

RAO BULLETIN

15 October 2012

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Vet Lawsuit ~ KBR: A war contractor knew a critical southern Iraq oilfield plant was riddled with a well-known toxin but ignored the risk to soldiers while hurrying the project along, firing a whistleblower and covering up the presence of the chemical when faced with exposure, the soldiers' attorney said in opening arguments 10 OCT in a federal civil suit. An attorney for the contractor, Kellogg, Brown and Root, fired back in his opening salvo of a trial expected to last weeks that the soldiers' injuries weren't a result of their exposure to the toxin, called sodium dichromate. Geoffrey L. Harrison argued that the company had no knowledge of the chemical's presence at the plant and when they found it, they promptly and repeatedly warned the military of the danger.

A jury of six men and six women will decide whether the company is culpable for 12 Oregon National Guardsmen's exposure to the toxin, a known carcinogen, and whether that exposure led to their ongoing respiratory illnesses. The soldiers will also try to show that the fear of future illnesses is causing them to suffer emotional distress. The irony, said the soldiers' attorney, Mike Doyle, "is that every single one of these men had a chemical hazard suit they would have put on instantly if they had known." KBR tried to warn the U.S. Army about the dangers of sodium dichromate, Harrison said, but didn't go to the soldiers themselves because that wasn't the proper channel of communication. "That was appropriate," Harrison said. "That was not concealment." The suit dates to prewar Iraq, when the U.S. Army feared then-Iraqi president Saddam Hussein would react to an invasion by setting his own oil fields ablaze, as he had done in Kuwait after the Gulf War. Seeking to head off Hussein, in late 2002 the army contracted KBR and tasked them with assessing and repairing Iraqi oilfield installations. One of the most central - and critical to a continued supply of oil from the Gulf - was called Qarmat Ali.

Qarmat Ali operated as a water treatment plant, injecting heavier, treated water into the ground to force oil to rise through wells to the surface. One of the chemicals Iraqi workers had been using was sodium dichromate, a substance long restricted in the U.S. over environmental and health concerns. What the Guardsmen found in late March or early April 2003 was a run-down plant, Harrison said, looted and stripped of copper wire. The ground, the soldiers allege, was contaminated with sodium dichromate. When they asked about the risks, the soldiers contend they were rebuffed or placated, and safety equipment wasn't ordered until they had been on site for months. The soldiers returned to the U.S. suffering from myriad respiratory problems, migraines and lung issues. They sued KBR in June 2009. The Oregon soldiers were joined by Guardsmen from Indiana and West Virginia, some of whom are also involved in suits against KBR.

Harrison pointed to a U.S. Army medical evaluation of the soldiers from October 2003 that found that the soldiers' medical issues were likely a result of the conditions - dry desert air, other chemicals - or preexisting conditions, along with consumption of protein-heavy supplements and the presence of sodium dichromate. "At best, there's some possibility that some of their on-site symptoms could be related (to sodium dichromate exposure), but most likely, were not," Harrison said. Doyle said an attempt by a KBR employee in August or September 2003 to blow the whistle on the company's role in the alleged deception of the soldiers was met with the man's dismissal from the plant. Doyle said the company was seeking an incentive from the U.S. Army Corps of Engineers to finish the work quickly and would brook no complaint from employees about safety concerns. Harrison dismissed the whistleblower as a "disruptive force" at meetings who didn't know that KBR and the U.S. Army were already in talks about the toxin.

In depositions taken of senior KBR officials, Doyle points to memory "black holes" that the officials say they suffer when trying to remember events from post-invasion Iraq. "Photographs also went into a black hole," Doyle said. "E-mails went into a black hole." Harrison told the jury that Doyle's assertions about the memories of KBR executives were "little sound bites that he hopes stick with you." "Some 200 people were deposed," Harrison said. "To get one person who doesn't remember everything from 8 (or) 9 years ago is not evidence." Doyle is expected to call at least 40 witnesses, from toxicologists to engineers and the soldiers themselves. "KBR had a responsibility," Doyle said. "They were full well aware from their assessment that sodium dichromate was present. "It's no surprise that they documented it existed since Day One." [Source: Associated Press | Nigel Duara | 10 Oct 2012 ++]

DoD Lawsuit ~ Edgewood Update 06: A North Carolina's man's quest to learn how the military had experimented on him in the 1960s has turned into a class-action lawsuit for as many as 100,000 veterans the government used to test hundreds of different drugs, chemicals and biological agents over more than 50 years. U.S. District Judge Claudia Wilken in the Northern District of California last week said the case could go ahead on behalf of any current or former service members who were subjected to chemical or biological testing without their informed consent. The government has said as many as 100,000 people were used for such testing between 1922 and 1975, when the military says it halted human experimentation. The suit seeks to lift the oath of secrecy soldiers say they swore about what they went through, and asks the court to compel the government to provide the health care it promised subjects when they participated in the tests. It does not ask for monetary damages because the government is immune from most damage claims brought by military personnel. Defendants in the case are the Department of Defense, the Army, the Department of Veterans Affairs and the CIA, which worked together to plan and conduct the tests. Representative of the VA and the Defense Department each said they could not comment on ongoing litigation.

In the 1980s, the National Academies of Science determined that the tests caused no significant long-term physical harm, except in veterans exposed to larger doses of mustard gas, according to VA. In 2004, the NAS followed up and said veterans could suffer post-traumatic stress disorder as a result of "perceived exposure to biochemical warfare agents." The VA advises any veterans concerned about exposures during testing to contact their health care provider or local VA Environmental Health Coordinator. The plaintiffs in the case have uncovered documents that indicate veterans were exposed to mustard gas, Sarin, phosgene gas, Thorazine, LSD, amphetamines, barbiturates and other agents—sometimes at 10 or more times known tolerances. In response to the lawsuit, the government says the experiments did not cause long-term problems. The judge in the case said the government's own documents indicate otherwise.

Subjects volunteered for the tests, but most weren't told what they were exposed to, or what the risks were, according to the lawsuit. "This action chronicles a chilling tale of human experimentation, covert military operations, and heretofore unchecked abuses of power by our own government," the suit says. "These people were used as cannon fodder, as guinea pigs," said Gordon Erspamer of Morrison & Foerster, a San Francisco law firm that brought the suit in January 2009 on behalf of several veterans and two organizations: Vietnam Veterans of America and Swords to Plowshares. Since the testing ended, Erspamer says, the agencies involved have resisted Congressional instructions to find the people it tested and notify them that they may have ongoing problems associated with the tests. "The government looks at them this way: 'It's not in our interest to try to find them; it's not in our interest to treat them. It's just going to cost us money,'" Erspamer said. Erspamer also has represented soldiers injured by exposure to Agent Orange and has worked on behalf of veterans who were exposed to radiation during atomic testing. He agreed to take the case of the test vets after talking to Frank D. Rochelle of Jacksonville.

Rochelle grew up in Onslow County and was drafted into the Army in 1968 at age 20. He went through boot camp at Fort Bragg and was assigned to Fort Lee in Virginia, where he soon saw notices asking for volunteers to test new military uniforms and equipment. The young private, enticed by the promise of no kitchen or guard duty for the duration of the tests, volunteered and was sent to what was then called the Edgewood Arsenal, north of Baltimore, Md. Once at Edgewood, Rochelle says, he was told some servicemen might be given the chance to test therapeutic drugs, and those who did would be given Fridays off and a medal. He says they were promised they wouldn't be harmed, that the drugs were risk-free and would be given at normal doses. Rochelle signed up. In one experiment, he says, he got one breath of an aerosol chemical so potent that he immediately had trouble breathing and seeing. He felt dizzy and nauseous, he says, and felt as if his legs were "falling through the floor." He recalls being carried out of the room, and said, "I stayed high for two days." During that episode, Rochelle hallucinated that animals were coming out of the walls. He thought his freckles were bugs moving under his skin and used a razor to try to cut them out.

Before Rochelle left Edgewood, he says, he was told never to discuss his experiences there with anyone. He returned to Fort Lee and later served in Vietnam before getting out of the Army in 1970. A few years ago, Rochelle was having some health and psychological problems he couldn't explain, including high blood pressure, memory loss, eye problems and PTSD-type symptoms including nervousness, sudden bursts of anger, and problems sleeping. At the time, Rochelle was still working in a civilian job at Camp Lejeune. He has since retired. "I started thinking, 'What has happened in my life that could be causing this?'" Rochelle said. "I started thinking about those tests and I realized I knew nothing about the types of drugs I had taken." Eventually, Rochelle, now 64, got his military medical records, which included information about his time at Edgewood. He now believes some of his current problems are related to a high dose of a drug he was given with properties similar to atropine, which works on the nervous system, and another drug, a powerful synthetic analogue of THC, the active component of cannabis.

Roughly 7,600 service members were used in experiments at Edgewood, and thousands more in testing done elsewhere, according to the lawsuit. Erspamer says Rochelle is one of a rare few who have been able to get the VA to treat him for problems he believes are related to his time at Edgewood. Most are turned down because of the government's position that the substances given in the experiments had no harmful effects. The whole purpose of many of the tests, Erspamer says, was to determine what doses of different drugs, chemicals or biological agents could be administered without causing death. During the Cold War years, especially, the government was searching for substances that could be used to get spies to talk during interrogations, that could incapacitate large numbers of people without killing them, allow them to be hypnotized, confuse them, lower their productivity, paralyze them or have other effects. Like other veterans, Erspamer says, Rochelle was reluctant to tell even his own doctor that he had been involved in the tests because he had been instructed never to discuss them. Some wouldn't even tell the VA. The case is scheduled to go to trial in San Francisco next summer. [Source: The Raleigh News & Observer | Martha Quillin | 11 Oct 2012 ++]

DoD Sexual Abuse Update 03: Advocates, victims and members of Congress have been calling for change in the way the military deals with sexual assault since at least 1991, when 83 women reported being sexually assaulted by Navy and Marine Corps aviators at the annual Tailhook convention. And some things have changed. Each widely publicized scandal has brought new rules, reports or training designed to create a “zero tolerance” culture. But critics say that even the recent changes enacted by Defense Secretary Leon Panetta are not nearly enough, and more drastic measures are necessary to discourage sexual assault and foster a culture where victims are not afraid to report crimes.

Panetta announced a new Defense Department program in January requiring military sexual assault response coordinators and victim advocates to receive training that meets national civilian agency standards. He set aside \$9.3 million for training in the next five years to improve investigations and prosecutions. Then, in April, Panetta announced more initiatives — including a requirement that the most serious sexual assault offenses be reported to and assessed by a colonel or general, or a vice admiral or admiral in the Navy. That change is more superficial than substantial, said Ariana Klay, a former Marine officer who, along with seven other women, is involved in a lawsuit against Panetta, Secretary of the Navy Ray Mabus, Marine Commandant Gen. James Amos and their predecessors. They allege that the men charged with leading the Defense Department, Navy and Marine Corps have allowed a culture that tolerates sexual assault while punishing victims, and they are seeking damages “to compensate them for being raped, assaulted, harassed, and retaliated against for reporting such conduct.” Fourteen women and five men filed a similar suit in September against Panetta, his predecessors, Army Secretary John McHugh and Air Force Secretary Michael Donley.

Klay graduated from the Naval Academy and deployed to Iraq before being stationed at Marine Barracks Washington, the oldest post in the Marine Corps and the home of the commandant. There, Klay said she was repeatedly sexually harassed by other Marines and later was raped by a fellow officer and his friend at her home two blocks from the post. As an officer, Klay’s report went straight to a colonel. But she said she still faced retaliation and harassment in what she and her husband say was an attempt to discredit her and paint the incident as a consensual act. The officer Klay accused was court-martialed and convicted of adultery and indecent language, but not sexual assault or rape. “The commander still owns the truth,” Klay said. “There’s often more of a conflict of interest [for colonels] because they’re career Marines. They have a shot at general at that point. No one wants to report an assault on their watch.” [Source: Stars and Stripes | Jennifer Hlad | 11 Oct 2012 ++]

SSA Widow(er)'s Benefits Update 01: In the event of a veteran’s death the surviving spouse, starting at age 60, is entitled to collect monthly benefits on the veterans’ Social Security account. His/her decision on whether to start drawing benefits at age 60 or later requires taking a number of factors into consideration Consider the following scenario which would apply to some veteran widow(er)s:

Q: My 66 year–old husband recently passed away before starting Social Security benefits. I’m 63 and still working. I originally planned to wait until age 66 to start benefits, but I need extra income. Could you give me some ideas about when I should start?

A: Before doing anything else make sure you have a realistic budget, and think long term. You want your income and savings to be adequate as long as possible, 30 years or even longer is not unrealistic for someone your age. In developing a budget, look back over at least three years to include large expenditures for periodic home maintenance and repairs, transportation, medical costs and other large costs. Include what you pay in taxes. Once you get an

expense figure, allow for at least 3% per year for inflation. Then tally up your income and assets, including the value and expected income from retirement accounts and pensions, if any.

You can apply for widow benefits as early as age 60, but if you start prior to your full retirement age, your benefits will be reduced. In addition, your benefits would be further reduced if you earn more than the annual earnings limit, which is \$14,640 in 2012 (\$1,220 per month). More on this in a moment.

This doesn't mean you should completely rule out starting widow's benefits. Depending on your finances, you may be able to start a reduced widow's benefit now and later switch to your own retirement benefits after you reach full retirement age or later if it would be higher than what you are entitled to now. If your own retirement would not be higher, then starting survivor's benefits now would lock in a permanently lower benefit.

Here's an example of how it might work: Let's say your husband was entitled to a benefit of \$17,400 or \$1,450 per month. Since he was at his full retirement age there are no reductions. You learn that your full retirement age benefit at age 66 would be about \$1,195, and by age 70 it grows to about \$1,640. In this case taking a reduced widow's benefit now and letting your own benefit grow due to the delayed retirement credit may potentially work as long as your earnings don't completely offset your benefits.

Let's assume you are 30 months from attaining your full retirement age of 66. Your monthly widow's benefit would be reduced about 11.9% or \$172.60 and you receive \$15,328.80 or \$1,277.40 per month ($\$1,450 - \$172.90 = \$1,277.40$). Let's also assume you currently earn \$30,000 a year. Under the earnings restriction rule your benefit would be reduced \$1 for every \$2 over the limit, while you are under your full retirement age. Your earnings are \$15,360 over the annual limit ($\$30,000 - \$14,640 = \$15,360$). Your benefits would be reduced by \$7,680 ($\$15,360/2 = \$7,680$). That would leave you \$7,648.80 in benefits ($\$15,328.80 - \$7,680 = \$7,648.80$). Social Security will withhold your benefits for 6 full months and you would then receive your \$1,277.40 monthly payment for six months.

This situation is only for 30 months though. Once you turn age 66 you can earn as much as you want without reduction to your Social Security benefits. Meanwhile you continue to work and delay your retirement benefit allowing it to grow. Once you reach age 70 you should go ahead and switch to your own larger retirement benefit, since it won't grow any larger.

The decision on when to start benefits is complicated and you should get counseling. The Social Security Administration website at <http://www.socialsecurity.gov> has a great deal of information on survivor's benefits as well as contact numbers to reach counselors. For more information about working after starting benefits check out How Work Affects Your Benefits Publication No. 05-10069 at <https://www.socialsecurity.gov/pubs/10069.html>. [Source: TSCL Social Security & Medicare Questions Oct 2012 ++]

VRAP Update 05: Veterans Retraining Assistance Program applicants are advised of a potential scam targeting veterans who have either signed up or have been approved for VRAP! A veteran has reported receiving a call from someone named "James" who congratulated him on his VRAP approval. He advised him that he knew the exact amount he was approved for and that the \$8500 would be directly deposited into his account within 45 minutes of him giving his banking account number and routing number and paying \$205 for the service fee. This person is not affiliated with the Department of Veterans Affairs (VA). VA will never charge you to access your benefits or ask you to provide private information over the phone. If you do receive a call like this, contact the Federal Trade

Commission at <http://www.ftc.gov/bcp/edu/microsites/phonefraud/index.shtml>. [Source: Military.com | Terry Howell | 9 Oct 2012 ++]

Homes4WoundedHeroes Program Update 01: The California Department of Veterans Affairs (CalVet) learned 10 OCT that Military Warriors Support Foundation is currently accepting applications online from combat-wounded veterans and unmarried Gold Star Spouses of OIF/OEF for newly-renovated, 100% mortgage-free homes in Bakersfield, Crescent City, Riverbank, Sacramento and Stockton, California. Applicants must be honorably retired or separated from the military and must not currently have a mortgage. Active service members with compelling situations, who are less than 90 days from retirement or separation, may be considered. The homes are donated by the Military Warriors Support Foundation, a nonprofit organization dedicated to assisting our heroes as they transition to civilian life. Besides the homes donation program, the Foundation's programs include employment assistance and outdoor recreational activities. "We are so glad that the Military Warriors Support Foundation is making mortgage-free homes available in California to our deserving disabled veterans and Gold Star Spouses," said Peter J. Gravett, Secretary, California Department of Veterans Affairs. "I encourage qualifying OEF/OIF veterans and Gold Star spouses to take advantage of this opportunity. Imagine getting the title to your home after only three years of ownership!"

The homes donation program, Homes4WoundedHeroes, has awarded more than 150 mortgage-free homes across the continental U.S. since its inception in late 2010. The homes come with a free 3-year financial and family mentorship that helps the families understand the fundamentals of home ownership. For more information about Military Warriors Support Foundation and to learn about the homes currently available (new homes are added frequently), go to [www. http://www.militarywarriors.org/openhomes](http://www.militarywarriors.org/openhomes). If you don't see a home you are interested in, fill out an Open Application at <http://www.militarywarriors.org/openapplication>. Specify up to four locations in which you would like to live. The Foundation will contact you when a home within 50 miles of your location becomes available. [Source: CALVET News Release 10 Oct 2012 ++]

Vet Service Dogs Update 08: The growing list of small nonprofits involved in training affordable assistance dogs for vets has created a Wild West-type atmosphere in the service dog world, creating tension between mom-and-pop groups trying to fill what they call a crucial void and the Veterans Administration and more traditional service dog groups. Exacerbating the situation are several recent actions by the VA, including a decision against covering the cost of service dogs for PTSD and traumatic brain injuries until a study on the scientific benefits can be completed — a study that has itself been plagued with potential delays and problems, including issues with aggression of some of the participating dogs. At the same time, the VA refused to loosen its requirement that service dogs it covers be trained by groups accredited by either Assistance Dogs International or the International Guide Dog Federation.

The actions are frustrating to people like Iraqi war veteran Jim Stanek with posttraumatic stress disorder and traumatic brain injury. He says his life was saved by a dog that gave him the confidence to do seemingly simple things, like go out to dinner and look his wife in the eye rather than watch his own back. Stanek was unable to obtain his own service dog through traditional channels. "I tried like nine different times to get a service dog through organizations," he said. "The door kept closing. I didn't have the money. They can cost \$10,000 to \$30,000 to \$60,000." So he and his wife, Lindsey, a former veterinary clinic worker, decided to train their own rescue dog, Sarge, to be his service dog. That led to the creation of Paws and Stripes, which in nearly two years has matched almost 50 veterans with shelter dogs. The owners select their adult dog from a group of pre-screened shelter dogs.

The dogs go home immediately with the veteran, then the pair goes through six months of training so the dogs can learn to assist their owners, whether it's to help them physically or just to provide that back-watching peace of mind that many Iraqi and Afghan war veterans need to do simple things like go into a shopping mall, or sit down to dinner in a restaurant and relax, knowing strangers are behind them.



Paws and Stripes rescue dog, Battle, stands with Iraq and Afghanistan war veteran Lawrence Montoya during a training session in Albuquerque, N.M.

Paws and Stripes has a waiting list of 600 vets from around the country. But like a number of similar operations around the country, it is not affiliated with one of the major service dog accreditation groups, although it is working on its application to join ADI. Because of its lack of affiliation and accreditation, Stanek said he had to fight to get his dogs approved for admittance to VA facilities. "A lot of people are trying to get away with bringing their pet with them to the hospital," said his wife, Lindsey. "That bad apple is ruining it for everyone." Still, the wide variance in training standards among groups like Paws and Stripes is raising questions in the traditional service dog world. Using shelter dogs, most of whose background and true temperament is unknown, is "like playing Russian Roulette," said Corey Hudson, secretary of ADI and CEO of Canine Companions for Independence in Santa Rosa, Calif. Hudson notes that his group uses only dogs bred specifically for training to be guide dogs or service dogs, and still only about 45 percent graduate. "We want to place a dog that makes them more independent, not dependent," he said. "Accreditation is a safeguard."

Sharon Wilson, executive director of Freedom Service Dogs, which works with soldiers from the Wounded Warriors program at Fort Carson, Colo., says her organization also uses shelter dogs in part because Colorado has an abundance of labs and other good service breeds in its shelters. Her group does not place the dogs until they have been trained in house for 7 to 9 months. "PTSD dogs have to be what I call bomb proof," she said. "You have to know how they are going to react when that pit bull walks by." Barbara Teasdale, founder of the San Francisco-based Vets Adopt Pets, which hooks veterans up with groups that adopt shelter dogs or provide service animals, says there is a need for standards. But she notes that many of the groups working to help vets are small "labor of love operations" that can't afford accreditation fees. And the groups are filling two needs: helping vets and giving homeless dogs a second chance, she said.

One thing they all seem to agree on, however, is that dogs do help soldiers suffering PTSD. "For instance, we had a client who had night terrors," said Wilson. "He would wake up in the middle of the night just screaming. His dog was taught when he starts getting restless, the dog would turn the light on ... then jump in bed and push his body as close as he could. His wife said his breathing would start to mirror the dog's and he would never wake up." Stanek compares his relationship with his dog to that of a sniper and a spotter in the military. "Sarge is my spotter. When we go out, she lets me know what's going on. She lets me know how I am doing," he says. "On a scale of one to 10,

I used to sit at about an eight or nine on a constant basis — like wake up that way. Now I sit around at two or three. And Sarge will alert me when that level starts to rise.” [Source: Associated Press article 9 Oct 2012 ++]

Tricare Young Adult Program Update 08: A popular component of the 2010 Affordable Care Act allowing adult children to stay on their parents’ health care plans until age 26 has been a little less popular among military members. That’s because military families covered by TRICARE must pay as much as \$200 a month to benefit from extended coverage. According to The Wall Street Journal, families must pay either \$176 or \$201 a month per young adult dependent to prolong coverage, depending on their specific TRICARE plan. Most families in private plans do not pay for the extension. The 2010 health law did not apply to TRICARE, but a separate law required the military health plan to adopt the popular provision of the Affordable Care Act. Legislators, however, would not support providing the extended coverage to TRICARE beneficiaries for free, the Journal reported Monday. The Defense Department told The Wall Street Journal that the fee has deterred military families from seeking the extension: of 230,000 young-adult dependents of service members who could have signed up, only 20,740 had opted for an extension by the August deadline.

Before the Affordable Care Act, TRICARE allowed children to stay on their parents’ plans only until age 21, or 23 if the child was a full-time college student. Children of civilian federal employees covered by the Federal Employees Health Benefit Plan were eligible for extended coverage under the law starting in January 2011. Children who lose FEHBP coverage when they turn 26 qualify for temporary continuation of coverage for up to 36 months. TRICARE fee hikes are on the table this budget cycle as part of the Defense Department’s efforts to rein in spending. The Obama administration’s budget request includes new TRICARE co-pays, additional increases to TRICARE Prime enrollment fees, initiation of standard and extra annual enrollment fees, and adjustments to deductibles and catastrophic coverage caps. These efforts are expected to save the department as much as \$12.1 billion during the next 10 years. Lawmakers, however, have resisted plans to increase fees. Most TRICARE beneficiaries do not pay premiums to participate, and the cost of premiums for each young adult under TRICARE is expected to fall to \$152 or \$176 per month. The fees are based on data for medical costs incurred by similar dependents and administrative expenses, according to the Journal. [Source: GovExec.com | Amanda Palleschi | 10 Oct 2012 ++]

Tricare Access to Care: Have you had trouble finding a health care provider that accepts TRICARE within the past year? If so, you are encouraged to take 3-4 minutes to fill out a brief TRICARE access survey. DoD has asked The Military Coalition (TMC) to help identify areas of the country that may be having access issues so they can better target their formal surveys to identify and address problem areas. If TRICARE beneficiaries in your area have been having problems, here’s your chance to try to do something about it. The survey can be accessed at <https://www.surveymonkey.com/s/JS9ZZTV>. [Source: MOAA Leg Up 12 Oct 2012 ++]

1 JAN 2013 **Tricare Philippines Demonstration Project Update 04:** Starting Jan. 1, 2013 TRICARE is launching a demonstration project in designated areas of the Philippines to provide beneficiaries access to high-quality health care from approved demonstration providers. TRICARE Standard beneficiaries who live in the Philippines and receive care in the designated demonstration areas may participate. All beneficiaries who live in the Philippines and who’ve filed a claim in the last two years will be notified by letter at least 60 days prior to the

start of health care delivery under the Philippine Demonstration. To have TRICARE cost share on their claims, beneficiaries getting care in demonstration areas must see an approved provider. If they elect not to participate in the demonstration by seeing a provider not on the approved provider list when they receive care in designated demonstration areas, TRICARE will not cost share on their claim.

One of the main benefits of the TRICARE Philippine Demonstration is approved providers will file claims on behalf of the beneficiary. The beneficiary then receives an explanation of benefits (EOB), which informs them of their patient liability, appropriate cost shares and deductibles. Beneficiaries who live in the Philippines and want to participate in the demonstration must provide their physical address to the approved provider to submit claims on their behalf. Post office boxes and retirement activity office boxes are not acceptable. TRICARE is committed to providing high-quality care to eligible TRICARE Standard beneficiaries residing in the Philippines while effectively managing health care costs. Beneficiaries looking for more information on the Philippine Demonstration can visit http://www.tricare-overseas.com/Beneficiary_PhilippineDemonstration_home.htm or <http://www.tricare.mil/Philippines>. The approved provider list will be posted on the TRICARE Overseas Program contractor's website at least 60 days prior to the start date of the demonstration, <http://www.tricare-overseas.com>. [Source: TRICARE Management Activity | Kristin Shives | 9 Oct 2012 ++]

TRICARE Breast Cancer Coverage Update 02: October is National Breast Cancer Awareness Month, and TRICARE beneficiaries should know breast exams are covered. Breast cancer is the most common type of cancer in American women, according to the National Cancer Institute (NCI). Early detection and diagnosis are very important steps in the treatment of breast cancer. TRICARE encourages women to conduct breast self-exams and get their annual mammograms. Regular mammograms can lead to early detection of breast cancer and improve the chances of survival says the NCI. Breast cancer is a malignant tumor that begins in the cells of the breast. This type of cancer is usually found in women, with less than 1 percent of all breast cancers being diagnosed in men.

