

RAO BULLETIN

15 December 2012

PDF Edition

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Cost-Free Benefit to End

GA Vet Home Update 03: Effective 1 FEB 2013 Georgia veterans will no longer be able to live cost-free in the state's two nursing homes for veterans. Georgia is the last state to allow veterans to stay in such nursing homes for free. A new law now requires the Georgia Department of Veterans Service to begin charging those who stay at the facilities in Augusta and Milledgeville. Georgia currently covers the cost of operating the homes by state appropriations and federal monies. When the law takes effect, patients at the War Veterans Home in Augusta will pay \$22.81 per day, which is about \$700 a month. "That's a lot of money," said Charles Esposito, executive director of the War Veterans Home in Augusta. "But in the scheme of things of nursing home care, it's not. In typical nursing home care, it would run \$5,000 to \$8,000 (a month) depending on where you are." He said the average length of stay for Augusta patients is about a year.

The reason for the change is simple: the state is looking to streamline costs during the tough economic times. But the impact on veterans and their families can cause complications, and that concerns members of The American Legion family in Georgia. "The way we see it is that you are taking money away from the families of these veterans," said Department of Georgia Commander Bill Lienhop. "And many veterans don't have very much. Basically, they are living day to day on that money. And we see that there could be some hardships with the families." Still, of all the options discussed, this was the best alternative, according to Legion members and the nursing home administrators. One option considered would have involved moving the system into Medicare or Medicaid. However, that likely would have forced the nursing homes to care for non-veterans and veterans alike. Susie Mash, American Legion Auxiliary Department of Georgia president, worries about the impact on the spouse. Mash wants to make sure that a spouse will still be able to pay for housing, food and any medications while incurring the additional cost of nursing home care. "I know that if this becomes a problem, then we will need to look outside (for solutions)," she said, "because our mission is to assist The American Legion, our veterans and their families at home and abroad."

For veterans and their spouses who are truly struggling financially, there is some hope, Esposito said. "If the patient does not have the \$700, and they can document and demonstrate that they don't have the money, we can issue them a waiver and they won't have to pay it," he said. Veterans could also tap into the VA's Aid and Attendance benefit, designed by federal law to assist with payments for medical care. The amount is based on a veteran's income and assets. If, for example, a veteran exceeds the financial threshold, he may not receive assistance. Esposito is thankful for the relationship between the Legion and his facility. "Nobody does more for the Georgia War Veterans Nursing Home than The American Legion," he said, citing donations in the tens of thousands of dollars that have purchased patient recliners and lift-chairs, barbecue grills and a gazebo. "That's the bottom line. The Legion does more for us than anyone, and we appreciate it." [Source: American Legion Online Update 13 Dec 3012 ++]

Never Hurts to Ask

Vet Widows Update 04: Kathy Barnette learned quickly that it never hurts to ask. She was forced to ask the Department of Veterans Affairs repeatedly for help as the bills piled up after her husband, Dan, died in 2008. His terminal conditions, Agent Orange, diabetes and melanoma, are believed to be the result of his 20-year Air Force career, when he served in both the Vietnam War and Operation Desert Storm. "I didn't even have time to grieve because I knew I was going to lose my home and my vehicle, because all I was going to get was \$600 a month," Barnette said. She said she avoided that fate by being persistent. It's an attitude she said she'll use to fight the Victoria County Tax Appraisal District's decision to deny her a property tax exemption given to 100 percent or totally disabled veterans.

The law - also known as tax code 11.131 or State House Bill 3613 - wasn't passed until a year after her husband died, making her ineligible for the benefit, officials said. Even then, surviving spouses weren't eligible for the benefit until District 7 Texas Senator Dan Patrick pushed Senate Bill 516, which became effective Jan. 1. The surviving spouses have to have been widowed on or after 2009 to qualify, Attorney General Greg Abbott ruled in April. "I am pleased that the Attorney General's opinion will ensure that surviving spouses who lost a loved one between 2009 and 2012 will also be covered under my legislation," Patrick wrote in a news release. "To treat surviving spouses from 2009 any differently from surviving spouses in 2012 would have been unfair and contradicted the intent of my legislation." Barnette meets the other requirements. She never remarried, and she's lived in the same Victoria home for the past 20 years. "It would've knocked about \$200 or \$300 off my mortgage payment," she said, adding she intends to fill out the county appraisal district's form just in case. She's also working with the VA in amending her husband's death certificate to bring up his disability rating from 70 to 100 percent. "I just feel like these guys and gals go and fight for our country and they come up with these illnesses and nothing is done to help, especially families that are left behind. It's just wrong," Barnette said.

Victoria County Veterans Services Officer Gloria Picon-McDade said she's hearing more and more from Vietnam veterans' widows who are benefits savvy, but the ones the worst off financially appear to be the wives of World War II veterans, the latter of whom the agency reported were dying at a rate of about 600 each month. She said dialing the VA hotline often can be misleading because the person answering may not be familiar with Texas laws nor just how proactive the laws are compared to other states. "I tell them, 'You've got to talk to your congressman and state representatives. They make the laws. We don't. The VA accepts what they change,'" Picon-McDade said. "It's not fair, but could you believe if they had given it to all the widows from all the past years? They have to have a cut off otherwise our county would be broke." She said it usually takes more than a year for the VA to respond to a benefits inquiry. She can appeal their decisions, but not all things are negotiable. "Everybody's case could be different," Picon-McDade said.

Texas Sen. Glenn Hegar, who represents District 18, supported Patrick's legislation, but said via email, "Undoubtedly, local property taxes fund important functions for local communities, including our public schools. It is always important that we honor the families who sacrificed while their loved ones served our country protecting the freedoms we enjoy in our state and nation." Walquiria Sanchez, of Texas Rio Grande Legal Aid, which sometimes provides free legal services to veterans and their families depending on their income, said the surviving spouses time restriction may have been put in place to see how much it would cost the state. "Little by little, they roll these things out," she said, pointing to other benefits, such as the most recent toll road fee exemptions veterans receive in the Austin and Lubbock-areas. "Texas is a very generous state." [Source: Stars & Stripes | Jessica Priest | 12 Dec 2012 ++]

William E. Nicklas

VA Lawsuit ~ Legionnaires' Disease: The family of a Hampton man who died last month after contracting Legionnaires' disease at the Pittsburgh Veterans Affairs' hospital in Oakland filed a civil claim against the U.S. Department of Veterans Affairs on 10 DEC. At a press conference, the three adult sons of William E. Nicklas, 87, said they were devastated by his death on 23 NOV, which was "very preventable," their attorney, Harry Cohen, said. "It appears as though the VA Hospital failed to properly maintain its water systems, despite recurring illnesses at the hospital and despite warnings from experts," Mr. Cohen said in a written statement issued prior to the press conference. One of Mr. Nicklas' sons, Robert, said in the statement that prior to his father's death, "We were repeatedly told at the VA that they expected my dad to make a full recovery, until the time that they confirmed that he had contracted the Legionnaires' disease. He should have been home with us now, celebrating his birthday and

then Christmas with my mom, his children, and grandchildren." Pittsburgh VA spokesman David Cowgill said he could not respond to the filing of the claim.

Nicklas, a Navy World War II veteran who later had an auto body shop in Glenshaw, was in very good health before being admitted in early October to the Pittsburgh VA's University Drive hospital in Oakland, his family said. He stayed two days with instructions to follow up with his doctor. He met with his doctor and took the prescribed medication, a beta blocker. But it made him nauseated and dehydrated. On 1 NOV, he was admitted again to University Drive for dehydration and began recovering. On 17 NOV, problems with his kidneys, liver and blood developed and his family was told he had an infection. Four days later -- for the first time -- they were told he had contracted Legionnaires' disease, his family said. His condition deteriorated rapidly and he died two days later. Although the Pittsburgh VA never identified him publicly, Mr. Nicklas was the person the VA said on Thanksgiving Day was the fifth person to contract Legionnaires' disease from a VA facility. The VA never publicly disclosed that he died and still has not. On 16 NOV that the VA first publicly revealed it had four confirmed cases of Legionnaires' which patients contracted from the University Drive hospital.

Legionnaires' disease is a pneumonia-like disease that is contracted from the bacterium Legionella, and typically spread through water systems to people. About 8,000 to 10,000 people each year are hospitalized with the disease, but the Centers for Disease Control and other experts believe many more cases occur each year that go undiagnosed as simple pneumonia or other afflictions. Legionnaires' can be fatal in 5 to 30 percent of cases, depending on who it strikes and where it is acquired. The civil claim that the Nicklas family filed is known as a Form 95, which the federal government requires people to submit before any formal lawsuit is filed. After filing Form 95, the federal government will have six months to investigate and respond and/or settle the claim before any lawsuit can be filed in U.S. District Court.

Nicklas entered the Navy in 1944 and served in the Pacific theater. He was a tail gunner on a Navy fighter plane with Air Sea Rescue Force and served in Guam, Saipan, Okinawa and other Pacific islands. He was honorably discharged in 1946 and returned to Pittsburgh to start his auto body shop, which he ran for many years. He married his wife, Greta, in 1953 and had three sons. Nicklas worked with his son David, who also was in the Navy, and Hampton officials and veterans groups, to erect a memorial to those who died serving in the military. That monument stands in front of Hampton's community center. "My father was very proud to be a veteran, and proud of his service to our country," David Nicklas said in a statement. "He had Medicare and supplemental insurance, so he could have chosen any hospital. But as a veteran he trusted the VA to care for him. The VA betrayed that trust, just like they have for other veterans who were sickened. We want to do everything we can to make sure no other veterans suffer like my father did and like we are now." [Source: Pittsburgh Post-Gazette | Sean D. Hamill | 10 Dec 2012 ++]

Participants Needed

Vet Sleep Survey: Researchers at Johns Hopkins University and the veterans wellness firm VetAdvisor are teaming up to see if they can help returning veterans get a little more rest. The groups have launched a new national sleep survey of veterans, looking for ways to battle problems like insomnia or excessive fatigue. The goal of the research is to better map the most common struggles among past and current servicemembers, and find solutions to the sleeplessness. Dan Frank, CEO of VetAdvisor, said they hope to get at least 5,000 participants to complete the online survey. The consulting firm works with corporate human resources on ways to recruit and retain veterans into the workplace, and he said better knowledge of the problems they face could lead to better treatment options. "One aim of the survey is to determine if coaching were available would they seek it out," he said. "We want to take that information to demonstrate approaches to extend the reach of both VA and active duty preventative

care services.” Previous research has found that sleep troubles are common in returning combat veterans, even among those who aren’t dealing with other serious conditions like post-traumatic stress disorder or brain injuries.

Dr. Michael Smith, director of the university’s Center for Behavior and Health, said the online survey is aimed at determining the multiple potential causes of sleep disturbances in veterans and troops, and understanding whether stigmas or bureaucracy might discourage those sufferers from seeking help. Questions include whether those surveyed would be open to the idea of a sleep coach, someone who helps track rest patterns and can act as a counselor in finding solutions. Sleep coaches are either veterans or non-veterans who have been trained to work with veterans and active duty military personnel on their sleep issues. Like an athletic or life coach, a sleep coach works with individuals to identify areas of concern and to develop a plan of action, milestones, and desired outcomes. Sleep coaches observe progress, determine evolving needs, and proactively send alerts and encouragement in order to help veterans overcome barriers to better sleep. Participants have the option of selecting face to face, Chat, Email, Phone, or SMS (texting) when working with a sleep coach. For more information or to participate , visit the study’s web site at <http://www.vetsleep.org>. [Source: Stars & Stripes | Leo Shane | 10 Dec 2012 ++]

National Reimbursement Agreement

VA Native American Care: Native American military veterans will be able to access health care closer to home thanks to an agreement between the U.S. Department of Veteran Affairs and the Indian Health Service (IHS). The agreement allows for Veterans Affairs to reimburse IHS for direct health care services provided to eligible American Indian and Alaska Native veterans. Veterans Affairs and IHS released more details Thursday, saying the agreement stemmed from much work among the agencies and tribal governments as they tried to find a more equitable solution for bolstering access to care for veterans, particularly those in rural areas. Secretary of Veterans Affairs Eric Shinseki says the VA is committed to expanding access to Native veterans “with the full range of VA programs, as earned by their service to our nation.” For additional information about American Indian and Alaska Native Veteran programs refer to <http://www.va.gov/tribalgovernment> and <http://www.ihs.gov/>. [Source: Associated Press 6 Dec 2012 ++]

Fort Bragg Paychecks

Identity Theft Update 12: The military on 6 DEC paid a former Fort Bragg family the paycheck an identity thief stole from them in September, but investigators still haven't determined who took the money. Army Capt. Stephen Redmon said he noticed four days before his Sept. 14 payday that his check was going to be deposited in an unfamiliar bank account. He said he immediately alerted the military's payroll agency — Defense Finance and Accounting Service, or DFAS — but it was too late to stop the automated system. Redmon and his wife, Julie, said they watched helplessly as his \$3,290 military paycheck went to Bancorp Bank, one of the nation's largest issuers of prepaid debit cards. Military investigators told the family someone had switched the bank in Redmon's online pay system using his account name and password. The investigators asked questions that implied they were skeptical of the Redmons' story. Julie Redmon said she and her husband received full repayment from DFAS, which decided the Redmons weren't liable for the stolen money. But investigators haven't figured out who stole their identity, or how it was stolen. Julie Redmon said she doubts she'll even know who took the money. A DFAS spokeswoman said she could only confirm that the investigation is ongoing. Privacy laws, she said, prevent the agency from releasing any other details.

Julie Redmon said previously that a DFAS representative told her husband he's not the first person this has happened to, and that similar problems occur every month. A spokesman for the agency confirmed last month that

three similar cases were being investigated on Fort Bragg. The spokesman, Tom LaRock, said the problems occur occasionally but are not widespread. Login information can be stolen over unsecured wireless networks and by viruses that log computer keystrokes. Julie Redmon said in an email that she and her husband now check the payroll website daily to make sure the banking information is correct. But there's still a feeling of helplessness, she said, because identity thieves could make changes just before the automated payroll system starts. Redmon said she'd like to see added security features or a change that would let DFAS stop funds from going to an unknown bank if they're alerted before payday. "Of course we are happy that the funds are being returned to us. We are still unhappy that nothing was done to stop the money from being stolen," Julie Redmon said. "It is scary knowing if someone accesses our pay account again that we would have no way to stop it. [Source: The Fayetteville Observer | John Ramsey | 7 Dec 2012 ++]

Overview

Social Security Compassionate Allowances: Social Security has an obligation to provide benefits quickly to applicants whose medical conditions are so serious that their conditions obviously meet disability standards. Compassionate Allowances (CAL) are a way of quickly identifying diseases and other medical conditions that invariably qualify under the Listing of Impairments based on minimal objective medical information. Compassionate Allowances allow Social Security to target the most obviously disabled individuals for allowances based on objective medical information that we can obtain quickly. Compassionate Allowances is not a separate program from the Social Security Disability Insurance or Supplemental Security Income programs.

CAL conditions are selected using information received at public outreach hearings, comments received from the Social Security and Disability Determination Services communities, counsel of medical and scientific experts, and our research with the National Institutes of Health (NIH). Also, we consider which conditions are most likely to meet our current definition of disability. Commissioner Astrue has held seven Compassionate Allowances public outreach hearings. The hearings were on rare diseases, cancers, traumatic brain injury (TBI) and stroke, early-onset Alzheimer's disease and related dementias, schizophrenia, cardiovascular disease and multiple organ transplants and autoimmune diseases. On DEC 6 Commissioner Astrue held an event in Washington, D.C. to commemorate the milestone of reaching 200 Compassionate Allowances conditions. These conditions involve cancers and neurological and other rare diseases affecting adults and children. A listing of each of the now 200 along with a description of the condition and any alternate names it may have can be found at <http://www.socialsecurity.gov/compassionateallowances/conditions.htm>.

Being diagnosed with a CAL condition does not provide additional money above what an individual is eligible for under the Social Security Disability Insurance (SSDI) and/or Supplemental Security Income (SSI) disability programs. CAL simply speeds up the receipt of a decision on the claim. There is no special application or form that is unique to the CAL initiative. Individuals with a CAL condition apply for benefits using the standard SSA process for filing claims for SSDI, SSI, or both SSDI and SSI benefits. SSA will expedite the applications of those with a CAL condition. Applications for disability may be filed online, in the local field office, or by calling 1-800-772-1213. To learn how to apply for disability benefits refer to <http://www.ssa.gov/dibplan/dapply.htm>. Individuals with CAL conditions may receive a decision on their claim in a matter of weeks instead of months or years. It can vary depending on several factors, but primarily on:

- How quickly we obtain medical evidence from a doctor or other medical source;
- Whether a medical examination is necessary in order to obtain evidence to support the claim; and
- If the claim is randomly selected for quality assurance review of the decision.

[Source: <http://www.socialsecurity.gov/compassionateallowances/> Dec 2012++]

House Committee Approves Bill

World War I Memorial Update 04: A House committee approved a bill on 5 DEC to establish a World War I memorial in the District — a plan that has faced controversy despite its noble goal of honoring those who served in the Great War. Rep. Ted Poe submitted a revised version of the bill in September, after D.C. leaders objected to an initial plan to “nationalize” the District of Columbia War Memorial that is dedicated to city residents who fought and died in the overseas conflict from 1914 to 1918. The bill seeks an exemption to a 2003 law that prohibits new commemorative works on a key cross-section of the National Mall. Mr. Poe has recommended a site in Constitution Gardens, located north of the reflecting pool near the Vietnam War Memorial, where munitions and administration buildings once stood to assist American efforts during World War I. Federal funds cannot be used to build the memorial, and its private cost may not exceed \$10 million, according to the bill. The National World War I Memorial Foundation and other proponents of the bill say it is important to honor the Great War on the Mall alongside other notable foreign wars of the 20th century. The House Natural Resources Committee forwarded Mr. Poe’s legislation to the full House at a markup session on Wednesday, amending the maximum size of the memorial from 1.5 acres to half of an acre and specifying that, while the memorial can be built on the Mall, it does not have to be placed in Constitution Gardens. [Source: The Washington Times | Tom Howell | 5 Dec 2012 ++]

Going to Conference

NDAA 2013 Update 13: The Senate has passed their version of the National Defense Authorization Act (S.3254) 98-0. The bill had 381 amendments submitted to it. One of them incorporated the measure into H.R. 4310. The bill does not contain any TRICARE fee or pharmacy co-payment increases which were a part of the House-passed version. It also did not contain any provision to eliminate the SBP-DIC offset which was defeated by a budget point of order nor any provision to eliminate the Tricare pharmacy copay increases. The House and Senate now meet in conference to iron out differences in the bills. Some of the items in the final Senate bill include:

- Requiring DOD to report on changes to TRICARE Prime coverage areas. (SA.2969)
- Revised Stolen Valor Act -- making it a federal crime to falsify military decorations for personal gain. (SA.3144)
- A comprehensive mental health and suicide prevention program within DOD. (SA.3099)
- Improvements in the transition process for active duty.
- Requiring the Pentagon to study the adequacy of reintegration mechanisms for Guard and Reserve members returning from deployment. (SA.2960)
- CRSC payments to combat--disabled retirees forced into medical retirement.
- Requiring DOD to provide Congress a comprehensive policy on sexual harassment and to keep copies of restricted reports on sexual assaults on file for 50 years.
- Authorization to transfer \$45 million from the Defense Department operations and maintenance account to provide funding for applied behavior analysis, or ABA, treatment for military personnel's children with autism when ordered by a doctor. (SA.3058)
- Requiring the VA to provide Congress a plan to partner with state and local entities to reduce the VA disability claims backlog. (SA.3158)
- A sense of the Senate stating retiree health care benefits have been earned through twenty or more years of arduous military service. (SA.3030)
- Requiring states to ensure training received by a veteran while on active duty is taken into consideration when granting certain certifications and licenses. (SA.3291)

- Strengthening predatory lending protections for active duty service members. (SA.3302)
- Extending increased BAH rates until Jan. 1, 2014. (SA.2948)
- extends active duty leave rollover until September 30, 2015. (SA.2949)

The conference committee is set to begin working out differences early next week with a final bill expected to be voted on before Christmas. For more information on the bill and the roll call vote, refer to http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=112&session=2&vote=0022
1 [Source: VFW Washington Weekly 7 Dec 2012 ++]

Benefit Expansion

VA Presumptive TBI Diseases: The Department of Veterans Affairs is publishing a proposed regulation in the Federal Register that would change its rules to add five diagnosable illnesses which are secondary to service-connected Traumatic Brain Injury (TBI). “We must always decide Veterans’ disability claims based on the best science available, and we will,” Secretary of Veterans Affairs Eric K. Shinseki said. “Veterans who endure health problems deserve timely decisions based on solid evidence that ensure they receive benefits earned through their service to the country.” VA proposes to add a new subsection to its adjudication regulation by revising 38 CFR 3.310 to state that if a Veteran who has a service-connected TBI also has one of the five illnesses, then the illness will be considered service connected as secondary to the TBI. Service connection under the proposed rule depends in part upon the severity of the TBI (mild, moderate, or severe) and the period of time between the injury and onset of the secondary illness. However, the proposed rule also clarifies that it does not preclude a Veteran from establishing direct service connection even if those time and severity standards are not met. It also defines the terms mild, moderate, and severe, consistent with Department of Defense (DoD) guidelines. Comments on the proposed rule will be accepted over the next 60 days. A final regulation will be published after consideration of all comments received.

