

RAO BULLETIN

1 February 2012

PDF Edition

Note: Anyone receiving this who does not want it should click on the automatic “Change address / Leave mailing list” tab at the bottom of this message.

THIS BULLETIN CONTAINS THE FOLLOWING ARTICLES

- == Arlington National Cemetery [34] ----- (Management Challenges)
- == VA Homeless Vets [28] ----- (New Study)
- == BRAC [23] ----- (Proposed New Round Reaction)
- == VA Acquisition Academy ----- (Warriors to Workforce)
- == VA Women Vet Programs [15] ----- (Newborn Medical Care)
- == VA Medical Marijuana Policy [02] ----- (Vermont Bill Introduced)
- == Stolen Valor [54] ----- (Court Upholds Act)
- == IRS Tax Deductions ----- (Allowed for 2011)
- == Feres Doctrine [04] ----- (Malpractice Immunity Pending Ruling)
- == VA Claims Backlog [57] ----- (Paperless' Claims Solution)
- == VA Disputed Claims [03] ----- (Leroy MacKlem)
- == VA Home Loan [39] ----- (VAHLC Concerns)
- == Medicare Reimbursement Rates 2012 [07] - (Committee Appointees)
- == Medicare Reimbursement Rates 2012 [08] ----- (Panel 1st Meeting)
- == Medicare Reimbursement Rates 2012 [09] ----- (HHS OIG Report)
- == Mobilized Reserve 24 JAN 2012 ----- (12,890 Decrease)
- == U.S. Military Presence in Philippines ----- (Talks Ongoing)
- == VA Cemeteries [05] ----- (Misplaced Headstones)
- == Worldwide Caution ----- (Message to U.S. Citizens)
- == VA Mental Health Care [08] ----- (Wait Times Audit)
- == Sleep Apnea [05] ----- (VA Approved Nasal Device)
- == TRICARE Provider List Philippines ----- (17 JAN 2012)
- == Littoral Combat Ship ----- (U.S.S Independence)
- == VA Data Breaches [45] ----- (Ancestry.com)
- == Home Affordable Refinance Program ----- (Revamped)
- == DoD PDBR [11] ----- (Phased Info Packet Mailings)
- == Military Handbooks ----- (Available for Download)
- == USS Hunley Museum ----- (Conservation Efforts Continue)
- == Retirement Planning [05] ----- (401(k) Retirement Plans)
- == Retirement Planning [06] ----- (Myths)
- == POW/MIA [12] ----- (16-31 Jan 2012)
- == POW/MIA [13] ----- (Spring Korea Mission)
- == Estimated Tax ----- (Who Pays)

- == Online Piracy ----- (H.R.3261)
- == VA Blue Water Claims [21] ----- (Ship's List Jan 2012)
- == Sitter City ----- (On-Line Service)
- == Space "A" Travel [15] ----- (Using Facebook)
- == AHLTA [06] ----- (System Shutdown 17 JAN)
- == Tricare Dental Program [05] ----- (Dental for Survivors)
- == TERA [02] ----- (Incentive Reinstatement)
- == Military Vote Sought ----- (GOP Candidates)
- == ID Card (CAC) [03] **----- (Cyber Attack)
- == VA Quality-of-Care [02] **----- (GAO Review Requested)
- == DoD Budget 2013 [02] **----- (Cut Exemption Sought)
- == DoD Budget 2013 [03] ----- (Priorities and Choices)
- == DoD Budget 2013 [04] ----- (Veterans Groups Push Back)
- == Retiree Pay ----- (Federal Civilian Workers)
- == Vet Tax Holiday ----- (Gov. Rick Perry Proposal)
- == VA Medical Marijuana Policy [02] ----- (MAPS Study on Hold)
- == VA Medical Marijuana Policy [03] ----- (VT Bill Introduced)
- == VA Fraud Waste & Abuse [44] ----- (15-31 JAN 2012)
- == War Crime Status? ----- (USMC Video Sensationalized)
- == Bronze Star Medal [01] ----- (Contract for 79,000)
- == LA Vet Property Tax ----- (Homestead Exemption)
- == PTSD [85] ----- (Lawsuit Settlement Approved)
- == PTSD [86] ----- (Violent Crime Link)
- == VA RTLS [01] ----- (Use Still Planned)
- == What My Family Should Know ----- (Suggested Document)
- == WWII Vets [12] ----- (Ralph Neal)
- == Vietnam Vets ----- (Major Wilfork)
- == Vet License Plates AZ ----- (Eligibility & Availability)
- == Vet License Plates IL [01] ----- (Fee Petition)
- == Veteran Support Org ----- (WWAST)
- == Veteran Hearing/Mark-up Schedule ----- (As of 30 Jan 2012)
- == Saving Money ----- (Bank Fees)
- == Notes of Interest ----- (15-31 Jan 2012)
- == Medicare Fraud [84] ----- (15-31 Jan 2012)
- == Medicaid Fraud [56] ----- (15-31 Jan 2012)
- == State Veteran's Benefits ----- (Texas)
- == Military History ----- (The Great Escape)
- == Military History Anniversaries ----- (Feb 1-14 Summary)
- == Military Trivia [44] ----- (WWII American Special Forces)
- == Tax Burden for Louisiana Retirees ----- (As of Feb 2012)
- == Veteran Legislation Status 28 JAN 2012 ----- (Where we stand)
- == Have You Heard? ----- (How kids perceive Grandparents)
- Attachment - Veteran Legislation as of 28 JAN 2012
- Attachment - AO Exposed ship List JAN 2012
- Attachment - What My Family Should Know
- Attachment - Texas State Veteran's Benefits
- Attachment - Military History: Stalag Luft III Tunnels

** Denotes Military Times Copyrighted Material

Arlington National Cemetery Update 34: Arlington National Cemetery has made significant progress on improving operations and resolving more than 200 cases of missing remains and misidentified grave sites, according to watchdog reports, but officials are still on the defensive over management challenges. "Arlington is transitioning from crisis management to sustained excellence," Lt. Gen. Peter Vangjel, the Army inspector general, told the Senate Subcommittee on Contracting Oversight on 25 JAN. The IG's 2011 report on Arlington Cemetery's performance cited new management for improving workplace morale and effectiveness. The assessment is a stark contrast to a scathing IG report and Senate investigation in 2010 that examined the improper handling of remains by Arlington Cemetery contractors, and an FBI criminal investigation of possible contracting fraud a year later.

Problems still remain, however. Despite the implementation of the Army's General Fund Enterprise Business System to improve financial reporting at the cemetery, the Army Audit Agency reported \$12 million in funds allocated between 2004 and 2010 were unaccounted for. Kathryn Condon, executive director at Arlington Cemetery, told the committee that all funds were accounted for, but cemetery officials came forward 26 JAN to say that the missing \$12 million has been recovered through reconciling contracts with federal agencies. Subcommittee Chairwoman Sen. Claire McCaskill (D-MO) said in a statement to the Washington Post that she would "continue to track progress and monitor outside audits, until every grave site is checked and every dollar accounted for." In addition to accounting for finances, Arlington must still finish resolving the information for roughly 50,000 grave sites to ensure they have the sufficient documentation. "I want to state upfront that we still have work to do," Condon told lawmakers. "I accept those challenges." A Gravesite Accountability Task Force was set up by the Army to review and verify every grave site. The task force uses a six-step procedure to correct information when a discrepancy is found. Condon said all remaining cases would be completed by summer.

A Government Accountability Office report released 25 JAN noted the cemetery needs to make contract management improvements that include maintaining a complete database on contracts and determining appropriate contractor staffing needs. Condon assured the committee that streamlining contracts was a priority, and as much work as possible would be completed in-house. "We are really truly building the workforce that's required to run Arlington properly," she said. "We feel that the numbers we have now are adequate, as we get time to assess the [technology]. One of our goals is to make sure we have the right number of people to do the job." Arlington Cemetery has focused on technology initiatives to improve management and transparency, including the creation of a single database containing information for every grave site, created with the help of soldiers from the Old Guard. "Aside from their other duties, many showed up at midnight with cellphones, and individuals went and photographed over 250,000 grave sites" to include in the database, Condon said.

Families and the general public will be able to search the database and pull up a photo of a grave marker and accompanying information. In the next few months officials also will unveil a smartphone app with GPS and digital information kiosks, currently in alpha testing, to help visitors to find grave sites more easily. The next steps for the cemetery should include focusing on long-term expansion to accommodate more burials and sustaining the management changes that already have been made, according to Brian Lepore, GAO's director of defense capabilities and management. "They're putting in place the kind of policies and procedures that if fully implemented, they will outlive the current team," Lepore said. "The next generation of leaders shouldn't have to reinvent the systems." [Source: GovExec.com Caitlin Fairchild article 27 Jan 2012 ++]

Homeless Vets Update 28: Veterans are significantly more likely to be homeless than civilian adults, and these homeless vets are getting steadily older and sicker, researchers reported on 27 JAN. The new study predicts that the Department of Veterans' Affairs' health care system could be deluged with at least some of these sick and homeless vets. "They're aging up," said Robert Hallett, national coordinator of the VA's Healthcare for Homeless Veterans program. Jamison Fargo of Utah State University and the National Center on Homelessness Among Veterans and colleagues studied 130,000 homeless people from seven jurisdictions and found veterans were more likely than non-servicemembers to be among them. They controlled for some of the factors that can lead to homelessness -- notably, poverty. "As age increases, an increasingly larger proportion of the male homeless population is composed of veterans," Fargo said in an e-mail interview. "Male veterans were almost 50 percent as likely and female veterans were almost twice as likely to be homeless as nonveterans in the general population," Fargo's team wrote in the journal *Preventing Chronic Disease*, published by the Centers for Disease Control and Prevention. "Among the population in poverty, male veterans were more than twice as likely and female veterans were more than three times as likely to be homeless as nonveterans." Men were most likely to be homeless between the ages of 45 and 54. Men in this age group, who served in the 1970s and 1980s, have continuously been at a higher risk of homelessness, the researchers . For women veterans, those aged 18-29 were at the highest risk of homelessness. Offering recent female veterans housing assistance and programs that help with the transition to civilian life might help reduce this rate, the report suggested. Details of the study are available at http://www.cdc.gov/pcd/issues/2012/11_0112.htm. [Source: National Journal Sophie Quinton article 27 Jan 2012 ++]

BRAC Update 23: Since its inception in 1988, the Base Closure and Realignment Commission has aimed to get around what are viewed as parochial interests in Congress that seek to protect hometown economies from Pentagon efforts to save money by shutting down domestic facilities. But within hours of Defense Secretary Leon Panetta's 26 JAN announcement that he is proposing a new BRAC round, the signs from Capitol Hill amounted to "not so fast." Comments and actions from congressmen included:

- House Armed Services Committee Chairman Howard "Buck" McKeon (R-CA) issued a detailed critique of the Defense Department's entire previewed budget, charging that "the president has abandoned the defense structure that has protected America for two generations." McKeon spokesman Claude Chafin told Government Executive that while the committee is awaiting details on BRAC, the chairman is "very concerned about the proposed force reductions, believing the shift ignores the lessons of history on the need for ground forces that we've learned over and over again. The drawdown is what creates the basis for a new BRAC round," he said, but the drawdown itself must be addressed first.
- In the Senate, Connecticut senators Joe Lieberman, an independent, and Richard Blumenthal, a Democrat, joined with Democratic Rep. Joe Courtney in calling the BRAC proposal dead on arrival. "There is sweeping bipartisan opposition to another round of BRAC at this time," they said in a joint statement. "Typically, the actual savings from BRAC come long after the costs of implementation; another round would do nothing to help the Pentagon hit the targets outlined in the Budget Control Act." Switching to the potential impact on Connecticut, the three said, "as a delegation, since 2007, we have secured more than \$80 million in new military construction [for submarine base] New London, shoring up its infrastructure and value to the Navy and our submarine fleet. We will continue to work with the Navy and community and base leaders to strengthen [the base] and secure its future."
- Senate Armed Services Committee Chairman Carl Levin was traveling Friday, but told attendees of a Christian Science Monitor breakfast 26 JAN that he usually supports the BRAC process "even though it is a tough sell." But he would not favor closing domestic military bases until more U.S. bases overseas are shut down.

- Sen. Scott Brown, R-Mass., on 26 JAN convened a meeting with defense industry representatives and staff for regional lawmakers to strategize on how to protect the Hanscom Air Force Base in Bedford, Mass., which employs 30,000 people, according to the Boston Globe.

On the labor front, John Gage, national president of the American Federation of Government Employees, said a new BRAC would be premature until "there is a comprehensive review and closure of overseas bases and we know the outcome of whether Congress will step up to the plate, increase revenue and avoid sequestration, so we know the full extent of the budget threat we are addressing rather than taking steps now that might not make sense if Congress fails to act." He added past BRAC rounds have disrupted lives and harmed communities "in the name of savings that never truly materialize . . . We must remain vigilant to ensure that DoD does not predetermine BRAC sites by selectively and arbitrarily reducing civilian personnel through reorganizations, reductions in force and 'starvation' so that the military value of an installation is diminished in advance of a review by an impartial panel."

In presenting the Pentagon's plan to slash \$487 billion from Defense over 10 years, Panetta shied away from estimating savings from a new BRAC round. The last round, which was enacted in 2005, affected 800 sites and required federal office moves that are only now being completed, was estimated by the Government Accountability Office to have cost \$35 billion to implement. That would make it the costliest round yet, with savings projected over 2006-2025 of about \$11 billion. One service that would welcome another BRAC is the Air Force. During a Pentagon briefing 27 JAN, Air Force Chief of Staff Norton Schwartz said he anticipated the service would close bases because many were simply realigned rather than closed during the 2005 round and since then the number of aircraft has dropped by 500. Under the proposed cuts, the Air Force would lose 10,000 personnel and its bases today are part of what Schwartz called "20 percent excess infrastructure." [Source: GovExec.com Charles S. Clark article 27 Jan 2012 ++]

VA Acquisition Academy: The VA Acquisition Academy (VAAA) in Frederick, Md opened in September 2008 in response to the growing shortage of contracting professionals, both for VA and other federal agencies. With the downsizing from the last decade and the loss of institutional knowledge resulting from baby-boomer retirements, the acquisition workforce has been strained to keep pace with the increased amount of and complexities associated with outsourced work in support of the VA mission. In addition, oversight of the acquisition function across the entire Federal Government has grown dramatically in recent years. All of this, combined with recent mandates by the Office of Federal Procurement Policy (OFPP), as implemented by the Federal Acquisition Institute to meet required certification standards for the acquisition workforce, prompted the VA to take action to build the VAAA. Through three schools, the Acquisition Internship School, the Contracting Professional School, and Program Management School, VA is committed toward not only meeting OFPP certification mandates, but also toward ensuring that our training curriculum takes a holistic and synergistic approach to:

- Create a workforce that is regarded as “best in class” where acquisition professionals are referred to as “trusted business advisors” who are sought out by their peers and customers for their expertise in crafting the most effective and efficient acquisition strategies to meet mission needs.
- Incorporate electives in each school that addresses the entire suite of competencies needed for success: innovation, leadership, team building, communication, interpersonal skills, and others.
- Align course content to achieve greater consistency and standardization in performing the acquisition function that is grounded by the Federal Acquisition Regulation’s (FAR) Guiding Principles for exercising sound business judgment.
- Leverage institutional knowledge and wisdom of the VA’s existing acquisition workforce by creating knowledge sharing activities and opportunities for all employees coming through our programs.

- Bridge the gap that often exists between program and contracting offices to create “acquisition teams” that are committed to collectively achieving results.

Recently the VAAA started offering a special internship to prepare newly-returned Veterans to become federal contracting specialists at the Acquisitions Academy. “I’m pleased to welcome our new interns to the VA family,” said Secretary of Veterans Affairs Eric K. Shinseki, who gave the keynote address 19 JAN. “These Veterans know the importance of integrity, and have learned to work together in diverse teams to accomplish difficult objectives. Those are skills we value in our professional acquisition corps.” Called “Warriors to Workforce,” the internship is a three-year program. Participants will earn the 24 educational credits in business required to become contracting professionals. The program includes courses in leadership, technical acquisition training and on-the-job experience. “This program is possible because of VA’s steadfast commitment to Veteran employment,” said Lisa Doyle, chancellor of the VA Acquisition Academy. “These Veterans have served and sacrificed, and it is our turn to give back by making sure they have gainful employment when they return. We hope this program will serve as a model for other federal agencies and private organizations.”

At graduation, participants will have taken the required coursework to achieve a Federal Acquisitions Certification in Contracting, which is recognized throughout the federal sector as evidence of solid education in the career field. Successful graduates will be eligible for contract specialist positions at the GS-11 level. In the past two years, the government’s contracting force has shrunk, although the volume and complexity of contracts has increased. Twenty-three Veterans are enrolled in the inaugural class of the “Warriors to Workforce” internship. Between them, they have seven Purple Hearts, two Bronze Stars and over 170 years of military experience. Information about VA’s Acquisitions Academy is available at <http://www.acquisitionacademy.va.gov>. For questions call or call (202) 461-0700. [Source: VA News Release 26 Jan 2012 ++]

VA Women Vet Programs Update 15: The Department of Veterans Affairs has published a regulation officially amending VA’s medical benefits package to include up to seven days of medical care for newborns delivered by women Veterans who are receiving VA maternity care benefits. “The regulation change makes formal the commitment VA made to women Veterans,” said Secretary of Veterans Affairs Erik K. Shinseki. “This falls in line with the broad range of services VA is proud to offer women Veterans who have served this nation.” Newborn care includes routine post-delivery care and all other medically necessary services that are in accord with generally accepted standards of medical practice. The effective date of the rule is Dec. 19, 2011, but the regulation applies retroactively to newborn care provided to eligible women Veterans on or after May 5, 2011. VA has women Veterans program managers at every VA medical center to help women Veterans learn more about the health care benefits they have earned with their service. For more information about VA healthcare for women Veterans, visit <http://www.womenshealth.va.gov>. [Source: VA News Release 28 Jan 2012 ++]

Stolen Valor Update 54: The 10th U.S. Circuit Court of Appeals ruled 27 JAN that a federal law making it illegal to lie about being a war hero is constitutional and making false statements is not always protected free speech. The ruling by a three-judge panel of the Denver-based court reverses a district judge’s decision that the Stolen Valor Act violates the First Amendment. Courts in California, Georgia and Missouri have considered similar cases, and the 9th U.S. Circuit Court in San Francisco struck down the law on the basis of free speech. The U.S. Supreme Court said in October it would take up the issue of whether the Stolen Valor Act is constitutional. The Colorado case involves Rick Strandlof, who was arrested after claiming he was wounded in Iraq as a Marine and had received military medals. His lawyers have acknowledged the claims were false. “As the Supreme Court has

observed time and again, false statements of fact do not enjoy constitutional protection, except to the extent necessary to protect more valuable speech,” Judges Timothy M. Tymkovich and Bobby R. Baldock said in the ruling. “Under this principle, the Stolen Valor Act does not impinge on or chill protected speech, and therefore does not offend the First Amendment.”

Judge Jerome A. Holmes, who dissented, said, “I am troubled by the majority’s conclusion that false statements of fact — even those that are knowingly made, with an intent to deceive — are categorically outside the protective walls of the First Amendment.” Congress passed the Stolen Valor Act in 2006 with overwhelming support. It has been used only a few dozen times. In arguments before the 10th Circuit last year, Justice Department lawyer Joe Palmer said the law is constitutional because the government has a compelling need to punish impostors to protect the integrity of military medals. Carlson argued that the fact a statement might be offensive doesn’t mean it isn’t protected by the First Amendment.

Strandlof founded a veterans group in Colorado Springs and said he had received the Purple Heart and Silver Star. His claims were questioned, and the military said it had no record that he ever served. He was charged in 2009 with violating the law, but a federal judge dismissed the case, saying the U.S. government had not shown any compelling reason to restrict that particular type of speech. Strandlof’s attorney, John T. Carlson, said that he had expected the 10th Circuit to hold off on its decision until the U.S. Supreme Court weighed in. He said he planned to either appeal to the full 10th Circuit or petition the U.S. Supreme Court, but he noted that the case already in front of the high court will decide matters. “We’re going to have, in a couple of months, the definitive decision,” Carlson said. The California case, which U.S. Supreme Court decided to review, centers on the government’s prosecution of Xavier Alvarez of Pomona, Calif. Alvarez, a member of the local water district board, said at a public meeting in 2007 that he was a retired Marine who received the Medal of Honor, the nation’s highest military decoration. He had never served in the military. [Source: The Associated Press Ivan Moreno article 27 Jan 2011 ++]

IRS Tax Deductions: Before tackling your tax return, brush up on this baker's dozen of deductions that could cut your tax bill:

1. **Traditional IRA Contributions** - You have until April 17, 2012, to contribute up to \$5,000 to a traditional IRA for 2011 and deduct it on your tax return. Here are some guidelines.

- If you weren't covered by an employer's retirement plan in 2011, you can generally deduct your contribution in full.
- If you were covered by an employer plan, you can only take a deduction if your adjusted gross income was below \$66,000 (\$109,000 for married couples).
- If your spouse was covered, but you weren't, you can take a deduction if your combined adjusted gross income was below \$179,000.
- If you were age 50 or older on the last day of 2011, you can contribute up to \$6,000.

2. **Self-employed Retirement Plans** - If you work for yourself, you can open a Simplified Employee Pension-IRA by April 17, 2012, and deduct your contribution on your 2011 return. SEP-IRAs are an easy way to create your own retirement plan, and they can allow much higher contributions than traditional IRAs.

3. **Mortgage Interest** - You can deduct interest paid on your primary mortgage, as well as home equity loans and lines of credit. In general, you may deduct interest on up to \$1 million of primary mortgage debt and up to \$100,000 of home equity balances.

4. **State and Local Taxes** - Feeling like every single government entity is after your money? Fortunately, the federal government cuts you a little slack, letting you deduct property and income taxes imposed by state and local governments.

5. **Sales Tax** - If you paid little state income tax, or live in a state that doesn't tax income at all, you can choose to deduct sales tax instead. And you don't need receipts. Simply calculate an assumed amount using an IRS table or online calculator at <http://www.irs.gov/individuals/article/0,,id=152421,00.html>.

6. **Charitable Gifts** - Donations to charity can ease your tax burden, but only if you have the right documentation. Cash contributions, regardless of the amount, require a cancelled check or dated receipt. Any contribution of \$250 or more requires a written acknowledgement from the charity. Noncash contributions valued at more than \$5,000 generally require an appraisal.

7. **Student Loan Interest** - Some or all of interest on loans taken out to pay qualified higher education expenses is generally deductible if your adjusted gross income is less than \$75,000 (\$150,000 if you're married and file a joint return). You may also be eligible for the Hope or Lifetime Learning tax credit (See IRS Publication 970).

8. **Medical and Dental Costs** - The government sets a high hurdle for these expenses. You can only deduct them if they exceed 7.5% of your adjusted gross income.

9. **Health Insurance** - Self-employed taxpayers get a big break on one of their biggest financial headaches. In general, they can deduct all of their health insurance premiums.

10. **Health Savings Accounts** - If you were covered by a high-deductible health insurance plan in 2011, you can contribute up to \$6,150 to a health savings account (\$3,050 if it only covered yourself). Contributions are deductible and withdrawals for qualified medical expenses are tax-free. Similar to IRAs, you have until April 17, 2012, to contribute for the 2011 tax year.

11. **Job-related Moving Expenses** - If you moved to take a new job, you can deduct your expenses if you pass these two IRS tests:

1. Your new job must be at least 50 miles farther from your old home than your previous job was. If you didn't have a previous job, your new one must be at least 50 miles from your old home. If you're in the military with PCS orders, you do not have to meet these rules.
2. If you're an employee, you must work full time for at least 39 weeks during the 12 months after you arrive in the general area of your new job. If you're self-employed, you have to work full time for at least 39 weeks during the first 12 months and 78 weeks during the first 24 months.

12. **Guard and Reserve Travel Expenses** - If you traveled more than 100 miles to attend a drill and spent the night, you can deduct your lodging expenses, half the cost of your meals and 51 cents per mile for travel. You can also deduct tolls and parking fees.

13. **Out-of-pocket Teacher Expenses** - Teachers, aides, counselors and principals — kindergarten through 12th grade — can deduct up to \$250 for classroom supplies purchased in 2010.

[Source: MilitaryAvenue.com USAA article Jan 2012 ++]

Feres Doctrine Update 04: The Feres Doctrine was originally intended to shield the government from liability related to military service, such as combat situations. However, the US legal system has historically extended this restriction to medical care in garrison as well. Under current federal law service members cannot sue the government for medical malpractice as a result of negligent care at a military medical facility. Now, under new and expanded interpretation of a 1950 Supreme Court, the Feres Doctrine, which bars troops from suing the government in most situations, government lawyers in Florida are seeking to expand that restriction to include the dependents of service members. A U.S. attorney in Florida is arguing that even if military doctors make medical errors, service members should not be allowed to sue for negligent care provided to their dependents. However, in the past the government has settled many medical malpractice cases involving military family members. A federal judge in Florida is scheduled to soon rule on the government's motion to dismiss a military medical malpractice suit involving the death of a military spouse that occurred in Florida. [Source: NAUS Weekly Update 27 Jan 2012 ++]

VA Claims Backlog Update 57: The only way to achieve VA Secretary Eric Shinseki's goal for 2015 -- that every disability compensation claim gets processed within 125 days and with 98 percent accuracy -- is to shift to a paperless claims system. And that transformation has begun. That was the testimony 24 JAN by VA's top claim processing official before the House veteran affairs' subcommittee on disability assistance. Tom Murphy, director of compensation service for the Veterans Benefits Administration (VBA), an agency for the Department of Veterans Affairs, acknowledged the claims backlog has grown in recent years. Compensation and benefit claims pending at VA, as of 23 JAN, totaled 852,127 and 65 percent of them -- 557,460 -- had been filed by veterans more than 125 days ago, which means they are in "backlog" status. Over the last year VA processed almost a million claims but more than 1.3 million new claims were filed, some seeking compensation for the first time but most seeking an upgrade to current disability ratings. The number of veterans filing claims annually has more than doubled since 2000. The surge is tied to the Iraq and Afghanistan wars and also to court decisions and to VA policy changes that made hundreds of thousands of Vietnam War veterans eligible for compensation for diseases linked to possible wartime exposure to herbicides, including Agent Orange.

Murphy didn't challenge subcommittee complaints that the backlog is rising. But he did challenge a lawmaker who suggested VA plans to move to electronic claim processing will only deepen the backlog, at least for a while. Given projected claims growth, Murphy asked, "How do we take care of those veterans in less than 125 days, which the secretary has stated is our goal, and do it with the resources we have currently on board...The only way we're going to be able to do that is...to get out of the paper world and into the digital world." VA will introduce "very shortly" an electronic Claim for Disability. It will be available through VONAPP Direct Connect (VDC), VA's online e-benefits site. The VDC site currently allows veterans only to request changes online to listed dependents on their benefits profile. To understand what's coming, Murphy said, veterans should think "along the line of your TurboTax interview process," but rather than filing income tax returns electronically, they will be prompted to file compensation claims. The process for an average claim will take 30 to 45 minutes. "At the same time the veteran has the opportunity to submit any private evidence they want considered in the case," Murphy said. "And just that little bit I just described to you [will take] months out of our process"

Most of the two-hour hearing, however, focused on VA's mammoth effort to apply current medical science and revise the VA Schedule for Rating Disabilities, or VASRD, by 2016. Disability evaluation boards have used the VASRD since the end of World War II to compensate veterans for average impairment in earning capacity caused by service-related conditions. Over the last 60 years VA has adjusted the VASRD piecemeal to account for new illnesses or some developments in medical science. But this is the first comprehensive review to ensure that disability categories, rating percentages and compensation levels are accurate and equitable. Representatives for

several veterans' service organizations complained at the hearing that they have had few opportunities since the VASRD reform effort began two years ago to influence interim findings meaningfully.

Jeff Hall, assistant legislative director for Disabled American Veterans, acknowledged that the VBA has encouraged veterans groups to participate in initial public forums on how VASRD assigns ratings by diagnostic codes to conditions across 15 separate body systems. But apart the forums, Hall said, "VBA is not making any substantial efforts to include VSO input during the actual development of draft regulations for the updated rating schedule." DAV also is concerned that VA will continue to compensate solely on how disabilities impact earning capacity, ignoring calls from past studies for additional compensation tied to reduced quality of life. Frank Logalbo, national service director on benefits for the Wounded Warrior Project, said VASRD reform must support higher compensation for mental health disorders including post-traumatic stress. He also said "deep flaws in both VA evaluation procedures and its rating criteria pose real problems for warriors bearing psychic combat wounds." Not only do current ratings fail to compensate properly for loss of earnings due to mental health disabilities but also the review process itself is woefully inadequate, he said. "A one-time 20 to 30 minute conversation in a hospital office simply will not tell the most knowledgeable, conscientious examiner how the veteran functions in the community," Logalbo said.