TRICARE beneficiaries in specific age and risk categories have no copayment for mammograms. Beneficiaries are entitled to an annual mammogram beginning at age 40 and at a doctor's discretion for women younger than 40 who have a higher risk of developing breast cancer. Beneficiaries can be identified as "high risk" for breast cancer because of family history. [Source: NAUS Washington Report 5 Oct 2012 ++]

Long Term Care FLTCIP Update 08: Are you prepared to handle the expense of Long Term Care. Many vets are not and find themselves in the following situation asking for help -- "My wife has been diagnosed with Alzheimer's disease. I can no longer take care of her; there are only two of us in the household, and we are both 80 years old. I had to put her in an Alzheimer's home where she would be safe. My cost is \$2,500 a month. Is there any way that Tricare can help me? We both have Tricare for Life." Unfortunately, the answer to this plea is NO. Tricare will cover skilled nursing care, home health care and hospice care, it generally does not cover long-term care (also known as custodial care) for patients with degenerative conditions such as Alzheimer's. Exceptions or partial exceptions to the "no coverage" guidance should be discussed with the managed-care contractor for the Tricare region where you live. You may want to look into long-term care insurance through commercial insurance programs or through the Federal Long Term Care Insurance Program. About 20 million people are eligible to apply for FLTCIP, including all active-duty and National Guard members activated for more than 30 days, retired uniformed service members, and members of the Selected Reserve. FLTCIP eligibility and enrollment requirements are complex, and not everyone who applies for this insurance will be approved for it. You

can get full details at the program's website <http://www.opm.gov/insure/ltc/>. [Source: Military Times | TRICARE+Help | 10 Oct 2012 ++]

Obit ~ Sam Gibbons: A "true American hero" who fought at Normandy and served as a Tampa Bay area lawmaker for more than five decades in the Legislature and Congress, died peacefully in his sleep at age 92 on 10 OCT. A Democratic institution in Hillsborough County who was pivotal in the creation of the University of South Florida, he never lost an election. On March 4, 1996, Gibbons did what no political opponent had been able to do. He took himself out of the race for reelection. Three decades in the House convinced him that it was time to try something different. President Bill Clinton tried to dissuade him from stepping down. But Gibbons decided it was time to move on. He planned to teach, serve on boards and work for Clinton's reelection. The lone remaining House member to have parachuted into German-occupied France on D-Day, Mr. Gibbons left an extensive legacy: trade bills such as NAFTA, federal money to rebuild the Sunshine Skyway bridge, a tax law exempting homeowners older than 55 from paying capital gains taxes when they sell their houses.



Former Congressman Sam Gibbons was a member of the U.S. Army's 501st Parachute Infantry Regiment, serving in Europe on D-Day and during the Battle of the Bulge

Gibbons grew up in Tampa, attended local schools, and enrolled at the University of Florida in 1938. Three years later he was called into military service. He was 24 the night before D-Day when he dropped into German-occupied France as a young captain of the 501st Parachute Infantry Regiment, 101st Airborne Division "Screaming Eagles. In his' memoir **I Was There** - he describes his experiences in WWII. It is peppered with details like how he replaced his gas mask with two cans of Schlitz beer before the D-Day drop. "*So with all this gear on me (the same for about 12,000 others), I was the third man to step out of plane #42, and dropping 800 feet to start what some have called 'The Longest Day.'*" The story of how the paratroopers were dropped off course and scattered across the French countryside is widely known. Gibbons and a few other paratroopers managed to pull together and planned an attack on a nearby town. "*At the end of this council I brought out my two cans of beer, which we shared," Gibbons wrote. "When the cans were empty we decided to leave them in the middle of the road as a monument to the first cans of Schlitz consumed in France and moved on."*

Chuck Oldham of Defense Media Network wrote that Gibbons' story of the Allied landing in Normandy has always stuck with him: *Of all those stories ... Gibbons' story, written in a self-deprecating tone as it was in **I Was***

*There and popularized in Tom Brokaw's book **The Greatest Generation**, remains one that has always struck me as somehow being indicative of the American paratroopers' fight during that early morning of June 6, 1944, with a young captain abruptly thrust into an unexpected leadership role, he and his men dropped far from their objectives, lost and improvising their way through a night of combat, and 'marching toward the sound of gunfire.'* The young captain was with the 101st as it helped hold Bastogne during the Battle of the Bulge, and captured Hitler's "Eagles Nest" facility. After five years of service, he came back to civilian life with a Bronze Star and four battle stars. He returned to Tampa, he went to law school, served as a state lawmaker and then for 16 terms in the U.S. Congress. President Bill Clinton named Cong. Gibbons general chairman of the 50th Anniversary of Normandy commemoration committee.

When Gibbons returned to Normandy for the 50th anniversary - he had with him another two cans of Schlitz beer - which he drank and left sitting on the road again - as a monument of a different sort. Over the years, I had the opportunity to cover Sam Gibbons as an elected official and as a Veteran. He will be remembered as a "true American hero. And, if you happen to have a can of Schlitz handy tonight - lift one to the old warrior who battled among the hedge rows of Normandy and bridged the aisles in Congress to make this a better country and world. [Source: Off The Base | Bobbie O'Brien | 10 Oct 2012 ++]

Flu Shots Update 04: As the time to get your flu vaccine has approached, a surprising new report shows babies and toddlers seem to be getting protected better than the rest of us. Government officials claim that last year's flu shot won't shield you this year as there are two new strains of influenza which have begun circling the globe, but the updated vaccine appears to work well against them. A yearly vaccination now is recommended for nearly everybody. The only ones who shouldn't get vaccinated: babies younger than 6 months and people with severe allergies to the eggs used to make the vaccine. Flu specialists can't say how bad this winter's flu season might be. Influenza strains constantly evolve, and some cause more illness than others. But strains from the H3N2 family tend to be harsher than some other flu types, and a new H3N2 strain is included in this year's vaccine because it is circulating in parts of the world. To read more about this year's flu, go to: <http://1.usa.gov/OtrjJL>. [Source: Family Programs Update 9 October 2012 ++]

NDAA 2013 Update 10: The Senate Armed Services Committee has indicated that it will allow amendments to the fiscal year 2013 National Defense Authorization Act, a welcome announcement since the Senate does not always allow floor amendments and already has a busy lame-duck session ahead. Committee staffers are working with offices planning to offer amendments, a break from the traditional slow-moving method of offering amendments on the Senate floor and allowing time for debate, which can take several days. Staffers have indicated that they hope to shape any likely amendments to the bill sooner rather than later so they can be easily adopted by voice vote when the Senate returns for the packed lame-duck session in November. The strategy to get as many amendments as possible to be easily adopted also serves another purpose as well. Senators will have a stake in the game to pass the bill as soon as possible. Meanwhile, the House and Senate have already begun preconfereencing the defense policy bill, a common action to clear as many areas of agreement to expedite the official Senate-House conference later in the year. [Source: NGAUS Washington Report 9 Oct 2012 ++]

NDAA 2013 Update 11: The Military Coalition (TMC) have sent House and Senate leaders a letter highlighting Coalition priorities for resolving differences between the House-passed and Senate Armed Services Committee versions of the FY2013 Defense Authorization Bill. The full Senate won't take up the defense bill until the lame duck session after the election, but that will likely be an expedited process with limited amendments. In the

meantime, House and Senate Armed Services Committee staffs already are beginning to negotiate possible compromises on issues where the two bills differ. That's because House and Senate leaders likely will only have a couple of weeks after Senate action to finalize and pass the final compromise bill. "If we waited to offer our inputs until the Senate finishes action on the bill, most of the substantive negotiations on our issues could already be wrapped up," said MOAA Government Relations Director Col Steve Strobridge (USAF-Ret), who also serves as Co-Chairman of the 34-association Coalition. "You can't hope to influence the process if it's already over." The Coalition letter urged Hill leaders to:

- Adopt House-passed language to limit current and future TRICARE pharmacy copay increases in return for requiring a one-year test of mail-order (or military pharmacy) refills of maintenance medications for TFL-eligibles.
- Drop restrictive provisions concerning a Senate-proposed special commission to consider changes to military retirement and compensation systems. The proposal would allow the Administration to pick all the commissioners, bar participation by current or recent military association representatives, and require a congressional vote on the proposals with little debate and no amendments.
- Retain House-approved language recognizing that the unique and extraordinary demands inherent in a multi-decade service career constitute a very large pre-paid premium for their career health benefits – over and above the cash fees paid in retirement.
- Retain a House-passed provision that limits annual Army and Marine Corps force reductions. The letter also expressed concern about ongoing cuts to the Navy Reserve.
- Retain Senate-passed consumer protection enhancements for troops and family members.
- Support a House proposal to authorize Applied Behavior Analysis therapy as a TRICARE benefit for autism treatment, but extend the benefit equally to all uniformed services and make it available to family members with other diagnoses that benefit from such therapy. As written, the House language would deny coverage for TRICARE beneficiaries of the Coast Guard, U.S. Public Health Service, and NOAA.

The Coalition letter particularly emphasized the pharmacy copay and retirement commission issues. "Defense leaders' claims that higher copays are essential to offset dramatically rising costs ring hollow," it said, "when their reprogramming requests show costs actually declined this year, and expenses have been nearly \$3 billion less than expected over the last three years." As for the commission, "TMC objects strenuously to short-circuiting the normal legislative process by imposing BRAC-like consideration rules on an issue [military retirement] that has proven so crucial to long-term retention and readiness." The Coalition also expressed support for anticipated Senate amendments to address unfair compensation penalties experienced by disabled retirees and military survivors.

Attached to the letter was a more detailed matrix of TMC recommendations on many specific House and Senate provisions, broken into sections affecting active duty personnel, Guard/Reserve issues, retiree and survivor issues, health care matters, and veterans and other issues. A copy of the letter can be seen in the attachment to this Bulletin titled, "**TMC 2013 NDAA Ltr**". [Source: MOAA Leg Up 12 Oct 2012 ++]

U.S. Holocaust Memorial Museum: The United States Holocaust Memorial Museum is a living memorial to the Holocaust that inspires citizens and leaders worldwide to confront hatred, prevent genocide, and promote human dignity. Federal support guarantees the Museum's permanent place on the National Mall, and its far-reaching educational programs and global impact are made possible by generous donors. Located among our national monuments to freedom on the National Mall, the Museum provides a powerful lesson in the fragility of freedom, the myth of progress, the need for vigilance in preserving democratic values. With unique power and authenticity, the Museum teaches millions of people each year about the dangers of unchecked hatred and the need to prevent genocide. And it encourages them to act, cultivating a sense of moral responsibility among our citizens so that they will respond to the monumental challenges that confront our world. Today we face an alarming rise in

Holocaust denial and anti-Semitism—even in the very lands where the Holocaust happened—as well as genocide and threats of genocide in other parts of the world. All of this when we are soon approaching a time when Holocaust survivors and other eyewitnesses will no longer be alive.

The Museum works closely with many key segments of society who will affect the future of our nation. Professionals from the fields of law enforcement, the judiciary and the military, as well as diplomacy, medicine, education and religion study the Holocaust, with emphasis on the role of their particular professions and the implications for their own responsibilities. These programs intensify their sense of commitment to the core values of their fields and their roles in the protection of individuals and society. In addition to its leadership training programs, the Museum sponsors on-site and traveling exhibitions, educational outreach, Web site, campus outreach and Holocaust commemorations, including the nation’s annual observance in the U.S. Capitol. Our Center for Advanced Holocaust Studies works to ensure the continued growth and vitality of the field of Holocaust studies. As a living memorial to the Holocaust, we work to prevent genocide in the future through our Academy for Genocide Prevention which trains foreign policy professionals. Working with Holocaust survivors and an array of organizations, the Museum is a leader in galvanizing attention to the crisis in Sudan.

Since its dedication in 1993, the Museum has welcomed more than 30 million visitors, including more than 9 million school children and 91 heads of state. Today 90 percent of the Museum’s visitors are not Jewish, and its Web site, the world’s leading online authority on the Holocaust, on average receives visits from over 100 different countries daily. With hundreds of thousands of online visitors from countries with majority Muslim populations, translating their Web site into Arabic and Farsi is a top priority; already, portions are available in more than 20 languages. Admission to the Museum is free. From MAR thru AUG, when they have the most visitors, a timed pass is required and provided to enter the Permanent Exhibition, a chronological history of the Holocaust. From September through February no pass is required. The Museum is open every day 1000 to 1700 except Yom Kippur (September 26, 2012) and Christmas Day. It is located at 100 Raoul Wallenberg Place, SW, Washington, DC 20024-2126 Tel: (202) 488-0400. For more information refer to <http://www.ushmm.org>. [Source: www.ushmm.org Oct 2012 ++]

U.S. Holocaust Memorial Museum Update 01: The United States Holocaust Memorial Museum in Washington, DC, America’s national memorial to the Holocaust will honor all the brave soldiers who fought in World War II as part of its 20th anniversary commemoration. Plans for this milestone occasion, which include a National Tribute in Washington, DC, as well as a National Tour honoring Holocaust survivors and World War II veterans in four cities across the country. It is hoped as many veterans as possible will join at these historic gatherings. World War II was the salient event in the 20th Century – and its legacy continues to shape the 21st. The values we cherish were threatened by cruel and oppressive ideologies. But the generation that signed up and put on a uniform, which believed in the essential goodness of America, and which unselfishly answered the call to duty, was a generation willing to sacrifice everything to preserve our way of life. The freedoms we enjoy today were assured by the veterans of World War II. The Museum recognizes this, and thus wishes to reach out to all American veterans of World War II and to accord to them our highest honor and deepest gratitude.

At the National Tribute in Washington, DC on April 28 - 29, 2013 the Museum will bring together the people who lived this history – Holocaust survivors, World War II veterans, rescuers, and their families – in the largest numbers they can – along with U.S. and European officials and Museum supporters and partners, for what will most likely be the last gathering of eyewitnesses on this scale. Working in close cooperation with the World War II Memorial, the Museum is expecting thousands to join Elie Wiesel, founding chairman, at this two-day gathering, which begins with a Tribute Dinner on Sunday, April 28th at the Washington, DC Convention Center – free for

survivors and WWII veterans, who may bring one companion for \$50. Regular cost is \$250/person. At the Tribute Dinner, the Museum will present the Museum's Elie Wiesel Award, their highest honor, to the American service men and women who fought in World War II, with Susan Eisenhower accepting on their behalf. Through this tribute, it is their hope to remind the American public, especially our youth, of just what was at stake during World War II and the enormous sacrifices that were made to preserve the free world.

The National Tribute continues on Monday, April 29th at the Museum, which will be closed to the public to mark this historic occasion. The day will begin with a ceremony at the Eisenhower Plaza featuring the flags of the U.S. Army Divisions that liberated the Nazi concentration camps. An Open House follows with a day of special programs, tours, and family activities throughout the Museum. In addition, "affinity tables" will provide opportunities for those from the same divisions or communities to socialize. The day, which includes lunch, is free with advance registration. Since the Museum knows that many veterans may not be able to travel to Washington, DC for the National Tribute gathering in April, they will be hosting free, day-long public events in four cities: Boca Raton (December 9), Los Angeles (February 17), New York (March 3), and Chicago (June 9). Throughout the day, veterans and their families will have the opportunity to meet with curators and conservators about personal collections. They may attend panel discussions with well-known experts, presentations of rarely seen film clips from the Museum's collection, and participatory family activities. And, of course, there will be opportunities to socialize. The day will conclude with a special tribute to local survivors and World War II veterans.

The Museum would be honored for all to join them at one of the local National Tour events (no ticket required) or consider traveling to Washington, DC in April for the National Tribute. To receive an invitation to the special events in Washington DC April 28-29, 2013 call 1-866-99USHMM or e-mail 20thanniversary@ushmm.org. The Museum hopes as many World War II veterans, and their families as possible will join / attend this historic commemoration. As plans develop, updates will be posted on <http://www.ushmm.org/neveragain>. [Source: <http://neveragain.ushmm.org/?source=2012071020thSaveTheDate> 8 Oct 2012 ++]

Tattoo Removal Update 03: Tattoos are almost as common as mustaches and earrings these days, but his body art got in the way when James Lyle, a 26-year-old U.S. Army veteran, applied to be a traffic officer at Tampa International Airport. Lyle was rejected for an interview with the airport police department. He had wanted to be a traffic specialist patrolling the curbside drop-off area where passengers load and unload. The reason for the rejection: the tattoos on his forearms. One arm says "ARMY," the other says "SOLDIER." Lyle appeared before the Hillsborough County Aviation Authority on 4 OCT, lobbying to have the policy changed. His plea may have reached sympathetic ears, though most law enforcement agencies in the area have regulations about visible tattoos:

- Board member Victor Crist said tattoos have become socially acceptable. Fellow board member Joe Diaco, a former Tampa Bay Buccaneers physician, appeared to agree, saying, "I'm glad you brought this to our attention. This will be rectified."
- Airport chief executive Joe Lopano was unaware of aviation authority regulations involving tattoos but promised to check on it by next month's meeting.
- The appearance standards policy of the airport police says: "All (officers) are prohibited from having visible tattoos or brands anywhere on the body while wearing their required uniform. Excessive tattoos/brands will not be exposed or visible through clothing while on duty." That includes tattoos on the neck, according to the policy.



The ban on visible tattoos is standard policy at many law enforcement agencies, said Larry McKinnon, spokesman for the Hillsborough County Sheriff's Office, which implemented a tattoo policy a few years ago. "We do not allow visible tattoos," he said. "If (deputies) have tattoos on their arms, they are bound to wear long-sleeve shirts for the rest of their career." Deputies who had tattoos when the policy was adopted are grandfathered in, but most cover them up anyway, he said. "It's just not a professional image we want to put out there," McKinnon said. Officers with the Tampa Police Department work under the same standards under a policy that is 10 years old, said spokeswoman Irene Thomas. "They can't have any visible tattoos when in proper uniform," she said. Tattoos on legs or shoulders are OK, but one that extends below a short sleeve is not. "If you have one on the lower part of your arm," she said, "you can't work here." New hires with visible tattoos must get them removed, she said. "They have to have that process started prior to applying," she said. Officers with the St. Petersburg Police Department have a little more leeway. "They're pretty common now," said police spokesman Mike Puetz, speaking of body ink, "so, we'd be cutting down on our recruiting base if we said no to those." As long as tattoos on arms are not offensive or distasteful, visible body art is acceptable, he said. [Source: The Tampa Tribune | Keith Morelli | 5 Oct 2012 ++]

VA Diabetes Mellitus Care Update 09: Health officials at the Veterans Administration unveiled a pilot program 5 OCT aimed at reducing the rate of diabetes among military veterans. The 16-week program for overweight or obese people with pre-diabetes helps them get more exercise, improve their eating habits and lose weight. The program is expanding to include VA medical centers across the country. Vietnam veteran Jon Soder, who has diabetes, says the program helped him lose 85 pounds and improve his health. Before he participated in the program, Soder said he was unable to walk. Now he walks on his own. "I used to take three different kinds of diabetes medicine, and now I only take one," he said "And I used to take two kinds of cholesterol medicine and now I don't take any, so there was a real benefit from it." When the program was tested at YMCAs in St. Paul and Indianapolis, it reduced the diabetes rate among participants by 58 percent. U.S. Sen. Al Franken, (D-MN), who participated in the announcement, said helping the clients improve their health also leads to dramatically lower medical costs. "To put someone through this program costs 300 bucks. Fifty-eight percent fewer become diabetic, and save \$6,200 a year. That is what prevention is about," Franken said. About one-fourth of the nation's veterans have type 2 diabetes. [Source: MPR News | Jessica Mador | 5 Oct 2012 ++]

Veterans Pension Update 03: The latest trend in elder abuse — unsuitable annuities that “help” low-income veterans claim pensions — is highlighting a communication breakdown between state and federal agencies, that could allow fraud to slip through the cracks. This practice taps veterans who are claiming pension and Aid and Attendance benefits from the U.S. Department of Veterans Affairs. Former members of the military must meet certain income and net-worth requirements in order to qualify for a pension, which is intended for low-income individuals. The potential for abuse arises when advisers or attorneys helping veterans file pension paperwork recommend inappropriate annuities or asset transfers that make the individual look poorer than he or she really is and therefore eligible for tax-free pensions.

Unsuitable transactions could lock up cash that the veteran might need in the event of an emergency, while untimely asset transfers can interfere with Medicaid eligibility if they are done within the 60-month look-back period in which assets are calculated. Last week, the National Association of Insurance Commissioners highlighted the practice in a consumer alert. Congress this year also proposed legislation — S 3270, sponsored by Sen. Ron Wyden, D-Ore. — to stem these practices. But attorneys and agents who work regularly with veterans are arguing that there isn't enough cooperation between the VA, insurance regulators and other authorities to ensure the bad actors are caught and punished. The VA requires advisers and attorneys who work with veterans' pension filings to be accredited, but it doesn't endorse any products that these professionals might use. Attorneys say the VA is slow to team up with other agencies.

“The VA doesn't conceive that there are other ways to become more efficient and to prevent abuses to the system if they worked in alignment with other regulatory services,” said Victoria Collier, an elder-law attorney in Decatur, Ga. She is in the process of detangling a trio of annuities totaling \$300,000 bought by an 84-year-old client in conjunction with a plan that would help her qualify for a VA pension. The surrender periods on the annuities were as long as 13 years, well past the client's life expectancy. To complicate matters, the annuities were placed within a trust. The insurance agent who sold the annuities is accredited by the VA. With the help of a securities lawyer, Ms. Collier was able to undo two of the annuity contracts. She has also filed a claim with the agency's office of general counsel to report the insurance agent, who could lose her accreditation and thus her ability to assist veterans.

A June hearing by the Senate Special Committee on Aging publicized these abuses, along with a report by the Government Accountability Office that found that more than 200 organizations across the country that advertised help for veterans seeking to qualify for these pension benefits, mostly by transferring excess assets to annuities or setting up trusts. The hearing also laid the groundwork for Mr. Wyden's proposed legislation that would subject asset transfers for the VA income benefit to a three-year look-back period. State insurance regulators are becoming increasingly aware of these practices, and many have annuity suitability regulations in place that are akin to rules from the Financial Industry Regulatory Authority Inc. Meanwhile, the VA has taken steps to notify the public that veterans shouldn't be paying to have their benefits paperwork filed. However, the two parties don't appear to share information with each other regularly. Rather, VA officials at regional offices may see patterns of abuse and connect with the VA's Office of the Inspector General and with other regulators on a case-by-case basis, according to a spokesman at the Veterans Benefits Administration.

Further, while the VA Inspector General has the jurisdiction to prosecute criminal violations involving its pension programs, the act of merely hiding the assets and charging veterans for that sort of help isn't illegal, according to a statement by the office. Accredited parties are required to file veterans' pension paperwork for free, but some have gotten around that requirement by charging planning and management fees, the inspector general noted. “Twenty percent of the [military] clients calling us are nothing but cleanup work, and we're calling insurers and brokerage firms to reverse the transactions,” said Brian Byars, co-founder of Advanced Retirement Planning LLC. Although planners and attorneys are asking for tougher rules and more coordination among regulators, they are critical of subjecting veterans to look-back requirements. The act of using an annuity or transferring assets itself

isn't the punishable action, but improper recommendations without tough legal repercussions are the real problem. "It's important to recognize that there are legitimate ways to assist people, but there are always people who will do things that aren't legitimate," Ms. Collier said. [Source: Investment News | Darla Mercad | 7 Oct 2012 ++]

VA Care Assessment: There's lots of grumbling about the Department of Veterans Affairs from veterans – and its own inspector general, who regularly turns out critical reports. So it's worth noting when someone seems satisfied. It's tough to imagine a more important someone to the VA than the American Legion, whose 2.4 million members makes it the nation's largest veterans' organization. The Legion visited 25 VA facilities last spring and, in a just-released report that includes assessments of each facility, praised the "high quality of care" that it found. "Patient satisfaction has seen drastic improvements in the past decade," the Legion reports. "However challenges still exist." Those challenges include vets' delays in getting appointments, a lengthy hiring process (of growing concern because at some VA facilities half the workforce is at retirement age) and medical salaries that fall short of what's available in the private sector.

Ron Capps, an Army veteran and Battleland contributor, points out that the VA is really two huge agencies – one running hospitals and the other administering disability benefits (and yes, a tiny third part that runs veterans' cemeteries). "In my opinion, VA health care is mostly excellent," Capps says. "The big issues at the VA aren't in the Veterans Health Administration — the health care side of the department. They are in the other side, the Veterans Benefits Administration. That's where the unreasonable delays in processing disability claims and benefits, or providing benefits under the new GI Bill exist. The VBA has some big pieces that are broken." A former senior VA official, speaking privately, found the report heartening. "Sure, there is still much to do, and VA isn't getting some things right," he said. "But overall, the days of stereotypical uncaring bureaucrats providing shoddy service are long past." [Source: Time Magazine | Mark Thompson | 4 Oct 2012 ++]

Wreaths Across America Update 06: From 1992 to 2005 the annual tradition of placing wreaths to honor the fallen was conducted at Arlington National Cemetery, largely unknown by the general public except for visitors to those hallowed grounds who would see whole sections adorned. That was before the non-profit organization was formed, and when it was still a company tradition – spearheaded by Morrill Worcester of Worcester Wreath Company. This year, Wreaths Across America will conduct ceremonies at over 800+ participating locations all around the nation. Wreaths will be placed at state and national veterans cemeteries, community and private cemeteries, veterans monuments, schools, at active military bases on foreign soil, and even ceremonies at sea. You can check the list of locations to see if there already are volunteers in your area working on the event at <http://www.wreathscrossamerica.org/locations>.



