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**Medicare News Update 02:** The House of Representatives has voted 228-191 to pass Rep. Paul Ryan’s (R-WI.) Path to Prosperity fiscal 2013 budget Resolution 112, which would drastically change Medicare. Ryan’s budget proposal contains provisions to repeal the Affordable Care Act (ACA), overhaul Medicare and Medicaid, drastically cut nondefense spending over the next decade, and reshape the U.S. tax code. It would turn Medicare into a "premium support" system starting in 2025 when Medicare beneficiaries would be given a choice between traditional fee-for-service Medicare and several private insurance plans. Once a beneficiary chooses a plan, the government would send that plan a "premium support" payment equal to either the cost of traditional Medicare or the second least-expensive private plan, whichever is less. Beneficiaries who chose a plan costing more than the amount of the premium support payment would have to make up the difference. The proposal also would change the Medicaid program -- currently a joint federal/state program that guarantees a specific set of benefits -- into a block-grant program, in which states would receive a set amount of money to spend for Medicaid. The proposal includes deficit cuts totaling $3.3 trillion dollars. The bill is not expected to pass the Democratic-controlled Senate. [Source: MedPage Today Emily P. Walker article 29 Mar 2012 ++]

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**Vet Cremains Update 08:** The Missing in America Project and VVA Chapter 357 will honor a special Vietnam Veteran on 31 MAR 2012 at 10 am in a Memorial Service at the Northern California Veterans Cemetery, located at 11800 Gas Point Rd., Igo, CA, 96045. The former Army SP4 became a casualty in 1967 at age 20 while a member of the 1st Cav Division (AMBL) in Quang Ngai Province, Ducpho District, South Vietnam. He was killed when the Medevac helicopter in which he was the door gunner was shot down. His missing remains were eventually recovered and a portion of them along with military photos and paraphernalia were kept by his fiancé at the time. After intense research and verification over 18 months by the Missing in America Project, he will join his peers at last. He will be buried with Honors and Respect in appreciation of all Vietnam Veterans to be honored that day. Questions regarding this MIA’s name and the Memorial Service should be addressed to Fred Salanti (530) 226-9900.

In related news a congressional bill would let the U.S. Department of Veterans Affairs work with veterans groups to identify the remains of former service members and determine their eligibility for burial in a national cemetery. U.S. Sen. Rob Portman (R-OH) co-introduced the legislation with Sen. Mark Begich (D-AK). Portman said 28 MAR that the bill is meant to help nonprofit groups, such as the Missing in America Project, obtain help from the VA to get identification information on deceased former service members without a next of kin. “Those who gave their life in service to our country deserve an honorable burial,” Portman said. “This bill is a step toward ensuring
that eligible veterans receive a proper burial in a national cemetery and are given the respect they rightly deserve.” Linda K. Smith, a spokeswoman for Missing in America, which describes itself as a veterans recovery program, estimated hundreds of thousands of remains may be unidentified. “This bill is extremely important to the veterans,” Smith said. “The veterans need to know that if something happens to them, they will be found and given full military honors.” U.S. Reps. Pat Tiberi, R-Genoa Twp., near Columbus, and Steve Stivers, R-Columbus, have sponsored companion legislation in the House of Representatives.


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Bataan Death March Update 03: Nearly 7,000 participated in a march at White Sands Missile Range on 27 MAR to honor the 70th anniversary of the Bataan Memorial Death March. The special ceremony also drew more than a dozen survivors. The Bataan Memorial Death March honors the World War II Soldiers who suffered during the April 1942 march after thousands of American and Filipino service members surrendered to Japanese forces. Many died during the 80-mile march or became prisoners of war. Around 1,800 New Mexico National Guard members endured the march. It was the fourth year in a row, 93-year-old Bataan survivor, retired Col. Ben Skardon joined the march. "I started when I was 89 years old," Skardon said with a chuckle. Skardon was one of the now-diminishing number of American and Filipino soldiers who endured a nine-day, 80-mile march after having been surrendered to the Japanese during World War II in 1942. Marchers would be bayoneted if they fell too far behind, stopped to relieve themselves or try to take a swig of water from the nearest springs.

"The Bataan Death March was just the beginning; it got worse from there," Skardon said during a speech he gave at the WSMR's Post Theater the day before the march. Of the more than 70,000 that were forced to march, 54,000 made it to the camp sites alive. Two years after the initial enslavement and camp torture, the prisoners were loaded onto ships, 1,000 at a time, in a space only suitable for a fourth of that number. Some ships were torpedoed by the U.S. military due to the ships being unmarked. Survivors from the first attack received treatment and were loaded onto a second ship, which was once again attacked by U.S. Navy divers. A third ship finally took the prisoners to their destination of Mojii, Japan. Skardon recalls the account as the "47 days of horrendous inhumanity." Skardon said he weighed 90 pounds at that time. "I learned how easy it is to die when you lose the will to live," Skardon said.

Skardon was 24 years old and assigned to the 92nd Infantry Regiment at the time. He attributes his survival to two fellow soldiers and Clemson graduates, Henry Leitner and Otis Morgan who cared for him when he fell ill. Before they were forced to march, Skardon said he hid away a can of condensed milk and his Clemson ring in a piece of cloth. He said he would take sips of the milk during the march and drink it between his teeth. When he
became ill, the soldiers who took care of him advised him to exchange his gold ring for food. The ring was exchanged for a chicken and a can of ham. The soldiers cooked and hand-fed him the soup and he soon regained his strength. "I don't have any ax to grind whatsoever. It's really an emotional thing it's a tribute," Skardon said. During the march his nephew, Hooper Skardon, carried both a can of condensed milk and a Clemson University ring, a replacement. Hooper said it was a struggle to get the condensed can of milk through the South Carolina airport security. "We had to go all the way to the top security at the airport. They wouldn't let us go until they advised me to say we needed it for medicinal purposes," Hooper said. [Source: Associated Press article 26 Mar 2012 ++]

Health Care Reform Update 47: The House of Representatives in House Resolution 591 voted 223-181 to repeal the Independent Payment Advisory Board (IPAB) for Medicare, and to restrict medical malpractice lawsuits. The measure is known as H.R.5, the Protecting Access to Healthcare Act, and is sponsored by Rep. Phil Gingrey, MD (R-GA). It would eliminate the IPAB, the 15-member independent panel created under the Affordable Care Act (ACA). If ultimately left in place starting in 2015, the IPAB would be tasked with making binding recommendations on how to reduce Medicare spending. If Congress doesn't agree with the recommended cuts, it would be required to pass its own cuts of the same size. But Republicans, along with some Democrats, oppose the concept, saying it would lead to rationing of medical care. The Obama Administration has noted that under the law, the IPAB is prohibited from recommending changes to Medicare that ration health care, restrict benefits, modify eligibility, increase cost-sharing, or raise premiums or revenues. A review of the IPAB powers makes it clear that Americans should be most concerned. Some of these powers include

- Rationing health care. IPAB is required to achieve specified savings in years where Medicare spending is deemed “too high. The Board is also specifically tasked with cutting provider rates even further than the current proposed annual cuts which will reduce the number of providers willing to participate in Medicare and subsequently make it harder for seniors to obtain care.
- Medicare Trust Fund foots the bill for the IPAB. This means that IPAB’s member salaries ($165,300 for members and $179,700 for IPAB’s chairperson in 2012) will be paid directly out of the trust funds used to pay Medicare beneficiaries’ health care claims. IPAB staff will also be paid out of the Medicare trust funds (up to $145,700 per employee in 2012). So will all travel expenses and stipends.
- Ability to operate in secret. There is no requirement in the 2,200+ page health care law that requires IPAB to hold public meetings or hearings, consider public input on its proposals, or make its deliberations open to the public.
- The authority to accept, use, and dispose of gifts or donations of services or property. This provides a not so subtle invitation for lobbyists to lavish the unelected and unaccountable IPAB members with cash, meals, cars, vacations, or even houses.

Several prominent Democrats voiced support for the IPAB repeal earlier in the month, including Rep. Frank Pallone of New Jersey and Rep. Allyson Schwartz of Pennsylvania, who also authored legislation to repeal the sustainable growth rate (SGR) formula for physician reimbursement under Medicare. However, after House Republicans added a provision to the IPAB bill that limited the amounts of damages awarded in medical malpractice lawsuits to $250,000, Democratic support appeared to disappear. Historically, Democrats (including President Obama) oppose caps on medical malpractice lawsuits. Republicans said the malpractice cap would discourage frivolous lawsuits against doctors and hospitals. The American Medical Association (AMA), which supports the ACA as a whole but opposes the IPAB, praised the House vote.

Ways and Means Committee Chairman Dave Camp’s remarks to the House on 21 MAR prior to the vote pointed out that IPAB, as it is commonly known, is a dangerous new government agency made up of unelected bureaucrats who can meet in total secrecy to decide what seniors will pay and what health care services will be available to
seniors. This unaccountable board has but one objective – to save money by restricting access to health care for Medicare beneficiaries. Nearly two years since its passage, the PPACA remains deeply unpopular, with an Associated Press poll recently revealing that nearly half of the American people oppose the law. IPAB, which is a critical component of the law, illustrates why those concerns are still so strong. A separate poll confirms that opposition far outweighs support with:

- Seventy-three percent expressed concern that Medicare cuts recommended by IPAB could go into effect without Congressional approval, even if IPAB's recommendations overturn a law previously passed by Congress;
- Seventy-one percent expressed concern that changes made to Medicare based on IPAB's recommendations cannot be challenged in court; and
- •Sixty-seven percent worry that IPAB could choose to limit which specific health services are covered by Medicare.

Camp said The American people have every reason to be worried. We should be protecting and empowering our seniors, not jeopardizing their access to health care. Yet IPAB removes seniors, physicians and families from the decision-making process about how to best meet their health care needs. Instead of giving seniors more choices, these unelected bureaucrats will take away choices from patients, doctors and families. This “government knows best” approach is why Americans across the country support repeal – and it is also why there is strong bipartisan support here in Congress to repeal IPAB. When the Ways and Means Committee considered this legislation, we received numerous letters from groups across the nation representing employers, patients, doctors and health care professionals who voiced strong support for IPAB repeal. The groups span across the political spectrum and include Easter Seals, the Alliance of Specialty Medicine, the Veterans Health Council, Freedomworks and Americans for Tax Reform. In total, over 390 groups have signed letters asking that Congress repeal IPAB and I ask unanimous consent that these letters be submitted into the record. America’s seniors deserve better. Without reform, the Medicare Trustees have said that Medicare will soon go broke and not be able to provide the benefits seniors rely on. With more and more Americans becoming eligible for Medicare each day, no time is more urgent than now to secure the future of beneficiaries’ access to care. IPAB does just the opposite – it threatens seniors’ access to health care – and that is why it must be repealed.

Unfortunately, the bill is likely dead on arrival in the Senate, and the White House threatened to veto the bill if it does pass the Senate. Obama has called the IPAB a crucial component for restraining the growing cost of Medicare. [Source: MedPage Today Take Posttest & NAUS Action alert articles 22 Mar 2012 ++]

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Health Care Reform Update 48: The Supreme Court scheduled three days of hearings on the landmark healthcare reform law. On 25 MAR it heard arguments on the Anti-Injunction Act, which prohibits a lawsuit from being brought over a particular tax until that tax actually takes effect. The second day of oral arguments centered on the minimum coverage provision -- commonly known as the individual mandate.

Conservative justices hurled sharp questions at the government lawyer defending the Affordable Care Act (ACA). Oral arguments centered on the minimum coverage provision which is the ACA’s requirement that nearly every U.S. citizen have health insurance or else pay a penalty. It's the most contentious and arguably the most important provision in the entire law. Opponents of the law -- including the 26 states who are suing the Obama administration over the ACA -- say it's a violation of the Commerce Clause of the Constitution to require people to engage in the commerce of healthcare, especially because they are penalized for not participating in commerce. That penalty, opponents say, amounts to regulating inactivity rather than activity. Penalizing someone for inactivity in a particular stream of commerce would be unprecedented, Paul Clement, former George W. Bush administration solicitor general, argued on behalf of the 26 states.
U.S. Solicitor General Donald B. Verrilli argued on behalf of the government that U.S. citizens can never truly stay out of the commerce of healthcare because, at some point, everyone is going to need medical treatment. Thus, not purchasing insurance isn't inactivity, because everyone will participate in the commerce of healthcare eventually. And when that time comes, if the person in question is uninsured and can't pay for his or her treatment, others will absorb the cost of their care in the form of higher premiums. But some justices didn't seem to accept that idea. "It may well be that everybody needs healthcare sooner or later, but not everybody needs a heart transplant, not everybody needs a liver transplant," said Justice Antonin Scalia, who's expected to be a reliable vote against the law. He was referring to a provision in the law that sets a minimum for what insurance plans must cover. Under that minimum coverage template a young healthy person who currently doesn't have insurance would be forced to buy a plan that covers organ transplants, prenatal care, and other medical services that person may never use. Chief Justice John Roberts seemed to agree with that point, adding that: "Not everyone is going to need pediatric or maternity care, but you're requiring them to purchase that."

Scalia also said that if Congress could tell people it had to buy insurance, then it could essentially tell them they had to buy anything, including broccoli or gym memberships.

Verrilli argued that the law doesn't make people buy health insurance for the sake of buying something and spurring commerce (as forcing everyone to buy broccoli would). That would be illegal because Congress cannot pass a law to force commerce, only to regulate existing commerce. Rather, the law is a means of financing something that everyone already uses -- healthcare. "You're not regulating healthcare," Scalia responded. "You're regulating insurance. It's the insurance market that you're addressing and you're saying that some people who are not in it must be in it, and that's different from regulating in any manner commerce that already exists out there." The more left-leaning justices -- Sonia Sotomayor, Elena Kagan, and Ruth Bader Ginsburg -- largely asked questions that indicated their support of the law. Ginsburg even seemed to try and guide Verrilli back to the administration's main arguments several times. "I thought what was unique about this is it's not my choice whether I want to buy a product to keep me healthy, but the cost that I am forcing on other people if I don't buy the product sooner rather than later," Ginsburg said. Without the mandate, many people would not buy insurance (as happens now) or would wait to buy insurance until they are sick, mandate supporters argue.

Supreme Court observers have generally predicted that the final vote will be 5-4 in favor of the law, with Justice Anthony Kennedy siding with the court's four most liberal justices. However, Kennedy asked questions to both sides Tuesday that indicated he was perhaps undecided, including asking repeated questions about how requiring the purchase of health insurance differs from requiring people to purchase other goods. "I'd say this morning he looked like he had serious questions, maybe not on the whole law, but at least on the constitutionality of the mandate," said Rep. Michael Burgess, MD (R-Texas), who was in the courtroom for Tuesday's arguments. On the other hand,
Burgess also said he was a “little startled” by some of the questions asked by Roberts, who he figured would come down solidly against the individual mandate. Roberts pointed out several times that the healthcare market differs from other markets because everyone will need healthcare at some point. Walter Dellinger, who was solicitor general under President Bill Clinton said that he didn’t think Kennedy or Roberts gave a strong indication of how they were going to vote. “It's going to be a little closer than I thought,” Dellinger said. But he added, “I think the government's going to win.” [Source: MedPage Today Emily P. Walker article 27 Mar 2012 ++]

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Health Care Reform Update 49: The Supreme Court justices seemed to be at odds over whether the entire Affordable Care Act (ACA) would have to be scrapped if the court rules that the law's individual mandate provision is unconstitutional. The last day of oral arguments on the healthcare reform law centered on what should happen if the law's provision that requires everyone to have health insurance starting in 2014 is found to violate the Constitution -- a question often referred to as the "severability" of the mandate.