Retired Army Lt. Gen. James Terry Scott chaired the Veterans Disability Benefits Commission, which in 2007 concluded that veterans with mental health ailments are undercompensated. It also recommended that Congress increase disability compensation by as much as 25 percent to recognize that disabled vets suffered a reduced quality of life. Scott now chairs VA's Advisory Committee on Disability Compensation, which has a major role in revising the VASRD. He said the compensation gap for mental health disorders is real and likely will be closed with a significant bump in VA ratings for ailments such as post-traumatic stress disorder. "What I think you're going to see...is that the degree of disability associated with PTSD is going to be recognized [with] a higher percentage disability rating assigned. In other words I think you will see more people suffering from more severe forms of PTSD rated at 100 percent," Scott said. Scott has lost some of his earlier enthusiasm for compensating disabled veterans' for reduced quality of life, saying it can argue the issue is addressed in part through other benefits including the caregiver compensation law passed last year. And VA already pays Special Monthly Compensation to the most severely disabled, he noted. Any additional pay for loss of quality of life probably should build on that and continue to target only veterans with very serious disabilities, Scott said. [Source: Mil.com Tom Philpott article 26 Jan 2012 ++]

VA Disputed Claims Update 03: In a case as much about government bungling as one man's perseverance, the Department of Veterans Affairs said last week that it would end years of litigation and repay Leroy MacKlem, 88, for six decades' worth of disputed disability compensation, about \$400,000. "This case has been resolved, and MacKlem will receive V.A. disability compensation retroactive to April 1, 1950," the department said in a statement. To which MacKlem, a World War II veteran from Portland, Mich., replied, "I'll believe it when I get the settlement." Mr. MacKlem's case shines new light on a process, later disallowed by federal courts, that the department used in 2007 and 2008 to review large awards. The number of cases reversed under that process is not known, but Mr. MacKlem's victory is sure to give hope to scores of veterans looking to appeal decisions from that period. The case is also a reminder of how disputes over veterans' benefits can drag on for decades after wars end.

Of the 850,000 disability claims currently pending before the department, more than 35,000, or 4 percent, are from World War II veterans. "MacKlem is now the poster boy for all these cases," said Mike Viterna, MacKlem's lawyer and president of the National Organization of Veterans Advocates, a nonprofit organization. He called the retroactive award one of the largest he had ever seen. MacKlem did not fight for his compensation after it was first

rescinded, perhaps because he did not have the strongest of cases. He enlisted in the Army in 1943 at the age of 19 and participated in the invasion of Sicily that year, legal papers show. But he developed hip pain so severe that the Army evacuated him that November. Army doctors attributed his problems to a car accident that dislocated his hip in 1941, before he enlisted. MacKlem reported no pain during his initial Army physicals, but said he developed problems in basic training that worsened in North Africa. In 1944, he received a medical discharge and was assigned a 20 percent disability rating for service-connected arthritis in his hip, entitling him to disability compensation. MacKlem later went to work in a plastics factory in Detroit. But in 1950, the Veterans Administration, as it was then known, severed his compensation, saying that his pain resulted from the “natural progress” of his pre-service injury. His monthly payments of \$105 ended. And there the case sat for 56 years.

In 2006, MacKlem — for reasons his lawyer could not explain — decided to appeal, saying the department made a “clear and unmistakable error” in its 1950 decision. A regional office in Detroit rejected his argument, and he submitted a notice of disagreement. Then a curious thing happened. MacKlem received a letter in JUN 07 saying that a review officer had concluded that the 1950 ruling was indeed wrong and that he should be granted retroactive benefits. MacKlem was not supposed to get that letter. But as it turned out, it was a lucky break for him that he did. A few weeks later, the department sent him another letter saying that the June notice was only a draft and that his benefits would not be restored. He appealed. And while his appeal was pending, a federal court ruled in 2009 that the department’s “extraordinary award procedure” for reviewing compensation awards larger than \$250,000 or for retroactive payments dating back more than eight years was illegal.

In 2010, the Court of Appeals for Veterans Claims ruled that the department had to reinstate MacKlem’s award because it had been reversed under that now illegal “extraordinary award procedure.” Even though the department might have had good reason to rescind his compensation in 1950, it would have to repay him all of it. This month, a federal appeals court upheld that decision. Mr. Viterna said that if the department had not sent MacKlem the June 2007 letter, he probably would never have known that he had been reviewed under the illegal procedure, and his case might have died. MacKlem has now asked the department to hurry up its payment because of his age. “I’ve always had the feeling that the government was hoping that I would die so they wouldn’t have to pay,” said MacKlem, a widower with no children. Disability payments to veterans with no immediate survivors are returned to the department, Mr. Viterna said. Asked if the Department of Veterans Affairs had dragged out the case to avoid paying MacKlem, a spokesman replied, “That is simply not true.” [Source: The New York Times James Dao article 25 Jan 2012 ++]

VA Home Loan Update 39: A United States Department of Veterans Affairs sponsored lender, VA Home Loan Centers (VAHLC), announced that in their opinion the new updates to the loan modification regulations 38 CFR 36.4314 may be too restrictive to provide adequate assistance for those seeking assistance with their VA loans. The Department of Veterans Affairs (DVA) has enacted temporary changes to the administrative law governing federal VA home loan modification. VAHLC comprehends that the intention of the short-term regulation reform was to allow loan servicers direct authority to modify VA loans in their portfolios. This adjustment would seemingly provide mortgage relief to veteran and active-duty homeowners who are in default on VA home loans. Although the program was designed to streamline the modification process, the DVA has stated that an unintended consequence of the new law has been the emergence of additional obstacles for the borrowers and loan services. The good news according to VAHLC is that the program creates certain protections for military homeowners in trouble. The temporary law makes it faster to get assistance while limiting the costs lenders can charge for the loan modification. Late fees cannot be added to the new home loan balance, but unpaid taxes, homeowners association dues and insurance can be rolled into the mortgage.

The new rules allow VA loans older than one year to be repaid in a new 10- or 30-year repayment plan. If the borrower has a need, they may apply for another modification after three years. The new modified VA loan must provide a fixed interest rate, but this new rate can be higher than the rate of the prior VA loan. VAHLC interprets the law to reflect that while the good intentions are evident, an ironic result of the new regulation is that borrowers who need help the most may not be able to receive the benefits of the program. The regulations state that as a condition of eligibility for loan modification, the borrower must have acceptable income, expenses, assets and credit history. The problem is that homeowners who are in default usually do not have what lenders would consider an acceptable credit or income history. VAHLC recognizes that this clause is too restrictive and may allow service providers the ability to deny many modification applicants. Once a borrower has been denied, the remaining options are usually bankruptcy, foreclosure or a short sale of the home. VAHLC acknowledges that while the new rules to the loan mod program are intended to give a second chance, many borrowers will not be able to get relief. The result is likely to keep the program from completing its objective. "While veteran borrowers are not guaranteed a loan modification, they can apply for one if they meet very restrictive criteria," said Philip Georgiades, chief loan steward for VA Home Loan Centers. "Although some veterans can benefit from the loan mod program, many will not. The new update to the law was supposed to make it easier for veterans to obtain a loan modification. The adjustment to the law is an insufficient way to protect those who protect us."

The VA loan program helps veterans, active and former duty military, and certain spouses of U.S. service personnel to achieve home ownership. Borrowers with a Veterans Administration mortgage who would like to apply for a VA home loan modification, are advised to contact the company (mortgage servicer, lender, or bank) where they remit their payment. To learn more about VA Home Loan Centers and the services they offer refer to <http://www.vahomeloancenters.org> or call 888-573-4496. To learn more about the VA Home Loan program refer to <http://www.benefits.va.gov/homeloans/>. [Source: San Diego CA (PRWEB) article 26 Jan 2012 ++]

Medicare Reimbursement Rates 2012 Update 07: Congressional leaders have appointed a 20-member conference committee tasked with working on a full-year extension of the payroll tax cut and the so-called "doc fix" to ensure physicians' Medicare reimbursement is not cut at the beginning of March. The committee is expected to start meeting the week of 16 JAN.

- **House Republicans:** Dave Camp (Mich.), Fred Upton (Mich.), Kevin Brady (Texas), Renee Ellmers (N.C.), Nan Hayworth (N.Y.), Tom Reed (N.Y.), Tom Price (Ga.), and Greg Walden (Ore.)
- **House Democrats:** Chris Van Hollen (Md.), Sander Levin (Mich.), Xavier Becerra (Calif.), Allyson Schwartz (Pa.), Henry Waxman (Calif.)
- **Senate Democrats:** Max Baucus (Mt.), Ben Cardin (Md.), Jack Reed (R.I.), and Bob Casey (Pa.)
- **Senate Republicans:** Jon Kyl (Ariz.), Mike Crapo (Idaho), John Barrasso (Wy.)

[Source: HomeCare Magazine 9 Jan 2012 ++]

Medicare Reimbursement Rates 2012 Update 08: In December, Congress agreed to a two month patch to avoid a 27% cut to Medicare/TRICARE physician reimbursement rate (doc fix), along with an extension of the payroll tax holiday and certain unemployment benefits through February. As part of this short term deal, Congress agreed to establish a 20 member conference committee to hash out a long term extension of these three issues when Congress returned to Washington in 2012. On 24 JAN, that panel of legislators met for the first time. Aside from appointing Rep. Dave Campo (R-MI) and Sen. Max Baucus (D-MT) as chairman and vice-chairman respectively, the panel didn't accomplish much in their first meeting. In the opening dialog both parties

appeared to be entrenched along partisan lines much as they were in 2011. The Democrats continue to insist that increased tax revenues must pay for part of the extension, while Republicans refuse to consider new taxes and want to pay for the extension solely through budget cuts. One interesting development is that both sides seemed open to using projected war savings as one way of paying for the fix. Congress has until 29 FEB to come up with an extension, but it seems negotiations have a long way to go. The panel is supposed to meet again next week to continue the dialog. If you haven't already done so, send your legislators a message asking them to pass a long term fix for to Medicare/TRICARE physician reimbursement rate. A preformatted editable message is available for forwarding at <http://capwiz.com/moaa/issues/alert/?alertid=35633526>. [Source: MOAA Leg Up 27 Jn 2012 ++]

Medicare Reimbursement Rates 2012 Update 09: Results released from a 26 JAN 2012 report commissioned last year by United States Department of Health and Human Services inspector general's office found that limited data prevented researchers from drawing any conclusions about why physicians opt out of Medicare. The results from the Lack of Data Regarding Physicians Opting Out of Medicare <http://oig.hhs.gov/oei/reports/oei-07-11-00340.pdf>, show the OIG failed to reach its original goal of finding why doctors chose to not participate in the program. Instead, it calls for more stringent CMS data requirements for physicians and non-physician practitioners who opted out Medicare after Jan. 1, 2009. "Specifically, we cannot determine the characteristics of physicians who opt out of Medicare, the trend in the number of opted-out physicians, and why physicians choose to opt out of Medicare," the report stated. The OIG began in April and looked through a CMS-provided list of about 7,900 providers who have opted out between 1998 and March 2011. The report hypothesizes that the number of providers who opt out may be at 1% of all providers. Despite the small number, the report concludes it's important to track why those providers opt out and that the Centers for Medicare & Medicaid Services should continue to monitor them to ensure Medicare patients have adequate access overall. The researchers said they will move forward and conduct a full evaluation as initially proposed when the CMS acquires the proper data. [Source: ModernHealthcare.com Ashok Selvam article 27 Jan 2012 ++]

Mobilized Reserve 24 JAN 2012: The Department of Defense announced the current number of reservists on active duty as of 24 JAN 2012. The net collective result is 12,890 fewer reservists mobilized than last reported in the 15 JAN 2012 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 53,178; Navy Reserve 4553; Air National Guard and Air Force Reserve 9352; Marine Corps Reserve 5,237; and the Coast Guard Reserve 766. This brings the total National Guard and Reserve personnel who have been activated to 73,086 including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found online at <http://www.defense.gov/news/d20120124ngr.pdf>. Reservists deactivated since 9/11 total 764,277. [Source: DoD News Release No. 019-12 dtd 11 Jan 2012 ++]

U.S. Military Presence in Philippines: Two decades after evicting U.S. forces from their biggest base in the Pacific, the Philippines is in talks with the Obama administration about expanding the American military presence in the island nation, the latest in a series of strategic moves aimed at China. Although negotiations are in the early stages, officials from both governments said they are favorably inclined toward a deal. They are scheduled to intensify the discussions in late JAN in Washington before higher-level meetings in March. If an

arrangement is reached, it would follow other recent agreements to base thousands of U.S. Marines in northern Australia and to station Navy warships in Singapore. Among the options under consideration are operating Navy ships from the Philippines, deploying troops on a rotational basis and staging more frequent joint exercises. Under each scenario, U.S. forces would effectively be guests at existing foreign bases.

The sudden rush by many in the Asia-Pacific region to embrace Washington is a direct reaction to China's rise as a military power and its assertiveness in staking claims to disputed territories, such as the energy-rich South China Sea. "We can point to other countries: Australia, Japan, Singapore," said a senior Philippine official involved in the talks, speaking on the condition of anonymity because of the confidentiality of the deliberations. "We're not the only one doing this, and for good reason. We all want to see a peaceful and stable region. Nobody wants to have to face China or confront China." The strategic talks with the Philippines are in addition to feelers that the Obama administration has put out to other Southeast Asian countries, including Vietnam and Thailand, about possibly bolstering military partnerships. The United States already has about 600 Special Operations troops in the Philippines, where they advise local forces in their fight with rebels sympathetic to al-Qaeda. But the talks underway between Manila and Washington potentially involve a much more extensive partnership. Officials in the Philippines — which has 7,107 islands — said their priority is to strengthen maritime defenses, especially near the South China Sea. They indicated a willingness to host American ships and surveillance aircraft.

Although the U.S. military has tens of thousands of troops stationed at long-standing bases in Japan, South Korea and Guam, as well as the island of Diego Garcia in the Indian Ocean, it is seeking to solidify its presence in Southeast Asia. Some of the world's busiest trade routes pass through the South China Sea and the nearby Strait of Malacca. Instead of trying to establish giant bases reminiscent of the Cold War, however, Pentagon officials said they want to maintain a light footprint. "We have no desire nor any interest in creating a U.S.-only base in Southeast Asia," said Robert Scher, a deputy assistant secretary of defense who oversees security policy in the region. "In each one of these cases, the core decision and discussion is about how we work better with our friends and allies. And the key piece of that is working from their locations." The distinction is critical in the Philippines, which kicked the U.S. military out of its sprawling naval base at Subic Bay in 1992 after lawmakers rejected a new treaty. Along with the nearby Clark Air Base, which the Pentagon abandoned in 1991 after a volcanic eruption, Subic Bay had served as a keystone of the U.S. military presence in Asia for nearly a century.

Manila and Washington signed a subsequent agreement that allows U.S. forces to visit the archipelago or deploy there periodically while remaining under U.S. legal jurisdiction. The constitution of the Philippines forbids foreign military bases without a treaty. "There are political sensitivities, and the U.S. is aware of that," said a senior Philippine official, speaking on the condition of anonymity to discuss confidential deliberations. "So how can we achieve that presence without it costing too much in terms of political friction?" Philippine officials said they favor allowing the United States to deploy more troops or ships, as long as they rotate periodically or are considered temporary. Temporary, however, can still mean a long time. The 600 U.S. Special Operations troops in the Philippines have been on the southern island of Mindanao since 2002, and there is no firm timetable to withdraw them. The number of port visits by U.S. Navy ships has soared in recent years. The Philippines recently acquired a cutter from the U.S. Coast Guard and is seeking two more of the ships to boost its naval forces. It also wants to buy F-16 fighter jets from Washington.

In interviews, neither Philippine nor Obama administration officials would rule out a return by U.S. ships or forces to Subic Bay. The harbor is now a thriving economic hub and free-trade zone, so any American military presence would pale in comparison with the old days. But even a small, visiting U.S. force in the Philippines would send a strong signal to Beijing. Although Washington has said it is not trying to contain China's rise as an economic and military superpower, Obama announced a new military strategy this month under which the Pentagon will "rebalance" the armed forces toward the Asia-Pacific region in the aftermath of the wars in Iraq and Afghanistan. Some advocates said the shift in emphasis to Asia was long overdue, given its economic importance and China's

rise. “I don’t really see this as a pivot. .??. What I see now is a return to a necessary normal,” said Sen. James Webb (D-VA), chairman of the Senate Foreign Relations subcommittee on East Asia and Pacific affairs. “The presence of the United States has become the essential ingredient for stability.”

In addition to the Philippines, Vietnam — another country that once shunned the U.S. military — is restoring ties. In August, a U.S. Navy ship visited the Vietnamese naval base at Cam Ranh Bay for the first time in 38 years. Cam Ranh Bay is a deep-water harbor that served as one of the largest American military installations during the Vietnam War. Vietnam, which has its own territorial disputes with China, has slowly opened its bases to the U.S. Navy for port visits and ship repairs since 2009. “I don’t see in the near future an American base in Vietnam, but we have seen much more increased military cooperation,” said Webb, a former Navy secretary who fought in Vietnam as a Marine. “They’re not shutting down their relationship with China, but they’re attempting to balance it.” Adm. Jonathan W. Greenert, chief of naval operations, has called Southeast Asia the region with “perhaps the greatest potential in the future” for the Navy to increase its presence through military partnerships. In a Jan. 10 speech to the Center for a New American Security in Washington, he singled out the Philippines as a country “where perhaps there will be more opportunities emerging,” although he didn’t elaborate. Greenert cautioned that some of those partnerships would be limited, saying, “Not everybody is interested in getting in an alliance and getting tied up in a long term.” He cited Vietnam as an example. “We don’t want to push it too hard,” he said. “If you move a little too fast, there’s a hesitation.” [Source: Washington Post Craig Whitlock article 25 Jan 2012 ++]



President Obama addressed the Australian Parliament in November and vowed to expand U.S. influence in the Asia-Pacific region, even as he reduces defense spending and winds down two wars. (Nov. 16, 2011)

VA Cemeteries Update 05: The Department of Veterans Affairs has found scores of misplaced headstones and at least eight cases of people buried in the wrong places at several military cemeteries across the country. The review by the VA’s National Cemetery Administration follows the revelation of widespread burial problems at Arlington National Cemetery, which touched off congressional inquiries and a criminal investigation. After the scandal at Arlington, which included mismarked and unmarked graves and people buried in the wrong spots, some veterans groups and members of Congress had called for the cemetery, which is run by the Army, to be transferred to the VA. Although many of the errors at Arlington were caused by an antiquated paper-record system, VA officials said the problems at seven of its national cemeteries were largely the result of sloppy work during renovations. Headstones and markers were temporarily removed from the ground and reinserted in the wrong places.

Staff members at Fort Sam Houston National Cemetery in San Antonio were testing the accuracy of a new cemetery map in July, for instance, and realized that 47 markers were one space over from where they were supposed to be. The problem, they discovered, arose from a 2004 project to regrade the soil and realign the markers, which tend to shift as the ground moves. The markers were lifted and put back one plot away from the correct grave site. The error resulted in four people being buried in the wrong places. To save space at sought-after national cemeteries, family members are typically buried in the same plot. Because the headstones were in the wrong spots,

some people were not buried with their loved ones. A similar problem was discovered in November at Houston National Cemetery. In 2002, after a similar renovation, 14 grave markers were put in the wrong places. No one noticed the error at the time. A person was then buried in what officials thought was a family member's grave site; it was actually one plot over.

VA officials first publicly acknowledged the problems after The Washington Post asked about the cemetery audits. In an interview 23 JAN, Glenn Powers, the National Cemetery Administration's deputy undersecretary for field operations, said the VA is working to put all headstones in the right places and attempting to contact affected families to explain and apologize. But because the affected graves cover a long period — from decades ago to recent years — it might be impossible to locate all the next of kin, he said. "We strive to operate the best cemetery system in the world, and if something like this happens, there is no excuse," Powers said. "The amount of times this happens is rare. But there is no margin of error; there shouldn't be any kind of error. .??. We need to learn and make sure it doesn't happen again." In addition to the cemeteries in Texas, he said, problems have been discovered at national burial grounds in Ohio, New Mexico, New Jersey, Maryland and Pennsylvania. The cemetery administration is waiting on reports from Golden Gate and San Francisco National Cemeteries. [Source: The Washington Post Christian Davenport 23 Jan 2012 ++]

Worldwide Caution: The Department of State has issued this Worldwide Caution to update information on the continuing threat of terrorist actions and violence against U.S. citizens and interests throughout the world. U.S. citizens are reminded to maintain a high level of vigilance and to take appropriate steps to increase their security awareness. This replaces the Worldwide Caution dated July 26, 2011, to provide updated information on security threats and terrorist activities worldwide. The Department of State remains concerned about the continued threat of terrorist attacks, demonstrations, and other violent actions against U.S. citizens and interests overseas. Current information suggests that al-Qaida, its affiliated organizations, and other terrorist organizations continue to plan terrorist attacks against U.S. interests in multiple regions, including Europe, Asia, Africa, and the Middle East. These attacks may employ a wide variety of tactics including suicide operations, assassinations, kidnappings, hijackings, and bombings. Extremists may elect to use conventional or non-conventional weapons, and target both official and private interests. Examples of such targets include high-profile sporting events, residential areas, business offices, hotels, clubs, restaurants, places of worship, schools, public areas, and other tourist destinations both in the United States and abroad where U.S. citizens gather in large numbers, including during holidays. U.S. citizens are reminded of the potential for terrorists to attack public transportation systems and other tourist infrastructure. Extremists have targeted and attempted attacks on subway and rail systems, aviation, and maritime services. In the past several years, these types of attacks have occurred in cities such as Moscow, London, Madrid, Glasgow, and New York City.

- **EUROPE:** Current information suggests that al-Qaida, its affiliated organizations and other terrorist groups continue to plan terrorist attacks against U.S. and Western interests in Europe. European governments have taken action to guard against terrorist attack, and some have spoken publicly about the heightened threat conditions. In the past several years, attacks have been planned or occurred in various European cities.
- **MIDDLE EAST and NORTH AFRICA:** Credible information indicates terrorist groups also seek to continue attacks against U.S. interests in the Middle East and North Africa. For example, Iraq remains dangerous and unpredictable. U.S. military forces have withdrawn as of December 31, 2011 but the threat of attacks against U.S. citizens, including kidnapping and terrorist violence, is expected to continue. Methods of attack have included roadside improvised explosive devices, mortars, and shootings. Security

threat levels remain high in Yemen due to terrorist activities there. The U.S. Embassy has had to close several times in response to ongoing threats by al-Qaida in the Arabian Peninsula (AQAP). U.S. citizens as well as other Westerners have been targeted for attack in Yemen. U.S. citizens have also been the targets of numerous terrorist attacks in Lebanon in the past (though none recently) and the threat of anti-Western terrorist activity continues to exist there. In Algeria, terrorist attacks occur regularly, particularly in the Kabylie region of the country. In the past, terrorists have targeted oil processing facilities in both Saudi Arabia and Yemen. Some elements in Iran remain hostile to the United States. U.S. citizens should remain cautious and be aware that there may be a more aggressive focus by the Iranian government on terrorist activity against U.S. citizens.

The events of last year's Arab Spring, which affected many countries in the Middle East including Egypt, Libya, Yemen, Bahrain, and Syria, have resulted in civil unrest and large-scale protests and demonstrations. U.S. citizens are warned that demonstrations intended to be peaceful can escalate into violent clashes. U.S. citizens are reminded that demonstrations and riots can occur with little or no warning. U.S. citizens are urged to avoid areas of demonstrations if possible and to exercise caution if within the vicinity of a demonstration.

- **AFRICA:** A number of al-Qaida operatives and other extremists are believed to be operating in and around Africa. Since the July 11, 2010 terrorist bombings in Kampala, Uganda, for which the Somalia-based, U.S.- designated Foreign Terrorist Organization al-Shabaab has claimed responsibility, there have been increased threats against public areas across East Africa. The terrorist attacks of October 2011 against the Transitional Federal Government (TFG) and African Union (AU) peacekeeping forces in Somalia, as well as the grenade attacks against a nightclub and bus stop in downtown Nairobi, Kenya, highlight the vulnerabilities to terrorist attacks in East Africa and around the world. Additionally, the terrorist group al-Qaida in the Lands of the Islamic Maghreb (AQIM) has declared its intention to attack Western targets throughout the Sahel (which includes Mali, Mauritania, and Niger). It has claimed responsibility for kidnappings, attempted kidnappings, and the murder of several Westerners throughout the region, including southern Algeria. In Nigeria, a group known as Boko Haram claimed responsibility for an August 26, 2011, suicide bombing attack on the United Nations Headquarters in Abuja that killed 25 people and wounded more than 120.

U.S. citizens considering travel by sea near the Horn of Africa or in the southern Red Sea should exercise extreme caution, as there has been a notable increase in armed attacks, robberies, and kidnappings for ransom by pirates. Merchant vessels continue to be hijacked in Somali territorial waters, while others have been hijacked as far as 1,000 nautical miles off the coast of Somalia, Yemen, and Kenya in international waters.

The U.S. government maritime authorities advise mariners to avoid the port of Mogadishu and to remain at least 200 nautical miles off the coast of Somalia. In addition, when transiting around the Horn of Africa or in the Red Sea, it is strongly recommended that vessels travel in convoys and maintain good communications at all times. U.S. citizens traveling on commercial passenger vessels should consult with the shipping or cruise ship company regarding precautions that will be taken to avoid hijacking incidents. Commercial vessels should review the Department of Transportation Maritime Administration's suggested piracy countermeasures for vessels transiting the Gulf of Aden, which can be found at http://www.maradot.gov/news_room_landing_page/horn_of_africa_piracy/horn_of_africa_piracy.htm

- **SOUTH ASIA:** The U.S. government continues to receive information that terrorist groups in South and Central Asia may also be planning attacks in the region, possibly against U.S. government facilities, U.S. citizens, or U.S. interests. The presence of al-Qaida and its affiliates [Taliban elements, Lashkar-e-Taiba,

indigenous sectarian groups, and other terror organizations], many of which are on the U.S. government's list of Foreign Terror Organizations (FTOs), poses a potential danger to U.S. citizens in the region. Terrorists and their sympathizers have demonstrated their willingness and ability to attack targets where U.S. citizens or Westerners are known to congregate or visit. Their actions may include, but are not limited to, vehicle-borne explosive attacks, improvised explosive device attacks, assassinations, carjackings, rocket attacks, assaults, or kidnappings.

Such attacks have occurred in a number of South Asian states, including Pakistan, where a number of extremist groups continue to target U.S. and other Western citizens and interests, and Pakistani government and military/law enforcement personnel. Suicide bombing attacks continue to occur throughout the country on a regular basis, often targeting government authorities such as police checkpoints and military installations, as well as public areas such as mosques, and shopping areas. Kidnappings of U.S. citizens are also on the increase. In Afghanistan, remnants of the former Taliban regime and the al-Qaida terrorist network, as well as other groups hostile to International Security Assistance Force (ISAF)/NATO military operations, remain active. There is an ongoing threat of kidnapping and assassination of U.S. citizens and Non-Governmental Organization (NGO) workers throughout the country. There is an increased threat of terrorism in India. Terrorists have targeted public places in India frequented by Westerners, including luxury and other hotels, trains, train stations, markets, cinemas, mosques, and restaurants in large urban areas.

- **CENTRAL ASIA:** Supporters of terrorist groups such as the Islamic Movement of Uzbekistan, al-Qaida, the Islamic Jihad Union, and the Eastern Turkistan Islamic Movement are active in the Central Asian region. Members of these groups have expressed anti-U.S. sentiments and attacked U.S. government interests in the past. Previous terrorist attacks conducted in Central Asia have involved improvised explosive devices, suicide bombings, assassinations, and kidnappings.
- **EAST ASIA:** Regional and international terrorist organizations remain active in the region and have attacked U.S. interests in the past.

The Department of State encourages U.S. citizens living overseas or planning to travel abroad to enroll in the Smart Traveler Enrollment Program (STEP). When you enroll in STEP, we can keep you up to date with important safety and security announcements. Enrolling will also make it easier for the Embassy to contact you in the event of an emergency. You should remember to keep all of your information in STEP up to date; it is particularly important when you enroll or update your information to include a current phone number and e-mail address. U.S. citizens are strongly encouraged to maintain a high level of vigilance, be aware of local events, and take the appropriate steps to bolster their personal security. For additional information, please refer to "A Safe Trip Abroad" on our website, <http://travel.state.gov/>.