VA’s decision is based on a report by the National Academy of Sciences, Institute of Medicine (IOM), “Gulf War and Health, Volume 7: Long-Term Consequences of TBI.” In its report, the IOM’s Committee on Gulf War and Health concluded that "sufficient evidence of a causal relationship" (the IOM's highest evidentiary standard) existed between moderate or severe levels of TBI and:

- Diagnosed unprovoked seizures;
- Parkinsonism;
- Dementias (which VA understands to include Presenile dementia of the Alzheimer type and post-traumatic dementia);
- Depression (which also was associated with mild TBI); and
- Diseases of hormone deficiency that may result from hypothalamo-pituitary changes.

Specific information about the Defense and Veteran Brain Injury Center is available at <http://www.dvbic.org/>. Information about Gulf War and VA's services and programs are available at: http://www.publichealth.va.gov/exposures/gulfwar/hazardous_exposures.asp. [Source: VA Press Release 7 Dec 2012 ++]

Transition GPS

Transition Assistance Program Update 01: Major changes announced 6 DEC to the Transition Assistance Program (TAP) will revolutionize the way the military prepares people leaving the services,

with mandatory participation in programs throughout their military careers to help set them up for a successful transition. The redesigned program, called Transition Goals Planning Success or Transition GPS, was unveiled by Defense Secretary Leon E. Panetta and Veterans Affairs Secretary Eric K. Shinseki. It is a multi-agency response to President Barack Obama's call to improve career readiness for separating service members, explained Susan S. Kelly, principal director of the Defense Department's Transition to Veterans Program Office. The president hinted at the most-sweeping change to the Transition Assistance Program in two decades during a speech this summer to the Veterans of Foreign Wars. Obama called it the centerpiece to a broader federal effort to help service members transition to civilian life and to reduce veterans unemployment.

During the three-phase rollout of the Transition GPS program that will continue through 2014, the many, but often disconnected, activities conducted across the U.S. government to support veterans and their families will be melded into one comprehensive effort, Kelly said. The Defense Department and departments of Veterans Affairs and Labor aligned their most successful programs to deliver better and more comprehensive services to help make service members "career ready" for civilian employment, officials said. They reached out to the Department of Education to integrate the latest teaching methods and tapped into the resources of the Office of Personnel Management and the Small Business Administration. One of the biggest changes in the new program is that participation is no longer voluntary. Based on a law that took effect Nov. 21, service members can no longer opt out of the transition assistance program. All, including reservists and Guardsmen demobilized after 180 days of active duty, must now attend specific training sessions and take concrete steps to prepare for separation. Transition GPS is being implemented in three phases:

- During **phase one** of the rollout, being implemented immediately, all separating service members will receive counseling about Department of Veterans benefits, Kelly said. In addition, most will be required to attend newly revamped employment workshops run by the Department of Labor. These workshops incorporate new curriculum such as how to explore career interests, use search tools to find job opportunities, write a resume, interview for a position and negotiate a salary, said John Moran, DOL's deputy assistant secretary for Veterans Employment and Training Service. While fulfilling the congressional mandate to reach out to all separating service members, the interagency team went a step beyond the law to further enhance the effort, Kelly said. Separating service members must now take financial planning training, and complete a 12-month budget that factors in the cost of where they decide to live after leaving the military. They must evaluate how their military-acquired education, training and experience translate into civilian career qualifications and prepare an individual transition plan. The task force ran a pilot program last summer at seven installations to evaluate this core curriculum, gathering assessments from about 950 military members who participated. "Many in the pilot programs found it eye-opening," Kelly said. The seven pilot sites continue to offer the DOL workshops, but the instruction will be available service-wide by January, Moran said.
- The program's **second phase**, to be tested during 2013 and implemented by the year's end, establishes requirements for separating service members who plan to go on to college or technical or career training or to start their own businesses. Those electing higher education or other training will be required to show an acceptance letter from that institution, or have an application filled out and ready to submit, Kelly said. They also will be required to establish a contact with a counselor to follow up with after leaving the military. Also during phase two, service members who hope to become entrepreneurs will be required to connect with the Small Business Administration for help in drafting and evaluating their small business plans.
- The **final phase** of the rollout to be implemented by the end of 2014 will integrate transition preparation throughout the service member's military career. The idea, Kelly explained, is to begin preparations for transition long before a service member prepares to leave the military. "The end state that we are shooting

for is to embed this across the military lifecycle," she said. Each service will develop a plan designating points along a service member's career path for this training, Kelly said.

Danny Pummill from the VA called the Transition GPS program an unprecedented interagency effort that ensures service members have the time and resources to prepare for a smooth transition from the military. It will help the nation's newest veterans live up to their destinies as "the next greatest generation," he said. "If we do this right, this is our opportunity to once again transform America," Pummill said. [Source: AFPS | Donna Miles | 6 Dec 2012 ++]

Memorandum of Understanding

DOD Tuition Assistance Update 01: The Department of Defense (DoD) released a revised Tuition Assistance Memorandum of Understanding (TA MOU) 6 DEC, which includes input from universities and reflects many of the president's Principles of Excellence. DoD will implement the policy March 1, 2013, requiring an institution to have a signed DoD MOU in order to be eligible to participate in the TA Program. After March 1, 2013, schools without a signed DoD MOU will not be able to enroll service members under the TA program until they have signed the MOU. Institutions with a currently signed DoD MOU can compare both versions and select to retain the original DoD MOU or sign the revised DoD MOU.

The current version of the MOU provides information, support, and increased protections to services members; strengthens oversight, enforcement and accountability; and provides guidelines for educational institutions receiving military TA funding. The MOU ensures all service members participating in off-duty, postsecondary education programs receive quality education programs uniformly via the classroom or distance learning, on or off military installations. During fiscal 2011, approximately 549,000 service members participated in voluntary education programs, which included tuition assistance, adult-based education, and counseling. More than 325,000 service members were enrolled in postsecondary courses earning almost 45,000 college degrees and approximately 530 certifications and licenses. DOD's voluntary education program consists of 245 education sites worldwide, including Afghanistan. To view the MOU, refer to <http://www.dodmou.com>. [Source: DoD Press Release No. 950-12 Dec 6 2012 ++]

Florida National Cemetery

Wreaths Across America Update 07: An iconic Christmas photo went viral six years ago – it shows donated, holiday wreaths laid on the snow-covered graves in Arlington National Cemetery.



Now known as Wreaths Across America, the project has grown to include all national cemeteries. Three friends took on the challenge to provide holiday wreaths for the veterans buried at the Florida National Cemetery in Bushnell. They started with six wreaths in December 2006. “We had about 40 people in attendance,” said Randy Lewer, who retired from the military after 23 years of service. “From there, we kept growing and this year we’re about 6,500 wreaths and we’re probably, I think for the past couple of years, about 7,000 people in attendance.” Lewer credits his buddy Steve Leinwand, a veteran of Desert Storm, with getting the project started. “Being in the military, we’re all brothers in arms,” Leinwand said. “And we have to give back, if we don’t, who will? With the economy, the only ones out here are veterans giving back to veterans.”

But for Leinwand it’s more than giving back to fellow veterans, he’s caring for his buddies buried at Bushnell. The three veterans all have friends buried there. They visit their graves, tell stories, laugh and leave an occasional gift. “A bag of M&Ms here, a shot of whiskey there, you know for our fallen brothers,” Leinwand said. Their third buddy is veteran Jack Sellers. There are more than 100,000 gravesites at Florida National Cemetery in Bushnell. “As long as you remember somebody up here, they’ll live forever,” Sellers said. “It’s when we forget them or never come to talk to them or never speak about them is when they’re gone.” Sellers said that’s the point of Wreaths Across America – to remember the veterans. Each wreath costs \$15, but Sellers, who is in charge of corporate sponsorships, said he’s never asked a corporate sponsor for a dime. “I’m not one to ask for money. I just want your time which to me is more valuable than a dollar,” Sellers said. “If you come up here and give me your time, give me your minute. Then you’ll be giving everybody out here a dollar or two for a wreath especially the children.”

That’s the Christmas wish of Sellers, Leinwand and Lewer – that people will come to the Florida National Cemetery in Bushnell on December 15 to help lay the wreaths this year. Participants are asked to be on site by 9:45 a.m. The wreaths are to be delivered at 10 a.m. and a ceremony honoring the fallen is planned at 11 a.m. Remember – Honor – Teach – is the motto of Wreaths Across America. The wreath ceremony rivals Memorial Day attracting close to 7,000 according to Kurt Rotar, director of the Bushnell VA cemetery. “You get people who come out here whether they have someone buried here or not,” Rotar said. “They’re pulled into the ceremony they’re pulled into the tradition and honor and dignity.” It’s an honor that Lewer, Leinwand and Sellers want for every gravesite at Bushnell. There’s more to be done. Despite raising money for 6500 wreaths there are more than 100,000 gravesites at the Florida National Cemetery. Those interested in participating can find out more about Wreaths Across American at <http://wreathscrossamerica> and for the Bushnell event at <http://wreathscrossamericabushnell.com/Event-Information.html>. [Source: Off the Base | Bobbie O'Brien | 7 Dec 2012 ++]

Haven Act S.3614

Vet Housing Update 09: The American Legion is strongly encouraging Congress to pass the HAVEN Act, a bill that would amend the National Defense Authorization Act (NDAA) to authorize funding to nonprofit organizations that can help veterans repair, rehabilitate and modify their homes. S.3614 is set for a vote in the Senate 6 DEC; a companion bill was approved by the House of Representatives in September. The act is supported by The American Legion through Resolution 21, passed during the Fall National Executive Committee Meetings in October. "The American Legion supports the HAVEN Act because it would allow the public and private sectors to collaborate to assist veterans with housing services that are currently not fully met," said Mark Walker, deputy director of the Legion's Economic Division. "It's imperative that Congress make the bill law before the current lame-duck session of Congress ends."

If the HAVEN Act becomes law, it would amend the NDAA - Congress' annual act that specifies the budget for DoD - to include funding for nonprofit organizations that help veterans maintain their homes. Specifically, the measure would create a Department of Housing and Urban Development pilot program to give grants to nonprofit organizations - like Habitat For Humanity and Rebuilding Together - to rehabilitate and modify homes of low-income veterans and veterans with disabilities. Under the bill, the nonprofit organizations that receive funding would be encouraged to collaborate with veterans organizations like The American Legion to locate veterans and provide them the assistance they need with their homes. The housing pilot program also would help augment existing programs like VA's Specially Adaptive Housing program and housing assistance programs administered by the Department of Housing and Urban Development. Nonprofit organizations could pool their resources with these federal housing-assistance programs and affect a larger population of veterans who need assistance with their homes.

With much of the Eastern Seaboard still cleaning up after Superstorm Sandy, the need for housing assistance is dire. The HAVEN Act, if passed, would be a significant help to veterans whose homes were either lost or damaged by the storm. "The pilot program becomes an important template for meeting future needs of the veteran community," Walker said. "Our government can't do it all. It could use the help of nonprofit organizations with a proven track record of helping veterans." [Source: AL Online Update 6 Dec 2012 ++]

Contracting Preference Ruling

SBA Vet Issues Update 25: A federal claims court has ruled that the Department of Veterans Affairs no longer has to give contracting preference to veteran-owned small businesses. On 27 NOV, the U.S. Federal Claims Court in Washington ruled against a lawsuit filed by Maryland-based Kingdomware Technologies, Inc. that claimed VA awarded a contract for an emergency notification service without first considering bids from veterans. The Government Accountability Office (GAO) had sided with Kingdomware in its previous ruling, citing guidelines for veterans preference passed by Congress in 2006. James Koutz, national commander of The American Legion, said he supports the GAO's interpretation. "VA must make every effort to help veterans' small businesses and do whatever it takes to help them succeed," he said. "This is why VA exists. This is part of its mission."

GAO has directed VA several times to comply with veterans preference guidelines when awarding contracts, and to identify at least two veteran-owned businesses capable of performing work competitively before turning to other vendors. Koutz said federal agencies need to abide by GAO's decision instead of filing lawsuits. "Whenever GAO makes a ruling, a legal mechanism of some kind should be in place that automatically binds federal agencies to its decision," he said. "They should not have the option of simply ignoring the ruling and claiming they do not

work for GAO. "After several protests by veteran business owners regarding this issue, GAO and the courts have overwhelmingly supported The American Legion's position that veterans be considered first, before any other bidder, regarding VA contract opportunities."

The American Legion passed a resolution in 2011 that endorsed VA's efforts "to ensure that contracts awarded pursuant to the Veterans First Program are awarded to companies that truly are entitled to receive these contracting benefits." The following year, the Legion passed another resolution supporting legislation that would guarantee "equal parity for all veterans in all small business government contracting programs, thus ensuring that no veteran procurement program is at a disadvantage in competing with any other government procurement program established by law." [Source: AL Online Update 6 Dec 2012 ++]

VA's Paper Chase

VA Electronic Health Record Update 02: The Department of Veterans Affairs is transforming its processing system for disability claims into a paperless environment in an effort to reduce a claims backlog that has increased by about 180 percent since 2009. Testifying before a congressional hearing on 4 DEC, Richard Dumancas of The American Legion said paperless programs such as the Veterans Benefit Management System (VBMS) and the Stakeholders Enterprise Portal "do offer a glimmer of hope." Dumancas, the Legion's deputy director of benefits for its Veterans Affairs & Rehabilitation Division, testified before the House Committee on Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs. The hearing focused on the challenges of moving veterans' records into a paperless environment.

A key component of that process is scanning paper records into electronic files. Yet The American Legion recently learned that one of VA's programs, Benefits Delivered at Discharge (BDD), currently has no contract for the scanning of its myriad paper records. The Legion told Congress that such an oversight needs to be corrected because "new claims are building up behind this (lack of scanning) like a tidal wave behind a log jam." VA also has no clear, public plan for dealing with the scanning component for VBMS, which the department is relying on heavily to help ease its backlog burden. If claims files are not being processed because scanning contracts do not exist, the Legion is insisting that veterans need to be made aware of this oversight.

VA needs to improve its coordination of data and its communication with the Department of Defense, the Legion said, if the shift away from paper records is to succeed – especially with regard to National Guard and reserve members. Guard and reserve medical records (critically important for the development of claims) often end up in several locations and can be difficult to track down. Proper accounting of these records must be a top priority for VA's upcoming Virtual Lifetime Electronic Record. "We understand that reserve members' medical records can be split over multiple locations," Dumancas said. "But one would want to believe that eventually they would meet up into one file. This process should be measured in days, not months or years." Since 9/11, more than 650,000 reserve and Guard members have deployed overseas, many of them attached to forces that are not their home units, further complicating medical record-keeping. A paperless environment will still demand military records that are complete, and the Legion wants VA to improve its performance in correcting incomplete or missing records. VA's Central Office in Washington needs to provide more precise direction and guidance for all of its employees, from regional office directors to entry-level workers.

While VA has several regulations that deal with absent or incomplete records, they seem to be applied unevenly at Regional Offices with varying results. The Legion told Congress that VA must enhance employee training for implementing its own records, and enforce consistency in the way claims are processed. In its testimony, the Legion asked why some VA Regional Offices – Togus, Maine; St. Paul, Minn.; Fargo, N.D.; and Cheyenne, Wyo. – had

about 30 percent of their claims inventory pending more than 125 days and classified as officially backlogged. Others – Baltimore, Chicago, Oakland, Calif.; and Roanoke, Va. – had between 74 and 87 percent of their claims in backlog. “The (VA) Central Office should formulate a plan for the lower-inventory (Regional Offices) to mentor or provide best practices to the higher-inventory (Regional Offices),” Dumancas told the subcommittee. “Central Office needs to enforce the best practices and highly encourage all (Regional Offices) to follow the leaders. This is for the veteran. All veterans deserve the best service for their service.”

The American Legion has long-contended that training on all levels at an RO must be better-tailored to correct known deficiencies. The American Legion also commented on the documentation of military sexual trauma (MST) in its testimony. Referring to VA’s recent guideline to concede the occurrence of stressor incidents when a diagnosis of PTSD exists, the Legion said the same concession should be extended to MST cases because victims have similar challenges in establishing the occurrence of stressors. The American Legion recognizes VA’s own regulations for dealing with lost records as “indicative of the intent of this government to truly work to help veterans, even when – through no fault of their own – records are lost However, the implementation of these regulations still leaves much to be desired in terms of consistency” Yet by improving training and enforcing consistency among its Regional Offices, the Legion said that VA “could go a long way toward helping the unfortunate veterans whose records have been lost or destroyed.” [Source: AL Online Update 6 Dec 2012 ++]

Yale University Study Results

Homeless Vets Update 34: A new Yale University study aimed to give further details about the thousands of homeless veterans who make up between 20 and 25 percent of the country’s total homeless population. The findings of the report, “Homeless Veterans Who Served in Iraq and Afghanistan: Gender Difference, Combat Exposure, and Comparisons With Previous Cohorts of Homeless Veterans,” which detailed both demographic information and combat histories of veterans, paint a grim picture about the lack of care given to the young men and women who have served in Iraq and Afghanistan. Using national administrative data from the Veteran Administration’s largest supported housing program — the Housing and Urban Development-Veterans Affairs Supportive Housing (HUDVASH) program — between January 2008 and April 2011, the study assessed nearly 100 Iraq and Afghanistan vets (who made up just over 2 percent of all the veterans who went through HUDVASH during that time. The researchers highlighted key findings:

- “Unlike previous cohorts of homeless veterans, the majority of homeless [Iraq and Afghanistan war] veterans report combat exposure and have been diagnosed with PTSD ... [and] do not receive any VA-service connected disability.”
- Male homeless veterans of the Iraq and Afghanistan wars tended to be younger, were less likely to have a criminal record and spent less time homeless than veterans of other military conflicts. The typical homeless male veteran was an unmarried White male in his thirties who had experienced homelessness less than twice in the last three years.
- Female homeless veterans of the Iraq and Afghanistan wars tended to be younger than earlier cohorts of veterans. The typical homeless female veteran was an unmarried Black woman in her thirties who had experienced homelessness less than twice in the last three years and had never been incarcerated.
- PTSD and/or a mood disorder afflicted 63 percent of male homeless veterans and 77 percent of female homeless veterans. Of these, more than 90 percent of men and 75 percent of women suffered from combat-related PTSD. “Homeless [Iraq and Afghanistan veterans] have substantially higher rates of PTSD ... compared to previous cohorts of homeless veterans and non-veterans in which only 8-12 percent had PTSD.”
- Reports of psychotic disorders and substance abuse among homeless veterans dropped over time. Reports of psychosis fell from 7-21 percent in previous cohorts to 5 percent in homeless Iraq and Afghanistan veterans;

reports of substance abuse fell from 28-80 percent in previous cohorts to 38 percent in homeless Iraq and Afghanistan veterans.

[Source: Salon Media Group | Natasha Lennard | 4 Dec 2012 ++]

Military Members

South Carolina DOR Data Breach Update 01: Military members and their families are among the victims of what is being called the largest cyberattack of its kind against a state government agency. The cyberattack on South Carolina’s Department of Revenue (DOR), discovered in October, led to the pilfering of Social Security numbers and a wealth of other personal financial data from millions who filed South Carolina tax returns since 1998. In addition to raiding the tax records of 3.8 million taxpayers, international hackers in August and September also stole the Social Security numbers of about 1.9 million dependents – as well as information from nearly 700,000 businesses, 3.3 million bank accounts and 5,000 credit cards. Sen. Lindsey Graham, R-S.C., sent a letter to the Defense Department leadership urging them to notify all military members and their families of the security breach. Since 1998, many military members have rotated through the state’s numerous bases and may now be living overseas.

Samantha Cheek, a Department of Revenue spokeswoman, said the state recognized that this cyberattack was “a significant issue” for military members, “in light of the uniquely mobile natures of their service.” All affected taxpayers should receive letters of notification from the state, she said. But anyone who filed a tax return since 1998 in the state should take the following steps to protect themselves:

- Defense personnel should visit ProtectMyID.com/SCDOR and use the activation code SCDOR123 or call Experian’s national consumer assistance center at (866) 578-5422 by Jan. 31 to determine whether their information is at risk. If so, enroll in identity theft protection, which is being offered free for one year by the state, along with \$1 million in identity theft insurance.
- Current and former South Carolina business owners should contact Dun & Bradstreet Credibility Corp. at dandb.com/sc/ or (800) 279-9881 to sign up for free credit monitoring services for a year.

Graham said in a Nov. 28 press conference that the data breach served as an example of the type of threat that could lead someday to “a major cyberattack against our national security infrastructure: our power plants, our aviation systems, our financial systems.” He and other Congressional members have been pushing for the passage of cybersecurity legislation that would ensure that businesses do more to protect customers from cyberattack. Investigators said this attack started from a malicious email sent to the state agency’s workers, which appeared to be from a trusted sender. It contained a link, which when clicked, enabled hackers to steal at least one employee’s user name and password to pilfer information. The agency had not encrypted Social Security numbers and other financial data. [Source: Stars & Stripes | Joyce Tsai | 5 Dec 2012 ++]

DoD Preparing for the Plunge

Sequestration Update 09: In a signal of deepening doubt that Washington will find a way to cut through mounting political chaos to avert looming spending cuts and tax increases, the Pentagon announced Wednesday it has finally begun to prepare for the plunge off the “fiscal cliff.” As directed this week by the White House Office of Management and Budget, the Defense Department will begin planning for what Defense Secretary Leon Panetta has often called the “meat ax” of sequestration — across-the-board spending cuts that would slash more than \$50 billion a year out of the defense budget for a decade. The announcement followed more than a year of defense leaders saying they would not budget for sequestration. The cuts would come on top of about \$500 billion in

spending reductions over a decade that the department has already endorsed and would devastate national defense, top DOD officials have repeatedly said.