The Obama administration argues that if the mandate were struck down, the bulk of the law should be allowed to stand. "Isn't a half of loaf [of bread] better than no loaf?" asked Justice Elena Kagan, questioning whether it would be wise to ditch the sweeping healthcare reform law wholesale -- including the law's noncontroversial provisions -- just because one piece may have to be removed. No, said Paul Clement, the lawyer for the 26 states that are suing the federal government over the law. Sometimes no loaf is indeed better than a half of loaf, he said. In the case of the ACA, the mandate is too integral to the overall survival of the whole law. "If individual mandate is unconstitutional, then the rest of the law cannot stand," Clement argued to the justices Wednesday morning. "If you don't have the individual mandate to force people into the market, premiums will skyrocket." Clement suggested if the mandate is struck down, the whole law should be overturned and Congress can then work to rebuild the parts it wants, piece by piece. Keeping bits and pieces of the law intact is politically complicated and it takes too much work to try and meld the remaining pieces into a policy that works, he argued. The line of questions from left-leaning justices seemed to indicate they disagreed that no part of the law could function absent a requirement that everyone is insured.

- "It's a choice between a wrecking operation and a salvage job," said Justice Ruth Bader Ginsburg. "Wouldn't a salvage job be better?"
- Justice Stephen Breyer agreed and said his "totally off-the-cuff impression" was that it didn't seem necessary to scrap provisions in the ACA that related to disease prevention, biosimilars, or giving doctors incentives to practice in underserved areas, for instance.

Deputy Solicitor General Edwin Kneedler, arguing on behalf of the Obama administration, argued that two key provisions of the law – requiring insurance companies to cover all patients, including those with preexisting medical conditions and not charging higher premiums based on a person's medical history – could not work without the mandate, but that the rest of the law should stand.

- Kneedler argued that if the mandate is found to be unconstitutional, the law should remain largely intact, and Congress could decide how it wanted to change the existing law.
- Justice Anthony Kennedy said it would be "an extreme exercise of judicial power" if "one provision was stricken and the others remained to impose a risk on insurance companies that Congress had never intended." He suggested it would be less extreme to strike the whole law.
- Justice Antonin Scalia pointed out the political ramifications of sending a law with its "guts" cut out back to Congress. Many provisions in the law were added by congressional leadership in order to gain votes of individual members of Congress. Without the main part of the law -- the individual mandate -- "who knows which of them were really desired by Congress ... and which ones weren't," he said.
Because no side took the position that just the mandate should be severed, the Supreme Court appointed an outside lawyer -- H. Bartow Farr -- to argue that position. Farr said there are enough other incentives in the ACA to get insurance that every other provision in the law could stand if the mandate is struck down. The court is expected to rule on the case in June. The court closed out its 3 days' oral arguments on the healthcare reform law on Wednesday afternoon, when it heard arguments on the ACA's expansion of Medicaid. Wednesday's arguments were notably less feisty than Tuesday's arguments, which centered on the most contentious issue of the case: the individual mandate. On Monday the court heard arguments on whether a tax law called the Anti-Injunction Act should prevent the Supreme Court from issuing a decision on the case this year. [Source: MedPage Today Emily P. Walker article 28 Mar 2012 ++]

Cell Phone ICE: Car accidents and medical emergencies happen all the time too. If you were unconscious, would first responders know how to contact your family? Could paramedics find out about your medications, allergies, or health conditions? Fortunately, it takes five minutes and zero dollars to make sure those first responders can reach your emergency contacts if you’re the one unconscious. You just have to “ICE” your cell phone. “ICE” stands for “in case of emergency.” If you add the prefix “ICE” to your emergency contacts in your phone’s contact list, first responders will know to call them first. So if Jane Doe is your emergency contact, simply change her entry in your contact list from “Jane Doe” to “ICE: Jane Doe.” A paramedic in the United Kingdom, Bob Brotchie, came up with the idea. Perhaps you remember when he promoted the ICE system in 2005, gaining a lot of media attention as the system caught on in other countries, especially after the London bombings that summer. Even though the ICE system made national headlines in the United States, haven’t “iced” their phones. If you haven’t, stop what you’re doing and update your phone contact list right now. It won’t cost you more than a few minutes – and it could save your life some day. Here are tips for getting the most out of your icing…

- Don’t password protect your phone or icing it is pointless. Alternatively, some phones have programmable ICE buttons that a first responder can press to call your emergency contacts without having to unlock the phone. Ask your carrier if your phone has this ability.
- “ICE” multiple emergency contacts. In case one emergency contact can’t get to the phone when the paramedics call, pick two or three emergency contacts. Some people who have multiple ICE contacts label them something like “ICE1: Jane Doe,” “ICE2: John Doe,” etc. That way, the paramedics will know you have multiple emergency contacts, regardless of which one they scroll to first.
- Use relationships instead of names. For example, your ICE contact might be labeled “ICE: mom” instead of “ICE: her name”. Do this for non-ICE contacts too, just in case. So my brother is in my phone as “brother” instead of “Peyton.” If a person finds your and is nice enough to try to return it, he/she would know which would be a good contact to call to let you know where the phone could be picked up.
- Supplement your ICE. If you have any medical conditions or drug allergies or take any medications, you should have more than ICE for emergencies. If not a medical bracelet, put something in your wallet.
- ICE friends and family. Next time you talk to your folks or others you love that could benefit from ICEing, tell them about it. And if they’re tech-challenged, do it for them.
[Source: MoneyTalksNews Karla Bowsher article 22 Mar 2012 ++]

Military ID Card (Retiree) Update 03: Under a new initiative, ID card customers can schedule an individual appointment and circumvent the waiting line. Walk-in customers at ID card facilities can experience wait times of two hours or more during periods of peak demand. Now, civil servants and contractors are now filling customer service roles previously handled by active-duty personnel at Personnel Support Detachments (PSD) and
Customer Service Detachment (CSD) Defense Enrollment Eligibility Reporting System (DEERS) and Real-Time Automated Personnel Identification System (RAPIDS) sites throughout the United States, Hawaii and Guam. An emphasis on prompt service and customer satisfaction is the focus of this new initiative. The vast majority of patrons who arrive at a scheduled appointment with proper documentation are in and out in less than 20 minutes. “With a little bit of planning you can save a lot of time,” said Chuck Sexton, assistant program manager for this initiative with Commander, Navy Installations Command. “DEERS and RAPIDS customers with scheduled appointments normally are seen within minutes of their allotted time. And, making an appointment is fast and easy via the online appointment scheduler located at: [https://rapids-appointments.dmdc.osd.mil/?AspxAutoDetectCookieSupport=1](https://rapids-appointments.dmdc.osd.mil/?AspxAutoDetectCookieSupport=1)

Having all the necessary documents is key to a successful visit to the ID card office. At a minimum, a valid state- or federal-government-issued picture ID is required and additional documents are often necessary to fulfill certain requests. A listing of required documents can be found on the appointment scheduler website or by calling the local office for clarification. Local office phone numbers are listed on the scheduler website. Customer service hours are between 7:30 a.m. to 4 p.m. local except the Navy Exchanges in Norfolk, Va., and Oak Harbor, Wash., which are open from 9 a.m. to 5:30 p.m. and Poutuxent River, Md., Pass & ID with operations between 6:30 a.m. to 3 p.m. Weekend hours vary by location. For further information such as locating the nearest ID card facility and additional details relating to benefits and eligibility, such as FAQs, go to: [http://www.public.navy.mil/bupers-NPC/SUPPORT/PAYPERS/ID_CARDS](http://www.public.navy.mil/bupers-NPC/SUPPORT/PAYPERS/ID_CARDS). [Source: Shift Colors Spring 2012 ++]

SECNAV Retiree Council Update 02: Applications are now being accepted for the Secretary of the Navy Retiree Council. Applications must be received by 30 SEP. Here’s how to apply. Submit a one (1)-page bio/resume with the following:

- Your full name, address, phone number, e-mail address and Social Security Number. (Left side top)
- One paragraph highlighting your military career to include highest rank achieved, designator (if applicable), military specialty, total years of active duty, total years of service (if applicable) and entry date. Additionally, provide a brief summary of current civilian career.
- One paragraph identifying all volunteer work, Retired Activities Office (RAO) affiliation, and/or membership in civic and other organizations.
- Education (Associate Degree, Bachelors Degree, Masters Degree, Ph.D and field of study as appropriate).
- Include a brief statement on how you can contribute to the RC.
- A recent snapshot photo. It is requested that picture be placed on the one page application at the top right hand corner (head and shoulder shot). Photo should be no larger than 2 ½ inches by 3 inches. (Right side top)

Send applications to: Department of the Navy, OPNAV N135C, Retired Affairs, 5720 Integrity Drive Millington, TN 38055-6200. Selection is scheduled for October with appointment scheduled for December. For more information, contact Navy Retired Affairs toll-free at (866) 827-5672 or (901) 874-4308. Another way to assist the Naval retiree community is to volunteer at your local Retired Activities Offices (RAO). The Navy currently has 32 offices worldwide that are staffed by retiree volunteers. The Navy depends heavily on volunteers to run these offices. The volunteers are trained to assist other retirees, their families and survivors in receiving their earned benefits, aid family members when a retired service member dies, and plan and conduct annual Retiree Appreciation Days or Retiree Seminars. Most RAO volunteers spend a few hours a week in the office. If you are interested in being a volunteer, please contact your nearest RAO or call the Navy’s RAO program manager at (866) 827-5672 ext. 4308. [Source: Shift Colors Spring 2012 ++]
Security Clearances: Being denied a security clearance or having your security clearance revoked by the Naval Criminal Investigative Service (NCIS) can have lasting effects that ripple through your personal and professional life. Failure to maintain your security clearance can have these effects:

- There is possibility of a rate conversion, which may have significant impact on future advancement and promotion boards.
- Even if no rate conversion, working outside your rate for a period of time due to clearance issues will most often have a negative effect on your fitreps/evals.
- Possibility of being forced to retire or discharged from service.
- Difficulty gaining employment in private sector due to employment/clearance issues.
- If your command and/or Big Navy allows you to stay, once the clearance is denied/revoked you will have to wait one year before you can request a reconsideration per (SECNAV M. 5510.30, Sec 8-6, page 8-13.)

Most of the time the above be avoided by taking a few small actions. Personal Conduct, Financial Considerations and Criminal Conduct account for approximately 80% of the Department of the Navy denial issues. In a security clearance denial/revocation action the major players and the roles they play are:

- DONCAF: The Department Of Navy Central Adjudications Facility: Adjudicates the background investigations and identifies potentially disqualifying information and makes the initially suitability determination.
- DOHA: The Defense Office of Hearings and Appeals: provides the member an opportunity to make a personal appearance and discuss the issues at hand. DOHA then sends their recommendation to the PSAB.
- PSAB: The Personnel Security Appeals Board is the Final Decision Authority for all Dept of Navy unfavorable personnel security determinations.

If you receive a Letter of Intent (LOI) to deny eligibility for security clearance it is the beginning of a number of stages of administrative actions to deny or retain/obtain your clearance. These are:

**Stage 1: LOI Receipt** - The LOI is a warning that something in your background investigation will need to be addressed or your security clearance may be revoked or denied. The LOI is accompanied by a document called the Statement of Reasons (SOR). This document is issued by the Department of the Navy Central Adjudication Facility (DONCAF) and indicates exactly what was found in your background investigation that will need to be addressed.

**Stage 2: Appealing the DONCAF LOI/SOR** - If you receive an LOI with SOR it is vital that you take action immediately. The SOR can be used as a road map to form your appeal. The SOR will list the exact reasons that need to be mitigated before the security clearance can be granted/reinstated. And will provide insight as to the types of documents you should try to obtain to help your case. The BEST thing to do is use the SOR as a template and find/provide proof that every item in question can be mitigated. At this stage it is absolutely vital that you provide documentation to support your claims. (Example: Saying that a debt that is included on your credit report is an error is not as convincing as a letter from the creditor stating that the debt was reported in error and will be removed from the credit report.)

**Stage 3: Forwarding the Appeal** - The Appeal to the LOI/SOR is forwarded from the member’s command directly to DONCAF. The documents, statements and command endorsements will be carefully weighed to determine if the SOR issues have been properly mitigated.

- If YES: If the documents provided have successfully mitigated ALL issues listed on the SOR then your security clearance/Eligibility for access to a sensitive position will be granted and the process is over.
If NO: If your LOI Appeal documents are not sufficient to mitigate ALL issues on the SOR, then your clearance/eligibility access will be denied and a Letter of Notification (LON) will be issued.

Stage 4: LON - The Letter of Notification serves as notice that your Security Clearance or access to a sensitive position has been officially denied or revoked. This will tell you in general terms that your original appeal to the LOI/SOR was not sufficient and that more information is required to mitigate the issues listed on the SOR. The LON will tell you the overall issues (i.e. personal conduct and/or financial considerations) at hand and will refer you back to the SOR to reference the exact personal or financial issues that still need to be mitigated. Upon receipt of this letter your access to classified information and/or assignment to sensitive duties will be immediately terminated. (per the instructions for Handling the Letter of Notification.)

Stage 5: NOIA - The LON issued by DONCAF will be accompanied by a document called the Notice of Intent to Appeal (NOIA). This document gives the member the opportunity to choose whether or not to try and appeal the denial/revocation and the method in which to appeal. There are two options in which to appeal.

- Appear before a DOHA Administrative Judge who will, in turn, forward a recommendation to the PSAB. (Refer to Stage 6).
- Submit a written appeal directly to the PSAB. (Refer to Stage 7)

Regardless of the choice that is made this document will need to be returned to DONCAF within 10 calendar days of receipt before further action can take place.

Stage 6: Personal Appearance Appeal - If you choose to make a personal appearance before an Administrative Judge (AJ), you will be contacted by DOHA to schedule the appearance. Once your hearing is completed the AJ will write a recommendation based on all information provided and forward the recommendation to the PSAB who makes the final determination.

Stage 7: Written Appeal - If you choose to make a direct written appeal to the PSAB, you will be required to provide any mitigating documents, statements, command endorsement, etc. directly to the PSAB within 30 calendar days of signing the NOIA.

Stage 8. PSAB Action - The Personnel Security Appeals Board will review all documentation to include the member’s appeal documents, the AJ’s recommendation and the historic case file provided by DONCAF and make a final determination based on the whole person concept.

- YES decision: If the PSAB decides to overturn the DONCAF denial the clearance will be granted or reinstated. (May be a “conditional” reinstatement whereby certain conditions will be placed on the appellant for them to retain their clearance).
- NO decision: If the PSAB decides to uphold the DONCAF decision the appeal process will be closed and the member will have to wait one year from the date of the final decision before they can request a reconsideration.