U.S. government facilities worldwide remain at a heightened state of alert. These facilities may temporarily close or periodically suspend public services to assess their security posture. In those instances, U.S. embassies and consulates will make every effort to provide emergency services to U.S. citizens. U.S. citizens abroad are urged to monitor the local news and maintain contact with the nearest U.S. embassy or consulate. As the Department of State continues to develop information on potential security threats to U.S. citizens overseas, it shares credible threat information through its Consular Information Program documents, including Travel Warnings, Travel Alerts, Country Specific Information, and Emergency Messages, all of which are available on the Bureau of Consular Affairs website at <http://travel.state.gov/>. Stay up to date by bookmarking our website or downloading our free Smart Traveler iPhone App for travel information at your fingertips. Follow us on Twitter and the Bureau of Consular Affairs page on Facebook as well. In addition to information on the internet, travelers may obtain up-to-date information on security conditions by calling 1-888-407-4747 toll-free in the United States and Canada or, from

other countries, on a regular toll line at 1-202-501-4444. These numbers are available from 8:00 am to 8:00 pm Monday through Friday, Eastern Time (except U.S. federal holidays). [Source: U.S. Embassy, Manila message 24 Jan 2012 ++]

VA Mental Health Care Update 08: Frustrated by the numerous reports of veterans unable to receive timely mental healthcare at VA facilities, legislators have called for the VA Office of the Inspector General to conduct a formal audit of wait times. In a letter to the VA IG, Sen. Patty Murray, (D-WA) chairwoman of the Senate VA Committee and Sen. Richard Burr (R-NC), the committee's ranking Republican, raised issues that have emerged in recent hearings. Most notably, they are concerned about the contradiction between what VA staffers in the field are saying about their difficulties in getting expeditious care to veterans compared with the more optimistic tone VA officials have taken with Congress. The senators specifically asked for an investigation of how accurately VA was tracking wait times. Murray and Burr wrote in their letter, "[Does] wait-time data VA collects represent an accurate depiction of veterans' ability to access those services? In addition, we ask that your office evaluate whether VA is accurately and completely reporting the data they collect." They have asked VA officials to fully cooperate with any forthcoming audit, and VA has agreed to do so. [Source: U.S. Medicine article 24 Jan 2012 ++]

Sleep Apnea Update 05: United States military veterans now have the option to use Provent® Sleep Apnea Therapy, a small, non-invasive nasal device for the treatment of obstructive sleep apnea (OSA). Ventus Medical, maker of Provent Therapy, announced 23 JAN the U.S. Department of Veterans Affairs has granted a multi-year, Federal Supply Schedule contract that would expand access to Provent Therapy among veterans. It's estimated more than four million U.S. veterans suffer from OSA, with a 61 percent increase of diagnoses between 2008 and 2010. Experts attribute that to an enhanced awareness of OSA, and exposure to dust and sand in Afghanistan and Iraq which may compromise respiratory health. People with OSA stop breathing multiple times each hour during sleep, often for ten seconds or longer. They frequently don't recognize the symptoms, but their bed partner complains of loud snoring and long pauses in breathing. "OSA is a chronic condition creating a significant burden on the Veterans Healthcare System. While continuous positive airway pressure (CPAP) is a safe and effective treatment, a substantial percentage of veterans don't accept or adhere to this treatment," said Richard B. Berry, M.D., Professor of Medicine at University of Florida. "There is a great need for access to new, clinically-proven therapies - particularly easy-to-use treatments - for the increasing number of veterans with obstructive sleep apnea."

OSA is associated with serious medical conditions including high blood pressure, irregular heartbeat, heart attack, stroke and diabetes, as well as an increased risk of motor vehicle accidents due to sleep deprivation. People with moderate to severe OSA are almost five times as likely to suffer from heart disease, and have up to 10 times as many motor vehicle accidents compared with people who don't have OSA. "Leading sleep centers estimate that one in five veterans experience sleep apnea, a rate of OSA that is four times higher than in the general U.S. population," said Peter Wyles, President and Chief Executive Officer of Ventus Medical, and former U.S. Marine. Provent Therapy is a proprietary medical device for the treatment of obstructive sleep apnea (OSA). The device is proven clinically effective in a series of published studies. It is easy to use, non-invasive and disposable treatment that works across mild, moderate and severe OSA. Provent Therapy utilizes nasal expiratory positive airway pressure (EPAP) to keep a patient's airway open during. It incorporates a novel MicroValve design that is placed over the nostrils and secured with hypoallergenic adhesive. During inhalation, the valve opens allowing nearly unobstructed airflow. During exhalation, the valve closes, limiting airflow through small openings, which increases expiratory

pressure and keeps the airway open, preventing disruption in breathing. Provent Therapy is FDA cleared. For more information, please visit <http://www.proventtherapy.com> . [Source: WSJ Market Watch Press Release 23 Jan ++]

TRICARE Provider List Philippines: The current TMA and ISOS provided Certified Provider list available at <http://www.tricare.mil/tma/pacific/pacificCertifiedProviders.aspx> does not offer any mechanism to easily identify added or removed providers nor is there any way to determine when existing previously certified provider's addresses or cities have changed. This is of concern to beneficiaries who have or will be submitting claims because:

- Providers that have changes made to their addresses or city are of some importance as the changes may trigger disapprovals of previously approved claims for a provider when the receipts may no longer match the new addresses.
- Beneficiaries should be able to easily identify providers that have been decertified without having to check every provider on the list in their provider base every two weeks.
- Beneficiaries should be able to easily find added providers for those that have claims pending certification of a provider.
- There should be a convenient way for beneficiaries to determine new additions to the provider base in their area without having to review each and every provider in the entire list every two weeks. It

Because of these concerns and to assist TRICARE beneficiaries the U.S. Military Retirees of the Philippines have produced a supplemental list to the 17 January 2012 Certified Provider List. The supplement is in 5 sections

- a) Introduction
- b) Providers Added Since 1 January 2011
- c) Providers Removed Since 1 January 2011
- d) Providers with Changed Addresses Since 1 January 2011
- e) Providers with Changed Cities Since 1 January 2011

This listing will be updated with each TMA/ISOS update of the certified provider list and the updates can be accessed at <http://db.tt/3fROsC4T> or viewed by opening the Excel attachment to this message. When the names or addresses of your providers do not match the "official" list, WPS must send ISOS a request to conduct a "new provider" certification, which has and will slow the reimbursement of the claim. It is recommended that beneficiaries verify the name, (spelling), and how it is listed on the certified provider list. Some examples of variance of the official receipts verses the certified provider list that have caused delays in the past are;

- Santos,John R., MD instead of Santos, John R., MD, (the missing space after the comma has caused the claims processor to request a new certification);
- Santos, John Reyes, MD instead of Santos, John R., MD, which will also cause the claims processor to request a new certification.

The same problem will occur with addresses that are not identical on the "official receipt" as to that of the official certified provider list. Beneficiaries are encouraged to check the newest certified provider list for any provider that they are going to use and ensure that the official receipt name and address is identical to the certified provider list. If they find that it is not identical they should request the provider to give them a receipt that is identical. If that is not possible, then it is suggested they annotate the variances on the copy of the receipt sent with the claim and explain that this is the same provider as listed on the certified provider list. [Source: U.S. Military Retirees of the Philippines notice 23 Jan 2012 ++]

Littoral Combat Ship: There have been rumors about the U.S. Navy's speedy new triple hulled ships, but now they're for real. The U.S.S Independence was built by General Dynamics. It's called a "littoral combat ship" (LCS), and the tri-maran can move its weapons around faster than any other ship in the Navy. 'Littoral' means close-to-shore, and that's where these very ships will operate. They're tailor-made for launching helicopters and lightly-armored vehicles, sweeping mines and firing all manner of torpedoes, missiles and machine guns. These ships are also relatively inexpensive. This one is a bargain at \$208 million, and the Navy plans to build 55 of them. This tri-maran is the first of a new fire breathing breed, ready to scoot out of dry dock at a rumored 60 knots top speed.. It's like a speedy and heavily armed aircraft carrier for helicopters. Pirates Beware!!!



NOTE the absence of a bow wave at half throttle (43 knots) and there is very little spreading wake. In fact, it does not look like a wake at all, just foamy water from the water jets. Also turns tightly too. Allegedly this turn was also done at 43 knots...and from the look of the small bow wave, she's still in the turn Note the absence of any sign of her 'heeling over' even at that speed.



[Source: [http://www.gaijinriders.com/showthread.php?7621-LCS-2-\(USS-Independence\)](http://www.gaijinriders.com/showthread.php?7621-LCS-2-(USS-Independence)) Jan 2012 ++]

VA Data Breaches Update 45: More than 2,200 veterans had their personal information accidentally posted on the genealogy website Ancestry.com last year, a move that could potentially expose them to identify theft crimes. Officials from the Department of Veterans Affairs said all of the veterans affected by the mistake will

receive free credit monitoring services to help mitigate any damage. The information posted online included veterans' names and Social Security numbers, but not any health information. The department said there is no evidence so far that any of the personal information has been misused, but the agency is contacting all of the individuals involved to ensure they are aware of the problem. VA officials supplied the information to Ancestry.com in March 2011 as part of a Freedom of Information Act request by the genealogy site. The records were supposed to only contain information on deceased veterans, but also included more than 2,200 living veterans due to a department error. Department officials found out about the error just last month. "Ancestry.com has worked with us and immediately removed all the information that we had supplied them," Jerry Davis, department chief information security officer, said in a statement. "VA places the highest priority upon safeguarding the personal information of our veterans. When lapses occur, we will immediately take prompt remedial action, such as notification." Officials said they are still investigating why the information was mistakenly included in the records released to Ancestry.com. Individuals who believe they may have been affected by this incident have been encouraged to contact the VA. Those whose information was exposed will be eligible for a free credit report for one year. Those veterans can access the free services by calling 1-877-322-8228 or by visiting <https://www.annualcreditreport.com/cra/index.jsp>. [Source: Stars & Stripes Leo Shane article 22 Jan 2012 ++]



Home Affordable Refinance Program: Nearly a quarter of mortgage-paying homeowners are underwater, according to the most recent study from data firm CoreLogic. That means more than 10 million Americans owe more money than their homes are worth. If you're in that boat there could be good news. The government recently revamped its Home Affordable Refinance Program (HARP) to make more people eligible for lower mortgage rates. One of the biggest changes to HARP was removing the loan-to-value ratio cap, meaning people who owe more than 125 percent of what their homes are worth may now be eligible. While the program was officially launched late last year, only now are mortgage lenders geared up to start taking applications. This program started in early 2009. Since then, it's helped more than 900,000 homeowners refinance, according to the Federal Housing Finance Agency. Here's exactly what they're changing so it will help even more homeowners:

- Eliminating certain risk-based fees for borrowers who refinance into shorter-term mortgages and lowering fees for other borrowers;
- Removing the current 125 percent LTV ceiling for fixed-rate mortgages backed by Fannie Mae and Freddie Mac;
- Waiving certain representations and warranties that lenders commit to in making loans owned or guaranteed by Fannie Mae and Freddie Mac;
- Eliminating the need for a new property appraisal where there is a reliable AVM (automated valuation model);

- Extending the end date for HARP until Dec. 31, 2013 for loans originally sold to Fannie and Freddie on or before May 31, 2009.

Here's a recap of the eligibility requirements...

- Fannie/Freddie-backed. The mortgage must be guaranteed by government-sponsored Fannie Mae or Freddie Mac. You can check if yours is online – here's the Fannie Mae loan lookup <http://www.fanniemae.com/loanlookup/> and here's Freddie Mac's <https://ww3.freddie.mac.com/corporate/>. Check Fannie first, since they're bigger and more likely to have it. You can also contact your mortgage company. More than 100 mortgage companies have agreed to participate in the Home Affordable Modification Program (HAMP). At <http://www.makinghomeaffordable.gov/get-started/contact-mortgage/Pages/default.aspx> is the list and their contact info.
- Be current. You have to be up-to-date with your payments. As Stacy said, this means you can only have "one missed (30-day delinquent) payment in the last year, and none in the last six months." If you're not there yet, don't worry – there's still time to catch up. The HARP program was extended to run through the end of 2013 instead of having a summer 2012 deadline. So there's still time to qualify – just make on-time payments until you fit the requirements.
- Problem credit? No problem. Timely payments are the big thing with this particular program. There's no minimum credit score, qualifying income, or appraisal required.
- Be underwater, or close to it. This program is specifically designed for underwater homeowners. You can qualify without being underwater, but your mortgage must be more than 80 percent of your home's market value.
- Double-dips OK. People with Fannie Mae loans can refinance through HARP a second time if they took advantage during the first couple of months of the program – between March and May 2009.

You can get the particulars on how refinancing will work by checking with Fannie or Freddie – there's a lengthy Frequently Asked Questions about Home Affordable Finance section on Fannie Mae's website <https://www.efanniemae.com/sf/mha/mharefi/pdf/refinancefaqs.pdf>. Freddie Mac also has a lot of online resources for HARP and other programs at <http://www.freddie.mac.com/avoidforeclosure/harp.html>. Even if you don't qualify for HARP, don't give up. There are other options out there, and free help to figure them out – like the 24-hour Homeowner's HOPE hotline 1-888-995-4673 which offers counseling services from government-approved housing experts. When you call you will have the opportunity to speak live with a housing expert. In order to assist you, the housing expert will need to gather some information from you. Have as many of the following documents on hand as possible:

- Monthly mortgage statement.
- Information about other mortgages on your home, if applicable.
- Two most recent pay stubs for all household members contributing toward mortgage payment.
- Last two years of tax returns.
- If self-employed, the most recent quarterly or year-to-date profit and loss statement.
- Documentation of income you receive from other sources (alimony, child support, social security, etc.).
- Two most recent bank statements.
- A utility bill showing homeowner name and property address.
- Unemployment insurance letter, if applicable.
- Account balances and minimum monthly payments due on all of your credit cards.
- Information about your savings and other assets.
- It may also be helpful to have: A letter describing any circumstances that caused your income to be reduced or expenses to be increased (job loss, divorce, illness, etc.) if applicable.

For more info on HARP refer to <http://www.makinghomeaffordable.gov/programs/lower-rates/Pages/harp.aspx>.
[Source: MoneyTalks Brandon Ballenger article 23 Jan 2012 ++]

DoD PDBR Update 11: Congress in 2008 ordered military branches to clean up their disability evaluation systems and end practices that had underrated medical conditions of ill and injured members. Congress did something else too, to correct past wrongs. It directed the Department of Defense to establish the Physical Disability Review Board (PDRB) with authority to reexamine the files and, if appropriate, raise disability ratings of up to 77,000 veterans -- those medically separated with ratings less than 30 percent between Sept. 11, 2001, and Dec. 31, 2009. A few weeks ago a soldier struck by two IEDs year ago learned that the PDRB had recommended his disability rating be raised to 70 percent, well above the 30-percent threshold needed to qualify for disability retirement, and applied back to the date of the Army's first rating decision. "We looked at the same exams," explained PDBR President Michael F. LoGrande in an interview 20 JAN. "He had post-traumatic stress legitimately. All the documentation was there. He had traumatic brain injury. All the documentation was there."

For all the good it can do, a big problem for the PDBR is this: It has been operating since JUN 09 and raising disability ratings on 45 percent of cases reviewed, but only 2700 veterans from an eligibility pool of 77,000 have applied to have their ratings reviewed. LoGrande called the 3.5 percent response rate "shockingly small." That is about to change, thanks to Sen. Mark Udall (D-CO). At his urging the Department of Veterans Affairs, coordinating closely with the PDBR, will begin a phased mailing this month of information packets on the PDBR to every qualified veteran with a current home address on file at VA. The first batch of letters about the PDBR, including an application form, will be mailed to 15,031 veterans, all of them medically separated in 2001 (post-9/11), 2002 or 2003. The next batch of 20,000 will go out by late April to eligible vets separated in 2004 and 2005. A July mailing of 16,500 will target the years 2006 and 2007. Finally, an October mailing to 13,200 will reach out vets separated in 2008 and 2009. But eligible veterans don't have to wait for the letter. They can apply now to the PDBR to have their ratings reviewed. All the information they need already is available online at: <http://www.health.mil/pdbr>.

No rating can be downgraded but a lot is at stake for those seeking an upgrade. A rating below 30 percent resulted, at most, in a severance payment. A bump to 30 percent or higher changes a veteran's status to disabled "retiree." That means a lifetime annuity, access to military health care for the retiree and dependents, discount shopping on base and more. They also will get annuity back pay to the date of their original disability evaluation board decision, less an amount that must be recouped equal to the value of severance pay provided at time of discharge. Advocates for veterans given low-ball ratings since 9/11 had pushed for a direct mailing. LoGrande did so too as early as two years ago. Looking back, he said, the PDBR probably wasn't ready the response now ahead. "We neither had the resources nor the manpower at the time to do it. And frankly, I don't think everyone was ready for us to do that. Let's just put it that way," he said, alluding to resistance from on high to a direct mailing immediately after the PDBR began operating.

Last summer Udall's staff requested a briefing on the PDBR and the response rate from veterans. LoGrande explained that, to date, outreach efforts had focused on state directors of veterans' affairs in California, Colorado, Texas, Florida and Georgia where more than half of the pool of eligible vets live. Udall decided that wasn't good enough. The senator wrote to VA Secretary Eric Shinseki that the population that needed to be told about the PDBR was all veterans "no longer serving." He asked for VA's help in a direct mailing. Shinseki responded in October, asking Allison A. Hickey, his under secretary for benefits, to meet with LoGrande and begin working out details for a mass mailing. Udall this week praised the interagency cooperation. "Now that the VA and the PDBR have combined forces, we are a step closer to ensuring that disability and retirement benefits match the sacrifices this generation of veterans has made for our country," said Udall. VA's initial idea was a single mass mailing. PDBR

sought instead a phased mailing to avoiding swamping the board and frustrating applicants who already wait an average of 13 months for a PDBR decision. That's down from 18 months a year ago.

LoGrande said responses to the first mailing will tell the PDBR how it needs to beef up staff, particularly with more physicians who must be trained on the VA schedule of ratings and schooled on how to apply it to applicant files, many of which contain extensive medical histories. The PDBR currently has only five fulltime physicians and eight contract physicians who have more limited duties involving preparation of files for board decisions. LoGrande knows he'll need more docs just not how many. PDBR already has a backlog of 461 cases, defined as those taking longer to decide than the deadlines set in current regulations. The board expects to have to rely heavily on the services to provide more active or reserve physicians to be train for PDBR case reviews and decisions. Of the mass mailing, LoGrande said, it simply is "the right thing to do," regardless of the work ahead or cost to the government. "If that veteran were my son or my daughter, my niece or nephew, or my brother or sister, I would want them to have that opportunity." [Source: Stars and Stripes Tom Philpott article 19 Jan 2012 ++]

Military Handbooks: Military Handbooks offers FREE handbooks for active and retired U.S. military personnel which are written specifically for the Military community. To download PDF copies, go to <http://www.militaryhandbooks.com>. If, for whatever reason, you cannot download them send an email request to raoemo@sbcglobal.com indicating the Handbook desired and one will be forwarded to you as an attachment to your email. The following handbooks are available for 2011:

- 1) 2011 UNITED STATES MILITARY HANDBOOK
- 2) 2011 U.S. MILITARY RETIRED HANDBOOK
- 3) 2011 GETTING UNCLE SAM TO PAY FOR YOUR COLLEGE DEGREE
- 4) 2011 AFTER THE MILITARY HANDBOOK
- 5) 2011 BENEFITS FOR VETERANS AND DEPENDENTS HANDBOOK
- 6) 2011 VETERANS HEALTHCARE BENEFITS HANDBOOK
- 7) 2011 MILITARY CHILDREN'S SCHOLARSHIP HANDBOOK
- 8) 2011 GUARD AND RESERVE HANDBOOK
- 9) 2011 BASE INSTALLATION DIRECTORY
- 10) 2011 GULF CRISES AND RESOURCE HANDBOOK

2011 UNITED STATES MILITARY HANDBOOK

The United States Military Handbook is designed to help all active duty U.S. Military personnel by giving them the most accurate and complete information available anywhere on pay, allowances, taxes, health care and TRICARE benefits, Veterans and Social Security Benefits, travel, transportation, SBP, retirement, Space-A, installation listings, statistical data, and much more!

2011 U.S. MILITARY RETIRED HANDBOOK

The United States Military Retired Handbook is designed to help all U.S. Military personnel who have retired - or who are planning to retire. This guide covers everything from the nuts and bolts of computing your Retirement Pay to the detailed explanations of retired military Healthcare, TRICARE, Social Security, VA, SBP, taxes, insurance, travel, survivor benefits and more!

2011 GETTING UNCLE SAM TO PAY FOR YOUR COLLEGE DEGREE

This guide, written for active military personnel, covers everything you need to know about: the G.I. Bill, tuition assistance, scholarships, veteran benefits, student aid, selecting the right degree for you - why some degrees might be better for you than others, finding the right military-friendly school, AND tips on staying ahead of the curve.

2011 AFTER THE MILITARY HANDBOOK

This handbook, written for military veterans, covers: transitioning to the private sector, supporting your family, finding a job that pays "top dollar", choosing between jobs with large or small companies, deciding to start your own company, maximizing the benefits of a military career, medical benefits and life insurance in the private sector, how to pay for college after you leave the military service, and how to retire successfully.

2011 BENEFITS FOR VETERANS AND DEPENDENTS HANDBOOK

This complete benefits handbook, written for veterans and their dependents, covers: health care benefits, disability compensation, pension, vocational rehabilitation and employment, education and training, home loan guarantees, life insurance, burial benefits, survivor benefits, women veterans, homeless veterans, overseas benefits, small and disadvantaged businesses, appeals, workplace benefits, miscellaneous programs, and much more!

2011 VETERANS HEALTHCARE BENEFITS HANDBOOK

This handbook, written for veterans, gives you everything you need to know about: how to apply, veterans service centers, choosing a facility, changing a facility, second opinions, prescriptions, dental care, chiropractic care, non-VA care, travel, POW benefits, appeals, grievances, confidentiality, financial issues, means testing, hardship determinations, waivers, medication co-payments, health insurance, and a complete listing of VA facilities.

2011 MILITARY CHILDREN'S SCHOLARSHIP HANDBOOK

A college degree has become the essential tool to unlock doors for future success. This handbook contains all the latest information about getting a college degree, including: types of higher education, resources for finding the right college, entrance exams, financial aid resources, paying for college, applying for federal student aid, Pell Grants, Direct and Federal Family Education Loans, PLUS loans, Consolidated loans, Federal Work-Study Program, U.S. Armed Forces and ROTC, and much more.

2011 GUARD AND RESERVE HANDBOOK

This handbook, written specifically for the National Guard and Reserves, gives you everything you need to know about serving in the Reserve Component, including: drill pay and enlistment bonuses; allowances like BAS and BAH; re-employment rights; education and training benefits specific to the Guard and Reserve; health care; and retirement.

2011 BASE INSTALLATION DIRECTORY

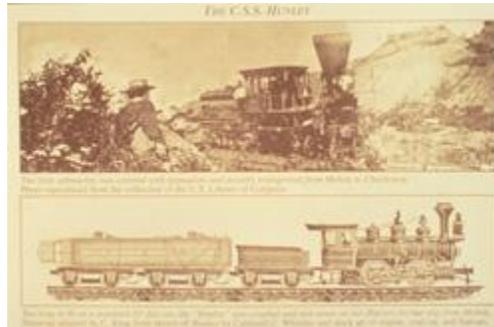
The Base Installation Directory provides contact information for every military installation in the United States. From information about military housing to the commissary to the base dental clinic, you'll find the contact number and addresses you need in one easy to access guide.

2011 GULF CRISES AND RESOURCE HANDBOOK

April 20, 2010 changed the lives of many people, especially residents of the Gulf Coast after the BP Deepwater Horizon offshore drilling rig exploded, making it the worst environmental disaster in our nation's history. Lives were ruined, jobs were lost and many people were looking for answers while rebuilding their lives. This handbook provides the essential information to get your life back on track during this crisis. IT CONTAINS the latest on local, state and Federal resources as well as direct links to all BP claims offices.

[Source: <http://www.militaryhandbooks.com> Jan 2012 ++]

USS Hunley Museum: It was a cold, dark, moonlit February night during the Civil War in 1864 when The Hunley, a submarine of The Confederate States of America, attacked and sank the 1240- short ton USS Housatonic, a steam powered screw sloop on Union blockade duty in the outer portion of Charleston harbor.



Transporting the *H.L. Hunley* by rail to Charleston, SC.

It was a small, somewhat insignificant victory in the scheme of the war, but extremely significant in terms of naval warfare, as The Hunley was the first sub to sink another ship during wartime. The sub completed its task by coming close enough to the Housatonic to ram the side of the ship with a long metal spar, embedding a 135 pound, barbed spar torpedo in the hull. The Hunley then needed to reverse her position, her crew using hand cranks inside the ship to propel the sub backwards 150 feet, a safe enough distance to detonate the torpedo using a rope trigger. After the explosion, the Housatonic burned for only three minutes before sinking.



The USS Housatonic

The Hunley, which was 40 feet long and carried a crew of eight, never made it back that night. Soon after signaling success by shining a blue magnesium light back to shore indicating they were headed back to base, the ship sank for unknown reasons. Since the end of the War Between the States, explorers and treasure seekers scoured the sea around the site of the fallen Housatonic, hoping to discover the Hunley and her crew. In the years following the Civil War, a reward of \$100,000 was even offered by the great showman, P.T. Barnum, to encourage mercenaries to find the lost vessel. But as the years passed by, the story of the Hunley remained shrouded in mystery with her secrets hidden and her resting place unknown for well over a century. In May, 1995, Clive Cussler, bestselling author and founder of the National Underwater Marine Agency, along with a dive team, found The Hunley lying under 30 feet of water and three feet of sediment. The Hunley rested for 136 years before being raised on August 8, 2000 and transported to its current home at the Warren Lasch Conservation Center at the Former Charleston Navy Yard in North Charleston. The submarine was supported by a steel truss and harnesses secured underneath the sub. The truss was removed for the first time in nearly 12 years on 12 JAN 2012, affording the first clear, unobstructed view of the submarine since it sank in 1864. Conservation efforts continue as the sub still remains in her 90,000 gallon observation tank.

In the course of the last 12 years since the sub was raised, several artifacts have been recovered, including the famed \$20 gold piece belonging to Captain George Dixon. The story was that it was given to him by his fiancé, Queenie Bennett as a good luck charm, and he carried the gold piece into the Battle of Shiloh, where he was shot in the thigh. The bullet struck the gold coin at its center, bending it but likely saving Dixon's life in the process. He had the coin inscribed with the date and the words, "My Life Preserver" as well as his initials. It is not often legend becomes fact, but in this case, the coin was indeed real. Also found in November, 2002 during conservation efforts, were a gold brooch and ring, both encrusted with diamonds. It is assumed these were to be gifts to Dixon's fiancé upon his return from the Hunley's mission. The eight crew members' remains were removed from The Hunley and the skulls cast and reconstructed. In APR 04, all eight men were finally laid to rest at Magnolia Cemetery after a memorial service at White Point Garden. They were buried with other Hunley crew members who died during several test missions prior to the final mission. The burial was attended by hundreds of journalists in what many called the last Confederate burial.

The Hunley is open for scheduled tours every weekend and tickets can be purchased online at http://hunley.org/main_index.asp?CONTENT=TOURS. They include a short tour to view the Hunley from a platform above its holding tank as well as a short talk about the history and details of its mission. There are also artifacts, including Dixon's gold coin, ring and brooch on display, as well as the facial reconstructions of the crew. There is a life size model of a portion of The Hunley from the TNT movie, The Hunley, though it was reconstructed at 10% larger than the actual sub. You will also be able to see the Pioneer sub, an early prototype of The Hunley, as well as other exhibits. There is also an extensive gift shop, where all proceeds go to The Friends of The Hunley for future conservation efforts.



Exterior view of the H.L. Hunley tank and the tank area of the Warren Lasch Conservation Center.

The submarine and its ultimate fate are still a mystery, though scientists are working every day to uncover the answers. Eventually, The Hunley will have its own museum so people can continue to educate themselves and appreciate this significant piece of South Carolina history. For more information, history and ways to get involved, please visit The Friends of The Hunley website at <http://www.hunley.org> . [Source: The Times and Democrat Kyla Fraser article via Submarine News 21 Jan 2012 ++]

Retirement Planning Update 05: Financial planners just love promoting 401(k) retirement plans. They have quite a few benefits, notably a tax deduction for contributions as well as a tax deferral for contributions and earnings. They're also one of the most popular vehicles for introducing the working middle class to the stock market, something that might not have been accessible to this group in the decades before the 401(k) plan was established. In addition to financial planners, fund management firms and plan administrators love 401(k) plans, and their love knows no bounds. Companies pay significant fees to other companies that operate and manage 401(k) plans. More fees are embedded in the funds within the plans, benefiting each fund's management team. The tax advantages, as well as a potential matching contribution if an employer offers one, offset some of the drawbacks of 401(k) plans.

Overall, 401(k) plans can help the working middle class retire somewhat comfortably. And there is the possibility for investors to succeed financially significantly more than they might have with a comparable pension. The burden for performance has shifted from the employer to the employee, and that requires a little bit of financial education that might not have been as necessary (though still beneficial) in the heyday of pensions. Five things to consider when investing in are selecting a 401(k) retirement plan are:

1. **Fees.** As already mentioned, most 401(k) plans are subject to fees, many of which are not immediately apparent to the investor. If you bother to read the prospectus associated with each fund you choose to invest in, you may find an expense ratio listed. If you do, there's a good chance it's higher than a comparable index fund. Some employers include investment choices that are annuity products disguised as mutual funds with no expense ratios listed. In such situations it is nearly impossible to determine how much of your investment you are losing to funds each year. While fees are on the investment choices and the associated markets. Pensions, when they are fully funded, tend to be more stable.