For the 21st year, Wreaths Across America will be laying holiday wreaths on headstones at Arlington and in 500 other cemeteries throughout the United States and overseas

All of the participating locations are made possible by dedicated volunteers who plan the event throughout the year. Each participating location receives 7 ceremonial wreaths representing all branches of the service (Army, Navy, Air Force, Marines, Coast Guard, and Merchant Marine) and perhaps most importantly a wreath bearing the POW/MIA flag. A written ceremony is provided, as well as press releases, and other promotional tools. For locations where it is approved by the cemetery administration, wreaths may be sponsored for \$15 per wreath. Refer to <http://www.wreathscrossamerica.org/act-now/start-fundraising/> for instructions if you would like to participate. The goal is to do whole sections of the cemetery grounds. Many locations do as many sponsored wreaths as they can, and then rotate the designated sections each year so that all veterans and all families receive a wreath. The goal is to one day honor all those who have served. The main Arlington National Cemetery wreath laying and ceremony will be on Saturday December 15. Consider joining the thousands that volunteer each year to honor our fallen military members, retirees and their families. [Source: NAUS Washington Report 5 Oct 2012 ++]

Vet Cremains Update 18: The Missing In America Project (MIAP) will conduct a ceremony in the Commonwealth of Virginia. Eighteen veterans and 6 spouses whose unclaimed cremated remains have been in the care of Altmeyer Funeral Homes of Newport News, Virginia Beach, and Bucktrout Funeral Home in Williamsburg will be honored. Services will be conducted, with full military honors, for the following eighteen veterans and eligible spouses at 11:00 am, Saturday, October 27, 2012 at Bucktrout Funeral Home, 4124 Ironbound Road, Williamsburg, VA 23188:

- Ensign Milton R Abbot, 1892-1977, USN 1918-1919
- Lt Col William Francis Barnard, 1916-1977, USAF Retired, 1940-1962
- Tec 4 Leonard H Barrell, 1908-1974, USA 1942-1945
- Tech Sgt Frank William Barry, 1925-1999, USAF Retired 1943-1945, 1946-1964
- HT1 Charles A Bucheit III, 1937-2002, USN Retired 1955-1966, 1967-1985
- SSG Ernest E Byrn, 1924-2008, USA, 1943-1945
- AKC Harlan Duckworth, 1927-1995, USN Retired, 1945-1946, 1949-1969
- Ensign Robert A Fash, 1896-1976, USN 1918-1919
- Sgt Richard M Fox, 1926-1982, USA 1944-1946
- SFC Benjamin R Gordon, 1925-2007, USA Retired 1950-1971
- Maj Thomas W Knickerbocker, 1912-1990, USA 1941-1945
- Sgt Charles T Kulp, 1933-2001, USA 1953-1955
- EM1 Paul Clarence Maynard, 1921-2004, USN Retired 1942-1966
- LTJG Philip T Newson, 1935-2007, USN 1958-1961
- Cpl Raymond C Purvis, 1892-2003, USA 1915-1919
- MSGT Pedro Rodriguez, 1962-2012, USAF Retired 1980-2006
- Maj Gilmore Tilbrook, 1894-1963, USA 1917-1919
- T4 John Hudson Walker III, 1918-1966, USA 1944-1946
- Rosemarie Anderson, 1925-1988, wife of CW4 Ralph Donald Anderson, USA
- Golda Florke, 1923-1991, wife of SFC Clarence Earl Florke, USA
- Kathryn C Miller, 1904-1990, wife of Sgt Stuart B. Miller, USA
- Lena Mae Moss, 1924-1981, wife of SSG Oradie Moss, USA Retired
- Anne Nersesian, 1925-2009, wife of PFC Mourad Nersesian, USA
- Doreen Tanner, 1925-2001, wife of T5 Richard W Tanner, USA

A Bucktrout-Altmeier Funeral Home hearse carrying the cremated remains on Monday, 29 OCT will be escorted by members of the MIAP Veteran's Recovery Program, with American flags flying on motorcycles and vehicles to Quantico National Cemetery located at 18424 Joplin Road, Triangle, VA 22172. The hearse will pass by the Virginia Veterans Tribute Bell in New Town, Williamsburg on the way to Quantico at approximately 10:00 am. The hearse will be escorted by Patriot Guard Riders, Warrior Brotherhood M/C, American Legion Riders, as well as other participating veteran's organizations and any member of the public who would like to attend via motorcycle or vehicle.

Service Time will be 1:00 pm. Government officials, the public and media are invited to attend. For information contact Brigitte Corbin - Virginia MIAP State Coordinator, Cell: 757-871-5980 or email: Brigitte.va.miap@gmail.com. The mission of the MIAP is to locate, identify and inter the unclaimed cremated remains of veterans through the joint efforts of private, state and federal organizations; to provide honor and respect to those who have served this country, by securing a final resting place for these forgotten Heroes. For more information about MIAP refer to <http://www.miap.us>. [Source: MIAP Press Release 5 Oct 2012 ++]

Vet Cremains Update 19: Four veterans whose remains have been unclaimed, will be laid to rest with help from the Dignity Memorial network of funeral, cremation and cemetery providers and the Missing in America Project (MIAP). The following will be escorted from the Hoffmeister South County Chapel, 1515 Lemay Ferry Road in St. Louis, led by Brian Keller American Legion Riders, Post 347 in St. Louis to Jefferson Barracks National Cemetery, 2900 Sheridan Road in St. Louis where full military honors will be conducted starting at 1300 Thursday, October 25.

- Col. **Edward W. Bilhorn** (1918-1973) served as an Engineer in the U.S. Army Reserve Corps from 1941 until 1973 in World War II, Korea and Vietnam. Col. Bilhorn was the recipient of the Bronze Star Medal as well as the European African Middle Eastern Theatre Campaign Ribbon with 5 Bronze Stars.
- Cpl. Carl **Axel Richard Kjellstrom** (1894-1971) served in the U.S. Army from 1917 until 1919 during World War I.
- PFC **Eugene Thiebes** (1916-1986) served in the U.S. Army from 1945 until 1947 during World War II.
- Aviation Cadet **William N. Watkins** (1925-1984) served in the U.S. Air Force from 1943 until 1944 during World War II.

The ceremony will feature guest speaker Ed Martin, candidate for Missouri Attorney General and volunteer for the Missing in America Project for nearly five years. Military honors, including the folding and presentation of the flags, the playing of taps and a rifle volley, will be provided by Jefferson Barracks National Cemetery. Niece of Eugene Thiebes will attend and receive the folded American Flag. "The MIAP has been working with Dignity Memorial (DM) providers to identify these forgotten veterans and ensure they receive the honors in death that their service in life merited," said Mark Valenta, St. Louis area director for the DM network. "We're honored to work with the MIAP to provide the dignified military burial these veterans deserve." The purpose of the Missing in America Project is to locate, identify and inter the unclaimed cremated remains of American veterans through the joint efforts of private, state and federal organizations and to provide honor and respect to those who have served this country by securing a final resting place for these forgotten heroes.

For more information regarding MIAP, contact Linda Smith, National Vice President at sailormom@miap.us. For more information on the DM network visit www.DignityMemorial.com. The DM network of providers has several initiatives and programs to honor and support our nation's veterans and active military. These include the Veterans Planning Guide, the Dignity Memorial Vietnam Wall, the Dignity Memorial Homeless Veterans Burial

Program, educational veterans seminars and special pricing for members of veterans service organizations. [Source: MIAP Press Release 10 Oct 2012 ++]

Stop-loss Pay Update 13: The deadline to apply for Retroactive Stop Loss Special Pay will end October 21. Service members and veterans whose military service was involuntarily extended under the "Stop Loss" program between the 9/11 terrorist attacks and Sept. 30, 2009, are eligible for special retroactive pay, but you have to apply. The special pay is compensation for the hardships the involuntary extensions caused, officials said. Eligible members or their beneficiaries may submit a claim to their respective military service to receive \$500 for each full or partial month served in a Stop Loss status. Because the majority of those eligible had separated from the military, many eligible service members, veterans and their beneficiaries are not aware of the benefit. Go to http://www.defense.gov/home/features/2010/0710_stoploss/ to apply or for more information. [Source: VFW Washington Update 5 Oct 2012 ++]

USERRA Update 14: The Office of Special Counsel (OSC) has announced it has won a USERRA case on behalf of a member of the Wisconsin National Guard. The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency whose primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel. USERRA (Uniformed Services Employment and Reemployment Rights Act) is a federal law that protects job rights for active and reserve members of the U.S. Armed Forces. The Office of Special Counsel enforces USERRA for federal employees. In this case, Michael Hanke, a Wisconsin National Guardsman who lost his job in 2010 with a U.S. Army contractor while on his second tour of duty in Iraq, received a settlement equivalent to several years of salary under an agreement negotiated by the OSC.

Hanke worked for a defense contractor called ComTek in 2009 when he left for Iraq. While he was away, the Army in-sourced much of the work previously done by ComTek, hiring many of the same employees. When he requested the same treatment, the Army told him he could not be hired while on active duty. He requested reemployment when he returned from active duty in 2010, but both ComTek and the Army turned him down. Hanke filed complaints with the Department of Labor (DOL) against ComTek and the U.S. Army Cadet Command, and he requested that the complaint against the Army be referred to OSC when DOL could not resolve it. OSC attorneys investigated the complaint and concluded that the Army violated USERRA by refusing to hire him because he was on active duty.

Additionally, a retroactive change to the law, enacted in late 2010, confirmed that the Army was responsible for reemploying Hanke when it in-sourced his former position. As a result, Special Counsel Carolyn Lerner agreed to represent him to enforce his rights under USERRA. Once OSC informed the Army of the results of its investigation and OSC's decision to represent Hanke, OSC and the Army reached a settlement agreement that provides substantial compensation for Mr. Hanke, the exact amount of which is to be kept confidential. "I applaud the Army Cadet Command for reaching a fair and equitable settlement on Mr. Hanke's behalf," said Ms. Lerner. "OSC will continue to press for the employment and reemployment rights of our veterans and National Guard and Reserve members, and for all federal agencies to live up to their obligation to be a model employer under USERRA." According to the Washington Post, the federal government is the largest employer of Reserve Component personnel and is also the biggest violator of the USERRA law. [Source: TREA News for the Enlisted 5 Oct 2012 ++]

VA Cemeteries Update 08: The Department of Veterans Affairs announced the award of 18 grants totaling \$47,462,135 to 15 states and one tribal government to establish new Veterans cemeteries and to expand or improve others. "VA is committed to helping state and tribal Veterans cemeteries meet national shrine standards and honor Veterans with dignified burials," said Secretary of Veterans Affairs Eric K. Shinseki. "It is vitally important that state and tribal governments have the resources necessary to offer quality services to our Nation's Veterans and their families." VA provides grants to states and tribal governments to establish, expand or improve Veterans cemeteries, and for operations and maintenance projects. Two of the larger grants for more than \$14 million went to establish new state and tribal Veterans cemeteries in Louisiana and South Dakota. Louisiana received \$8.3 million to build a new cemetery in Slidell, La., and the Oglala Sioux tribe received \$6.5 million to establish a new tribal Veterans cemetery in Pine Ridge, S.D. This will be the third state Veterans cemetery in Louisiana and the fourth tribal Veterans cemetery grant VA has awarded.

VA also provided 10 other expansion and improvement grants totaling more than \$28 million to the following states: Sierra Vista, Ariz. - \$1.7M; North Little Rock, Ark. - \$410K; Kauai, Hawaii - \$1.2M; Boise, Idaho - \$2.4M; Boulder City, Nev. - \$5.1M; Missoula, Mont. - \$506K; Little Falls, Minn. - \$1.4M; Wrightstown, N.J. - \$10.8M; Amelia, Va. - \$1.6M; and \$5.1M Suffolk, Va. - \$3.3M. In addition, VA awarded six operations and maintenance grants for more than \$3 million to six states. The grants were disbursed to the following states: North Little Rock, Ark. - \$728K; Bear, Del. - \$679K; Milledgeville, Ga. - \$121K; Sandusky, Ohio - \$798K; Exeter, R.I. - \$1.1M; and Evansville, Wyo. - \$406K

The Veterans Cemetery Grants Program is designed to complement VA's 131 national cemeteries across the country. Since 1980, the program has awarded grants totaling more than \$483 million to establish, expand, improve, operate and maintain 88 Veterans cemeteries in 43 states and territories including tribal trust lands, Guam, and Saipan. These cemeteries provided more than 29,000 burials in 2011. Veterans with a discharge issued under conditions other than dishonorable, who die while on active duty or who serve a period of active duty service as required by law, their spouses, and eligible dependent children may be buried in a state Veterans cemetery. States, territories or tribal governments may impose residency requirements and other limitations to eligibility in addition to those imposed by federal law. State eligibility requirements, however, may not be less stringent than Federal requirements. Information on VA burial benefits can be obtained from national cemetery offices, by calling VA regional offices toll-free at 800-827-1000 or from the Internet at <http://www.cem.va.gov>. [Source: VA News Release 1 Oct 2012 ++]

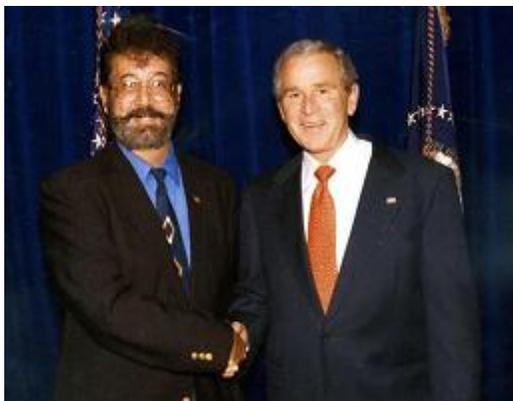
VA Cemeteries Update 09: On 2 OCT Deputy Under Secretary for Field Programs Glenn Powers and Acting Deputy Under Secretary for Memorial Affairs Ronald Walters, members of the National Cemetery Administration (NCA), met with the AMVETS Legislation team and members of the VFW to discuss updates and progress being made on NCA projects. Currently, more than 80 percent of deceased veterans are buried at a national or state veterans' cemetery within 75 miles of the veteran's home. The NCA's goal is to increase this number to 95 percent by 2015. To accomplish this, the NCA has continued to identify geographic areas with a large veteran population who do not have access to a national or state veterans' cemetery. The NCA has selected sites and will be moving forward to create five national, five urban, and eight rural veterans' cemeteries. The eight rural veterans' cemeteries are a component of VA's new Rural Initiative plan. These new burial grounds will serve veterans in the areas of Fargo, N.D.; Rhinelander, Wis.; Cheyenne, Wyo.; Laurel, Mont.; Idaho Falls, Idaho; Cedar City, Utah; Calais, Maine; and Elko, Nev. This one initiative will allow 136,000 veterans and their dependents to access burial services that were previously unavailable.

In addition to new cemeteries, the NCA has moved forward with numerous green initiatives to maximize their efforts to reserve resources. Memorial walls have been constructed at many sites to conserve land for ground interments. In Massachusetts, wind turbines have been installed to provide power to the burial site. These turbines cover 95 percent of the utility costs for the cemetery, thereby allowing the NCA to focus resources on other projects. The NCA is currently working on a memorial affairs redesign. They intended to replace their current IT system and add new features that will aid cemetery visitors. They hope to include maps of cemeteries and grave site locators that will be available to smartphone users. These features will allow loved ones to easily navigate a veterans' cemetery.

After the discovery of mismarked and unmarked graves in Arlington National Cemetery in 2011, the NCA has begun an audit to ensure that all headstones correspond with the correct grave. In phase one of this process, the NCA specifically targeted areas where headstones were removed for realignment to prevent sinking. Out of the 1.6 million burial plots reviewed during this phase, the NCA found 243 errors. Presently conducting phase two, the NCA is checking every discrepancy reported by cemetery directors. This phase will be completed in December 2012. To prevent graves from being mismarked, the NCA has instituted new policies, including preventing the headstone from leaving the grave during a realignment process. Instead of being placed on a pallet with other headstones, the marker will be placed on top of the grave, ensuring it does not move from the cemetery. Also, new markers will be placed on top of a concrete foundation. This new foundation decreases the likelihood of markers sinking into the ground, thereby eliminating the need for realignment.

Today, the NCA employs more veterans than any other government agency, more than 75 percent of its workforce, and continues to expand training and employment opportunities for veterans. Starting on Oct. 22, 2012, a group of 30 homeless veterans will begin a yearlong internship and upon completion will be offered a position as a cemetery caretaker. The individuals will begin their training in St. Louis for a week, and then finish the instruction at a local cemetery. The NCA's goal is to train all caretakers and standardize practices throughout the NCA. They will be expanding outreach in the coming year to rural communities who may not have access to a national or state veterans' cemetery. By utilizing an outreach van, the NCA will provide information on memorial benefits at veteran-focused conventions and community events. The NCA is also speaking with specific veteran communities who have special burial needs, such as Native American veterans. This will enable the NCA to address all burial needs and better serve veterans and their families. [Source: AMVETS Blog 3 Oct 2012 ++]

Vet Charity Watch Update 28: A prolific con-man who bilked donors out of \$100 million using a fake Navy veteran's charity and routinely rubbed elbows with GOP bigwigs is a Harvard-trained lawyer who has been wanted for 25 years, authorities said. Since his arrest in May, the accused scam artist has been known as either "Bobby Thompson" or "Mr. X" - the name he gave to investigators and used to sign legal documents. On 2 Oct, U.S. Marshals identified him as John Donald Cody, 65, a lawyer who has been wanted since 1987 for various frauds -- including stealing \$99,000 from two former clients in Arizona - and espionage, The Associated Press reported. "We always knew there was a reason Thompson signed his name as Mr. X and did not want to be identified," U.S. Marshal Pete Elliott said, according to ABC News. "Now we know why." The University of Virginia and Harvard Law grad was arrested in Portland, Ore., in April for running a phony vets' charity based in Tampa, Fla., the U.S. Navy Veteran's Association. Using the Thompson alias, Cody spent a decade pretending to raise hundreds of millions of dollars in donations for Navy vets and their families. Instead, he lined his own pockets and used hefty donations to get access to top-level Republicans.



Cody as Thompson with President George W. Bush. The scam artist donated large sums to top-level GOP members and delighted in having his picture taken with them.

The website of the phony non-profit boasted of 66,000 members in 40 states, but none of it was true. Now-infamous photos show a grinning, pony-tailed and pompadour "Thompson" posing with President George W. Bush, House Speaker John Boehner and former Mayor Rudy Giuliani. In 2010, the Tampa Bay Times published reports exposing the NVA as a scam - 84 of 85 "officers" listed were made up names and \$22 million in supposed donations had vanished -- and Thompson was charged by the attorney general in Ohio with fraud, money laundering and theft. Cody had been wanted by the FBI since 1987 and had appeared on the TV show 'America's Most Wanted.' After a two-year manhunt, he was nailed by the feds on 30 APR 2010 at a boarding house in Portland, where he was posing as a retired Canadian mountie, ABC News reported. He was travelling with a DVD of the Leonardo DiCaprio flick, "Catch Me If You Can." Since then, he has been in jail in Cleveland, refusing to answer to anything other than "Mr. X."

His true identity was revealed on 2 OCT after U.S. Marshal said they matched his fingerprints with ones taken during Cody's military service in 1969. The Marshals were prompted to check the finger prints after Google searches turned up old FBI wanted posters showing Cody with his signature pompadour. Another clincher was a large stash of eye drops found at Thompson's Portland hideout. During his years in Arizona, Cody was known to use eye drops constantly because his tear ducts were destroyed by radiation poisoning he suffered while serving as a military intelligence officer in the Philippines, the Tampa Times reported. "This is definitely John Donald Cody," Elliott told the AP. "He's a guy that thought, No. 1, he could never get caught, and No. 2, he would never be identified. And we were able to do both." Both UVA and Harvard Law confirmed that Cody was a graduate. He's due in court on March 11. His attorney, Joseph Patituce, told the AP the state had a "weak case" against his client. [Source: New York Daily News | Philip Caulfield | 2 Oct 2012 ++]

Mobilized Reserve 9 OCT 2012: The Department of Defense announced the current number of reservists on active duty as of 9 OCT 2012. The net collective result is 1461 fewer reservists mobilized than last reported in the 1 SEP 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 45,236; Navy Reserve 4,540; Air National Guard and Air Force Reserve 9,846; Marine Corps Reserve 3,040; and the Coast Guard Reserve 681. This brings the total National Guard and Reserve personnel who have been activated to 62,983 including both units and individual augmentees. [Source: DoD News Release No. 810-12 dtd 10 Oct 2012 ++]

VA Lawsuit ~ Michael Nash: Michael D. Nash of Louisville KY has sued the federal government in U.S. District Court in Louisville, seeking \$10 million in damages for what he calls medical malpractice. Nash, who served in the Army in 1968 and 1969, went to the VA hospital in Lexington for medically necessary surgery on his penis. Nash's attorney, Larry Jones of Jones Ward law firm in Louisville, said that after the procedure a nurse packed Nash's groin in ice for 19 hours. "It basically caused frostbite on his penis, which eventually caused gangrene," Jones said. "In addition to robbing someone of their manhood, they've robbed him of the simple ability to urinate just like every other person who lives in this world." A message left for the Veterans Administration was not immediately returned Tuesday morning.

Nash, 61, entered the VA hospital on Oct. 28, 2010, to have a penile implant and circumcision. A nurse applied ice packs to Nash's groin to reduce pain and swelling. The problem arose when the medical staff allowed the ice packs to remain in place for about 19 hours. Jones described it as non-stop ice replacement. "Any doctor who is monitoring the care of their patient is not going to allow someone to have constant treatment with ice ... for more than 2-3 hours," Jones said. Gangrene set in within a few weeks, causing doctors to remove a five-inch section of Nash's penis — a procedure for which he continues to receive medical care, Jones said. Nash will need reconstructive surgery that will allow him to urinate, Jones said. "It's about the most blatant medical malpractice error one could make," Jones said. "It's a senseless tragedy that should never have happened."

Nash initially pursued compensation under the Federal Tort Claims Act — a civil procedure that requires a person to file a claim with the government and prevents him or her from suing until the claim is resolved. The Department of Veterans Affairs reviewed the claim and rejected it in July. "It is our opinion that there was no negligence on the part of the Department of Veterans Affairs or any of its employees in connection with the claimed loss; therefore your claim is denied," wrote Melinda Frick, Indianapolis-based regional counsel for the VA. Jones said the extent of Nash's injuries is what prompted the lawsuit. "If this was someone who had a little frostbite and a little burning for a couple of days, there would be no suit," Jones said. "I would not wish this on my worst enemy." [Source: Associated Press | Brett Barrouquere | 2 Oct 2012 ++]

Presidential 2012 Election: The Military Officers Association of America (MOAA) reached out to President Barack Obama and Gov. Mitt Romney for their insight on issues important to their members. Each candidate received the opportunity to provide up to 1,250 words in response to the below five questions.

1. In the past, large post-war force reductions have left insufficient forces to meet the next unexpected contingency. Considering the extraordinary stresses on our military over the past decade of war and continuing threats from Iran, North Korea, and others, what force levels (relative to current forces) do you believe are needed to be prepared for potential future contingencies?
2. Some studies propose making the military benefit package (retirement, health care, etcetera) more like that of civilian workers. In view of the dramatically different demands and sacrifices entailed in military versus civilian careers, to what extent do you believe the military must maintain a unique benefit package to attract a high-quality career force?
3. Sequestration law requires the defense budget to absorb 50 percent of the nearly \$1 trillion budget cut over the next 10 years. What is your view of that allocation and the share of future budget cuts that should be taken from defense?
4. The past decade of war imposed dramatically increased demands on National Guard and Reserve forces. Under the current "operational reserve" concept, such demands likely will continue to disrupt their civilian

work careers. To what extent do you believe these extra demands warrant an improved Guard/Reserve compensation and benefit package?

5. Recent VA budgets have been increased substantially, but many wartime veterans will need continuing support for decades. What is your view on how this national obligation can be met in the face of increasing budget constraints?

The responses in their entirety and unedited are listed in the attachment to this Bulletin titled, “**Election 2012 Military Issues**”. Differences in length reflect the choices of the respective campaign offices. They do not necessarily reflect the position or opinions of MOAA. [Source: MOAA News Exchange 3 Oct 2012 ++]

BRAC Update 29: Utah’s Democratic candidate for governor said 2 OCT that state officials are failing to ensure the military base that is the state’s largest employer survives base closures, but he offered no concrete examples of how he would do so if elected. Retired Army Reserves Maj. Gen. Peter Cooke has made the future of Hill Air Force Base a centerpiece of his campaign, criticizing Republican incumbent Gov. Gary Herbert as “asleep” when the Pentagon downgraded the mission at the base and saying at a news conference that more must be done to ensure the base remains relevant to the military into the future. A federal commission that examines military bases for closure is set to issue new recommendations in 2015. More immediately, automatic, across-the-board budget cuts of 9 percent to most Pentagon programs are possible after the first of the year because Congress failed to reach a budget deal last year. The military is struggling to deal with an onslaught of budget cuts, Cooke said, and that onslaught is likely coming to Utah.

Hill Air Force Base is Utah’s largest employer with some 25,000 employees north of Salt Lake City and an economic impact of about \$3 billion. Those numbers are similar to Tinker Air Force Base, which is Oklahoma’s largest employer and recently assumed an increased command mission. Cooke pointed to Oklahoma as an example for taking steps to keep that base intact. Joining him at the news conference: Oklahoma County Commissioner Ray Vaughn Jr., who said the message state and local officials there have learned is to be proactive. In 2005, the county lost 2,200 jobs when a General Motors plant closed after operating for 27 years. That plant shares a border with Tinker, which employs more than 26,000 people and has a payroll of \$3.8 billion. The local Chamber of Commerce spent two years trying to find a buyer for the plant, Vaughn said, before chamber leaders finally approached the Air Force about leasing it. With no firm commitment from the military, voters there still approved a \$55 million bond in 2008 to buy the closed plant to lease to the base. The bond increased taxes by 68 cents for the owner of a \$100,000 home. “The citizens have a long history of supporting this base,” Vaughn said. “We were interested in not only replacing jobs that were lost with the GM plant, but in creating new opportunities.”

Already, 150 jobs at the Utah base have been moved to the Oklahoma base. Whether more Utah jobs will be lost remains to be seen. Cooke said that, if elected, he would immediately visit the Pentagon to better understand Air Force plans to realign its operations and would treat the military as he would any other business he hoped to retain. He offered no specific examples of how to make the Utah base more attractive and essential to the military going forward, but said state officials should be looking at areas to expand operations there. They include the drone program and looking to bases that are struggling to poach some operations. A spokesman for Herbert’s campaign said the governor recognizes the vital importance of Hill to the national defense and to Utah’s economy, but said protecting it is a team effort. “Governor Herbert will continue to be a champion for Hill Air Force Base, and he is confident it will thrive based on its strategic military value and because of the hard working men and women on base — not because of politics,” spokesman Marty Carpenter said. [Source: Associated Press | Shannon Dininny | 2 Oct 2012 ++]

Golden Gate National Recreation Area: A massive gun that was on the battleship Missouri when the Japanese surrendered at the end of World War II will soon be installed on a cliff at the entrance to San Francisco Bay. The 68-foot-long, 236,000-pound gun will be painted and displayed at the Battery Townsley fortification in the Golden Gate National Recreation Area in the coming months, the San Francisco Chronicle reported on 1 OCT. The gun was set to complete the final leg of its journey to the battery on 2 OCT after a two-day trip from a naval weapons station in Hawthorne, Nev. It will simulate one of two guns that protected the battery during World War II but have since been removed. “A gun battery without a gun would be like a railroad museum without a locomotive,” said John Martini, a retired park ranger who helped refurbish Battery Townsley. The original guns were each capable of shooting a 2,100-pound projectile 25 miles out to sea, according to the National Park Service. The battery itself — and another like it at Fort Funston — became a model for gun batteries planned elsewhere on the East and West coasts. When Battery Townsley was tested for the first time in the summer of 1940, its projectile went even farther than expected, according to the park service. The guns continued to fire practice salvos after that, but the location of the battery was kept secret. The gun that will be displayed was one of nine aboard the battleship Missouri. The gun that will be displayed was one of nine aboard the battleship Missouri.