The key to a successful appeal is ‘PROOF’. Since the vast majority of denials/revocations are based on financial issues, one is used in the following example of what will happen. If your SOR listed a number of bad debts, you will want to find documentation to show that you have satisfied the debtor that you are working on a resolution. A letter from the creditor stating that the debt has been satisfied is the BEST way to do this. Documentation that might satisfy the requirements would be:

- Letter from your creditor documenting a payment or payments that have been made can show that you are working toward a resolution.
A cancelled check payable to the creditor is sufficient to documents payments. (but remember providing a copy of just the front of the check does not prove that the payment was completed!)

A Current credit report clearly stating that the debt has been “Paid”, “Paid in full”, “Settled in Full” may also be sufficient provided the account numbers can be verified and the same debt in question on the SOR.

Documentation that will not satisfy the requirements would be:

- Copy of the front of a check written to your creditor. (without indication that the check has been cancelled, there is no proof of payment)
- Copies of Money Orders
- Simply stating that the Debt has been satisfied. (at this stage it is not what you say it is what you can prove)
- If you plan to satisfy your debts VIA a Debt Management Plan. Simply enrolling in the plan will not be sufficient documentation. You will need to provide documents that indicate exactly which debts are included in the Debt Management Plan. You will also have to show a history of making the required monthly payments to this plan. The earlier you begin this process the better as it gives you more time to demonstrate a good-faith effort to resolve your debts.

Tips:

- Be honest! Not listing arrests, financial issues, drug use, etc. will come back to haunt you later and only hurts more in long run if it is found that you were trying to be deceptive.
- DONCAF will pull a credit report and criminal record. You cannot hide this! It is always a good idea to pull your own credit report in order get clear picture of your current debts, before applying for a security clearance. And especially at the beginning of your appeal process assuming financial considerations is a concern.

[Source: Military.com Career News article 27 Mar 2012 ++]

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Medal of Honor Update 10: They call them “Honor Flights.” The airplanes bring veterans to Washington, D.C., to tour memorials that honor their service. The oldest vets -- those from World War II -- get preference. But an Honor Flight on 22 MAR bore some extra-special passengers. “Flagship Liberty” made just a short hop -- from NYC’s LaGuardia to DC’s Reagan National. On board was a remarkable platoon: all members of the nation’s small company of living Medal of Honor recipients. Whatever you do, don’t call them “winners.” Yes, the Medal of Honor is the highest award given to an American military service member. It recognizes extreme courage and intrepidity during combat. But every recipient would tell you, they didn’t “win” anything. The men who wear the blue ribbon see themselves as representing all who have served their nation with courage and character. After all, since the Medal of Honor was established during the Civil War, more than 40 million Americans have defended their nation. Fewer than 3,500 have received the Medal of Honor, but they stand up for all “American citizens who have demonstrated courage and selflessness in their daily lives,” said Silas R. Johnson, Jr., president of the Congressional Medal of Honor Foundation (http://www.cmohfoundation.org). The men aboard “Flagship Liberty” came to Washington to make just that point. March 25 was Medal of Honor Day, marking the 149th anniversary of the presentation of the first medal. To mark the occasion, the delegation laid a wreath at the Tomb of the Unknowns in Arlington National Cemetery. Only a few dozen Medal of Honor recipients are still with us.

Sadly, America lost William R. Charette, 79, on 18 MAR. On 27 MAR 1953, Charette was serving as the medic for a Marine Corps infantry unit fighting communist forces near P’anmunjom. Amid combat, he became separated from his platoon. While searching for his men, he learned that another group of Marines had decided to lead an assault on the enemy. “When they told us to start going forward I thought, ‘I’ll wait until my platoon catches up,’” Charette said in the 2002 book ‘Medal of Honor’. “But the sergeant stood up. He had a machine gun and his words
were very encouraging: ‘Okay, men, move on out, because if they don’t kill you, I will.’ Charette advanced. Throughout the battle, he repeatedly and unhesitatingly moved about through a murderous barrage of hostile small-arms and mortar fire to render assistance to his wounded comrades, according to his Medal of Honor citation. From a promontory above the Marines, the communist forces began lobbing grenades on to the Americans. “There were so many going off there was no way to count them,” Charette once said. “It was just a constant roar.” As he was tending to a severely wounded Marine, a grenade bounced a few feet away. Acting on instinct, he later said, he laid himself over the wounded Marine. His body absorbed the blast, protecting the Marine from further injury. When he came to, he couldn’t see because his eyes were covered in his own blood. Although wounded from the explosion, he continued to care for his comrades. Having lost his medical pack in the blast, he tore off strips of his own clothing to use as bandages. He gave up the remnants of his combat jacket to an injured Marine who was shivering in the frosty air. Later, Charette exposed himself to enemy fire while he hoisted a wounded Marine to safety. “I could hear the bullets zipping by my head,” Chief Charette told a Veterans of Foreign Wars publication in 2003. “But I couldn’t leave the guy there.” For his action he was awarded the Medal of Honor.

William R. Charette,

Perhaps the most remarkable thing about this elite Band of Brothers is that, after all their extraordinary service and sacrifice under arms, they are still giving to their nation. Much of their selfless legacy is accomplished through the Congressional Medal of Honor Foundation and its educational curriculum at www.cmoedu.org. Teaching lessons in character, from the experience of those who served, the online curriculum offers brief videos presenting living biographies of more than 100 Medal of Honor recipients. These testimonials provide the basis for a six-part curriculum that teaches students how to better understand and emulate the virtues of courage, integrity, sacrifice, commitment, citizenship and patriotism. The interdisciplinary character development resource, “Medal of Honor: Lessons of Personal Bravery and Self-Sacrifice,” uses the oral histories of Medal of Honor recipients to convey to high school and college students that not only in military circumstances, but in everyday life, everyone can demonstrate courage and sacrifice. As long as America produces men and women like these recipients, it will be a nation worthy of these recipients. Their work with the Medal of Honor Foundation aims to make sure that every generation of Americans may rise to become “the greatest generation.” [Source: FoxNews.com James Jay Carafano article 25 Mar 2012 ++]

Alzheimer's Update 09: A researcher at the Veterans Affairs Greater Los Angeles Healthcare System has pinpointed how vitamin D3 works with some of the body’s cells to help clear the brain of amyloid beta, the main component of plaques that are seen in Alzheimer’s disease. Vitamin D3 may activate certain genes and cellular signaling networks to trigger the immune system to clear amyloid beta. An abstract of the study is available under the “pages 51-62” section on the Journal of Alzheimer's Disease website at http://www.j-alz.com/issues/29/vol29-1.html. [Source: Military.com article 26 Mar 2012 ++]
Stolen Valor Update 62: Under fire for embellishing his service in the Navy during the Vietnam War, Mayor John Spodofora has decided he will not seek re-election this year, according to the local Republican Club. In an email to club members late Friday night, the club’s screening committee said it was notified 22 MAR by Spodofora that he had withdrawn his request for the club’s endorsement in the November election. During a Township Council meeting Spodofora admitted he was never in Vietnam despite previously stating he could not reveal what he did in the war because he was a spy or “a spook.” He also said on his campaign website that he was awarded the “Vietnam War Medal of Valor,” which does not exist, and called himself a “Vietnam veteran.” The “Medal of Valor” was awarded to Spodofora by a hunting club in Tucson, Ariz. The admission came amid a controversy which erupted when Republican Club President Martha Kremer started looking into Spodofora’s stated service record a couple of months ago. Kremer’s late husband, Kirk, served in the Army’s 173rd Airborne in Vietnam from 1968 to 1969.

Mayor John Spodofora

Before the dispute over his military records surfaced, Spodofora was expected to receive the Republican endorsement to run for re-election without opposition for the nomination. Because the club by-laws require that a candidate be screened, or interviewed, before being voted on for an endorsement and only Spodofora was screened to run for mayor, the committee plans to propose that the rule be suspended at the next club meeting. The committee will recommend that a motion be adopted that would allow anyone to be nominated from the floor to run for the office of mayor, according to the email. “This notice is to let you know there is currently no candidate for mayor for the Stafford Township Republican Club at this time and we will have to select one next Monday since the state petition deadline is the following Monday, April 2,” the email reads. April 2 is the deadline for candidates to file petitions to run in the June 5 primary election. “We discussed many options, complications and alternate proposals but believe this option is the most democratic way to proceed,” the email says. “It, of course, is only our recommendation. This email is to notify the club of this recent turn of events.” [Source: Asbury Park Press Erik Larsen article 22 Mar 2012 ++]

Vet Jobs Update 55: Freshman House member and Air Force Veteran Representative Jeff Denham’s H.R.4155 “Veterans Skills to Jobs Act, would help vets qualify for federal jobs by requiring all federal agencies to use relevant military training and experience as the equivalent of federal licensing and certification. These licenses and certifications are particularly important in the fields of aerospace, communications and maritime occupations. In a statement explaining his bill Rep. Denham said that the federal government should be an example to the states that are looking for ways to improve veterans transitions. “America is blessed with the strongest, most capable and professional military in the world. Unfortunately, even though many of our veterans have the training to perform a wide variety of occupations, the private sector and even other departments of the federal government do not
recognize this training.” The new bill has only one co-sponsor, Rep. Tim Walz (D-MN) who is the highest ranking enlisted retiree ever to serve in Congress. Both these men have served and understand the worth of the training and experience servicemembers get for future occupations. [Source: TREA News for the Enlisted 23 Mar 2012 ++]

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**Army Twilight Tattoo:** The history of Twilight Tattoo began more than 300 years ago as British troops were summoned from the warmth and hospitality of local pubs by a bugle and drum call to return to the barracks. The familiar tune told tavern owners “doe den tap toe,” or “time to turn off the taps.” The troops knew the call to mean “taps off,” and minutes later they were back in their tents. The modern-day call is known as “Tattoo” and during basic training the call signals the time to quiet down and hit the bunks. For the U.S. Army Military District of Washington (MDW), the call serves as a tribute dedicated to the vitality of our nation and to the sacrifices of those who forged America into the land of the free and the home of the brave. It is for our forefathers and fellow Americans that MDW proudly presents “Twilight Tattoo.” If you live near Washington, D.C., or plan on visiting the nation’s capital this summer you might want to take advantage of the free Army Twilight Tattoo.

Twilight Tattoo is an hour-long military pageant featuring Soldiers from the 3rd U.S. Infantry Regiment (The Old Guard) and The U.S. Army Band “Pershing's Own.” Those who attend can experience a glimpse into American history through performances by The U.S. Army Blues, vocalists from The U.S. Army Band Downrange, The Old Guard Fife and Drum Corps, and The U.S. Army Drill Team. This performance is open to the public. Bleacher seating is on a first-come, first served basis. Inclement weather will cancel the show. A weather decision will be made by 3:30 p.m. the day of the Tattoo. Call the MDW Events Line 202-685-2888 for the official weather decision. Pre-ceremony pageantry begins at 6:45 PM. Performances begin at 7 PM. Performances from April 25 through June 27 will be located at Summerall Field on Joint Base Myer-Henderson Hall in Arlington, Va. Performances from July 11 through August 29 will be located at Whipple Field on Joint Base Myer-Henderson Hall in Arlington, Va. For directions refer to [http://www.twilight.mdw.army.mil/attendance.html](http://www.twilight.mdw.army.mil/attendance.html). For more information on group reservations, contact the U.S. Army Military District of Washington at (202) 685-2888 or email mailto:ncr.webeventsmail@jfhqncr.northcom.mil. The 2012 Schedule is:

Wednesday – April 25
Wednesday – May 2
Wednesday – May 9
Wednesday – May 16
Wednesday – May 23
Wednesday – May 30
Wednesday – June 6
Wednesday – June 20
Wednesday – June 27
Wednesday – July 11
Wednesday – July 18
Wednesday – July 25
Wednesday – August 1
Tricare User Fees Update 81: On 21 MAR, the House Armed Services Subcommittee on Personnel held a hearing on Military Health Care. Representing DoD was Assistant Defense Secretary for Health Affairs Dr. Jonathan Woodson and the three Surgeon Generals of the Army, Navy and Air Force. After reporting on the state of Military Health Care, Dr. Woodson outlined why DoD is “readjusting” TRICARE fees and copays. Woodson emphasized that these proposals are “line-driven, uniform-driven,” and approved by the entire Joint Chiefs and the senior enlisted members of the services. Answering a question, the Health Affairs Assistant Secretary threatened that if these TRICARE proposals were not approved, a force reductions of 30,000 to 50,000 troops would likely occur. In regard to the proposed Tricare fee increases some of the Committee members responses were:

- Subcommittee Chairman Rep. Joe Wilson (R-SC) said, “What is not clear to me is why, aside from the revenue being generated from the fees, DoD believes enrolling these participants is necessary. What benefit can these individuals expect to receive from enrolling? 60 percent of the estimated cost saving from TRICARE proposals is based on military retirees opting out of TRICARE or using it less. Frankly, I think this plan is wrongheaded and designed to encourage retirees not to use their benefit”. Woodson assured him the goal is to save defense dollars, not “drive people away from their Tricare benefit.”

- Rep. Allen West (R-FL) made several welcomed on-point statements in response to the TRICARE proposals. The Florida Republican said, “…the population of the United States of America is about 350 million…you provide to about 9.6 million beneficiaries. Are we supposed to believe that less than one percent (of Americans) are causing the fiscal woes of the country?” There are billions of dollars in redundant government programs that should be curbed, he said, “before we start penalizing the people that have given a lifetime of service to this country.” Referencing a town hall meeting he recently held in Florida, Rep. West said that the retirees are livid because no one is talking about these proposals. And they say it is not about a dollar amount but about a trust factor. He succinctly finished his statement by saying “…you have to tell Secretary Panetta this (TRICARE proposal) is FUBAR.”

- Rep. Bordallo (D-GU) asked Dr. Woodson if DoD had yet seen any decrease/increase in the costs of military health care since the draw down in Iraq? Dr. Woodson initiated a monologue of how military health care is driven by the costs in the civilian world and that DoD still will have numerous costs in aiding with the recovery and rehabilitation of our injured and ill members returning from both conflicts. (One has to wonder whether DoD pays the same as civilian doctors for liability insurance … oh, that’s right, it doesn’t.)

NAUS Note: It sure seemed convenient for Dr. Woodson to pass the blame for the proposals on to the uniformed leaders of the services, both officer and enlisted. Of course they would agree. As DoD Secretary Panetta said regarding military acceptance of the Pentagon plan to hike TRICARE fees, “They go when they are told to go and do what they are supposed to do.” NAUS thanks Chairman Wilson and members of the House Armed Services Personnel Subcommittee for staunch support of military and veterans benefits. To see the proposed steep increases in the Pentagon plan for TRICARE go to http://www.naus.org/Documents/TRICARE%20Cost-share%20chart.pdf.