2. **Employers are hands-off.** As the popularity of 401(k) plans grew, pension plans disappeared. A 401(k) is considered a "defined contribution" plan, while pensions are considered a "defined benefit" plan. That comes from the idea that the 401(k) balance is affected each payroll period by a contribution from the employee, while the pension balance increases at regular intervals by a contribution from the employer — a benefit of working at the company. The value of a pension also tends to increase as the length of service at one company increases. As the popularity of pensions and other loyalty benefits decreased over the last couple of decades, employees had a decreasing incentive to stay at one company for their entire career. With pensions being a smaller part of most employers' benefits, they do not need to worry as much about the solvency of these accounts. At the same time, it is up to the employee to make the right investment choices in a 401(k).

3. **Automatic enrollment.** The advent of 401(k) programs brought on an increase of the nation's wealth tied up in the stock market. That's more income for money managers. It also creates a higher demand for investments, raising prices somewhat artificially. But there has also been a more recent increasing trend of employers automatically enrolling new employees into 401(k) plans once they are eligible. It's a great idea to stimulate a better possible retirement outcome, considering many employees might not bother to elect to invest in a 401(k) immediately, even if they intend to. Usually, any mechanism that automates your finances is a good thing. But too much automation can create complacency. It's important to be aware and know what's going on with your finances rather than blindly accepting what someone creates for you. You might be better off with an increased deferral rate than the default, or you may need to cancel your 401(k) contribution before it begins to improve your cash flow for necessary expenses.

4. **Automatic allocation.** Like automatic investment, automatic allocation can be a trap. Some plans will, if the employee doesn't elect specific investments, direct all contributions to a money market fund. Any investor could probably be better off in a high-yield savings account than a money market fund managed by a large investment house, even taking into the tax benefit of a 401(k) plan. Furthermore, some plans will automatically invest your funds in a mix of stocks and bonds, with the percentages based on your age or your expected retirement date. This may or may not be appropriate for your situation, and importantly, it doesn't take your outside investments into account. For example, if you plan on retiring 35 years from now, your 401(k) plan might recommend an investment of 90 percent stock funds and 10 percent bond funds, but if you already have a significant investment in stocks, your overall portfolio may be closer to 95 percent stocks and 5 percent bonds.

5. **Loans.** With a 401(k) plan, you can loan yourself money. This sounds like it should be a benefit. In some cases it is, but often 401(k) loans end up being detrimental to someone's finances. If there is an emergency and you cannot pay back the loan either on time or at all, you can face fees and penalties. If you lose your job with a loan outstanding, the entire remaining loan balance could become due immediately.

[Source: Flexo Consumerism Commentary article via MoneyTalks 20 Jan 2012 ++]



Retirement Planning Update 06: Many people find it easier to avoid reality when it comes to planning for retirement. "That can lead to big mistakes in their retirement income planning," says Kevin O'Fee, assistant vice president of retirement strategy at USAA. Here's a look at five common myths that could derail your expectations for income when you retire.

Myth 1: You won't be around long enough to go through your money.

The Reality: Life expectancies are at record highs in the United States, so it's important to acknowledge that you or a family member may spend as many years in retirement as you did working. According to a 2010 report by the National Academy of Social Insurance, for a 65-year-old married couple, there's a 48% chance that one spouse will live to age 90. To help stretch your money, you can consider incorporating immediate and deferred annuities into your portfolio. These products are designed to provide income in retirement while also offering guaranteed growth when saving for retirement, explains Rob Schaffer, assistant vice president of annuity products at USAA. In addition, you will want to consider investing the rest of your portfolio to try to cover costs and outpace inflation well into the future. For further advice on creating sources of retirement income, check out this Ask June column <http://askjune.military.com/2011/03/options-for-creating-retirement-income-some-goodsome-not-so-much.html>.

Myth 2: You should get out of stocks when you retire.

The Reality: Stocks can help provide the long-term growth you need to make your assets last longer since your retirement could span several decades. You've probably heard you should reduce your investment risk as you age. But with traditional pensions being replaced by 401(k) plans, you're wholly responsible for making smart asset allocation decisions. As O'Fee puts it, "Everyone now has to be a pension fund manager with their own money, and most people just aren't equipped to do that." O'Fee agrees your portfolio risk should decline, but that doesn't mean getting rid of stocks entirely. Rather, regularly reviewing, and if necessary, rebalancing your portfolio based on your risk tolerance can lock in gains from strong-performing asset classes and allow you to buy those that underperform at cheaper prices.

Note that rebalancing does not protect against losses or guarantee that an investor's goal will be met. Investment and insurance products are not deposits, not insured by FDIC or any government agency, not guaranteed by the Bank. Investment and certain insurance products may lose value. Investing in securities products involves risk, including possible loss of principal. The fixed annuity guarantee is against principal loss and depends on the claims-paying ability of the issuer. There are costs associated with annuities, including surrender fees, early withdrawal penalties and mortality risk expenses. Annuities do not provide any tax-deferral advantage over other types of investments within a qualified plan. Asset allocation does not protect against a loss or guarantee that an investor's goal will be met. Conversions from a Traditional IRA to a Roth are subject to ordinary income taxes. Please consult with a tax advisor regarding your particular situation

Myth 3: You can just keep working.

The Reality: Counting on being able to work as long as you want is dangerous, says O'Fee. Employers are feeling pressure to cut costs, and with high unemployment, finding work is always a challenge. A disability also could force you to stop working prematurely. Many people think they can simply work longer if they don't have enough money to retire. According to a recent survey by the Employee Benefit Research Institute, 74% of workers plan to work at least part-time during their retirement years, and Schaffer notes working in retirement has become a necessity for many. Good planning doesn't rely on good fortune. Rather, your plan should both keep you from having to work the rest of your life, and deal with the consequences of unexpected surprises that prevent you from earning a paycheck.

Myth 4: An inheritance will bail you out.

The Reality: You may be hoping for an inheritance as a potential retirement boost. But hope is not a strategy, and counting on an inheritance can create big problems if it doesn't come through. In reality, many people who expect to inherit money never do so, says O'Fee. And even for those who do inherit money, it's often too small or comes too late to make a difference in their retirement planning, he adds. The safer thing to do is to treat an inheritance as an unexpected bonus rather than relying on it.

Myth 5: Your taxes will be lower in retirement.

The Reality: Big government deficits make future tax increases much more likely. Also, taking money out of retirement accounts, such as traditional IRAs and 401(k)s, creates taxable income that can push you into higher tax brackets. One suggestion O'Fee offers is to consider converting part of your eligible retirement assets to a Roth IRA. By doing so, you'll pay taxes now, but you'll create a tax-free pool of money to tap in retirement. Diversifying with both Roth and traditional IRAs is a possible way to handle future tax uncertainty, adds Schaffer. Maxed out your Roth? Check out some other IRA options at <http://askjune.military.com/2011/03/maxed-roth-heres-where-to-invest-next.html>.

[Source: Military.com | Money Matters USAA article 26 Jan 2012 ++]

POW/MIA Update 12: The following MIA/POW's have been identified. For additional information on the Defense Department's mission to account for missing Americans, visit the Department of Defense POW/Missing Personnel Office (DPMO) web site at <http://www.dtic.mil/dpmo> or call (703) 699-1420 :

Korea. DPMO announced 18 JAN that the remains of Sgt. Willie D. Hill, 20, of Catawba, N.C, missing in action from the Korean War, have been identified and will be returned 21 JAN to his family for burial with full military honors in his hometown. In late NOV 1950, the U.S. IX Corps was advancing north through North Korea in a push to the Yalu River. A battle unfolded as Chinese forces attacked elements of three U.S. Infantry Divisions. Hill and the G Company of the 24th Infantry Regiment, a "Buffalo Soldier" formation, held vital terrain near the junction of the 25th Division and the adjacent 2nd Division. On Nov. 26, Hill and members of the G Company were encircled by Chinese forces and suffered heavy losses. On Nov. 27, Hill was reported as missing in action near Anju, North Korea. In 1998, a joint U.S./Democratic People's Republic of Korea recovery team was informed by a local farmer of a burial site from 1950, believed to be an American soldier. The site, on a wooded hill in Kujang County, P'yongan Province, correlated closely with the area where Hill had been lost. The team excavated the site and recovered human remains and buttons from an American military uniform. In 2001, the remains were submitted to the Armed Forces DNA Identification Laboratory (AFDIL) for DNA testing. Scientists from the Joint POW/MIA Accounting Command and AFDIL used circumstantial evidence, forensic identification tools, and mitochondrial DNA – which matched that of Hill's cousins—in the identification of the remains. Today, more than 7,900

Americans remain unaccounted-for from the Korean War. Identifications continue to be made from the remains that were returned to the United States, using forensic and DNA technology.

Korea. DPMO announced 18 JAN that the remains of Army Pfc. George A. Porter, 21, missing in action from the Korean War, have been identified and will be returned to his family for burial with full military honors on 27 JAN in Somerton, Pa. On Feb. 11, 1950, Porter and the Battery B, 15th Field Artillery Battalion were supporting South Korean forces in a major offensive near Hoengsong, South Korea when Chinese forces attacked in what became known as the "Hoengsong Massacre." Porter and more than 100 men were taken as prisoners. Following the war, Porter's remains were not accounted for. 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. North Korean documents, turned over with some of the boxes, indicated that some of the human remains were recovered in Suan County, which had been the location of the Suan Mining and Bean camps, where Porter was believed to have been held. A metal identification tag bearing Porter's name was included among the remains. Scientists from the Joint POW/MIA Accounting Command and the Armed Forces DNA Identification Laboratory used forensic identification tools and circumstantial evidence, as well as mitochondrial DNA – which matched that of Porter's sister and nephew – in the identification of the remains.

[Source: http://www.dtic.mil/dpmo/news/news_releases/ 18 - 31 Jan 2011 ++]

POW/MIA Update 13: Members of the Joint Prisoner of War/Missing in Action Accounting Command are preparing for their first mission to North Korea in seven years to search for remains of missing U.S. Korean War veterans, a defense official reported. The mission, expected to begin this spring, will bring together U.S. and North Korean military members for the humanitarian mission, said Air Force Maj. Carie Parker, a spokeswoman for the Defense Department's POW/Missing Personnel Office here. U.S. teams will 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, Parker said. Of approximately 83,000 Americans missing from all conflicts, 7,967 are from the Korean War, she said. Of those MIAs, 5,500 are believed to be in North Korea. U.S. specialists from the Joint POW/MIA Command had conducted operations in North Korea for 10 years, recovering remains believed to be more than 225 servicemen since 1996. However, the United States halted those operations in 2005 due to increased tensions on the Korean Peninsula. U.S. and North Korean officials agreed following three days of talks in Bangkok last October to resume the recovery missions, Parker said.

Deputy Assistant Secretary of Defense for POW/MIA Affairs Robert J. Newberry led the U.S. negotiating team, which included representatives from DOD, the State Department, U.S. Pacific Command and United Nations Command-Korea. Their agreement with the North Koreans includes details on logistics and other issues to ensure effective, safe operations for U.S. recovery teams operating in North Korea, Parker said. Based on this plan, North Korean soldiers are expected to begin preparing the two sites that will serve as base camps for the operations. A small advanced team from JPAC will then travel to North Korea to assess the sites, evaluate the conditions and determine what other preparations are needed before a full recovery team deploys there, probably in the late spring timeframe. The recovery is considered a humanitarian mission, and North Korean military will assist with logistics, support and security, Parker said. "They understand the importance of this mission," she said, emphasizing that the mission is not tied to any other issues between the two countries.

The Joint POW/MIA Accounting Command has the sole mission of achieving the fullest possible accounting of all Americans missing as a result of the nation's past conflicts, command officials explained. In support of that mission, the command sends teams that include forensic anthropologists, forensic archeologists and scientific directors to potential crash and burial sites around the world. Once remains or other personal artifacts such as

dogtags are repatriated to JPAC's headquarters in Hawaii, experts at the command's Central Identification Laboratory -- the world's largest forensic anthropology lab -- use the most advanced science available to match them to a specific missing service member. Among the tools they use is mitochondrial DNA, which includes unique signatures from the maternal line and helps the JPAC staff make identifications once not considered possible. [Source: AFPS Donna Miles article 27 Jan 2012 ++]

Estimated Tax: When times are tough, everybody's looking for a little extra cash. And that's also true of Uncle Sam. So if you've found a way to earn substantially more income, and federal taxes are not being withheld from it, beware! You may be required to estimate your tax bill and send a quarterly check to the IRS even before your federal return is due next April. If you don't send money that's required, you could get socked with interest and a penalty. "The federal income tax is a pay-as-you-go tax," notes the IRS on its website. Anyone with a regular job is aware of this, because employers withhold part of every paycheck for income taxes. The potential problem arises when you have income that's not subject to withholding. Maybe you're an empty-nester who's renting out a spare bedroom or baking cookies to sell at a local farmers' market. Or your writing skills are bringing in extra cash from freelance assignments. Other sources of income from which taxes are often not withheld include interest, dividends, capital gains, alimony, prizes, awards and gambling winnings.

But even a regular salary, a pension, an IRA distribution or a Social Security benefit can trigger the requirement for estimated payments if the tax you've chosen to have withheld from that check is too low. If the IRS determines that your extra income is from self-employment, you may owe even more tax. Generally, if you're in business for yourself and earn more than \$400 a year, you must pay not only income taxes, but what's known as self-employment tax. That's a substitute for Medicare and Medicaid payroll taxes that you and an employer would jointly pay were the income from a regular job. It normally adds up to a 15.3% bite of self-employment earnings, but was cut to 13.3% for 2011 as part of an economic stimulus measure. How can you tell whether your extra income is enough to trigger payment of estimated taxes? The rules are complex, and full details can be found in [IRS Publication 505](#), Tax Withholding and Estimated Tax. But for most people, quarterly payments are required if all the taxes provided to the federal government in advance — most often from withholding in a regular job — add up to less than 90 percent of what they expect their tax bill will be.

If you qualify for any refundable tax credits, you're allowed to add the amount of the credits to your withheld tax. Some of the most common ones are the earned-income credit, the American Opportunity credit for undergraduate college expenses, and the adoption credit. For example, let's say that last year you earned \$40,000 at your job and your federal income tax bill was \$3,779. You had \$3,800 withheld from your pay during the year, so you were square at tax filing time in April. This year, you're being paid the same salary, but you have earned an extra \$10,000 doing odd jobs, with no taxes withheld. So you're earning \$50,000 and you will owe \$6,250 in federal taxes. But you're having only \$3,800 withheld. That amount is less than 90 percent of your bill, so you should plan on making quarterly payments to cover the extra \$2,450 that you'll owe. Another route to take, since you're drawing a regular paycheck as well as earning outside income, is to file a new W-4 form with your employer to increase the amount of tax withheld. The IRS's Publication 919 or its online withholding calculator at <http://www.irs.gov/individuals/article/0,,id=96196,00.html> can help you figure the new amount to withhold. Even if you fall short of the 90 percent threshold, there are a couple of exceptions that can let you avoid paying estimated taxes:

- 1) Your final tax due for the current year will be less than \$1,000.
- 2) This year's withholding and credits will add up to as much as last year's taxes. This exception benefits people who have a one-year jump in income, perhaps from selling long-held assets for a large gain.

There are several ways to estimate what your taxes for the current year will be. IRS Form 1040-ES, Estimated Tax for Individuals, includes a worksheet to calculate them. (This form is not for the faint of heart!) If you use commercial tax preparation software such as Intuit's TurboTax or H&R Block At Home, the program will warn you whether estimated tax payments are likely needed for the next tax year. And free online calculators are available from KJE Computer Solutions and, starting in December, from TurboTax. If you do owe estimated payments, making them is easy — at least as far as the paperwork is concerned. You just divide the tax owed on the income into four equal parts and send payments to the IRS along with a two-line form, with the money arriving by the due dates for estimated payments — in April, June and September of the current year and January of the following year. If you don't receive the untaxed income until one or more of these dates has passed, divide the extra tax owed by the number of filing dates remaining.

If you fail to make required payments, the IRS will charge you interest (currently 3 percent) on the unpaid amounts. Taxes that remain unpaid after the April 17 filing date could be subject to penalties. You can calculate this penalty using IRS Form 2210, or the IRS will calculate it for you and send you a bill. [Source: ARRP Bulletin Art Dalglish article 6 Dec 2011 ++]



Online Piracy: The drive for legislation to combat online piracy with the Stop Online Piracy Act (SOPA) suffered a probably fatal blow 20 JAN, when Senate majority leader Reid called off next week's test vote on the measure in the face of a crushing rejection. The SOPA bill would give the Justice Department the authority to block websites deemed to be illegally selling copyrighted goods such as movies, music and prescription drugs. Sen. Reid asserted he was not giving up on the bill, only trying to buy time for work on a new version that would strike a different "balance between protecting Americans' intellectual property and maintaining openness and innovation on the Internet." But while he asserted a deal that would satisfy both Hollywood and Silicon Valley was still within reach, his move was an undeniable signal that prospects have all but evaporated for the legislation — and less than a week after it looked to be one of the few big policy measures with a good chance of sustaining broad bipartisan support and getting all the way through Congress this year.

Rep. Jared Polis (D-CO) tried to make SOPA worse for pornographers, introducing an amendment to the bill that would have prevented the Justice Department from using taxpayer dollars to protect pornographers' copyrights by going after rogue sites. The amendment failed. "He was concerned that SOPA's main beneficiary would be companies that distribute pornography," a Polis aide said in an e-mail to Roll Call. "The industry is known for being the biggest IP trolls out there and they're more than capable of defending their IP claims without taxpayer assistance." Adult film producers said they have reached out to join forces with the Motion Picture Association of America, the movie industry trade group that aggressively lobbied for SOPA, but they have not been welcomed. "A lot of those guys don't want anything to do with our business; they look at us as absolute pariahs," Hirsch said. "They probably all watch our movies." Enter the Free Speech Coalition, the trade association representing the adult entertainment industry. The organization works on behalf of both the content producers as well as the streaming

websites and has been running an anti-piracy campaign for more than a year. The Free Speech Coalition's annual budget of about \$500,000 pales in comparison with the MPAA, which spent more than \$1.6 million on lobbying alone in 2010. But copyright protection is a tough argument to sell in the porn universe.

What changed the dynamic, literally overnight, was the blackout of websites led by Wikipedia, Google and other online powerhouses on 18 JAN — which galvanized an enormous reservoir of anxiety and opposition from Americans living their lives largely online. The backlash's enormity and ferocity stunned a Congress that is generally adept at seeing a bill's supporters and opponents arrayed in predictable rows, and months in advance. The opponents sent more than 7 million emails that day alone attacking the legislation as effectively sanctioning government censorship of what they watch, hear and read — and strangling online entrepreneurship along the way. The two Judiciary chairmen pushing the measure, liberal Democrat Pat Leahy in the Senate and conservative Republican Lamar Smith in the House, say such fears are in no way warranted; instead, they say, their aim is only to give the Justice Department some new legal powers to work with copyright holders on shutting down the offshore websites that make money not only by stealing or counterfeiting American pop culture but also peddling bogus brand-name clothing and faux pharmaceuticals.

Congressional leaders initially assumed they retained sufficient support to push the bill through quickly and essentially sidestep the critics. But within a day, at least eight of the measure's 40 original sponsors — Democrat Ben Cardin and Republicans Kelly Ayotte, Orrin Hatch, Marco Rubio, Chuck Grassley, Roy Blunt, Scott Brown and John Boozman — had publicly repudiated the measure, promoting McConnell to press Reid last night to try to buy the negotiators some time by delaying the initial vote. Leahy asserted that he would try to make the most of the extra time, but he could hardly hide his displeasure or his expectation that the legislative drive had stalled for the year. "The day will come when the senators who forced this move will look back and realize they made a knee-jerk reaction to a monumental problem," he said. Judiciary chairmen Smith issued his own statement saying that he would put his committee's deliberations on his bill on ice until a consensus emerges on a new legislative approach — essentially signaling he would leave it to the Senate to come up with a viable plan. [Source: GQ Roll Call Dily Briefing 20 Jan 2012 ++]

1.



2.



1. On May 12, Senator Patrick Leahy (D. VT) introduced "S. 968: Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 (PROTECT IP)."

2. Hustler creator Larry Flynt said 19 JAN he wants to defend his adult productions from overseas online pirates but was skeptical of government censorship.

VA Blue Water Claims Update 21: The list of U.S. Navy and Coast Guard (USCG) vessels exposed to Agent Orange during the Vietnam Era has been updated with 47 more vessels and expanded information for others. The list of 214 vessels, maintained by the Department of Veterans Affairs (VA), is of particular interest to those former service members experiencing health problems related to herbicide exposure, as it may help expedite their claims for VA health and disability benefits. To view the list go to the attachment to this Bulletin titled, “**AO Exposed ship List JAN 2012**” or to <http://www.publichealth.va.gov/exposures/agentorange/shiplist/list.asp>. [Source: NAUS Weekly Update 20 Jan 2011 ++]

Sitter City: A new DoD funded program is an on-line service that helps connect service members and their families with babysitters, nannies, pet sitters, tutors, housekeepers and even adult caregivers with reputable and trusted service providers. Use the website is free of charge to post an advertisement for a potential sitter or to post availability as a sitter. It even allows users to narrow their searches for specifics, like ensuring potential sitters have access to military installations or find military-subsidized care providers. This service could prove especially useful for service members making a permanent change of station to a place they have never been or retirees looking for some extra income helping others in the military community. It can help military families not only find sitters but might help some spouses find a job. For more information about Sitter City refer to https://www.sittercity.com/register_corp_1.html?corp=dod&client=67 [Source: NAUS Weekly Update 20 Jan 2011 ++]

Space “A” Travel Update 15: Select passenger terminals across Air Mobility Command are establishing Facebook pages to provide passengers more predictability when it comes to space-available and -required passengers. The overall goal of the AMC Space-A Facebook program is to use social media to expand knowledge about Space-A travel, while providing a more predictable travel experience and making AMC the preferred travel choice for eligible personnel. "As a Department of Defense asset, Air Mobility Command is unique in the fact that we are responsible for transporting eligible DOD card holders and their families around the world," said Col. William Zeck, Air Mobility Command's air transportation chief. "What we want to do is provide our travelers with enough information to plan their trip and enjoy their Space-A traveling experience." In order to help travelers plan accordingly, passenger terminals will post historical flight information on individual Facebook pages. Customers can expect to see the number of flights, destinations, number of seats available, number of seats filled and lowest Space-A category reached posted to the passenger terminal's page.

Travelers will also be able to see their local terminals tentative flight schedule 72-hours in advance. The same information available via the local terminal's answering machine will also be posted on the passenger terminal's Facebook page. This information will be a screen shot of the terminal's display board, which will show date of departure, roll call/show time, number of seats available and destinations scheduled for the next 72 hours. Not only will the new pages help travelers plan accordingly, it will also serve as a customer service tool. Anyone who posts a question on a terminal's Facebook page can expect a passenger service agent answer within 24 hours. Interested travelers can find their local passenger terminal's page on Facebook by entering the base's name followed by "passenger terminal," for example "Andrew's passenger terminal." Each page will have a picture of the installation's passenger terminal as their profile picture to help followers "like" the correct page. It is important to remember that even with the launch of these new Facebook pages, all flights are subject to change without notice. For a complete list of AMC Passenger Terminals who have a Facebook page, visit the Space-A Website at <http://www.amc.af.mil/amctravel> . [Source: Air force Print News Today Jeremy Webster article 13 Jan 2011 ++]

AHLTA Update 06: The Armed Forces Health Longitudinal Technology Application (AHLTA), the DoD service that maintain the electronic records of roughly 9.6 million active duty personnel, retirees and their families experienced an "enterprise-wide" (system) shutdown on 17 JAN. Reports indicate that this shutdown occurred during scheduled system upgrades and maintenance and back-up servers did not kick in. This required a complete reboot that took most of the workday to complete. In the past, critics of AHLTA have described the entire system as a failure that needed to be replaced. Physicians report the system is time consuming an difficult to use and its frequent crashes adversely affect patient care. [Source: NAUS Weekly Update 20 Jan 2011 ++]

Tricare Dental Program Update 05: This new Tricare Dental Program for survivors went into effect on 1 NOV 2011. It sets up dental coverage for surviving family members of military members who died on active duty. It also applies to members of the Guard & Reserve. For more information go to the United Concordia TRICARE Dental page at <http://www.tricaredentalprogram.com/tdptws/home.jsp>. Highlights of the program include:

- Survivors do not need to have prior enrollment in the TRICARE Dental Program (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. Incapacitated children are eligible to receive TDP coverage for the greater of: 1) three years from the sponsor's date of death, 2) 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 online at <https://secure.ucci.com/tdptie/secure/home/home.jsp> for the TDP Survivor Benefit to take effect.

At http://www.tricaredentalprogram.com/tdptws/priv_stmts/privacyAct-11.jsp legal guardians and custodial parents of survivors may download the paper enrollment form and complete as a New Enrollment. The form can then be mailed or faxed with a copy of proof of custody or guardianship, including applicable signature/notary pages of the court order. For survivor enrollments please do not include an initial payment. Visit the Benefits section of the TDP website http://www.tricaredentalprogram.com/tdptws/enrollees/benefits/survivor_benefits.jsp to review the survivor benefit in its entirety,. [Source: NAUS Weekly Update 20 Jan 2012 ++]

TERA Update 02: Servicemembers who accept a 15-year retirement incentive approved by Congress this month stand to lose hundreds of thousands of dollars over the lifetime of their retirement payments, according to early estimates. This realization, combined with poor national economic factors that are expected to compel many servicemembers to stay in uniform, could make it even tougher for service officials to entice troops to leave on their own to meet the services' goals of reduced end strength. Earlier this month, the chiefs of the military services received approval to reinstitute Temporary Early Retirement Authority -- better known as "15-year retirement" -- that allows officers and NCOs to retire up to five years before the traditional 20-year service mark at a reduced pay rate. The services have not yet announced if they will offer early retirements, but defense analysts expect the

services to try to use the incentive to pare down their forces, especially in the Army and Marine Corps, the two branches likely to suffer the deepest reductions.

A servicemember's retirement pay is calculated similar to traditional retirement pay: A Soldier might receive 50 percent of his basic pay after serving 20 years. However, those who accept an early retirement must subtract 3.5 percent for each year of service below the 20-year mark. For example, a servicemember with 15 years in will receive 32.5 percent of his basic pay over the lifetime of his retirement payments. Troops receive credit for their service to the number of months they served. Thus a servicemember who served 16 years and 11 months will receive credit for those 203 months, rather than just those 16 years. The military services received this same kind of offer in the 1990s, as Congress shrank the post-Cold War force. About 7,500 officers took the 15-year retirements between 1991 and 1996. But Defense Department analysts today expect fewer officers and NCOs to accept the retirement incentive because of the general perception that employers aren't hiring due to the poor economy. Officers and NCOs also stand to lose a significant chunk of money if they accept an early retirement.

Calculating the amount of earnings from retirement payments a servicemember would receive, assuming he or she lives to 77, that officer or NCO could lose up to \$638,000 by accepting an early retirement, versus serving the full 20 years. An Air Force active-duty major with 15 years of service would lose \$638,105 if he got out at the age of 40 -- the average age for Air Force majors with 15 years of service -- and lived to 77. And that's not accounting for a possible promotion and an increase in pay between his or her 15th and 20th years of service. "Who's going to take that deal unless they are in a nasty circumstance or a tough family deal? It doesn't make sense," one major considering his retirement options told Military.com. To be sure, the potential amount of losses varies dependent on years of service, rank and status. For example, an E-6 who has served 15 years would lose \$386,496 if he or she got out at the age of 35 and lived to be 77. These are the kinds of financial calculations that servicemembers must make before deciding to get out early. But military personnel benefits experts warned there are more variables to consider and that troops shouldn't dismiss the early retirements out of hand.

For example, an early retirement still comes with full medical benefits. NCOs or officers who were recently passed over for a promotion or those who would rather retire than face more time away from home could consider accepting a reduced early retirement rather than no retirement payment. There's also the old principle that a bird in the hand is worth two in the bush: An offer for early retirement at least is a sure thing in an uncertain budget environment. If the deal isn't as good as a full 20-year stretch, today's environment means there's also less of a guarantee of serving a full 20 years. "If the services can't find enough who voluntarily leave, they are going to have to force some out," said retired Col. Mike Hayden, the former chief of the Air Force's Military Personnel Policy Division and currently the deputy director for the Military Officers Association of America's government relations department. The Army could cut its force by 80,000 Soldiers over the next 10 years. The Marine Corps stands to lose 15,000 from its end strength. The Air Force and Navy don't expect to sustain such serious drawdowns, but could still use the early retirements as a "force-shaping" tool.