Defense Department operations, which would endure half of the \$1.2 billion in automatic cuts to discretionary spending mandated by the Budget Control Act of 2011, didn't appear to top the agenda as Republicans and Democrats dug in for a continued fight over how to reduce the deficit. Both sides have submitted deficit-cutting proposals, but Republicans don't want to raise tax rates, while Democrats, led by President Barack Obama, insist the wealthiest Americans must pay more. Each side is blaming the other for the looming plunge, which analysts say has the potential to throw the U.S. economy into recession. "Nothing is going on," House Majority Leader Eric Cantor said 5 DEC after a meeting with fellow Republicans. "We ask the president to sit down with us." Democrats point the finger in the other direction, and top White House aides indicated the possibility that Obama might let sequestration happen if Republicans don't allow tax rates to rise, The Associated Press reported. "This is a choice of the Republican Party," said Dan Pfeiffer, White House communications director. "If they are willing to do higher rates on the wealthy, there's a lot we can talk about. And if they are not, then they'll push us over the cliff."

The ongoing tumult leaves the question of how to fund near-term Pentagon operations up in the air. The Senate on 4 DEC passed a \$631 billion defense bill that outlines funding for DOD operations for the current fiscal year, including a 1.7 percent raise for troops. Now, amid sequestration maneuvering, Senate and House negotiators must reconcile two versions of the bill to deliver one to the president's desk for signing. Regardless of whether automatic cuts are averted, the Pentagon likely faces billions more in cuts on top of the \$500 billion DOD leaders endorsed in last year's budget talks. A budget proposal that Republican leaders sent to White House this week calls for \$300 billion in cuts to discretionary spending, with a goal of saving \$2.2 trillion over 10 years. The DOD's cut of federal discretionary spending is roughly half, meaning the Pentagon would absorb significant additional reductions. With less than a month to go before sequestration cuts begin taking effect Jan. 3, planning is just getting under way, Pentagon press secretary George Little said 5 DEC.

Little said he had assembled a communications team that would explain impacts of sequestration to the DOD workforce but top DOD and White House officials must first determine what those impacts are likely to be. A few things are clear. Under a presidential order issued in July, military salaries and benefits will not be cut as a result of sequestration, but the rest of the Pentagon — civilian workers' pay and benefits, operations, research and development, acquisitions — will be subject to cuts. If sequestration happens, defense leaders hope to dull the "meat ax" as much as possible, Little said. Although sequestration was designed as an extreme, punitive mechanism to push legislators to solve the budget problem, Little said, "Our intent is to not implement sequestration in an absurd way internally inside the Department of Defense." Should legislators and the president fail to pull back from the cliff by the end of 2012, Little said, the full effects will not be felt immediately in the Defense Department and could still be averted by quick action next year. "If sequestration were to take place, we have this month and then we have, I think, a few months in 2013 as well," he said. "Everything is not going to be decided on Jan. 3. People will still come to work, we think, at this stage." [Source: Stars & Stripes | Chris Carroll | 5 Dec 2012 ++]

HVAC Hearing on Lost Records

VA Claim Denial Update 12: The Veterans Affairs Department should loosen its evidentiary standards for disability claims if it cannot locate lost records, the head of a group of lawyers who handle veterans' claims told a hearing of the House Veterans Affairs Committee 5 DEC. Michael Viterna, president of the National Association of Veterans Advocates (NAUS), said loss of service records "poses difficult, if not insurmountable, obstacles" for a veteran seeking to file a claim. Richard Dumancas, deputy director for claims for the America Legion, told lawmakers it's been difficult to locate records for many of the 653,000 Guard and reserve members

who served in Afghanistan or Iraq. For those who served with active duty units and were wounded, their personnel and medical records are literally scattered across the globe. Collecting the records has proved daunting for veterans trying to document disability claims. Viterna and Dumanca both said they viewed the entire records system as flawed and filled with holes that frustrate veterans filing disability claims. Viterna said the law needs to be changed to put the burden of proof for disability claims on the government, not individual veterans

Alan Bozeman, director of the veterans benefits management system at the Veterans Benefits Administration, said that after active duty service, these Guard and reserve members retain their own medical records, and if called up again, need to bring those records when they return to their units. Personnel and medical records are stored and managed by a number of organizations, including the National Archives and Records Administration, VA and Defense officials said. Scott Levins, director of the NARA National Personnel Records Center in St. Louis, said the center holds 60 million military records, but since the mid-1990s, the military services stopped sending medical records of retirees to NPRC. The services also stopped retiring official military personnel files to NPRC in the late 1990s and early 2000s, and instead retain them in-house in electronic formats, Levins said. Bozeman told lawmakers that VA also has in place two contracts to scan 60 million pages of veterans' paper records per month into its electronic system.

James Neighbors, Director of the DoD-VA Collaboration Office, said Defense has provided VA with access to service-specific personnel records using the Defense Personnel Records Information Retrieval System since 2002, with access through a secure, Web-based application since 2007. Neighbors said Defense has as policy to transfer medical records to the VA when a service member leaves active duty and currently transfer personnel and medical records data to VA for over 300,000 service members annually, most via electronic interface but some in paper form. He added that Defense has a new agreement with VA to provide access to its health artifacts and image management solution, which will serve as a repository of scanned paper medical record, which he said is "on track for accelerated deployment by September 2013." Nextgov reported in March 2011 that the Defense Health Information Management System (HAIMS) will not be able to handle bulk scanning until 2013. [Source: Next.Gov Newsletter | Bob Brewin | 5 Dec 2012 ++]

NDA Issue

Vet Gun Control Update 05: Should veterans deemed too mentally incompetent to handle their own financial affairs be prevented from buying a gun? The issue, for a time last week, threatened to become the biggest sticking point in a \$631 billion defense bill for reshaping a military that is disengaging from a decade of warfare. Sen. Tom Coburn (R-OK) sought to amend the bill to stop the Veterans Affairs Department from putting the names of veterans deemed too mentally incompetent to handle their finances into the National Instant Criminal Background Check System, which prohibits them from buying or owning firearms. Sen. Charles Schumer, (D-NY) objected, saying the measure would make it easier for veterans with mental illness to own a gun, endangering themselves and others. "I love our veterans, I vote for them all the time. They defend us," Schumer said. "If you are a veteran or not and you have been judged to be mentally infirm, you should not have a gun."

Currently, the VA appoints fiduciaries, often family members, to manage the pensions and disability benefits of veterans who are declared incompetent. When that happens, the department automatically enters the veteran's name in the Criminal Background Check System. A core group of lawmakers led by Sen. Richard Burr (R-NC) has for several years wanted to prohibit the VA from submitting those names to the gun-check registry unless a judge or magistrate deems the veteran to be a danger. This year's version of the bill has 21 co-sponsors. It passed the Senate Veterans' Affairs Committee by voice vote, a tactic generally reserved for noncontroversial legislation. Coburn's amendment to the defense bill contained comparable language. "All I am saying is, let them at least have their day in

court if you are going to take away a fundamental right given under the Constitution," Coburn said in the Senate debate last Thursday night.

Congressional aides said Coburn will likely drop his effort to amend the defense bill with his proposal, but that he intends to try again on other bills coming to the Senate floor. The number of veterans directly affected by the VA's policy doesn't appear to very large. Only 185 out of some 127,000 veterans added to the gun-check registry since 1998 have sought to have their names taken off, according to data that the VA shared with lawmakers during a hearing last June. Still, the legislation over the years has attracted strong support and resistance:

- The National Rifle Association and various advocacy groups for veterans strongly support Coburn's attempts. "We consider it an abject tragedy that so many of our veterans return home, after risking life and limb to defend our freedom, only to be stripped of their Second Amendment rights because they need help managing their compensation," Chris Cox, the NRA's chief lobbyist, wrote last year in an editorial. The NRA did not respond to queries from the AP about Coburn's latest effort.
- Dan Gross, president of the Brady Center to Prevent Gun Violence, said gun control advocates consider the VA's current policy reasonable. "We're talking about people who have some form of disability to the extent that they're unable to manage their own affairs," Gross said. "If you're deemed unable to handle your own affairs, that's likely to constitute a high percentage of people who are dangerously mentally ill."
- Tom Tarantino, chief policy officer for Iraq and Afghanistan Veterans of America, said veterans with a traumatic brain injury or post-traumatic stress disorder but who pose no threat to others are possibly being barred from gun ownership. The current restrictions might even be a disincentive for veterans to seek needed treatment, he said. "We want to remove these stigmas for mental health treatment. It's a combat injury," Tarantino said. "They wouldn't be doing this if you were missing your right hand, so they shouldn't be doing it if you're seeking treatment for post-traumatic-stress-disorder or traumatic brain injury."
- VA officials have told lawmakers they believe veterans deemed incompetent already have adequate protections. For example, they said, veterans can appeal the finding of incompetency based on new evidence. And even if the VA maintains a veteran is incompetent, he can petition the agency to have his firearm rights restored on the basis of not posing a threat to public safety.

[Source: Associated Press | Kevin Freking | 3 Dec 2012 ++]

Discharge Rules Challenged

DoD Lawsuit ~ PTSD VN: As In the summer of 1968, John Shepherd Jr. enlisted in the Army, figuring that the draft would get him anyway. By January 1969, he was in the Mekong Delta, fighting with the Ninth Infantry Division. John Shepherd Jr. earned a Bronze Star in Vietnam but was given an undesirable discharge from the Army after refusing to go out on patrol. He now believes he had post-traumatic stress syndrome. Within a month, his patrol was ambushed, and Shepherd responded by tossing a hand grenade into a bunker that killed several enemy soldiers. The Army awarded him a Bronze Star with a valor device, one of its highest decorations. Yet the medal did little to assuage Shepherd's sense of anxiousness and futility about the war. A few weeks after his act of heroism, he said, his platoon leader was killed by a sniper as he tried to help Shepherd out of a canal. It was a breaking point: his behavior became erratic, and at some point he simply refused to go on patrol. "I never felt fear like I felt when he got shot," Shepherd said last week.

After a court-martial, the Army discharged Shepherd under other-than-honorable conditions, then known as an undesirable discharge. At the time, he was happy just to be a civilian again. But he came to rue that discharge, particularly after his claim for veterans benefits was denied because of it. Today, Shepherd, 65, is part of a class-action lawsuit against the armed forces arguing that he and other Vietnam veterans had post-traumatic stress disorder when they were issued other-than-honorable discharges. The suit, filed in Federal District Court, demands

that their discharges be upgraded. The suit raises two thorny issues that could affect thousands of Vietnam veterans: Can they be given a diagnosis of PTSD retroactively, to their time in service, though the disorder was not identified until 1980? And if they can, should recently instituted policies intended to protect troops with PTSD be applied retroactively to their cases?

Shepherd's legal team, students with the Yale Law School veterans legal clinic, argues yes on both counts. In court papers, they assert that it is reasonable to assume that Mr. Shepherd and other veterans who were later given PTSD diagnoses began exhibiting troublesome symptoms while in service. Moreover, under rules put in place during the Iraq war, troops who say they have PTSD must be given medical examinations before they are forced out of the military, to ensure that problematic behavior is not linked to the disorder. If they are given a PTSD diagnosis, service members may still receive an honorable discharge. "Vietnam War-era veterans, in contrast, have been denied this opportunity for appropriate consideration of the PTSD," the students said in the complaint. But the Army says no. In a rejection of an earlier request by Shepherd to upgrade his discharge, the Army tersely rejected evidence that his misconduct 43 years ago was linked to PTSD and raised questions about whether his platoon leader was actually killed. A spokesman for the Army said the military has a policy of not discussing pending litigation.

The details of Shepherd's case aside, the suit could have a wide impact. The Yale team says that its review of records from 2003 to 2012 shows that 154 Vietnam-era veterans petitioned the Army to upgrade discharges because of PTSD, but that only two were successful. Yet the Army Board of Corrections for Military Records granted upgrades nearly half of the time for other cases. The students estimate that more than a quarter million Vietnam-era veterans were discharged under other-than-honorable conditions, and that thousands of those probably had PTSD. Their suit names as defendants the secretaries for the Army, Air Force and Navy. Vietnam Veterans of America, the veterans service organization, is joining the case as a plaintiff on 3 DEC. Discharges that are other than honorable can make it harder for veterans to find work and also disqualify them for veterans benefits.

In Shepherd's case, a Department of Veterans Affairs doctor in 2004 gave him a diagnosis of service-connected PTSD. As a result, the department will provide health care for his PTSD. But it will not provide him general medical care, unless he is found to have other health problems related to his service. Veterans disability compensation is also a problem. Shepherd's undesirable discharge was actually upgraded to a general discharge in the 1970s under a special Carter administration program. That upgrade should have made it easier for him to apply for disability compensation. But subsequent legislation enacted by Congress said that clemency upgrades like Shepherd's did not automatically qualify veterans for benefits. His compensation claim was ultimately rejected. Shepherd, who has been divorced twice and battled through alcoholism and drug abuse, lives in New Haven, getting by on Social Security and a Teamsters pension. (He drove trucks for years.) He could use the extra money from disability compensation, but what matters as much, he says, is removing the stain of his discharge. "I want that honorable," he said. "I did do my part, until I really felt it wasn't worth getting killed for." [Source: The New York Times | James Dao | 2 Dec 2012 ++]

Flu Season Early Start

Flu Prevention Update 05: Flu season is off to its earliest start in nearly 10 years - and it could be a bad one. Health officials on 3 DEC said suspected flu cases have jumped in five southern states, and the primary strain circulating is one that tends to make people sicker, especially the elderly. "It looks like it's shaping up to be a bad flu season, but only time will tell," said Dr. Thomas Frieden, the director of the Centers for Disease Control and Prevention. The good news is the nation seems to be fairly well prepared, Frieden said. More than a third of Americans have been vaccinated, and the vaccine is well matched to the strains of flu seen so far, CDC officials

said. Higher-than-normal reports of flu have come in from Alabama, Louisiana, Mississippi, Tennessee and Texas. An uptick in flu cases like this usually doesn't occur until after Christmas. It's not clear why the flu is showing up so early. But flu-related hospitalizations are rising earlier than usual, and there have already been two flu-related deaths in children. In fact the last time a typical flu season started this early was the winter of 2003-04. That also happened to be a year when the dominant flu type was the same one seen most widely this year. And in that year, there were a higher-than-usual number of flu-related deaths in both the elderly and children. One key difference: In 2003-04, the flu vaccine was a poor match to the flu strain. Another: There's more vaccine now, and flu vaccination rates have risen for the general public and for key groups like pregnant women and health care workers. In all, an estimated 112 million Americans have been vaccinated so far, the CDC said. Flu vaccinations are recommended for everyone who is 6 months of age or older. [Source: VAMC Houston | AP | 3 Dec 2012 ++]

DAV Transportation Network

VA Transportation: In recent years travel benefit cuts left many vets with no way to get to Department of Veterans Affairs (VA) medical facilities for needed treatment. They're men and women who answered our country's call in times of war. Many lost limbs, sight, hearing, or good health. They may live a great distance from a VA hospital, and because so many exist on small fixed incomes, they find that the cost of transportation to a VA hospital is just too high. They're left with two choices. They could go without the treatment they need, or skimp on food or other necessities to pay for transportation. The Disabled American Veterans (DAV) organization feels vets disabled in our nation's service should never face such dire options. So DAV and Auxiliary volunteers respond, with a program that started in 1986, driving vets to and from VA hospitals and clinics. The DAV has also donated vans, where needed, to make the program work. It's all part of the DAV Transportation Network, administered by DAV Hospital Service Coordinators (HSCs) at the VA's 172 medical centers. The DAV has 189 Hospital Service Coordinators around the country who coordinate the transportation needs for disabled veterans.

The DAV in Omaha is seeking volunteers to round out a current driving crew that because of age, illness and — this time of year — snowbird tendencies can't pull all the weekday eight-hour shifts. It also needs new vehicles to replace the four Ford minivans and one Ford Explorer that have too many years and miles on them to be reliable. The aging vehicles are such an issue statewide, where commutes are longer and cross state borders, that the Disabled American Veterans of Nebraska plans a springtime fundraiser in hopes of replacing its fleet. Getting new vehicles is not a simple process. The cars must be Ford, owing to a longtime partnership between the DAV and Ford Motor Co., which provides discounted vehicles. The Department of Veterans Affairs then owns the vehicles and pays for fuel and maintenance. Ford no longer makes a minivan, which is the vehicle of choice for Richard Klinger, who oversees the Omaha effort. Minivans, he said, are easier to get in and out of than SUVs. Ford also offers a 12-passenger van, its Explorer SUV and the Edge, a midsize crossover that can seat five. "I'm thinking if we could get our hands on two of the Edges, it might help," said Klinger, a decorated Vietnam War Air Force veteran who serves as the DAV's transportation coordinator. He also is a hospital services coordinator.



There is a growing demand for the service, and Klinger would like to expand shuttle hours. Currently, volunteer shifts run from 6 a.m. to 2 p.m. The local DAV can't serve veterans whose appointments run after that. In Omaha, vehicles are used to shuttle city-dwelling, qualifying vets to and from the VA Medical Center at 41st Street and Woolworth Avenue. The five vehicles together log 15,000 to 20,000 miles a month and all but one of the vehicles has more than 100,000 miles on it. "We've got one van that's 262,000 miles on it now," Klinger said. Out state, DAV shuttle commutes are fewer but longer. A daily shuttle runs veterans from North Platte to Grand Island. A twice-a-week shuttle takes vets from Scottsbluff to Rapid, City, S.D., and to Cheyenne, Wyo. There are also shuttles into Kansas and Iowa. Supporters of this program in Omaha can call Rich Klinger, 402-995-3453 to volunteer as drivers. Volunteers must pass background and driving tests, as well as complete a physical. You can send DAV an email via <https://www.dav.org/feedback.aspx>. to volunteer elsewhere in the U.S. or to assist in purchasing replacement vehicles. To see if transportation services are available in your area use the DAV Hospital Service Coordinator Directory <http://www.dav.org/volunteers/documents/HSCDirectory.pdf> to contact your nearest HSC for information or assistance. Not that that the Network is staffed by volunteers; therefore, it is unable to cover every community. [Source: Omaha World-Herald | Erin Grace | 2 Dec 2012 ++]

Home Depot & Lowes

Military Discounts Update 08: Home Depot lost a customer recently when it stopped honoring Tom Colapietro's Naval Reserve identification card for the retailer's 10 percent discount for veterans. Colapietro, a Navy veteran who says he spent thousands of dollars at the local Bristol Home Depot, was told he'd need a new card from the Disabled American Veterans to comply with the store's discount policy. Colapietro took his Naval Reserve card, and his business, to the nearby Lowe's for the 10 percent discount. Now the state of Connecticut isn't too happy with Home Depot. After a Bottom Line column last week about Colapietro's experience, the state decided it was a good time to to announce a program that, starting Jan. 1, will issue driver's licenses and identification cards designating veteran status with an American flag. Even as official state-issue identification, though, the new licenses do not comply with identification required by Home Depot for its 10 percent veterans' discount.

Under its current policy, Home Depot will accept three types of Department of Defense-issued cards: A United States Uniformed Services Privilege and Identification Card for retirees, retired reservists and their dependents and dependents of active-duty personnel or retirees; a Common Access Card issued to active-duty military and reserve personnel; and a Veterans Administration identification card. Many veterans, including some who qualify for the state's new driver's license and ID card, are not eligible for the Home Depot discount. (Both Home Depot and Lowe's allow all veterans a 10 percent discount on Memorial Day, the Fourth of July and Veterans Day.) Colapietro

did not retire from the Navy and is not an active reservist. "The [new] driver's license does not denote, specifically, a veteran's status in terms of being retired or disabled," says Home Depot spokesman Stephen Holmes. "We've kept a national policy for IDs across our stores to avoid confusion and lack of consistency, so I'm not aware of any change we're making on this front."

The state appears ready to fight for its cards as official veterans identification recognized anywhere, including Home Depot. "There is another large segment of honorably discharge veterans who served their country and deserve the same recognition," said Melody A. Currey, commissioner of the state Department of Motor Vehicles, and Linda S. Schwartz, commissioner of the state Department of Veterans Affairs, in a joint statement Thursday, "even though they did not make military service a career or receive disabling injuries. We hope that Lowe's and Home Depot will reconsider and also offer their everyday discounts to these veterans, too . . . and use a soon-to-start new veteran's designation on the Connecticut driver's license as proof of identity." The state says the new driver's licenses and ID cards will help first responders, emergency rooms and healthcare providers link veterans with services and programs available from the state Department of Veterans' Affairs and the Veterans Administration. Although the program starts officially on Jan. 1, the state has been accepting applications since Nov. 1. Applications are available from the Department of Veterans Affairs or at the state's new website dedicated to veterans (www.Veterans.ct.gov), at ct.gov/dmv/veteranslicense or by calling the veterans' info line: 866-928-8387.

To qualify, a veteran must provide proof of military service, with a minimum of 90 days of active federal service. (A DD Form 214, or DD-214, issued by the Department of Defense, or a pre-1950 WG AGO Discharge certificate is required.) Proof of an honorable discharge or a discharge under honorable conditions is also required. A Lowe's spokeswoman says the retailer will honor the new Connecticut driver's license and ID card with the veteran's designation for a 10 percent only on the appropriate holidays — Memorial Day, Fourth of July and Veterans Day weekends. Home Depot will likely honor the license on those holidays, too, even though it doesn't meet the basic qualifications. "This is as fine of an identifier as anything else that someone is a veteran," says William Seymour, a state Department of Motor Vehicles spokesman. "We are in the business of documenting an identity for the veterans in the state of Connecticut. How could people reject state credentials?"

