | Verona, Italy
7. Gunther Pluschow was a German aviator who holds which distinction?
- He was the only person to escape from Spandau Prison
 - He was the only soldier to escape from Britain during either World War
 - He escaped on 3 different occasions from 3 different camps
 - He was a POW in both World Wars
8. What was the name of the 1987 a British made-for-TV film starring Rutger Hauer, about one of the more successful uprisings and escapes by Jewish prisoners of war? Operation Kiebitz, Island Farm, Escape from Sobibor, or The Escape
9. There was never a successful escape from Auschwitz. True or False
10. During which war did 100 American soldiers break out of the Libby prison in Virginia? American Civil War, American Revolutionary War, War of 1812, or the Spanish American War

Answers

- World War II.** The movie is the dramatized version of a personal account of the same name. This book, written by Australian journalist Paul Brickhill, was a first-hand account of the mass escape of 76 Allied soldiers from the Stalag Luft III prisoner of war camp located near the town of Sagan, Poland. The movie, however, is a different matter ... Of the 76 who escaped from the camp, 73 were recaptured. The scale of the escape was such that it was reported to Hitler, who responded by ordering all the 73 recaptured prisoners be shot. In the end the number was reduced to 50. The matter of these illegal executions was raised Nuremberg as a serious war crime.
- Using a glider.** A glider had already been built when the war ended. Tests have shown that this method would have most likely succeeded. The castle was located on a high rocky outcrop that overlooked the frigid Mulde river. The idea was to glide over the river and past the town. This high security camp was used for those who had attempted escape before and for other prisoners of high repute. In spite of all the precautions, it had one of the highest rates of escapes during the war. British Captain Patrick R. Reid escaped from Colditz in 1942 and went on to write two books about his experiences and the escapes that occurred at the old castle.
- False.** Henri Charriere was a Frenchman sent to Devil's Island, of the coast of French Guiana after he was convicted of murder. His novel "Papillon" is a semi-autobiographical account of life on this desolate island and his many escape attempts. He was not a soldier nor was he in a POW camp. Rather, he was a common criminal sent to prison for his crimes. I will acknowledge that the conditions on Devil's Island were in many ways as bad as some of the POW camps.
- Australia.** The Cowra breakout occurred on August 5th, 1944 from the Cowra prison of war camp in New South Wales, Australia. While the camp help prisoners from both Italy and Germany, it was the Japanese prisoners who planned and carried out this plan. What was unusual was the over 200 of these Japanese POWs committed suicide when they realized that their escape was not going to be successful or that recapture was imminent. All those who were still alive were recaptured within 10 days. At the location there is now a Japanese style garden and a Japanese cemetery to honor those who died.

5. **He tried to climb Mount Kenya.** "No Picnic on Mount Kenya" (1946) was the first hand account by Felice Benuzzi of how he and two others broke out of Camp 354 by attempting to go over Mount Kenya. They spent 18 days on the mountain using improvised equipment. When it became evident that the attempt was not going to be successful they broke back into the camp, for which they each received 1 month of solitary confinement. As they had no weapons, many people feel that some of the most exciting moments in this story occur when the prisoners ran into the African native wildlife. The movie "The Ascent" filmed in 1994 was based on this book.

6. **Pamplona, Spain.** Fort San Cristobal was built on top of and into Mount Cristobal near Pamplona Spain. Due to poor design it was used as a prisoner of war camp. On May 22, 1938 almost 800 men attempted to flee the prison. Records show that 585 men were rearrested, and over 200 died during the attempt. Only three men are known to have made it to the French border. To honor the Republican prisoners who died in this attempt a sculpture was erected in 1988.

7. **He was the only soldier to escape from Britain during either World War.** On July 4, 1915, Gunther Pluschow successfully escaped from the POW camp at Donington Hall in Leicestershire, England. With this feat he became the only successful escapee from Britain during World War I or World War II. This escape had actually started in China, where after his plane went down he attempted to walk to Germany. His escape included the uses of planes, trains, automobiles, boats and rickshaws. He was captured by the British at Gibraltar when the ship he was on was forced to dock because of bad weather. He was then taken to Donnington Hall where he continued his efforts to get home. He wrote a book about his escape "The Adventures of the Aviator from Tsingtau" in 1915. He died in 1931 when his plane crashed during an aerial expedition over Patagonia.