The 15-year retirements helped ease the pain of reducing the force in the 1990s, but they did leave certain career fields decimated, Hayden said. Some areas just translate better to the civilian job market. For instance, a computer engineer is going to have an easier time finding a job than a tank commander. Hayden said he expects the services to be more careful about how many officers and NCOs they let walk away early this time around. When deciding whether or not to accept an early retirement, a servicemember must realistically consider what job they could earn and how long that job search will last, said Jim Hoseck, a RAND senior economist who specializes in defense manpower. The military has shrunk the pay gap between servicemembers and their civilian counterparts -- and in some cases, servicemembers earn more than the civilian counterparts. Overall, surveys have placed military pay in the 80th percentile of the civilian wage distribution. For most people seeking a new civilian job, they must expect a slight decrease in compensation, especially when considering the military's benefits package, Hoseck said. "It will

take years, oftentimes, for a military member to make up that decrease in compensation. They must take that into account when considering getting out early," he said.

On the other hand, if a Sailor can find a job quickly after getting out of the military, than she must account for the extra years of service she'll tabulate in that new job toward potential retirement benefits, said Beth Asch, a RAND senior economist who also specializes in defense manpower. And if that Sailor got out of the military early enough and got a job elsewhere in the government, she could serve enough years to earn a second retirement. In the civilian world, it would also benefit servicemembers to start making payments to their 401K earlier than later, Asch said. The national unemployment rate has slightly increased to 8.6 percent. "This might be the time to make a move and find a job for some people," Hoseck said. [Source: Military.com Michael Hoffman article 16 Jan 2012 ++]

Military Vote Sought: Mitt Romney has ex-POW John McCain vouching for him. Former Pennsylvania Sen. Rick Santorum highlights his time on the Senate Armed Services Committee. And former House Speaker Newt Gingrich frequently calls himself an "Army brat" who grew up on military bases. Although Texas Gov. Rick Perry and Texas Rep. Ron Paul are the only GOP candidates to have worn a military uniform, all of the Republican presidential contenders are emphasizing their military ties these days in a state that's home to 413,000 veterans and eight military bases, with thousands of people on active duty. "My purpose in life was to never be the president of the United States," Perry said as he campaigned ahead of South Carolina's primary 21 JAN. "My purpose has always been to serve my country and my state whenever they need or they call. That's our duty as Americans."

Perry's days as an Air Force pilot in the 1970s and his father's B-17 tail-gunner missions in World War II are staples of his South Carolina message as he looked to right his struggling campaign. Paul, a flight surgeon in the 1960s who made his name as an antiwar congressman, is filling mailboxes with five-page letters that include a picture of him as a young draftee in a full-brimmed Air Force hat. "Let me begin by telling you that the troops know first and foremost that I am one of them," he writes. There's a reason for the intensive courting: As long as South Carolina has been instrumental in deciding GOP nominees, the state's voters have rewarded candidates with military service. Every GOP primary winner since Ronald Reagan in 1980 has been a veteran. This year may end that streak. Polls show Romney, the former Massachusetts governor, leading the pack.

With the economy pushing U.S. involvement in foreign conflicts to the back of voters' concerns, some in South Carolina argue that GOP voters aren't pining for the biggest hawk this time. "Financially, people are in dire straits right now," said state Sen. Lee Bright, a backer of Michele Bachmann before she left the race. "They realize that the more money we spend overseas the less money they are going to spend at home." Nonetheless, most of the candidates have spent considerable time along the South Carolina coastline, wooing active-duty military members and veterans — many of whom lean toward the GOP — clustered around the bases near Charleston that for many years fueled the state's economy.

Perry, for one, has struck an aggressive posture lately, pledging that as president he would send troops back to Iraq to prevent Iran from exerting too much muscle in the region. On one upstate swing, he solemnly inspected a memorial garden and read markers to five Medal of Honor winners. He was accompanied by a former Marine captain with burn scars over half his body from the explosive device that hit his vehicle in Iraq and killed some of his comrades. That veteran, Dan Moran, delivered a full-throated endorsement of Perry before a rapt audience. "For what it's worth, coming from somebody who had the honor and privilege of being able to spill some blood for his country, this is the man and this is the time," Moran said. "This country needs him." Perry also has tried the personal touch, at one point pulling up a chair at voter Linwood Mizell's table to share more with the Army veteran and

Purple Heart recipient. Despite the special attention, Mizell held back. "I really haven't totally made up my mind," he said.

Romney, for his part, has campaigned with McCain, the 2008 GOP presidential nominee and Vietnam veteran, and seems to talk up the military everywhere he goes in the state. "This is a proud military state," Romney said 14 JAN in Sumter. A day earlier, Romney was on Hilton Head Island for a veterans' event attended by hundreds. Meanwhile, Santorum has traveled the state arguing that Democratic President Barack Obama is determined to shrink the Pentagon. The Republican insists the cuts will hurt national security and he often seeks out spouses and parents of military members to hear their concerns. "I will not cut defense," Santorum pledged recently in Charleston. "I will not reduce the budget deficit by cutting the central role of the federal government. In fact, I will allow the Defense Department to grow to make sure that we are not cutting the benefits and the pay of our men and women in uniform." [Source: Associated Press Brian Bakst article 18 Jan 2012 ++]

ID Card (CAC) Update 03: (Note: Military Times Copyrighted material - Not authorized for reproduction on any publicly accessible website or website accessed newsletter. Forwarding via email in personal communications is authorized).

A Chinese-based cyber attack is targeting the Defense Department's Common Access Cards (CAC) with technology that could steal information from military networks while troops and civilians work at their desks, researchers say. The new cyber weapon apparently can get inside individual computers after users unwittingly open a standard PDF email file. Once embedded, it logs the users' keystrokes to obtain personal identification numbers or codes associated with that card and user, according to AlienVault, a Silicon Valley-based cyber security firm. "Basically, they are able to steal the PIN and then they can get access to whatever they want," said Jaime Blasco, the lab manager for AlienVault who published detailed technical information about the attack. The attacks are a variant of a virus, or malware, known as "Sykipot" and date back as far as March 2011, Blasco said. The new Sykipot strain specifically targets the technology used to support the Pentagon's CAC system and the emails seeking to spread it often are disguised as official military or government communications, Blasco said. To lure defense workers to open the infected attachment, some of the emails have used information about new drone technology and pictures of unmanned aerial vehicles, he said.

The hackers behind the virus can access military systems only as long as an infected user's card remains logged into a system. Pentagon spokeswoman Air Force Lt. Col. April Cunningham declined to comment on the details published by AlienVault. "We are aware of reports regarding this matter and take these type of reports seriously. However, due to operational security, we are not able to provide further details," she told Military Times. Blasco said the virus is linked to a "command and control server" that appears to be based in China; some flaws buried deep in the code revealed Chinese language characters, suggesting that only a Chinese speaker would be able to launch it. Defending against attacks using this technology is extremely difficult. The best way to keep military networks secure is to train troops and civilian employees not to open any unfamiliar files or email attachments, Blasco said. Many military officials are eager to begin widespread use of smart phones, tablets and other wireless devices, but cyber security experts caution that such technology can be more vulnerable to cyber attacks. [Source: NavyTimes Andrew Tilghman article 18 Jan 2012 ++]

VA Quality-of-Care Update 02: (Note: Military Times Copyrighted material - Not authorized for reproduction on any publicly accessible website or website accessed newsletter. Forwarding via email in personal communications is authorized).

The top Democrats on the House and Senate Veterans' Affairs committees are seeking an investigation of the Veterans Affairs Department's handling of several incidents

involving improper sterilization of reusable medical equipment. The lawmakers say those problems could be an indication that VA leaders are not following their own guidelines for investigating such incidents or disciplining those responsible. In a Jan. 19 letter to Government Accountability Office Comptroller Gene Dodaro, Sen. Patty Murray (D-WA) and Rep. Bob Filner (D-CA) asked for a GAO review of VA's procedures and policies. "We continue to hear about the same types of quality-of-care incidents at VA medical facilities and we are concerned this is an indication that VA is not effectively learning from these incidents and subsequently translating these lessons into system-wide improvements," Murray and Filner wrote.

In the past seven years, more than 13,000 veterans treated at VA health facilities have been placed at risk for exposure to infectious disease such as hepatitis and HIV after undergoing procedures with improperly sterilized equipment. From 2004 to 2009, 11,000 veterans at the Murfreesboro, Tenn., Augusta, Ga., and Miami VA medical centers were notified of their risk after they underwent colonoscopies with improperly prepared endoscopes. At least 25 veterans contracted Hepatitis C, eight developed Hepatitis B and five tested positive for HIV. In January 2011, surgeries at the St. Louis VA Medical Center were halted after VA found 1,812 vets were placed at risk from improperly sterilized surgical equipment. And in Dayton, Ohio, VA offered to test 500 veterans for possible exposure after leaders determined a dentist didn't change his latex gloves between patients. "On numerous occasions, VA has reported to Congress about the various investigations it has conducted and the problems these investigations have identified, which they claim to have led to the development of new processes and procedures to reduce risk," the lawmakers wrote.

In October, members of the House Veterans' Affairs Committee were surprised to learn that Miami VA Medical Center Chief Mary Berrocal still had her job. Berrocal received a letter of admonition in 2009 after the colonoscopy scandal surfaced but remained as chief until November, roughly a month after she testified that conditions at the facility were improving. Her testimony came a week after a Miami VA employee was arrested for selling the names and personal information of 18 patients and compromising the personal data of 3,000 veterans, and three months after a veteran was allowed to leave the medical center when she should have been placed on suicide watch. Veteran Catawba Howard was shot by police just hours after she left the medical center. "This raises concerns as to whether VA's leadership is taking appropriate actions, including appropriate disciplinary actions, to effectively address the problems across the system," the lawmakers wrote. VA spokesman Josh Taylor said 19 JAN that the department is committed to providing safe, high-quality care. He said VA agrees with Murray and Filner that "every health care provider must ensure they follow good infection-control practices and that they send equipment for proper reprocessing. Failure to do so is unacceptable." Taylor added that VA has been recognized by the New England Journal of Medicine for its patient disclosure policy, what he called a "reflection of VA's commitment to transparency." [Source: NavyTimes Patricia Kime article 19 Jan 2012 ++]

DoD Budget 2013 Update 02: (Note: Military Times Copyrighted material - Not authorized for reproduction on any publicly accessible website or website accessed newsletter. Forwarding via email in personal communications is authorized).

The powerful chairman of the House Armed Services Committee has an ambitious goal of trying to get Congress to pass legislation by summer to exempt the Defense Department from across-the-board budget cuts that could hit the federal government next year. To pull that off, Rep. Buck McKeon (R-CA) said he'll have to demonstrate that the uncertainty of not knowing future defense spending levels is just as dangerous as the cuts. In a 18 JAN interview, McKeon said he hopes hearings beginning in February on the Obama administration's 2013 budget will help make the case that communities and defense-related industries are hurt by their inability to plan beyond January 2013, when across-the-board cuts totaling \$1.2 trillion are set to take effect then unless an agreement is reached to alter the rules set in last year's Budget Control Act. The Defense Department would have to accommodate about half of the \$1.2 trillion in cuts, and that would come on top of a reduction of

\$485 billion already approved for the nation's long-range defense plans. DoD's share of sequestration — the technical name for the budget cuts — would total about \$55 billion in 2013.

McKeon said House Republican leaders have tried to assure him that the automatic cuts won't happen next year, and DoD shares the same view, but he fears continued legislative deadlock leaves open the possibility of the cuts will kick in next year and also creates a wave of uncertainty among troops and in the defense industry. McKeon's optimistic goal is to get legislation exempting the military from sequestration enacted into law by summer. In his view, if congressional leaders and the Obama administration don't believe sequestration will happen in 2013, there should be no reason why they would oppose legislation that guarantees no cuts next year. He is not happy with the \$485 billion reduction over 10 years already being made in the defense budget plan but sees little chance of stopping that. "I think this is pretty much a foregone conclusion," he said of the reduction ordered as the first stage of cuts in the Budget Control Act of 2011. "I think we are going to get that handed to us."

There is a chance, he said, Congress might reverse course in a year or two when the full implications are realized. "A lot of people do not understand the full impact of what those cuts will mean," McKeon said. "They won't see the full impact until people start to lose their jobs and start calling their congressman's office that is when we start getting the impact. When we have another [base closure and realignment commission], that is when we'll start seeing the impact," he said. Base closings and reductions would hit hard in military-heavy states with large concentrations of Army and Marine Corps forces. "It's going to be uneven," he said, naming Virginia, Texas and California as states that would be expected to feel the most pain. [Source: NavyTimes Rick Maze 19 Jan 2012 ++]

DoD Budget 2013 Update 03: On 26 JAN Defense Secretary Leon Panetta released details about the Administration's plan for defense spending in fiscal year 2013. Defense funding will be slightly higher than expected—\$525 billion for fiscal 2013 with an additional \$88.4 billion for overseas contingency operations primarily in Afghanistan . This is however, down from \$531 billion and \$115 billion, respectively, in the current fiscal year. These cuts in defense spending are part of a plan announced by the President earlier this month to reduce defense spending by more than \$480 billion over the next ten years. According to documents released by DoD,

- The F-35 is going to be retained but procurement related to the program will be slowed.
- The Global Hawk program (drones used for surveillance and reconnaissance) will be terminated, along with 27 C-5s, 65 C-130s, and 28 C-27s.
- Six of the Air Force's current tactical air squadrons and one training squadron will be eliminated; and
- Funding for missile defense reduced.

Cuts in active duty Air Force personnel were not identified, but given the above, some reductions may eventually be required. The number of Air Force bases could be reduced as well; the President will ask Congress to authorize use of the Base Realignment and Closure (BRAC) process to identify additional savings that can be attained by closing bases or realigning units. Annual pay increases for active duty service members will be unaffected in FY 2013 and FY 2014, but limited in FY 2015 and beyond. Military retired pay will not be immediately affected, but the President will ask Congress to establish a BRAC-like commission to conduct a comprehensive view of military retirement and recommend changes that meets the personnel needs of DoD in a cost-effective manner (In plain English; DoD would like to reduce military retired pay). Secretary Panetta said he and the President "**Have made clear that the retirement benefits of those who currently serve will be protected by grandfathering their benefits.**" As predicted, several changes in TRICARE fees will be proposed by the President in his budget submission. They include:

- Further increasing and adding new enrollment fees for retirees under age 65 in the TRICARE program, using a tiered approach based on retired pay that requires senior--grade retirees to pay more and junior-grade retirees less; the resulting fees remain below comparable civilian equivalents.
- Establishing a new enrollment fee for the TRICARE for Life program for retirees 65 and older, again using a tiered approach; the resulting fees will be well below comparable civilian equivalents.
- Implementing additional increases in pharmacy copays in a manner that increases incentives for use of generics and mail order

Many key support programs will be sustained, enhanced, or reorganized to better meet the needs of military personnel and their families. These include extra funding to enhance the Integrated Disability Evaluation system, reform the Transition Assistant Program, sustain family support and mental health programs, restore and modernize DoD schools and maintain the current number of stores in the military commissary system. Speaking to reporters, Panetta said the budget represents the "tough budget choices" needed to reach \$487 billion in cuts over 10 years. Panetta also said the plan entails risk, but that U.S. forces will remain capable of beating "any adversary, anytime, anywhere... Ultimately we will need the support and the partnership of Congress to implement this vision of the future military. Make no mistake, the savings we are proposing will impact all 50 states and many districts across America. This will be a test of whether reducing the deficit is about talk or action. My hope is that when members understand the sacrifice involved in reducing the defense budget by half a trillion dollars, it will convince Congress to avoid sequestration, a further round of cuts that would inflict severe damage to our national defense for generations."

The President intends to present his full budget proposal to Congress on or about 13 FEB and additional details will be available at that time. The preliminary report provided yesterday can be found at http://www.defense.gov/news/Defense_Budget_Priorities.pdf. Many of the proposed changes are disturbing, but expected. Using healthcare provided to retirees as a "cash cow" to generate savings for the nation is patently wrong, and inconsistent with many previous pledges to "not balance the budget on the backs of veterans." [Source: AFSA Alert 27 Jan 2012 ++]

DoD Budget 2013 Update 04: Of the \$259 billion in savings the Pentagon is carving out of the next five defense budgets, just over 10 percent will come from future military pay and retiree health care, a top military leader said. The \$29 billion in hoped-for savings from personnel spending accounts for one-ninth of total proposed spending cuts over the next five years, though personnel expenses are about one-third of the Defense Department budget, Adm. James Winnefeld, vice chairman of the Joint Chiefs of Staff said in an interview with Stars and Stripes on Thursday. Still, veterans groups argue that DOD is looking for savings in the wrong places. "Increasing [retiree] enrollment fees and co-payments while reducing services is a breach of faith with all military retirees," said Joe Davis, public affairs director for Veterans of Foreign Wars' Washington office. Military retirees would start paying more for Tricare fees and co-pays at the doctor's office, as well as higher drug co-pays. Health care for active-duty troops wouldn't be touched, but pay increases would be curtailed starting in 2015, officials announced. Additionally, Congress would study changes to the military retirement system, although Secretary of Defense Leon Panetta emphasized current servicemembers are exempt from any future changes.

Defense Department leaders on 26 JAN summarized the budget request that President Barack Obama will submit to Congress next month, but didn't release line-by-line details. Though the personnel cuts were disproportionately small, planning for them was disproportionately difficult, Winnefeld said. "These were the toughest decisions that we had to make as we went through this process," Winnefeld said. "Because it's about people who are fighting a war, it's about families whose soldiers, sailors, airmen and Marines are overseas." But finding that money was

crucial to meet the requirements of the national defense strategy — one designed to cope with nearly \$500 billion in budget cuts over a decade — introduced by Obama at the Pentagon earlier this month, Winnefeld said. “We’re hopeful that [veteran’s groups] understand what we’re trying to accomplish here, and that in terms of the defense budget itself, it’s big money that if we weren’t able to find would cause us to take real capability out that is necessary, we believe, to defend this nation,” he said. But a veterans’ group official said that rather than putting the cost burden on military retirees, the DOD should first look to improve financial management and cut waste. “Our charge, and our pushback to that proposal is that we’re asking Congress and asking DOD to look for other efficiencies, and other ways to save that money,” said Tim Tetz, American Legion legislative director. “There’s no reason to believe they can’t come up with a lot of savings within the Tricare program itself before asking retirees to pay more.” [Source: Stars and Stripes Chris Carroll article 28 Jan 2012 ++]

Retiree Pay: One in every 125 retired federal civilian workers receives more than \$100,000 in annual benefits, Bloomberg reports. The website released the results of its Freedom of Information Act request 19 JAN, showing nearly 15,000 former federal employees collect six-figure pensions even as government pension programs had a shortfall of \$674.2 billion in 2010. This deficit could increase if congressional pay rises in 2013, thereby increasing the pensions current lawmakers will earn upon retirement. Office of Personnel Management data indicate the average career length of a federal worker is 27 years, Bloomberg found. The Treasury Department "pays about \$4.9 billion every month for about 1.8 million retirees, an average of \$31,633 annually," the report said. The list of high-earning retirees includes former congressional staff members as well as physicians and public university employees. Topping the list with a pension of \$375,900 was former Gallaudet University President Irving K. Jordan Jr. Among other big earners were GOP presidential candidate Newt Gingrich and former Vice President Dick Cheney. Additionally, due to cost-of-living differences, Bloomberg reported, "at least 48,500 retirees are making more now than they did on the federal payroll." The most lucrative agency to retire from? The Securities and Exchange Commission, where 9.3 percent of retirees receive six-figure pensions. [Source: GovExec.com Andrew Lapin 19 Jan 2012 ++]

Vet Tax Holiday: Campaigning in South Carolina, with its deep roots in the American military, Texas Gov. Rick Perry proposed a five-year holiday from income taxes for wounded veterans as part of his bid for conservative support in the state's primary on 14 JAN. "If you have been wounded, if the [Defense Department] has designated you as an individual who has been wounded while you have been on service to the United States, you get a five-year exemption from paying any personal income tax in this country," Perry told a crowd of about 60 people at a Veterans of Foreign Wars Hall here. "That's sending the message. That's sending [a] message that will last longer than a parade, that will last longer than a proclamation on the war, than a pat on the back... If you sacrificed that much for your country, the least this country can do is give you that type of support when you come back." The Wounded Warrior Project, an organization dedicated to supporting injured veterans, estimates that about 32,000 troops were wounded in Operation Iraqi Freedom and nearly 10,000 in Operation Enduring Freedom, the war in Afghanistan. Perry often talks about the need to improve support for veterans in the United States, especially as he has increasingly focused on South Carolina, where 11 percent of the population is made up of military veterans. He points to initiatives he ushered through in Texas, including a 2009 law that exempts disabled veterans from paying property taxes. [Source: National Journal Rebecca Kaplan article 17 Jan 2012 ++]

VA Medical Marijuana Policy Update 02: Researchers are one bureaucratic hurdle away from gaining approval for the first clinical examination on the benefits of marijuana for veterans suffering from post-traumatic stress disorder (PTSD). The Multidisciplinary Association for Psychedelic Studies (MAPS), working under the auspices of the University of Arizona College of Medicine, are preparing a three-month study of combat veterans who served in Iraq and Afghanistan. The plan is on hold until the National Institute on Drug Abuse and Public Health Service (part of the Department of Health and Human Services) agrees to sell researchers the marijuana needed for research -- or until the marijuana can be legally imported. Social and political intrigue surrounding this research is far reaching, attracting opposing factions who must cede biases for the greater good and well-being of servicemen and servicewomen.

The University-controlled study calls for a triple-blind and placebo-controlled environment. A meticulously prepared proposal recommends a sample base of 50 veterans, whose PTSD symptoms have not improved under current standard medical practices. All participants must agree to abstain from marijuana use for 30 days prior to participation. In two ensuing 60-day periods, the veterans are asked to either smoke or vaporize a maximum of 1.8 grams of marijuana a day (the equivalent of two marijuana cigarettes). The test group will be furnished a weekly supply of various strains of marijuana, with THC levels ranging from 0 percent to 12 percent. Clinical Investigator Dr. Suzanne Sisley's study objectives are twofold. "With this research, we can actually figure out which symptoms it might help with, and what an optimal dosing strategy might look like." She is also mindful of public opinion regarding medical marijuana. "If we get a chance to do this, we're not taking liberties. This is a carefully controlled, rigorous scientific study. We're not sitting around trying to get these vets high."

If anecdotal evidence were the standard, acceptance of marijuana's calming properties among psychologically scarred soldiers would be a topic relegated to the past. Statistical evidence to support that hypothesis could be petitioned from the state of New Mexico, where medical marijuana is legally prescribed for PTSD. The state's number one diagnosis for a medical marijuana license, a noteworthy 27 percent of the total, lists PTSD as the qualifying criteria for issuance. That statistic comes as no surprise to Sisley, but she stresses circumstantial evidence is not enough to sway the wide range of government agencies she deals with. "We really believe science should supersede politics," she said. "This illness needs to be treated in a multidisciplinary way. Drugs like Zoloft and Paxil have proven entirely inadequate." "If we get a chance to do this, we're not taking liberties. This is a carefully controlled, rigorous scientific study. We're not sitting around trying to get these vets high." In neighboring Colorado, the state's legislature failed to pass a proposal mirroring New Mexico's. It effectively forbade Colorado's large veteran population from citing PTSD on medical marijuana applications.

Brian Vicente, of the Sensible Colorado organization, became an advocate for veterans after the legislative rejection. Vicente has watched the government fight itself over this issue. "The federal government is, in some ways, divided," Vicente said. "Agencies like the Veterans Administration have taken some fairly decent stances of medical marijuana." Quickly, he adds a qualifier: "But, then you have the DEA [Drug Enforcement Administration] and NIDA [the National Institute on Drug Abuse] and organizations like them blocking research that other parts of the government are authorizing. It's another example of the federal government being schizophrenic and flat-out wrong on marijuana as medicine." This is a frustrating scenario Sisley has encountered first-hand. "I can't help but think they simply don't want to move forward," she said. "Maybe they figure if they stall long enough, we'll give up and go away."

As arguments among American government agencies continue, other nations are taking the lead generating medical arguments that advance Sisley's theory. A study at Israel's University of Haifa showed that marijuana administered to rats within 24 hours of suffering psychological trauma effectively blocked the development of post-traumatic stress disorder. Dr. Irit Akirav's study even concludes there is a time-frame that has to be taken into consideration. "There is a critical window of time after trauma, during which synthetic marijuana can help prevent

symptoms similar to PTSD in rats," Akirav stated at the time. "It does not erase the experience, but can help prevent the development of PTSD symptoms." In Germany, Switzerland, and Spain there are currently programs, some government funded, utilizing MDMA (from which the "ecstasy" drug is derived) as a possible inhibitor of PTSD symptoms.

A governmental lack of decisiveness has created unintended consequences and casualties in the medical field. One is Dr. Phil Leveque, a World War II veteran who had his medical license revoked based on the large number of medical marijuana permits he issued for PTSD in Oregon. Leveque estimates he signed 1,000 permits for PTSD, and said he did so with a clear conscience. "Whether they were World War II, Korea, Vietnam or vets from the current conflicts, 100 percent of my patients said it was better than any drug they were prescribed for PTSD," he said. Sixteen states and the District of Columbia currently have laws permitting marijuana for medical use. However, Veterans Affairs physicians are expressly prohibited from recommending patients for enrollment in any state's medical marijuana program. This, again, highlights contradictions at different levels of government agencies.

Veterans Affairs data disclosed that from 2002 to 2009 one million troops left active duty in Iraq or Afghanistan and became eligible for VA care. That's a number that will rise annually, revealing a need for effective treatment of PTSD that cannot be overstated. PTSD remains an enormous consideration with combat troops still serving in Afghanistan, where an estimated six to 11 percent are currently suffering symptoms of PTSD. Statistics among Iraq War veterans are more disturbing, with between 12 to 20 percent of returning vets suffering PTSD-related anxieties. Those are government statistics, and some non-governmental studies suggest that as many as one in every five military personnel returning from Iraq and Afghanistan could suffer various forms of PTSD. Veteran Affairs recognizes these facts, and to its credit funds unconventional studies of PTSD, employing therapy dogs and yoga.

Sisley has found an ally in Rick Doblin, executive director of the leading psychedelic studies group. Doblin has the unenviable job of lobbying Congress under the umbrella of the non-profit MAPS. The pair share a common frustration dealing with the multitude of government agencies, some of whose interests are diametrically opposed. Doblin addresses apprehensions from the administrative standpoint: "We're asking for marijuana from an agency [National Institute on Drug Abuse] designed to prevent people from using marijuana. There's something fundamental that just doesn't work here," he said. Sisley's concerns revolve around medical studies in the field, which often fail to gain approval because of political motives instead of science. "The doctors I know think this war on marijuana is awful, and they're tired of being in the middle of it," she said. "They just want to do real research, or read real research, and not operate around all of these agendas."

Veterans endure a framework of care for PTSD that has not changed since 1980, when PTSD was added to American Psychiatric Association's dictionary of maladies. Federal agencies are clearly confused, unable to reconcile the illegality of marijuana with the benefits it could have on the lives of soldiers and their extended families. These issues are not being addressed in an open forum; instead, they remain hidden behind committee doors or special panels of anonymous voices with unknown prejudices. Medical marijuana remains one of the nation's biggest political hot potatoes, and when combined with our veterans' health creates a unique conundrum for politicians. Disturbingly, the people caught in this crossfire of self-interest are veterans who risked their lives for the system that may be stifling their medical options now. [Source: The Atlantic Martin Mulcahey article 17 Jan 2012 ++]



VA Medical Marijuana Policy Update 03: A Vermont lawmaker wants to amend the state’s medical marijuana law so that anyone suffering from post-traumatic stress disorder could use it to help alleviate their symptoms. State Rep. Jim Masland said he introduced the bill earlier this month at the request of a number of his constituents who were using marijuana to alleviate stress symptoms they felt were caused by their military service. “I understand that these unnamed individuals, at least a couple, haven’t been able to find relief any other way or at least this is the best way for relief,” Masland, D-Thetford, said Thursday. “So I would say they are quietly, surreptitiously using marijuana, but they would much rather do it legally.” Masland said the veterans who asked him to introduce the legislation had served in the Vietnam War as well as the wars the United States has fought over the last decade. Vermont’s medical marijuana law took effect in 2004. Under it, people who suffer from a number of debilitating diseases or conditions can get permission from the state to use medical marijuana if it is recommended by their health care provider. Vermont currently has 411 patients and 68 caregivers on the medical marijuana registry. The state is in the process of setting up rules that would allow the creation of up to four dispensaries where people could get medical marijuana legally. Currently, users or their caregivers are allowed to grow their own marijuana.

Michael Krawitz, the executive director of the group Veterans for Medical Marijuana Use, said the use of marijuana to help veterans treat PTSD is gaining acceptance across the country. “The bottom line is we just don’t have a lot of treatments for post-traumatic stress that are that effective,” Krawitz said. Vermont is among a handful of states considering adding PTSD to the list of conditions that qualify patients to use medical marijuana, he said. In a policy implemented a year ago, the Department of Veterans Affairs allows its patients to use medical marijuana in states where it is legal, although not at VA facilities, and VA health care providers can’t provide the documentation vets need to get it. Expanding access to Vermont’s medical marijuana registry is up to the Legislature, said Francis “Paco” Aumand, the director of the Vermont Department of Public Safety’s Criminal Justice Services, which oversees the marijuana registry. “Nobody makes any judgments relative to the medical purposes” of using medical marijuana, Aumand said. “If you meet the requirements of the law you are entitled to receive the registration card. From that perspective it’s a smoothly regulated process.”