16-inch gun #386 that was on the battleship Missouri at Fort Cronkhite Missouri before it was shipped to the Battery Townsley fortification in San Francisco

Golden Gate National Recreation Area (GGNRA) chronicles two hundred years of history, from the Native American culture, the Spanish Empire frontier and the Mexican Republic, to maritime history, the California Gold Rush, the evolution of American coastal fortifications, and the growth of urban San Francisco. It hugs the California coastline for nearly 60 miles in and around San Francisco and is one of the world's largest urban national parks, Golden Gate National Recreation Area. A total of 17 million visitors annually are drawn there by the unparalleled recreational opportunities, natural beauty, and riveting stories. Among its features are a "working" Nike Missile Site, the maximum security federal prison Alcatraz, the conversion of an abandoned airfield into hundreds of acres of productive coastal wetlands, and some of the best beaches and hiking trails in the nation. All America the Beautiful – National Parks and Federal Recreational Lands Passes are valid for CGNRA entry. The Federal Lands Recreation Enhancement Act (FLREA), authorizes Recreation Fees to be charged within the Golden Gate National Recreation Area. Eighty percent of the money is retained in the park and makes possible important visitor service and resource protection projects. The fees are:

- Alcatraz Island: Prices vary with tour package. For more information call (415) 981-ROCK [415.981.7625] or go to www.alcatrazcruises.com.

- Kirby Cove: Campground - \$25/Night; Picnic Area - \$35/Day
- Muir Woods National Monument: \$7.00 Adult (16 years of age and older), Children (15 years of age and under) free, Muir Woods Annual Pass \$20
- Other Golden Gate National Recreation Area Sites: Free

Refer to <http://www.nps.gov/goga/planyourvisit/index.htm> for additional information and brochures on the many sites to visit. [Source: Associated Press article 1 Oct 2012 & www.nps.gov ++]

Aid & Attendance Update 09: Here’s a riddle: When is a government benefit that pays for caregivers, assisted living and a nursing home not a benefit? When hardly any people know they’re entitled to it. That seems to be the story with a Department of Veterans Affairs benefit called the Aid and Attendance and Housebound Improved Pension benefit, known as A&A, which can cover the costs of caregivers in the home (including sons and daughters who are paid to be caregivers, though not spouses) or be used for assisted living or a nursing home. The benefit is not insignificant: up to \$2,019 monthly for a veteran and spouse, and up to \$1,094 for the widow of a veteran. Surprised that you’ve never heard of it? You’re not alone. “It’s probably one of the lesser-known benefits,” said Randal Noller, a Veterans Affairs spokesman in Washington. Of the 1.7 million World War II veterans alive as of 2011, who were in need of caregiving assistance and thus eligible, only 38,076 veterans and 38,685 surviving spouses were granted the A&A benefit that year, according to Mr. Noller.

Mr. Noller is not the first to acknowledge A&A is a well-kept secret. Jim Nicholson, former secretary of Veterans Affairs, said in a DEC 2006 news release that “not everyone is aware of his or her potential eligibility” for the program, which he called an “underused” benefit. Not much has changed. A search of the Veterans Affairs Web site for evidence of public information efforts in the six years since came up blank. “The sad thing is, it’s been an entitlement for 61 years, but it’s sat idle — the V.A. employees just haven’t been educated about it,” said Debbie Burak of Midlothian, Va. She said she repeatedly called department offices on behalf of her father, a World War II veteran, and her mother, who became homeless after their house caught fire and their injuries required extensive care. She was told there were no benefits they were entitled to. (Indeed, when I called two Baltimore-area Veterans Affairs offices for my father, a World War II veteran, no one had heard of this benefit or any benefit that paid for caregivers or assisted living or nursing homes.) “My parents’ end of life was so difficult. They lost everything, were living in a terrible hotel, ran up every credit card we had,” Ms. Burak said. “My mother begged us not to cremate her, but there was no money for a burial; we had no choice.” It was only after her father died that Ms. Burak discovered her parents would have been entitled to as much as \$160,000 over the last decade through the Aid and Attendance benefit. She applied, but no money arrived before her mother died.

Mr. Noller said the program’s low visibility might be an effect of the size of the department. “The V.A. is the second-largest agency in the federal government, and you can’t expect everybody to know everything,” he said, referring to the agency’s work force. To bridge the information gap, Ms. Burak introduced <http://www.veteranaid.org>, a Web site and a 501(c)(3) charity, in 2005, to provide information about A&A eligibility and how to apply. To qualify, a veteran need not have suffered a service-related injury. He or she only had to have clocked at least one day of his or her 90-day minimum military service during a time of war and need caregiving for activities of daily living. Applying can be confusing and arduous. If you know the program’s name and search the Veterans Affairs Web site for Aid and Attendance, the first page states, among other things, that you are not eligible for A&A unless you already qualify for a basic Veterans Affairs pension — for which you have to be “totally disabled.” **That’s more than a little misleading.** “What people don’t know is that when wartime veterans turn 65, the V.A. automatically classifies them as ‘totally disabled,’ ” Ms. Burak said. And if they meet income and asset criteria, they are eligible for a basic pension. The A&A benefit can be more than 50 percent higher than the

basic veteran's pension (\$24,239 annually for a veteran and spouse with A&A, versus \$16,051 for a basic pension). The income and asset cutoffs are also higher than for A&A benefits. Not all Veterans Affairs officers are in the dark about A&A.

- After Annette Cadena's parents were in a car accident and moved to a nursing home in their tiny hometown, Fossil, Ore., it was the local Veterans Affairs officer, Paul Conroy (now retired), who saw her on the street and mentioned that her parents might qualify. "I was skeptical, to be honest," said Ms. Cadena. "My husband did two tours in Iraq and has worked 30 years for the Washington State Army National Guard coordinating with the V.A. to help veterans, and he had never heard of it." Still, she applied in August 2009, and nine months later her parents started receiving the maximum \$2,019 per month. The benefit was a lifesaver. That is, until her father, Clinton Ray, died on Aug. 5. The payments to her mother, Bessie Ray, stopped, even though widows of veterans are also entitled to this benefit. "They cut her off cold," Ms. Cadena said, and told her she would have to apply all over again as a widow, which could take 9 to 18 months. "My mother said, 'Oh, my God, are they going to kick me out of the home?'" Ms. Cadena recalled. Still, when the benefit comes through, it can make a real difference.
- Marcia Hruska's mother, 85, had run through all her savings after seven years of worsening Alzheimer's and round-the-clock care in her apartment in Coconut Creek, Fla. Assisted living was the next step, but Ms. Hruska didn't know how they would pay for it, with Social Security her only income. "One of the assisted living facilities we visited asked if my dad had been in the service," and mentioned A&A, Ms. Hruska recalled. So she filled out the **26-page** Veterans Affairs application — which used to be only four pages — and on 1 SEP, six months after applying, she received the first monthly check for \$1,019. "This relieves a lot of tension," Ms. Hruska said.

One warning note: Scams abound. The department forbids anyone to charge to help veterans fill out these challenging forms, yet a growing number of companies — many of which, on a Web search for "Aid and Attendance," pop up with waving flags and red-white-and-blue banners — offer to "help" veterans fill out the forms free, then charge thousands of dollars for financial consultation. And, Ms. Burak warns: "Financial planners at assisted living facilities are putting on seminars about the A&A benefit — but it isn't out of the goodness of their hearts. They are trolling for residents who have too much money to qualify, to get them to move assets into annuity products that don't count as income or assets and yield big commissions." (This is possible because, unlike Medicaid, with its five-year lookback, Veterans Affairs **has no lookback on asset transfers**.) The department does not reveal maximum allowable assets. But \$80,000 (the house and a car are exempt from this total) seems to be in the ballpark, though someone with more assets could still qualify if expenses were very high, according to Ms. Burak. Income limits are not set in stone either. But the maximum is around \$20,000 to \$23,000 after deducting costs for medical expenses, caregivers, assisted living or nursing home fees. Some people are taking advantage of A&A to protect assets for their heirs, Ms. McCarty said. Still, she said, "it's a wonderful benefit." [Source: New York Times | Susan Seliger | 19 Sep 2012 ++]

VA Claim Processing Update 07: For veterans claiming they can't prove a service connection for their disability because it resulted from a secret operation, the Veterans Affairs Department has assigned a liaison officer to the U.S. Special Operations Command with direct access to classified files. The little-known program has a VA employee work closely with the command historian at the command's headquarters at MacDill Air Force Base, Fla., to review files on classified missions for special operations units in all services. Befitting the nature of the missions involved, the program, quietly launched a year ago, has received scant attention. Joe Davis, spokesman for Veterans of Foreign Wars, was unaware of the initiative. "But it does make perfect sense, given the clandestine nature of their business," he said. The liaison was established in December 2009 under an agreement between the

Pentagon and VA. The current VA liaison to the Special Operations Command is an Army veteran who was not part of a special operations unit but has the appropriate security clearances to review files, according to VA sources.

Lack of records access has been seen by many spec ops veterans as a roadblock to filing claims, especially for disabilities such as post-traumatic stress, for which there may be nothing in military health or personnel records to verify any treatment while the veteran was in uniform. If a veteran says his claim is based on involvement in a secret mission, VA claims examiners turn files over to the liaison, who can verify the veteran's involvement, VA sources said. If more information is needed, the claims examiner requests that the liaison search for the information by requesting it from either U.S. Special Forces Command or one of its subordinate commands. The liaison officer then prepares sanitized information for use by the regional VA office handling the claim. Veterans have direct contact with the liaison only if more information is needed to track down records, VA sources said. Claims from veterans who say they took part in an intelligence operation run by the Defense Intelligence Agency, Central Intelligence Agency or other government organization also can be researched by the VA liaison officer if a classified mission is involved, VA sources said. The liaison officer is a full-time employee of the Veterans Benefits Administration and has access to records involving special operations units including Army Rangers, Army Special Forces, the Army's 160th Aviation Regiment, Navy SEALs, Air Force Special Operations and Marine Corps Special Operations and Reconnaissance units. [Source: www.ptsdspport.net | Rick Maze | 3 Oct 2012 ++]

VA Conference Scandal Update 01: The Veterans Affairs Department spent more than \$6 million on two conferences in the summer of 2011, much of which was deemed wasteful and excessive, according to an internal investigation. The report, issued by VA's inspector general's office, called the human resources conferences in Orlando, Fla., "valid training" exercises, but said the department lacked the leadership to provide proper oversight. "Overall, VA's processes and the oversight were too weak, ineffective and, in some instances, nonexistent to ensure that conference costs identified were accurate, appropriate, necessary and reasonably priced," the auditors wrote in the report. "Accountability and controls were inadequate to ensure effective management and reporting of the dollars spent." The report specifically cited Assistant Secretary for Human Resources and Administration John Sepulveda, who resigned in advance of the report release, for "abdicat[ing] his responsibilities." VA confirmed a Federal News Radio report that Sepulveda resigned from his position Sunday. The IG's office said Sepulveda made false statements while under oath during the investigation.

In a statement, VA said the issues discussed in the report represent the "misconduct" of a few individuals. "Misuse of taxpayer dollars is completely unacceptable," the department said. "The actions cited in the report represent serious lapses in oversight, judgment and stewardship." It added the department agrees with the IG's findings and recommendations. "[VA]Secretary [Eric] Shinseki has taken immediate action to address the issues outlined in the IG report to strengthen oversight, improve accountability, safeguard taxpayer dollars and help ensure such incidents do not occur again," the department said. Among the extraneous spending cited in the report was nearly \$50,000 on a parody video. The auditors also pointed to hundreds of thousands of dollars in "unsupported" travel expenses, "excessive" expenditures at the two conferences at a Marriot hotel in Orlando and wasteful promotional purchases. Additionally, VA rented karaoke equipment and purchased "artisan cheese displays" for senior executives, which the auditors said "did not add any training value to the conference."

VA employees directly disobeyed agency legal advisors, who told the conferences' organizers that promotional all-purpose bags, "padfolios" and USB hubs were not allowable expenditures, but the employees went ahead with the purchases anyway. The IG's office said the total "questionable, unnecessary and wasteful" purchases added up to \$762,000. The report found total costs well exceeded the authorization for spending on the conferences, while failing to reach the target for number of employees. Organizers had hoped the two conferences would train 3,000 workers, though only around 1,800 ended up attending. The IG's office said due to VA's failure to accurately and

comprehensively track the spending at the conferences, there is no way to identify all the costs and the \$6.1 million price tag estimate could actually understate the total expenses. Nearly a dozen employees face retribution for accepting "improper gifts in violation of federal law," including several "high-grade, supervisor-level employees." The gifts included free meals, transportation, gift baskets, spa treatments and tickets for a Rockettes performance.

The report specifically named several VA executives in addition to Sepulveda for leadership failures -- including Alice Muellerweiss, dean of the VA Learning University, and Tonya Deanes, deputy assistant secretary for the Human Resources Management Office -- and redacted the names of several others. The auditors recommended VA consult with its General Counsel's Office to determine the appropriate action to take against Muellerweiss, Deanes and others. VA announced two employees have been "place on administrative leave pending review," but could not elaborate on which two employees, citing privacy considerations. "The secretary will appoint senior officials to review evidence of wrongdoing and to recommend appropriate administrative action," VA said. [Source: GovExec.com | Eric Katz | 1 Oct 2012 ++]

Commissary News Update 07: Commissary patrons will soon see the "biggest transformational effort" made by the Defense Commissary Agency in its 21-year history, says DeCA Director Joseph H. Jeu. For starters, by this time next year military families might be ordering groceries online, Monday through Friday, with service members or spouses being able to pick up the order curbside on their way home from work. Perhaps not many months after that, military shoppers with smart phones will be able to use them to compare commissary prices with commercial supermarkets and make instant buy decisions, all through a secure application available only to military patrons. Also, in areas of the country with several military bases, such as San Diego, San Antonio and Virginia's Tidewater area, DeCA plans to test alternative store designs including the "warehouse" experience and bulk products found at stores like Costco and BJ's. But warehouse commissaries should offer even deeper savings, Jeu said. Long term, they also might allow DeCA to hold down construction costs.

With its embrace of online and smart phone technologies – what retailers call "e-commerce" and "m-commerce" – DeCA also plans to use social media like Facebook, Twitter and YouTube more routinely to get real time feedback from patrons who have complaints or good ideas. These changes, which echo popular initiatives in the commercial marketplace "will position us well into the 21st Century, at least for the next 20 years," Jeu told me in a phone interview from DeCA headquarters at Fort Lee, Va. "This is an exciting time for all of us." To allow online and smart phone access to commissary products and prices, DeCA will set up a process to authenticate user eligibility through DEERS, the Defense Enrollment Eligibility Reporting System, Jeu explained. The commitment to more modern approaches to commissary operations are set down in a new DeCA vision statement to enhance the commissary experience without driving up the annual \$1.4 billion subsidy.

The first initiative "you are going to be seeing is the model like Harris Teeter where you can order online for pick up at the curbside," Jeu said. DeCA is "working vigorously" on this, he said. It already has tested the concept successfully with sandwich orders at the Fort Lee commissary. It also has tested pre-ordering and pre-payment processes using its Guard and Reserve onsite sales program which bring limited commissary orders to drill units in more remote states like Wisconsin, Minnesota and North Dakota. The online order concept will be more fully tested next spring, again at Fort Lee but also at one or two other locations. If successful, it could become worldwide by fall next year. Online orders will be Monday through Friday only, Jeu said, when it makes the most sense for working families. DeCA doesn't expect to have to hire more staff to process and bag online orders and place them in a refrigerated space for pickup. But that's what full store testing will determine, Jeu said.

No timeline is set for testing use of smart phones to comparison shop commissary prices without retail grocers, JEU said. But that will follow on the heels of successful launch of online ordering. DeCA wants to test warehouse stores and "other concepts," JEU said. "There's a lot of different ideas to deliver our commissary benefit to more people and more efficiently, and to a younger generation." Young commissary shoppers, he said, "grew up using electronics, shopping from homes, with social media and they just buy things differently. So we want to make sure they take full advantage of this commissary benefit that they so earned." Warehouse commissaries will operate in areas where military shoppers still have the choice of a traditional commissary. Items won't be as varied but product will be sold in bulk quantities. "And we believe we should offer a greater discount" JEU said. The most recent American Customer Satisfaction Impact (ACSI) survey of grocery store patrons showed commissaries earning an average score of 81 percent versus a 76 for commercial grocers. DeCA's score was higher than every supermarket chain except Publix, which has stores from Tennessee southeast through Florida.

Given the savings that commissaries generate, JEU said, DeCA does not feel threatened when chains like Harris Teeter begins to offer online orders and curbside pickup. But DeCA studies shopping trends and will update its business model, as it is now, to sustain customer satisfaction. Exchanges, or department stores on base, also will be evolving for the electronic shopper. For example, the Army & Air Force Exchange Service has announced that patrons soon will be able to browse and buy online all of the same products that are sold at large main exchanges. "Ultimately, National Guard, Reserve, retired and active duty shoppers will be able to enjoy the same selection online as they would find at Fort Campbell, Kadena Air Base, Japan, or Kaiserslautern Military Community Center, Germany," said Col. Tom Ockenfels, chief of staff for AAFES. DeCA, said JEU, "has a responsibility to innovate and avoid becoming stale."

That would make the prized commissary benefit, which is a critical element of non-pay compensation, less "relevant" to patrons. Commissaries sell groceries and household products at cost plus five percent. The surcharge goes toward store maintenance and new construction. But to operate its 248 stores worldwide, DeCA needs an annual appropriation, which is taxpayer support. In return for that \$1.4 billion subsidy, military shoppers save an average of 32 percent on brand name products and local staples like milk, bread and fresh produce. DeCA estimates the typical military family-of-four saves \$4400 a year using commissaries. The total value of those savings is more than \$2.8 billion for a two-for-one return on the subsidy, JEU said. That subsidy is a frequent target of debt reduction studies. And DeCA could see an arbitrary cut of 10 percent if Congress allows the across-the-board "budget sequestration" knife to fall, as scheduled, on 2 JAN. [Source: Mil.com | Tom Philpott | 28 Sep 2012 ++]

Commissary News Update 08: U.S. Representative Jeff Denham (R-Turlock) on 21 SEP introduced legislation to extend, without time limitation, military commissary and exchange store privileges to disabled veterans who are involuntarily separated with a service-connected disability and their families. "Our service men and women risk their lives every day to protect our country and I'm committed to making sure we preserve the rights, protections and benefits that America's brave and heroic veterans deserve," said Denham. "This legislation is a common-sense bill that will provide much needed help for our disabled veterans and their families. I will continue to work on behalf of our veterans in Congress to take the best care possible of our brave and deserving veterans." Commissary benefits are part of the military pay and benefits package that is designed to recruit and retain Armed Forces while enhancing the quality of life and readiness for America's military personnel, retirees and their families. Access to commissaries and exchanges is generally limited to military retirees who are retired from the military under either longevity or disability criteria. Denham's legislation, H.R.6488, would extend commissary and exchange store privileges to veterans with a service-connected disability and their families.

Rep. Denham has received support from the Disabled American Veterans (DAV) for H.R. 6488, and original co-sponsors of the bill include Reps. Howard P. “Buck” McKeon, Chairman of the House Armed Services Committee, and Jeff Miller, Chairman of the House Committee on Veterans’ Affairs. “Part of the healing process is being part of a family—a network—and this legislation is one way we can show these men and women their sacrifice is still recognized,” stated Rep. Jeff Miller, Chairman of the House Committee on Veterans’ Affairs. “This bill will greatly assist our wounded warriors and their families not only financially, but will help them feel that they are still part of the greater military family.” [Source: TREA News for the Enlisted 5 Oct 2012 ++]

VA Pain Care Update 01: Two-thirds of the Texas Iraq and Afghanistan veterans the American-Statesman identified as dying of overdoses had powerful prescription painkillers in their systems, according to autopsies and medical examiner reports. It wasn’t clear if the pills directly responsible for the overdoses were prescribed by U.S. Department of Veterans Affairs physicians. But in many instances, family members said, the veterans first used the narcotics as active-duty service members. “More frequently than we’d like, veterans get prescribed opioids while they’re in the service,” said Catherine Coppolillo, a staff psychologist at the Clement J. Zablocki VA Medical Center in Milwaukee. According to a recent study, opioid addiction cases in VA patients climbed 23 percent between 2008 and 2010 (although that also represents growth in the number of patients). And “once they develop the disease of opioid addiction, they become very high risk for an overdose death,” said Andrew Kolodny, chairman of the department of psychiatry at Maimonides Medical Center in New York and president of Physicians for Responsible Opioid Prescribing.

As in the civilian population, the military’s use of opioid painkillers — hydrocodone, oxycodone and methadone are the most popular — has skyrocketed over the past decade. Hydrocodone is the most prescribed drug in the country and the VA’s most-used narcotic painkiller. The drugs are an important component of pain treatment. A decade ago, the agency was criticized for not getting the medications to ailing veterans quickly enough and so adjusted its protocols to make the drugs more available. But in the face of mounting evidence of addiction and overdoses, many now say obtaining the painkillers became too easy. In 2010, over 23 percent of VA patients received an opioid prescription. “There’s really been a culture of, ‘Let’s get rid of pain,’ and I think unfortunately that pendulum may have swung too far,” said Karen Seal, a San Francisco-based VA researcher who studies substance abuse among veterans. With their often interlocking conditions — post-traumatic stress disorder, traumatic brain injury, chronic pain — veterans are an especially complicated and vulnerable population to treat with the powerful drugs.

“It remains unclear how to best treat these problems simultaneously, and in particular, how to use pain medications safely,” Robert Kerns, the VA’s director for pain management, wrote recently. In an interview, he added that in recent years, the agency had adopted more conservative prescribing protocols and was stressing alternative treatments for pain control. Some of the rise in use of the powerful painkillers among veterans is attributable to prescriptions written to control acute pain related to healing injuries. But much of the growth has been due to the drugs increasingly being used to treat chronic pain — despite scant scientific support for their long-term use. In 2010, when University of Oregon researcher Roger Chou reviewed new opioid prescribing guidelines issued by the American Pain Society and American Academy of Pain Medicine, he discovered that nearly 90 percent of their recommendations had little basis in solid research. “In other words, what we know about opioids is dwarfed by what we don’t know,” he wrote, adding in a phone interview: “It is shocking.”

To young veterans with chronic pain, especially, that is a yawning gap. A study published earlier this year, “Misuse of Prescription Pain Medications in U.S. Active Duty Service Members,” noted that what little research had been done on the use of painkillers for chronic pain focused on civilian populations, whose conditions typically start

appearing midlife. By comparison, “widespread treatment of chronic pain with opioids in young adults has not been previously observed.” Although the drugs were promoted as having little risk of addiction, “We now know they’re highly addictive — especially using them in young adults,” Kolodny said. Doctors also were taught opioids were safe at higher doses as long as they were introduced gradually. The result, said Chou, is that over the years the average dosages of painkillers has increased.

“A lot of the guys, because of their injuries, are coming to the VA on whopping doses of opioids,” said Jodie Trafton, director of the Menlo Park, Calif.-based VA Program Evaluation Resource Center. The trend has been deadly. In a study published last year of 155,000 veterans treated by the VA between 2004 and 2008, Michigan-based VA researcher Amy Bohnert found that veterans on higher doses of opioids had a greater risk of overdose. Chou also found little hard research on the comparative risks of different types of narcotic painkillers. In particular, he cited methadone — an inexpensive but clinically risky drug because it builds up in patients’ systems. “Data indicate large increases in methadone-associated fatalities, yet almost no evidence exists on risks of methadone versus other opioids,” he wrote. In 2011, records show, VA doctors dispensed four times as many prescriptions for the drug as in 2001.

An Iraq Army veteran and 30-year-old Waco resident (the Statesman is not naming veterans whose families could not be reached) died of a methadone overdose in 2008. So did a 34-year-old Iraq veteran who died in Killeen, in 2010; and the Army veteran who died in a Richardson EconoLodge with methadone, hydrocodone and alcohol in his system at the age of 28. In all, nine of the Texas veterans who died of overdoses — 19 percent — had methadone in their systems. With their high rate of mental health diagnoses, returning veterans also are particularly susceptible to the deadly interaction of narcotic painkillers with drugs used to treat depression and anxiety. Mixing opioids with benzodiazepines — sedatives often used to treat mood disorders — is particularly risky. Seventeen of the Texas veterans of the Iraq and Afghanistan conflicts the Statesman identified as dying of overdoses — about one-third — died with both opioids and benzodiazepines in their systems, medical examiner records showed. [Source: Austin American-Statesman | Special Report | 28 Sep 2012 ++]

VA Pain Care Update 02: Over the past dozen years, as the number of prescriptions for narcotic painkillers written by U.S. Department of Veterans Affairs doctors soared, pharmaceutical companies waged a behind-the-scenes campaign to get the VA to focus more on veterans’ pain, which would lead to more drug prescriptions. The agency’s use of the drugs was bound to grow as more men and women returning from Iraq and Afghanistan — carrying more survivable wounds than in previous wars — demanded treatment during recovery. And pain-dulling narcotics are an important component of the treatment of acute pain. Yet much of the increase also has come from the surging use of the drugs to manage service members’ chronic, long-term pain — a use that pharmaceutical companies have promoted even though experts say there is little hard research to support it. Meanwhile, a 2011 VA-sponsored study found that the overdose risk for veterans was twice that of the general population — much of it due to opiate painkillers. The increase of the VA’s opioid use coincided with the agency’s adoption of the “Pain: the 5th Vital Sign” campaign. Initiated and promoted by the nonprofit American Pain Society before the start of the Iraq and Afghanistan operations, it urged doctors to check for patients’ untreated pain as regularly as they monitored heart rate, blood pressure and other wellness signs.

Although supported by many physicians and patient advocacy groups, critics say it was also a way for drug companies to tap new markets, particularly among patients with chronic pain. “Untreated pain is often code for ‘underused opioids’” said Andrew Kolodny, chairman of the Maimonides Medical Center psychiatry department in Brooklyn and president of Physicians for Responsible Opioid Prescribing. With millions of patients, the VA presented an obvious market for pain drug companies. A 2001 promotional plan for OxyContin, revealed as part of

a Florida lawsuit, detailed manufacturer Purdue Pharma's plan to spend hundreds of thousands of dollars targeting the agency. "Corporate initiatives and partnering efforts were very successful with the Veterans Administration (and) American Pain Society ... in an effort to make Pain: The 5th Vital Sign," the plan noted. "This 'call to action' was an important promotional initiative for Purdue. In addition to building sales for OxyContin Tablets, it also positioned Purdue as the leader in pain management education."

Drug companies have worked in less direct, but ultimately effective ways to influence the VA to pay greater attention to pain, as well. In 2008, Congress passed the Veterans' Mental Health and Other Care Improvements Act. It included language requiring the Department of Veterans Affairs to "focus attention on pain management" for returning service members. The VA opposed the law, saying it already paid ample attention to veterans' pain. But the measure was aggressively pushed by the influential American Pain Foundation. The foundation (unrelated to the American Pain Society) launched its "Military/Veterans Pain Initiative" in 2004 to promote "quality acute and chronic pain care and increased research" for returning soldiers, Brenda Murdough, the campaign's coordinator, explained in testimony to the Senate Committee on Veterans' Affairs in 2007. Then-foundation President Scott Fishman met with lawmakers to press the cause, according to foundation newsletters from the time. What the organization didn't tell lawmakers was that it received nearly 90 percent of its annual budget from drug companies, including some that manufactured common narcotic painkillers.