Like Home Depot, Lowe's gives daily discounts to people serving in, or retired after 20 years from, the military with a valid military ID. Any disabled veteran receiving Veterans Administration benefits who has a valid Veterans Identification Card also is eligible. It's apparent both Home Depot and Lowe's have not enforced its daily-discount policies uniformly in its stores. Sometimes, neither customer or cashier knows the rules." Quite frankly," says Holmes, "what may have been the case, even before 2010 [when Home Depot started its daily-discount program for veterans], some stores maybe have been giving the discount every day. They might not have been following the policy that we had at the time." Bill Dove of Broad Brook, a retired reservist, says he's had trouble getting a veteran's discount at Home Depot even with a qualifying card — a blue, for retired, United States Uniformed Services Privilege and Identification Card. Dove says Home Depot cashiers have written instructions that include a color photo of eligible card, red for retired veterans under 60. "I even got a supervisor involved and showed her my retired status," says Dove, "all to no avail. So I sent an email to [Home Depot headquarters in] Atlanta. The response was what I'd call sticky sweet, as in 'so sorry that you do not qualify.' But here is the kicker — they also sent the current policy, which specifically does recognize the retired status."

Colapietro, now a 10-percent-discount regular at Lowe's, has given up on Home Depot. "They originally said the discount was for veterans," he says. "They can keep it. I'm not jumping through any more hoops for 10 percent. That's what I think they are trying to do — make it more difficult so the vets say, 'Forget it.' I guess they have a right to set their own policies, but why offer it then take it away?" Will Lowe's be next? Colapietro might not know it, but his lapsed reservist card technically does not qualify for that retailer's military discount, either. [Source: Hartford Courant | Kevin Hunt | 1 DEC 2012 ++]

NDAA Amendment

VA Claims Backlog Update 77: The Senate unanimously approved a measure requiring the Veterans Affairs Department to work more closely with state agencies to reduce a longstanding and growing backlog of disability claims. The measure, sponsored by Sen. John Cornyn (R-Texas), was included as an amendment to the 2013 National Defense Authorization Act. "The massive backlog of VA disability claims reminds us that far too many veterans are being underserved," Cornyn said in a statement. "This is a national disgrace, and veterans with pending claims deserve more than just rhetoric from VA headquarters in Washington." The law requires VA to provide Congress with a plan for reducing the backlog by partnering with state and local agencies. Cornyn pointed to the work of the Texas Veterans Commission, which launched "strike force teams" to help veterans fill out "fully developed claims." The VA bottleneck is caused, in part, by incomplete paperwork. Even as VA has made progress in processing claims, the agency has faced a surge of new ones mostly stemming from returning veterans from Iraq and Afghanistan. As of 30 NOV, the number of backlogged claims — claims pending for more than 125 days — stood at more than 604,000, according to VA data. The number of backlogged claims has more than doubled over the past two years, according to VA data. The Senate began work on the annual defense policy bill this week. On 28 NOV, the Senate removed a provision from the bill that would make it more difficult for the military to pursue biofuel development. [Source: Federal News Radio | Jack Moore | 29 Nov 2012 ++]

Process Time Up 40%

VA Claims Backlog Update 78: The time needed to process veterans’ disability claims shot up by nearly 40 percent last year despite years of effort by federal officials to streamline and shorten the process, records show. The times necessary to process education benefits and burial benefits, as well as the time needed to wind through the Department of Veterans Affairs appeals process, also increased in fiscal 2012. The disability-processing time is closely watched by Congress and veterans’ advocates as a measure of VA efficiency. In fiscal 2012, the average days to complete a VA disability compensation or pension claim rose to 262 days, up from 188 days in fiscal 2011, according to a recently completed VA performance report. The 262-day average is the highest that measure has been in at least the past 20 years for which numbers were available.

The VA’s long-term goal is to get the processing time to an average of 90 days. “The entire system is a mess,” said Paul Rieckhoff, founder and chief executive of Iraq and Afghanistan Veterans of America, a support and advocacy group. “They’ve been saying now for 10 years that it’ll get better, and it still doesn’t get better, and we’ve seen tremendous frustration from our members in the last few months. It’s reached a breaking point.” The VA said it is working to speed its decision-making process and is in the midst of an overhaul of its claims system. It eventually will end its reliance on paper-based processing and reconfigure the way claims move through 56 regional offices that handle them. “We recognize that from the standpoint of the veterans, they are waiting too long, and that’s unacceptable,” said Diana Rubens, who helps oversee the VA’s regional offices. “We’ve got to transform how we do things. We know that fixing decades-old problems is not going to be easy.” America’s veterans are eligible for a range of benefits, from access to the VA’s well-regarded medical system to lifetime payments for disabilities suffered during military service to access to education, life insurance and home loan programs. The disability benefits are awarded to veterans who suffer physical or mental injuries during their military service. Benefits vary based on the severity of a disability and beginning Saturday range from \$129 a month to \$2,816 a month for a single veteran.

The VA has struggled for years to reduce the waiting times, and each year it stresses to Congress that fixing the process is a top priority. In 2010, for example, VA Secretary Eric Shinseki told the House Veterans’ Affairs

Committee that claim time had improved the previous year, dropping from 179 days to 161 days. “The progress made in 2009 is a step in the right direction, but it is not nearly enough,” he said. In 2011, he told the same committee that “one of VA’s highest priority goals” is to eliminate a backlog of disability cases by 2015 and to ensure all veterans receive a decision in “no more than 125 days.” In 2012, he told the committee that improvements were being made and that the department was aiming for significant improvements in 2013. “While too many veterans will still be waiting too long for the benefits they have earned, it does represent a significant improvement in performance over the 2012 estimate of 60 percent of claims more than 125 days old, demonstrating that we are on the right path,” Shinseki said. In fact, the recent performance report shows that 66 percent of claims in fiscal 2012 were more than 125 days old. That’s up from 36 percent in 2010 and 60 percent in 2011. And since Shinseki told Congress about the improvement he saw in 2009, average processing time has gone up — from 161 days, to 166 days, to 188 days, to the most recent 262 days.

Even so, Rubens of the VA said the department is on track to meet Shinseki’s goals by 2015, given the restructuring in place. The department has seen a massive increase in claims from veterans in recent years, both younger ones from Iraq and Afghanistan and older ones who have recently been able to file claims on new conditions. Claims the past four years have topped 1 million a year. While some decisions might be straightforward — a soldier loses a limb in battle — others are more complicated, requiring extensive medical reviews and research to tie a disability to the veteran’s time in the military. Sen. Patty Murray, a Democrat from Washington who chairs the Senate Veterans’ Affairs Committee, said the VA’s tardiness and mistake-prone process is “totally unacceptable.” “We know that this is a complex problem and more troops returning home make this job even more difficult,” she said in a statement to McClatchy Newspapers. “But Congress has provided VA with the funding and resources it has requested to tackle this problem.” The new performance report shows that the VA has lost ground on many of its other benefits-related goals:

- The average time to complete an education claim jumped to 31 days from 24 days; the long-term goal is 10 days.
- The average time to complete a burial claim jumped to 178 days from 113 days; the long-term goal is 21 days.
- The average time in the appeals system for veterans who dispute their disability compensation decision jumped to 866 days from 747 days; the long-term goal is 400 days.

The annual performance report includes dozens of goals to spur improvement among the VA’s health care system, benefits division and cemetery administration. Of those, the VA highlighted 23 as “key performance measures.” The VA met its short-term goals for only 12 of those measures. [Source: McClatchy Newspapers | Chris Adams | 1 Dec 2012 ++]

DoD Exit Physical Enhancement

VA Claims Backlog Update 79: The Defense Department is developing more in-depth exit physicals for departing troops and lending staff to the Department of Veterans Affairs in an effort to help eliminate the massive backlog of disability claims. VA Secretary Eric Shinseki said those efforts, combined with earlier department initiatives to create express service for simple claims and highly trained processing teams for complex ones, will help ease the problem in 2013 and keep the agency on track to eliminate the backlog by the end of 2015. Progress on that promise has been slow. Since July, when the new processing protocols were implemented, the number of disability claims pending for more than 125 days has remained stagnant, at nearly 600,000 cases. In fiscal 2012, the average VA pension or compensation claim took more than 260 days to complete. In a news conference 6 DEC, Shinseki acknowledged that “veterans still wait too long for the benefits they deserve,” but he insisted that the department is on the right track to fix the problem.

The joint DOD-VA announcements came after Shinseki and Defense Secretary Leon Panetta held their latest meeting on improving collaboration between the two departments. Panetta listed the backlog as a key concern not just of the VA, but also of his department. “We owe it to them to give them the tools they need to succeed,” he said. “In many ways, this is a national security issue. It goes to the heart of taking care of the people who fought for us.” In recent years, the agencies have worked closely to develop plans for lifetime electronic health records for troops and veterans, shared medical facilities, and better mental health research and response. The VA and DOD in recent months have been developing a transition program for separating servicemembers, which should be fully implemented in early 2013. The two secretaries also said they’re working on new joint suicide prevention efforts and that they have ordered their staffs to find ways to accelerate the lifetime health records integration faster than the 2017 target.

Those plans should relieve some of the stress on VA systems as thousands of new veterans leave the military in coming years. Currently, the 1 million claims processed by the VA annually aren’t keeping up with the 1-million-plus new cases being filed. “We will get control of the numbers,” Shinseki said. “We have both short term and long term solutions.” Defense officials did not provide specifics on the number of military employees assisting with VA processing, or what the more thorough exit physicals will entail. Panetta and Shinseki said better medical information on veterans before they leave the military will simplify claims later on, hopefully speeding up the process. VA officials said the extra information will be especially helpful with severely wounded servicemembers, who often have multiple injuries and much more complicated paperwork. [Source: Star & Stripes | Leo Shane | 6 Dec 2012 ++]

Five New Members

VA Women Advisory Committee Update 02: Five new members have been appointed to the Department of Veterans Affairs Advisory Committee on Women Veterans, an expert panel that advises VA on issues and programs affecting women Veterans. “VA relies on the Advisory Committee on Women Veterans to provide insight on key issues that impact the women Veteran population. The Committee’s recommendations provide guidance that direct VA’s efforts to identify and address the diverse needs of women Veterans,” said Secretary of Veterans Affairs Eric K. Shinseki. “VA welcomes the newest members.”

Established in 1983, the committee makes recommendations to the Secretary for administrative and legislative changes. The new committee members, who are appointed to two-year terms, are: Gina Chandler, Bryant, Ark.; Larri Gerson, Dunedin, Fla.; Mary Morin, Raymond, N.H.; Charlotte S. Smith, Farmington, N.M.; and Mary Westmoreland, Bronxville, N.Y.. “Women serving in the military continue to demonstrate their dedication in defense of our great Nation,” Shinseki added. “VA remains committed to providing women Veterans with equitable, quality benefits and services that appropriately meet their needs.” Women Veterans are one of the fastest growing segments of the Veterans population. Of the approximately 22 million living Veterans, about 1.9 million are women. They comprise nearly 9 percent of the total Veterans population and nearly 5 percent of all Veterans who use VA health care services. VA estimates that by 2020 women Veterans will comprise 10 percent of the Veteran population. VA has women-Veterans-program managers at VA medical centers and women-Veterans coordinators at VA regional offices to assist women Veterans with health and benefits issues. For additional information on the Advisory Committee and VA’s support of the female veteran community refer to <http://www.va.gov/womenvet>.

New Members VA Advisory Committee on Women Veterans

- Gina Chandler, Bryant, Ark. A Veteran of the U.S. Air Force; currently serves as a Veterans service officer, women-Veterans coordinator for the Arkansas Department of Veterans Affairs, and secretary of the National Association of State Women Veterans Coordinators.
- Larri Gerson, Dunedin, Fla. A Veteran of the U.S. Air Force; currently serves as a claims examiner for the Florida Department of Veterans Affairs, and webmaster for the National Association of State Women Veterans Coordinators; former state women-Veterans coordinator for the Florida Department of Veterans Affairs.
- Mary Morin, Raymond, N.H.; A retired U.S. Air Force Master Sergeant; currently serves as the Director of the New Hampshire Office of Veterans Services, and a member of the National Association of State Women Veterans Coordinators.
- Charlotte S. Smith, Farmington, N.M.; A Veteran of the U.S. Army; currently serves as a Veterans service officer, state women-Veterans coordinator for the New Mexico Department of Veterans Affairs, and a member of the National Association of State Women Veterans Coordinators.
- Mary Westmoreland, Bronxville, N.Y.; A retired U.S. Army Colonel, with service in Desert Shield/Desert Storm; currently runs a pro bono consulting company that focuses on coaching, mentoring, and organizational strategic planning for government and nonprofit organizations.

[Source: VA Press Release 29 Nov 2012 ++]

UCMJ Changes Sought

DoD Suicide Policy: "Compassion instead of courts" is the approach needed to stem the alarming rate of suicide among U.S. troops, according to American Legion National Commander James E. Koutz. "If you succeed at committing suicide, you are often treated as a hero by grieving friends and family," Koutz said. "But if you fail at suicide, you could be treated to a court-martial. This must change." Koutz praised the progress the military has made in recent years to de-stigmatize those who seek treatment for suicidal thoughts but added that the Uniform Code of Military Justice (UCMJ) still allows for the prosecution of those who make unsuccessful attempts.

On 27 NOV, the Court of Appeals for the Armed Forces heard the appeal of Marine Pvt. Lazzaric Caldwell, who was convicted of "self-injury" after he slit his wrist in a barracks in Okinawa in 2010. He was convicted under the Uniform Code of Military Justice's Article 134, when the judge in the case found Caldwell's self-inflicted injury was prejudicial to good order and discipline and brought discredit to the service. "This sends a mixed message," Koutz said. "On the one hand, we are grateful for their service. We want to compensate you for your post-traumatic stress disorder or traumatic brain injury. But if you engage in a behavior that is often seen as a symptom of those injuries, we will punish you."

Suicides accounted for 20 percent of U.S. military deaths last year. "More servicemembers are dying by their own hand than are killed by our enemies on the battlefield," Koutz said. "This is becoming a huge problem, and every one of these suicides is a national tragedy. I am not faulting the military for this at all. It is up to Congress and the president to make the changes necessary to the UCMJ to de-criminalize this behavior and stop overzealous prosecutions. These servicemembers need a helping hand, not a slap down." Koutz pointed out that The American Legion has instituted a national committee on TBI/PTSD and would be happy to share its findings with lawmakers and the Department of Defense to try to lower the suicide rate. [Source: American Legion | National Security | 28 Nov 2012 ++]

NDAA Amendment

DoD Suicide Policy Update 01: The Senate has approved adding an amendment to the Defense authorization bill to require the Pentagon to create a comprehensive and standardized suicide prevention program. The amendment, which was offered by Senate Veterans Affairs Committee Chairman Patty Murray (D-Wash.), was approved by voice vote 27 NOV and will be included in the bill being considered by the Senate. The military has been plagued by increases in the number of suicides. As of the end of October, the number of suspected suicides by active-duty soldiers had reached 166, one more than the total for 2011. “I think everyone in this body knows about, and is distressed by, the alarming rate of suicide and the mental health problems in our military and veterans populations,” Murray said on the floor of the Senate on Tuesday. The legislation would also expand eligibility for some Department of Veterans Affairs mental health services to family members and strengthen oversight of the Pentagon’s mental health programs and the Integrated Disability Evaluation System established by the Department of Defense and VA. It would also promote the use of Iraq and Afghanistan veterans to provide peer counseling for fellow veterans, and require the VA to establish accurate and reliable measures for mental health services. Implementing the amendment would cost about \$25 million over five years, according to an estimate from the Congressional Budget Office. “We must have effective suicide prevention programs in place,” Murray said. “It’s often only on the brink of crisis that a service member or veteran seeks care. If they are told, ‘Sorry, we are too busy to help you,’ we have lost the opportunity to help, and that is not acceptable.” [Source: The Washington Post | Steve Vogel | 29 Nov 2012 ++]

110K Volunteers Now Enrolled

VA Million Veteran Program Update 02: The Department of Veterans Affairs Million Veteran Program (MVP) recently enrolled its 100,000th volunteer research participant, and now stands at more than 110,000 enrollees, marking a major milestone in the nearly 90-year history of VA research. “MVP is a truly historic effort, in terms of both VA research and medical research in general,” said Secretary of Veterans Affairs Eric K. Shinseki. “Veterans nationwide are helping to create a database that has the potential to help millions around the country – Veteran and non-Veteran alike. They are continuing to serve the nation well beyond the time they stopped wearing the uniform.” Launched in 2011, MVP is a landmark research effort aimed at better understanding how genes affect health. Up to a million Veterans are expected to enroll in the VA study over the next six years. Data and genetic samples collected through the study are stored securely and made available for studies by authorized researchers, with stringent safeguards in place to protect Veterans’ private health information. MVP is now at 40 VA medical centers nationwide, with additional VA sites opening for enrollment in the coming year.

With more than 110,000 enrollees to date, MVP already far exceeds the enrollment numbers of any single VA study or research program in the past. “This milestone has come about thanks to our Veteran participants and lots of hard work and dedication on the part of VA researchers and the entire MVP team,” said VA Undersecretary for Health Dr. Robert Petzel. VA Chief Research and Development Officer Dr. Joel Kupersmith added, “VA could not have achieved this without our altruistic Veteran volunteers.” He called MVP “an extremely important partnership that is paving the road toward the world’s largest database of health information and improved health care for future generations.” MVP provides researchers with a rich resource of genetic, health, lifestyle, and military-exposure data collected from questionnaires, medical records, and genetic analyses. By combining this information into a single database, MVP promises to advance knowledge about the complex links between genes and health. Authorized researchers are able to use MVP data to help answer important questions on a wide range of health conditions affecting Veterans, from military-related conditions such as post-traumatic stress and traumatic brain injury, to common chronic illnesses such as diabetes and heart disease.

MVP-related discoveries also promise to advance the field of personalized medicine, which aims to tailor medical care based on people’s individual genetic profiles. Personalized medicine is expected to yield more

effective treatments and reduce costs, given its emphasis on prevention. Veterans' privacy and confidentiality are top priorities in MVP, as in all VA research. Rigorous measures are taken to protect MVP participants' personal information, including secure storage of data and samples using a bar-code system. Researchers approved for access to MVP data do not receive the name, date of birth, social security number, or address of participating Veterans. Furthermore, authorized researchers conduct their analyses only within VA's secure, centralized computing environment, known as GenISIS (Genomic Information System for Integrated Science). Veterans who receive health care at an enrolling site can who want to participate can schedule an appointment by calling toll-free 1-866-441-6075 or they can walk-in to their local MVP clinic and ask if eligible. For more information about MVP, visit <http://www.research.va.gov/MVP>. [Source: VA Press Release 30 Nov 2012 ++]

Veto Threat Letter

TRICARE User Fees Update 94: On 29 NOV, the White House issued a Statement of administrative Policy letter to the Senate threatening to veto the FY2013 Defense Authorization Bill over various Senate-approved provisions. Among the 19 specific objections listed in the letter was the Senate's failure to include the administration proposal to double and triple a variety of TRICARE fees, including new enrollment fees for TRICARE For Life (TFL) and TRICARE Standard, big increases in TRICARE Prime enrollment fees and the Standard deductible, tripling of pharmacy copays and means-testing TFL and Prime fees. "The administration strongly encourages the Senate to adopt its requested TRICARE fee initiatives that seek to control the spiraling DoD health care costs while keeping retired beneficiaries share of these costs well below the levels experienced when the TRICARE program was implemented in the 1990s," the letter said. "The projected TRICARE savings of \$1.8 billion in FY2013 and \$12.9 billion through FY2017 are essential for DoD to successfully address rising personnel costs. DoD needs these savings to balance and maintain investments for key defense priorities."

The Military Officers Association of America (MOAA) says **Horse hockey** to the White Horse assertion. MOAA's research [<http://content.yudu.com/A1zahq/201211November/resources/72.htm>] shows military personnel and health care costs today comprise the same share of the defense budget (about one-third) that they have consistently over several decades. A DoD request to Congress earlier this year acknowledged that, contrary to DoD claims, military health care costs actually have been declining. The hard fact is that DoD costs have been \$3 billion less than expected over the last three years, and that total has been reprogrammed away from the health care account for other purposes.

If defense and administration officials were serious about reducing DoD health costs, they'd be focusing on correcting their own mismanagement and gross inefficiencies that have wasted billions of taxpayers' money. Rather than working to bring DoD's antiquated and fragmented health care oversight and delivery structure into the twenty-first century, they continue trying to foist the bill for their mismanagement onto military beneficiaries who already have sacrificed more for America than any others. By refusing to go along with that, Congress has recognized what Pentagon and White House leaders won't - that military beneficiaries aren't the culprit here. [Source: MOAA Leg Up 30 Nov 2012 ++]

Senate Supports Increase in NDAA

Tricare Pharmacy Copay Update 08: Late-hour speeches by Sens. Tom Coburn (R-OK) and John McCain (R-AZ) on runaway military health costs led the Senate 4 DEC to shelve a defense bill amendment that would have spared family members and retirees more burdensome co-pays on drug prescriptions filled off base.

The timing of their opposition, in the last hours of consideration of the 2013 defense authorization bill when amendments were only being approved by unanimous consent, allowed Coburn and McCain to block the Senate from supporting the softer House-passed plan for raising prescription fees. There will be a second chance next week when House-Senate conferees iron out differences in separate versions of the defense bill. But Coburn and McCain, using fresh scoring of costs from the Congressional Budget Office, were able to raise new doubts among some senators over the long-term cost implications of adopting the House plan. "This is paid for, but it is smoke and mirrors," Coburn told colleagues on the Senate floor. "We have used a trick...that will require [more funding for] the health account...which means we will not have \$1.7 billion for naval exercises, for flight training, for tank training, for range training."