To defeat the DoD package, the National Association of Uniformed Services (NAUS) needs your help. Call, tweet, write your congressman, write your senators. Tell them, and do not let up until the Pentagon plan is defeated.
Let them know you’re outraged by the Pentagon plan to shift the cost of your promised health care back to your pocketbook. Ask your family, friends and neighbors to get involved too. Keep sending the emails. If they don’t hear from you, they’ll think everything is okay … and it isn’t. NAUS encourages you to use their NAUS CapWiz system at http://capwiz.com/naus/issues/ and click on the Current Action Alert titled “Pentagon Demands TRICARE Fee Increase” to send a message to your elected Representative and Senators. Ask your family, friends and neighbors to get involved too. The Pentagon plan must defeated. [Source: NAUS Weekly Update 23 Mar 2012 ++]

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Tricare User Fees Update 82: A House subcommittee expected to vote soon on whether to recommend raising retiree Tricare fees sharply over the next five years heard some compelling testimony against the move 21 MAR Retired Air Force Col. Steve Strobridge, co-chair of The Military Coalition, a consortium of 34 military associations and veterans groups, traded debate points with Dr. Jonathan Woodson, assistant secretary of defense for health affairs, before the armed services panel on personnel. Strobridge attacked the Obama administration’s premise that raising Tricare fees on military retirees to help balance defense spending cuts in the current budget crisis does not break faith with the force. “If keeping faith means no changes for today’s troops on retirement, than it’s breaking faith to raise their [health] fees by [up to] $2000. That’s no different from a $2000 retired pay cut,” he said. “They say military retirees pay far less for health care than civilians do,” Strobridge added. “Whenever somebody gives me that argument I ask: If the military deal was so great, are you willing to pay what they did to earn it? Would you sign up to spend the next 20 to 30 years being deployed to Iraq, Afghanistan or any other garden spot the government want to send you to,” he asked. "Military people pay far steeper premiums for health coverage than any civilian ever has or ever will.”

Woodson warned that if Congress blocks the Tricare fee hikes, which would save almost $13 billion over five years, then active duty strength would have to be cut by 30,000 to 50,000 more troops than already planned. The surgeons general of the Army, Navy and Air Force also testified but were not drawn into the Tricare fee debate. The armed services committees have been preoccupied for weeks over how to accommodate last year’s bipartisan deal to cut defense spending by $487 billion over the next decade. The administration’s plan to hit that target includes Tricare fee hikes for every category of retiree except those retired because of disability. The plan also includes raising Tricare pharmacy co-pays sharply at retail outlets, and more modestly for mail order. Higher pharmacy co-pays would impact active duty families too. Congress also is worried about a “sequestration” order included in that same law, the Budget Control Act. If not blocked or replaced by a new deficit reduction plan by Dec. 31, sequestration would require arbitrary defense program cuts totaling another $500 billion over 10 years. This atmosphere of fiscal doom might be to blame for House and Senate defenders of military retirees making only half-hearted or strangely ill-informed arguments lately against planned Tricare fee increases. Freshmen Republicans, for example, routinely ask why the administration isn’t proposing similar health fee increases for federal civilians – ignoring the fact that federal civilians pay hefty monthly premiums already, and those payments are raised annually as health care costs rise. Woodson made that same argument again at this hearing.

Strobridge, director of government relations for Military Officers Association of America, was the lone witness on behalf of The Military Coalition and against the fee increases. Facing a budget squeeze, he said, Defense officials decided it was easier to save money by raising fees rather than implement recommendations of studies to consolidate health budgets. “They blame the budget crunch but balk at changes to make the system significantly more efficient [addressing] DoD’s fragmented health care systems. But the recent review made only minimal changes, in part because a key decision criterion was how hard the change would be. So the first choice was to make retirees pay more because it was easier,” he said. He dismissed Woodson’s argument that combining medical command headquarters would target only two percent of total health spending. “The issue on reorganization isn’t the headquarters,” Strobridge replied. “The issue is consolidation of responsibilities and accountability for the budget,
which we don’t have right now.” For example, Strobridge said, when a base wants to save money, it can reduce the number of medicines available on base, which means more beneficiaries go off base to get prescriptions filled. It drives down base costs but drives up overall health costs for DoD. It’s those kinds of inefficiencies that you have to eliminate,” he said.

Woodson said that with fees, co-pays and deductibles set for retirees in 1996, they paid 27 percent of total health costs as the Tricare triple insurance option took effect. With no fee increases since then, until last October, the beneficiary cost share fell to 10 percent. The planned fee increases would raise average out-of-pocket costs to 14 percent. That still would be only half what it was in 1996, Woodson said. He also defended the plan to “tier” Tricare enrollment fees so retirees with more income also pay more out of pocket. Military leaders, including enlisted leaders, pushed hard for that feature, Woodson said, to protect lower-income retirees. Strobridge called it discriminatory. “No other federal retiree has service-earned health benefits means tested, and it’s rare in the civilian world. Under that perverse system, the longer and more successfully you serve, the less benefit you earn,” Strobridge said. [Source: Stars & Stripes tom Philpot article 22 Mar ++]

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National Museum of the U.S. Army Update 01: The foundation leading the charge to build the National Museum of the U.S. Army is well under way with its fundraising efforts, with organizers planning to begin construction next year. Artist renderings of the estimated $300 million project were recently made public by the Army Historical Foundation on its website. It depicts a half dozen images of the proposed museum, which is scheduled to open in 2015.

Outside view of the proposed Museum

The foundation is spearheading the primary fundraising effort, led by retired U.S. Army Brig. Gen. Creighton W. Abrams Jr. The Army Corps of Engineers will guide the construction project, according to The Army Historical Foundation. The fundraising drive has already topped $60 million in donations and pledges from individuals, veterans' service organizations, various foundations and corporations, according to a foundation press release. [Source: The Army Historical Foundation

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Women’ History Month Update 01: California Governor Edmund G. Brown Jr. met with 102 year-old WWII veteran Bea Cohen on 20 MAR at the State Capitol, as part of celebrations honoring Women’s
Military History Week. Ms. Cohen is believed to be the oldest living female WWII veteran in California and one of the oldest in the country. A native of Buhush, Romania, Ms. Cohen witnessed the start of WWI before immigrating to the United States as a child. When the second World War started, Ms. Cohen produced munitions and war supplies at the Douglas Aircraft Company in Los Angeles before enlisting in the U.S. Army. As a Private First Class, she was assigned to Elveden, England, where she worked in top-secret communications. Today, Ms. Cohen lives in Los Angeles and still attends meetings at the West Los Angeles Veterans Home.

Ms. Bea Cohen (seated) and Governor Brown.

Earlier in the day, Ms. Cohen was the guest of honor at a state reception honoring all women veterans and military personnel, where she was recognized by the California Department of Veterans Affairs, the Governor’s Office and the California State Assembly. [Source: Imperial Valley News article 20 Mar 2012 ++]

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Gulf War Syndrome Update 16: The memory and attention problems plaguing thousands of veterans from the first Gulf War might be caused by low-level exposure to insecticides and nerve gas, said researchers at Georgia Health Sciences University. Gulf War illness could be caused by a class of chemicals known as organophosphates, which can include popular pesticides and insecticides but also the nerve gases sarin and cyclosarin. The Department of Defense and the Central Intelligence Agency estimate 100,000 people might have been exposed to low levels of those nerve gases when troops blew up a weapons depot in Khamisiyah, Iraq, on March 10, 1991. Troops were also routinely exposed to the chemical in insecticides, said Dr. Alvin Terry, the director of the Animal Behavior Center at GHSU and professor of pharmacology and toxicology.

Dr. Alvin Terry
Terry and a colleague, Dr. Nathan Yanasak, have an $860,000, three-year grant from the DOD to study whether the chemicals can cause nerve damage in the brains of animals – in this case, mice – that could lead to memory and attention problems. They will look to see whether the insecticide chlorpyrifos, which is commonly used on crops in the U.S. and around the world – when given in low doses – might hamper the ability of the nerve cells to transport food and waste up and down the nerve. “For it to maintain its health, it has to be able to transport things” along the axon of the nerve, Terry said. The researchers are using newer technology, such as manganese-enhanced MRI, to study that because manganese is known to be taken up and transported by nerve cells in the brain, he said. Researchers will also check whether the protective sheath of the nerve cells, known as myelin, is depleted by the low-level exposure, which can affect nerve firing. “It’s probably subtle if it is there,” Terry said.

In previous work, including a study published this year, Terry and colleagues showed that “subthreshold” doses of the chemical caused memory and attention problems in rats even months later. “Long after they have been exposed, you can still pick up on these memory deficits,” he said. What makes that intriguing is that it is similar to problems that plague veterans with Gulf War illness, Terry said. The study in animals is is being done to find out whether that is the cause of the symptoms, which could stem from a number of other causes, such as the oil well fires that raged during the conflict and had wide exposure, Terry said. “There’s a whole multitude of things that you could say might be a possibility,” he said. The DOD has funded research over the years into what might cause Gulf War illness, “but no one has really solved it. There have been a lot of controversies.” His work has drawn some fire from chemical companies, but Terry said he strives for balance in his view of the chemicals. “They have without a doubt dramatically improved farming productivity, and they have helped to get rid of vector-bone illnesses,” he said. “It’s just knowing the long-term effects; we need to be more educated on that and try to be balanced. [Source: The Augusta Chronicle Tom Corwin article 19 Mar 2012 ++]

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**Gulf War Syndrome Update 17:** Army officials recently gave a six-month extension to researchers investigating whether acupuncture can be effective in treating Gulf War Syndrome. Now, the study is looking for 30 more veterans to take part in the effort. Lisa Conboy, co-director of research at the New England School of Acupuncture and a coordinator for the study, said the results of the three-year study still have to be finalized, but officials have seen positive feedback on the treatments. About 120 veterans have taken part, undergoing acupuncture treatments to evaluate their effect on managing headaches, muscle soreness and other pain associated with the controversial disorder. Conboy said she has noticed in recent years a larger willingness by military and veterans officials to consider alternative medicine such as acupuncture, a development she said is encouraging for patients seeking pain relief. Researchers are hopeful their final results will reinforce that progress. The 30 new volunteers must live in the Northeast and suffer from Gulf War Syndrome. Veterans can apply by calling 617-558-1788 ext. 269 or emailing dodgwi@nesa.edu. [Source: Stars & Stripes Leo Shane article 26 Mar 2012 ++]

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**DoD 2013 Budget Update 16:** Several recent Congressional hearings have highlighted bipartisan concerns that proposed budget reductions would reduce the Coast Guard discretionary spending approximately 4 percent to $8.3 billion. The administration’s budget suggests the expanding missions required of the Coast Guard can be achieved with fewer resources. Despite assurances from Coast Guard Commandant Adm. Robert Papp and Secretary of Homeland Security Janet Napolitano, that the budget proposal is adequate, House and Senate members expressed their concerns on the level of funding. Senators expressed concern that funding is postponing the building of another new Security Cutter and the amount requested in support of building a new Arctic icebreaker is too low to
meet the time table to build a new one in five years. Sen. Mary Landrieu (D-LA) said, “The Coast Guard is just a tremendous asset for the nation and we keep giving them more and more responsibilities.” She also said she did not have all the answers but the committee would be focusing on ensuring the Coast Guard has sufficient funding. [Source: NAUS Weekly Update 16 Mar 2012 ++]

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DoD 2013 Budget Update 17: (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 House committee moved 21 MAR to reverse a $14 billion cut in the 2013 defense budget and create an avenue to avoid the $55 billion sequestration cut looming for January. By a 19-18 vote, the House Budget Committee (HBC) approved a federal budget plan that would provide $560.2 billion in national security spending for 2013, a level basically equal to current spending rather than cutting the budget to $546 billion as approved last year in the Budget Control Act of 2011. The plan also proposes a mechanism to undo the across-the-board, automatic budget cuts due to begin in January under the sequestration provisions of the Budget Control Act by coming up with $1.2 trillion in savings over five years that would not require any reductions in spending for defense or veterans programs. This is a Republican plan, opposed by all 16 Democrats on the committee as well as two Republicans, and is almost certain to change. But it does show a way to avoid dire consequences for the defense budget while tackling deficit spending.

The budget guideline is expected to come to a vote in the House of Representatives in late MAR, and to pass on a mostly party-line vote. Once passed by the House, the spending caps will be used to begin drafting detailed 2013 agency budgets. There are controversial provisions. Called the Path to Prosperity by Republicans, the plan calls for $200 billion in cuts over 10 years in federal entitlements, especially Medicare, and also would cut non-defense spending, beginning with a $19 billion reduction in 2013. The budget would cut the federal workforce by 10 percent over three years and freeze pay for federal workers through 2015. There has been much confusion about the budget committee’s defense numbers because the way the committee counts spending does not cleanly match up with how the Defense Department counts military spending. Traditionally, 95 percent to 96 percent of the total national defense budget goes to the Defense Department. About $8 billion of the $560.2 billion for national security would go toward mandatory spending programs, mostly accrual payments for future personnel benefits, GI Bill benefits for reservists and some stockpile costs. The rest is discretionary spending for traditional defense programs. [Source: NavyTimes Rick Maze article 22 Mar 2012 ++]

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Stars and Stripes: (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.) Like cigarettes and sarcasm, the Stars and Stripes newspaper has been a daily mainstay of troops downrange for decades. Yet the paper is struggling to forge a future in the 21st century. Its original mission of providing paper-and-ink news to deployed troops is being undermined by seismic shifts in the worlds of both journalism and defense, including the rise of free news online, shrinking Pentagon budgets and a dwindling military presence overseas. Originally founded by Union soldiers in 1861, Stars and Stripes has been a fixture across military bases in Europe and Asia for generations. And copies of the daily newspaper have been a ubiquitous presence on forward operating bases in Iraq and Afghanistan over the past decade, bringing news stories, sports scores and bits of celebrity gossip to today’s troops. In its current incarnation, which dates to World War II, Stars and Stripes has been an unusual newspaper. The military technically owns it and writes its operating policy, but the law requires it to be run by civilians and to be editorially independent of uniformed commanders.
The paper’s daily circulation has dropped from more than 200,000 during the Cold War to about 70,000 today, and its editors are talking of scaling back print publication from seven days a week to five. Taxpayer funds provided by the Pentagon make up more than half of the paper’s annual operating budget of $50 million, but that subsidy has been shrinking in recent years. Stars and Stripes editors insist their online edition is robust and gaining readers. And Pentagon officials say there are no plans to shut the paper down. But with the end of the Iraq War, the winding down of the Afghanistan War, and steady reductions in the U.S. military presence in Europe, its future is hazy. “It’s been a unique thing,” said Ron Jensen, a Stars and Stripes reporter in Europe from 1988 to 2005. “But certainly it shouldn’t stick around just for nostalgia’s sake.” ‘A chilling effect’ Adding to the uncertainty: Stars and Stripes editors say their independent voice is under attack from Pentagon officials who want to house the newspaper under the same roof as the military’s broader empire of command-approved media outlets, such as the Pentagon Channel and the American Forces Press Service.