8. **Escape from Sobibor.** The 550 Jewish prisoners at the Sobibor extermination camp in Poland were members of the 'Sonderkommando', which was a special squad assigned to assist the SS with disposing of the corpses and with sorting the victims belongings. Of these prisoners one quarter chose not to be involved in the escape. About 80 were killed by machine gun fire or while running through the mine fields that surrounded the camp. About 170 men were recaptured by the Nazis and all of these men, plus those who stayed behind, were executed. Pechersky, the chief leader of the actual escape was a POW, who had been transferred there from an a camp for Soviet POWs when it emerged that he was Jewish. The other key planner was Leon Feldhendler, who survived until April 1945, when he was murdered by Polish antisemites. It is known that 53 Sobibor prisoners escaped successfully and survived the war. The incident was so embarrassing to the Germans that the camp was shut down and trees planted over it as if it had never been there. One of the camp survivors served as a technical consultant for the movie in an attempt to portray the event as factually as possible.

9. **False.** There are over 800 documented attempts to escape from Auschwitz, but only 144 people are known to have been successful. The fate of 300 of the original 800 people is not known. Upon the successful escape of any prisoner, 10 people were randomly selected from the escapee's block and were starved to death. This same punishment was meted out to any escapees who were recovered.

10. **The American Civil War.** The Libby Prison escape, is possibly the best known prison breakout of the American Civil War. One hundred and nine Union soldiers escaped from the Libby Prison located near Richmond, Virginia. Of these men 48 were recaptured and two drowned in the James River. The other men were successful in their attempt for freedom. This escape was carried out by extensive tunneling.

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

Tax Burden for Idaho 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 Idaho:

Sales Taxes

State Sales Tax: 6% (prescription drugs exempt); Some Idaho resort cities, counties and auditorium districts have a local option sales tax in addition to the state sales tax which could add an additional 3%.

Gasoline Tax: 25 cents/gallon

Diesel Fuel Tax: 25 cents/gallon

Cigarette Tax: 57 cents/pack of 20

Personal Income Taxes

Personal Income Taxes

Tax Rate Range: Low - 1.6%; High - 7.8%

Income Brackets: Eight - * Lowest - \$1,320; Highest - \$26,418 (For joint returns, the taxes are twice the tax imposed on half the income. A \$10 filing tax is charged for each return and a \$20 credit is allowed for each exemption.)

Personal Exemptions: Single - \$3,650; Married - \$7,300; Dependents - \$3,650 (Idaho allows personal exemption or standard exemption as provided in the Internal Revenue Code)

Standard Deduction: Single - \$6,250; Married filing jointly - \$11,000 (age 65 and older)

Medical/Dental Deduction: Federal amount

Federal Income Tax Deduction: None

Retirement Income Tax: Generally, all income received by an Idaho resident, regardless of the source, is subject to Idaho income tax. Idaho does not tax social security benefits, benefits paid by the Railroad Retirement Board or Canadian social security benefits (OAS or CPP). Idaho does offer a retirement benefits deduction if you are age 65 or older, or if you are disabled and age 62 or older, and receive qualifying retirement benefits. Persons using the "married filing separate" filing status are not eligible for this benefit. The following are the types of benefits that qualify for this deduction (PERSI does not qualify for this benefit):

- Civil Service Employees: Retirement annuities paid by the United States to a retired civil service employee or the unremarried widow of the employee if the recipient is age 65 or older, or disabled and age 62 or older.
- Idaho Firemen: Retirement benefits paid from the firemen's retirement fund of the state of Idaho to a retired fireman or the unremarried widow of a retired fireman if the recipient is age 65 or older, or disabled and age 62 or older.
- Policemen of an Idaho city: Retirement benefits paid from the policemen's retirement fund of a city within Idaho to a retired policeman or the unremarried widow of a retired policeman if the recipient is age 65 or older, or disabled and age 62 or older
- Servicemen: Retirement benefits paid by the United States to a retired member of the U.S. military service or the unremarried widow of such member if the recipient is age 65 or older, or disabled and age 62 or older.