Vermont Deputy Health Commissioner Barbara Cimaglio said the department would be reviewing Masland’s proposal, which was introduced and referred to committee last week. In 2007 New Mexico legalized medical marijuana. Its program differs from most in that the state oversees the production and distribution of marijuana. PTSD was added to the list of conditions in 2009. Since PTSD and a number of other conditions were added to the list of qualifying illnesses applications have soared. If Masland’s bill is passed in Vermont it wouldn’t be restricted to military veterans suffering from PTSD. Masland said his proposal has been sent to committee to discuss. He doesn’t know if it will be acted upon this year, but he is happy the issue is being discussed. “No one has approached me in the building and said this is a terrible idea,” he said from the Statehouse in Montpelier. “But given the breath of the issues that we have before us, it’s not the top of a lot of peoples list. And that’s just reality.” [Source: The Associated Press Wilson Ring article 26 Jan 2012 ++]

VA Fraud Waste & Abuse Update 44:

- **Rockford IL** - A former residential sales manager and two former contractors of a Florida property management company were indicted 17 JAN on bribery, wire fraud and conspiracy counts in connection with housing repair contracts for the U.S. Department of Veterans Affairs. A Rockford, Ill., grand jury returned a 10-count indictment against Ryan J. Piana, Ronald B. Hurst and Bryant A. Carbonell, the

Department of Justice said in a news release. According to the indictment, Hurst and Carbonell bribed Piana to steer housing repair work on veterans' foreclosed properties to their companies. Piana is a former residential sales manager at West Palm Beach, Fla.-based Ocwen Loan Servicing LLC, which managed foreclosed properties under contract with the VA. When a veteran defaulted, Ocwen completed necessary repairs and re-sold the property, reducing the cost to the VA of guaranteeing residential mortgages to veterans. Hurst and Carbonell are former contractors for Ocwen. None of the three men could be reached for comment. Piana also allegedly recruited other Ocwen employees into the scheme and paid them on behalf of himself and the other conspirators, according to the indictment. Piana, Hurst and Carbonell face up to 40 years in prison. [Source: WST C.M. Matthews article 17 Jan 2012 ++]

- **Martinsburg WV** - A man accused of defrauding the U.S. Department of Veterans Affairs by, among other things, claiming to be a Purple Heart and Combat Infantry Badge recipient was named in a 10-count indictment last week by a federal grand jury in Martinsburg. Ronald Lamont Clements, 44, was indicted 18 JAN. The first two counts of the indictment allege that Clements submitted two altered certificates of discharge from the U.S. Army on June 28, 2008, reflecting that he actively served in the Army from 1985 until his separation date of Jan. 26, 1992, in order to support a claim of disability and retirement benefits. Counts three and four of the indictment charge that Clements falsely stated on the certificate of release or discharge that he was a Purple Heart and Combat Infantry Badge recipient. Counts five and six charge that Clements falsely represented himself as being a recipient of military medals or decoration. Counts seven and 10 allege that Clements committed mail fraud by causing the U.S. Postal Service to mail from Berkeley County to Huntington the certificate of release or discharge from active duty in order to obtain disability benefits. The remaining two counts of the indictment, counts eight and nine, allege that Clements knowingly stole money from the U.S. Department of Veterans Affairs from Dec. 11, 2008, to Jan. 18, 2012, in the amount of \$20,454 and from July 2007 to January 2012 in the amount of \$77,442. If convicted, Clements faces a maximum of one year in prison and a fine of \$100,000 on counts one, two and five; five years' imprisonment and a fine of \$250,000 on counts three and four; six months' imprisonment and a fine of \$100,000 on count six; 20 years' imprisonment and a fine of \$250,000 on counts seven and 10; and 10 years' imprisonment and a fine of \$250,000 on counts eight and nine. [Source: The Journal article 23 Jan 2012 ++]

War Crime Status?: Members of the conservative group Move America Forward have lashed out at media coverage of a video of Marines urinating on the corpses of Taliban fighters, calling the stories sensationalized and insisting that any discipline leveled against the troops should be light. The video, made public last week, shows four members of the 3rd Battalion, 2nd Marines, during their 2010-2011 deployment to Afghanistan. The men joke about the fallen enemy fighters and appear to relieve themselves on the bodies, actions which could violate U.S. military rules and international war crime statutes. Marines Corps officials last week said they have identified the men, and are investigating the incident to determine what punishments they should face. But Debbie Lee, a spokeswoman for Move America Forward and the mother of a Navy SEAL who was killed in Iraq five years ago, said in a statement that the punishment should include only a reprimand and an apology by the men to their unit. "We do not need to set up a war-crimes tribunal or press criminal charges," she said. "We have to understand that these Marines were under fire, those Taliban were trying to kill them, along with other innocent people. Clearly, I think the media went after these young men to try to string them up in front of the public and paint them as monsters or war criminals. ... Rather than blow this up into a national security issue, we should deal with these Marines with a little understanding of the tough position they are in." Lee also noted that enemy fighters in Afghanistan have been charged with "savage violence" that far exceeds the brief actions of these Marines, citing reports of mass graves of

civilians and frequent abuse of women by the Taliban. Top U.S. and NATO officials have said the Marines involved will be prosecuted to the fullest extent possible, due to the potentially inflammatory nature of the actions.



Less than a week after Corps officials were forced to deal with the embarrassing video of Marines urinating on the corpses of Taliban fighters, Army officials are now fielding questions about a new online video that appears to show a group of soldiers laughing and celebrating as a sheep is bludgeoned to death. Officials from People for the Ethical Treatment of Animals (PETA) actually complained to Army leadership about the video in late November, but hope the publicity from the latest video scandal will help renew questions about the animal attack. They've petitioned Army Secretary John McHugh for an investigation of the incident, but have yet to get any response from military leadership. The video, posted on LiveLeak in November, appears to show at least eight soldiers watching a man repeatedly strike the animal in the head and neck. Some of the soldiers helped to drag the animal into the room, and none appears to make any effort to stop the attack. PETA officials could not verify who shot the video or where it takes place. A description uploaded with the clip claims that the images were recorded in Afghanistan in early November, and that the individual attacking the sheep is also a soldier. Army officials had no comment on the matter. [Source: Stars & Stripes Leo Shane articles 17 Jan 2012 ++]



Bronze Star Medal Update 01: Northwest Territorial Mint was awarded a contract by the government in 2011 to produce 79,000 Bronze Stars at its plant in Dayton, 40 miles southeast of Reno. Rob Vugteveen, project plant manager, said the quality of the Bronze Star had suffered in recent decades because contracts had been going to the “cheapest” bidder. He said his Washington based company thinks military members deserve a “high quality” medal made in America and is committed to upgrading their quality. “One way you honor them is you deliver a high-quality product that’s a reflection of our country’s appreciation for the work and sacrifice they’ve committed to our country,” Vugteveen told The Associated Press. The Dayton facility, which has 160

employees, made 34,000 Bronze Stars last year and will make another 45,000 this year. The company's minting process to create the Bronze Star requires 15 detailed steps designed to give it a regal look, and the artwork for the medal was created to specifications of the U.S. Institute of Heraldry.

The Defense Logistics Agency awarded the contract to the company. Vugteveen declined to divulge the amount of the winning bid, and phone calls to the agency were not immediately returned. Vugteveen told the Nevada Appeal of Carson City that his company is pushing for a requirement that all military medals have the country of origin stamped on them. "This is the beginning of our effort to re-enter this market, and to improve the quality of awards given to U.S. service members and to ensure they receive an American-made product," he said. The company has specialized in making custom coins, medallions and related items since its founding in 1984.



The Bronze Star Medal (BSM, or BSV with valor device) is a United States Armed Forces individual military decoration that may be awarded for bravery, acts of merit, or meritorious service. As a medal it is awarded for merit, and with the "V" for valor device it is awarded for heroism. It is the fourth-highest combat award of the U.S. Armed Forces and the ninth highest military award (including both combat and non-combat awards) in the order of precedence of U.S. military decorations. Officers from the other federal uniformed services are also eligible to receive the award if they are militarized or detailed to serve with a service branch of the armed forces. Additional awards of the Bronze Star Medal are denoted in the Army and Air Force by oak leaf clusters. The Navy, Marines, and Coast Guard issue award stars to denote subsequent decorations.

The Valor device (or "V device") is authorized by all services and identifies the award as resulting from an act of combat heroism (as in the case of the Army and Air Force) or signifying that the medal was earned in combat (as in the case of the Navy), thus distinguishing it from meritorious achievement awards. However, an accumulation of minor acts of combat heroism does not justify an award of the Valor device. The Bronze Star Medal is awarded for valor, achievement and service. Combat service deserving a Bronze Star Medal, but not achieved in a particular valorous act, would warrant a meritorious (achievement) Bronze Star. The Valor device does not denote an additional award and only one such device may be worn on any ribbon. [Source: Associated Press Martin Griffith article 14 Jan 2012 ++]

LA Vet Property Tax: House Bill 246, authored by Representative J. Rogers Pope, passed through the 2010 Louisiana Legislative Session with overwhelming support from both sides of the Legislature. Once signed by Governor Jindal, it officially became Act 1049, a proposed constitutional amendment which would allow for an increase to the Homestead Exemption for disabled Veterans who own their own home. Act 1049 was placed on a statewide ballot 2 NOV 2010 and approved by 737,560 voters representing 64.78% of the vote that day on the

amendment. The amendment allows for the current homestead exemption of \$75,000 to be doubled to a total exemption of \$150,000 for any home currently receiving the homestead exemption which is owned and occupied by a Veteran with a service-connected disability rating of one hundred percent, as determined by the U.S. Department of Veterans Affairs. The benefit is also available to the surviving spouse of a deceased Veteran with the same service-connected disability rating if the exemption was in effect on the property prior to the death of the Veteran and the surviving spouse remains the owner of the property.

The constitutional amendment requires that it be approved by the voters in each parish. Many parishes across the state have already gone through this process and have been successful in securing approval for the amendment, but not all parishes have gotten involved. Veterans residing in those that have not need to work with their local Veteran leaders to get it placed in the coming months. They can also help by educating the voters of their parish about the importance of voting in favor of the amendment. For Veterans or spouses of deceased Veterans who qualify and who reside in a Parish that has already passed this amendment, contact your local Parish Assessor's office to register. Registration requirements may vary from Parish to Parish and are not automatic. If you have any questions about this topic or for more information about Louisiana Department of Veterans Affairs, refer to <http://www.vetaffairs.la.gov> or call 1-877-432-8982. [Source: Louisiana DVA Secretary message 17 Jan 2012 ++]

PTSD Update 85: After three years of legal maneuvering, a federal judge in late December quietly approved a settlement that will deliver better benefits to nearly 2,100 veterans who've been medically discharged since 2002 with post-traumatic stress disorder. Under the settlement, one of several similar efforts now under way, affected veterans discharged with PTSD will get lifetime health care under TRICARE and post-exchange privileges. They are also eligible to apply for special compensation payments. The affected veterans had been discharged with disability ratings that were too low to receive such benefits. The military services, veterans advocates charged in court, were "engaged in a transparent effort to purge their ranks" and cut costs. Under congressional pressure in 2008, the Defense Department agreed to grant 50% disability ratings to those diagnosed with PTSD in the future. That policy change, though, came too late for some. "The individual service branches have done nothing to address their mistreatment of potentially thousands of veterans they already have abandoned," Washington-based attorney Brad Fagg wrote in the lawsuit, originally filed in December 2008.

The settlement provides lifetime disability retirement benefits to 1,029 veterans with PTSD who'd been denied aid previously. An additional 1,066 will have their disability benefits increased. Another 2,200 potentially affected veterans didn't opt in to the class-action lawsuit, though they might take individual legal action. Separately, the Defense Department has created the Physical Disability Board of Review, which is empowered to revise the status of veterans who were medically discharged with less than 30% disability ratings from Sept. 11, 2001, through Dec. 31, 2009. While the class-action lawsuit was limited to PTSD cases, the special review board can examine any type of medical discharge. Potentially, 74,374 medically discharged veterans are eligible to apply. So far, only about 3,200 have done so. [Source: Fresno Bee Michael Doyle article 13 Jan 2012 ++]

PTSD Update 86: The massacre at Ft. Hood two years ago stunned the nation in its cold-blooded calculation. The high body count was just as shocking as the fact soldiers were killed not in combat, but on the grounds of a military installation. Before the slain soldiers were buried, many in the media speculated on a link between combat stress and the shooting, the correlation being that war trauma had driven a soldier to commit those crimes. When news reports finally explained that Nidal Hasan hadn't deployed during his Army career, the narrative shifted to secondary PTSD. The thought was that his work as a psychiatrist could have caused it. The reality,

however, was that Hasan's personal beliefs about the United States and the military were among the chief motivations behind the killings. Taken together, the prevailing narrative from those early reports—intentional or not—was this: Post-traumatic stress is a strong factor in violent crimes, and anyone who has deployed to a combat zone is capable of the same.

That narrative—fairly common since John Rambo hit movie screens in 1982—bubbled to the surface once again with the killing of Park Ranger Margaret Anderson on January 1st by Benjamin Colton Barnes, a 24 year-old Iraq Veteran. Within hours of the Rainier shooting, journalists and writers clamored to mention Barnes' war record, combat stress, and even his duty station in a dizzying effort to find a connection. As more information became available on Barnes, it grew clear that his troubles had little to do with his service in Iraq or his assignment at Joint Base Lewis-McChord. According to The Seattle Times, Barnes was apparently disturbed before he entered the Army—having been expelled from school as a teenager. Additionally, military records show Barnes served in a headquarters communications job in Iraq. A spokesman at Lewis-McChord told the Times there was no record of Barnes having received a Combat Action Badge, indicating he probably never came under fire in Iraq.

While violence is undoubtedly a potential consequence of war-related trauma, highly publicized crimes by active duty members and Veterans cast the overwhelming majority of law abiding Vets in a horrifying—and typically unfair—light. As one Army officer pointed out recently, sensational stories devoid of context (like those about Barnes) inhibit the ability for people to assess likelihood and frequency in a given population. He cites the availability heuristic, which says people “predict the frequency of an event, or a proportion within a population, based on how easily an example can be brought to mind.” VA clinical psychologist Dr. Sonja Batten said that “despite this image in pop culture of the dangerous, unstable Veteran, there is no direct, causal link between combat-related PTSD and the type of violence shown at Mt. Rainier. Although PTSD is associated with increased anger and irritability in some individuals—whether civilians or Veterans—this sort of negative portrayal of Veterans is unfair and does a disservice to those individuals who have served our country. We work every day in VA to dispel these negative and inaccurate stereotypes.” In other words, the misguided and incorrect correlation between military service and violent crimes like murder can lead to damaging stereotypes that can inhibit the success of Vets once they leave the military. The Texas Veterans Commission says some employers have reservations about hiring Veterans because they may show signs of post-traumatic signs in the workplace. Hiring managers may think they're getting a Travis Bickle instead of a “Sully” Sullenberger.

In an MSNBC article about the Mt. Rainier shooting, reporter Alex Johnson connected Barnes to the “deeply troubled base” of Joint Base Lewis-McChord. While he later walked the piece back, his original reporting joined the media-constructed narrative that JBLM is in crisis without offering a valid explanation why. There were no mentions of inadequate mental health services or of a distinct culture of the base that would indicate a trend of violence—only some data showing that violent incidents happen there and in the surrounding communities. But Johnson made no mention that those who murder are overwhelmingly men between 15-30 years old, and that men make up 92 percent of the U.S. Veteran population. If you accept that folks in the military represent a cross section of society, it will always attract the best and the worst our nation has to offer, from Sal Giunta to Benjamin Barnes. That simple reality didn't jive with Johnson, whose angle wasn't helped by the fact that, despite problems with violence around the base, Veterans in general are incarcerated at half the rate of non-Vets. To his credit, Johnson published an update with a warning from Brandon Friedman, a combat Veteran. Friedman cautioned against linking post-traumatic stress to Barnes' behavior before facts were established, adding that “having PTSD doesn't signify a propensity to murder Americans.”

We must confront the serious issues of mental health that affect those who served. Post-traumatic stress is one of the most common subjects on this blog—and one of the most vital aspects of VA's presence online has been connecting Veterans in crisis with support services. At the same time, Veterans, the public, and the media must do two things.

- First, we must step out of the feedback loop that both feeds and informs the stereotype of the broken, mentally unstable Vet. The damaging caricature proved to be difficult for Vietnam Vets to overcome. And with a new generation coming home from Iraq and Afghanistan, history will repeat itself until we take a moment and realize that faulty assumptions are dangerous and that anecdotal, sensationalist conclusions are designed to help sell newspapers and generate hits rather than responsibly inform.
- Second, we must overcome the availability heuristic by keeping perspective on the prevalence of post-traumatic stress and, more importantly, violence committed by those who experience it. A 2008 RAND study estimated that 18.5 percent of Iraq and Afghanistan Veterans have symptoms of post-traumatic stress or major depression. But the vast majority of folks with post-traumatic stress recover successfully with support from family, friends, community, and effective treatment. PTSD and other mental health issues don't just lead to challenges, but also to post-traumatic growth for many people. And that's a story that needs to be told more often.

There are serious mental health consequences that could stem from military service. Veterans can have post-traumatic stress from serving in the line of fire or other non-combat experiences. A surgeon inside the wire who deals with horrible injuries or a mechanic who withstands daily mortar strikes can be just as susceptible as any infantryman. A recruit could even be subject to PTSD in the event of military sexual trauma. The rush to connect Barnes' wartime service to his horrific crime makes for good drama but bad journalism. We do a disservice to those who suffer from those problems—as well as those who do not. Our communities need the experience and skills Veterans bring now more than ever before. But before that happens, we must chase away the lurid cloud of stereotypes and conjecture that hang over Veterans as they try to find their way after war. If you feel you might be struggling with post-traumatic stress, visit the PTSD resource directory <http://www.ptsd.va.gov/public/index.asp> for information on symptoms, treatments, issues specific to female Veterans, and more. For immediate help, call the Veterans Crisis Line at 1-800-273-8255. It's open 7/24 along with online chat at <http://veteranscrisisline.net/>. If you prefer text messaging, send a message to 838255. [Source: Vantage Point Alex Horton article 6 Jan 2012 ++]

VA RTLS Update 01: The Veterans Affairs Department still intends to use its planned \$550 million Real-Time Location System (RTLS) to track hospital staff with electronic tags and said it will have the support of labor union partners, according to the final request for proposals released 6 JAN. Susan Anderson, president of the National Association of Government Employees local at the Martinsburg, W. Va., Veterans Affairs hospital and a member of the labor-management VA National Partnership Council, scoffed at this language in the RFP. "Management gets very delusional at times. NAGE will never support tracking members," Anderson said in an email to Nextgov. NAGE has not had any in-depth discussions with management on RTLS since last summer and the unions have requested that the subject be placed the agenda next week during the union's quarterly meeting with the department Jan.17-19, Anderson said. VA did not respond to a query sent 10 JAN for comment.

VA plans to use the Wi-Fi system installed in its 152 medical centers augmented with ultrasound and infrared technology to track people and objects equipped with wireless tags. The system has an accuracy of 1 meter. Among other things, VA wants to increase staff productivity with the new system. The department plans to deploy 80,000 tags in each hospital and 3,000 tags in each of its seven mail-order pharmacies, which collectively processed 107 million prescriptions in 2010. Hospital staff will wear tracking tags on their badges. VA said, "care delivery and process flows can be improved upon through the use of real-time data and back-end analytics that track the location and movement of hospital staff and patients." Department officials also intend to use RTLS to track a variety of equipment in hospitals, including surgical equipment, to help determine whether it has been sterilized. In June 2009, the department's inspector general reported that VA hospitals in Georgia and Florida failed to properly sterilize endoscopes before reuse for colonoscopies, potentially exposing thousands of veterans to HIV and other infections.

VA said RTLS will be so accurate it can identify each instrument placed on surgical trays used by doctors for an operation. Anderson said RTLS "seems like a great tool" for tracking equipment. [Source: NextGov.com Bob Brewin article 13 Jan 2012 ++]

What My Family Should Know: Although many of us are efficient in our daily lives and keep meticulous records in our professions, most of us leave inadequate and incomplete records of our economic and personal affairs when we die. When and how your benefits will be paid and how your estate will be settled are many questions that must be answered. The guide "**What My Family Should Know**" included as an attachment to this Bulletin has been compiled to help you record the necessary facts for your family, your attorney and your executor. It is suggested you complete this record and store it in a safe place so it will be available for possible revisions by you and later use by your family. It is not recommended that you keep this guide in your safety deposit box since most are sealed after death. [Source: Bastrop County TX Veterans Service Officer Newsletter Jan 2012 ++]

WWII Vets Update 12: World War II veteran Ralph Neal of South Knoxville had a story to tell. But like many from the Greatest Generation, known for their humble ways and reluctance to recount the horrors of war, it took the 87-year-old Neal most of his life to get the words out. On Christmas Eve, Ralph Neal presented his son, Randy Neal, with a mysterious silver ring. With the ring came a compelling story that a father had long kept secret from his son as well as daughters Janie and Pamela. A Russian soldier and silversmith forged the ring from a Belgian coin for Neal during the war. Like Neal, he was a German captive in a prisoner-of-war camp. The ring is symbolic of Neal's riveting remembrances of love, war and the plight of the human condition during his 16 months as a POW. It also turned out to be the wedding ring he never had.



Ralph Neal talks about his experience as a World War II prisoner of war

Ralph and Doris Neal, who had known one another since the first grade in Pickett County in Middle Tennessee, were married Sept. 30, 1943. Five days later, Army draftee Ralph Neal shipped out for Europe. Doris Neal also certainly did her part. She was one of those famous "Rosie the Riveters," working in an airplane factory in Ohio, building Corsair fighters. Neal's Liberty ship was part of a massive convoy that took three weeks to reach North Africa, dodging German U-boats along the perilous journey. A member of the 141st Battalion, Neal joined up with the 36th Infantry Division in Italy on Jan. 2, 1944. Fighting soon became ferocious at the Rapido River Crossing, Mount Cassino, Italy. "We had dug foxholes, but the very first shell hit in back of me," Neal said. "It knocked me

down, knocked my rifle out of my hands, and I could tell I had been hit in my legs. My first thought was, 'Am I going to be like my dad?' " Neal's father suffered debilitating leg injuries in World War I.

Neal sustained shrapnel wounds in both of his legs, but he could walk. Other members of his unit weren't as fortunate. "The lieutenant and sergeant with our group said we might as well surrender. They said we were out of ammunition and most of our men were killed or wounded. About half of our 24 men were dead or so badly wounded they couldn't walk." Neal was shuffled among several POW camps for the next 16 months. One of his early stops was the infamous Stalag II-B camp, near Hammerstein in the northeastern part of Germany. "I found out that one of the Russian POWs could make things like rings," said Neal, whose wedding was so hurried he hadn't had a chance to exchange rings with his new bride. "I said, 'Hey, I'd like to have one of those rings.' " The Russian told Neal that steel wouldn't suffice, and that he needed a silver coin to make a ring. He found another POW who had fought in Belgium and had a Belgian silver coin. "I bought it from him," said Neal. "I gave him a candy bar, or something." It took the Russian prisoner two weeks to fashion the coin into a ring that Neal could wear. He gave the Russian, name unknown, a pack of cigarettes in return.

Months later, advancing Russian forces liberated Neal and the POWs. After finding their way through Europe, the POWs eventually found safe haven with U.S. forces in Belgium. Soon after, he was finally reunited with his wife. "I wore that thing the rest of the time I was over there. It turned out to be my wedding ring. I wore it when I came back home and wore it for several years." Neal, who was awarded a Purple Heart, lost the ring a couple of times over the years but always managed to find it. After presenting the ring to his son, Randy said, "Holding it and thinking about the guy that made it and all Dad went through. I told him it's the best (Christmas gift ever) and probably better than when they got me a bicycle when I was 6 years old," he said with a laugh." By giving the ring to his son and finally telling his story all these decades later, Ralph Neal said he's passing along a piece of history. Perhaps for Neal, it's also a symbolic letting go of some of his horrific memories. "At first I wouldn't talk to anybody about my experience," he said. "What I wanted to do was put it in the back of my mind and leave it there. It's all fog in the past, but there's not a day I don't remember something about being a POW." [Source: Knoxville News Sentinel Mike Blackerby article 30 Dec 2011 ++]

Vietnam Vets: Forty years later, Major Wilfork still can't forget the smell. The deep, pungent aroma of jungle mingling, then giving way to, the dizzying smell of death, left to simmer in a subtropical stew of heat and humidity. "People say the things they saw in Vietnam were bad," Wilfork said softly. "I promise you, that smell ... it stays with you a long time after. A long time." During his time in Vietnam, the Florida native had a job that no one else wanted: body retrieval. It was his job to bring home the bodies that might otherwise become lost in the vast jungle. "People would say, 'Man, how can you do the stuff you got to do?' " Now nearly 60, he is still as lean and wiry as the former high school quarterback who joined the Marines in the late '60s. Thirty-five years after leaving the Corps, he can still fit in his work uniform, and he treasures his "anchor and eagle" - the Marine Corps symbol attached to his service cap. "Not many people could do it. But it had to be done. It was important, it was an honor. "But it was tough - real tough. You saw things in the jungle that ... well, hell is the only way to put it."

In 1969, Wilfork graduated from Delray High School in Florida. He had hopes of attending college, even playing football. "Instead, five days after graduation, I got a letter from Uncle Sam," he said. "I was told to enlist either in the Army or Marine Corps. I was young and stupid. "I heard that the Marines didn't train soldiers: they trained warriors. And they trained us well." He toughened up at summer boot camp at Parris Island, S.C., then requested his specialized training. "I had a friend whose family ran a funeral home in Florida," Wilfork said. "That was my thinking. I figured I'd serve, get out and work with them. "First, they trained me to drive all kinds of trucks at Camp

Lejeune. I guess you never knew what sort of vehicle you'd need to get in there. Honestly, I didn't think about that part of the job. But retrieval, that was the hardest part. "And a lot of that job, you learned by doing." In 1970, Wilfork began his tour in the sprawling military base near Da Nang. Located just south of North Vietnam, it was the operations center for troops in the area. "I remember sometimes, you could see snow on the tops of the mountains," he said. "But where we were, it was hot, always July hot."



Major Wilfork

His primary job: getting up before daybreak and heading for the previous day's battlefield. The goal was to find and recover the body of every allied soldier killed. On rare occasions, they'd find someone still alive. "But most of the time, you knew what you were going to find," Wilfork said. His eyes cast down, his voice ebbed to a near-whisper. "The battlefield was going to be a dark, smelly hole, and it was filled with death. That smell just hung in the air in the morning. "Then you had to worry that Charlie (enemy forces) might not be finished there. Early morning was when they moved a lot. They were creeping like little ants in the jungle." Hospital masks, usually dabbed with vinegar, were essential. But, Wilfork noted, nothing could totally hide the smell. "It seeped into you, especially when you had to bring in bodies that had been out a while," he said. The bodies were taken, by truck or helicopter, to the GRP - Graves Registration Point - at Da Nang. "After we got them in, we cleaned them up and packed them for embalming. We made sure they looked as nice as possible, cleaned their fingernails and got them fresh uniforms. "Once we were finished, when everything was done, then we showered ... a long time. Some guys would drink - well, we all did. You cope as best you can."