Earlier this year, the paper’s editors learned that the Pentagon plans to move Stars and Stripes headquarters from its offices in the National Press Building in downtown Washington, D.C., to Fort Meade, Md. There, the paper’s civilian editors would share government office space with the Defense Media Activity, which trains public affairs officers and military journalists. “This move would have a chilling effect on our perception of independence and hurt our ability to report the news the way we want,” said Terry Leonard, the Washington-based editorial director for all Stripes editions worldwide. Defense officials say the move will save money by putting the 80-person staff in government office space rather than leasing pricey downtown real estate. Over the years, the paper has often angered the Pentagon. In 2003, the paper published a series about the Iraq War titled “Ground Truth,” which included a survey of deployed troops and identified early signs of low morale and skepticism of the war’s aims. “Are there people at the Pentagon who would like to see us go away? Sure there are,” Leonard said. He and other staffers have appealed to Congress, prompting Sen. Carl Levin, D-Mich., Senate Armed Services Committee chairman, to fire off a letter Feb. 29 to Defense Secretary Leon Panetta, urging him to reconsider the move to Fort Meade.

Some Pentagon officials believe Stars and Stripes should become a smaller, cheaper and less ambitious operation once the Afghanistan War winds down, according to one former Stars and Stripes official familiar with the discussions. The thinking is that the paper could carry on with fewer staffers than today’s team of more than 40 reporters spread out across 16 bureaus worldwide, and could be expanded and revitalized if a new overseas conflict were to arise, the former official said. But that won’t happen any time soon, a senior Pentagon official insisted in an interview. “Those who say that this move [to Fort Meade] is intended to clip the wings of Stars and Stripes could not be further from the truth,” said Doug Wilson, assistant secretary of defense for public affairs. “It is a budgetary decision.” [Source: ArmyTimes Andrew Tilghman article 26 Mar 2012 ++]

VA Claims Backlog Update 59: (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.) Lawmakers are showing little confidence that the Veterans Affairs Department has found a way to reduce its large, stubborn backlog of disability and benefits claims. The House Veterans’ Affairs Committee says in a bipartisan letter that VA has not found a complete, long-term solution to handling a backlog that is approaching 1 million claims. Describing themselves as “deeply troubled” by the backlog’s continued growth, the committee, chaired by Rep. Jeff Miller, R-Fla., says VA expects to get 1.2 million claims next year, when it will deploy a new benefits management system that employees must learn. “While learning the new system, employees will be required to take time away from processing claims,” the letter states. VA Secretary Eric Shinseki has told Congress that progress is being made, and VA has a goal of eliminating the backlog by 2015. Shinseki said 2013 will be the first year VA will process more claims than it receives, though it is hard to see that progress yet.
days or longer. VA had 879,396 pending claims at the start of 2012, so the pile clearly is getting bigger. The percentage of claims lingering longer than 125 days — the VA’s goal for completion — was 64 percent at the start of the year, another sign of continuing problems. “Although we commend VA for its bold assertion and agree that steps to eliminate the backlog must be taken, we remain skeptical,” committee members said in the March 9 letter to the House Budget Committee. The long-term solution calls for electronic claims processing, but the letter says VA does not have a plan to scan documents related to a claim — a major issue. The House committee isn’t alone in its concerns. Sen. Richard Burr of North Carolina, ranking Republican on the Senate Veterans’ Affairs Committee, said the staff assigned to process claims has increased 40 percent since 2008, while the number of pending claims has doubled and the average number of days to complete a claim has increased by 26 percent. As the claims backlog has grown, the quality of claims decisions has dropped, Burr said, with an 84 percent accuracy rate, meaning 16 percent of claims decisions have errors. VA’s goal is a 98 percent accuracy rate. The average number of claims completed in a year per employee also has declined by 16 percent since 2008. “With statistics like these, it must be a priority to ensure that the initiatives VA is pursuing to get this situation under control will actually be effective so that veterans, their families and their survivors will receive timely, quality decisions when they seek benefits from VA,” Burr said.

[Source: ArmyTimes Rick Maze article 26 Mar 2012 ++]

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VA Mental Health Care Update 09: (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.) In a survey conducted this year of wounded Iraq and Afghanistan veterans, nearly 80 percent reported having symptoms of a combat-related mental health condition, and roughly half said they had a traumatic brain injury. Among the 2,300 Wounded Warrior Project (WWP) members who responded to the survey, 62 percent said they currently have depression — nearly eight times the rate in the general population and more than four times the figure cited in a 2008 Rand Corp. report on military head injuries and mental health conditions. About a third said their conditions have made it difficult to get or hold a job. The conditions also hamper relationships and recovery, respondents said. “WWP’s experience is that PTSD and other invisible wounds can affect a warrior’s readjustment in many ways — impairing health and well-being, compounding the challenges of obtaining employment, and limiting earning capacity,” Wounded Warrior Project President Dawn Halfaker told a joint session of the House and Senate Veterans’ Affairs committees on 21 MAR.

Queried about their combat experiences, 83 percent said they had a friend who was seriously wounded or killed; 78 percent witnessed an accident that resulted in a serious injury or death; 77 percent saw dead or seriously injured civilians, and 63 percent saw these types of traumatic incidents six or more times. “The most compelling issue before us — and our deepest concern — is [Veterans Affairs Department] mental health care,” Halfaker said. Wounded Warrior Project is a nonprofit founded in 2003 by a group of veterans and friends to help injured personnel returning from Iraq and Afghanistan. The organization conducts an annual survey to identify veterans’ issues, gaps in benefits and medical care, and to better understand veterans’ needs in terms of rehabilitation and reintegration. Halfaker testified before the two-day joint session alongside representatives from 16 other veterans’ organizations (i.e. The Military Coalition), discussing funding for the Post-9/11 GI Bill, veterans unemployment programs, mental health care, disability claims backlogs, burial benefits and looming budget cuts. The Obama administration’s 2013 budget proposal includes $140.3 billion for VA, a 10.5 percent increase from fiscal 2012. The House and Senate Veterans’ Affairs committees are responsible for drafting VA’s budget legislation. [Source: NavyTimes Patricia Kime article 14 Mar 24, 2012 ++]

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A new Senate bill proposes to create a consumer report card for every school covered by Post-9/11 GI Bill education benefits to disclose information about their policies on transferring credits to other schools, their average student loan debt, their course or degree completion rate, and how many graduates find jobs in their chosen fields. The GI Bill Consumer Awareness Act is the latest effort by lawmakers to provide a warning to those using generous veterans’ education benefits that some schools may make big promises but deliver very little. Sen. Patty Murray, (D-WA), the Senate Veterans’ Affairs Committee chairwoman and chief sponsor of the bill, said it is a response to “stories of frustration, confusion and even manipulation. We have seen that in certain instances, our service members and veterans have been misled just to boost enrollment of students with this very lucrative benefit,” referring mostly to some for-profit schools that use recruiters or salespeople to sign up students. “We have seen reports of veterans who utilize the benefit for one school only to find out that when they want to move on to graduate school, the degree they received from the first school is inadequate,” Murray said.

The bill addresses more than just for-profit schools, however. Every college, university, trade or technical school eligible to receive GI Bill money would be covered by the report card and other new requirements. The idea, Murray said, is to “allow [veterans] to comparison shop among schools and to make decisions based on how schools have treated fellow veterans.” The report card would grade schools on dropout rates, degree completion, rates of job placement and loan debt for graduates, percentage of students who are veterans, and on how many of their credits are transferable to other schools, said Paul Rieckhoff, executive director of Iraq and Afghanistan Veterans of America. This information would be collected by the Veterans Affairs Department and made available online, Rieckhoff said. It also would be used to create a list of the most and least veteran-friendly schools, he said.

An inability to transfer credits can cause problems not only for students trying to get a graduate degree, but also for those who want to transfer from a for-profit school to a public or private nonprofit school, according to IAVA. It can also be difficult to transfer credits between public schools in different states, or from a public college to a private university, because each school sets its own standards. When asked in the past for information about whether their credits are transferable to other schools, for-profit school industry representatives have said they have no way of knowing what the thousands of other schools might do to with credits earned at their schools. Murray said any school that could not answer this question would be given an “incomplete” on the report card, with students left to interpret what a noncommittal answer might mean.

The legislation would require every school receiving GI Bill tuition payments to have at least one full-time employee knowledgeable about GI Bill and tuition assistance benefits. If the school has 10 or more service members or veterans enrolled, it would be required to provide career and placement counseling services, referrals to veterans’ centers, and tutoring. Additionally, for-profit schools receiving GI Bill payments from VA would have to agree not to recruit on active-duty military installations. The bill is supported by several major military and veterans’ groups besides IAVA, including Student Veterans of America, Veterans of Foreign Wars, AmVets, Vietnam Veterans of America and the Military Officers Association of America. There is similar, though less comprehensive, legislation pending before the House Veterans’ Affairs Committee, sponsored by Rep. Gus Bilirakis, (R-FL). Murray said her committee will have a hearing to discuss details within two months, and that she intends to have the measure passed as part of a larger package of veterans’ benefits legislation later this year. [Source: ArmyTimes Rick Maze article 27 Mar 2012 ++]

GI Bill Update 114: Senator Jim Webb (D-VA), the author of the Post-9/11 GI Bill, is attempting to preserve the benefit by proposing new restrictions on tuition payments to for-profit schools. The modern-day GI Bill
has cost more than $17.2 billion in a time of budget cutting, and about 37 percent of the money has gone to for-profit institutions. Some of these schools have been under fire because of a series of investigations that revealed high-pressure and deceptive recruiting practices, and questions about the value of the degrees they confer. Senator Webb worries that the entire GI Bill could be ended as a result of some schools that use questionable recruiting practices while offering a lower-quality education. In a move he says could save the 3-year-old program, Webb introduced a bill SMAR that would set strict, specific standards for schools to receive both the Post-9/11 GI Bill and military tuition assistance. The Military and Veterans Educational Reform Act of 2012, S.2179, would require schools seeking to receive GI Bill or tuition assistance money to:

- Meet the same federal requirements that apply to receiving Pell Grants and other federal aid. These standards include having an undergraduate dropout rate of no more than 33 percent.
- Disclose graduation rates and default rates on loans.
- Provide support services to students using GI Bill or tuition assistance funds, and one-on-one counseling before enrolling to plan a course of education, if the school has more than 20 such students.

State agencies responsible for screening schools would have to conduct audits, and the Veterans Affairs and Defense departments would have to develop a centralized complaint process to report fraud or misrepresentation. These requirements are similar to regulations proposed by the Defense Department for schools receiving tuition assistance, proposals that received a major push-back from the for-profit school industry. Webb is chairman of the Senate Armed Services Committee’s personnel subcommittee and a member of the Senate Veterans’ Affairs Committee, positions that give him an inside position to push his bill. But his power could be waning because he is not running for a second term. By November, he will be a so-called “lame duck” member of Congress with limited powers beyond his personal persuasiveness. His cosponsors are Senators Tom Harkin (D-IA), chairman of the Senate Health, Education, Labor and Pensions Committee; Tom Carper (D-DE); and Claire McCaskill (D-MO); and Scott Brown (R-MA), an Army National Guard officer who serves with Webb on the Veterans’ Affairs Committee.

[Source: TREA News for the Enlisted 16 Mar 2012 ++]

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**WW1 Monuments:** A group demanding a national memorial to 4.7 million Americans who served in World War I has released a 12-minute clip of a documentary film (http://www.youtube.com/watch?v=hnDX-D-jlxs) featuring the last doughboy, West Virginia’s Frank Buckles. Buckles died at age 110 on his farm in Charles Town and was buried on 15 MAR 2011 at Arlington National Cemetery in Virginia. To mark the anniversary, the National World War I Memorial Foundation released a clip from a film chronicling his fight to honor his fallen comrades. Buckles, who lied about his age to enlist in the Army at 16, spent his final years fighting for legislation that would expand and rename a National Mall memorial for veterans from the District of Columbia. But the bill has met resistance from lawmakers who want it to remain a local tribute, and H.R.938 is stalled in Congress. Michigan filmmaker David DeJonge says the film, titled “938,” is intended to challenge U.S. politicians to honor millions of others who served. “For the first time in American history, an organization with no lobbyist has a bill pending in both the House and Senate for a war memorial,” DeJonge said in an email to The Associated Press on Friday. “These bills, however, are being stalled by the political process that is D.C.,” he said. “It has been four years since this started, and D.C. still can’t figure this out?”

DeJonge, who became close friends with Buckles, said a bill has also been introduced to create a commemorative U.S. coin. It could raise $3.5 million for the cause, he said, but if H.R.938 doesn't pass, neither will that. Buckles’ grave sits on a hillside ringed by cedar trees, with views of the Washington Monument, Capitol dome and Jefferson Memorial to the north. At the crest of the hill, 50 yards away, sits the grave of Gen. John Pershing, under whose command Buckles served, along with a plaque commemorating the 116,516 Americans who died in World War I. It took almost 60 years for World War II veterans to get a monument in Washington, while the Vietnam Veterans
Memorial opened less than a decade after their war ended. Plans for a new National Mall memorial to honor veterans of the Afghanistan and Iraq wars are already under way. Anyone interested in viewing some of America's most beautiful sculptures should refer to the PVT Donald B. Conrad's 'Guide to America's World War website http://www.pdcmilitarymemorials.com/ww1/index.html which lists 950 WWI monuments and memorials by state and city. [Source: Associated Press Vicki Smith article 16 Mar 2012 ++]

General John J. Pershing
Commander of the American Expeditionary Forces, 1917-1918
Washington, D.C.

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Veterans' Court Update 12: Maine lawmakers are celebrating approval of a law that creates a special treatment court for veterans suffering from drug addiction and mental illness. The bill sponsored by Rep. Maeghan Maloney was presented in memory of Justin Crowley-Smilek of Farmington, an ex-Army Ranger who returned from Afghanistan with post-traumatic stress disorder and was shot and killed after he threatened a Farmington police officer with a knife. Crowley-Smilek was in and out of court several times, including the day before his death, when he was ordered to seek psychological help. The new measure, signed into law by Gov. Paul LePage on 14 MAR, requires courts to screen veterans who enter the system and to coordinate with administrators at the Togus Veterans Affairs office to ensure veterans know about treatment programs. [Source: Associated Press article 16 Mar 2012 ++]

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Veterans' Court Update 13: Veterans whose lives have collided with the criminal justice system are increasingly turning up in veterans courts across the nation. There are now more than 90 courts across the U.S., including nine in California, tailored to veterans willing to work to repair their lives. One of the first such courts was in Orange County, where veterans who meet the judge's criteria, including maintaining steady employment and staying clean and sober, can have their charges dropped or reduced. The weekly sessions at Orange County’s Combat Veterans Court provide a one-stop service, bringing together representatives from the district attorney's
office and the U.S. Department of Veterans Affairs' Justice Outreach program, along with probation officers and volunteer mentors. Each veteran is carefully evaluated by a team before being accepted into the program. It took three arrests and the threat of prison to get Shaughn Whittington to the court. He slumped in a black suit, blue shirt and black tie, bracing for a claustrophobic courtroom, a stern judge. No need. Here, defendants are called participants. People applaud. Judge Wendy Lindley hands out gift cards. “It looks more like a support group instead of a courtroom,” said Whittington, 27, who was arrested twice on drug charges and once on suspicion of assault. “It's that Marine Corps mentality. You look at it like it's a joke.”