The amount deducted must be reduced by retirement benefits paid under the Federal Social Security Act and the Federal Railroad Retirement Act. The maximum amount that may be deducted for 2010 is:

- Married filing jointly (age 65 or older): \$41,814
- Married filing jointly (age 62 or older and disabled): \$41,814
- Single (age 65 or older): \$27,876
- Single (age 62 or older and disabled): \$27,876

Retired Military Pay: Follows federal tax rules.

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

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

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

Military Spouses Residency Relief Act: The earned income of qualifying spouses of Idaho servicemembers is no longer subject to Idaho income tax due to the federal Military Spouses Residency Relief Act (SR 475, HR 1182) passed in November of 2009.

- You are married to a servicemember who is serving in Idaho and has registered in the military with another state as a home of record; and
- You have located to Idaho with the servicemember and you have the same domicile (permanent residence) as the servicemember's home of record.

Property Taxes

Taxable property is assessed at its full market value. A general property tax is imposed for local purposes and is limited to 1% of market value. The state property tax is suspended as long as the sales and use tax are in effect. There is no intangible personal property tax. A homeowner's primary residence is eligible for an exemption of 50% of the assessed value of the home, up to a maximum of \$104,471 (2009). If you are a qualified Idaho homeowner, you may be eligible for the circuit breaker program. To qualify you must own and occupy the home as your primary residence, you must meet income requirements and must be either age 65 or older, a widow(er), blind, former POW, fatherless or motherless minor, or a qualifying disabled person. This program may reduce property taxes on your home and up to one acre of land by as much as \$1,320. For more information on property and other taxes refer to <http://tax.idaho.gov/p-propertytax.cfm> or call 208-334-7733 or 800-972-7660.

Idaho has a property tax deferral program. For details refer to <http://tax.idaho.gov/i-1053.cfm>.

Inheritance and Estate Taxes

At the current time Idaho does not have an inheritance tax, gift tax or an estate tax.

For further information, visit the [Idaho State Tax Commission](http://tax.idaho.gov/index.cfm) site <http://tax.idaho.gov/index.cfm>. Information for new residents is available at <http://tax.idaho.gov/s-results-quest.cfm?faqson=new@to@Idaho>. [Source: www.retirementliving.com Oct 2011 ++]

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Veteran Legislation Status 29 OCT 2011: 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? Naval Aviators

The Naval Aviator As Seen by Himself:

An incredibly intelligent, tall, handsome, innovative & highly trained professional killer, idol to countless females, & Gentleman Adventurer, who wears a star sapphire ring, carries a hair-trigger .45 automatic in a specially designed hand-stitched, quick draw holster along w/his trusty pearl-handle survival knife, who's always on time thanks to his ability to obtain immediate transportation & the reliability of his Rolex watch.

As Seen by His Wife:

A disreputable member of the family who comes home once/yr all bruised up, driving a stolen jeep up to the back door carrying a B-4 bag full of dirty laundry, wearing a stained flight suit, smelling of stale booze & JP-4, wearing a huge watch, a fake ring, & that damn ugly beat-up pistol in that stupid holster, who'll 3 months later go out the front door, thankfully for another yr.

As Seen by His Squadron Commander:

A fine specimen of a drunken, brawling, jeep stealing, woman corrupting liar, w/a star sapphire ring, fantastically accurate Rolex watch, an unauthorized .45 in a non-regulation shoulder holster, & rusty survival knife.

As Seen by Fleet Ops:

The embodiment of a drunken, brawling, jeep stealing, woman corrupting, lying, zipper-suited Sun God, w/a ring, a proscribed 1911 A1 .45 in a non-regulation shoulder holster, & a Rolex watch, who for some reason carries a survival knife.

As Seen by the Dept of Defense:

An overpaid, rule-ignoring, over-ranked tax burden, who's unfortunately totally indispensable simply because he's volunteered to go anywhere & do anything, at any time, only so long as he can booze it up, brawl, steal jeeps, corrupt women, lie, & wear a star sapphire ring, Rolex watch, & carry an obsolete handgun & survival knife.

As Seen by the Enemy: The terrifying face of death!

Don't interfere with anything in the Constitution. That must be maintained, for it is the only safeguard of our liberties.

-- **Abraham Lincoln** (16th President of the United States | 1809 –1865)

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