Another American Pain Foundation board member was psychiatrist Rollin Gallagher. Widely published and a frequent speaker on pain control, Gallagher had other ties to pain drug companies. In 2002, he appeared before a U.S. Food and Drug Administration committee as it considered whether to restrict the use of opiate painkillers. Representing the American Academy of Pain Medicine, which received funding from drug companies, he spoke against restricting the use of OxyContin. In publications, Gallagher also has disclosed he worked as a consultant for Purdue, Endo Pharmaceutical — maker of Percocet and Percodan — and Janssen Pharmaceutica, which developed the Duragesic fentanyl patch. He also disclosed he received grants from Cephalon, another painkiller manufacturer. Today, Gallagher is the VA's deputy national program manager for pain management. "I am not influenced by the pharmaceutical industry in my work," he wrote in response to questions, adding that he has long been a leader advocating for safer and better pain management and training. He said that he had received no funding from drug companies since 2006.

As the veterans pain bill wound through Congress, the American Pain Foundation also worked to generate public support, launching its "Freedom from Pain" media campaign in 2006 "as a part of ongoing efforts to raise awareness of resources for veterans in pain," a newsletter from the period announced. "Print, television and radio ads will be running across the country through the Veterans' Day holiday weekend." The organization bombarded members and veterans with "advocacy alerts," urging them to press for the bill's passage. "We are asking that you contact your Senator TODAY to request their support for this critical Veterans Legislation," a 2007 mailing read. In its 2010 annual report, the foundation said, "APF's Military/Veteran's Initiative played an influential role in policy efforts that eventually led to the passage of the ... pain care legislation in 2008." Pain foundation officers have denied the pharmaceutical industry's financial support influenced its advocacy. But published reports have noted it came to the defense of longtime patron Purdue in several OxyContin lawsuits and lobbied against laws to more tightly regulate opiate use.

Kolodny and others also have pointed to the American Pain Foundation's publications — some funded directly by drug companies — that soft-pedaled the risks of opioid painkillers while at the same time promoting the drugs for uses unsupported by research. "They were part of a brilliant campaign to change the way physicians prescribed opioids," he said. "And they created a widespread public health crisis." In 2007, the American Pain Foundation authored the "chronic pain" chapter of "The American Veterans and Service Members Survival Guide," widely distributed to veterans. Edited by Gallagher, the guide assured that "when used for medical purposes and under the guidance of a skilled health-care provider, the risk of addiction from opioid pain medication is very low."

Some studies have found that, among chronic opioid users, addiction rates can climb into the double digits. With their young age, as well as incidence of post-traumatic stress disorder and other mental health disorders, many veterans are at an especially high risk of opiate misuse, research has found.

The pain foundation suddenly shut down five months ago. Days later, the U.S. Senate Finance Committee announced it was opening an investigation into connections between the foundation and several supporting pharmaceutical companies. Citing “an epidemic of accidental deaths and addiction resulting from the increased sale and use of powerful narcotic painkillers,” Sens. Max Baucus and Charles Grassley said they wanted to learn if the manufacturers had used the American Pain Foundation — and other nonprofits — as a vehicle to promote their products irresponsibly. “There is growing evidence pharmaceutical companies that manufacture and market opioids may be responsible, at least in part, for this epidemic by promoting misleading information about the drugs’ safety and effectiveness,” the senators wrote. Among the information requested from the drug companies — including Endo and Purdue — was “information about the American Pain Foundation’s Military/Pain Initiative” and payments to a half-dozen physicians, including Gallagher. A finance committee spokeswoman said investigators were reviewing the documents. [Source: Austin American-Statesman | Special Report | 29 Sep 2012 ++]

Pentagon Contractor Data Breach: The Social Security numbers of Army recipients of the Medal of Honor and Distinguished Service Cross were inadvertently posted online by a Pentagon contractor and were available to the public until they were discovered by a Vietnam veteran who researches military medal awards. The Social Security numbers of 31 recipients of the military's top two awards for valor in combat were posted by a contractor conducting medals research for the Pentagon. The information was removed 29 SEP after the Pentagon learned of the breach through the efforts of Doug Sterner of Alexandria, Va., a Bronze Star recipient who has spent 14 years researching medals. The 31 Social Security numbers were posted on a link that contains details of the 518 recipients awarded the Medal of Honor, Distinguished Service Cross and Silver Star since Sept. 11, 2001.

"I was stunned _ I'm very upset this information got out there," said Sterner, 62. Sterner said Google searches of several medal recipients' names led him to the link, where the Social Security numbers were included along with names, ranks, units and brief narratives of battlefield heroics in Iraq and Afghanistan. Erik Muendel, chief executive officer of Brightline Interactive, an Alexandria, Va., company that has compiled information on medal recipients for the Pentagon, said he didn't know how the Social Security numbers ended up online. He said the company was supposed to receive only unclassified information. "We are investigating exactly how it occurred," Muendel said. "We're getting a lot of heat over this." He declined further comment. A Pentagon spokesman, Maj. S. Justin Platt, said some Social Security numbers were included when Brightline Interactive posted a link to an html-coded file used to create content for an interactive "Gallery of Heroes" kiosk at the October 2011 conference of the Association of the United States Army, a nonprofit educational group. Platt said Pentagon officials learned of the breach and contacted Brightline, which removed the link. "We take this seriously and we took action immediately," Platt wrote in an e-mail.

Sterner said the Social Security numbers appeared to have been available for some time. He said soldiers whose Social Security numbers were published ranged in rank from colonel to private. No Social Security numbers were published for Silver Star recipients. Platt said the data were available for less than a year. He said he did not know how much Brightline was paid for the contract, which is no longer active. He said he did not know how or why the Social Security numbers were provided to the contractor. In 2008, Sterner sold his database of valor medal recipients to the Military Times, which publishes a website, Hall of Valor, and pays him a monthly stipend for his research. Sterner said he notified the newspaper of the data breach; a sister publication, Army Times, contacted the Pentagon. In an online story Friday, the paper said it withheld its story on the breach until the data was removed from public

view. Army Times quoted a Medal of Honor recipient, former Staff Sgt. Sal Giunta, as saying of the breach: "That super sucks. It's like an attack on America. ... I wish it wouldn't have happened." Giunta was honored for saving the lives of three fellow soldiers in Afghanistan in 2007.

Editors Note: This is just another in a continuing series of incidents which substantiates the government, or any other institutions inability to maintain confidentiality of our personal data exposing us to identity theft no matter how careful we are in securing our records. Readers who have not yet obtained identity theft insurance are advised to do so. A number of companies providing this coverage can be found on the internet. One, "Lifelock" offers a 25% discount to the military community. [Source: Los Angeles Times | David Zucchini | 30 Sep 2012 ++]

Medagate OTC Card: Medagate OTC Card to accept the Medagate Over the Counter (OTC) benefits card on a worldwide basis. Medagate is a card-based program provided by Medicare and Medicaid Services that enables merchants to accept payment at the register for medicine and medical supplies covered by medical insurance plans. Medagate Over the Counter (OTC) cards are issued to Medicare and Medicaid members on behalf of insurance providers and are periodically reloaded by Medicare, Medicaid and other health plan companies. These cards have been issued in ten states with more states expected to participate in 2013. Cardholders can simply bring qualifying items to an Exchange checkout (including Express, Troop Store and Main Store locations) where the Medagate OTC card is swiped to pay for all eligible items. "This new capability is just one of the many ways the Exchange strives to serve military veterans," said the Exchange's Senior Enlisted Advisor Chief Master Sgt. Tony Pearson. "With the Medagate card, shoppers no longer need to complete health care forms or use off-line systems for claims after purchase." Insurance providers, in conjunction with Medagate, produce a catalog that identifies medicine and medical supplies that qualify for reimbursement coverage/payment.

OTCNetwork is the first national Over-The-Counter benefits disbursement and redemption network for Medicare Advantage plans, State Medicaid programs, and their members. OTCNetwork acceptance is integrated into front-of-store Point-Of-Sale terminals at over 35,000 retail locations in all 50 states, including Puerto Rico. OTCNetwork enables leading health plans and state governments offering Medicare Advantage and State Medicaid programs respectively to provide more efficient consumer access to and use of OTC item benefits. Providing better access to and use of OTC item benefits improves overall member health through self-care, and dramatically reduces healthcare program costs. OTCMedicare and OTCMedicaid branded re-loadable prepaid cards are the first to restrict spend exclusively to OTC Medicare and Medicaid Benefits eligible items. [Source: AAFES Press Lease | Chris Ward | 21 Sep 2012 ++]

VA Cancer Treatment Update 02: The Department of Veterans Affairs leads the Nation in breast cancer screening rates and has outperformed non-VA health care systems in breast cancer screenings for more than 15 years, with 87 percent of eligible women receiving mammograms in the VA health care system in fiscal year 2010. In comparison, in 2010, the private sector screened 71 percent of eligible women, Medicare screened 69 percent and Medicaid screened 51 percent, according to Healthcare Effectiveness Data and Information Set, a tool used by more than 90 percent of U.S. health plans to measure performance on important dimensions of care and service. "We're proud of our great record on breast cancer screenings and treatments," said Secretary of Veterans Affairs Eric K. Shinseki. "We'll continue to work to improve access and coordination of care for women Veterans." Since 2000, the number of female Veterans using VA health care has more than doubled, from nearly 160,000 to more than 337,000 in fiscal year 2011. As the number of women Veterans increases rapidly, VA not only focuses

on improving access to breast screenings and coordination of care, but also trains providers in the latest breast exam techniques.

VA provides mammograms for all Veterans, with 45 facilities providing services on-site utilizing digital mammography. Some facilities offer mammograms to walk-in patients and same-day ultrasounds. VA also offers mobile mammography in some areas of the country. This mammogram technology-on-wheels allows women Veterans in rural areas to get screening mammograms and have their mammograms read by a VA breast radiologist, without traveling far from home. All this improves access for more than 337,000 women VA health care users. “VA is different from other health care systems in that we serve a female population that is spread across the continental United States, located in both rural and urban areas,” said Dr. Patricia Hayes, Chief Consultant for VA’s Women’s Health Services. “Because of that we have to be creative and innovative about the way we provide screenings, track a woman’s mammogram results and breast cancer care, and train our providers in the latest diagnostic techniques and breast cancer treatments.” In many cases, VA is using technology to bridge the distance between providers at facilities in its 21 regions throughout the nation. VA uses simulation technology to train VA providers in the latest breast exam techniques.

VA is also developing a breast cancer clinical case registry to track when a provider orders a mammogram, the results of the test, and the follow-up care provided. The system will improve care coordination and help VA track and study breast care outcomes throughout VA. It is expected to be available in 2013. These efforts in breast cancer diagnosis and treatment are part of a larger VA initiative to enhance all health care services for women Veterans. Women make up six percent of Veterans who use VA health care, but they are expected to make up a larger segment of all VA health care users in the future. VA is preparing for this increase by expanding access to care, enhancing facilities, training staff, and improving services for women. Expanded outreach to women Veterans is another goal in the initiative, and VA’s Women’s Health Services regularly creates posters and messages to educate women Veterans about key women’s health issues. In celebration of Breast Cancer Awareness Month in October, VA reminds patients and providers about the importance of early detection. For more information about VA programs and services for women Veterans, visit: <http://www.va.gov/womenvet> and <http://www.womenshealth.va.gov>. [Source: VA News Release 1 Oct 2012 ++]

VA COLA 2013 Update 01: The Republican hold on a Senate bill that provides a cost-of-living adjustment increase for disabled veterans in 2013 has been dropped. The Veterans Affairs Department warned the bill must be approved quickly in November to ensure payments in January. In a sharply worded statement 28 SEP, Sen. Patty Murray, D-Wash., chairwoman of the Senate Veterans’ Affairs Committee, called the hold a “stunning” move she could not comprehend. By the end of the day the hold had been lifted. Since the Senate did not pass the bill when it adjourned last week, lawmakers must approve it on 13 NOV, the day they return, to avoid payment problems, said Josh Taylor, a VA spokesman. If Senators fail to sign off on the legislation quickly, then “VA would have to make complex programming changes to the system that could not be accomplished in time to pay the COLA increase on Jan. 1,” Taylor said. “Consequently, the December COLA increase would have to be paid retroactively.”

David Ward, a spokesman for Sen. Richard Burr (R-NC), ranking member of the Senate Veterans’ Affairs Committee, said, “we can pass it [the COLA bill] quickly. It should not take too long,” an indication the bill would be passed on Nov. 13. The COLA increase covers disability and compensation payments to 3.9 million veterans and their survivors. The House, in its version of the bill passed July 9, would provide a 1.9 percent increase. The Congressional Budget Office on Sept. 19 pegged the COLA at 1.3 percent, which would cost \$686 million in 2013 and \$915 million in subsequent years. [Source: Next.gov | Bob Brewin | 28 Sep 2012 ++]

PTSD Update 117: The VA Palo Alto Health Care System is collaborating with Fujitsu Laboratories of America (FLA) on research to improve treatment of post-traumatic stress disorder (PTSD) in war veterans. The research focuses on the problems many veterans have in driving cars, leading to a higher-than-average accident rate for this group of people. As part of a "treatment study," the VA investigators gather data on veterans' reactions in particular situations during their drives while administering treatments that include cognitive appraisal and breathing re-training. This is part of "driving rehab" therapy that veterans are offered at about a third of VA hospitals. The Palo Alto VA researchers attach sensors to the steering wheel, brake pedal, and gas pedal in the veteran's car, record his heart rate and respiration, and combine that data with the car's location at points in time, as well as factors on the road that might trigger PTSD symptoms.

In an earlier phase of this study, the researchers found it was very difficult to correlate the different data streams so that they could understand what happened and when. Now, they employ Fujitsu's remote monitoring technology to time-synchronize the data. In addition, they use Fujitsu's platform to analyze and transmit the EKG data into an iOS app that is used for in-field physiological monitoring and biofeedback. Also, they now can integrate GPS data from an iPhone to determine location at every instant. "The advantage of this very precise measurement is that we can be more sure that our treatment is working or not working," said Steve Woodward, staff psychologist at the VA's National Center for PTSD, in an interview with InformationWeek Healthcare. The Fujitsu system, he added, has made the research "a ton easier and has provided a platform for adding devices." (To view 10 Wearable Devices To Keep Patients Healthy refer to http://www.informationweek.com/healthcare/mobile-wireless/10-wearable-devices-to-keep-patients-hea/240000353?itc=edit_in_body_cross). So far, he said, about 25 veterans--all of them survivors of improvised explosive device blasts--have gone through the treatment study, which lasts a month for each patient. "Anecdotally, they've done pretty well," Woodward noted.

When a veteran enrolls in the study, he has a session with a psychologist, discussing his driving experience in Afghanistan or Iraq and the stress he has experienced while driving in the U.S. Then he has three in-car treatment sessions. In the car with the veteran are a rehab specialist who administers the treatment and a staff member who sits in the back seat recording on-road incidents on an iPhone 4S that includes the GPS. The data from the iPhone, the accelerometers attached to the car, and a Zephyr monitoring belt on the veteran also goes via Bluetooth to a miniature computer Web server aboard the car. When the researchers return to their office in the hospital, they download the data into their own database.

Although the Fujitsu company believes it has a moral obligation to help veterans suffering from PTSD, Marvit said, its goals for the technology go far beyond that condition. "Pretty much anybody living in America could benefit from a better understanding of their stress and how to manage it," he said. In a broader sense, he pointed out, the ability to combine data streams in a time-synchronized way has a lot of applications in the mobile health space. "The future lies in using the different data streams to contextualize each other so you can make smarter inferences. Most of the stuff that's on the market today is one sensor with one type of analytic software that's built on top of it," said Marvit. For example, he said, an application for measuring physical fitness and a glucose monitor for a patient with diabetes can't talk to each other. "So our vision--what's driving this--is to build a platform so that all these other sensors can be integrated and you can apply analytics to the data they generate." [Source: Ken Terry InformationWeek | Ken Terry | 28 Sep 2012 ++]

PTSD Update 118: Although U.S. military forces have left Iraq and are winding down in Afghanistan, the buildup in mental health services for soldiers who served there continues to surge. No wonder. Embedded in the

hundreds of medical studies spawned by the wars are sobering statistics such as this: Six months after their return from those conflicts, 42 percent of 31,885 National Guard and Reserve veterans who received a screening by U.S. Department of Veterans Affairs clinicians were found to need mental health treatment. Here's another: A survey of 167 Iraq and Afghanistan veterans, cited in the Army's 2012 report on the "strategic reset" of troops following withdrawal, found that 1 in 5 respondents had contemplated suicide the two weeks prior to the survey. Even for those without post-traumatic stress disorder or major depression, the stuff of everyday life — sleeping, driving, meeting people — can pose problems. In a national sampling of Iraq and Afghanistan veterans receiving medical care through the VA, half reported difficulty in social functioning, productivity or controlling anger; one-third reported divorce, dangerous driving, or substance abuse. Almost all expressed interest in services to help them adjust to civilian life.

Since 2005, the mammoth VA health system (annual budget: \$44.5 billion) has been retooling to deal with the influx of veterans returning from the wars. The greatest growth in caseload has been among those patients diagnosed with PTSD, an impairment that puts them at high risk for suicide. At the same time, veterans with mental health issues consume an increasingly outsized share of VA resources — more than one-third of the agency's spending on health care, according to a report by the Rand Corporation released last year. Yet most of the cost they incurred was actually for treating their medical problems. "This reflects the high degree to which veterans with mental health and substance use conditions also face difficulties with physical functioning and health," said the authors of the Rand report. "If this expensive cohort continues to grow, it will likely further increase VA health care expenditures." Congress already has pumped an additional \$5 billion into the VA's mental health budget in the past seven years. The VA is spending at least \$65 million on suicide research alone, and in September it announced \$100 million in funding to study treatments for traumatic brain injuries and PTSD. The VA has added 7,000 mental health workers and is in the process of hiring 1,600 more, bringing to 22,000 the mental health workforce of nurses, psychiatrists, psychologists and social workers.

Staffing up has not been easy. Both rural and urban VA facilities have reported recruitment difficulties, especially when filling psychiatrist, psychologist and nursing positions. And despite the minimum standards the VA sets for mental health services at all its locations — including requiring an initial evaluation within 24 hours for all new patients — the Rand report found "important gaps" in both quality and uniformity of treatment. Some critical services, such as intensive outpatient treatment for substance abuse, are not widely available outside major metropolitan areas. Although the VA says the wait time exceeds two weeks for only 2 percent of appointments, a recent review by its Office of Inspector General found that 12 percent, or 1.2 million appointments, had wait times of up to 60 days. Still, the VA — the largest integrated health care system in the U.S. — fully intends to become the national leader in providing specialized psychotherapy on a massive scale to treat PTSD, said Bradley Karlin, the VA's national mental health director for psychotherapy and psychogeriatrics. Said Karlin: "It's all about veterans getting their lives back."

By some statistical measures, veterans of Iraq and Afghanistan are behaving differently than their predecessors who fought in the Vietnam War. For example, they are overdosing on prescription drugs far more than illicit substances. Some things are the same. Both groups have faced an elevated risk of dying in motor vehicle crashes, of having substance abuse problems, and of suffering post-traumatic stress, which afflicts 1 in 4 Iraq and Afghanistan veterans using VA health care. The VA says it has trained more than 4,300 clinicians in the two kinds of treatment — cognitive process therapy and prolonged exposure therapy — that are the mainstay of its war on PTSD. Originally developed for rape victims, they are generally carried out in weekly, 60- to 90-minute sessions with a therapist. Both therapeutic approaches guide veterans to introspection about the traumatic event that triggered their stress, leading to flashbacks and problem behaviors such as substance abuse and aggression. "Usually it's a very extreme event — maybe a soldier at a checkpoint fired a gun," said Karlin.

- Cognitive processing therapy, called CPT, helps them “step back and look at the situation in a more balanced way” instead of blaming themselves, he said. The VA is even using CPT to treat insomnia — a common complaint of Iraq and Afghanistan veterans — that is also associated with PTSD and depression.
- Prolonged exposure therapy is based on the idea that repeatedly working through memories of traumatic events will diminish their power. Homework assignments include becoming involved in activities that might have been avoided because they triggered anxiety.

But PTSD is harder to treat in veterans of combat than in civilians. Even one of the most encouraging studies of CPT, involving 60 veterans, found that only half showed reliable change in their symptoms. Her search for better clinical results inspired neuropsychologist Martha Kent’s work in resilience — how human beings survive extremely traumatic events with their mental and emotional functioning intact. The Army uses resilience training to prepare soldiers before they go to war. But how does one become more resilient after the fact? Kent, who is retired from the neuropsychology program at the Phoenix VA hospital, has developed such a method. It is based on brain chemistry, she said. Humans respond to stress by releasing the “fight or flight” hormone cortisol, said Kent. “Then, you usually go back to baseline pretty quickly — except when you are traumatized.” Instead of returning again and again to memories that produce a flood of cortisol, Kent’s research subjects are told to “put the trauma aside for now.” They learn how to take themselves back to times when they had feelings of being cherished, of helping someone — experiences that release calming hormones such as oxytocin. When they eventually approach the traumatic memory, they can do so “with a different biochemistry,” she said. “It’s kind of neutralized.”

Kent fears that the VA’s focus on exposure therapy and CBT will discourage research on resilience and other methods of dealing with PTSD. Not so, said Paula Schnurr, deputy executive director of the VA’s National Center for PTSD at Dartmouth Medical School. “We’re not shutting down research on alternative treatments,” Schnurr said, adding that several studies on the effectiveness of meditation and mindfulness on PTSD recently won funding. For millions of America’s veterans, the services the VA offers will remain the only game in town. “We’ve got a population of people, and this is their only health care system,” said Mary Schohn, director of the VA’s mental health operations. “We do have a responsibility to do right by them.” [Source: Austin American-Statesman | Investigative Team | 1 Oct 2012 ++]

PTSD Update 119: Veterans who smoke medical marijuana in New Mexico to treat Post Traumatic Stress Disorder will lose their right to smoke it if a psychiatrist Dr. William Ulwelling gets his way. He has petitioned the state to remove PTSD from the list of qualifying conditions. "There's no good scientific link saying that marijuana treats PTSD," Ulwelling said. It is that lack of evidence that Ulwelling said prompted him to write a petition to get PTSD knocked off the list of qualifying conditions for medical marijuana patients in New Mexico. "People with PTSD are at special risk to be harmed by marijuana, as many as two-thirds of people who have PTSD, are subsequently developing substance abuse," Ulwelling said. But one organization argues that removing PTSD as a qualifier would essentially disqualify nearly half of the state's medical cannabis patients, many who are also veterans. "Their access to effective care is being threatened by this petition," Director Emily Kaltenbach, of New Mexico's Drug Policy Alliance said.

PTSD is the number one condition patients in New Mexico are approved under. "Over 40 percent of medical cannabis patients are approved under PTSD," Kaltenbach said. In other words, nearly 3,300 patients currently enrolled, who say medical marijuana works for them, would lose access to the medicinal drug, Kaltenbach said. "Some of them have actually transitioned off other medications that were severely or really addictive medications, and they can use medical cannabis without serious side effects," Kaltenbach said. The New Mexico Medical Cannabis Advisory Board will review the petition on November 7th. Veterans are planning to speak out against it.

The interim health secretary will make the final decision. "I'm not even arguing that there might be some people currently in the program that are benefiting from it, I'm just saying there's no evidence at the current time to say, we could offer this to the people of New Mexico as an accepted treatment," Ulwelling said. [Source: KOB Eyewitness News 4 | Jill Galus | 5 Oct 2012 ++]

IDES Update 01: (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).

Five years after launching a combined effort to cut the time it takes to complete disability evaluations and begin paying benefits to wounded, injured and ill troops, it now takes the Defense and Veterans Affairs departments an average of 100 days longer to close a case. The Integrated Disability Evaluation System (IDES) was launched in 2008 to combine the separate DoD and VA systems into one and cut the time it takes to complete to 295 days for active-duty troops and 305 days for reserve-component members. Instead, the average completion times for cases have risen sharply, to 394 days for active-duty troops and 420 days for reservists, according to a new report by the GAO, the investigative arm of Congress. The main choke points: Medical Evaluation Boards conducted by the services, and the transition from military to VA care.

Medical boards are supposed to be completed within 100 days, but now take 181 days to complete — up from 126 in 2009. A scant 16 percent of active-duty troops got through medical boards in 100 days or less, GAO said. Staffing shortages were the primary cause of delay, GAO reported. “One facility noted they have seven doctors but would need 11 additional doctors and 10 technician assistants to process cases,” the report says. At the end of the process, when troops shift from DoD to VA, case management is another cause of delay. Instead of handling 20 cases at a time, some VA case managers are handling 75. “Liaisons are often working overtime and weekends to keep up with cases,” GAO noted. The average active-duty member needs 76 days to complete the transition process out of the military, a full month longer than the 45-day goal. Only 17 percent of active-duty cases are closed in that time.

GAO did note that some transition delays are neither the fault of DoD nor VA. Because wounded and injured troops can take terminal leave during that time or may choose not to leave service immediately for personal reasons, meeting the 45-day goal for the transition phase can be challenging, the report says. Near the end of their service, troops may wish to extend to keep kids in school to the end of a term, to complete Transition Assistance Program classes or vocational training or physician appointments, among other reasons, GAO noted. Because a substantial amount of time in the transition phase may be personally beneficial to troops, DoD is now reporting time in IDES with and without the transition phase, GAO said. IDES was initially tested in 2007 at three locations with 701 enrollees; last year, it was in place at 112 military treatment facilities.

DoD and VA have embarked on several initiatives to improve the system. The Army, with almost two-thirds of new IDES cases in 2011, has hired more medical examiners, and VA is “increasing resources for completing exams and disability ratings,” GAO said. But auditors said the results to date have been uneven and more time is needed to assess the full impact of the changes. In a written response to the report, defense officials said they agree with the GAO’s three recommendations:

- The DoD and VA secretaries should work together to develop a timeline for finishing an ongoing review of the IDES business process.
- The departments should develop a plan to continuously monitor and fix the Veterans Tracking System, the data system that supports IDES.
- Satisfaction surveys should be more carefully monitored and interpreted.

VA concurred with those recommendations but deferred to the Pentagon on developing a time frame to complete the IDES business review. In his official response to the report, VA Chief of Staff John Gingrich noted that while VA has provided input to the business review, DoD has the lead on that initiative — and has cut VA out of the loop. “At this time, the full scope or current status” of the business review “has not been disclosed to VA,” Gingrich wrote. That news vexed Sen. Patty Murray, D-Wash., chairwoman of the Senate Veterans’ Affairs Committee, who has pressed DoD and VA to work together to solve IDES issues. Murray told Military Times in a 24 SEP email that she is concerned about communication between the two departments. The GAO report “shows that DoD and VA continue to struggle to work together and the result has been wait times that continue to grow longer,” Murray said. “The IDES process is intended to be a joint system,” she said. “VA and DoD must work collaboratively, not just in words but in actions, if they are going to make real changes for our service members and veterans.” [Source: NavyTimes | Patricia Kime | 1 Oct 2012 ++]

TRICARE Pharmacy Mail Order 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).