Lindley's court stands apart nationally. It is designed exclusively for combat veterans. As a longtime Superior Court judge, she has seen what the residue of combat stress can do. “We are dealing with people whose mental and physical health is very compromised,” she said. “We owe them, each one of them, the highest level of care.” She designed her court to be especially sensitive to war's psychic wounds, which are difficult to understand, let alone heal. Participation is voluntary; only murder cases are ineligible. The program is capped at 50 to ensure individualized treatment. What began with five participants is now fully booked. From 2010 to 2011, the number of people referred to the program jumped 41%. As with other veterans courts, if a judge's criteria are met, charges can be dropped or reduced. Those in Lindley's program share more than battlefield experience. All had been diagnosed with post-traumatic stress disorder, often with additional war-related complications, such as traumatic brain injury. She hadn't been looking for these conditions as a requirement. Paul Freese, vice president of the Public Counsel Law Center, calls Lindley's court the “gold standard. This is by far the model we want people to emulate,” he said. “Individuals don't have to go from place to place to place to get the services that they need.”

Los Angeles County launched a veterans court in 2010 and accepts only veterans facing felony charges, not misdemeanors. It expects its first graduates 27 MAR. “If these guys don't get help, I think they're going to deteriorate,” said Superior Court Judge Michael Tynan, who oversees about 75 veterans in the L.A. County program. As for Whittington's case, the story is familiar. Deployed as a mortar man in the Iraq invasion, he returned to civilian life in 2005. The transition was fitful at best. He was diagnosed with PTSD and, later, traumatic brain injury. There are scraps of war memories, like bullets whistling past him, inches from his head. There was a recurring nightmare from the battlefield. He was angry, depressed. Fearing he might hurt his then-wife, he started sleeping in a different bed. Vices took hold. He started popping narcotic pain relievers and smoking meth. Then he found himself in Lindley's court. “You start coming out of a coma, pretty much,” said Whittington, who checked into an in-patient treatment center during Phase 1. “You start realizing all the damage you did to the people around you.” [Source: http://latimesblogs.latimes.com/lanow/2012/03/courts-help-veterans-in-orange-county-and-around-the-nation.html] Mar 2012 ++

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DBQ Forms

**VA Claim Processing Update 04:** The Department of Veterans Affairs announced 22 MAR the release of 68 new forms that will help speed the processing of Veterans’ disability compensation and pension claims. “VA employees will be able to more quickly process disability claims, since disability benefits questionnaires capture important medical information needed to accurately evaluate Veterans’ claims,” said Secretary of Veterans Affairs Eric K. Shinseki. “Disability benefits questionnaires are just one of many changes VA is implementing to address the backlog of claims. The new forms bring to 71 the number of documents, called disability benefits questionnaires (DBQs), that guide physicians’ reports of medical findings, ensuring VA has exactly the medical information needed to make a prompt decision. The newly released DBQs follow the initial release of three DBQs for Agent Orange-related conditions.
When needed to decide a disability claim for compensation or pension benefits, VA provides Veterans with free medical examinations for the purpose of gathering the necessary medical evidence. Veterans who choose to have their private physicians complete the medical examination can now give their physicians the same form a VA provider would use. It is very important that physicians provide complete responses to all questions on the DBQs. VA cannot pay for a private physician to complete DBQs or for any costs associated with examination or testing. Asking your primary care provider to complete a DBQ is no different than asking your provider to write a letter or note providing medical evidence of a medical condition in support of a claim. The same co-pay rules apply equally to both situations. “By ensuring relevant medical information can be found on one form, we will cut processing time while improving quality,” added Under Secretary for Benefits Allison A. Hicke. Information on DBQ’s can be found at [http://benefits.va.gov/disabilityexams](http://benefits.va.gov/disabilityexams). At [http://benefits.va.gov/TRANSFORMATION/dbqs/veteraninstruct.asp](http://benefits.va.gov/TRANSFORMATION/dbqs/veteraninstruct.asp) are step-by-step instructions on completing the forms. A list of the available DBQs for download can be found at [http://benefits.va.gov/TRANSFORMATION/dbqs/ListByDBQFormName.asp](http://benefits.va.gov/TRANSFORMATION/dbqs/ListByDBQFormName.asp).

Veterans may file a claim online through the eBenefits web portal at [https://www.ebenefits.va.gov](https://www.ebenefits.va.gov). The Department of Defense and VA jointly developed the eBenefits portal as a single secure point of access for online benefit information and tools to perform multiple self-service functions such as checking the status of their claim. Servicemembers may enroll in eBenefits using their Common Access Card at any time during their military service, or before they leave during their Transition Assistance Program briefings. Veterans may also enroll in eBenefits and obtain a Premium account in-person or online depending on their status. [Source: Maryland DVA Director Phillip A. Munley article 22 Mar 2012 ++]

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**Tricare OTC Demonstration Project Update 02:** Spring-like weather has sprung up across much of the country and coupled with a warm winter, pollen counts are now soaring to record levels. The Over-the-Counter (OTC) Medication Demonstration Project allows TRICARE beneficiaries to fill prescriptions for certain OTC medications at retail network pharmacies and via home delivery. Positive feedback and cost savings for beneficiaries and TRICARE has resulted in a continuation of the demonstration at $0 cost share. The following OTC allergy medications may be filled under this demonstration:

- Cetirizine
- Loratadine tablets
- Prilosec OTC
- Omeprazole (generic of Prilosec OTC)
To have prescriptions filled under this demonstration, you’ll need a written prescription for any of the OTC medications listed above from your health care provider. Submit the written prescription to any TRICARE retail network pharmacy or the TRICARE Pharmacy Home Delivery and the prescription will be filled at no cost.

- To find a network pharmacy go to: https://member.express-scripts.com/web/member/pharmacyLocator.sf?_flowExecutionKey=_cACDF84F2-92C4-5A85-A6C6-73A34392D2E5_k3B69D58F-394A-962E-90D0-46254CD8A332
- To Register for home delivery go to: https://member.express-scripts.com/web/member/webflow.sf?_flowExecutionKey=_c44375366-4691-63EB-5856-A7524C942940_k247072D3-35A0-E7B4-383F-6021731EE3E3


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**Obnoxious Proposals:**

It’s common in these highly politicized times to paste warm, fuzzy names on even the most obnoxious proposals. An initiative to whack Social Security benefits might be called the “Saving Social Security Act,” for example. A few years ago, when the Pentagon proposed big health care fee hikes, it was labeled the “Sustaining the Benefit” plan. Such euphemistic spin campaigns bring to mind the old quote, “We had to burn the village to save it.” One common phrase that’s cropped up repeatedly in speeches, press releases, and testimony by defense and service leaders is the importance of “keeping faith” with currently serving personnel in planning deep defense budget cuts. If only it were so. The fact is there’s far more breaking faith in those plans than keeping faith. That rhetoric first appeared in the wake of a Defense Business Board plan that envisioned changing the military retirement system and included an option to change retirement rules in midstream for servicemembers currently on active duty.

Cringing from tremendous backlash from the troops, defense and service leaders scrambled over each other to pledge they’d “keep faith” with the currently serving by applying any new retirement rules only to future service entrants. But they made no such pledge on anything else that would have similar — or worse — effects on troops and families. A huge part of the cuts proposed in the FY 2013 defense budget involve dramatically raising TRICARE Standard fees, TRICARE Prime fees, TRICARE For Life fees, and TRICARE pharmacy copayments. “These wouldn’t apply to uniformed servicemembers,” the leaders say. But that’s flatly untrue. The plan to triple pharmacy copayments would apply to family members of active duty servicemembers who don’t have access to military pharmacies, and they’d also apply to drilling Guard and Reserve members and their family members who don’t have such access. For family members with chronic diseases or significant disabilities, that could have a big effect on their finances. So don’t try to tell me higher expenses for family members don’t affect today’s servicemembers.

The Standard, Prime, and TRICARE For Life fee hikes — up to $2,000 a year or more — also directly affect every servicemember with career aspirations. They may not incur the fees until they retire, but there are tens of thousands on active duty today who will be retired within a year. And every single servicemember who plans to serve a career would incur them after leaving active duty. If keeping faith on retirement means protecting all active duty members from any retirement changes, how can it be anything other than breaking faith to whack their health care benefits? Is charging them an extra $2,000 a year for health care in retirement any different than cutting their annual retired pay by $2,000? And how about the plan to cut active duty force levels by 120,000-plus over the next several years? Service leaders acknowledge they’ll have to force out many who had planned to make the military a career — including many with multiple combat deployments. How is it keeping faith to kick them out the door in one of the highest unemployment periods in recent memory?
To be fair, service leaders don’t have much choice about some of these things. When budget crunches come, force levels always get cut and benefits always come under attack. Nobody likes it, and nobody can claim it’s fair. We know—and defense and service leaders know—they’re breaking faith in multiple ways. Real leaders should start with an apology and spare us the disingenuous blather about “keeping faith” with troops and their families. There’s no sugar-coating the major pain they seek to impose on currently serving and retired families alike.

[Source: Co-Chairman of The Military Coalition Col. Steve Strobridge, USAF-Ret. article 15 Mar 2012 ++]

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**Tricare Regional Contracts Update 07:** Some beneficiaries in Tricare’s western region may need to start looking for a new doctor. The Department of Defense has changed the contractor that creates the network of civilian health care providers for Tricare beneficiaries in the West region. The contract was originally awarded to Truest Healthcare Alliance, but the DOD re-opened the bidding process after UnitedHealth Military & Veterans Services filed a protest. In September, TriWest was ordered to pay a $10 million fine to settle a whistleblower lawsuit. TRICARE Management Activity (TMA) announced on March 16, 2012 that the TRICARE Managed Care Support Contract (MCSC) for the West Region was awarded to UnitedHealth Military & Veterans Services. The contractor provides administrative support and helps Tricare operate the health system, said Austin Camacho, a Tricare spokesman. The change should not affect most beneficiaries, he said. “It shouldn’t have any impact on our beneficiaries directly,” Camacho said. “We expect it to be a pretty much invisible process.” Still, he said, some providers who work with TriWest don’t have arrangements with UnitedHealth. If those providers don’t make the switch, the beneficiaries will have 10 months to find a new provider.

Tricare’s West region includes Alaska, Arizona, California, Colorado, Hawaii, Idaho, Iowa (except the Rock Island Arsenal area), Kansas, Minnesota, Missouri (except the St. Louis area), Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, areas of west Texas, Utah, Washington and Wyoming. There are about 2.9 million Tricare beneficiaries in the West region, according to a Tricare news release. The contract is for the third generation of MCSC, referred to as “T-3.” The instant obligation on the award is $10,000,000. The total potential contract value, including the approximate 10-month base period and five one-year option periods for health care delivery, plus a transition-out period, is estimated at $20,462,202,594. It is important for beneficiaries enrolled in the TRICARE West Region to know the new T-3 contract and MCSC will not officially take over the TRICARE West Region until 1 APR 2013. In the meantime, the current T-NEX TRICARE contract will remain in place with TriWest Healthcare Alliance through the transition process to make sure beneficiaries continue to receive quality health care and maintain customer service. There will be a yearlong seamless transition as TMA moves forward into the new TRICARE T-3 contract.

TriWest is protesting DoD’s decision to award the contract to another bidder, saying the process was not fair. They were told they had submitted the lowest bid, but the decision was based on best value for the work. But company representatives went to a debriefing with the government about the process and learned “disturbing information about how the process itself was conducted.” First, the government did not account for several hundred
million dollars’ worth of discounts that was included in TriWest’s bid. Second, the government did not fully examine UnitedHealth’s track record. As part of the bid process, companies are required to submit their five largest accounts which serve as references. TriWest also included other information about its record, including the whistleblower lawsuit, and “were told that they had rated the highest category of past performance. However, TriWest contends that the bid evaluators only checked UnitedHealth's five largest accounts and did not probe any deeper into their history. Had they done an appropriate and reasonable buyer’s check, the outcome may have been very different. A simple Google search, revealed “massive fines” levied against United Health and doctors have contacted TriWest, “expressing significant concern about the behavior and track record of [UnitedHealth] in the marketplace.” TriWest filed its protest 26 MAR, and this type of dispute is generally adjudicated within 100 days. In all transition activities will be put on hold while the protest the interim is examined. [Source: http://www.tricare.mil/t3contracts & Stars and Stripes Jennifer Hlad articles 17 & 27 Mar 2012 +]

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VA Caregiver Program Update 16: When Veterans Affairs officials in Washington, D.C., decided there was a need for a toll-free hotline for people who watch over vets who can't care for themselves, they didn't realize how right they were. Only weeks after the program was started on 1 FEB 2011, at the V.A. Medical Center in Canandaigua, they realized they were getting so many calls on the National Caregiver Support Line 855-260-3274 that they would have to double their staff, which now includes 13 licensed social workers and four health technicians. “We really didn't know there would be such a great response and need for this,” said Deborah Amdur, a Veterans Affairs official based in Washington who visited the Canandaigua program 8 FEB to mark the first anniversary of the hotline that has handled more than 27,000 calls in its first year. “I think it's just an absolutely vital resource for our family caregivers across the country, and when we support our family caregivers we support our veterans,” she said.

Before the hotline was created, people caring for veterans had no one-stop place they could go to find out about benefits and services. “People were picking up a piece here and a piece there. The support line really addresses that need,” Amdur said. During the first year of the program that ended Tuesday, the program handled 27,474 calls and 908 inquiries were received through the program's website http://www.caregiver.va.gov. Most of the calls are from California, Florida, Texas, Georgia and New York. The program that operates on the second floor of Building 6 at the VA campus in Canandaigua started with an idea in Amdur's head and developed in a brainstorming session in Washington, D.C. It was up and running within six weeks. “This was probably set up faster than any program in the history of the VA,” said Amdur. On weekdays, staffers handle about 100 calls per day, but fewer on weekends. And the average call lasts about 45 minutes. The volume got so heavy that VA workers created a software program to track every call, make follow-up calls and generally make sure the caregivers get what they need. The data collected helps the VA adjust programs based on the types of inquiries received.

Because many of the callers are not accustomed to asking for help, the job requires excellent listening skills and the ability to draw out what they really need, but might have difficulty expressing, staffers said. The workers often hear stories from caregivers in extremely difficult and stressful situations, many of whom can't leave their home very often because they have been caring for a vet for years, or even decades. “I feel very privileged, very lucky to have this position. In 25 years as a social worker this has probably been the most gratifying job and the most gratifying environment to be in,” said Suzanne Dougherty, who has worked on the Caregiver Support line since it was started. “Every phone call can be a new challenge, a new request, a new situation,” she said. [Source: DemocratandChronicle.com Bennett J. Loudon article 9 Feb 2012 ++]
Credit Reports Update 05: If you’ve used your quota or otherwise don’t qualify for a free report you’ll have to pay for additional copies. The law sets the maximum fee for that at $11. But considering what they charge wholesale clients, it’s outrageous. According to the New York Times article, while credit reporting agencies are allowed to charge you up to $11 to see your credit report, they routinely sell them to corporate clients for as little as 20 cents. The law that limits the charge for a personal credit report to $11 doesn’t do you much good if the companies tasked with providing it hide it instead. And that’s exactly what you’ll encounter when you try to find an $11 credit report from any of the big credit reporting bureaus. What you’ll find instead is up-sell: a confusing plethora of product pitches from credit monitoring services to report/score bundles. When the FTC was advised on how credit reporting bureaus deceive customers they declined to get involved. This despite the mission statement on their website that they exist to prevent deceptive practices. Apparently, it does not apply to these companies. To assist those who need to obtain a report here is a step-by-step guide that can steer you to the cheapest options – at least until the reporting agencies shuffle the deck again.