That challenge got a strong endorsement from McCain, ranking Republican on the armed services committee, who repeated Robert Gates's words as defense secretary in 2010 that health costs "are eating us alive." "We are going to have to find ways to bring these costs under control and still, at the same time, provide our veterans with the benefits they have earned," McCain said, in arguing against the House plan which was presented as an amendment from Sens. Jack Reed (D-RI), Marco Rubio (R-FL) and Claire McCaskill (D-MO). McCain attacked the notion that raising fees would harm readiness. "I know of no one who joined the military because of TRICARE, [though] I hear [it] from all the retirees...I have not yet met a single 18-year-old, including my own son who joined the Marine Corps, who said: 'Gee, I want to join the Marine Corps because of TRICARE.'" "No," McCain continued, "they joined...to serve their country. They understand our obligation to them is not to hand them a bankrupt Defense Department [where] all the costs are in things such as TRICARE and retirement benefits...so we can't provide them with what they need to fight."

The reality is that pharmacy co-pays will rise this spring for family members and retirees. By how much will be determined by a House-Senate conference committee that will be meeting next week behind closed doors. The Senate defense bill, passed 98 to 0, now has no language to block or alter the Obama administration's drug co-pay plan. Under it, drugs dispensed on base would stay free, and co-pays for generics in retail outlets would remain \$5. But co-pays for brand names at retail on the military formulary would jump to \$26 from \$12. Non-formulary drugs, which cost TRICARE more, would no longer be dispensed at retail, only through mail order. Co-pays for brand names at mail order would pop to \$26 from \$9, but mail order prescriptions usually are for 90 days versus 30 at retail. The administration also wants co-pays adjusted by \$2 annually until they reach \$34 in 2016. After that, the pharmacy fees off base would be adjusted annually to keep pace with medical inflation.

The House plan, which military associations helped to design, allows more modest initial increases in drug fees and would tie annual increases thereafter to the percentage rise in military retired pay. This plan would at least match health cost savings of the administration's plan by requiring elderly beneficiaries to use mail order to refill maintenance drugs, at least for a year. The expectation is that seniors will like the convenience and stay with mail order, saving TRICARE billions of dollars yearly in retail drug costs. But a Senate source said Coburn and McCain were able to derail the amendment so easily because the Congressional Budget Office had found it would cost a lot more money than expected after 10 years if adjustments stayed tied to retiree COLAs rather than medical inflation. To address this, advocates agreed to have the COLA link sunset after 10 years. But Senate leaders chose instead to avoid further action on the amendment.

Steve Strobbridge, director of government relations for Military Officers Association of America (MOAA), said the Senate seemed primed to adopt the House-passed plan until, suddenly, it fell victim to "misplaced concerns" over its impact on health costs. Its opponents painted the amendment as maintaining the status quo, he said, when in fact it represents "significant concessions" with co-pay hikes and the mail order requirement for elderly. "These concerns about drug costs taking money away from other defense programs are completely, 100 percent bogus," Strobbridge said. "The fact is the Pentagon has been using health care money to fund other things for the past several years. And the whole point of this amendment is that health care money should be used to fund health care."

Defense officials earlier this year sought to reprogram \$700 million from health care into other accounts. Strobridge said that would have brought total reprogramming of health dollars to \$3 billion over the last three years, a period when defense officials insisted health costs are out of control. Coburn predicted the House-backed plan would become law because the "service organizations want us to do it. But it is not the right thing to do. We have to begin, as we negotiate to increase revenues from the very wealthy in this country, declining expenses at the Defense Department. Everybody has to share [in controlling costs]. If they don't share now, they will share much more painfully in the future." [Source: Stars & Stripes | Tom Philpott | 6 Dec 2012 ++]

Not Covered

TRICARE Hippotherapy Ruling: TMA, in a final ruling, has denied the claim of the parents of 16 year old Kaitlyn N. Samuels for an effective treatment of her depilating condition that does not fit in within their rules. The story of Kaitlyn as told by the Dallas Observer is an infuriating one. It favors insurance policy at the expense of medicine. When Kaitlyn Samuels was 4 months old, her parents worried that she couldn't reach for her toys. Doctors initially assured them that it was probably normal, but after two months brought little improvement they ordered a battery of neurological tests that revealed Kaitlyn had a very rare and very serious brain malfunction. The years since then have been a struggle, as Kaitlyn has suffered the effects of epilepsy, cerebral palsy and all sorts of related complications. She can't speak or walk by herself. Her food has to be blended into liquid form because she can't chew. Her brain is frozen in perpetual toddlerhood. She also suffers from severe scoliosis. Left unchecked, the condition would get progressively worse, with the increasing curvature of the spine diminishing lung capacity, popping joints out of socket and eventually killing her by crushing her internal organs. It can be treated with physical therapy, but traditional methods didn't work for Kaitlyn; she would grow bored and shut down, rendering the session worthless.



Kaitlyn N. Samuels

By 2009, the family and its doctors had come up with an excellent solution. Twice a week, for 30 minutes at a time, Kaitlyn would ride atop a horse, around and around in a circle, in an exercise that stretched her muscles, worked her back and legs, and kept her focused on sitting upright. To the family, the exercise is a creative and successful form of physical therapy. To the government, the exercise is called "hippotherapy"-- a controversial designation that has allowed the feds to malign its usefulness. Hippotherapy is a form of physical, occupational and speech therapy in which a therapist uses the characteristic movements of a horse to provide carefully graded motor

and sensory input. At first, Kaitlyn's therapy was paid by TRICARE. But then, in 2010, TRICARE suddenly refused to pay for the girl's therapy -- and demanded that her active duty father reimburse the Pentagon for therapy payments made -- totaling \$1,327.44 -- from September 2009 until the end of March 2010.

The original TMA denial of cost-sharing was based on findings that: 1) the Beneficiary received hippotherapy; (2) hippotherapy is not medically necessary and appropriate for treatment of the Beneficiary's medical condition; (3) hippotherapy for the treatment of the Beneficiary's medical condition has not been proven safe and effective by reliable evidence; and (4) hippotherapy for treatment of the Beneficiary's medical condition is an unproven treatment. The government declared, in other words, that Kaitlyn's physical therapy was "unproven" even though it had long been proven to be working on her. That it was not yet "proven safe and effective by reliable evidence" even though it was safe and reliable enough for Kaitlyn and her family. That it was "not medically necessary and appropriate" for Kaitlyn even though her doctor and therapist had deemed it to be entirely "necessary and appropriate."

The Samuels with their doctors at their side, and with the therapy's success visibly evident to them, appealed the denial of Kaitlyn's medical benefits through the briar patch of federal statutes and Pentagon regulations. What follows is the way Congress and the Department of Defense have designed these sorts of cases to be resolved-- every government functionary playing his own little role in justifying the deprivation of benefits to people like Kaitlyn. It took the Samuels nearly two years to have their case and their cause heard. The first "hearing officer" who heard the case agreed with the family. Claude R. Heiny, a longtime administrative law judge, was a voice of sanity and reason. "It is more beneficial to use the horse as a tool," Heiny wrote, "because [Kaitlyn] engages in her physical therapy on the horse and fails to cooperate with her treatment in a clinical setting." Judge Heiny added: "It would be a waste of the Government's money to pay for therapy in a traditional setting for it would provide no benefit." He told TRICARE to pay for the horse therapy. The case was then forwarded to final arbitration.

Functioning as the final arbiter of Kaitlyn's fate was Michael W. O'Bar, Deputy Chief, TRICARE Policy and Operations." TRICARE itself, an arm of the Defense Department, was represented in the case by attorney Michael Bibbo. Kaitlyn's physical therapist testified that the horse is merely a therapy tool that proves more effective in many cases because of the dynamic movement and warmth of the animal. "I am a physical therapist, not a hippotherapist," Suzanne Sessums said, adding that she is also not a ball or bench therapist. Questioned by Bibbo, Sessums questioned him back, "You're telling me if I put Kaitlyn on a bench in a center you will pay for it?" To which Bibbo said, "It's not the exact same thing if you're getting more" efficacy from a horse than a bench. "It's still recognized as a therapy tool, and that's what this is. ... I'm not understanding why I have to prove my use of a horse, but not my use of a ball," Sessums said. And so on. TRICARE made it clear that it would pay for Kaitlyn's physical therapy if it was the type that wasn't working on Kaitlyn -- traditional physical therapy -- but wouldn't pay for the type of physical therapy that did work on Kaitlyn. During the course of the case, the Samuels had presented TRICARE's "judges" with all sorts of published evidence and testimony about the benefits and virtues of "horse therapy." Yet in the end Kaitlyn's therapy was rejected:

The TMA Appeals, Hearings and Claims Collection Division, reviewed each of the articles submitted by Representatives in their appeal. The Formal Review Decision noted that some of the articles did indeed meet the TMA definition of reliable evidence. However, several of the other articles did not meet the TMA definition of reliable evidence. Those articles that did meet the definition of reliable evidence were carefully reviewed by either the TMA Medical Benefits and Reimbursement Systems Office (MB&RB) or the TMA Appeals, Hearings and Claims Collection Division. Based on that review, it has been determined that hippotherapy is currently considered unproven within the meaning of TRICARE regulation and policy. As noted by TMA MB&RB, there is a lack of reliable evidence establishing that hippotherapy is a proven treatment for the Beneficiary's medical condition.... Moreover, MB&RB found that hippotherapy is a stand-alone modality, and it is inconsequential whether it is referred to as an otherwise covered service such as physical therapy.

In other words, The "horse therapy" that worked on Kaitlyn was real enough to warrant its own "modality" but not real enough to be covered by TRICARE. The successful therapy that the young woman's doctor and therapist swear by is supported by "some" reliable evidence but apparently not enough "reliable evidence" to satisfy the federal government, which has not yet disclosed to the Samuels or the rest of the world how much "reliable evidence" is necessary to warrant coverage. When contacted by Dallas Observer for some questions about the ruling O'Bar responded by email that "HIPPA regulations and the provisions of the privacy act prevent him from commenting on the specifics of any beneficiary's health or health care. When contacted Jennifer Samuels wanted the reporter to know that throughout the entire process TRICARE officials had consistently refused to consider Kaitlyn's work with horses as a viable form of physical therapy. It didn't matter that her doctors swore under oath that it was viable and working. What mattered instead were the conclusions of TRICARE's own experts, who had never treated Kaitlyn nor seen her in action with the therapeutic horses. "It was like we were talking to a brick wall," Samuels told me. She's understandably angry, and not just because the government denied her disabled daughter future coverage. She's also angry that TRICARE went after her family for the money it had spent from September 2009 to March 2010 when it was regularly approving Kaitlyn's successful treatment. "Blue Cross couldn't have done what they did here," Samuels said, because private insurance companies are generally blocked from recouping money in this fashion, while TRICARE is not. [Source: The Atlantic | Andrew Cohen | 29 Nov 2012 ++]

Senate Votes "No"

SBP DIC Offset Update 37: After working all day 28 NOV and late into the night 29 NOV, Senators continued 20 NOV, working their way through a long list of amendments to the FY2013 Defense Authorization Bill (S. 3254). One major disappointment came Friday morning, when the Senate voted to reject Sen. Bill Nelson's (D-FL) amendment to end the deduction of VA survivor benefits from military Survivor Benefit Plan (SBP) annuities. Nelson articulately spoke of the need for this fix, and more senators voted for it than voted against it. The problem is that the proposal would cost almost \$7 billion dollars over 10 years, which generated a budget point of order against it for violating the budget control act passed last year. It takes 60 senators to override a budget point of order, and the 58-to-34 vote fell two votes short. 33 Republicans and one Democrat voted against it, and five Republicans and three Democrats did not vote. States that had no senators voting for it included AL, AZ, GA, ID, IN, KY, NH, OK, SC, TN, TX, UT, and WY. You can view the details of the full vote on the Senate's website at http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=112&session=2&vote=00216. So the 54,000 widows and widowers affected by this terrible inequity will have to wait at least another year - again. [Source: MOAA Leg Up 30 Nov & 7 Dec 2012 ++]

2012

DFAS 1099R Availability Dates: Retiree and annuitant pay customers of the Defense Finance and Accounting Service are scheduled to receive their 2012 tax statements mid-December through January. Most of the 1099 forms will be available a week earlier via [<https://mypay.dfas.mil/myPAY.aspx>] the online myPay pay account management system for retired military members and annuitants. The mailing schedule includes:

- Annual Retiree Account Statements showing the new payment including the cost-of-living allowance adjustment for 2013 will be available through myPay on Dec. 4, and mailed via the U.S. Postal Service between Dec. 19 and Jan. 10.
- Internal Revenue Service Form 1099-R tax statements for retirees will be available on myPay Dec. 13, and mailed via the U.S. Postal Service between Dec. 19 and Jan. 10.

- Annuitant Account Statements and Internal Revenue Service Form 1099-R tax statements for annuitants will be available through myPay on Dec. 15. Annuitants who get these documents via mail can expect to receive them between Dec. 19 and Jan. 10.

Retirees and annuitants must keep their contact information current, according to DFAS officials who say the top reason a retiree or annuitant doesn't receive their 1099-R is because it is sent to an old address. If a retiree or annuitant does not have their correct address on file, they will experience a significant delay in receiving their end-of-year documents, said DFAS officials. People who do not have an active myPay account must call, mail or fax a written request to DFAS-Cleveland; processing a change of address and reissuing a new 1099-R takes at least 30 days, said officials. Retirees and annuitants with an active myPay account can decrease their wait time for an address change and new 1099-R by logging in and updating their own account. Changes take effect in three to five business days, and a copy of their 1099R can be printed directly from myPay. Information is made available faster electronically, said DFAS officials. This is why myPay users get their 1099-Rs up to a week earlier than those who wait for the mail to arrive. For more information about account maintenance, 1099-R requests, and logging in to myPay, visit the DFAS website at <http://www.dfas.mil/retiredmilitary.html>. People without an online account can contact DFAS at 800-321-1080. [Source: Air Force Retiree News Service Release No. 11-07-12 dtd 29 Nov 2012 ++]

1187 Decrease

Mobilized Reserve 4 DEC 2012: The Department of Defense announced the current number of reservists on active duty as of 4 OCT 2012. The net collective result is 2197 fewer reservists mobilized than last reported in the 1 DEC 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 41,352; Navy Reserve 4,776; Air National Guard and Air Force Reserve 8,455; Marine Corps Reserve 2,533; and the Coast Guard Reserve 659. This brings the total National Guard and Reserve personnel who have been activated to 57,775 including both units and individual augmentees. Since 911 there have been 805,545 reservists deactivated. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found online at <http://www.defense.gov/news/MobilizationWeeklyReport120412.pdf> . [Source: DoD News Release No. 947-12 dtd 5 Dec 2012 ++]

Availability

Vet License Plates Wyoming: If you are serving, or have served, during peacetime or war, and are a resident of Wyoming you qualify for a Wyoming veteran specialty license plates for your vehicle. In the attachment to this Bulletin titled, "**Vet License Plates WY**" can be viewed what is offered along with the special requirements to obtain each. All plates must be applied for via a County Treasurers' office. A list of these with contact info can be found at http://www.wcta.us/Wyoming_County_Treasurers_Association/Contact_Info.html. [Source: http://www.dot.state.wy.us/wydot/titles_plates_registration/specialty_plates Dec 2012 ++]

21 Nov 2012

OBIT ~ James L. Stone: Under a deep blue sky, in peaceful silence save for the fluttering of Old Glory in row on row, Medal of Honor recipient James L. Stone was buried 21 NOV, nearly 61 years to the day after

the bloody battle for which he would earn the nation's highest military award. Stone, the first Medal of Honor recipient laid to rest in the 638-acre Dallas-Fort Worth National Cemetery, died of bone cancer 16 NOV at his home in Arlington. His death at age 89 leaves the nation with 80 living recipients of the medal. Those who spoke at services at the cemetery and at First United Methodist Church of Arlington described Stone as a humble man with Arkansas roots who tried his hardest to be a regular husband and dad. He never bragged about his heroics as a 28-year-old first lieutenant the night of Nov. 21-22, 1951.

Oldest son James Stone Jr. said his father didn't like to talk about his Korean War experiences, a harrowing time in his life that also included 22 months as a prisoner of war. I think it was a defense mechanism," Stone Jr. said after the funeral, attended by about 100 veterans, relatives and military officials. "Whenever I would ask him a question about it, he would get quiet. It was like he was in a trance." But Stone, described as a guiding force behind the creation of the national cemetery in southwest Dallas 12 years ago, never stopped wanting to visit with current service members. And he always enjoyed talking with youngsters. "During all of his visits to DFW Cemetery events, the highlight of his day was always staying behind and shaking all of the young Boy Scouts' hands and visiting with them long after everyone else departed," said Sgt. Maj. Jeffrey Darlington, an Army Reserve commander.

Stone's actions that night in 1951 are as heroic as any ever depicted in motion pictures. His 48-man unit was attacked at about 9 p.m. by Chinese troops on what would later be known as Pork Chop Hill. Six times over three hours, the Chinese charged up the hill. Six times, Stone's unit repelled them. Reinforcements arrived for the Chinese after midnight, giving them about 800 men. The enemy attacked again. Stone led his troops, moving from position to position, climbing the sandbag walls atop the trenches and exposing himself to enemy fire. A flamethrower malfunctioned, killing its operator. Stone dodged bullets to repair it, then gave it to another soldier. Chinese troops breached the American line, entered the trenches and began fighting by hand. Stone used his rifle as a club and seized the platoon's only remaining machine gun, repositioning it several times as he fired on the enemy. By then, half his troops were dead. He was wounded twice in the leg and once in the neck. As he lost consciousness, he continued to urge his troops to fight. The next day, advancing American troops found 545 enemy soldiers dead. But they didn't find Stone: He had been captured along with six others and would spend 22 months in a prisoner-of-war camp. After his return, he was awarded the Medal of Honor by President Dwight D. Eisenhower in October 1953.



James L. Stone with his mother in 1953 after his release from a prison camp.

Stone would be stationed in Germany and supervise the ROTC units in Fort Worth in the mid-1960s. He also served in the Vietnam War. For those who knew Stone, his humility was as legendary as his heroism. Last year, at the dedication of an Army reserve base that bears his name in Fort Worth, Stone said that he was honored but that his troops deserved the praise. "Let me make this emphatically clear to you," Stone said at the time. "My men did most of the work. They are the ones who should be honored." Tarrant County Criminal Court Judge Brent Carr, who came to know Stone, said he introduced the war hero to his sons. Stone made a lasting impression on them and now, as Army officers themselves, they wrote letters praising him to his widow, Mary. Carr read those letters during the church services in Arlington. "He said that he was just an ordinary guy," Capt. Brent Carr Jr. wrote. "There were better men than him that were out there that night. But sometimes, ordinary people are called to do extraordinary things. They don't seem extraordinary at the time; you are just doing your job just like all of the other guys that are doing their job. I can tell you right now that Col. James Stone was an extraordinary man." "Our country should be thankful that we have warriors who are willing to stand in front of the flag and dare our enemies to do their worst," the letter continues. "And when they bring their worst, there are men like Col. Stone who look them back in the eye and stand in their path."

On 21 NOV, he received full military honors, including the sounding of taps and three rifle volleys. Black Hawk helicopters flew overhead in the missing-man formation. His family received American flags from Maj. Gen. Anthony Ierardi, commander of the 1st Cavalry Division at Fort Hood, and a Presidential Memorial Certificate was presented by Tommy Sowers, Veterans Affairs assistant secretary for public and intergovernmental affairs. The Patriot Guard Riders and Arlington motorcycle officers escorted the funeral procession to the cemetery. [Source: Star-Telegram | Patrick M. Walker | 14 Nov 2012 ++]

Now a Registered Trademark

GI Bill Update 134: The Department of Veterans Affairs announced that GI Bill is now a registered trademark with the U.S. Patent and Trademark Office and VA is the sole owner of the mark. "We will continue to support our Veterans by helping them obtain the best education of their choosing—a right for which they have bravely served, and which they have truly earned," said Secretary of Veterans Affairs Eric K. Shinseki. "We all want Veterans to be informed consumers in their educational pursuit."

On April 26, 2012, President Obama signed Executive Order 13607, directing the VA, the Department of Defense, and the Department of Education to undertake a number of measures to "stop deceptive and misleading" promotional efforts that target the GI Bill educational benefits of Servicemembers, Veterans, and eligible family members and survivors. One of the key components of the order was for VA to register the term "GI Bill" as a trademark in order to protect individuals and ensure they are directed to the right resources to make informed decisions. In addition, VA obtained the rights to the GIBill.com website after the original owners agreed to give up the site. VA is taking a proactive approach in continuously taking action to eliminate fraudulent marketing and recruiting practices.