The bodies, with accompanying paperwork, were placed in reusable aluminum "transfer cases" (never called coffins) for their trip home. The remains were sent either to Dover, Del., or Oakland, Calif., depending on the location of the next-of-kin. And Wilfork would get ready for another day among the dead in the jungle. During his tour, he went as far as Laos to recover remains. "Some days you'd wake up scared," he said. "But that kept you sharp. Every day that plane left with them. I promised that when I went home, I'd walk onto the plane." After serving, Wilfork worked as an embalmer in Florida, then South Carolina. Eventually, rheumatoid arthritis left his hands gnarled and unable to handle the often delicate work. He moved to Fayetteville to be closer to family. "If I had it to do over again, I'd have stayed in and retired," Wilfork said. "At the time, I didn't really think about it. I wanted to get on and do my thing. "When I talk to young people now, that's what I tell them. I tell them not to waste their time and the military's. If you join, make it your career. "It's strange, but I used to stop here between Camp Lejeune and Florida, getting a cup of coffee at the bus station," he said. "I don't know how many guys I sent home who came from here or Lejeune. We'd just put them on that big ol' plane to go stateside one last time." [Source: The Fayetteville Observer Chick Jacobs article 21 Jan 2012 ++]

Vet License Plates AZ: If you are serving, or have served, during peacetime or war, you qualify for a Arizona veteran license plate. When you purchase your plate \$17 of the annual \$25 special plate fee goes to the Arizona Veterans Donation Fund, which is used in many ways to help Arizona’s veteran community: health care, education, memorial cemeteries maintenance, and the State Veteran’s Home – a skilled nursing center. By law, the fund is used only for Arizona’s veteran programs and cannot be absorbed into the state’s general fund. The 25 initial application fee/ \$25 annual renewal is in addition to all applicable licensing and registration fees (\$17 is tax deductible). The following plates are available for purchase:

Type of Plate	New Plate Amount	Renewal Amount	
 <p>Available Jan 15th 2007</p>	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES) Personalized Plate additional \$25	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)	Transfer Fee = \$12
ANY RESIDENT OF ARIZONA IS ELIGIBLE TO PURCHASE THE FREEDOM PLATE!			
Freedom Plates with Handicap symbol is available with the disability symbol added to qualified applicants at no additional charge. Form #96-0104 (available online at www.azdot.gov) must be attached.			
	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES) Personalized Plate additional \$25	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)	Transfer Fee = \$12
Veterans Plates with Handicap symbol is available with the disability symbol added to qualified applicants at no additional charge. Form #96-0104 (available online at www.azdot.gov) must be attached.			
	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES) Personalized Plate	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)	Transfer Fee = \$12

	additional \$25	
New motorcycle plate now available!		
	Cost = \$0 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)	Cost = \$0 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)
	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)
 	Cost = \$25 (IN ADDITION TO ALL APPLICABLE LICENSING FEES) Personalized Plate additional \$25	Cost = \$5 (IN ADDITION TO ALL APPLICABLE LICENSING FEES) Personalized Plate additional \$25
	Cost = \$15 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)	Cost = \$5 (IN ADDITION TO ALL APPLICABLE LICENSING FEES)

Applicant must be a veteran and provide a copy of a DD214, 215, 2A, 2 (retired), 2 (reserve) or 1173; or provide an original statement of honorable service from the U.S. Department of Veterans Affairs or the Arizona Department of Veterans' Services (ADVS). The plate may be personalized for an additional \$25 initial application fee/ NO annual renewal fee for personalization. May also be issued to the spouse, parent, child, brother, or sister of an eligible person who has been issued this plate. On initial registration of a vehicle a veteran claiming an exemption must present satisfactory proof of the veterans' administration financial aid or government compensation and certificate on determination of one hundred per cent disability, as applicable. The veteran may claim and be granted an exemption and the surviving spouse may renew the registration pursuant to the terms of the exemption provided to the veteran for only one vehicle or any replacement of the vehicle owned by the veteran or the surviving spouse until the surviving spouse's remarriage or death. Fee exemptions are available to any veteran

- Residing in Arizona for a vehicle or any replacement of the vehicle acquired by financial aid from the veterans' administration pursuant to P.L. 79-663, 85-56, 85-857, 90-77, 91-666 and 93-538; 38 United States Code sections 1901 through 1988.

- For a personally owned vehicle or a veteran and another party owning a vehicle if the veteran is certified by the veterans' administration to be one hundred per cent disabled and drawing compensation on that basis. The exemption applies to a surviving spouse of the disabled veteran until the surviving spouse's remarriage or death.

To purchase a veterans license plate, call 602-234-8436 or 1-877-527-0764 or visit your local MVD office. Your initial registration will have to be done in person so you can provide proof of entitlement. You can purchase your veteran license plate via the special plate application # 96-0143 available online at <http://mvd.azdot.gov/mvd/formsandpub/mvd.asp>. For office locations refer to <http://www.azdot.gov>. Renewals can be done by phone provided your vehicle does not require emission testing, or the emission testing has already been done. You can renew the registration up to 6 months in advance. The Arizona Veteran License Plate will replace your current plate—your registration will not change and the veteran plate will become renewable at the same time as your current plate. Vehicles with a current 2-year registration require that the Arizona Veteran License Plate be purchased for two years also. [Source: <http://www.azdav.org/licenseplates> Jan 2012 ++]

Vet License Plates IL Update 01: Veterans groups have launched an effort to give retired military personnel a break on their Illinois license plate fees. Supporters of the proposal have begun collecting signatures as part of a petition drive aimed at bringing attention to the idea, which would reduce the standard plate renewal fee from \$99 annually to \$45. "It would mean a lot to all of the retired military personnel," said Thomas Wilson, a former Jacksonville AMVETS Post 100 commander who is helping coordinate the petition process. "We've gotten a lot of signatures." In addition to signatures being collected by local military organizations, the push inspired Springfield resident Harish Bhatt to create an online petition to add to the cause. As of 16 JAN, the online petition -- <https://www.petitionbuzz.com/petitions/licenseplatediscount> -- had an estimated 41 signatures. "Our veterans deserve this little token of thanks from the state of Illinois," Bhatt noted.

The state already offers low-income senior citizens a \$75 per year break on their license plate renewal fees through the Circuit Breaker program. But, not all retired military personnel qualify for that discount. The Veterans Administration estimates there are more than 787,000 veterans in Illinois. If each of them took advantage of the discount, it would reduce revenues to the Illinois Secretary of State's office by about \$42 million. In addition to Wilson, other coordinators include Wallace Jeffers, a retired Air Force veteran from Jacksonville. Anyone interested in circulating petitions can contact Jeffers at (217) 243-2870. "We're trying to gather as many signatures as possible," Jeffers said Monday. Organizers hope the General Assembly takes action on the proposal this spring. [Source: The Pantagraph Kurt Erickson article 16 Jan 2012 ++]

Veteran Support Organizations: Love of the game has inspired athletes through the ages to overcome adversity and reach new heights. But their efforts pale in comparison to that of a group of veterans determined to continue playing despite life-altering amputations. Already proven to be men of commitment by their decisions to serve their country, the members of the Wounded Warrior Amputee Softball Team will settle for nothing less than competing at or near their pre-war levels, refusing any excuses or low expectations. Made up of former troops who served in Iraq or Afghanistan, the team plays games around the country to provide support for veterans and to prove that amputation is no reason to stop pursuing one's passions. David Van Sleet, the team's manager and founder, says, "The first day that they got together, the first thing I saw was camaraderie. It started right away." All the players are either Marines or soldiers, creating a natural competition and a shared bond of service. "They're the best of friends," Van Sleet explains.

He began his journey to the team by working with a sports camp for disabled veterans held at the University of Arizona. Originally designed for wheelchair athletes, Van Sleet suggested putting together an event for veterans with amputations. In March 2011, 20 amputees attended the camp to play softball. "We had the time of our lives," Van Sleet says. When choosing whom to invite, he says he looked for young, athletic men with experience playing baseball and softball who truly wanted to compete and do well, not just enjoy a winter vacation in the sunshine. To find the participants, he worked with organizations such as the Department of Veterans Affairs and the Wounded Warrior Project. When the camp ended, he selected 15 players to form the Wounded Warrior Amputee Softball Team (WWAST), which travels around the United States to play games. For more than 30 years, Van Sleet has played softball and been an amputee. He says his original goal was to encourage the players to start participating in the sport again and move them to some kind of normalcy.

Van Sleet and all his players are volunteers, using their free time to practice and travel to games. "Basically, it's become a whole second job for me," he says. His satisfaction comes from seeing his guys gel. "They were waiting for something like this," Van Sleet explains. "They were waiting for a skilled sport to come out." To fund their dreams, the team relies on donations to offset travel and other costs. Team members are dispersed across the country, so they practice on their own, often in local leagues; once a month, they practice together. Between 11 and 13 players go on each trip during which the team typically schedules two to three games over a weekend. Despite the prosthetics sported by the team, they maintain a high level of competition. "We play only against able-bodied teams," Van Sleet says. "We only want to play able-bodied teams." He adds that the players demonstrate how, despite suffering injury and amputation and then receiving prosthetics, they mostly are back to their normal selves.

Though everyone on the team lost his limbs in the military, the message the team seeks to share has a wider scope. "It doesn't matter [if they're] veterans or regular people out in society," Van Sleet explains. "We want to make sure if you go through extensive rehabilitation and your body lets you get back on with your life and continue with the things you like to do whether it be sports or anything else." Van Sleet says the WWAST has "a real connection" with law enforcement and fire departments, as well as the military, who form many of the teams they play. The players try to engage the local community, taking time to talk to spectators after games and answer questions. Team members have a variety of amputations such as arms above and below the shoulder, hands, feet and legs, including amputations above the knee. "They've all expressed that this [WWAST] is probably one of the best things that ever happened to them," Van Sleet says. "They always wondered if they could get back on a team that wanted them for their ability and not their disability." Not only do these veterans play softball, but they also engage in a variety of other physical activities. One player missing his leg below the knee runs three to five miles a day. Yet another participates in triathlons and marathons.



Tim Horton tags out Nick Clark Matthew Kinsey plays shortstop

The message of what can be done and done well is one that the team cannot overemphasize. "Please don't feel sorry for these guys," Van Sleet states. "They joined the service for a reason. If they weren't hurt, almost everyone would probably still be in." He wants people to realize that if they are severely injured, techniques exist to help them

recover and engage in physical activities again whether through sports or different outlets. Already, Van Sleet says, the team has inspired others who have seen what the players can do and have determined to make the same strides themselves. Veterans who are interested in playing on the team can reach out through the contact page on its website. Van Sleet says, "We're always looking for more people who can compete at this level." And, of course, the team hopes people will come out to watch them. Attending the contests is free, though donations are accepted, and demand for the team is high. They were booked three weekends in a row through August and September 2011, going into those games with a six and three record. One of the games in September was held at Nationals Stadium immediately following the major league contest there. [Source: AFCRA Veterans Focus Rita Boland article Nov 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>:

- February 1, 2012. HVAC will hold a full committee hearing on "Examining VA's Pharmaceutical Prime Vendor Contract." 10:00 A.M.; 334 Cannon.
- February 2, 2012. HVAC, Subcommittee on Economic Opportunity, will hold a hearing on "Lowering the Rate of Unemployment for the National Guard." 10:00am, 334 Cannon HOB.
- February 15, 2012. The House Committee on Veterans' Affairs will hold a hearing entitled "The U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2013." 10:00 A.M.; 334 Cannon .
- February 16, 2012 (formerly February 7th). HVAC-DAMA will hold a hearing to discuss the views of NCA and VBA relating to Budget matters. 10 A.M.; 334 Cannon.
- February 28, 2012. House Committee on Veterans' Affairs and Senate Committee on Veterans' Affairs will hold a series of joint hearings to receive the legislative presentations of Veterans' Organizations - Disabled American Veterans. 2:30 P.M.; 345 Cannon
- February 29, 2012 (Formerly February 8th). The Senate Committee on Veterans' Affairs will hold a hearing entitled "The U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2013." 10:00 A.M.; 418 Russell.
- February 29, 2012. The House Appropriations Committee will hold a FY 2013 Budget hearing. 2:00 P.M.; H-140 Capitol.
- March 7, 2012. House Committee on Veterans' Affairs and Senate Committee on Veterans' Affairs will hold a series of joint hearings to receive the legislative presentations of Veterans' Organizations. 10:00 A.M.; G-50 Dirksen.
- March 14, 2012. Senate Committee on Veterans' Affairs will hold a hearing entitled "Ending Homelessness Among Veterans: VA's Progress on its Five Year Plan." (Originally scheduled February 29, 2012) 10:00 A.M.; 418 Russell.
- March 21, 2012. Joint Hearing: House Committee on Veterans' Affairs and Senate Committee on Veterans' Affairs will hold a joint hearing to receive the Legislative Presentations of the Military Order of the Purple Heart; Iraq and Afghanistan Veterans of America; Non Commissioned Officers Association; American Ex-Prisoners of War; Vietnam Veterans of America; Wounded Warrior Project; National

Association of State Directors of Veterans Affairs and Retired Enlisted Association. 10:00 A.M.; G-50 Dirksen.

- March 22, 2012. House Committee on Veterans' Affairs and Senate Committee on Veterans' Affairs will hold a series of joint hearings to receive the legislative presentations of Veterans' Organizations. 10:00 A.M.; 345 Cannon.

Saving Money: Shop around for a bank, and you'll have hundreds of different places fighting for your business. Keep this in mind as you worry about the flurry of new fees being imposed by the major banks. As Americans, we're lucky to enjoy intense competition for our banking business – which is why recent fee hikes are perplexing. But if the big banks are being stupid, no sense in you joining them. Here's what you can do...

- **Know all the fees.** Banks are required to prominently disclose them on their websites as well as at their branches. If you haven't checked in a while, be sure to look up your bank's fee schedule and ensure that they're in line with their competitors.
- **Use a smaller bank.** You've probably heard about the debit card fee increases that Bank of America and other major banks have imposed. They've been blamed on the Dodd-Frank Act, which limited the merchant fees banks can charge retailers for debit card transactions. What most stories leave out: This provision only applies to banks with more than \$10 billion in assets – essentially the top 60 banks. This leaves thousands of smaller banks and credit unions free to continue business as usual. Without these new regulations, the smaller banks have no excuse to raise their fees on debit cards.
- **Find an Internet-only bank.** Sometimes it seems like there is a branch of Citi, Chase, or BoA on every street corner. But do you really need to use a large retail bank? By saving the costs of expensive branches and their staffs, Internet banks pass on the savings. It's not uncommon to find online banks with free checking, no fees, and a low minimum balance. In fact, some even refund the ATM fees charged by other banks. You still get an ATM/debit card for deposits and withdrawals, as well as a standard checkbook. The downsides: It's hard to make large cash withdrawals, deposit coins, or receive a cashier's check. But, free from the need to use a local branch, you can select the best bank you can find, even if it's in another state.
- **Join a credit union.** Credit unions are nonprofit and community-based. Compared to the big banks, most credit unions pay higher interest on savings and charge less for loans. Their fees and interest rates on credit cards are often lower too – and many still offer free checking. If you're not eligible for a credit union through your job, use Credit Union National Association's credit union locator at <http://www.creditunion.coop/> to get a list of the nearest credit unions. Look for "community" as the type, which means you're probably eligible to join based on where you live. Also find out if they're a member of a "shared branch network" by going to <http://www.cuservicecenter.com/>. If they are, that means you can go to any other shared branch credit union or ATM in the world to conduct business just like you would at your own.
- **Use your credit card.** If you pay off your balance in full and on time, you should question using a debit card in the first place. By switching to a reward credit card, you can receive valuable cash back or loyalty points, benefit from purchase-protection policies, and enjoy a few weeks of a free loan before your payment is due. In fact, there's been speculation that these new debit card fees are designed to steer people to use credit cards. The only problem is that those who carry a balance will be better off finding a debit card without fees.
- **Other options.** Check out <https://banksimple.com/> and <http://www.perkstreet.com/main.aspx?PerkStreetCode=73100000>

[Source: MoneyTalksNews Jason Steele article 13 Oct 2011 ++]

Notes of Interest:

- **IRS.** In 2010, IRS flagged 10.6 million math and clerical errors, up from 4 million in 2005,” CNN reports. “The reason: The IRS has greatly increased its use of automated systems.”
- **Afghanistan.** Revenue from opium production soared by 133 percent last year to about \$1.4 billion, or about one-tenth of the country's GDP.
- **State of the Union.** A transcript of President Obama’s 65 minute SOTU speech is available at <http://www.whitehouse.gov/the-press-office/2012/01/24/remarks-president-state-union-address>.
- **Vet Tribute.** ESPN Monday Night Football 11/14/2011, God Bless America, Green Bay Packers, Lambeau Field, NFL, Veterans' Day Tribute. Did not air on ESPN. U2 video at <http://video.search.yahoo.com/search/video?p=monday+night+11+14+2011+at+lambeau+field>.



- **Congress.** Privately financed congressional travel jumped last year for the first time since Congress imposed what were supposed to be restrictive new rules on such trips back in 2007, when the perception of lawmakers as junketeers was on the rise. Outside groups spent at least \$5.8 million to send members and their aides on more than 1,500 trips around the world — a 75 percent surge in just one year.
- **Made in America.** The largest American-owned brewer of beer is... Yuengling, of Pottsville, Pa. Yes, this 183-year-old brewer of seven brands distributed primarily in the Southeast is now the largest U.S.-owned beer maker. Anheuser-Busch, owner of the Budweiser brand, is owned by Belgian company InBev. Miller is owned by British company SABMiller and Coors is owned by Molson, a Canadian company.
- **VA Claim Backlog.** On the report dated January 14, 2012, there were 885,409 claims for compensation and pension entitlement.
- **Supreme Court.** The justices decided unanimously 23 JAN that police must have a search warrant before using GPS technology to track criminal suspects — a potentially landmark ruling in favor of preserving some measure of personal privacy in the digital age.
- **TRICARE.** General exercise programs, even if recommended by a physician and regardless of whether or not the exercise programs are given by an authorized provider are not covered by TRICARE. In addition,

exercise equipment, spas, whirlpools, hot tubs, swimming pools, health club memberships or other such charges or items are also not covered by TRICARE.

- **Arlington National Cemetery.** At a Senate hearing 25 JAN, cemetery Executive Director Kathryn Condon estimated that more than 400,000 people are now interred there, a figure that is 20 percent more than previous estimates of about 330,000.
- **COLA Applied.** On 1 JAN the 3.6% COLA increase has been applied to the VA's compensation and pension benefit. The full rates for all effected programs are available on the Internet at: <http://www.vba.va.gov/bln/21/Rates/#BM01> or you can call the VA at 1-800-827-1000.
- **Iraq Veteran's Parade.** On 28 JAN St. Louis held the nation's first Welcome Home parade for Iraq War veterans. Mayor Michael Bloomberg says there will be no New York city parade for Iraq War veterans in the foreseeable future because of objections voiced by military officials.
- **National Salute to Veteran Patients.** This program encourages all Americans to visit and volunteer at VA medical centers and to send letters of thanks or valentines to those who have protected our nation. This year's national salute is Feb. 12-18. Last year, more than 328,000 valentines were received at VA medical centers, and 21,330 people visited nearly 70,000 veteran patients. For information regarding volunteer opportunities at a local VA medical center, refer to the VA Voluntary Service webpage <http://www.volunteer.va.gov/>.

Medicare Fraud Update 84:



- **Eire PA** - A former northwestern Pennsylvania cardiologist says in a lawsuit a hospital improperly paid doctors who performed unnecessary procedures on patients, including two who died. The suit filed this month by Dr. Tullio Emanuele also says doctors at a cardiology practice in Erie performed unnecessary angioplasty procedures then overbilled Medicare. According to the suit Harmot Medical Center had sham contracts with doctors at Medicor Associates that amounted to kickbacks in exchange for referrals. The suit alleges two patients died as a result of unnecessary surgeries and could have been treated with medication. Emanuele is suing under federal whistleblower rules. UPMC took over Harmot last year. A health system official said it does not comment on pending litigation. A spokeswoman also declined to comment on behalf of Medicor.
- **Detroit MI** - Four individuals pleaded guilty for their roles in a \$14 million Medicare fraud scheme. In a separate case, the owner of a Detroit psychotherapy clinic also pleaded guilty today for his role in a \$3 million Medicare fraud scheme. Curtis Mallory, 38, Theodore Haile, 33, Maira Suleman, 31, and John Thomas, 33, each pleaded guilty 20 JAN to one count of conspiracy to commit health care fraud. Gerald R.

Funderburg Jr., 32, pleaded to one count of health care fraud. Mallory, Haile, Suleman and Thomas participated in a fraud scheme at two Oakland County, Mich., home health agencies, Patient Choice Home Care Inc. and All American Home Care Inc. Mallory and Haile were patient recruiters for the home health agencies and admitted to paying kickbacks to Medicare beneficiaries in exchange for the beneficiaries' Medicare information and signatures on therapy documents. The owners and operators of Patient Choice and All American paid Mallory and Haile for each patient they recruited, and then billed Medicare for physical therapy services that were medically unnecessary and never provided. Thomas was a physical therapist for Patient Choice and All American and admitted that he was paid to fabricate therapy documents at the home health agencies for patients who did not receive and/or did not need the services billed by the agencies to Medicare. Suleman was the office manager at Patient Choice. Suleman admitted that she oversaw data entry at Patient Choice and designed various systems to facilitate the entry of false billing data into electronic databases used to bill Medicare. Suleman also admitted that she worked with recruiters and physical therapists to collect and maintain pre-signed visit forms used by the therapists to fabricate false therapy visit documents. In the separate case against Funderburg, from November 2006 to April 2011, he knowingly used the Medicare information of approximately 476 beneficiaries, without their consent, to bill Medicare for psychotherapy services purportedly rendered by his company. These services were medically unnecessary and/or were never provided. To implement the scheme, Funderburg admitted that he obtained the Medicare information of licensed social workers without their knowledge and used this information at FCCS to claim that these social workers provided individual and group psychotherapy sessions. Funderburg admitted that he caused FCCS to submit approximately 4,658 claims to Medicare, totaling approximately \$3.3 million, for psychotherapy and related services that were not provided and/or were not medically necessary.

- **Miami FL** - Jorge Pineiro, 42, pleaded guilty 24 JAN to one count of conspiracy to commit health care fraud for his participation in a \$25 million home health Medicare fraud scheme. Pineiro was originally charged in a FEB 2011 indictment. Pineiro was a registered nurse who worked for ABC Home Health Care Inc. and Florida Home Health Care Providers Inc., two Miami home health care agencies that purported to provide home health and therapy services to Medicare beneficiaries. Pineiro and his co-conspirators operated ABC and Florida Home Health for the purpose of billing Medicare for expensive services that were not medically necessary and/or were never provided. The medically unnecessary services were prescribed by doctors, including, but not limited to, Pineiro's co-defendant, Dr. Jose Nunez. Beginning in JUN 08, and continuing until MAR 09, Pineiro and his co-defendant nurses falsified patient files for Medicare beneficiaries to make it appear that they qualified for home health care and therapy services. Pineiro knew that the beneficiaries did not actually qualify for and did not receive the services. Pineiro and his co-defendant nurses described in nursing notes and patient files symptoms that were non-existent, such as tremors, impaired vision, weak grip and inability to walk without assistance. They included these symptoms to make it appear that the patients were unable to self-inject insulin and were homebound, thus appearing to qualify for home health care benefits under Medicare. Pineiro admitted that he knew these files were falsified so that Medicare could be billed for medically unnecessary therapy and home health-related services. As a result of Pineiro's participation in the illegal scheme, the Medicare program was billed approximately \$118,000 for purported home health care services that were not medically necessary and/or were never provided. Eighteen co-defendants, including Nunez, Licet Diaz, and Lisandra Alonso, have pleaded guilty for their roles in the fraud scheme. Nunez, Diaz, and Alonso were sentenced to 40 months, 87 months and 78 months in prison, respectively. Two remaining defendants, Dr. Francisco Gonzalez and Odalys Alvarez-Medina, are scheduled for trial on Feb. 14, 2012. An indictment is merely a charge, and defendants are presumed innocent until proven guilty.
- **Brooklyn NY** - Adedayo O. Adegboye and Olalekan Rufai, both 48, were sentenced 26 JAN to more than a year in federal prison for defrauding Medicare out of more than \$1.1 million through their former

business, First Century Medical Supply Inc. of Oklahoma City. Both men were convicted of five counts of health care fraud after a six-day trial. The Brooklyn, N.Y., residents had been accused of submitting false Medicare claims for motorized wheelchairs and accessories between 2007 and 2009 after obtaining identification numbers and other personal information from Medicare program beneficiaries. Evidence at their trial showed Adegboye and Rufai billed Medicare for some beneficiaries who did not receive a wheelchair, some who received a less expensive motorized scooter and for others who did not have a medical need for a wheelchair. First Century submitted more than \$1.1 million in fraudulent claims to Medicare, according to prosecutors. In addition to prison and they were ordered to pay nearly \$300,000 in restitution.

[Source: Fraud News Daily 15-31 Jan 2012++]

Medicaid Fraud Update 56:

- **New Bedford MA** - A former Fall River dentist has pleaded guilty to Medicaid fraud for using paper clips instead of stainless steel posts in root canals. Michael Clair is scheduled to be sentenced 30 JAN after pleading guilty last week in New Bedford Superior Court to a variety of charges, including defrauding Medicaid of \$130,000, assault and battery, illegally prescribing prescription drugs and witness intimidation. Prosecutors say the 53-year-old Clair was suspended by Medicaid in 2002, but continued to file claims from August 2003 to June 2005 by using the names of other dentists in his practice. Authorities say he used pieces of paper clips instead of stainless steel posts for root canals -- which can cause pain and even infection -- in an effort to save money.
- **Ludington MI** - Several health care professionals associated with offices in Ludington and other locations were indicted 25 JAN in an alleged Medicare and Medicaid kickback scheme. Another healthcare professional was charged in connection with the alleged scheme in state court on 24 JAN as well. Agents from the FBI raided Lakeshore Spine & Pain in Ludington taking items from the office, which was closed, and loading them into a rental truck. Babubhai Rathod, also known as "Dr. Bob," Rajesh Makwana, Raju Nakum, Lino S. Dial Jr., Niti Thakur, Andre Blair Smith and Muhammad Salman Rais are charged with conspiracy to violate the federal "Anti-Kickback" law. A ninth defendant, physician Kevin S. Witt, was arraigned in 54B District Court in East Lansing with two felony violations of providing false claims to Medicaid, a four-year felony. Michigan's Medicaid False Claims Act of 1977 makes it illegal to receive kickbacks in exchange for referring patients for treatment elsewhere. The indictment alleges that Rathod owned and operated medical clinics, outpatient rehabilitation facilities and home health care companies that paid employees and outside healthcare providers for the referral of patients, according to the news release. The kickback payments were falsely disguised as reimbursement for other purported expenses, including mileage, medical director fees, continuing medical education and contractual labor. Conspiracy to violate the Anti-Kickback statute is punishable by five years in prison, a \$250,000 fine, three years of supervised release and restitution.
- **Shreveport LA** - Dentist David Earl Reed faces prison and fines after a conviction on two counts of Medicaid fraud. Reed, 56, was barred from participating in the Medicaid program after a fraud conviction in 1992. He continued applying to participate in the program from 2006 to 2008 and was denied. In 2009, state health officials told him he would be barred from the program for at least five more years. However, from 2005 to 2007, Reed treated Medicaid patients while working for another Shreveport dentist. Reed submitted false billing claims to the program under the other dentist's provider number and received payment from Medicaid. Health providers excluded from the program can't provide any services that will be billed directly or indirectly to Medicaid. It's a crime to be employed by, have a contract with or have an ownership interest in a healthcare provider that bills Medicaid, said Louisiana Attorney General Buddy

Caldwell. Reed will be sentenced April 27. He faces up to five years in prison and fines up to \$20,000 on each fraud count.