TransUnion - This took a professional credit counselor 11 minutes and 5 seconds to find the cheap option. The shortest route found to get there is:

1) Click the tiny “Site Map” link at the very bottom of TransUnion.com. (It’s in the middle, sort of.)
2) In the leftmost column (labeled “Personal”), under the section header “Credit Disputes, Alerts and Freezes,” click “Credit Reports and Disclosures.”
3) On the right is a “Convenient online services” box with a link to “Purchase a TransUnion Credit Report.”
4) This leads you to a form to create an account, after which there is a checkbox trying to upsell you again—it says you can get your “personal score” for $9.95. Skip it and you’ll get the option to purchase a “personal credit report” for $11.

Equifax - It took professional credit counselor 7 minutes and 22 seconds to find the basic option here. Here’s the route around the front-page up-sell to the $11 report:

1) Go to Equifax.com and move your cursor over “Equifax Products” in the upper left, which will present a drop-down menu. Click the last link, “Compare Products.”
2) Here you’ll see a handy list of all the junk you didn’t ask for compared side-by-side. What you want isn’t even visible as an option yet – click the red “Single Use Products” tab.
3) Now you’ll see four more options ranging from $15 to $40, which still don’t include just the basic report. Scroll down and find the $9.95 “Identity Report,” which is the cheapest option found.

Experian - The professional credit counselor gave up after 15 minutes of hunting for the $11 option. Given the number of links on the front page – including Experian’s highlighted product, which claims to provide your credit report and score for $1, but will auto-bill you $17.95 a month unless you cancel within a week – we can’t blame him. But in terms of the number of steps and clicks, this may actually be the easiest CRA to navigate once you know where to look…

1) On Experian.com, in the bottom left “Products” column, click the first option: credit report.
2) You’ll get a side-by-side comparison that, unlike Equifax, includes the cheap option on the first page, instead of at the bottom of a second page. On the right you’ll see a link to order a $10 “Experian credit check.”

[Source: MoneyTalksNews Stacy Johnson 9 Mar 2012 ++]

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Public Holidays: The United States does not have national holidays in the sense of days on which all employees in the U.S. receive mandatory a day free from work and all business is halted by law. The U.S. federal
government can only recognize national holidays that pertain to its own employees; it is at the discretion of each state or local jurisdiction to determine official holiday schedules. There are eleven such federal holidays, ten annual (New Years, Martin Luther King, Washington’s Birthday, Memorial, Independence, Labor, Columbus, Veterans, Thanksgiving, and Christmas) and one quadrennial (Inauguration Day). The annual federal holidays are widely observed by state and local governments; however, they may alter the dates of observance or add or subtract holidays according to local custom. Pursuant to the Uniform Monday Holiday Act of 1968, official holidays are observed on a Monday, except for New Year's Day, Independence Day, Veterans Day, Thanksgiving, and Christmas. There is no generally accepted policy, however, on whether to observe a Saturday holiday on the preceding Friday or the following Monday. Most states and private businesses may observe on the preceding Friday, some may observe it on the following Monday, and some may not observe the holiday at all in those years. In particular, banks that close on Saturdays do not observe a holiday when it falls on Saturday.

There are also state holidays particular to individual states, such as Good Friday observed by 12 states. Easter is recognized as a flag day but has not been a federal holiday due to falling always on a Sunday, which is a non-working day for federal and state employees. Each of the 50 states has jurisdiction over its own holidays. For a list of legal state holidays by state refer to [http://en.wikipedia.org/wiki/Holidays_of_the_United_States#Non-holiday_notable_days](http://en.wikipedia.org/wiki/Holidays_of_the_United_States#Non-holiday_notable_days). Malls, shopping centers and most retail stores close only on Easter, Thanksgiving and Christmas Day, but remain open on all other holidays (early closing on Christmas Eve and New Year's Eve, and sometimes on other major holidays). Virtually all companies observe and close on the “major” holidays (New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas). Some also add the day after Thanksgiving (Black Friday), most businesses also add religious holiday of Good Friday, and sometimes one or more of the other federal/state holidays. There are a number of notable days which are not holidays but are nationally recognized such as

- Bowl Sunday (the day of the National Football League's championship, festivities generally including in-home parties and watching the game on television with beverages and snacks).
- Super Tuesday (political event, variable).
- Tax Freedom Day (day in which an average citizen is said to have worked enough to pay his or her taxes for the year, used by opponents of taxation).
- Opening Day (The beginning of the Major League Baseball season and an unofficial indication that summer is approaching).
- Tax Day (federal and state tax deadline, (April 15) or if on weekend or holiday, next closest Monday or business day).
- Oktoberfest (celebrated most often in areas with contemporary or historic populations of German heritage).
- Black Friday (Busy shopping day where stores lower prices the Friday after Thanksgiving, traditionally the start of the Christmas shopping season).
- Cyber Monday (The equivalent of Black Friday, except online, the Monday after Black Friday).
- Festivus (December 23): made famous on the TV show Seinfeld.

In addition to the federal/national holidays, many religious, ethnic, and other traditional holidays populate the calendar, as well as observances proclaimed by officials and lighter celebrations. These are rarely observed by businesses as holidays (Except for Easter and most often also on Good Friday); indeed, many are viewed as opportunities for commercial promotion. Because of this commercialization, some critics apply the depreciatory term Hallmark holiday to such days, after the Hallmark greeting card company. Literally, every day of the year is celebrated by somebody to honor something. For example, for food advocates the following days are celebrated in March which is also known as National Caffeine Awareness, National Celery, National Flour, National Frozen Food, National Noodle, National Nutrition, National Peanut, and National Sauce month:

- March 1 National Peanut Butter Lover's Day
- March 1 National Fruit Compote Day
• March 2 National Banana Cream Pie Day
• March 3 National Cold Cuts Day
• March 3 National Mulled Wine Day
• March 4 National Poundcake Day
• March 5 National Cheese Doodle Day
• March 6 National Frozen Food Day
• March 6 National White Chocolate Cheesecake Day
• March 7 National Crown Roast of Pork Day
• March 7 National Cereal Day
• March 8 National Peanut Cluster Day
• March 9 National Crabmeat Day
• March 10 National Blueberry Popover Day
• March 11 Oatmeal Nut Waffles Day
• March 12 National Baked Scallops Day
• March 13 National Coconut Torte Day
• March 14 National Potato Chip Day
• March 15 National Peanut Lovers Day
• March 15 National Pears Helene Day
• March 16 National Artichoke Heart Day
• March 18 National Lacy Oatmeal Cookie Day
• March 19 National Poultry Day
• March 19 National Chocolate Caramel Day
• March 20 National Ravioli Day
• March 21 National French Bread Day
• March 23 National Chip and Dip Day
• March 23 National Melba Toast Day
• March 24 National Chocolate Covered Raisins Day
• March 25 National Lobster Newburg Day
• March 26 National Waffle Day
• March 26 National Nougat Day
• March 27 National Spanish Paella Day
• March 28 National Black Forest Cake Day
• March 29 National Lemon Chiffon Cake Day
• March 30 Turkey Neck Soup Day
• March 31 National Clams on the Half Shell Day


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Mt. Soledad Veterans Memorial Update 04: The Obama administration is asking the Supreme Court to allow a 43-foot-tall cross that serves as a war memorial to remain atop Mount Soledad near San Diego, arguing the cross that has been there since 1954 is not an endorsement of religion. The government should not be required “to tear down a cross that has stood without incident for 58 years as a highly venerated memorial to the nation’s fallen service members,” Solicitor General Donald Verrilli Jr. said in a new appeal to the high court. He urged the justices to reverse a decision of the 9th U.S. Circuit of Appeals that last year held the cross was primarily a
Christian symbol and unconstitutional. Its prominent display on public land in La Jolla amounted to an official “endorsement of religion” in violation of the First Amendment, the judges said in a 3-0 ruling. If the justices take up the case later this year — which is likely — it could force them to finally resolve whether religious symbols, such as a cross or the Ten Commandments, can be prominently displayed on public land.

Two years ago, the high court rejected a challenge to the display of a small cross in the Mojave National Preserve, but the five justices in the majority disagreed on the reasons. The 9th Circuit’s latest opinion mostly ignored that ruling. Since 1989, lawsuits from several veterans have challenged the Mount Soledad cross, arguing that a single religious symbol did not speak for all vets. But city officials in San Diego and, more recently, the U.S. Congress have intervened to preserve the cross. The two sides disagree fundamentally about the significance of the cross and the history of Mount Soledad. Critics say the cross is unquestionably a religious symbol, not a universal symbol that honors all fallen soldiers. The 9th Circuit judges said the cross “has never been used to honor all American soldiers in any military cemetery.” For example, Jewish soldiers typically have a Star of David on their headstones. The 9th Circuit judges also noted that until the 1980s, Mount Soledad’s cross was a gathering place for Christians and a scene for Easter Sunday services. Its role as a war memorial came only after the litigation began, the judges said.

Defenders of the cross say it serves as a symbol of sacrifice and a memorial to honor the nation’s fallen soldiers dating back to World War I. In 2006, Congress moved to take possession of Mount Soledad and its cross to preserve the war memorial. If the Supreme Court were to deny the appeal, Verrilli said the cross would have to be taken down. Such an act “unnecessarily fosters the very divisiveness” over religion that the Constitution was designed to avoid, he said. The justices are likely to decide later this spring whether to hear the case, now known as U.S. vs. Trunk. [Source: Los Angeles Times Mark Boster article 16 Mar 2012 ++]

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**Conspiracy Theorists:** Wake up, America! Our government and our military are plotting against us. At best, they’re withholding important information (aliens from UFOs walk among us.); at worst, a shadowy cabal working at the highest levels makes every vital decision that affects our lives. At least, that’s what the world’s conspiracy theorists would have us believe. To a rational thinker, the majority of conspiracy theories are ludicrous on their face, with few real facts to back them up. Unfortunately, rational thinking and common sense hold little sway in the hearts and minds of those who fervently believe secretive forces within our armed forces and the government they are sworn to protect are capable of nefarious deeds. Conspiracy theories are not a new phenomenon; many commonly held conspiracies actually date back centuries. But the Internet, which allows a thought to reach millions with a single keystroke, has made it much easier for conspiracy theories to develop and flourish. The following is a selection of conspiracy theories that touch in some way on the U.S. military. Are they true? We’ll let the facts speak for themselves.

**CONSPIRACY:** Osama bin Laden was not killed by Navy SEALs at his compound in Pakistan. The whole thing is a government lie.
THEORY: Within hours of the announcement that Osama bin Laden had been killed in Pakistan by members of the elite SEAL Team Six, conspiracy theorists were hard at work debunking the story. This conspiracy theory arose when the White House and DoD decided not to release photographs of bin Laden’s body out of fear such images would trigger retaliation against American forces in the Middle East and elsewhere. In the eyes of diehard conspiracy theorists, a lack of photos must mean something never happened. Adding fuel to the fire was bin Laden’s burial at sea after his identity was confirmed using DNA from a relative. Some conspiracy theorists believe bin Laden has been dead for years and is frozen at some secret government installation, while others insist he’s still out there, waiting for the right time to reveal himself. The truth? Osama bin Laden is dead. To lie about something like this would be incredibly dangerous for the White House, as well as for the U.S. military. In addition, al-Qaida officially confirmed bin Laden’s death in a statement to the world.

CONSPIRACY: The Sept. 11, 2001 attack on the Pentagon was an inside job. It was a missile — not a hijacked airplane — that crashed into the building.

THEORY: As repugnant as it might be to think the Sept. 11, 2001 terrorist attack was conceived within our own government, many Americans believe this to be true. One popular conspiracy theory suggests the Pentagon was struck by a satellite-guided missile or by a plane much different from the one reported — a Boeing 757 that was witnessed by scores of people. Nonetheless, deniers state the resulting hole was too small to be made by such a large plane and that there was no plane wreckage at the crash site. Blast expert Allyn Kilsheimer of KCE Structural Engineers in Washington, D.C., one of the first structural engineers at the Pentagon following the crash, vehemently denies such outlandish theories. “I picked up parts of the plane with the airline markings on them,” he said in an interview with Popular Mechanics. “I held in my hand the tail section of the plane, and I found the black box.” Photographs taken at the crash site confirm Kilsheimer’s statements.

CONSPIRACY: The Apollo 11 moon landing was a hoax. The entire mission was conducted on a NASA sound stage.

THEORY: On July 20, 1969, astronauts Neil Armstrong and Buzz Aldrin became the first humans to set foot on the surface of the moon. Or did they? According to a surprisingly large number of Americans, irrefutable proof shows the moon landing never occurred. Despite overwhelming evidence the moon landing did occur, NASA officials felt obliged to place a page on the NASA website explaining why skeptics are wrong. The arguments of moon deniers cover a broad range of issues, from photographs that supposedly don’t make sense (Where are the stars in the sky?) to a “mysteriously” waving flag (How can a flag wave in a vacuum?) to the lack of a large blast crater beneath the lunar lander. It would take a lot of words to answer these questions, but the simplest explanation, according to NASA scientists, is the moon is not the Earth — things behave differently there. In addition, common sense suggests it would be almost impossible to keep a government hoax of this magnitude a secret. Thousands worked on the Apollo project, and a great many of them would know — and no doubt say something — if it had been faked.

CONSPIRACY: In June or July 1947, a UFO crashed on a ranch outside Roswell, N.M. The Army immediately collected the debris, as well as the bodies of dead aliens, at the crash site and ordered all personnel involved to remain silent.

THEORY: Over the years, Roswell has become the epicenter of American ufology — all because an eager public information officer at then-Roswell Army Air Field jumped the gun and sent out a press release announcing the recovery of a “flying disk.” Army brass quickly retracted the report, but the genie was out of the bottle. Several newspapers published the story, giving birth to one of the most popular conspiracy theories in history. Something did crash on that ranch in 1947, but it wasn’t a UFO. Army officials originally claimed the debris came from a
downed radar tracking balloon, but that was only partially true. According to a 1995 Air Force report, the debris was actually a high-altitude balloon from a secret spy program called Project Mogul, which used the balloons to detect Soviet atomic bomb tests and ballistic missiles — hence the intense secrecy. Over the years, the Roswell myth has grown to extraordinary proportions. Thousands of ET-loving tourists flock to the town each year, and despite overwhelming evidence to the contrary, many UFO buffs continue to believe a flying saucer really did crash there.