"Trademarking 'GI Bill' is a great step forward in continuing our mission to better serve this nation's Servicemembers, Veterans, and their families," said Allison A. Hickey, VA undersecretary for benefits. VA will issue terms of use for "GI Bill" within the next six months. "We want to ensure the right balance with these new guidelines so that our stakeholders can still promote GI Bill and we can prohibit others from using it fraudulently," said Curtis L. Coy, deputy undersecretary for economic opportunity. Since August 2009, VA has paid over \$23.8 billion in Post-9/11 GI Bill benefits to over 866,000 Veterans, Servicemembers, and dependents. VA received over 478,000 Fall 2012 enrollments for Post-9/11 GI Bill. For more information on GI Bill programs refer to

<http://www.gibill.va.gov/> or call 1-888-GI-Bill-1 (1-888-442-4551) to speak with a GI Bill representative. [Source: VA News Release 3 Dec 2012 ++]

Paul A. Schroeder

Stolen Valor Update 81: Paul A. Schroeder, 41, who claimed to be a Special Forces soldier with a chest full of medals while counseling traumatized combat troops will spend 30 days in federal prison after admitting he was a fraud. Schroeder was the former director of counseling at the PTSD Foundation of Texas, leading group therapy sessions around the area and lecturing cadets at the Houston Police Academy as part of a post-traumatic stress awareness program. He claimed to have served in Iraq, Afghanistan, Africa and Central and South America. According to the military records he presented, Schroeder had the necessary credentials - a Silver Star and three Bronze Stars. He also claimed to have graduated from several elite Army schools, including Special Forces, Rangers, Pathfinder and Jumpmaster among others. But on 3 DEC, Schroeder admitted it was all a sham. His true records showed 10 years of Army service but as a military policeman stationed in New York, Panama and Texas. He was discharged before the wars in Iraq and Afghanistan even began.



Paul A. Schroeder

The investigation against Schroeder began after April 2009 when he applied for a set of special military meritorious service license plates with the Texas Department of Transportation. While filling out the application, Schroeder indicated he had received the Silver Star - the nation's third-highest decoration for military valor. Authorities said Schroeder presented state officials his military discharge papers, which showed he had been awarded the Silver Star. FBI agents compared the document Schroeder presented with his actual service record from the Department of Defense. The legitimate forms showed no Silver Star or a record of attending the elite military schools he claimed, officials said. Schroeder resigned from the PTSD Foundation of America after confessing to a Houston Chronicle reporter that he had lied about his record. In June, a federal grand jury indicted him on charges of altering a military discharge certificate. On 3 DEC, he admitted altering his discharged papers in federal court. In addition to serving 30 days in prison, Schroeder will be on supervised release for a year. Also, he must pay a \$3,000 fine. [Source: Houston chronicle | Mike Glenn | 5 Dec 2012 ++]

S.1728 Included in NDAA

Stolen Valor Update 82: (Note: Military Times Copyrighted material - Not authorized for reproduction on any publicly accessible website or website accessed newsletter . Forwarding via email in personal communications is authorized.) The Senate moved 3 DEC to make sure nobody profits from lying

about being a military hero. The Stolen Valor Act of 2012 (S.1728), sponsored by decorated Vietnam War veteran Sen. Jim Webb (D-VA) passed the Senate as an amendment to the 2013 defense authorization bill. Webb’s proposal makes it a federal crime to make a false claim about having served in the military or having received a military decoration if the object of the lie is personal gain. Those caught lying for personal gain or for a tangible benefit would face a fine of up to \$10,000 and up to six months imprisonment. This could mean lying to get a job, either for the government or private sector, running for political office, trying to effect the outcome of a civil or criminal court case or getting an appointment to an executive position at a non-profit organization, under terms of Webb’s legislation.

Because people who serve in the military are held in great respect, lies about military service are especially harmful, the bill says. Employers often hire veterans ahead of others, the public often elects veterans, the government sets aside contracts for veterans and people who serve are held in great respect, especially for those who have received awards for valor, the bill says. “False claims of military service or military heroism are an especially noxious means of obtaining something of value because they are particularly likely to cause a tangible harm to victims of fraud,” the amendment says in its findings. The Senate-passed amendment, now part of S.3254, is far from the final work on the bill. The House of Representatives has its own Stolen Valor legislation, H.R.1775, sponsored by Rep. Joe Heck (R-VA) that also would reinstate criminal penalties for lying about military service and military awards that were struck down by the Supreme Court on free speech grounds.

Heck’s bill, passed by the House in September, applies only false claims related to specific awards. It covers the Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star and Purple Heart. Also covered would be campaign badges, including the Combat Infantryman’s Badge, the Combat Action Badge, the Combat Medical Badge, Combat Action Ribbon and Combat Action Medal. The penalty is tougher under the House bill, with up to one year in prison. Like Webb’s measure, Heck’s bill makes it a crime if the false claim is done “with the intent to obtain money, property or other tangible benefit.” The Senate measure describes examples of a tangible benefit or personal gain. The House bill does not. [Source: MilitaryTimes | Rick Maze | 3 Dec 2012 ++]

\$2.5M Restoral Needed

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

When he walks through the dilapidated Clark Veterans Cemetery in the Philippines, Dennis Wright says he feels one overriding emotion: anger. Before World War II, more than 5,000 soldiers, sailors, Marines and Army civilians were buried at several cemeteries in the Philippines. Later, those remains were sent to Clark in order to make room for a cemetery for World War II fallen. In the ensuing years, military dependents were buried at Clark. Then in 1991, a massive volcano eruption covered the roughly 8,600 tombstones there in more than a foot of ash, just as the U.S. was leaving the Philippines and Clark Air Base. More than 20 years later, the gravestones lie halfway buried in ash and weeds. The local Veterans of Foreign Wars post has taken responsibility for maintaining the cemetery, but the donations it receives allow members only to keep the weeds at bay, said Wright, whose development company has offices in the Philippines and has donated hundreds of thousands of dollars for improvements.



A headstone for Army Staff Sgt. Hershel Lee Covey at Clark Veterans Cemetery in the Philippines shows how nearly half of his headstone was covered by volcanic ash after the 1991 eruption of Mount Pinatubo.

To Wright, the troops, veterans and military family members buried at Clark Veterans Cemetery have been abandoned by the U.S. government. “We take all these guys who died from 1900 to World War II — who were there, they were happy, they were resting in peace — we get them up, we march them to Clark, we put them in a boring field ... and then we forget these guys?” Wright said. “Now, I’m telling you, when you sit there and look at that, it can only do one thing to you: Make you mad and make you angry that our government has got 8,600 U.S. servicemen and their dependents who are buried at Clark who were abandoned and then forgotten.” The callousness toward those interred at Clark Veterans Cemetery stands in stark contrast to the World War II fallen who occupy their former resting places, said Wright, a retired Navy captain. “Is [a] World War II dead soldier more important than World War I dead?” he said. “Is he more important than Vietnam War dead? Is he more important than an Iraqi War dead?”

It would take about \$2.5 million to get rid of all the ash and reset the tombstones, but the local VFW takes in between \$25,000 and \$30,000 in donations each year, so it can only maintain the cemetery as is, Wright said. Moreover, most of the VFW members are in their 60s, so they have problems keeping up the cemetery. “It shouldn’t be done by a bunch of aging veterans who aren’t getting any younger,” he said. That’s why Wright is chairman of the Clark Veterans Cemetery Restoration Association, a nonprofit organization advocating for the American Battle Monuments Commission to take over responsibility for the cemetery. Proposed legislation in the Senate would do just that and allocate \$5 million to renovate the cemetery, but Wright does not expect the measure to pass during the current legislative session. Sen. Kelly Ayotte, R-N.H., who introduced a bill this year to have the American Battle Monuments Commission assume responsibility for the cemetery, said the U.S. government has a “moral responsibility” to take care of veterans cemeteries. “There’s no reason that the brave service members buried at Clark should be deprived of the honor they have earned and that veterans at other cemeteries are afforded,” she testified before the Senate Veterans’ Affairs Committee in June. “It’s time for the U.S. government to fulfill its responsibility to care for this sacred ground.”

The bill was co-sponsored by Sen. Mark Begich, D-Alaska, who said the U.S. government needs to respect veterans after they have been laid to rest. “This cemetery has been unjustly left behind and it is a disservice to veterans who have passed and those living all over the world,” Begich said in a statement to Air Force Times. One

of the most impassioned advocates for having the monuments commission take the cemetery under its purview has been Nathan Beeler, an 11-year-old from Avon, Ind., who has traveled to Washington to lobby Sen. John McCain, R-Ariz., and other top lawmakers. “I got involved with this in third grade because we were randomly browsing through the Internet and we went over a little article talking about a veterans cemetery buried in disgrace, and so I felt angered because our veterans died for our freedom and when they’re buried in disgrace, it doesn’t make sense, so that’s why I started to do something,” he said. When Beeler talks to members of Congress about the proposed legislation for Clark Veterans Cemetery, he makes sure to include that the bill is “budget neutral.” As the story about the cemetery gets out, the bill has a better chance of passing. “One person will be touched by it and then they’ll talk to more and more people, and I know many people were touched by it, so I feel very optimistic,” Beeler said. [Source: AirForceTimes | Jeff Schogol | 4 Dec 2012 ++]

Proposed Change Riles Vet Groups

COLA 2014: (Note: Military Times Copyrighted material - Not authorized for reproduction on any publicly accessible website or website accessed newsletter . Forwarding via email in personal communications is authorized.) A small proposed change is creating some big complaints as the White House and Congress toy with the idea of changing how cost-of-living adjustments are calculated as a money-saving maneuver. Sixteen military and veterans’ organizations, including Veterans of Foreign Wars, Iraq and Afghanistan Veterans of America and the National Military Family Association, have lined up against a change that would reduce the annual COLA by 0.3 to 0.5 percentage points a year. This change would save about \$208 billion over 10 years — a sizeable chunk of the goal of achieving \$1.2 trillion in deficit reduction. The plan assumes that consumers facing higher prices on goods and services may simply decide not to spend any money, or substitute lower-cost products or services. Under the new formula, known as the “chained Consumer Price Index,” what would have been a 2 percent COLA, for example, would be as low as 1.5 percent.

No decision has been made about adopting the revised formula, but the change being considered during budget negotiations would apply to most federal entitlement programs, including 3.2 million veterans receiving disability compensation, 2.3 million military retirees and 9 million veterans receiving Social Security. In a letter to congressional leaders, the 16 organizations say the change will have a big effect on veterans and retirees, with a bigger impact on those who receive benefits for the longest period — because they were disabled at a young age, live a long life, or both. For a veteran with a service-connected disability rated at 100 percent who started receiving disability pay at age 30, benefits would be reduced by \$1,425 a year at age 45 under the revised COLA formula, \$2,341 a year at age 55 and \$3,231 a year at age 65, the letter says. A veteran receiving Social Security who retires at age 65 would receive a benefit that is \$600 less a year at age 75, \$1,000 less a year at age 85 and \$1,400 less a year at age 95, according to the letter.

The letter does not calculate the effect on military retired pay, but when the idea was proposed two years ago, it was estimated to reduce the lifetime value of military retired pay by about 6 percent. An E-7 retiring this year with 20 years of service would, over 40 years, receive \$109,335 less in retired pay. An O-5 retiring this year with 20 years of service would receive \$207,991 less over 40 years. In their joint letter, the military and veterans’ groups say the current COLA formula already understates costs facing retirees and the disabled because it does not take into account the possibility that they are paying more for health care than younger, healthier people. It further points out:

- Although veterans who have service-connected disabilities and those receiving pension benefits are eligible for VA health care, they may still be impacted by rising out-of-pocket health care costs. Adopting the chained CPI would make the situation worse.

- We agree that political leaders need to restore fiscal discipline, but we believe it should be done with great care and without reneging on this country's promises to veterans, including the promises of Social Security and VA disability compensation and pension benefits — all of which are modest in size.
- Many veterans who rely on these programs live on fixed incomes and very tight budgets. For them, every dollar of hard-earned benefits counts in meeting basic expenses, attaining quality of life, and building a better future for themselves and those who depend on them. For many of them, reducing the annual COLA would mean real sacrifice.

The letter was signed by the Air Force Women Officers Associated, American Military Retirees Association, American Military Society, Association of the United States Navy, Blinded Veterans Association, Gold Star Wives, Iraq and Afghanistan Veterans of America, Jewish War Veterans, Military Officers Association of America, National Association for Uniformed Services, National Guard Association of the United States, National Military Family Association, Paralyzed Veterans of America, Veterans for Common Sense, VetsFirst, and Vietnam Veterans of America. [Source: NavyTimes | Rick Maze | 12 Dec 2012 ++]

Could VA Provide More?

VA Mental Health Care Update 18: (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.)

Congressional negotiators are weighing whether a Senate-passed proposal to make current service members and their families eligible for counseling at Vet Centers could end up hurting those who have already left the military. Allowing active and reserve service members and their immediate families to receive mental health counseling from the more than 350 Vet Centers operating across the U.S. would make counseling more available to them, especially if they don't live close to a military base, or if a service member feels uncomfortable seeking on-base care. However, a shortage of mental health professionals already makes it difficult for the Veterans Affairs Department to provide initial mental health evaluations for veterans within the required 14 days, and has created delays in getting follow-up appointments. VA is aggressively seeking to recruit 1,600 additional mental professionals by June, but that would barely cover the existing shortfall and might not be enough to handle a major increase in patients.

Negotiators from the House and Senate armed services committees who are working to write a compromise version of the 2013 defense authorization bill are considering VA mental health capacity as they look at two Senate-passed proposals to expand VA coverage. The Senate proposal would open mental health counseling at the 350 Vet Centers to current service members who served in a combat theater, as well as to some people who served outside the combat zone but provided emergency medical care to wounded troops, were involved in mortuary services, or were pilots of remotely controlled unmanned aerial vehicles involved in combat. In addition to both active and reserve members, immediate family members also would be eligible for Vet Center counseling under the proposal. Family members are defined in the Senate provision as parents and extended family members, such as siblings, who do not traditionally receive military-provided care. Spouses, children and step-children also would be covered, under the Senate bill. Also included is a separate mental health benefit for immediate family members of troops deployed in support of a contingency operation. They would be eligible for mental health care at VA facilities via telemental health programs or community, nonprofit or private facilities under VA contract. This provision, however, says family mental health care would be provided only if it does not interfere with care for veterans and if resources are available.

The target date for completion of negotiations on the defense bill is 18 DEC according to congressional aides involved in the talks. Sen. Patty Murray, D-Wash., the Senate Veterans' Affairs Committee chairwoman, pushed the

Senate to add the VA provision to the defense budget as a way to reduce the number of military and veteran suicides. “We know our service members and veterans have faced unprecedented challenges: multiple deployments, difficulty finding a job here at home, and isolation in their communities,” Murray said. “While the departments of Defense and Veterans Affairs have taken important steps toward addressing this crisis, we know more must be done. “We know that any solution depends upon reducing wait times and improving access to mental health care, ensuring proper diagnosis, and achieving true coordination of care and information between the departments.” At Murray’s urging, the Senate bill also includes a requirement for a standardized defense-wide suicide prevention program. [Source: NavyTimes | Rick Maze | 11 Dec 2012 ++]

1-15 Dec 2012

VA Fraud Waste & Abuse Update 62: **Maui HI** - The son of a celebrated World War II 442nd Regimental Combat Team veteran admitted in U.S. District Court on Thursday that he continued to cash his father's military disability checks more than six years after he died. Charles T. Takahashi, 62, pleaded guilty to stealing \$202,662 from the U.S. Department of Veterans Affairs. He faces a maximum 10-year prison term and \$250,000 fine at sentencing in March. He also will have to pay back the money he stole. The younger Takahashi said he never told the VA of the death and to stop the disability payments after his father, Suguru A. Takahashi, died March 2, 2006, at age 85. Instead, Takahashi withdrew the money from the joint bank account he and his father shared whenever the VA made a deposit, said Assistant U.S. Attorney Lawrence Tong. The monthly payments were about \$2,400 in 2006 and increased to about \$2,800 in August. When investigators questioned Takahashi about the money, he told them he used it to pay mortgage and bar expenses, Tong said. Tong said Takahashi pleaded not guilty at his arraignment in October by telephone from his home on Maui because he didn't have the money to travel to Oahu. The elder Takahashi was a member of the storied 442nd during the war and participated in the famous rescue of Texas' Lost Battalion in the Vosges Mountains of eastern France. The 442nd, made up of Japanese-Americans, was the most decorated unit of its size. A larger-than-life-size cutout of a wartime photograph of Takahashi is one of the displays at the Nisei Veterans Memorial Center in Kahului. The younger Takahashi is an officer of the 442nd Maui Veterans Council. [Source: The Honolulu Star-Advertiser | Nelson Daranciang | 7 Dec 2012 ++]

Unemployment Rate Now 6.6%

Vet Jobs Update 94: The overall veterans unemployment rate nudged up slightly last month, but this year remains on pace to be the best for job-seeking veterans since 2008, according to new figures released 7 DEC by the Bureau of Labor Statistics. The rate rose to 6.6 percent in November, up slightly from the 6.3 percent rate in October. But it was still the fourth consecutive month that the veterans unemployment statistic was below 7 percent, the first time that’s happened since late 2008. For veterans of the Iraq and Afghanistan era, the unemployment rate remained at 10 percent for the second consecutive month. That number has remained stubbornly above the national unemployment rate (which now sits at 7.7 percent) for most of the last four years, a cause for concern among many veterans groups. Those younger veterans make up about 30 percent of the unemployed veterans nationwide, roughly 210,000 of the 720,000 veterans looking for work, according to bureau statistics. Veterans of the recent wars era represent about 1.9 million of the 10.2 million veterans working nationwide. The average monthly unemployment rate for veterans in 2012 has hovered near 7 percent, which would be the lowest since 2008. Since then, the annual rate hasn’t dipped below 8 percent. From 2006 to 2008, the monthly rate for veterans only rose above 6 percent once. [Source: Stars & Stripes | Leo Shane | 7 Dec 2012 ++]

As of Dec 14 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>.

- **December 4, 2012.** HVAC, DAMA conducted a hearing entitled "Wading through Warehouses of Paper: The Challenges of Transitioning Veterans Records to Paperless Technology."
- **December 12, 2012.** HVAC, conducted a Business Meeting to Approve the Activities Report for the Committee on Veterans' Affairs. 10:00 A.M.; 334 Cannon

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

Delton Walling

WWII Vets Update 33: At age 19, Delton Walling agreed to have an injured finger surgically removed so he could enlist in the U.S. Navy, and went on to see action in most major World War Two battles in the Pacific. But after years in combat, and a lifetime of joy and loss, the memories of one event stand out above all others for Navy veteran Walling - the chaotic Sunday morning he spent in a Pearl Harbor signal tower as Japanese bombers pounded the U.S. Pacific Fleet. Walling, 91, a retired tree trimmer and paper mill worker now widowed and living in California, says returning to Pearl Harbor this week, as he has for 25 of the past 71 years since the attack, transports him back in time, to a day when his personal history and the nation's history merge - December 7, 1941. "You just can't take that day out of me," he reflected in an interview with Reuters. "I thought my life might end that day," he recounted. "We were devastated. Everything was blowing up right in your face. We were taught that we were the best, but the Japanese far outclassed us."

Walling is making his latest Pearl Harbor pilgrimage in a wheelchair, fitted with a pacemaker and hearing aids. He is one of an estimated 1,000 Pearl Harbor survivors still alive today, and one of just 50 expected to attend the Friday services on the Hawaiian island of Oahu commemorating the surprise Japanese air and naval assault that claimed 2,390 American lives and drew the United States into World War Two. Nearly half of those who perished were sailors aboard the stricken battleship USS Arizona, the sunken remains of which lie beneath a platform that forms the centerpiece of the World War Two Valor in the Pacific National Monument, a site administered by the National Park Service. The 90-minute raid also left 1,178 people wounded, sank or heavily damaged a dozen U.S. warships and destroyed 323 aircraft, badly crippling the Pacific fleet.

At the time, Walling was a petty officer and signalman attached to the battleship USS Pennsylvania, then dry-docked in port, and was assigned to the communications force of Admiral Husband E. Kimmell, commander of the Pacific Fleet. Walling had been scheduled to report for duty that day at 4 p.m. local time, but while out on a run at 6:30 a.m. he decided to stop by the communications tower to collect on a debt from a fellow sailor who was about to ship out. Arriving at the tower, he was informed that an American destroyer, the USS Ward, had just sunk a

Japanese mini-sub encountered at the mouth of the harbor, an incident that came to be regarded as the first American shots fired in the war. "By the time the communications were sent, it was 7:56 a.m. and that's when the first (Japanese) bombs hit on the ramp at Ford Island. It hit all the planes lined up on the runway. In 15 minutes, the (battleships) USS Utah and Oklahoma rolled over, and the (battleship) Arizona blew up at 8:05 a.m."

Once the Japanese bombers were on full attack, Walling said, he never left his post, transmitting and decoding messages for 14 or 15 hours straight at the signal tower. "We were watching all these planes overhead, the oil on the water burning, the men. The Japanese pilots were like synchronized dancers overhead. We were standing at the tower, devastated," he said. Walling, who now resides in Wallace, California, near Sacramento, said the precise times and details of events are seared in his memory, something that the passage of seven decades, the birth and death of his daughter and the death of his wife, have been unable to dampen. "We were thinking what else is coming," Walling recalled of the bewilderment he and his fellow sailors felt in the immediate aftermath of the raid. "It was a terrible scene. We were devastated and mad and afraid because we didn't know what was coming next." The next day, he was promoted to chief petty officer. When Walling joined the Navy, he was barely 19. A former boxer, he had an injured finger that almost kept him from enlisting. A military doctor told him the only way he could enlist was to cut it off. So he did. "I joined the Navy because I didn't like the idea of being in a foxhole," Walling said. "I was in almost every battle in the Pacific. If there was an island involved in the war, I was there."