Military family members and retirees in Germany who use Tricare’s mail order system for prescriptions will have to fill their medications locally by the end of the year. On or near that date, the U.S. Postal Service will stop delivering pharmaceuticals to APO and FPO addresses in Germany because a host-nation law prohibits importation of medications through the mail, according to a letter sent Oct. 1 by Tricare to beneficiaries in the country. According to a Pentagon release, the German government passed the law barring pharmaceutical importation in 2006, but it was never enforced until now because its application to U.S. service members, their families and other Tricare beneficiaries had been unclear. German officials, U.S. military leaders and USPS have clarified the issue and agreed to begin enforcement, said Brig. Gen. Bryan Gamble, deputy director of Tricare Management Activity.

The Pentagon estimates the new restrictions will affect roughly 2,000 prescriptions and make getting medicine more challenging for 33 patients who use the Tricare mail order service and live more than an hour away from a U.S. military treatment facility and use the service. Gamble encouraged the beneficiaries to switch their prescriptions to a U.S. military treatment facility or use their Tricare pharmacy benefit at a local German pharmacy. Both the Tricare Prime Overseas and Tricare Prime Remote Overseas programs will reimburse affected beneficiaries for 100 percent of their out-of-pocket costs if they have authorization. Deductibles and cost shares will apply for beneficiaries who use Tricare Standard Overseas. USPS estimates it will stop shipping medications by mail around Jan. 1, but the date is not finalized, Gamble said. “We will notify you promptly when we have updated information on this issue,” he wrote. The new law also applies to Defense Department civilian employees or any American who lives in Germany and receives medications by mail. [Source: ArmyTimes | Patricia Kime | 5 Oct 2012 ++]

VA Claims Backlog Update 75: (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).

Disabled veterans waiting longer than 125 days for their initial disability claims to be processed should receive interest on top of their retroactive benefits, says the new commander of the American Legion, the nation’s largest veterans’ group. Today, payments on approved claims are backdated to the day they are filed, but interest is not paid. James Koutz, an Army veteran of the Vietnam War who leads the 2.4-million member Legion, said payments with interest would be a small recognition by the government that veterans had been forced to wait too long for pay they deserved. His suggestion came 3 OCT during a hearing before a joint

meeting of the House and Senate Veterans' Affairs committees to hear from the Legion's top officials. Similar hearings featuring other military and veterans' groups are held throughout the year.

The issue of delayed claims is not new, but Koutz said it seems to be one without a solution. The Veterans Affairs Department has been hiring more people to process claims and changing how claims are handled in an effort to shorten processing times and start payments faster, yet the backlog of claims continues to grow. VA efforts to date are "not enough," Koutz said. "We are going the wrong direction." More than 800,000 claims are now pending before VA, almost two-thirds of them older than 125 days, which is VA's processing goal. In a written statement provided to the two committees, the Legion says it has discovered huge differences among VA regional offices in the processing of claims. "While some regional offices may have an average rate of 76 days per claim, others take 336 days, a troubling inconsistency," the statement says. Rep. Jeff Miller (R-FL), House Veterans' Affairs Committee chairman, said he is open to new ideas about how to speed claims, but he did not endorse the idea of paying claims with interest. Sen. Patty Murray (D-WA), the Senate Veterans' Affairs Committee chairwoman, did not attend the hearing. [Source: MilitaryTimes | Rick Maze | 3 Oct 2012 ++]

VA Claims Backlog Update 76: In the past two years, Congressman Fitzpatrick's (R-PA-08) Office has supported approximately 1,454 veterans ranging from VA to IRS issues. Of those cases, 272, or about 20 percent, dealt with the VA's improperly or incorrectly processing a claim or simply taking too long to resolve a claim. In his office veterans affairs caseworkers Verne Rider (a U.S. Air Force veteran) and Anthony Enck (a veteran of the U.S. Marine Corps), have been able to get over half of them fixed and they are fighting to fix the rest. The 8th Congressional District is home to about 50,000 veterans, with about 39 percent having served in Vietnam and about 5 percent having served in Iraq and Afghanistan. More veterans live throughout Bucks and Montgomery counties than in the entire city of Philadelphia. Nearly 45 percent of local veterans are over 65 years old. The VA impacts a significant number of people in the area. The Philadelphia VA Regional Office is processing approximately 156,000 claims. By the 125-day standard set by the VA, over 54 percent of those claims are pending more than 125 days. Fitzpatrick's perspective is this backlog is unconscionable. Fifty-four percent is below getting an "F." The VBA is simply failing.

Veterans affairs caseworkers in Fitzpatrick's office, who work daily to ensure local veterans get the benefits they deserve, have been investigating the VA to better understand why this backlog continues after the VA has hired over 10,000 new people in the past decade to try to fix the problem. Their ongoing investigation pertains to the poor services and inefficiencies within the Philadelphia Veterans Benefits Administration (VBA), not with the Veterans Medical Administration (VMA) which they believe is doing a great job. It is the VBA that has seen a range of management and procedural issues which negatively impact the services received by Bucks County veterans. In dealing with the VBA system daily, Rider and Warminster believe Congressman Fitzpatrick has correctly identified the problem: A misguided bureaucracy that rewards process instead of outcomes is failing VA managers and employees, with veterans being shortchanged.

Rider and Warminster say few people in the country have taken the time to fully understand the source of the backlog like Congressman Fitzpatrick. For the past 30 years, the VA has been unable to reform itself. Fitzpatrick's office believes the only way this problem can be fixed is if it is fully exposed so that the best minds in the country can clearly see the challenges and develop solutions to fix it. He plans to continue to constructively identify flaws in a failing system for the purpose of ensuring the VA will work effectively and efficiently for those who were willing to sacrifice everything for our country. [Source: PhillyBurbs.com | Verne Rider & Anthony Enck | 7 Oct 2012 ++]

Vet Jobs Update 86: The Military Commercial Driver’s License Act of 2012 (S.3624) passed the House 28 SEP and has been sent to President Obama for his signature. The bill basically allows active duty military, military reserves, National Guard, active duty United States Coast Guard, or Coast Guard Auxiliary service members to earn their commercial driver’s licenses in states where they are stationed. This is accomplished by changing requirements that a state must follow when issuing a commercial drivers license or face severe withholding of federal highway aid funding. The bill which was introduced by Senator Snowe (R-ME) and had 10 original co-sponsors from both sides of the aisle. It is a very good idea and not controversial. It should help service members find jobs when they leave the service. What is surprising is that it passed while the House was in pro forma session. This was done because both the House’s Majority and Minority Leadership agreed that their membership would approve of this bill. It is also surprising that this bill was proposed on 22 SEP. Just one day! Then the House leadership considered and passed it in just 1 day. Who says Congress can’t act quickly when they want to? [Source: TREA News f or the Enlisted 5 Oct 2012 ++]

Vet Jobs Update 87: Looking for a job at the VA. The following is an article written by *the Deputy Director, Recruitment Marketing and Advertising for the Office of Workforce Management & Consulting with the Department of Veterans Affairs that provides some good dope to veterans --*

It is mind-boggling to me that there are 13 million people looking for 3.2 million jobs according to Department of Labor. Because of such statistics, it is easy to get over-whelmed and not know where to start in a job search. Employees working at Department of Veterans Affairs (VA) are often asked how to get a job at VA. It is usually followed by a concern that it seems that you have to know someone at VA to get a job there. I try to focus on this topic often, because it is just so relevant daily.

First, I did not know a single person at VA when I became an employee, so much for that theory. Second, a very large number (around 40-60%) of all hires in America are from employee referrals. Therefore, the reality is, yes; it does help if you know someone who can refer you to his or her manager as a qualified prospect.

There are two types of job seekers. Highly qualified in a skill or trade and those not qualified. I love the bluntness of this article 6 Secrets To Beat The Job Market, Nick Corcodilos, Ask The Headhunter. VA is no different from many other organizations. We have a great mission, great job satisfaction and great benefits. That in itself means competition can be steep. The greatest competition exists in non-health care occupations. The Federal Government, including VA, honors Veterans’ hiring preference In accordance with law. Most occupations currently open at VA are in health care. However, most Veterans are not health care providers. Thus, VA hires many non-Veterans also. While we are about 40 % Veterans, the Veteran demographic simply cannot meet the hiring needs for VA in health care.

That brings me back to my point. If you are a Veteran, VA has set up VA For Vets and they are excellent at networking and building contacts and bridges to identify available positions for Veterans within VA. I encourage all Veterans to use all of their resources to improve your options for a job offer.

Of course everyone one should review open positions often at <http://www.vacareers.va.gov/> for your next position. [Source: <http://www.veteranshired.org> | Darren Sherrard | 2 Oct 2012 ++]

Vet Jobs Update 88: According to the U. S. Department of Labor, there are approximately 13 million people looking for work in America, and about 3.2 million vacant jobs. Even allowing that some of those 13 million are unskilled, unmotivated, or even lazy, that's a 4-to-1 ratio that gives a distinct advantage to employers trying to fill jobs. But many employers call this hiring advantage "a talent shortage." They claim there are fewer qualified workers available nowadays, and that colleges are just not producing graduates with the skills that industry and business need. Bunk, says Wharton professor Peter Cappelli in his book, "Why Good People Can't Get Jobs: The Skills Gap and What Companies Can Do About It." He has reviewed historical data and concludes that claims about changes in the skills of the workforce just aren't true. What has changed, says Cappelli, is that employers pay lower wages and salaries than they used to; they aren't willing to train workers like they used to; and they use software to recruit and "sort" job applicants -- software that tends to delete good candidates, costing employers potentially good hires.

Since 1994, Cappelli has been teaching people how to accomplish this for themselves, without a headhunter or even a career coach. He has answered over 30,000 questions from job hunters and progressive employers on his online community website at www.asktheheadhunter.com. Every week he answers a reader's question in depth in the Ask The Headhunter Newsletter. In a nutshell, success in today's job market boils down to this: Managers want to hire you -- they want you to be the solution to their problem. But software-based recruiting methods hamper hiring. The first dark truth in today's recruiting industry is that the big jobs databases prevent you from standing out. Your challenge as a job hunter is to avoid the competition, get in front of the manager, and be ready to show -- hands down -- how you will do the work profitably in terms the manager understands. So here are six secrets you can use today to help you beat the job market. You have to learn to avoid the competition. You have to learn to stand out!

1. **Your resume is hurting you: Toss it.** You want your resume to make you stand out? Managers spend on average about 30 seconds reading a resume. If they don't like what they see, you're not there to defend yourself. Stop using a resume to introduce yourself to companies. Approach employers in person, and only the ones that seem worthwhile enough that you're willing to invest the time to make personal contacts and actually talk to them. This makes you one of the few truly motivated applicants. Managers notice this.

2. **Job boards fill only about 10 percent of jobs: Don't waste your time.** Monster.com fills only 2 to 3 percent of jobs; CareerBuilder, between 2 to 5 percent. And if you posted your resume on all the job boards, you'd have one chance in ten of being hired. Limit your time on job postings to employers' own websites, and to <http://www.linkup.com>, a search engine that lists only positions posted on employers' own career pages. Spend the rest of your time meeting people who do the work you want to do. They can introduce you directly to the boss.

3. **Headhunters don't find jobs for people.** Headhunters are less likely to land you a job than job boards are, and the good ones won't take your calls because their business is searching for the best hires for their client -- not finding you a job. The rest are dialing for dollars and will probably waste your time. Demand references from a head hunter, and check them out: two people they've placed, and two managers they've done assignments for. Or ignore them and conduct your own job search.

4. **It's the people, stupid!** Managers ignore resumes and their own personnel departments in order to hire via personal referrals from people they trust. Triangulate! Identify people close to the manager: employees, customers, vendors, consultants, bankers, investors, even news reporters who write about the company. Swallow hard, and call them. Never ask for a job lead. Talk shop. "I realize this is unusual, but I'm researching Company X. I'm only interested in working there if I can contribute to their bottom line. Can you give me a little advice or insight about this manager and company? What are they really like to work with?" Not all will help, but you need only one to

introduce you to the manager or the team. If you think this is hard work, so is that great job you want! Stop the busy work of job boards and e-mailing resumes. Do the real work of meeting trusted insiders.

5. Age discrimination? Get over it. If an employer discriminates against you for your age, either sue or move on. If you show up with a chip on your shoulder about age discrimination, employers will discriminate -- against your bad attitude. Get interviewers off the age issue immediately by outlining how you'll do the job profitably. Ask for a live problem to tackle, then show how you'll approach it.

6. Your salary history is no one's business: Say NO and get a higher offer! Never, ever, ever disclose your salary history. It will be used to limit a job offer, no matter what the company tells you. No employer has ever given me one good reason why it needs an applicant's salary history. If they say, "It's our policy. We cannot proceed if you don't disclose your salary," consider responding like this: "I appreciate that, but I can't. My last two employers required employees to keep salary information confidential. I'd be happy to help you assess my value to your company -- I don't expect you to pay me more than I can show I'm worth." Always be polite but firm. Be ready to demonstrate your value. If you can't, you have no business in the interview.

[Source: <http://www.asktheheadhunter.com> | Nick Corcodilos | 20 Sep 2012 ++]

Vet Jobs Update 89: When native Californian Ryan Spaulding was preparing to end his service as an Air Force pilot, he looked across the country for a place to raise his family where local values matched those he prized in the military. He said he didn't see values like trust, loyalty and camaraderie everywhere in Berkeley, where he grew up. Spaulding was seeking a place where your handshake was your word, the schools were strong and the crime rates were low. "I think I found that in Nebraska," said the 47-year-old, who works at an electronics testing lab in Lincoln. "It was kind of an easy sell." Officials in Nebraska are hoping to find more Ryan Spauldings. On 9 OCT, Gov. Dave Heineman unveiled a new recruiting video titled, "Nebraska Is Hiring Our Heroes," that he hopes will convince other military veterans to move to the Cornhusker State to fill job openings and boost the state's population. The video, produced by the Nebraska Department of Labor at a cost of \$6,000, features Spaulding and three other veterans promoting the benefits of settling in Nebraska.

While Nebraska is among several states that have held job fairs for veterans returning from the wars in Iraq and Afghanistan, state officials said they were unaware of any other state that was actively recruiting them to relocate. It's not unusual for employees at Offutt Air Force Base to remain in the area after retirement, the new effort is aimed at younger, mobile veterans willing to move for a well-paying job. Heineman, a former Army Ranger, said Nebraska has many job openings that fit the skill sets of military veterans. He mentioned welding, a job that can pay \$60,000 a year. The recruitment effort could help boost the state's population, the governor said. Nebraska's population growth, while small, has exceeded the national average two of the past three years. "I'm after every American who wants to find a good job. They should move to Nebraska," Heineman said at a 9 OCT press conference.

Spaulding, a married father of two and a lieutenant colonel in the Air Force Reserve, said it helped that his wife's family is from Omaha and he had relatives in Kansas. But he said he believes Nebraska is a great place to raise a family. "Lincoln provides an environment that promotes education, and the values I see that lead to good citizenship," he said. Currently, Nebraska is helping about 8,000 local veterans and family members find jobs and prepare résumés, according to Cathy Lang, who heads the State Departments of Labor and Economic Development. Nebraska, in a partnership with the U.S. Chamber of Commerce, is conducting a series of "Hiring Our Heroes" job fairs. About 600 veterans and 200 employers have participated in the three job fairs held so far. The new video is

available at <http://www.dol.nebraska.gov/NEHiresVets.cfm>. [Source: Omaha World-Herald | Paul Hammel | 10 Oct 2012 ++]

Veteran License Plates Iowa: Iowa offers a variety of vehicle specialty license plates for their residents. In the attachment to this Bulletin titled, “**Vet License Plates IA**” can be viewed the 24 different plates of interest to the military community which can be purchased from the Iowa DMV along with a link to open and download the application form for the plate desired. The form will indicate who the plate can be issued to, requirements which must be met to obtain the plate, restrictions if any, fees for numbered and personalized plates, and how to apply. Note that there are different requirements depending upon plate choice so be sure to review the specific information for each plate desired. Applications may also be obtained from your county treasurer's office or the following address.

Office of Vehicle Services
Iowa Department of Transportation
P.O. Box 9278
Des Moines, Iowa 50306-9278
Telephone: 515-237-3110
E-mail: vehser@dot.iowa.gov

Your plates will be sent to your county treasurer's office and staff will notify you when your plates are available. Plates must be assigned to a vehicle within 90 days or the plates will be voided and no refund issued. Your current plates must be exchanged for your new plates. [Source: <http://www.iowadot.gov/mvd/ovs/plates/plates.htm> Oct 2012 ++]

Veteran Hearing/Mark-up Schedule: Following is the current schedule of recent and future 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>. Missed House Veteran Affairs committee (HVAC) hearings can viewed at <http://veterans.house.gov/in-case-you-missed-it>. Text of completed Senate Veteran Affairs Committee (SVAC) hearings are available at <http://www.gpo.gov/fdsys/browse/committee.action?chamber=senate&committee=va&collection=CHRG&plus=CHRG>:

- **October 3, 2012.** Joint House and Senate Veterans’ Affairs Committees hearing on Legislative Presentation of the American Legion. 10:00 A.M.; 345 Cannon
- **Hearing being rescheduled:** House Veterans Affairs Committee Subcommittee on Economic Opportunity will be holding a hearing on October 4, 2012 on; State Approving Agencies Roles and Reviewing the Challenges of PL 111-377 Section 203. 10 A.M.; 334 Cannon
- No new hearings until after Congress reconvenes

[Source: Veterans Corner w/Michael Isam 14 Oct 2012 ++]

WWII Vets Update 29: James "Jake" McNiece, the leader of World War II's "Dirty Dozen," humbly accepted France's most prestigious decoration 26 SEP nearly 70 years after he led a squad of paratroopers behind enemy lines in that country to support the D-Day invasion. McNiece, a retired Ponca City postal worker, commanded a group of rough men nicknamed "The Filthy 13," who served as the inspiration for the movie "The Dirty Dozen." Hours before the June 6, 1944, invasion, McNiece led 18 paratroopers to destroy two bridges and control a third to prevent German reinforcements from moving into Normandy and to cut off retreating German troops. Sixteen of his men were killed during the 36-day mission, in which they also cut enemy communications and supply lines.



This photo of paratroopers Clarence C. Ware and Charles R. Plaudo painting each other's faces on the afternoon of June 5, 1944, was printed in Stars and Stripes, and helped form the legend of "The Filthy Thirteen"

"I want to extend my thanks and my appreciation to the French ally we had and the great service they were in World War II," said McNiece, 93. "It was an honor to serve with them." He thanked the French government for giving him the medal of the Legion of Honor, which made him a knight in the French Order of the Legion of Honor. "There were hundreds of other soldiers who were more deserving than I," McNiece said. Frederic Bontems, the Houston-based consul general of France, presented McNiece with the medal of the Legion of Honor. France decided a few years ago to award the medal to American veterans of World War II. "I have the honor to recognize the courage you displayed so many years ago on a land that was so foreign to you and yet for which you were prepared to make the ultimate sacrifice," Bontems said. "In the name of the French people, I thank you for your personal contribution toward the liberation of my country." Bontems presented the medal to McNiece, who was accompanied by his wife of 59 years, Martha; several family members were among the more than 100 people who packed the governor's ceremonial Blue Room for the ceremony.

"War is hell," said McNiece, who was inducted 10 years ago in the Oklahoma Military Hall of Fame. "It is a great honor and pleasure to serve this nation and the things that they stand for. We hope that we will never see another great war like the one that we fought. We consider it an honor and a pleasure to serve this nation. "We do not brag about winning the war and we do not apologize," he said. "It was a thing that needed to be done and we did it and we're glad." McNiece was portrayed in the 1967 film, "The Dirty Dozen," by Lee Marvin; he was disappointed the movie had several discrepancies, especially the plot in which the soldiers in the raid were all convicts. His soldiers were in military stockades, but were there for violating regulations. None had committed heinous crimes as the film suggested. McNiece never achieved a rank higher than first sergeant because he had

trouble with regulations and extending his leaves without permission. He was a sergeant in combat but usually was demoted to private for his behavior between missions.

The paratroopers in his squadron often showed a reluctance to follow military regulations and procedures, and his outfit became known as the 'Filthy 13'. "He didn't care too much about the discipline and the hoopla and all that other stuff," said his son, Hugh McNiece, 53, of Springfield, Ill., after the ceremony. "He had a job to do; he did it and he loved the friends he made along the way." The D-Day jump was the first of four jumps he made behind enemy lines. Before the mission, he shaved most of his head, leaving a scalp lock that ran down the middle of his head. He joked to his squadron it was an American Indian custom to do that before battle, but he really shaved his head for sanitary reasons to avoid lice, realizing he could spend days without bathing. Most of the rest of the squadron shaved their heads also. By dawn on 6 JUN, James McNiece and his squad had destroyed their two assigned bridges and had a third wired for detonation. Their orders were to hold the bridge over the Louvre River and save it if possible so that advancing Allied troops and tanks could use it. His men held the bridge for three days until American warplanes swooped down and bombed the structure.

In September 1944, McNiece led paratroopers who were dropped near Eindhoven, Holland, to hold key bridges in the liberation of the town the Germans had occupied for five years. After fighting 78 days in Holland, he eventually volunteered for the Pathfinders, a top-secret group that lost 80 percent of its men during missions. He led paratroopers at Bastogne, Belgium, during the Battle of the Bulge. His last jump was Feb. 13, 1945, near Prume, Germany, to resupply Gen. George Patton's 3rd Army. At the presentation ceremony Bontems declared McNiece a chevalier de la Legion d'Honneur, or a knight of the Legion of Honor. "Being a knight refers to a very basic concept, a concept that has remained untouched for centuries," Bontems said. "Receiving the title of knight means that you have demonstrated virtue, bravery and strong commitment to a noble cause. "James McNiece, during World War II and the liberation of France you displayed these three concepts in a most commendable way. Your life during and since the war prove that knight is a rank to which you are entitled." [Source: Stars & Stripes | Michael McNutt | 27 Sep 2012 ++]

Korean War Vets: When infantryman David Mills joined the Army on his 17th birthday and was sent to fight in the Korean War, his mission was to hold Outpost Harry "at all costs." Mills, now 76, says those orders came from 8th Army on April 2, 1953, to stave off enemy Chinese troops from the strategically placed outpost in the Iron Triangle, about 50 miles from Seoul at the 38th parallel, which divided North and South Korea. The outpost was close to Chinese lines. The Chinese had "an affinity" for Outpost Harry, said Mills, a member of Company F, 15th Infantry Regiment of the 3rd Infantry Division. "They came to 'visit' us often and fought ferociously," he said. "They tried [several times] to take it. Had it fallen, with its high elevation, it would've made it difficult for the main line of resistance to remain where it was. [We] perhaps would've had to withdraw as far back as Seoul, which no doubt would have extended the war for quite some time."

It was unlikely the United States would have accepted a cease fire with the capital of South Korea under Chinese control at that time, he added, so it was important for American troops to hold the outpost's position. But on April 24, Chinese troops nearly took Outpost Harry. "We had 88 men holding the outpost," he said. "The attack was ferocious. We were overrun. Hand-to-hand fighting occurred in all of the trenches, and very heavy losses were suffered on both sides." The forward observer from the 39th Field Artillery called for backup artillery to stop the attack, which was successful, he said. But things didn't turn out as well that day for Mills, who received nine wounds -- two in the head, six in the leg and one in the left arm. During what Mills described as very close fighting with hand grenades and bayonets, his weapon overheated and became inoperable. While searching for another, he crawled on his stomach to the entrance of a bunker about 30 yards away. "Nobody was in there," he said. "I reached

in to grab a rifle, and I felt something poke me in my back. I backed out very slowly and turned over, and was looking at the muzzle of a Russian-made submachine gun."

Three Chinese soldiers stood over him, Mills said. One held the gun, and the other two carried six grenades each, three on each side of their chests, he said. "I thought I was going to die," Mills recalled reciting a short prayer as he looked up at the barrel of the weapon. "I was ready to die," he said. "Then I had an immediate second thought. I was 17 years old, and I thought, 'How are my parents going to take this?' And I thought, maybe, I could get the weapon away from that soldier, and kill all three of them. Then I had a rational thought: He had his finger on the trigger and the likelihood of me being successful was rather slim. I lay there until they picked me up." As the captors walked him to a Chinese camp, Mills saw the dead everywhere. "There were many Americans, but many more Chinese," he said.

As the soldiers roughed him up and forced him down hilly terrain, Mills said he felt no pain and wasn't aware he was wounded. "Each time we got to the top of a rise, they'd hit me between the shoulder blades with the butt of the weapon, and I'd go tumbling down the hill. After the third time, my leg felt funny and I had difficulty maintaining balance," Mills recalled. It was when he felt blood running down his neck that he knew he'd been hit. "Eventually, I half-crawled and was half-dragged to a cave, in which I spent the first night of my captivity," he said. Mills found himself next to a Chinese soldier who had three bullet holes in his stomach. "I could hear bubbles as the air escaped [from his wounds]," he said. "He died during the night." The next morning, the Chinese soldiers took Mills from the cave and repeatedly prodded him with a rifle to make him walk up a road, but by then he was in such pain from his injuries, he couldn't walk. "They pointed to a rock for me to sit down on, went around the corner," Mills said. "I thought I was going to be executed."

Instead, he said, four Chinese soldiers came around the corner with a stretcher, put him on it and carried him for seven days to a place Mills estimated to be 30 to 50 miles behind the lines. "I was placed in a dungeon not high enough for me to stand, or long enough for me to stretch out straight," he said. He couldn't eat for two weeks. Knowing he would die of starvation otherwise, Mills said he forced himself to eat. Rain poured into the dungeon. "I spent a lot of my time snapping the backs off lice," Mills said of his confinement. "My leg hurt so bad, I asked them to cut it off. They sent someone to look at it. I don't know if he was a doctor ... he just looked at it, and [now] I'm glad they didn't acquiesce to my request." After enough prisoners of war to fill an army truck were brought in, they were taken to a prisoner camp, Mills said. Still not treated for his wounds, with bullets and shrapnel intact, Mills said he was not made to do hard labor like the other prisoners.

During his four-month captivity "the 15th Infantry Regiment with its company-sized outpost decimated the entire 74th Chinese Infantry Division, killing more than 5,000 of them," Mills said. "There were very heavy American losses, but we held that hill." Four months to the day after he was taken prisoner, the Chinese repatriated Mills and the other POWs on Aug. 24, 1953. His family didn't know he was alive, Mills said, and initially were told he was killed in action. Mills said he has copies of his two published obituaries. Reflecting on that April day in 1953 when the outpost was attacked, Mills said he was the last soldier, U.S. or Chinese, on the hill firing a weapon. "I've often wondered if I was captured with an empty gun," he said. He also thought he was likely the only survivor of the attack, until decades later when he found the Outpost Harry Survivors Association <http://www.ophsa.org> and similar groups.