Dr. David Earl Reed

[Source: Fraud News Daily 15-31 JAN 2012 ++]

State Veteran's Benefits: The state of Texas provides several benefits to veterans. To obtain information on these refer to the “**Veteran State Benefits TX**” 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:

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

[Source: <http://www.military.com/benefits/content/veteran-state-benefits/texas-state-veterans-benefits.html> Jan 2012 ++]

Military History: The classic Steve McQueen movie immortalized three tunnels built during WWII in the Stalag Luft III POW camp at the height of the Third Reich, 100 miles east of Berlin 70 years ago. Now astonished archaeologists have located a fourth called George. It has lain hidden for nearly 70 years and looks, to the untrained eye, like a building site. But this insignificant tunnel opening in the soft sand of western Poland represents one of the greatest examples of British wartime heroism. Three tunnels nicknamed Tom, Dick and Harry were constructed 30ft underground using homemade tools. While Tom was discovered and destroyed by the Germans, Dick was used for storage. The third tunnel, Harry, became the stuff of folklore on the night of March 24, 1944, when Allied prisoners gathered in hut 104 before crawling along the 100ft tunnel to a brief taste of freedom. Only three escaped; 73 were rounded up by the Germans and 50 were summarily executed. And the sensational story became the Hollywood classic, The Great Escape, starring Steve McQueen. To gain new insight into what occurred at Stalag Luft III refer

to this Bulletin's attachment titled, "**Stalag Luft III Tunnels**". [Source: ASMBA Veterans Blog reprint of Journalist, Author, and Genealogist Claudia Joseph article 19 Dec 2011 ++]

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

- Feb 01 1848 - Mexican-American War: The Treaty of Guadalupe Hidalgo is signed.
- Feb 01 1909 - U.S. troops leave Cuba after installing Jose Miguel Gomez as president.
- Feb 01 1942 - WW II: U.S. Navy conducts Marshalls-Gilberts raids, the first offensive action by the United States against Japanese forces in the Pacific Theater.
- Feb 01 1943 - WWII: The last German forces surrender to the Soviets after the Battle of Stalingrad.
- Feb 01 1945 - WWII: U.S. Rangers and Filipino guerrillas rescue 513 American survivors of the Bataan Death March.
- Feb 01 1968 - Vietnam: U.S. troops drive the North Vietnamese out of Tan Son Nhut airport in Saigon.
- Feb 02 1848 - The Treaty of Guadalupe Hidalgo formally ends the Mexican War.
- Feb 03 1904 - Colombian troops clash with U.S. Marines in Panama.
- Feb 03 1917 - WWII: The U.S. breaks off diplomatic relations with Germany a day after the former announced a new policy of unrestricted submarine warfare.
- Feb 03 1944 - WWII: Beginning of the German Army offensive against the Anzio bridgehead in Italy.
- Feb 03 1944 - WWII: United States troops capture the Marshall Islands.
- Feb 03 1944 - WWII: The United States shells the Japanese homeland for the first time at Kurile Islands.
- Feb 03 1945 - WWII: As part of Operation Thunderclap, 1,000 B-17's of the Eighth Air Force bomb Berlin.
- Feb 03 1945 - WWII: Sinking of allied troop ship Dorchester results in Congress declaring this as Four Chaplains Day.
- Feb 04 1899 - The Philippine-American War begins.
- Feb 04 1941 - WWII: The United Service Organization (USO) is created to entertain American troops.
- Feb 04 1945 - WWII: American, British and Soviet leaders meet in Yalta to discuss the war aims.
- Feb 04 1957 - The first nuclear-powered submarine, the USS Nautilus (SSN-571), logs its 60,000th nautical mile.
- Feb 05 1918 - WWI: Stephen W. Thompson shot down a German airplane. It was the first aerial victory.
- Feb 05 1945 - WWII: General Douglas MacArthur returns to Manila.
- Feb 05 1958 - A hydrogen bomb known as the Tybee Bomb is lost by the US Air Force off the coast of Savannah, Georgia, never to be recovered.
- Feb 05 1968 - Vietnam War: Battle of Khe Sanh begins.
- Feb 06 1862 - Civil War: Ulysses S. Grant gives the United States its first victory of the war, by capturing Fort Henry, Tennessee, known as the Battle of Fort Henry.
- Feb 06 1899 - Spanish-American War: The Treaty of Paris (1898), a peace treaty between the United States and Spain, is ratified by the United States Senate.
- Feb 06 1922 - The Washington Naval Treaty was signed in Washington, DC, limiting the naval armaments of United States, Britain, Japan, France, and Italy.
- Feb 06 1945 - WWII: MacArthur reports the fall of Manila, and the liberation of 5,000 prisoners
- Feb 07 1968 - Vietnam: North Vietnamese use 11 Soviet-built light tanks to overrun the U.S. Special Forces camp at Lang Vei at the end of an 18-hour long siege.
- Feb 08 1971 - Vietnam: South Vietnamese ground forces, backed by American air power, begin Operation Lam Son 719, a 17,000 man incursion into Laos that ends three weeks later in a disaster.
- Feb 09 1775- Revolutionary War: British Parliament declares Massachusetts in rebellion.

- Feb 09 1943 - WWII: Allied authorities declare Guadalcanal secure after Imperial Japan evacuates its remaining forces from the island, ending the Battle of Guadalcanal.
- Feb 09 1965 - Vietnam: The first United States combat troops are sent to South Vietnam.
- Feb 10 1763 - French and Indian War: The 1763 Treaty of Paris ends the war and France cedes Quebec to Great Britain.
- Feb 10 1954 - President Dwight Eisenhower warns against United States intervention in Vietnam.
- Feb 11 1938 - Japan refuses to reveal naval data requested by the U.S. and Britain.
- Feb 11 1942 - WWII: The Battle of Bukit Timah is fought in Singapore.
- Feb 11 1943 - WWII: General Dwight Eisenhower is selected to command the allied armies in Europe.
- Feb 11 1973 - Vietnam: First release of American prisoners of war from Vietnam takes place.
- Feb 12 1946 - WWII: Operation Deadlight ends after scuttling 121 of 154 captured U-boats.
- Feb 12 1951 - Korea: U.N. forces push north across the 38th parallel for the second time
- Feb 13 1991 - Gulf War: Two laser-guided "smart bombs" destroy a bunker in Baghdad. It was being used as a military communications outpost and unknown to allied forces, as a shelter for Iraqi civilians.
- Feb 14 1912 - In Groton, Connecticut, the first diesel-powered submarine is commissioned.
- Feb 14 1945 - WWII: 800 Allied aircraft firebomb the German city of Dresden. Smaller follow-up bombing raids last until April with a total death toll of between 35,000 to 130,000 civilians
- Feb 14 1979 - Armed guerrillas attack the U.S. embassy in Tehran.

[Source: Various Jan 2011 ++]

Military Trivia 44: See if you can answer the following about WWII American Special Forces:

1. In which year was the Airborne program introduced? 1932 | 1915 | 1940 | 1955
2. The newly formed 'Rangers' were named as such because 'Commandos' was already being used by the British.
True | False
3. 1st Special Forces, nicknamed the 'North Americans,' was an elite allied unit formed with men from the Rangers, the Airborne and the British SAS. True | False
4. Africa: Rangers and Paratroopers would first see action together in the spearhead attack on axis forces in Africa. The attack was given which codename? Sledgehammer | Torch | Roundup | Desert Fox
5. Sicily: The Airborne Forces had a terrible entry into Sicily. They were dropped all over the place! What was the cause of the poor drop?

No radar pathfinders | Poorly trained air wing (52nd Troop Carrier) | Gale force winds | All of these
6. Italy: Early German successes in protecting the Italian beachhead were pushed back by reinforcements from the Airborne divisions. The Germans fell back to a series of fortified positions known as what?

The Chiunzi Pass | Volturno River Line | Difensa Line | The Winter Line
7. Italy: The 1st Special Forces were brought in to crack the German fortifications and bust the German defenses. How did they penetrate the line?
 - Spearheading a heavy infantry attack with artillery support.
 - By scaling a mountain deemed impassible by the Germans.

- A wide flanking maneuver to attack the German rear defenses.
- A night time stealth attack through the middle of the lines.

8. The 'Triple Nickels' 555th Airborne, an attachment of the 82nd were highly trained and exceptionally motivated troops. What was the 555th's distinction?

- a) They fought on every continent at war.
- b) They were the first African-American paratroopers.
- c) They specialized in amphibious assault methods.
- d) They were a mix of Australians and Canadians.

9. D-Day: Utah beach was far less 'bloody' than Omaha due to the 82nd Airborne taking this town and the 101st holding surrounding causeways, preventing German reinforcements from reaching the beachheads.

Les Moulins | Ste. Mere-Eglise | Cherbourg | Chef du Pont

10. D-Day: Sections of Rangers had the unenviable task of securing well fortified sections between Omaha and Utah beach using amphibious landings. Where were these fortifications?

Barfleur | Pointe du Hoc | St. Lo | Valognes

11. Market Garden: The famous Airborne drop into Holland to seize roads and bridges so XXX Corps could advance quickly to Eindhoven was the idea of which general?

Gen. Matthew Ridgeway | Field Marshal Bernard Montgomery | Gen. Omar Bradley | Gen. George Patton

12. The Bulge was a massive spearhead counter attack by the Germans that cost both sides dearly. One million German troops poured into which area? Monts Focuille | Hurtgen Forest | Ardennes | Champagne

13. Why were the allies so concerned about defeating the Germans in the Hurtgen Forest when casualties were so high, when the main thrust had so much momentum further south?

- a) To give green troops combat experience.
- b) To find an alternative route around the Siegfried Line.
- c) To take control of the dams on the Roer River.
- d) To decimate the German Northern Army

14. Both the Airborne and Rangers led the advance through Germany after the Siegfried Line was broken. Elements of the 5th Rangers, 101st and the 82nd saw things that few would mention but none would forget. What were these things?

The treasures at Obersalzberg (Berchestgarten) | Concentration camps | The surrender of 150,000 German troops | Russians killing prisoners in the Baltic

15. Which elite force was first to enter Berchtesgaden, a town on the Austrian border where many of the high ranking Nazis had holiday homes, including Hitler?

The 71st Airborne | The 2nd Rangers | The 5th Rangers | The 101st Airborne

Answers

1. **1940.** The Americans saw the early success of the Soviet Airborne and especially the German Paratroopers who were dropped on specific targets in Norway and Belgium. The American Army went forward with the airborne program. A test platoon of 50 men was formed on June 25, 1940.
2. **True.** The Ranger units were actually based on the British commando units. The men were hand picked from two divisions that were already in the UK. The 1st Armored and the 34th national Guard. The Rangers were formed in the summer of 1941.
3. **False.** 1st Special Forces was a purpose designed outfit. It was made up of men who could survive in the cold outdoors - lumberjacks, game wardens, prospectors, etc. The unit was a mix of Americans and Canadians which is how they got their nickname the 'North Americans'. Their first deployment in the war was to break the winter line in Italy. More info in question 7.
4. **Torch.** Torch was a diversion that the American army didn't want. They were eager to commence the liberation of Europe. However, the British persuaded the Americans to land amphibious forces in Africa. The Brits were keen to have their Eighth Army relieved who were battle fatigued and at a stalemate.
5. **All of these.** The Airborne forces did a great job behind enemy lines even though they were badly separated. They cut German and Italian communication lines and accomplished missions that were scheduled for much larger forces. They created a sense of confusion for the enemy and kept larger forces from getting to the beachhead.
6. **The Winter Line.** By this stage of the campaign, most airborne troops had been pulled back to England for Overlord, leaving behind the 504th and the 509th. These units joined forces with Darby's Rangers and were used as heavy combat troops as the allies tried to breach the Winter Line. Casualties were enormous with little to no gain.
7. **By scaling a mountain deemed impassible by the Germans.** This was the first combat action of the 1st Special Forces and they excelled. In the cover of darkness and with a diversionary arty attack, the North Americans scaled a 70 degree slope and attacked German positions on the mountain top. A few days later they crossed a saddle and defeated the Germans on a second mountain top and the Winter Line was cracked.
8. **They were the first African-American paratroopers.** Do to racial segregation, the 555th trained harder than any Airborne company in order to prove to their white counterparts and themselves that they were capable Airborne soldiers. Their contribution to the war effort was considerable. The Japanese were floating incendiary balloons over North America in order to create fires. The government was keen to keep a lid on the threat and the 555th were deployed to jump on the resulting fires at exceptional risk. They excelled in their duty and clocked up over 1200 jumps. The men marched with and were awarded the same battle field decorations as the 82nd.
9. **Ste. Mere-Eglise.** Again the Airborne drop was a disaster and few units were dropped near their targets. With Paratroopers everywhere in Normandy, the Germans were very confused as to where to focus their attacks. The Paratroopers cut communications and did exceptionally well to meet their main objectives.
10. **Pointe du Hoc.** The Rangers suffered massive casualties from machine gun and mortar fire from the well protected cliff top fortifications. Their objective was to remove the threat of artillery that was believed to be placed on the cliff top. After taking the high ground it was discovered that the arty had been moved inland. A small group of Rangers moved inland, found the artillery and destroyed the breech blocks thus preventing further landing casualties. The Rangers were awarded the Presidential Unit Citation for their actions on the beach head.

11. **Field Marshal Bernard Montgomery.** Every year a runner brings a torch from Normandy to Eindhoven to commemorate Liberation Day. Many veterans from the 101st have returned to march in the Liberation Parade over the past 50 years.

12. **Ardennes.** As the Airborne units were currently in reserve, they were deployed quickly into some crucial areas of the bulge and cut the German advance to Antwerp. They came up against some of the most proficient- crack troops of the German Army and held fast preventing a further German breakout.

13. **To take control of the dams on the Roer River.** While 'no good reason' is true in hindsight, there was a huge risk of the Germans flooding the areas adjacent to the Roer and Rhine Rivers and literally washing away the advancing allies. The Rangers fought hard and at great loss to take Castle Hill (Hill 400) which was crucial for the relieving 517th Airborne force to launch a diversionary attack from. They kept the Germans busy while the 78th took the dams. The Germans still blew the Dam valves and flooded the Roer Valley delaying the Allies 2 weeks.

14. **Concentration camps.** The shock of stumbling across the horrors of the Nazi concentration camps was a lot for these men to handle. They thought that no one would believe them if they told the story, so most men didn't say anything about the camps to the folks back home. Maybe the memory was one that they just could not relive. The soldiers offered what rations they had to the human skeletons they found alive only to see them die before them as their fragile bodies could not handle the food. Mass pits with thousands of bodies, it was too much.

15. **The 101st Airborne.** The contribution made by Ranger and Airborne divisions was considerable, as was the horrific casualty rate they experienced. These soldiers returned to America and became the most highly educated and successful of all combatants.

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

Tax Burden for Louisiana 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 Louisiana:

Sales Taxes

State Sales Tax: 4%; 3.8% for electricity, water utility services and steam; Interstate telecommunication services are taxable at 2%. Political subdivisions also levy their own sales tax that could bring the total to 10.75%. Food, drugs, wheelchairs and prosthetic devices are taxed locally.

Gasoline Tax: 20 cents/gallon

Diesel Fuel Tax: 20 cents/gallon

Cigarette Tax: 36 cents/pack of 20

Personal Income Taxes

Tax Rate Range: Low - 2%; High - 6%

Income Brackets: Three. Lowest - \$12,500; Highest - \$50,000. (For joint returns, the taxes are twice the tax imposed on half the income.)

Personal Exemptions: Single - \$4,500; Married - \$9,000; Dependents - \$1,000; 65 and older - \$1,000. (Combined personal exemption and standard deduction.)

Standard Deduction: Included in personal exemptions

Medical/Dental Deduction: Federal amount

Federal Income Tax Deduction: Full

Retirement Income Taxes: Persons 65 years or older may exclude up to \$6,000 of annual retirement income from their taxable income. Taxpayers that are married filing jointly and are both age 65 or older can each exclude up to \$6,000 of annual retirement income. If only one spouse has retirement income, the exclusion is limited to \$6,000. Federal retirement benefits received by federal retirees, both military and nonmilitary, may be excluded from Louisiana taxable income. Individuals receiving benefits from certain retirement systems (shown when you click the link) are allowed to exclude those benefits from their Louisiana tax-table income. In addition, deferred income from the municipal and state police employee's retirement is exempt from state income tax. For details refer to <http://www.rev.state.la.us/sections/FAQ/default.aspx?type=GEN&cat=PER#faq-277>.

Retired Military Pay: Not taxed.

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

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

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

Property Taxes

Taxes are assessed and collected at the local level -- 64 parishes and 7 municipal districts. The Louisiana State Tax Commission has a regulatory role regarding property assessments. Property assessments are based on 10% of the fair market value of the property. Homeowners receive a homestead exemption in the amount of \$7,500.

Exemption is applied against the assessed value of the home which is equal to 10% of the fair market value.

Therefore, only homes with a market value over \$75,000 would be subject to the parish (county) property tax.

However, this exemption does not generally apply to municipal taxes.

A Special Assessment applies to the homestead of persons who are 65 years of age and older if the adjusted gross household income is below a certain level. For the tax year 2006, that level was \$58,531. The level may change from year to year, so it is advisable to check with the assessor's office to determine whether you qualify. This special assessment will freeze the assessed value of the homestead for as long as the applicant owns and resides in the home and income does not exceed the maximum allowed. It will be lost if improvements in excess of 25% of the home's value are added. Call 225-925-7830 for details.

Inheritance and Estate Taxes

Effective January 1, 2008, the inheritance tax is not applicable to deaths that occur after June 30, 2004. See Acts 2008, No. 822 at <http://www.legis.state.la.us/lss/lss.asp?doc=285580> Louisiana does levy an estate transfer tax. Revised Statute 47.2436 (<http://www.legis.state.la.us/lss/lss.asp?doc=101637>) requires that an estate transfer tax return be filed by or on behalf of the heirs or legatees in every case where estate transfer tax is due or where the value of the deceased's net estate is \$60,000.000 or more.

For further information, visit the Louisiana Department of Revenue site <http://www.rev.state.la.us/> or call 255-219-0102. Additional information can be found at the Louisiana Tax Commission site <http://www.latax.state.la.us/> .

[Source: www.retirementliving.com Feb 2012 ++]

Veteran Legislation Status 28 JAN 2012: 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? How kids perceive Grandparents

1. She was in the bathroom, putting on her makeup, under the watchful eyes of her young granddaughter, as she'd done many times before. After she applied her lipstick and started to leave, the little one said, "But Grandma, you forgot to kiss the toilet paper good-bye!" I will probably never put lipstick on again without thinking about kissing the toilet paper good-bye....
2. My young grandson called the other day to wish me Happy Birthday. He asked me how old I was, and I told him, 62. My grandson was quiet for a moment, and then he asked, "Did you start at 1?"
3. After putting her grandchildren to bed, a grandmother changed into old slacks and a droopy blouse, took her teeth out and proceeded to wash her hair. As she heard the children getting more and more rambunctious, her patience grew thin. Finally, she threw a towel around her head and stormed into their room, putting them back to bed with stern warnings. As she left the room, she heard the three-year-old say with a trembling voice, "Who was THAT?"
4. A grandmother was telling her little granddaughter what her own childhood was like. "We used to skate outside on a pond. I had a swing made from a tire; it hung from a tree in our front yard. We rode our pony. We picked wild raspberries in the woods."
The little girl was wide-eyed, taking this all in. At last she said, "I sure wish I'd gotten to know you sooner!"
5. My grandson was visiting one day when he asked, "Grandma, do you know how you and God are alike?" I mentally polished my halo and I said, "No, how are we alike?" "You're both old," he replied.
6. A little girl was diligently pounding away on her grandfather's word processor. She told him she was writing a story. "What's it about?" he asked.
"I don't know," she replied. "I can't read."

7. I didn't know if my granddaughter had learned her colors yet, so I decided to test her. I would point out something and ask what color it was. She would tell me and was always correct. It was fun for me, so I continued. At last, she headed for the door, saying, "Grandma, I think you should try to figure out some of these colors yourself!"

8. When my grandson Billy and I entered our vacation cabin, we kept the lights off until we were inside to keep from attracting pesky insects. Still, a few fireflies followed us in. Noticing them before I did, Billy whispered, "It's no use Grandpa. Now the mosquitoes are coming after us with flashlights."

9. When my grandson asked me how old I was, I teasingly replied, "I'm not sure." "Look in your underwear, Grandpa," he advised "Mine says I'm 4 to 6."

10. A second grader came home from school and said to her grandmother, "Grandma, guess what? We learned how to make babies today." The grandmother, more than a little surprised, tried to keep her cool. "That's interesting," she said. "How do you make babies?"

"It's simple," replied the girl. "You just change 'y' to 'i' and add 'es'."

11. Children's Logic: "Give me a sentence about a public servant," said a teacher. The small boy wrote: "The fireman came down the ladder pregnant." The teacher took the lad aside to correct him. "Don't you know what pregnant means?" she asked. "Sure," said the young boy confidently. "It means carrying a child."

12. A grandfather was delivering his grandchildren to their home one day when a fire truck zoomed past. Sitting in the front seat of the fire truck was a Dalmatian dog.

The children started discussing the dog's duties. "They use him to keep crowds back," said one child.

"No," said another. "He's just for good luck."

A third child brought the argument to a close. "They use the dogs," she said firmly, "to find the fire hydrants."

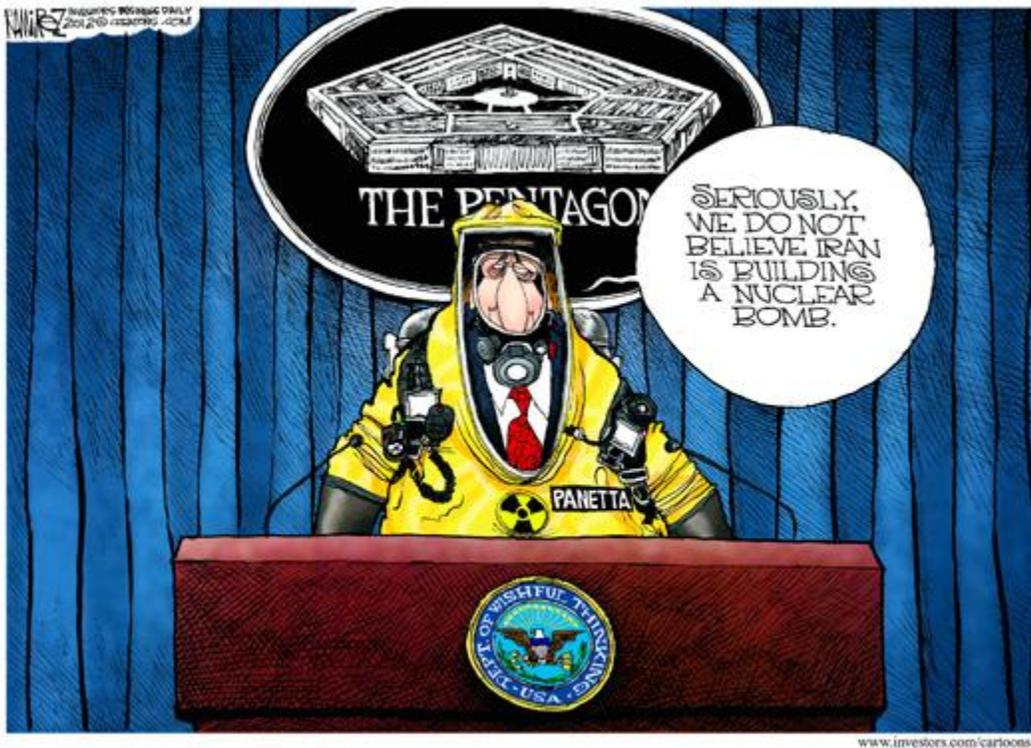
13. A 6-year-old was asked where his grandma lived. "Oh," he said, "she lives at the airport, and when we want her, we just go get her. Then, when we're done having her visit, we take her back to the airport."

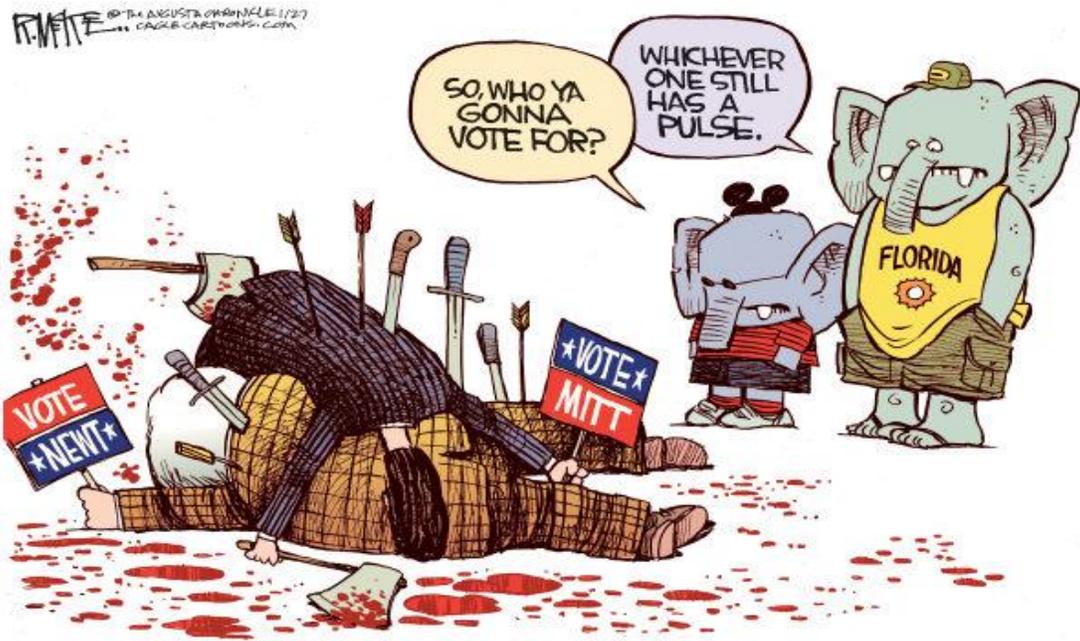
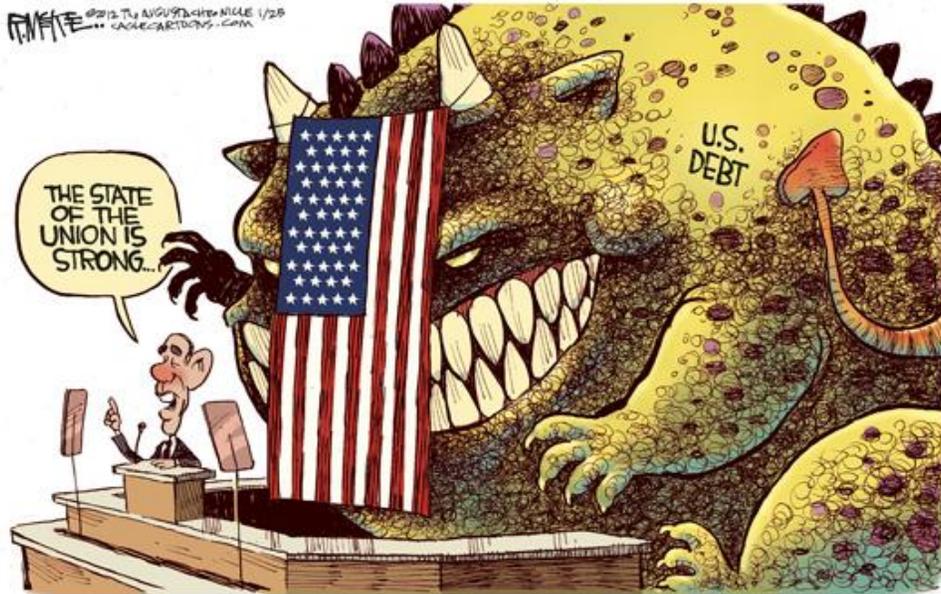
14. Grandpa is the smartest man on earth! He teaches me good things, but I don't get to see him enough to get as smart as him!

15. My Grandparents are funny, when they bend over, you hear gas leaks and they blame their dog.

REAR, n. In American military matters, that exposed part of the army that is nearest to Congress.

— [Ambrose Bierce, The Devil's Dictionary](#)





FAIR USE NOTICE: This newsletter contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available in an effort to advance understanding of veterans' issues. We believe this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, the material in this newsletter is distributed without profit to those who have expressed an interest in receiving the included information for educating themselves on veteran issues so they can better communicate with their legislators on issues affecting them. For more information go to: <http://www.law.cornell.edu/uscode/17/107.shtml>. If you wish to use copyrighted material from this newsletter for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.

Lt. James "EMO" Tichacek, USN (Ret)

Associate Director, Retiree Assistance Office, U.S. Embassy Warden & IRS VITA Baguio City RP
PSC 517 Box RCB, FPO AP 96517

Tel: (951) 238-1246 in U.S. or Cell: 0915-361-3503 in the Philippines.

Email: raoemo@sbcglobal.net Web: http://post_119_gulfport_ms.tripod.com/rao1.html

AL/AMVETS/DAV/NAUS/NCOA/MOAA/USDR/VFW/VVA/CG33/DD890/AD37/TSCL member

BULLETIN SUBSCRIPTION NOTES:

To aid in continued Bulletin receipt recommend enter the email addree raoemo@sbcglobal.net into your address book to reduce the possibility of future Bulletins being blocked as spam. In the event that you do not receive a future Bulletin by the 2nd or 16th of the month, before sending me an email first check the website <http://s11.zetaboards.com/CFLNewsChat/forum/27519/> under Pined topics. There you can open a PDF attachment of the last Bulletin sent that contains everything you would normally receive in the PDF email edition I send out. If you can, it indicates that your server must have prevented you from receiving the Bulletin message I sent to you because it considers it to be SPAM. Most likely because of its size. In that case you need to call your server and ask what you have to do to receive the Bulletin through their service. If unsuccessful, let me know for further guidance.

You can also check <http://www.veteransresources.org/rao-bulletin/> which contains a Website edition of the last Bulletin with Word attachments or the American Legion Gulfport MS Post 119 http://post_119_gulfport_ms.tripod.com/rao1.html site which contains a Text edition of all the Bulletins sent in the last year (no photos, color/font highlighting, or attachments) plus an alphabetical listing of article titles posted in the last 5 years which are available for recall upon request. Bear in mind that the articles listed at these sites were valid at the time they were written and may have since been updated or become outdated.

== To subscribe first add the RAO email addree raoemo@sbcglobal.net to your address book and/or white list and then provide to this addree your full name plus either the post/branch/chapter number of the fraternal military/government organization you are currently affiliated with (if any) "AND/OR" the city and state/country you reside in so your addree can be properly positioned in the directory for future recovery. Subscription is open to all veterans, dependents, and military/veteran support organizations. AOL users will have to provide a non-AOL email addree to receive the Bulletin at because of their spam filters and policies. This Bulletin was sent to 85,049 subscribers.

== To automatically change your email addree or Unsubscribe from Bulletin distribution click the below highlighted "Change address / Leave mailing list" tab.

== To manually submit a change of email addree provide your old and new email addree plus full name.

Warning: If you Forward this Bulletin to Someone Else:

Delete the end-paragraph of the Bulletin before you forward it to others. The end-paragraph following this Note is required by law and offers the recipient an opportunity to "unsubscribe," if they choose to. However, the "unsubscribe" portion contains your email address and whoever receives your re-distribution has the opportunity, whether purposely or inadvertently, to end your vice their future receipt of the RAO Bulletin newsletter.