And now, without any family left, Walling said, his last wish is to have his ashes scattered after he dies among those of fellow sailors at the site where the battleship Utah sank. As has been the practice with past anniversary ceremonies, visiting veterans, relatives and dignitaries will bow their heads on Friday for a moment of silence at 7:55 a.m., the time when the attack began, as military jets soar overhead in a "missing-man" formation. The destroyer USS Michael Murphy and the submarine USS Tucson will render a salute to survivors and fallen servicemen, and the morning service will end with a "walk of honor" by the attending World War Two veterans, all of them in their late 80s and early 90s. The turnout by Pearl Harbor veterans on Friday was expected to be only about half what it was last year, when about 100 showed up, half as many as attended the previous year. [Source: Reuters | Suzanne Roig | 6 Dec 2012 ++]

Pearl Harbor

POW/MIA Update 32: Ray Emory could not accept that more than one quarter of the 2,400 Americans who died at Pearl Harbor were buried, unidentified, in a volcanic crater. And so he set out to restore names to the dead. Emory, a survivor of the attack, doggedly scoured decades-old documents to piece together who was who. He pushed, and sometimes badgered, the government into relabeling more than 300 gravestones with the ship names of the deceased. And he lobbied for forensic scientists to exhume the skeletons of those who might be identified. On 7 DEC, the 71-year anniversary of the Japanese attack, the Navy and National Park Service will honor the 91-year-old former sailor for his determination to have Pearl Harbor remembered, and remembered accurately. "Some of the time, we suffered criticism from Ray and sometimes it was personally directed at me. And I think it was all for the better," said National Park Service historian Daniel Martinez. "It made us rethink things. It wasn't viewed by me as personal, but a reminder of how you need to sharpen your pencil when you recall these events and the people and what's important."

Emory first learned of the unknown graves more than 20 years ago when he visited the National Memorial Cemetery of the Pacific shortly before the 50th anniversary of the attack. The grounds foreman told him the Pearl Harbor dead were scattered around the veterans' graveyard in a volcanic crater called Punchbowl after its resemblance to the serving dish. Emory got a clipboard and walked along row after row of flat granite markers, making notes of any listing death around Dec. 7, 1941. He got ahold of the Navy's burial records from archives in

Washington and determined which ships the dead in each grave were from. He wrote the government asking why the markers didn't note ship names and asked them to change it. "They politely told me to go you-know-where," Emory told The Associated Press in an interview at his Honolulu home, where he keeps a "war room" packed with documents, charts and maps. Military and veterans policy called for changing grave markers only if remains are identified, an inscription is mistaken or a marker is damaged.



Emory appealed to the late Patsy Mink, a Hawaii congresswoman who inserted a provision in an appropriations bill requiring Veterans Affairs to include "USS Arizona" on gravestones of unknowns from that battleship. Today, unknowns from other vessels like the USS Oklahoma and USS West Virginia, also have new markers. Some of the dead, like those turned to ash, will likely never be identified. But Emory knew some could be. The Navy's 1941 burial records noted one body, burned and floating in the harbor, was found wearing shorts with the name "Livingston." Only two men named Livingston were assigned to Pearl Harbor at the time, and one of the two was accounted for. Emory suspected the body was the other Livingston. Government forensic scientists exhumed him. Dental records, a skeletal analysis and circumstantial evidence confirmed Emory's suspicions. The remains belonged to Alfred Livingston, a 23-year-old fireman first class assigned to the USS Oklahoma.

Livingston's nephew, Ken Livingston, said his uncle and his father were raised together by their grandmother and attended the same one-room schoolhouse. They grew up working on farms in and around Worthington, Ind. Livingston remembers his dad saying the brothers took turns wearing a pair of shoes they shared. When the family learned Alfred was found, they brought him home from Hawaii to be buried in the same cemetery where his grandmother and mother rest. About a third of the town showed up for his 2007 memorial service in Worthington, a town of just 1,400 about 80 miles southwest of Indianapolis. The local American Legion put up a sign welcoming home "Worthington's missing son." "It brought a lot of closure," said Ken Livingston, 62, his voice cracking.

John Lewis, a retired Navy captain who worked with Emory while assigned to the Joint POW/MIA Accounting Command between 2001 and 2004, said the command is fortunate someone like Emory has the time and initiative to painstakingly connect the dots on the unknowns. "Without Ray Emory I don't know if this ever would have been done," Lewis said from Flowood, Miss. Emory says people sometimes ask him why he's spending so much time on events from 70 years ago. He tells them to talk to the relatives to see if they want the unknowns identified. He doesn't get emotional about the work, except when the government doesn't exhume people he thinks should be dug up and identified. "I get more emotional when they don't do something," he said. He'll keep working after he's formally recognized during the Pearl Harbor ceremony on Friday to remember and honor the dead. He has names of 100 more men buried at Punchbowl he believes are identifiable. [Source: Associated Press article 6 Dec 2012 ++]

1-14 Nov 2012

POW/MIA Update 33: "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. The number of Americans who remain missing from conflicts in this century are: World War II (73,000+), Korean War (7,900+), Cold War (126), Vietnam War (1,655), 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:



Family members seeking more information about missing loved ones may call the following Service Casualty Offices: U.S. Air Force (800) 531-5501, U.S. Army (800) 892-2490, U.S. Marine Corps (800) 847-1597, U.S. Navy (800) 443-9298, or U.S. Department of State (202) 647-5470. 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 3 DEC that the remains of a U.S. serviceman, missing in action from the Vietnam War, have been identified and will be returned to his family for burial with full military honors. Army Sgt. **John R. Jones**, 22, of Louisville, Ky., will be buried Dec. 6, in Arlington National Cemetery near Washington, D.C. On June 4, 1971, Jones was part of a U.S. team working with indigenous commandos to defend a radio-relay base, known as Hickory Hill, in Quang Tri Province, South Vietnam. When enemy forces attacked the site, Jones and another serviceman took up a defensive position in a nearby bunker. The following morning, Jones was reportedly killed by enemy fire and the other soldier was captured and held as a POW until 1973. From 1993 to 2010, joint U.S./Socialist Republic of Vietnam (S.R.V.) teams, led by the Joint POW/MIA Accounting Command (JPAC), conducted several investigations, surveyed the site and interviewed multiple witnesses, including those involved in the battle. During that time, analysts from JPAC and DPMO evaluated wartime records and eyewitness accounts to determine possible excavation sites. In 2011, another joint U.S./S.R.V team located human remains in a bunker suspected to be the last known location of Jones. In the identification of the remains, scientists from JPAC and the Armed Forces

DNA Identification Laboratory (AFDIL) used circumstantial evidence and forensic identification tools, such as dental records and mitochondrial DNA—which matched Jones’ mother and brother. Since 1973 more than 900 servicemen have been accounted for from the Vietnam War, and returned to their families for burial with military honors. The U.S. government continues to work closely with the governments of Vietnam, Laos, and Cambodia to recover all Americans lost in the conflict.

- DPMO announced 7 DEC that the remains of a serviceman, killed in action during the Vietnam War, have been identified and will be returned to his family for burial with full military honors. Army Capt. **James M. Johnstone**, of Baton Rouge, La., will be buried Dec. 12, in Arlington National Cemetery. On Nov. 19, 1966, Johnstone was the pilot of an OV-1A Mohawk aircraft that crashed while conducting a daytime reconnaissance mission over Attapu Province, Laos. Nearby U.S. aircrews reported seeing the wing of Johnstone’s aircraft hit a tree during a climb to avoid a nearby ridgeline. No parachutes were seen exiting the aircraft. Heavy enemy presence in the area prevented recovery efforts. From 1993 to 2009, joint U.S.-Lao People’s Democratic Republic (L.P.D.R.) teams, led by the Joint POW/MIA Accounting Command (JPAC), interviewed multiple witnesses, and conducted several investigations and excavations of the crash site in Attapu Province. The teams located human remains, military equipment, an identification card bearing Johnstone’s name, and aircraft wreckage of an OV-1A, which correlated with the last known location of Johnstone’s aircraft. To identify the remains, scientists from JPAC analyzed circumstantial evidence and used forensic identification tools, such as dental comparisons.

Korea

DPMO announced 4 DEC 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 Sgt. **Bobby R. King**, 19, of Seymour, Texas, will be buried on Dec. 7, in Dallas. In August 1950, King and his unit, Battery A, 90th Field Artillery Battalion, were fighting against North Korean forces in a battle known as the “Bloody Gulch,” near Pongam-ni, South Korea. After the battle, on Aug. 12, King was listed as missing in action. In late 1950, U.S. Army Graves Registration Service personnel recovered remains of service members from that battlefield, including nine men who were unidentified. These men were buried at the 25th Infantry Division Cemetery in Masan, South Korea. In 1951, the U.S. consolidated cemeteries on the peninsula and the remains were sent to the U.S. Army’s Central Identification Unit in Kokura, Japan, to determine whether they could be identified. When scientific analysis determined an identification wasn’t possible, King’s remains were transferred to the National Memorial Cemetery of the Pacific in Hawaii and re-interred as “unknown.” In 2011, due to advances in identification technology, analysts from DPMO and Joint POW/MIA Accounting Command (JPAC) reevaluated the information associated with the remains interred in Hawaii and concluded that if exhumed they could likely be identified. Based on available evidence such as metal identification tags, military clothing, and wartime records, analysts confirmed that the remains were a soldier who died at Pongam-ni. The remains were exhumed and scientists from JPAC successfully identified King using circumstantial evidence and forensic identification tools such as radiograph comparison and dental records.

World War II

- None

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

World War II Posters (19)



Eyeglasses

Saving Money: Clearly you can spend a ton on eyeglasses. But there's good news: You can also save a ton if you consider the following options:

1. **See if you're covered.** Before you schedule an eye exam, check your insurance coverage. Many health insurance plans cover all or some of the cost of vision expenses such as an annual eye exam. But unless you ask, you might not know.

2. **Make use of your FSA.** Do you have a flexible spending account? If you can get one through your employer, it should cover many vision services, such as Eye exam | Prescription glasses and sunglasses | Tinting | Reading glasses | Contact lenses and solutions. If you're already contributing to an FSA, use some of these funds to pay for your vision costs. If you're not contributing to an FSA, do it the next opportunity you have. Since you can contribute money from your paycheck to your FSA before taxes are taken out, you'll automatically save even more.

3. **Start with an eye exam.** Before you can buy prescription glasses, you'll need two things: a prescription matching your vision needs, and your pupillary distance (the distance between your pupils). An optometrist can provide both. And thanks to something called the "Prescription Release Rule," they're required by federal law to give you a copy of your prescription, enabling you to take it with you and shop wherever you'd like. If you're using vision insurance to offset the cost of the eye exam, make sure to visit a clinic covered by your insurance. If you're using an FSA, call beforehand to find the cheapest option. You may also qualify for a free or reduced eye exam through volunteer or state-run programs. Eligibility varies, but FreeEyeExam.org has a list of free exams by state. When you visit the optometrist, ask for a written copy of your prescription and your pupillary distance. Then see where the best deals are...

4. **Warehouse clubs.** Warehouse clubs such as Sam's, BJ's Wholesale Club, and Cosco sell prescription eyeglasses, sunglasses, and contact lenses cheaper than many other brick-and-mortar retailers, and you'll occasionally get even better prices.

5. **Discount stores.** Picks up simple reading glasses from dollar stores, discount and overstock stores. For \$10 or less each you can buy more than one and scatter them around your house for use when you need them. You can find good deals on cheap reading frames all over town. Also check out Ross, Marshalls, Big Lots, and Walmart.

6. **Buy online for bigger discounts.** You'll most likely find the best deals on prescription eyeglasses online. Some sites offer basic frames with single-vision lenses and tinting for under \$10. Here are a few sites that have gotten decent reviews from bloggers and others:

- Zenni Optical <http://www.zennioptical.com> – Glasses start at \$6.95
- EyeBuyDirect <http://www.eyebuydirect.com> – Glasses start at \$6.95 with free anti-scratch coating
- Optical4Less <http://www.optical4less.com> – Glasses start at \$15
- 39DollarGlasses <http://www.39dollarglasses.com/?ccode=> – Prices start at \$39 with occasional sales

A word of warning: Some sites sell low-quality products, while others have horrible customer service. Before you buy a pair of glasses from a website, make sure they have a return policy and check out a complaint site like <http://www.ripoffreport.com> or <http://complaintwire.org> to see if other customers have had problems. Also be aware that online stores are probably best for simpler, inexpensive prescriptions and for those customers requiring less personal service. The more complicated the prescription, the higher the cost, and therefore the risk, of buying online.

7. **Take advantage of coupons and special offer deals.** The Internet is full of product coupons, and eyeglasses are no different. Before you buy your next pair, use an online coupon site to find a better deal. The

<http://glassyeyes.blogspot.com> blog regularly posts sales and special offer deals for online eyeglass retailers. You can also find coupons on sites like <http://www.opticalblog.com/tag/eyeglass-coupons>, <http://www.retailmenot.com/coupons/eyeglasses>, and <http://slickdeals.net>.

8. **Find free repair or replacement deals.** If your glasses get scratched or bent out of shape, be aware that some retailers offer free repair and/or replacement. For example, LensCrafters <http://www.lenscrafters.com> offers their customers unlimited cleaning and adjustments. Eyes Buy Direct <http://www.eyebuydirect.com> guarantees most of their glasses for 12 months. Many optometrists will also replace your contact lenses free if they're bothering your eyes.

Bottom line, if you are a supporter of local brick-and-mortar businesses, especially the locally owned kind, check online prices, then beat the local bushes to see if you can use those prices to get a home-grown better deal. But if you're focused only on savings, you'll probably be ordering your next pair of glasses online. [Source: http://www.moneytalksnews.com/2012/07/06/8-ways-to-see-big-savings-on-eyeglasses/?utm_source=newsletter&utm_campaign=email-2012-07-06&utm_medium=email Angela Colley article 6 Jul 2012 ++]

Unusual Gifts

Spending Money: We all know one of them: that person who seems impossible to shop for. Maybe they already seem to have it all. Maybe they're the minimalist who asks for nothing. Or perhaps they're a new co-worker or awkward in-law you just don't know that well. Whatever the reason, there are shopping spots that are off the beaten path with gifts any recipient on your list is sure to remember. While most of these stores have plenty of expensive options, many also carry plenty of affordable ones as well:



Tube-Wringer

1. **Brookstone:** This online and mall-based store sells gadgets and gifts of every kind – from remote-controlled spy tanks to massagers of all shapes and sizes. Their products tend to be on the more expensive side, but last year, Brookstone's best sales happened during the weeks leading up to the holidays. [<http://www.brookstone.com>]
2. **Etsy:** This online marketplace allows artists, crafters, and other creators to sell handmade items (and resell vintage items) directly to e-shoppers. From one-of-a-kind jewelry to hats for cats, Etsy offers almost too many handmade options to pick from. And if you really can't decide, they now offer gift cards, which just about any woman would enjoy using. [<http://www.etsy.com>]
3. **Old Time Candy Company:** No matter how old your gift recipient is, this online store stocks the candy they'll remember eating as a kid. It carries retro candy from every decade from the 1920s to the 1990s. [<http://www.oldtimecandy.com>]

4. **Perpetual Kid:** As its name implies, this online store is the perfect place to shop for children and for the grown-up with a loud inner child. Note that items in their sale category – like centipede ice cube trays and Family Guy pint glass sets – are currently up to 82 percent off. [<http://www.perpetualkid.com>]
5. **Quirky:** This company helps would-be inventors turn their ideas into products with assistance from social media. The result is some ingeniously useful gift ideas, especially for people who enjoy technology or cooking. [<http://www.quirky.com/shop>]
6. **SimpleHuman:** This company describes their products as “tools for efficient living.” Their focus on simplicity and functionality makes their website a great place to shop for the hyper-organized and anyone who recently moved into a new home. [<http://www.simplehuman.com>]
7. **ThinkGeek:** This online store is to geeks what Perpetual Kid is to grown-up children. And their On Sale section is always stocked up – currently with more than 500 items that are up to 75 percent off, like a stainless-steel Star Trek Enterprise pizza cutter and a vampire pacifier. [<http://www.thinkgeek.com>]
8. **The Ultimate Rose:** If you’re not sure what to buy the wife or girlfriend this year but have a few hundred dollars to blow on six-foot-tall roses, this is your site. [<http://theultimaterose.com>]
9. **Uncommon Goods:** “Unique gifts and creative design” is this online store’s motto and an accurate summary of its goods. If you’re stumped, check out their Gift Finder tool, which narrows your options down based on who you’re shopping for and how much you want to spend. [<http://www.uncommongoods.com>]
10. **Vat19:** Perhaps you’ve seen this company’s TV commercials featuring their five-pound gummy bears. The self-described “purveyors of curiously awesome products” also offer flat-rate shipping, a “Sort by Recipient” feature, and dozens of options in the under-\$10 and under-\$20 ranges. [<http://www.vat19.com>]

[Source: MoneyTalksNews | Karla Bowsher | 6 Dec 2012 ++]

1-14 Dec 2012

Notes of Interest:

- **Enterprise.** Secretary of the Navy Ray Mabus announced t at the USS Enterprise (CVN 65) inactivation ceremony that the third Gerald R. Ford-class aircraft carrier will be named Enterprise. The future USS Enterprise, designated CVN 80, will be the ninth ship to bear the name.
- **VA Pension.** As Veterans and survivors consider applying for these benefits they should review VBA’s Fact Sheet at http://www.vba.va.gov/VBA/docs/PensionProgramInfo_final.pdf. A copy of the Fact Sheet titled, “VBA Pension Program Fact Sheet” is included as an attachment to this Bulletin
- **Problem Banks.** A total of 694 are on the list, which the FDIC uses to keep a close eye on banks at risk of failing. That’s three dozen fewer than in the spring, but still almost 10 percent of all the federally insured banks in the country. Fifty banks have foundered so far this year, way down from the 92 that shuttered in 2011 and the 157 that closed in 2010, which was the biggest number since the savings and loan crisis two decades ago.
- **Nostalgia.** James Cagney and Bob Hope fans will be interested in viewing one of their great dance routines at <http://videos2view.net/Hope-Cagney.htm>.

- **Vet Homeless.** The Departments of VA & HUD announced 10 DEC that a new national report shows that homelessness among Veterans has been reduced by approximately 7 percent between January 2011 and January 2012
- **Proclamation.** The governor of Florida has issued a Proclamation designating 16 DEC as Battle of the Bulge Day. A copy can be viewed in the attachment to this Bulletin titled, “**Battle of the Bulge Day Proclamation 2012**”.
- **USS Arizona.** It is commonly—but incorrectly—believed that Arizona remains perpetually in commission, like the USS Constitution. Arizona is under the control of the National Park Service, but the U.S. Navy still retains the title. Arizona retains the right, in perpetuity, to fly the United States flag as if she were an active, commissioned naval vessel.

[Source: Various 15-30 Nov 2012 ++]

1-14 Dec 2012

Medicare Fraud Update 106:



- **Norwalk CT** - Deborah A. Bradley, 53, has been charged with defrauding HUSKY, the state’s taxpayer-funded subsidized health insurance plan for working families, according to a press release from Connecticut’s Criminal Justice Division. Bradley is charged with one count of first-degree larceny by defrauding a public community, a class B felony punishable by up to 20 years in prison, and one count of Insurance Fraud, a class D felony punishable by up to 5 years in prison. According to the state’s press release, the arrest stems from a federal investigation earlier this year that revealed Bradley’s husband, Alan, a certified drug and alcohol counselor, had allegedly defrauded the Medicaid program by billing for services that were never rendered. He was arrested in Florida on May 17. Subsequent investigation by inspectors in the Medicaid Fraud Control Unit of the Office of the Chief State’s Attorney disclosed that in 2010, Deborah Bradley improperly obtained HUSKY insurance coverage for herself and her husband by falsely stating their assets and income on an application submitted to the State of Connecticut Department of Social Services, according to the state spokesman. HUSKY is a taxpayer-financed program funded through the Medicaid system that provides health care insurance to working families who meet income guidelines. Bradley was released on a \$100,000 non-surety bond and is scheduled to appear in Superior Court in Hartford December 19. The investigation is ongoing. The case will be prosecuted by the Medicaid Fraud Control Unit in the Chief State’s Attorney’s Office.
- **Hialeah FL** - A federal jury found defendant Maggie Leon, 35, guilty of eight counts of health care fraud, in violation of Title 18, United States Code, Section 1347, and conspiracy to commit the same, Title 18, United States Code, Section 1349. Sentencing has been scheduled for February 6, 2013, before U.S. States District Judge Paul Huck. According to the indictment and evidence presented at trial, Maggie Leon,

through her company (Leon Medical), submitted and caused the submission of approximately \$7.2 million in false claims for medical services to the seven insurance carriers and was paid more than \$2.2 million. The evidence further established that the defendant and her co-conspirators paid kickbacks and bribes to beneficiaries suffering from HIV to ensure that they would attend Leon Medical.