For being wounded during combat Mills received the Purple Heart, but it took 57 years, because of omissions in his paperwork, he said. Mills said his initial discharge papers indicated he'd served overseas, but they didn't say where, and didn't note that he'd been wounded, had served in combat, or been taken as a POW. Knowing he was eligible for the Purple Heart, Mills' daughter set out to find and correct her father's records. After hearing his records likely had burned in a fire in a St. Louis military repository, Mills' papers were found archived in Philadelphia. The paperwork was corrected, and the award was approved in nine short days, Mills said. Then-Vice Chief of Staff of

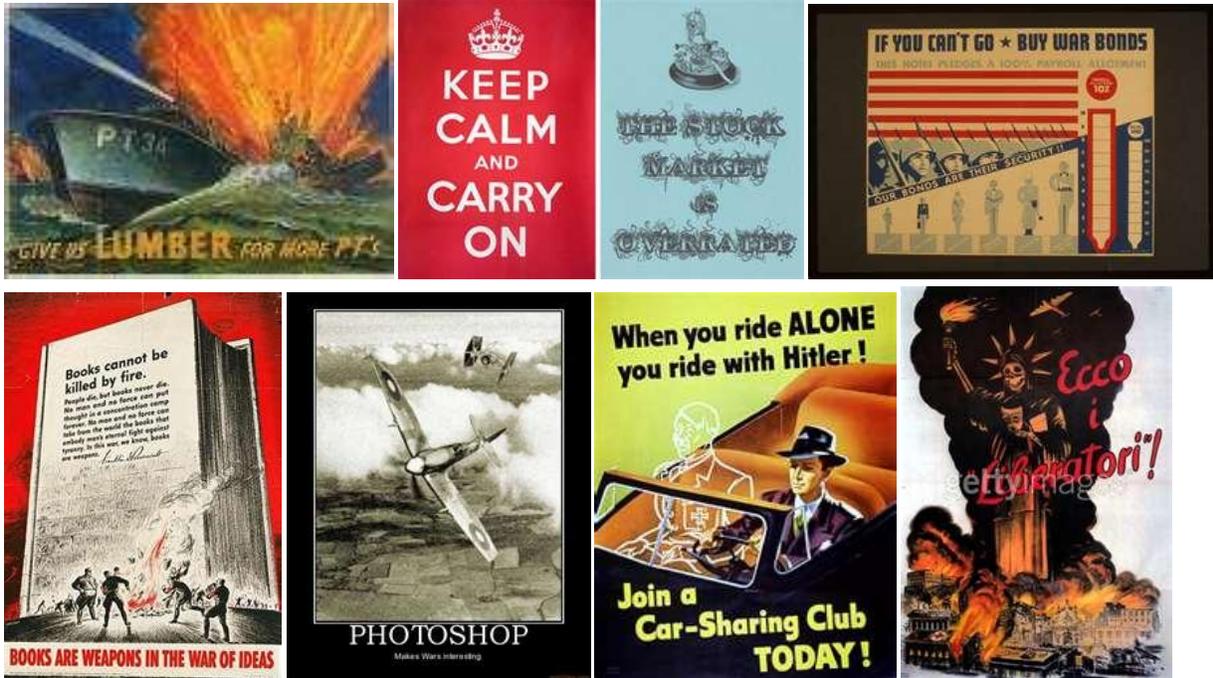
the Army Gen. Peter W. Chiarelli presented Mills with his Purple Heart in 2010. "To receive [the Purple Heart] from General Chiarelli was worth the wait," Mills said. Although the Korean War is sometimes called "The Forgotten War," Mills said that was not his experience. Upon his enlistment in the Army, Mills recalled that he "wanted to see the world.. And I did. A small part of it," he said. [Source: AFPS Terri Moon Cronk article 24 Jul 2012 ++]



David Mills, 76, holds his certificate for the Purple Heart

World War II Posters (15)





POW/MIA Update 29: "Keeping the Promise", "Fulfill their Trust" and "No one left behind" are several of many mottos that refer to the efforts of the Department of Defense to recover those who became missing while serving our nation. More than 83,000 Americans are missing from World War II (73,000+), the Korean War (7,900+), the Cold War (126), the Vietnam War (1,666), 1991 Gulf War (0), and OEF/OIF (6). Over 600 Defense Department men and women -- both military and civilian -- work in organizations around the world as part of DoD's personnel recovery and personnel accounting communities. They are all dedicated to the single mission of finding and bringing our missing personnel home. For a listing of all personnel accounted for since 2007 refer to http://www.dtic.mil/dpmo/accounted_for . 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. The remains of the following MIA/POW's have been recovered, identified, and scheduled for burial since the publication of the last RAO Bulletin:

Vietnam

- DPMO announced 4 OCT that the remains of a U.S. serviceman, missing from the Vietnam War, have been identified and will be returned to his family for burial with full military honors. Marine Corps Pfc. **James J. Jacques**, 18, of Denver, will be buried Oct. 9, in his hometown. On May 12, 1975, Khmer Rouge gunboats captured the S.S. Mayaguez in the Gulf of Thailand, approximately 60 nautical miles off the coast of Cambodia. The vessel was taken to Koh [island] Tang. Alerted to the capture, U.S. Navy and Air Force aircraft began surveillance flights around the island. After efforts to secure the release of the ship and its crew failed, U.S. military forces were ordered to undertake a rescue mission. Three days after the Mayaguez seizure, six Air Force helicopters were dispatched to the island. One of the helicopters came under heavy enemy fire as it approached the eastern beach of the island. The aircraft crashed into the surf with 26 men on board. Half were rescued at sea, leaving Jacques and 12 other service members unaccounted-for. The United States, Cambodian and Vietnamese government efforts to resolve the cases of

these unaccounted-for service members was massive. Between 1991 and 2008, U.S. and Cambodian investigators conducted multiple joint investigations, led by Joint POW/MIA Accounting Command (JPAC). Additionally, on three occasions Cambodian authorities unilaterally turned over remains believed to be those of American servicemen. In 1995, U.S. and Cambodian specialists conducted an underwater recovery of the helicopter crash site where they located remains, personal effects and aircraft debris associated with the loss. The U.S.S. Brunswick, a Navy salvage vessel, enabled the specialists to conduct their excavation off shore. In the identification of the recovered remains, scientists from JPAC and the Armed Forces DNA Identification Laboratory (AFDIL) analyzed circumstantial evidence and used forensic identification tools, such as mitochondrial DNA—which matched Jacques’ brother.

Today, 1,655 Americans remain unaccounted for from the Vietnam War. The U.S. government continues to work closely with the governments of Vietnam, Laos, and Cambodia to recover Americans lost during the Vietnam War.

Korea

- DPMO announced 2 OCT that the remains of a U.S. serviceman, missing in action from the Korean War, have been identified and will be returned to his family for burial with full military honors. Army Capt. **Turnace H. Brown**, 28, of Lawton, Okla., will be buried Oct. 5, in Gainesville, Fla. In late November 1950, Brown and elements of the 31st Regimental Combat Team, known as “Task Force Faith,” were advancing along the eastern banks of the Chosin Reservoir, in North Korea. After coming under attack, they began a fighting withdrawal to positions near Hagaru-ri, south of the reservoir. During this withdrawal Brown went missing. Between 1991 and 1994, North Korea gave the United States 208 boxes of remains believed to contain the remains of 200-400 U.S. service members. North Korean documents, turned over with some of the boxes, indicated that some of the human remains were recovered from the area where Brown was last seen. In the identification of the remains, scientists from the Joint POW/MIA Accounting Command (JPAC) and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools, such as radiograph and mitochondrial DNA—which matched Brown’s sister and niece. Using modern technology, identifications continue to be made from remains that were previously turned over by North Korean officials.
- DPMO announced 4OCT that the remains of a U.S. serviceman, missing in action from the Korean War, have been identified and will be returned to his family for burial with full military honors. Army Pfc. **Arthur W. Hopfensperger**, 18, of Outagamie, Wis., will be buried Oct. 8, in Appleton, Wis. In late November 1950, Hopfensperger and elements of the 31st Regimental Combat Team, known as “Task Force Faith,” were advancing along the eastern banks of the Chosin Reservoir, in North Korea. After coming under attack, they began a fighting withdrawal to positions near Hagaru-ri, south of the reservoir. During this withdrawal Hopfensperger went missing. From 2002 to 2005, six joint U.S.-Democratic People’s Republic of Korea teams, led by the Joint POW/MIA Accounting Command (JPAC), excavated burial sites on the eastern shore of the Chosin Reservoir, where Hopfensperger was last seen. The teams recovered human remains and military equipment associated with the 31st Regimental Combat Team. In the identification of the remains, scientists from the Joint POW/MIA Accounting Command (JPAC) and the Armed Forces DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools, such as radiograph, dental records and mitochondrial DNA—which matched Hopfensperger’s cousin.

Today, more than 7,900 Americans remain unaccounted for from the Korean War.

World War II

- DPMO announced 2 OCT that the remains of seven U.S. servicemen, missing in action from World War II, have been identified and are being buried with full military honors. Marine Corps 1st Lt. Laverne A. **Lallathin**, 22, of Raymond, Wash.; 2nd Lt. **Dwight D. Ekstam**, 21, of Moline, Ill.; 2nd Lt. **Walter B. Vincent, Jr.**, 21, of Tulsa, Okla.; Tech. Sgt. **James A. Sisney**, 19, of Redwood City, Calif.; Cpl. **Wayne R. Erickson**, 19, of Minneapolis; Cpl. **John D. Yeager**, 23, of Pittsburgh, Pa.; and Pfc. **John A. Donovan**, 20, of Plymouth, Mich.; will be buried as a group, in a single casket representing the crew, on Oct. 4 in Arlington National Cemetery near Washington, D.C. Six of the Marines were identified and buried as individuals previously this year. Lallathin, also individually identified, will be interred individually at Arlington on the same day as the group interment.

On April 22, 1944, the Marines were aboard a PBJ-1 aircraft that failed to return from a night training mission over the island of Espiritu Santo, in what is known today as Vanuatu. None of the seven crew members were recovered at that time, and in 1945 they were officially presumed deceased. In 1994, a group of private citizens notified the U.S. that aircraft wreckage had been found on the island of Espiritu Santo. Human remains were recovered from the site at that time and turned over to the Department of Defense. In 1999, a Joint POW/MIA Accounting Command (JPAC) survey team traveled to the location. The crash site was located at an elevation of 2,600 ft., in extremely rugged terrain, and the team determined that specialized mountain training would be necessary to safely complete a recovery mission. From 2000 to 2011, multiple JPAC recovery teams excavated the site and recovered human remains, aircraft parts and military equipment. To identify the remains, scientists from JPAC and the Armed Forces DNA Identification Laboratory (AFDIL) evaluated circumstantial evidence and mitochondrial DNA – which matched that of the Marines’ family members.

More than 400,000 of the 16 million Americans who served in World War II died. Today, more than 73,000 Americans remain unaccounted-for from the conflict.

[Source: http://www.dtic.mil/dpmo/news/news_releases Sep 2012 ++]

Saving Money: Usually, the price on the sticker is the price you pay. But when it isn’t – well, that’s when some companies earn big bucks from our collective ignorance. A study by Harvard researchers several years ago found that in many product classes, consumers “lack either the ability or motivation to conduct a price comparison.” Their conclusions are still true today. We either can’t (or won’t) scrutinize a product price. Here’s how business try to dupe you, and how you can avoid it...

1. Offering an incomplete price. The airline industry is a prime example of this questionable practice. For years, the federal government allowed airlines to quote fares that excluded taxes and mandatory airport fees, making their fares appear lower than they were. Then airlines began a process called “unbundling” – removing items that traditionally were included with a fare, such as meals, the ability to check a bag, and making a seat reservation. This allowed some airlines to advertise \$9 fares, impossible to actually book. In 2011, the Transportation Department cracked down on this pricing, and more regulations are expected – but not before the airline industry made billions from clueless passengers who believed the fare they were quoted was the fare they’d actually pay.

2. The less-is-more price. This is a common strategy for squeezing more profit out of a product. For example, a “half-gallon” container of orange juice is actually 59, rather than 64 ounces, a roll of toilet paper is shorter, and a

new-and-improved salad dressing is 4 ounces smaller than the old one – but costs the same. Any time a manufacturer advertises a “great new look” at the same price, be afraid. Be very afraid.

3. Misrepresenting the terms. Marketing language can obscure the actual terms of a purchase. For example, in 2005 Blockbuster settled claims with 47 states that charged the nation’s largest movie-rental chain with deceptive advertising.

Blockbuster had promised to charge “no late fees,” when, in fact, customers who kept their rentals were being billed the full price of their video or game. But many consumers didn’t bother looking at Blockbuster’s new terms – they simply assumed the end of late fees meant the end of all fees. And that erroneous assumption helped Blockbuster make more money.

4. The asterisk. Whenever you see that little star on a price – whether you’re shopping for a car or a cruise – be careful. Companies can hide all kinds of “gotchas” under the asterisk. Probably the worst offenders are credit card companies, which conceal rate increases, interest charges, and fees in the fine print. These extras can make the cost of a “free” credit card ridiculously expensive. Mind the star!

5. Leading with a low-priced item no one wants. You’ve seen these offers – the ones that say, “prices starting at \$99 ...” Problem is, although there’s a base model or a stripped-down version of the advertised item, no one buys it. Car pricing can work like this, but anything from appliances to electronics items can be advertised this way. It’s fundamentally dishonest, of course, because while you can technically buy the \$99 blender, no one wants to. The lesson: When you hear the word “starting” as it relates to a price, be careful.

6. The markup, markdown. Almost every business marks products up when they order them from the factory or a distributor – it’s how they turn a profit. It’s the marking down that becomes problematic. When a clothing rack says “20 percent off,” what exactly is the markdown from? The retail price? Or some other undisclosed rate? Retailers play price games in this way, and the only real way to know if you’re getting a good deal is to comparison shop (thank you, Internet). The labels are meaningless – in fact, worse than that: They’re often misleading.

[Source: MoneyTalksNews Christopher Elliott article 2 May 2012 ++]

Intrepid Fallen Heroes Fund: The Intrepid Fallen Heroes Fund (IFHF) serves United States military personnel wounded or injured in service to our nation, and their families. Begun in 2000 and established as an independent not-for-profit organization in 2003, the Fund has provided close to \$120 million in support for the families of military personnel lost in service to our nation, and for severely wounded military personnel and veterans. These efforts are funded entirely with donations from the public, and hundreds of thousands of individuals have contributed to the Fund. 100% of donations go directly to the Fund’s programs. The Fund’s Board of Trustees underwrites all administrative costs and no portion of contributions are deducted. From 2000 to 2005 the Fund provided close to \$20 million to families of United States and British military personnel lost in performance of their duty, mostly in service in Iraq and Afghanistan. The Fund provided unrestricted grants to each spouse and dependent child; and to parents of unmarried service members. The payments were coordinated with the casualty offices of the Armed Forces, to ensure all eligible families received these benefits.

In 2005 federal legislation substantially increased the benefits granted to these families. With that mission accomplished, the Fund redirected its support toward the severely injured. In January 2007 the Fund completed construction of the Center for the Intrepid, a \$55 million world-class state-of-the-art physical rehabilitation center at Brooke Army Medical Center in San Antonio, Texas. The Center serves military personnel who have been catastrophically disabled in operations in Iraq and Afghanistan, and veterans severely injured in other operations and

in the normal performance of their duties. The 60,000 square foot Center provides ample space and facilities for the rehabilitation needs of the patients and their caregivers. It includes modern physical rehabilitation equipment and extensive indoor and outdoor facilities.

Following the opening of the Center for the Intrepid, the Fund turned toward another critical issue faced by our wounded troops: the treatment of Traumatic Brain Injury (TBI). The Fund addressed this need by constructing the National Intrepid Center of Excellence (NICoE). This is a 72,000 square foot, two-story facility located on the Navy campus at Bethesda, Maryland, adjacent to the new Walter Reed National Military Medical Center, with close access to the Uniformed Services University, the National Institutes of Health, and the Veterans Health Administration. NICoE provides the most advanced services for advanced diagnostics, initial treatment plan and family education, introduction to therapeutic modalities, referral and reintegration support for military personnel and veterans with TBI and post traumatic stress. Further, NICoE conducts research, tests new protocols and provides comprehensive training and education to patients, providers and families while maintaining ongoing telehealth follow-up care with patients across the country and throughout the world. NICoE was dedicated on June 24th, 2010 and has now begun its critically important work.

To further enhance TBI research, diagnosis and treatment, IFHF will design and build several additional centers that will serve as satellites to NICoE, to be located at some of the largest military deployment bases around the country, the first of which will be at Ft. Belvoir, VA. These NICoE Satellite Centers will extend the care currently provided at NICoE out to the home bases of many of the troops suffering the effects of TBI. Data from these centers will be transmitted back to NICoE and aid in its ongoing research program, helping to improve detection, diagnosis and treatment of TBI, post traumatic stress and related afflictions. Secondly, IFHF will also provide financial support for research efforts at these facilities and at NICoE. For additional information about this Veteran support organization refer to <http://fallenheroesfund.org/Home.aspx>. [Source: <http://fallenheroesfund.org/Home.aspx> Oct 2012 ++]

Notes of Interest:

- **Unemployment Insurance Income.** Bloomberg reports in 2009 of the 11.3 million U.S. tax filers who reported Unemployment income, 2,362 people were from millionaire homes. Another 954,000 households earning more than \$100,000 also reported receiving unemployment benefits. 1.1 million people exhausted their jobless benefits during the second quarter of 2012.
- **WWII Vets.** Dr. Joseph Lee Parker, the last surviving Navy doctor who landed on Omaha Beach at Normandy during the D-Day Invasion of World War II died 27 SEP at age 95. Parker was a member of the 6th Naval Beach Battalion. He treated the wounded, including Allied and German troops, for 21 days on the beach.
- **Magic.** Check out http://www.youtube.com/watch_popup?v=sKns1uatyNg&vq=medium
- **Milk.** Milk prices could top \$6 a gallon next year, thanks to a recently expired farm bill that Congress neglected to act on. That bill paid for a lot of things, ranging from farming subsidies to food stamps. It also regulates the price of milk. Without the bill, milk prices are projected to climb around four times higher than what the current bill permits.
- **Baldness.** New research shows shaved-bald guys are seen as taller, stronger, more manly, authoritative, and dominant than men with thinning or full hair.
- **HVAC/SVAC.** To read the American Legion's National Commander's written testimony submitted to the 3 OCT joint session of the House and Senate Committees on Veterans' Affairs refer to <http://www.legion.org/sites/legion.org/files/legion/publications/Commanders-Testimony-2012-WEB.pdf>.

- **AMVETS Magazine.** To access the latest issue of AMVETS quarterly American Veteran magazine go to <http://americanveteranmagazine.blogspot.com/>.
- **Deficit.** The federal government's fiscal year 2012 has come to a close, and CBO estimates that the federal budget deficit for the year was about \$1.1 trillion, approximately \$200 billion lower than the shortfall recorded in 2011. The 2012 deficit was equal to 7.0 percent of gross domestic product, CBO estimates, down from 8.7 percent in 2011, 9.0 percent in 2010, and 10.1 percent in 2009, but greater than in any other year since 1947.
- **Afterburner.** The September 2012 edition of the e-Afterburner has been posted on the Air Force retiree website at <http://www.retirees.af.mil>. The new edition is located on the upper right-hand side of the page underneath the Afterburner tab. <http://www.retirees.af.mil/shared/media/document/AFD-121003-014.pdf>.
- **PTSD.** Last year, VA "treated almost 100,000 Iraq and Afghanistan veterans" for PTSD. But "many agree that the numbers of sufferers could be higher because not everyone who suffers seeks treatment."
- **MOH.** To learn what Medal of Honor holder MMSgt Roy P. Benevidez did to earn his award check out http://www.youtube.com/watch_popup?v=RZ7968BbMnU&vq=medium.
- **COLA.** Seniors and the disables will learn the 2013 increase on October 16, 2012, but TSCL expects the increase will be hardly enough to offset big expected spikes in food costs which are rising twice as fast.
- **Cellphones.** The average cell phone subscriber pays \$565 a year. There are more mobile phone subscriptions (322 million) than there are Americans (314 million). Of that total, 41 percent are smartphones, and 23 percent are prepaid customers. Americans collectively spent 2.321 trillion minutes on the phone over the last year and sent texts: 2.273 trillion texts.

[Source: Various 1-14 Oct 2012 ++]

Medicare Fraud Update 102:



- **Philadelphia PA** - Brian Racey, a 42-year-old former territory manager for Orthofix Inc., was charged by the U.S. Attorney's Office Friday with health-care fraud in connection with an alleged scheme to submit \$250,000 in fraudulent claims for bone that did not meet Medicare guidelines. Racey of North Wales worked for Texas-based Orthofix — covering the Pennsylvania, New Jersey and Delaware territory — from April 2004 until he resigned on March 31, 2011. Orthofix manufactures and distributes bone-growth stimulator medical devices. The U.S. Attorney's Office alleges the device that Racey sold was intended to assist patients with bone fractures that did not heal.
- **Miami FL** - Dr. Mark Willner, 56, and Dr. Alberto Ayala, 68., former medical directors at the mental health care company American Therapeutic Corporation (ATC), were each sentenced today to 10 years in prison for participating in a \$205 million Medicare fraud scheme. Willner ordered was to pay more than \$57 million in restitution and Ayala to pay more than \$87 million in restitution, both jointly and severally with

their co-defendants. Willner and Ayala were also both sentenced to three years of supervised release following their prison terms. On June 1, 2012, after a seven week trial, a federal jury in the Southern District of Florida found Willner and Ayala each guilty of one count of conspiracy to commit health care fraud. Evidence at trial demonstrated that the defendants and their co-conspirators caused the submission of false and fraudulent claims to Medicare through ATC, a Florida corporation headquartered in Miami that operated purported partial hospitalization programs (PHPs) in seven different locations throughout South Florida and Orlando. A PHP is a form of intensive treatment for severe mental illness. The defendants and their co-conspirators also used a related company, American Sleep Institute (ASI), to submit fraudulent Medicare claims. Evidence at trial revealed that ATC secured patients by paying kickbacks to assisted living facility owners and halfway house owners who would then steer patients to ATC. These patients attended ATC, where they were ineligible for the treatment ATC billed to Medicare and where they did not receive the treatment that was billed to Medicare. After Medicare paid the claims, some of the co-conspirators then laundered the Medicare money in order to create cash to pay the patient kickbacks. Evidence at trial revealed that doctors at ATC, including Willner and Ayala, signed patient files without reading them or seeing the patients. Evidence further revealed that ATC then billed Medicare for more than \$100 million in PHP treatment for these patients under the names of Willner and Ayala. Included in these false and fraudulent submissions to Medicare were claims for patients in neuro-vegetative states, along with patients who were in the late stages of diseases causing permanent cognitive memory loss, and patients who had substance abuse issues and were living in halfway houses. These patients were ineligible for PHP treatment, and because they were forced by their assisted living facility owners and halfway house owners to attend ATC, they were not receiving treatment for the diseases they actually had. ATC executives Lawrence Duran, Marianella Valera, Judith Negron and Margarita Acevedo were sentenced to 50 years, 35 years, 35 years and 91 months in prison, respectively, for their roles in the fraud scheme. The 50- and 35-year sentences represent the longest sentences for health care fraud ordered to date.

- **Casper WY** - Wyoming Medical Center (WMC) in Casper has agreed to pay \$2.7 million to settle Medicare fraud allegations stemming from a 2007 whistleblower suit. Former WMC employee Gale Bryden alleged that WMC submitted reimbursement requests that were inconsistent with patients' treatment records, changed the admission status of patients from outpatient to inpatient status without a physician order and billed Medicare for unnecessary admissions. The government conducted an investigation into the hospital, finding evidence to support some of the claims. WMC's settlement specifically resolves claims that it submitted inpatient claims to Medicare for services performed in outpatient settings, inpatient claims for hospital stays for which there was no record of a physician ordering inpatient-level care and inpatient claims for patients who didn't meet inpatient admission requirements. WMC cooperated with investigators in making records and witnesses available, but the hospital denied any wrongdoing.
- **New York NY** - Fifteen people including a doctor and four chiropractors have been charged with participating in three separate schemes in New York and Long Island to defraud the Medicare and Medicaid programs of more than \$23 million, prosecutors say. The 4 OCT arrests and searches in New York are part of a nationwide takedown that led to charges against 92 people for their alleged participation in schemes to submit \$432 million in fraudulent claims to the Medicare and Medicaid programs. The charges include healthcare fraud, wire fraud, violations of the anti-kickback statutes, and money laundering, US Attorney General Eric Holder said at a press conference in Washington. In one of the New York cases, nine people, including the manager and medical director of Cropsey Medical Care PLLC in Brooklyn, are charged with conspiring to defraud the Medicare and Medicaid programs of more than \$13 million by submitting fraudulent claims for physical therapy that was not provided or was medically unnecessary, court papers say. In another New York case, four licensed chiropractors allegedly met patients residing in assisted living facilities, failed to provide chiropractic services yet submitted \$6.4 million in fraudulent billings to the Medicare program. In the third New York investigation, the office manager of a

Queens medical clinic and the owner of an ambulette service received \$3 million from Medicare after purporting to provide physical therapy and diagnostic tests to beneficiaries who were paid illegal cash kickbacks to use their medical and ambulette services.

- **Miami FL** - The feds on 4 OCT charged 33 South Florida suspects with submitting about \$205 million in phony claims to Medicare as part of a nationwide takedown of healthcare fraud offenders in major U.S. cities, authorities said. Agents with the FBI and Health and Human Services arrested many of the suspects early in the morning, including medical professionals associated with a Broward County psychiatric hospital, Hollywood Pavilion, accused of billing the taxpayer-funded program for bogus treatments. Nationwide, an additional 58 suspects were charged as part of the takedown of Medicare fraud offenders in other cities from New York to Houston to Los Angeles. Those defendants filed fraudulent claims totaling \$225 million, authorities said. The Obama administration has carried out a series of crackdowns in an effort to stem the estimated loss of tens of billions of dollars a year in Medicare funds for the elderly and disabled due to fraud. The Miami area, where schemes including home healthcare and physical therapy fraud have flourished for years, has stood out as the nation's epicenter of Medicare corruption. And the latest arrests, accounting for one third of the total nationwide, reinforce that reputation.
- **National** - In a widespread crackdown on Medicare fraud, the Justice Department has charged 91 people with billing the federal insurance program \$429 million in phony claims, officials said 4 OCT. Individuals in seven cities across the country have been indicted for cheating Medicare out of money for a range of health care services. The largest bulk of false claims included more than \$230 million for home health care, followed by claims for mental health care and ambulance transportation. "Today's coordinated actions represent one of the largest Medicare fraud takedowns in Department of Justice history, as measured by the amount of alleged fraudulent billings," said Assistant Attorney General Lanny Breuer. The sting included the largest ambulance fraud scheme ever to be prosecuted in recent history. Officials charged Los Angeles-based Alpha Ambulance Inc. with billing \$49.2 million to Medicare for providing medically unnecessary rides. In one case, Dallas Dr. Joseph Megwa allegedly signed about 33,000 prescriptions for thousands of Medicare patients without ever reviewing them. A Chicago dermatologist and psychologist were charged with submitting millions of dollars in false claims for medically unnecessary laser treatments and psychotherapy services, in another case. And in Miami, three residents were charged with coordinating a fraud scheme through a home health care service that led to \$75 million in fraudulent billing. The task force uncovered the largest single Medicare fraud scheme in history last February, arresting a ring of Dallas-area health care professionals on suspicion of collecting \$375 million in phony claims.
- **Los Angeles CA** - Adejare Ademefun, 57, A medical equipment supplier who submitted almost \$1 million in false claims to Medicare for expensive, high-end power wheelchairs was sentenced 9 OCT to serve 30 months in prison. In addition to the prison term, he was sentenced to three years of supervised release and ordered to pay \$499,548 in restitution to Medicare. In February 2010, Ademefun pleaded guilty to health care fraud. As part of his plea, he admitted that from January 2006 to his arrest in October 2009, he owned and operated Jamef Medical Supply, a fraudulent durable medical equipment (DME) supply company, which he used to submit almost \$1 million in false claims to Medicare. He paid illicit kickbacks to co-conspirators for medical prescriptions and other documents he needed to defraud Medicare. Ademefun focused his fraudulent billings on power wheelchairs, which were among the most expensive DME that a Medicare provider could bill to Medicare. Approximately 95 percent of all the claims he submitted to Medicare were for power wheelchairs which he supplied to Medicare beneficiaries who were illegally solicited by patient recruiters or "marketers" for medical equipment they did not want or need. He admitted he was deliberately indifferent to the fact that the power wheelchair claims he submitted to Medicare were false even though he knew there was a high probability that the doctors whose names appeared on the

prescriptions he purchased from his co-conspirators did not prescribe the power wheelchairs. He also knew that only six doctors were supposedly responsible for referring approximately 50 percent of his business and that approximately 60 percent of his customers lived more than 100 miles from Jamef. Ademefun submitted approximately \$941,028 in false claims to Medicare during the course of the scheme. On March 24, 2010, Ademefun's co-conspirator Leonard Nwafor was sentenced to 108 months in prison for his role in the scheme.

- **Dallas TX** – The owner of a North Texas home health services company has pleaded guilty in a \$374 million Medicare billing scheme linked to an indicted doctor. Prosecutors in Dallas say Cyprian Akamnonu of Arlington pleaded guilty 11 OCT to conspiracy to commit health care fraud. Dr. Jacques Roy faces trial next June on charges he ran a Medicare and Medicaid fraud scam and signed off on false paperwork. Roy is charged with conspiracy, obstructing justice, fraud and making false statements. Records show Akamnonu since 2006 operated Ultimate Care Home Health Services Inc. Investigators say the businessman and others recruited people as Medicare beneficiaries for unneeded services. Akamnonu faces up to 10 years in prison when sentenced next year. He must forfeit 21 properties, four vehicles and some personal and business funds.

[Source: Fraud News Daily 1-14 Oct 2012 ++]

Medicaid Fraud Update 72:

- **Buffalo NY** - Attorney General Eric T. Schneiderman announced 28 SEP an agreement with Kaleida Health to recover \$1.6 million in excess Medicaid payments on claims for dental services at Buffalo Women's & Children's Hospital Dental Clinic. The Attorney General's investigation revealed that during the period of January 1, 2005, through June 29, 2012, Kaleida submitted and received payments for dental clinic services for which Medicaid reimbursement was not authorized. The Attorney General's Medicaid Fraud Control Unit conducted an investigation after Kaleida Health revealed that its Buffalo Women's & Children's Hospital Dental Clinic had received the excess payments earlier this year for dental clinic services for which Medicaid reimbursement was not authorized. Medicaid regulations authorize reimbursement for teeth cleanings only once during a six month period, unless there is a medical necessity for more frequent cleanings and a notation in the patient chart to that effect. In some cases, Kaleida had billed Medicaid in violation of this rule for patients who received cleanings more often than once in six months. In other cases, the dental clinic performed and billed for exams, x-rays, and cleanings – which Medicaid regulations require dental clinics to perform and bill during one office visit -- separately over multiple visits, resulting in additional cost to the Medicaid program. Attorney General Eric T. Schneiderman commended Kaleida Health for voluntarily disclosing the results of their internal audit, cooperating with the Medicaid Fraud Control Unit investigation, and agreeing to make restitution.
- **North Carolina** - The state will reap almost \$16 million from a national Medicaid fraud settlement involving Abbott Laboratories. The state Attorney General's Office said Monday that's the state's portion of a \$1.5 billion settlement with the company, Abbott agreed in federal court last week to settle claims over allegations that it promoted the anti-seizure drug Depakote for uses that the Food and Drug Administration hadn't approved. Depakote is an anti-seizure and mood-stabilizing drug prescribed for bipolar disorder. However, the company said it marketed the drug for unapproved uses, including treatment of schizophrenia, agitated dementia and autism. Of the \$15.8 million paid to North Carolina, about \$1 million will go to support public schools. The remainder will go to support Medicaid efforts in the state.

[Source: Fraud News Daily 1-14 Oct 2012 ++]

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

- Housing Benefits
- Tax Benefits
- Employment Benefits
- Education Benefits
- Other State Veteran Benefits

[Source: <http://www.military.com/benefits/veteran-state-benefits/georgia-state-veterans-benefits.html> Oct2012 ++]

Military History: Operation Commando Hunt was a covert U.S. Seventh Air Force and U.S. Navy Task Force 77 aerial interdiction campaign that took place during the Vietnam War. The operation began on 11 November 1968 and ended on 29 March 1972. The objective of the campaign was to prevent the transit of People's Army of Vietnam personnel and supplies on the logistical corridor known as the Ho Chi Minh Trail that ran from the southwestern Democratic Republic of Vietnam through the southeastern portion of the Kingdom of Laos and into the Republic of Vietnam. The goal of the Commando Hunt campaigns was not to halt infiltration, but to make the North Vietnamese pay too heavy a price for their effort. Corollary to this was the destruction of as much of their logistical system as possible and to tie down as many of the North Vietnamese forces in static security roles as possible. Aerial interdiction could not succeed unless Hanoi felt the pressure and relented. The seed of the campaign's failure, however, was sown in its first operation. Despite the expenditure of an enormous amount of ordnance over five years, the level of that pressure was never going to be sufficient to deter Hanoi from its goal of supplying its troops in the south. The attachment to this Bulletin titled, “**Operation Commando Hunt**” covers the five year history of this operation and the reasons for the ultimate failure of the American forces in achieving their goal. [Source: http://en.wikipedia.org/wiki/Operation_Commando_Hunt Oct 2012 +]

Military History Anniversaries: Significant 16–31 October events in U.S. Military History are:

- Oct 17 1777 – American Revolution: British Maj. Gen. John Burgoyne surrenders 5,000 men at Saratoga, N.Y.
- Oct 17 1941 – WW2: A German U-boat attacks an American ship for the first time. The U.S. destroyer Kearney is damaged by a torpedo off Iceland; 11 Americans are killed.
- Oct 17 1944 – WW2: USS Escolar (SS-294) missing. Possibly sunk by a Japanese mine in the Yellow Sea. 82 killed.
- Oct 18 1775 – American Revolution: The Burning of Falmouth (now Portland, Maine) prompts the Continental Congress to establish the Continental Navy.
- Oct 18 1779 – American Revolution: The Franco-American Siege of Savannah is lifted.
- Oct 18 1939 – WW2: President Franklin D. Roosevelt bans war submarines from U.S. ports and waters.
- Oct 19 1781 – American Revolution: British troops under General Lord Charles Cornwallis surrendered to General Washington at Yorktown, Virginia, effectively ending the American Revolution.
- Oct 19 1917 – WWI: The first doughnut is fried by Salvation Army volunteer women for American troops in France.

- Oct 19 1933 – Germany withdraws from the League of Nations.
- Oct 19 1942 – WW2: The Japanese submarine I-36 launches a floatplane for a reconnaissance flight over Pearl Harbor. The pilot and crew report on the ships in the harbor, after which the aircraft is lost at sea.
- Oct 19 1987 – In retaliation for Iranian attacks on ships in the Persian Gulf, the U.S. navy disables three of Iran's offshore oil platforms.
- Oct 20 1923 – USS O-5 (SS-66) rammed and sunk by United Fruit steamer Abangarez in Limon Bay, Canal Zone. 3 died.
- Oct 20 1943 – The cargo vessel Sinfra is attacked by USAAF B-25s and RAF Beaufighters aircraft at Suda Bay, Crete, and sunk. 2,098 Italian prisoners of war drown with it.
- Oct 20 1944 – WW2: U.S. troops land on Leyte keeping General MacArthur's pledge "I shall return."
- Oct 20 1944 – WW2: Battle of Leyte Gulf began. Largest naval battle of WW2.
- Oct 21 1797 – In Boston Harbor, the 44-gun United States Navy frigate USS Constitution is launched.
- Oct 21 1837 – Under a flag of truce during peace talks, U.S. troops siege the Indian Seminole Chief Osceola in Florida.
- Oct 21 1861 – Civil War: The Battle of Ball's Bluff, Va. begins, a disastrous Union defeat which sparks Congressional investigations
- Oct 21 1904 – Panamanians clash with U.S. Marines in Panama in a brief uprising.
- Oct 21 1917 – WWI: The first U.S. troops enter the front lines at Sommervillier under French command.
- Oct 21 1944 – WW2: The first kamikaze attack: A Japanese plane carrying a 200 kilograms (440 lb) bomb attacks HMAS Australia off Leyte Island, as the Battle of Leyte Gulf began.
- Oct 21 1967 – Vietnam: The "March on the Pentagon," protesting American involvement draws 50,000 protesters.
- Oct 21 1983 – Grenada: The United States sends a ten-ship task force to Grenada.
- Oct 21 1994 – Korea and the U.S. sign an agreement that requires North Korea to stop its nuclear weapons program and agree to inspections.
- Oct 22 1862 – Civil War: Union troops push 5,000 confederates out of Maysville, Ark., at the Second Battle of Pea Ridge.
- Oct 22 1944 – WW2: Battle of Aachen: The city of Aachen falls to American forces after three weeks of fighting, making it the first German city to fall to the Allies.
- Oct 22 1957 – Vietnam: First United States casualties in Vietnam.
- Oct 22 1962 – Cold War: Cuban Missile Crisis. US President John F. Kennedy, after internal counsel from Dwight D. Eisenhower, announces that American reconnaissance planes have discovered Soviet nuclear weapons in Cuba, and that he has ordered a naval "quarantine" of the Communist nation.
- Oct 22 1972 – Oct 22 1972 – Vietnam: The 5 ½ month Operation Linebreaker I bombing of North Vietnam ended. Bombing resumed as Linebreaker II from 18 to 29 DEC.
- Oct 23 **1694 – American colonial forces, led by Sir William Phipps, fail to seize Quebec.**
- Oct 23 1861 – Civil War: President Abraham Lincoln suspends the writ of habeas corpus in Washington, D.C. for all military-related cases.
- Oct 23 1942 – WW2: The Western Task Force, destined for North Africa, departs from Hampton Roads, Virginia.
- Oct 23 **1942 – WW2: The Battle for Henderson Field begins during the Guadalcanal Campaign and ends on October 26**
- Oct 23 **1965 – Vietnam War: The 1st Air Cavalry Division launch a new operation, seeking to destroy North Vietnamese forces in Pleiku in the Central Highlands.**
- Oct 23 1983 – Lebanon: Terrorist attack on Marine Barracks in Beirut kills 220 Marines and 21 other U.S. service members.

- Oct 24 1863 – Civil War: General Ulysses S. Grant arrives in Chattanooga, Tennessee to find the Union Army there starving.
- Oct 24 1944 – WW2: In the Battle of Leyte Gulf the aircraft carrier USS Princeton is sunk by a single Japanese plane. The Japanese are defeated and lose their aircraft carrier Zuikaku and the battleship Musashi. From this point on, the depleted Japanese Navy increasingly resorts to the suicidal attacks of Kamikaze fighters.
- Oct 24 1944 – USS Darter (SS–227) ran aground on Bombay Shoal, Palawan Passage; later scuttled by USS Nautilus (SS–168) and USS Dace (SS–247). 0 died
- Oct 24 1944 – USS Tang (SS–306) accidentally sunk by circular run of own torpedo in Formosa Strait. 78 died, 9 POWs survived
- Oct 24 1944 – WW2: USS Shark (SS–314) sunk by Japanese depth charges from Harukaze, South China Sea west of Luzon. 87 killed.
- Oct 25 1940 – Benjamin O. Davis, Sr. is named the first African American general in the United States Army.
- Oct 25 1944 – The USS Tang under Richard O'Kane (the top American submarine captain of World War II) is sunk by the ship's own malfunctioning torpedo.
- Oct 25 1958 – Lebanon: The last U.S. troops leave Beirut.
- Oct 25 1962 – Cuban missile crisis: Adlai Stevenson shows photos at the UN proving Soviet missiles are installed in Cuba.
- Oct 25 1983 – Grenada: Operation Urgent Fury Began. 1,800 U.S. troops and 300 Caribbean troops land and soon turn up evidence of a strong Cuban and Soviet presence—large stores of arms and documents suggesting close links to Cuba.
- Oct 26 1775 – King George III goes before Parliament to declare the American colonies in rebellion, and authorized a military response to quell the American Revolution.
- Oct 26 1813 – War of 1812: Canadians and Mohawks defeat the Americans in the Battle of Chateaugay.
- Oct 26 1942 – WW2: In the Battle of the Santa Cruz Islands during the Guadalcanal Campaign, one U.S. aircraft carrier, Hornet, is sunk and another aircraft carrier, Enterprise, is heavily damaged.
- Oct 26 1950 – Korea: A reconnaissance platoon for a South Korean division reaches the Yalu River. They are the only elements of the U.N. force to reach the river before the Chinese offensive pushes the whole army down into South Korea.
- Oct 27 1941 – WW2: In a broadcast to the nation on Navy Day, President Franklin Roosevelt declares: "America has been attacked, the shooting has started." He does not ask for full-scale war yet, realizing that many Americans are not yet ready for such a step.
- Oct 27 1954 – Benjamin O. Davis Jr. becomes the first African-American general in the United States Air Force.
- Oct 27 1988 – Cold War: Ronald Reagan decides to tear down the new U.S. Embassy in Moscow because of Soviet listening devices in the building structure.
- Oct 27 2012 - Navy Day
- Oct 28 1776 – Revolutionary War: Battle of White Plains – British Army forces arrive at White Plains, attack and capture Chatterton Hill from the Americans.
- Oct 28 1864 – Civil War: The Second Battle of Fair Oaks ends – Union forces under General Ulysses S. Grant withdraw from Fair Oaks, Virginia, after failing to breach the Confederate defenses around Richmond, Virginia.
- Oct 28 1962 – Cuba: The U.S. began its blockade of Cuba to compel the Russians to remove long-range missiles aimed at the United States.
- Oct 28 1964 – Vietnam: U.S. officials deny any involvement in bombing North Vietnam.

- Oct 29 1863 – Civil War: The Battle of Wauhatchie – Forces under Union General Ulysses S. Grant repel a Confederate attack led by General James Longstreet. Union forces thus open a supply line into Chattanooga, Tennessee.
- Oct 29 1941 – Holocaust: In the Kaunas Ghetto over 10,000 Jews are shot by German occupiers at the Ninth Fort, a massacre known as the "Great Action".
- Oct 30 1941 – WW2: The U.S. destroyer Reuben James, on convoy duty off Iceland, is sunk by a German U–boat with the loss of 96 Americans.
- Oct 31 1917 – WWI: Battle of Beersheba – "last successful cavalry charge in history".
- Oct 31 1941 – WW2: The destroyer USS Reuben James is torpedoed by a German U–boat near Iceland, killing more than 100 United States Navy sailors. It is the first U.S. Navy vessel sunk by enemy action in WW2.
- Oct 31 1943 – WW2: An F4U Corsair accomplishes the first successful radar–guided interception.
- Oct 31 1952 – Cold War: The U.S. explodes the first hydrogen bomb at Eniwetok Atoll in the Pacific.
- Oct 31 1968 – Vietnam: The bombing of North Vietnam is halted by the United States.
- Oct 31 1971 – Vietnam: Saigon begins the release of 1,938 Hanoi POW's.

[Source: Various Oct 2012 ++]

Military Trivia 60: Vietnam GI Jargon

During the Vietnam war, US infantrymen had the MOS number 11B also called 11 Bravo. What did the average soldier call the 'B'?

Bush | Bummer | Buddy | Boo hoo

2. During the Vietnam War, what did soldiers and Marines call the M60 machine gun?

A biter | An eater | A pig or hog | The answer

3. During the Vietnam War, who was a 'cherry'?

An old soldier | A new soldier | A dead soldier | A wounded soldier |

4. During the Vietnam war, what did infantrymen call a long forced march?

A hump | A lump | A bump | A chump

5. During the Vietnam War the US Army in the field was composed primarily of draftees. What did servicemen usually call a career soldier?

A Bird | A Loser | A Lifer | Employed

6. While in base camp, what was the most common way of disposing of human waste?

Carrying it away | Ignoring it | Burning it | Burying it

7. During the Vietnam War, unpopular officers were sometimes eliminated by the men. What term described this

process?

Fragging | Flicking | Flogging | Fingering

8. During the Vietnam War, US servicemen used drugs at times. What would a 'bowl' be used for?

To use heroin | To smoke crack | To smoke pot | To use cocaine

9. During the Vietnam war, what did most infantrymen despise the most?

The liberal press | Rear echelon soldiers | Newbies | Boot lieutenants

10. After surviving a year in the Nam', where would a US serviceman usually be going?

Back to another tour in the bush | Back to the world | Into a glad bag | On his way to see the man

ANSWERS:

1. Almost every soldier who was 11B was headed to the 'Nam. Soldiers called themselves "11 **bush**". Hello Vietnam!
2. Servicemen called the M60 machine gun a **pig or a hog**. It received that name because of the ammo it ate.
3. Infantrymen who were new in country were referred to as '**cherries**' or 'newbies' or as various unprintables.
4. Infantrymen called a long forced march a **hump** or humpin'. This term is still used.
5. Draftees usually called the career soldier or Marines a 'lifer' as well as other unprintables.
6. While US forces served in Vietnam, human waste was **burned**.
7. The men used a fragmentation grenade to rid themselves of an officer or NCO who they disliked or distrusted. The act was called **fragging**. It was rare, but it did happen.
8. During the Vietnam War, US servicemen used drugs at times. What would a 'bowl' be used for?
9. The correct answer was **rear echelon soldiers**
10. If a serviceman survived his tour in Vietnam, he was headed **back to the world** otherwise known as home. A discharge from the US Army and back to normalcy.

[Source: <http://www.funtrivia.com/trivia-quiz/History/GI-Jargon-Vietnam-War-335860.html> Oct 2012 ++]

Tax Burden for Ohio 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. States raise revenue in many ways including sales taxes, excise taxes, license taxes, income taxes, intangible taxes, property taxes, estate taxes and inheritance taxes. Depending on where you live, you may end up paying all of them or just a few. Following are the taxes you can expect to pay if you retire in **Ohio**.

Sales Taxes

State Sales Tax: 5.5% (food, newspapers, magazine subscriptions, telephone service and prescription drugs exempt); Counties levy additional sales taxes which may add up to 2.25% in additional sales tax. For details refer to <https://thefinder.tax.ohio.gov/StreamlineSalesTaxWeb/Default.aspx>.

Gasoline Tax: 28 cents/gallon
Diesel Fuel Tax: 28 cents/gallon
Cigarette Tax: \$1.25/pack of 20

Personal Income Taxes

Tax Rate Range: Low – 0.587%; High – 5.925%

Income Brackets: Nine. Lowest – \$5,050; Highest – \$201,801; Several cities levy municipal income taxes.

Personal Exemptions: Single – \$1,650 plus an additional \$20 per exemption tax credit; Married – \$3,300; Dependents – \$1,650

Standard Deduction: None

Medical/Dental Deduction: Unreimbursed medical/dental expenses, premiums for long-term care insurance, and unsubsidized health insurance premiums are deductible.

Federal Income Tax Deduction: None

Retirement Income Taxes: Social Security is exempt. Credit of up to \$200 if retirement income is at least \$8,000, plus a one-time credit on lump sums. Seniors 65 and over may claim a \$50 credit. Only one credit is allowed for each return. Out-of-state government pensions can be applied toward the retirement income credit. Taxpayers can deduct the following benefits only to the extent that they are included in the taxpayers federal adjusted gross income: Social Security, Tier I and Tier II railroad benefits, and supplemental and other railroad benefits.

Retired Military Pay: Military retired pay of taxpayers who retired from service in the active or reserve components of the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, or from the National Guard can deduct their military retirement income to the extent that income is not otherwise deducted or excluded in computing federal or Ohio adjusted gross income. Taxpayers who served in the military and receive a federal civil service retirement pension are also eligible for a limited deduction if any portion of their federal retirement pay is based on credit for their military service. These retirees can deduct only the amount of their federal retirement pay that is attributable to their military service. Military taxpayers refer to <http://www.mh.state.oh.us/assets/veterans/ag-resource-guide.pdf> and

http://www.tax.ohio.gov/divisions/ohio_individual/individual/military_service_ohio_taxes_retiree_exemption.stm

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

The taxable base is the assessed value of land and buildings. Assessed value is 35% of market value, except for certain agricultural land. County auditors must reappraise all real estate every six years. A homestead exemption is available to the homesteads of qualified homeowners who are either at least 65 years old, permanently and totally disabled, or at least 59 years of age and the surviving spouse of a deceased taxpayer who had previously received the exemption. For more details refer to

http://tax.ohio.gov/channels/government/documents/Bulletin_23_Homestead_EX_Rev_01_09.pdf,

http://tax.ohio.gov/divisions/real_property/index.stm, and

http://tax.ohio.gov/divisions/communications/homestead_exemption_information.stm

Inheritance and Estate Taxes

On June 30, 2011, Ohio Governor John Kasich signed the 2012 – 2013 budget into law, which eliminates the Ohio estate tax effective for deaths occurring on or after January 1, 2013. Ohio does not have an inheritance tax.

For further information, visit the Ohio Department of Taxation site. <http://ohio.gov> [Source: <http://www.retirementliving.com> Oct 2012 ++]

Aviation Art (15):



Victory Over Gold

by Nicolas Trudgian

The morning of June 7, 1944 a dozen JU88s appeared over Gold Beach, intent of making a diving attack on the heavily populated beachhead. The patrolling Spitfires of 401 Squadron wasted no time in getting into the fray. In the ensuing dogfight the Canadian pilots destroyed no fewer than six of the JU88s, and the attack on the beach was averted.

Oil on canvas 22" x 36" - \$20,000 - Signed on the reverse by Pete Brothers - Bunny Currant - Tom Neil

[Source: <http://www.brooksart.com/Originals.html> Oct 2012 ++]

Veteran Legislation Status 14 OCT 2012: The Senate and House are in a “legislative lull” until the General Election is over. Both chambers will conduct pro forma sessions throughout the extended break. These very brief meetings take place with just a handful of congressional members in attendance and legislation is not normally discussed or passed. 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/bss/d111/sponlst.html> your legislator's phone number, mailing address, or email/website to communicate with a message or letter of your own making. Refer to http://www.thecapitol.net/FAQ/cong_schedule.html for dates that you can access your legislators on their home turf. [Source: <http://www.loc.gov> Oct 2012 ++]

Have You Heard? Vet Hats and Morons

A retiree was sent a 'Viet Nam Veteran' hat by his friend. He never had one of these before and was pretty hyped about it, especially because his friend was considerate enough to take the time to give it to him. He then decided to wear it the next day when he went to Walmart. There was nothing in particular he needed at the world's largest retailer but, since he retired, trips to Wally World to look at the Walmartians was always good for some comic relief. Besides, he always felt pretty normal after seeing some of the people that frequent the establishment.

While standing in line to check out, the guy in front of him, probably in his early thirties, asked, "Are you a Vet Nam Vet?" "No" he replied. "Then why are you wearing that hat?" "Because I couldn't find my hat from the War of 1812." He thought it was a snappy retort. "The War of 1812 huh." the Walmartian queried, "When was that?" God forgive but, he couldn't pass up such an opportunity. "1936"

The guy pondered his response for a moment and responded, "Why do they call it the War of 1812 if it was in 1936?" "It was a Black Op. No one is supposed to know about it." This was beginning to be way too fun.

"Dude! Really!" he exclaimed. "How did you get to do something that COOOOL?"

The retiree glanced furtively around them for effect, leaned toward the guy and in a low voice said, "I'm not sure. I was the only Caucasian on the mission."

"Dude!", he was really getting excited about what he was hearing. "That is seriously Awesome! But, didn't you kind of stand out?" The retiree replied, "Not really. The other guys were wearing white camouflage." The moron nodded knowingly.

"Listen man," the retiree said in a very serious tone, "You can't tell anyone about this. It's still Top Secret and I shouldn't have said anything."

"Oh yeah." The guy gave the retiree the "don't threaten me look. "Like, what's gonna happen if I do?"

With a really hard look the retiree said, "You have a family don't you? We wouldn't want anything to happen to them would we?" The guy gulped, left his basket where it was and fled through the door. By this time the lady behind them was about to have a heart attack she was laughing so hard.

After checking out and going to the parking lot the retiree saw dimwit leaning in a car window talking to a young woman. Upon catching sight of him he started pointing excitedly in the retiree's direction. Giving the guy another 'deadly' serious look, the retiree made the "I see you" gesture. The guy turned kind of pale, jumped in the car and sped out of the parking lot.

What a great time! Tomorrow, he decided, he was going return to Walmart with a Homeland Security hat. Whoever said retirement is boring just needs the right kind of hat...

Naval Lingo: Carry On. In the days of sail, the Officer of the Deck kept a weather eye constantly on the slightest change in wind so sails could be reefed or added as necessary to ensure the fastest headway. Whenever a good breeze came along, the order to "carry on" would be given. It meant to hoist every bit of canvas the yards could carry. Pity the poor sailor whose weather eye failed him and the ship was caught partially reefed when a good breeze arrived. Through the centuries the term's connotation has changed somewhat. Today, the Bluejackets Manual defines carry on as an order to resume work; work not so grueling as two centuries ago.

The government is like a baby's alimentary canal, with a happy appetite at one end and no responsibility at the other.
--- **Ronald Reagan** (1911-2004 U.S. 40th President)

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