- **Bridgeport CT** - A dermatologist is in some legal trouble after he supposedly came up with a scheme to defraud Medicare and Medicaid. Dr. Allen Saoud, 58, has been charged with 23 felonies including health care fraud, making and subscribing false tax returns, obstruction of the Administration of Internal Revenue Laws, falsification of a bankruptcy document, false statement to a federal agent & bankruptcy fraud. A spokesperson for the Department of Justice said cases like this are a high priority for the federal government, especially since this one involved stealing money from taxpayer funded programs. The feds are also trying to win a money judgment against Saoud. If they succeed, he'll have to pay \$850,000.
- **Brooklyn NY** - Board-certified colorectal surgeon Dr. Boris Sachakov, 43, who owned and operated a New York medical clinic, was sentenced 10 DEC to serve 30 months in prison for his role in a fraud scheme that billed Medicare and more than 10 private insurance companies for surgeries and other complex medical procedures that were never performed. In addition to his prison term, Sachakov was sentenced to serve three years of supervised release, pay forfeiture of \$1,103,069 and pay restitution of \$1,103,069 to the victims of his crimes, Medicare and numerous private insurance plans. He was found guilty by a jury on June 13, 2012, after a two-week trial in federal court in Brooklyn of one count of health care fraud and five counts of health care false statements. The trial evidence showed that from January 2008 to January 2010, Sachakov, who owned and operated a clinic called Colon and Rectal Care of New York P.C., defrauded Medicare and private insurance companies by billing for surgeries and medical services that he never provided. According to trial testimony, several private insurance companies began investigating Sachakov after receiving complaints from patients that Sachakov had submitted claims for surgeries, including hemorrhoidectomies, that he never performed. At trial, 11 of Sachakov's patients testified that they had not received the surgeries and other medical services for which Sachakov had billed their insurance companies. The evidence presented at trial showed that the medical records Sachakov created and maintained on these patients, including letters to the patient's referring doctors, did not support the extensive billings he submitted. After Sachakov was confronted by two insurance companies about complaints of billings for surgeries that did not happen, the evidence at trial showed that Sachakov sent letters to his patients, asking them to falsely certify in writing that they had received the phony surgeries. The indictment alleged that Sachakov submitted and caused the submission of more than \$22.6 million in false and fraudulent claims to Medicare and private insurance companies, and received more than \$9 million on those claims.
- **National.** It is estimated that 10% of all medical tests and procedures in the United States at a cost of about \$220 billion are not necessary and doctors/hospitals prescribing these know they are not necessary and are being encourage or pressured by management to continue the practice. This form of fraud extends to Medicare and Medicaid though billed to the government impacts patients through higher taxes and whatever copay they must bill. To learn more about how this is happening refer to 60 Minute's 2 DEC video titled Hospitals: The Cost of Admission at <http://www.cbsnews.com/video/watch/?id=50136261n>. In it Steve Kroft investigates allegations from doctors that the hospital chain they worked for pressured them to admit patients regardless of their medical needs. For more on this subject refer to the HealthLeaders Media 11 DEC Scott Mace article "Is Technology Perpetuating Medicare Fraud?" at <http://www.healthleadersmedia.com/page-2/TEC-287354/Is-Technology-Perpetuating-Medicare-Fraud>.
- **Brooklyn NY** - An octogenarian Queens doctor who let patients dance at his clinic, then passed it off as therapy to scam Uncle Sam, pleaded guilty 10 DEC. Ho Yon Kim, 86, of Flushing, pleaded guilty in

Brooklyn federal court to conspiring to commit health-care fraud. Federal prosecutors say that Kim also rewarded patients with massages, facials and free lunches at his practice to thank them for letting him use their Medicare numbers to submit some \$11.7 million worth of false claims on his behalf. Further, the feds say Kim administered unnecessary electro-stimulation therapy and physical therapy to patients — and billed the government for services that were never performed. Kim will face up to 10 years in prison when he is sentenced. No date has been set for his sentencing.

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

GAO Fraud Prevalence Report

Medicare Fraud Update 107: Despite the hundreds of millions of dollars spent every year to investigate and prosecute Medicare fraud, much still goes undetected and "the extent of the problem is unknown," according to testimony submitted 28 NOV to Congress. In its report to the health subcommittee of the House Committee on Energy and Commerce, the U.S. Government Accountability Office said that medical clinics and suppliers of durable medical goods are most commonly investigated and prosecuted criminally for Medicare fraud, accounting for 37 percent of all successful Medicare fraud prosecutions. Individual fraud -- that is, Medicare beneficiaries cheating the system -- make up about 11 percent of criminal prosecutions and convictions. Hospitals, meanwhile, accounted for about 20 percent -- or 2,339 cases -- of civil fraud investigations in 2010, according to the testimony prepared by Kathleen M. King, the GAO's health care division director.

Most Medicare fraud comes in the form of billing fraud -- submitting a bill for care that was not actually administered, or suppliers billing for supplies and services that are overpriced or not medically necessary. Other common forms of fraud include falsifying patient data to increase Medicare payment rates and paying kickbacks to providers for referring beneficiaries to a specific specialist or clinic. Some of the more elaborate schemes involve setting up shell companies at bogus addresses that "sell" medical equipment; buying and selling lists of names and ID numbers of Medicare patients; and the case of a California hospital that recruited homeless people to fill empty hospital beds, offering the homeless room and board -- and then charging Medicare tens of millions of dollars for their care and hospitalization. Though Medicare keeps no "official" estimate on the annual cost of fraud, outside experts say the tab could be \$60 billion annually. In 2011, the federal government allocated \$608 million to prosecute and investigate Medicare fraud.

Ms. King told the House panel that Medicare has been working on tightening its provider and supplier enrollment standards and on conducting more efficient post-payment audits, which prevents those who are defrauding Medicare from getting away with it for very long. The GAO also has told the U.S. Centers for Medicare and Medicaid Services to remove patients' Social Security numbers from their Medicare ID cards, which in theory would not only make it harder to defraud Medicare, but also to steal seniors' identities. While that sounds like the simplest of the fixes, a CMS official told Congress in August that "transitioning to a new identifier would be a task of enormous complexity and cost and one that [would] present great risks to continued access to health care for Medicare beneficiaries." A report issued last year said it could cost nearly \$850 million to replace the 50 million or so ID cards and remove the Social Security numbers from the equation. [Source: Pittsburgh Post-Gazette | Bill Toland | 29 Nov 2012 ++]

1-14 Dec 2012

Medicaid Fraud Update 76: **Oklahoma City OK** - Robin Lockwood, DDS, has been sentenced to 18 months in federal prison after pleading guilty to Medicaid fraud for submitting claims for dental services that

were not provided. She was charged earlier this year with one count of healthcare fraud, according to the state attorney general's office. Lockwood, who worked for Ocean Dental in Oklahoma City, falsified treatment notes submitted by the practice for Medicaid reimbursement between July 2007 and December 2010. She received a percentage of the reimbursement for the procedures. Lockwood also billed for multisurface fillings that she didn't complete, upcoded bills to receive more money, and billed for services not reimbursable by Medicaid by using a different billing code, according to state authorities. The case was a result of an investigation by the Attorney General's Medicaid Fraud Control Unit, the FBI, and the U.S. Department of Health and Human Services Office of Inspector General. [Source: Fraud News Daily 1-14 Dec 2012 ++]

Illinois 2012

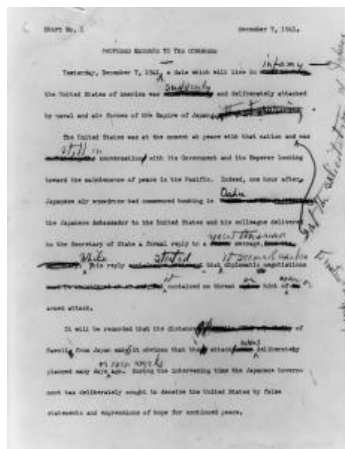
State Veteran's Benefits: The state of Illinois provides several benefits to veterans as indicated below. To obtain information on these refer to the "**Veteran State Benefits – IL**" attachment to this Bulletin for an overview of the benefits listed below. Benefits are available to veterans who are residents of the state.

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

[Source: <http://www.military.com/benefits/veteran-benefits/illinois-state-veterans-benefits> Dec 2012 ++]

Day of Infamy Speech

Military History: December 7th, is a date burned into the memories of all World War II veterans, their families and descendants. Yet, the number of people who don't know the date's significance is growing. So take a moment to step back into time - here's a copy of President Franklin Delano Roosevelt's speech so often quoted after the Japanese attack on Pearl Harbor:



Annotated Typewritten Copy
"Day of Infamy" Speech. Franklin D. Roosevelt Library

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Mr. Vice President, Mr. Speaker, Members of the Senate, and of the House of Representatives:

Yesterday, December 7th, 1941 -- a date which will live in infamy -- the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan.

The United States was at peace with that nation and, at the solicitation of Japan, was still in conversation with its government and its emperor looking toward the maintenance of peace in the Pacific.

Indeed, one hour after Japanese air squadrons had commenced bombing in the American island of Oahu, the Japanese ambassador to the United States and his colleague delivered to our Secretary of State a formal reply to a recent American message. And while this reply stated that it seemed useless to continue the existing diplomatic negotiations, it contained no threat or hint of war or of armed attack.

It will be recorded that the distance of Hawaii from Japan makes it obvious that the attack was deliberately planned many days or even weeks ago. During the intervening time, the Japanese government has deliberately sought to deceive the United States by false statements and expressions of hope for continued peace.

The attack yesterday on the Hawaiian islands has caused severe damage to American naval and military forces. I regret to tell you that very many American lives have been lost. In addition, American ships have been reported torpedoed on the high seas between San Francisco and Honolulu.

Yesterday, the Japanese government also launched an attack against Malaya.

Last night, Japanese forces attacked Hong Kong.

Last night, Japanese forces attacked Guam.

Last night, Japanese forces attacked the Philippine Islands.

Last night, the Japanese attacked Wake Island.

And this morning, the Japanese attacked Midway Island.

Japan has, therefore, undertaken a surprise offensive extending throughout the Pacific area. The facts of yesterday and today speak for themselves. The people of the United States have already formed their opinions and well understand the implications to the very life and safety of our nation.

As commander in chief of the Army and Navy, I have directed that all measures be taken for our defense. But always will our whole nation remember the character of the onslaught against us.

No matter how long it may take us to overcome this premeditated invasion, the American people in their righteous might will win through to absolute victory.

I believe that I interpret the will of the Congress and of the people when I assert that we will not only defend ourselves to the uttermost, but will make it very certain that this form of treachery shall never again endanger us.

Hostilities exist. There is no blinking at the fact that our people, our territory, and our interests are in grave danger.

With confidence in our armed forces, with the unbounding determination of our people, we will gain the inevitable triumph -- so help us God.

I ask that the Congress declare that since the unprovoked and dastardly attack by Japan on Sunday, December 7th, 1941, a state of war has existed between the United States and the Japanese empire.

[Source: Off the Base | Bobbie O'Brien | 7 Dec 2012 ++]

December 16–31 Summary

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

- Dec 16 1864 – Civil War: Union forces under General George H. Thomas win the battle at Nashville, smashing an entire Confederate army.
- Dec 16 1917 – USS F-1 (SS-20) sunk after collision with USS F 3 (SS-22) off San Diego, California. 19 died.
- Dec 16 1950 – Korea: President Harry Truman declares a state of National Emergency as Chinese communists invade deeper into South Korea.
- Dec 16 1998 – Iraq: The United States launches a missile attack on Iraq for failing to comply with United Nations weapons inspectors.
- Dec 17 1777 – American Revolution: France recognized American independence.
- Dec 17 1862 – Civil War: General Ulysses S. Grant issues General Order No. 11, expelling Jews from Tennessee, Mississippi, and Kentucky.
- Dec 17 1943 – WW2: U.S. forces invade Japanese-held New Britain Island in New Guinea.
- Dec 17 1944 – WW2: The German Army renews the attack on the Belgian town of Losheimergraben against the defending Americans during the Battle of the Bulge. Within 5 days the 101st Airborne Division is surrounded at Bastogne Belgium.
- Dec 17 1944 – WW2: Battle of the Bulge Malmedy massacre – 90 American 285th Field Artillery Observation Battalion POWs are shot by Waffen-SS Kampfgruppe Peiper.
- Dec 17 1944 – WW2: U.S. approves end to internment of Japanese Americans.
- Dec 17 1969 – The U.S. Air Force ended its "Project Blue Book" and concluded that there was no evidence of extraterrestrial activity behind UFO sightings.
- Dec 18 1916 – WWI: The Battle of Verdun ends with the French and Germans each having suffered more than 330,000 killed and wounded in 10 months. It was the longest engagement of World War I.
- Dec 18 1941 – WW2: Defended by 610 fighting men, the American-held island of Guam falls to more than 5,000 Japanese invaders in a three-hour battle.
- Dec 18 1944 – WW2: The Supreme Court upheld the wartime internment of Japanese-Americans.
- Dec 18 1972 – Vietnam: The Paris Peace talks temporarily fail and President Nixon orders a resumption of full-scale bombing of targets in North Vietnam.
- Dec 19 1777 – American Revolution: George Washington's Continental Army goes into winter quarters at Valley Forge PA.
- Dec 20 1941 – WW2: The Flying Tigers, American pilots in China, enter combat against the Japanese over Kunming.
- Dec 20 1989 – Operation Just Cause, the invasion of Panama, begins to oust General Manuel Noriega and replace him with Guillermo Endara.

- Dec 21 1861 – Medal of Honor: Public Resolution 82, containing a provision for a Navy Medal of Valor, is signed into law by President Abraham Lincoln.
- Dec 21 2004 – Iraq War: A suicide bomber killed 22 at the forward operating base next to the main U.S. military airfield at Mosul, the single deadliest suicide attack on American soldiers to date.
- Dec 22 1944 – WW2: Battle of the Bulge – German troops demand the surrender of United States troops at Bastogne, Belgium, prompting the famous one word reply by General Anthony McAuliffe: "Nuts!"
- Dec 22 2010 – The repeal of the Don't Ask Don't Tell policy, the 17-year-old policy banning on homosexuals serving openly in the United States military, is signed into law by President Barack Obama.
- Dec 23 1783 – George Washington resigns as commander-in-chief of the Continental Army at the Maryland State House in Annapolis, Maryland.
- Dec 23 1941 – WW2: Despite throwing back an earlier Japanese amphibious assault, the U.S. Marines and Navy defenders on Wake Island capitulate to a second Japanese invasion.
- Dec 23 1968 – The 82 sailors from the USS Pueblo are released after eleven months of internment in North Korea.
- Dec 23 2002 – Iraq War: A MQ-1 Predator is shot down by an Iraqi MiG-25, making it the first time in history that an aircraft and an unmanned drone had engaged in combat.
- Dec 24 1814 – War of 1812: Treaty of Ghent signed, ending the War of 1812 between the United States and England.
- Dec 24 1914 – World War I: The "Christmas truce" begins.
- Dec 24 1955 – NORAD Tracks Santa for the first time in what will become an annual Christmas Eve tradition.
- Dec 24 1964 – Vietnam: Viet Cong operatives bomb the Brinks Hotel in Saigon to demonstrate they can strike an American installation in the heavily guarded capital.
- Dec 25 1991 – Cold War: The USSR was declared officially dissolved marking the end of the Cold War
- Dec 27 1944 – WW2: General George S. Patton's Third Army, spearheaded by the 4th Armored Division, relieves the surrounded city of Bastogne
- Dec 29 1812 – War of 1812: The USS Constitution under the command of Captain William Bainbridge, captures the HMS Java off the coast of Brazil after a three hour battle.
- Dec 29 1813 – War of 1812: British soldiers burn Buffalo, New York.
- Dec 29 1890 – The last major conflict of the Indian wars takes place at Wounded Knee Creek in South Dakota after Colonel James W. Forsyth of the 7th Cavalry tries to disarm Chief Big Foot and his followers. U.S. soldiers kill more than 200 Oglala Lakota people with four Hotchkiss guns.
- Dec 30 1813 – War of 1812: British soldiers burn Buffalo, New York
- Dec 30 1862 – Civil War: The USS Monitor sinks off Cape Hatteras, North Carolina.
- Dec 30 1972 – Vietnam: After two weeks of heavy bombing raids on North Vietnam, President Nixon halts the air offensive and agrees to resume peace negotiations with Hanoi representative Le Duc Tho.
- Dec 31 1942 – WW2: After five months of battle, Emperor Hirohito allows the Japanese commanders at Guadalcanal to retreat.

[Source: Various Dec 2012 ++]

As of Dec 2012

Tax Burden for Rhode Island 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 Rhode Island:

Sales Taxes

State Sales Tax: 7% (food, some clothing, precious metal bullion, some burial-related items, prescription and non-prescription drugs are exempt). To see taxes on other items refer to <http://www.tax.state.ri.us/help/grocery.php>.

Gasoline Tax: 33 cents/gallon

Diesel Fuel Tax: 33 cents/gallon

Cigarette Tax: \$3.46/pack of 20

Personal Income Taxes

Tax Rate Range: Low – 3.75%, High – 9.9%.

Income Brackets: Five. (Single) Lowest – \$55,000, Highest – \$125,000 (2011 rates)

Personal Exemptions: Federal exemptions multiplied by \$3,500.

Standard Deduction: Federal amount or if age 65 or older, \$7,500 (single), \$15,000 (married filing jointly).

Medical/Dental Deduction: Federal amount

Federal Income Tax Deduction: None

Retirement Income Taxes: Railroad Retirement benefits are exempt. Out-of-state government pensions are fully taxed. Social Security is taxed to the extent it is federally taxed.

Retired Military Pay: Follows federal tax rules.

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

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

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

Property Taxes

State property taxes are not imposed directly by the state, but a portion of the city and town taxes are set aside for state purpose. Taxes are assessed and collected by the local jurisdiction. Fire district taxes are collected in some rural communities. Homeowners 65 and older who earn \$30,000 or less can get a property tax relief credit of up to \$300. Call 401-222-2280 for details.

Inheritance and Estate Taxes

There is no inheritance tax. Rhode Island imposes a tax on the transfer of the net value of the assets of every resident decedent and the value of real and personal property of nonresident decedents located within this state. The tax is apportioned in accordance with the location of the assets with actual situs (both real and personal property) in another state. The fraction is Rhode Island assets over total estate assets.

The Rhode Island estate tax is designed to absorb the federal estate tax credit for state death taxes. However, the state has decoupled from current federal estate tax laws and adopts the version of the Internal Revenue Code in effect on January 1, 2001. The estate tax exemption is \$892,650. Estates of decedents who are declared missing in action by the armed forces of the United States are not subject to the state's estate tax.

For further information, visit the Rhode Island Division of Taxation site <http://www.tax.state.ri.us> or call 401-222-1111. [Source: <http://www.retirementliving.com> Dec 2012 ++]

Veteran Legislation Status 12 DEC 2012: For a listing of Congressional bills of interest to the veteran community introduced in the 112th Congress refer to the Bulletin's "**House & Senate Veteran Legislation**" attachment. Support of these bills through cosponsorship by other legislators is critical if they are ever going to move through the legislative process for a floor vote to become law. A good indication on that likelihood is the number of cosponsors who have signed onto the bill. Any number of members may cosponsor a bill in the House or Senate. At <http://thomas.loc.gov> you can review a copy of each bill's content, determine its current status, the committee it has been assigned to, and if your legislator is a sponsor or cosponsor of it. To determine what bills, amendments your representative has sponsored, cosponsored, or dropped sponsorship on refer to <http://thomas.loc.gov/bss/d111/sponlst.html>.

Grassroots lobbying is perhaps the most effective way to let your Representative and Senators know your opinion. Whether you are calling into a local or Washington, D.C. office; sending a letter or e-mail; signing a petition; or making a personal visit, Members of Congress are the most receptive and open to suggestions from their constituents. The key to increasing cosponsorship on veteran related bills and subsequent passage into law is letting legislators know of veteran's feelings on issues. You can reach their Washington office via the Capital Operator direct at (866) 272-6622, (800) 828-0498, or (866) 340-9281 to express your views. Otherwise, you can locate on <http://thomas.loc.gov/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> Dec 2012 ++]

Aviation Art (19):



Ramrod - Outward Bound

by John D. Shaw

During the Winter of 1944-45, the skies over Germany were filled with aircraft on 'Ramrod' missions, a term used for long range bomber strikes with fighter escort. The P-51 Mustang, considered by many to have been the finest fighter of the war, was the preferred weapon of most American fighter pilots, and certainly a welcome sight to the bomber crews. Pictured here is the famed triple Ace Bud Anderson in his Mustang "Old Crow", defending B-17s of the 100th Bomb Group during the final days of his WWII combat tour. [Source: <http://www.brooksart.com/Ramrodoutwardbound.html> Dec 2012 ++]

Have You Heard? Two Chiefs

Two Chiefs are getting wiped at the CPO Club when suddenly one of 'em throws up all over himself.

"Damn, now my wife will kill me!", the inebriated Chief said.

The other chief says, "Don't worry. Just tuck a twenty in your breast pocket and tell your wife that someone threw up on you and gave you \$20.00 dollars to have it dry-cleaned."

So they stay for another couple of hours and get even drunker. Eventually they stumble out and go home and this chief's wife starts in on him, "You reek of alcohol and you've puked all over yourself! My God, you're disgusting!"

Speaking very carefully so as not to slur his words, the Chief says, "Now way a mint, I can splain everthin. Ish snot wha jew think. I only had a cupla drrrinks. But thish damn Marine got ssick on me. He had one too many and he juss koudin hold hizz liquor. He said hes was verry sorry an' gave me twennie bucks for the cleaning bill!"

His wife looks in the breast pocket and says, "But this is forty bucks.'

Oh, yeah I almos' fergot, he shhhit in my pants, too.

Naval Lingo: Bully Boy. Bully boys, a term prominent in Navy chanties and poems, means in its strictest sense, "beef eating Sailors." Sailors of the Colonial Navy had a daily menu of an amazingly elastic substance called bully beef, actually beef jerky. The term appeared so frequently on the messdeck that it naturally lent its name to the sailors who had to eat it. As an indication of the beef's texture and chew ability, it was also called "salt junk," alluding to the rope yarn used for caulking the ship's seams.

Let me tell you something that we Israelis have against Moses. He took us 40 years through the desert in order to bring us to the one spot in the Middle East that has no oil!

--- **Golda Meir** (1898-1978 One of the founders of the State of Israel)





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