**CONSPIRACY:** In the fall of 1943, military scientists, working with technology developed by Nikola Tesla, turned the Navy destroyer USS Eldridge invisible and teleported it from Philadelphia to Norfolk, Va. Unfortunately, the seamen aboard the ship either were killed or went insane.

**THEORY:** This goofy conspiracy theory, advanced by books and interviews from supposed participants, has been so persistent the Navy was forced to issue a response: “Records in the Operational Archives Branch of the Naval Historical Center have been repeatedly searched, but no documents have been located which confirm the event, or any interest by the Navy in attempting such an achievement.” It also should be noted an Operational Archives Branch review of the deck log and war diary from the USS Eldridge’s commissioning Aug. 27, 1943, through December 1943 found no unusual activities. Most importantly, the review revealed the USS Eldridge was never in Philadelphia.

**CONSPIRACY:** President Franklin D. Roosevelt was aware the Japanese planned to attack Pearl Harbor, but he did nothing to prevent it because he needed an excuse for America to enter the war.

**THEORY:** This conspiracy theory started almost as soon as the Japanese attack ended and still is held widely by many conspiracy buffs today. But despite numerous books and documentaries on the subject, there is no “smoking gun” that proves without doubt the president was aware of what was about to transpire. Conspiracy theorists often point to the U.S. successfully cracking certain Japanese radio codes as proof Roosevelt knew an attack on Pearl Harbor was imminent. However, those were diplomatic — not military — codes, and the Japanese military rarely shared its plans with diplomats overseas. American military officials did know Japanese diplomats had been instructed to deliver a message to the U.S. government at 1 p.m. Dec. 7, 1941, then destroy their cipher machine, but U.S. officials had no idea what or where. Roosevelt’s decision to move the Pacific Fleet to Pearl Harbor against the advice of Navy Adm. James Richardson, then-commander in chief of the U.S. Fleet, also has fueled this conspiracy. However, Richardson’s objections had more to do with what he saw as substandard facilities at Pearl Harbor and less to do with placing the fleet at risk. Eight major investigations were conducted in the years following the Japanese attack on Pearl Harbor, and none found compelling evidence the president had advance knowledge beyond rumors.

**Note - Disclaimer:** The contents of this article are the opinions solely of the author and do not necessarily express the policy or opinions of the MOAA. [Source: Freelance writer Don Vaughan article in MOAA News Exchange 21 Mar 2012 ++]

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**Veteran Driver Licenses Update 01:** The General Assembly has voted unanimously to create a “veteran” status on Maryland driver's licenses. The move was recommended last year by the state Veterans Behavioral Health Advisory Board, which was chaired by Lt. Gov. Anthony G. Brown, who is a colonel in the Army Reserve. Brown called it “a simple way to help us connect veterans to numerous state programs and initiatives by better identifying those who are eligible. “It will also make it easier for veterans to identify themselves when accessing the various benefits, discounts and services they have earned,” he said in a statement. The state Senate voted 46-0 to approve the legislation introduced by Sen. James N. Mathias Jr. and Del. Norman H. Conway, both
Eastern Shore Democrats. The House previously voted 136-0 for approval. [Source: The Baltimore Sun Matthew Hay Brown article 16 Mar 2012 ++]

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Arlington National Cemetery Update 35: Arlington National Cemetery began using geospatial technology this week to manage its cemetery operations in a move officials say makes them nearly paperless. “Probably the biggest thing that the geospatial system does for us is it eliminates the need for paper,” said retired Army Col. Jack Lechner, the cemetery's administrator, during a public demonstration of the technology 15 MAR. “Prior to the use of that system, we had requirements to photocopy schedules and distribute copies of schedules, make manual notations on schedules,” he said. There are so many people involved with funerals at Arlington National Cemetery -- various [branches of service], chaplains, bands, chapels, buglers -- “you could imagine the amount of reproduction we were doing,” Lechner said. Synchronizing this into a digital format has provided tremendous savings in time, effort and money, he said. Lechner described the system formerly used to manage cemetery operations that is moving toward becoming fully digital. “It probably took about three or four people constantly devoted to the process of paper management,” he explained. “Whether it was paper copying, paper production, paper distribution ... that process has gone away. “Those individuals in the workforce are now able to devote themselves to the actual core tasks and services to families that we're here to [provide],” he added.

Lechner noted while this new innovative system has helped organize cemetery operations, the paper system isn't obsolete -- yet. “We're still maintaining the paper copies of the maps that we've been using for quite a while,” he said. “After a test period, we'll see if there's a need for us to actually continue to maintain the paper copies or if we can go strictly digital.” Lechner said all signs point to digital as the way to go, and there are many safeguards to protect the technology. “There are multiple safeguards just like all the other Army systems that you deal with on a day-to-day basis,” he said. “We have the same firewalls and protection, the same [Common Access Card] access codes that are needed to get into things. So the redundancy and the protection is there.” In addition to the geospatial technology, the cemetery began a first-of-its-kind gravesite accountability process, which examined 259,978 graves front and back, ANC officials said. “Everything about the cemetery is [related to the] knowledge of who is buried where,” said Army Maj. Nicholas Miller, the cemetery's chief information officer. “That's really a rich data set, a large data set, of people and locations.” The technology will help ensure accuracy, he said.

Miller, who is responsible for creating the system, explained how the idea for the revamping came about. “As we looked at how we wanted visitors to come experience the cemetery, we thought they should be able to use their [smartphones] and get walk-in directions to the gravesite and also pull up information about their loved ones,” he said. The best way to do that is to provide the location-based information that geospatial technology enables, Miller said. Cemetery officials' goal is to “continue to uphold the faith and confidence of the American people by using the best technology to accurately document and conduct the services for their loved ones that we do here,” he said. The current information system is internal, but a public Web application will be available on http://www.arlingtoncemetery.mil, in addition to the smartphone app, later this summer. Honoring veterans and fallen service members “is one of the most humbling missions we have,” Miller said. “[We want to ensure] Arlington continues to be America's premier military cemetery.” [Source: AFPS Army Sgt. 1st Class Tyrone C. Marshall 15 Mar 2012 ++]

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Reserve Post-Deployment Leave: Stars and Stripes reported on a policy the Department of Defense has handed down that will cheat activated Guard and Reserve personnel, as well as active duty personnel, of post-deployment leave they thought they were going to get. According to the article, members of the Minnesota National
Guard now in Kuwait expected to receive at least 21 extra days of leave because of a policy begun by DoD in 2007 that was designed to make up for repeated deployments without adequate dwell time. Members of the Guard and Reserve were supposed to have five years between deployments but because of two wars and not enough uniformed personnel, units have been deploying more frequently. In the case of the Minnesota Guard, they were mobilized for 22 months in Iraq between 2005 and 2007. Then they deployed to Iraq again last summer to assist with the drawdown of U.S. forces. But the Pentagon apparently decided that giving them the extra leave was too expensive so last October DoD changed the policy for all units, regardless of whether they were already deployed. So instead of four days earned leave each month, they only get one.

Members of the Minnesota Congressional delegation have gotten involved and are trying to get the Pentagon to reverse their decision, or at least grandfather in those units that were in the middle of a deployment when the decision to change the policy was put into effect. If this story is accurate, the DoD policy is outrageous and should be changed. It appears to The Retired enlisted Association (TREA) that the only thing the Pentagon is willing to fight for when it comes to personnel and funding is cutting back on as many benefits as it can. First, they’ve been coming after the promised and earned benefits of military retirees. Now they’ve started going after the benefits of those troops on active duty. We know they are cutting back on the end strength of the services, but promising benefits to recruits and then lying to them and taking them away is a poor way to keep an all volunteer force. This is shameful and TREA strongly opposes this policy. [Source: TREA News for the Enlisted 16 Mar 2012 ++]

Referral Bonus Update 06: In 2005 the Pentagon came up with a new way to recruit men and women into the National Guard and Reserve. They created the Recruiting Assistance Program which gave bounties of up to $2,000 for each new enlistee that a soldier or civilian - called recruiting assistants - got to sign up. (Military recruiters were not qualified for this program.) Last month Secretary of the Army John McHugh cancelled the program after receiving an internal audit finding that numerous army recruiters had been providing enlistees to the recruiting assistants and splitting the bounties. The audit found that over $92 million in bounties were “potentially fraudulent.” That would be more than 25% of the $339 million paid out in the program. Secretary McHugh ordered that a probe of the system be commenced. At the present time the investigation involves 1,706 recruiters and hundreds of “recruiting assistants” who collected the bounties and split them with the Army recruiters. It is alleged that many of the recruiters and the “Assistant recruiters” actually shared banking accounts. This could turn into a serious criminal scandal. [Source: TREA News for the Enlisted 16 Mar 2012 ++]

USAF Retiree Council: The Air Force Retiree Council provides the link between members of the Air Force retiree community -- retirees, family members and surviving spouses living throughout the world -- and the Air Force chief of staff. It is comprised of two co-chairmen and 15 members representing retirees by geographical areas in the United States and overseas. Currently, there are also two members-at-large appointed by the co-chairmen for their expertise in certain areas needed at the time of appointment. Annual meetings are held at Randolph Air Force Base, Texas. Air Force Retiree Council vacancies are publicized in the Afterburner, News for USAF Retired Personnel; and via the Air Force Retiree News Service. The Retiree Council was established in 1972 with the first meeting in 1973 chaired by the late Brig. Gen. Roy Casbeer (USAF retired). There have been seven chairmen since then. Effective in 1999, the Air Force chief of staff established co-chairmen. Incumbents are retired Lt. Gen. Steven R. Polk and retired former Chief Master Sgt. of the Air Force Rodney J. McKinley.

The council co-chairmen are the Air Force chief of staff's liaison with the retiree community and work directly for the chief. They chair the Air Force Retiree Council, which meets annually at the Air Force Personnel Center to
discuss retiree issues. Upon conclusion of the meeting, they report the council’s findings directly to the chief. The council is comprised of the co-chairmen, 13 members who represent geographic areas within the continental United States, and one representative each from the Pacific and European areas. Currently, there are two at-large positions. There are 109 Retiree Activities Offices and each council member oversees the retiree activities programs within his/her respective area of responsibility. The co-chairmen play an active role in the identification and selection of council members.

At the invitation of local commanders and Retiree Activities Office directors, the co-chairmen visit Air Force installations to speak about issues concerning retirees and their dependents. They maintain contact with many military associations and obtain their views on retiree matters. They also meet with retiree council co-chairmen from the other services to discuss issues that are common to all military retirees. Retirees can write to General Polk or Chief McKinley at: HQ AFPC/CCU, 550 C STREET WEST STE 8, RANDOLPH AFB TX 78150-4713. The following retirees currently serve on the Air Force Retiree Council:

- Lt. Gen. Steven R. Polk, Co-Chairman
- Chief Master Sgt. of the Air Force No. 15 Rodney J. McKinley, Co-Chairman
- Col. Milton L. Feltch, Area I representative - Oregon, Idaho, Montana and Washington
- Chief Master Sgt. Thomas P. Kelley, Area II representative - California
- Chief Master Sgt. Kathleen E. Rose, Area III representative - Arizona and New Mexico
- Lt. Col. John S. Lannefeld, Area IV representative - Colorado, Nevada, Utah and Wyoming
- Chief Master Sgt. Danny G. Holwerda, Area V representative - Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin
- Chief Master Sgt. Robert A. Merritt Jr., Area VI representative - Texas
- Chief Master Sgt. James T. Watson, Area VII representative - Arkansas, Kansas, Missouri and Oklahoma
- Lt. Col. Richard I. Brubaker, Area VIII representative - Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia
- Brig. Gen. Richard R. Moss, Area IX representative - Alabama, Louisiana, Mississippi and Tennessee
- Col. William W. Graham, Area X representative - Florida (Includes Puerto Rico and Panama)
- Lt. Col. Thomas G. Hogg, Area XI representative - Georgia, North Carolina, South Carolina and Virginia
- Chief Master Sgt. Charles E. Lucas, Area XII representative - Delaware, District of Columbia and Maryland
- Col. Sanford Rader, Area XIII representative - Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont
- Lt Col Nathan D. Hathorne, Area XIV representative - Pacific Region (includes Alaska and Hawaii
- Chief Master Sgt. Michelle A. Lippert, Area XV -representative - Atlantic Region (includes Europe and The Azores
- Col. Frank G. Rohrbough, member at large


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**Marine Corps DSTRESS Line:** The Marine Corps recently awarded a contract to TRIWEST for a new “DSTRESS Line” that offers peer-to-peer counseling services. Marines, former Marines or their family members that think they need help coping with the challenges and stress of combat or deployments, grief and loss, parent-child relationships, couples counseling, or other rigors of life as a Marine or Marine family member can call any time. The DSTRESS Line operates 24/7/365 providing anonymous phone, chat and online access for solution-focused counseling. Counselors specifically trained in Marine Corps culture are prepared to field questions and concerns. The DSTRESS Line can be accessed by calling 1-877-476-7734. The DSTRESS Line is active now and
TRIWEST officials say it will provide global Corps-wide support beginning March 23. [Source: NAUS Weekly Update 16 Mar 2012 ++]

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**Tricare User Fees Update 80:** On 14 MAR Chairman of the House Armed Services Committee Rep. “Buck” McKeon (R-CA) gave a speech at the Ronald Reagan Presidential Library in California. His speech concentrated on the implications of proposed massive cuts to the DoD budget and what he believed are the priorities needed to sustain a strong national defense. Chairman McKeon highlighted the fact that our military is worn out and needs to replace much of the equipment that has been used up in over a decade of war. He also questioned why the Navy was cutting more ships, the Air Force was reducing the number of squadrons and that there would be over 100,000 fewer Army and Marine Corps troops. He also said, “But explain to me why defense is less than twenty percent of federal budget, but has accounted for half of our spending cuts to date.” NAUS agrees with Rep. McKeon in that defense is a core responsibility of our federal, and there are many lower priority areas or areas of recognized serious fraudulent activity (Medicare loses more than $70 billion annually to fraud) ripe for reductions that deserve scrutiny.

One area Chairman McKeon mentioned was the promises made to the troops in regards to health care. The Chairman said, “…recent proposals to pump up military health care fees by up to three hundred percent is absolutely unacceptable. “When our troops made a decision to volunteer for service, they entered a sacred agreement with this government—a moral contract. Part of that agreement was that their medical needs will be met. We made a solemn covenant with them — we cannot, and we must not break it.” NAUS stands with the Chairman McKeon’s statement. As the Chairman said, all Members of Congress need to know that military retirees and veterans should not be the first on the block when reductions in federal spending are demanded. Unfortunately, the Administration has put uniformed services retirees and their families on the chopping block. To see how the Pentagon chops TRICARE Health Care go to http://naus.informz.net/z/cjUucD9taT0vMjE1MjEwJnA9MSZ1PTEwMDEyMDEyNDkmbGk9MTA2NjEwMTU/index.html. To send a message to your elected officials on the TRICARE proposed increases using the NAUS CapWiz system go to http://capwiz.com/naus/issues/ and click on the item listed in the Current Action Alert list titled, “Pentagon Demands TRICARE Fee Increase“. [Source: NAUS Weekly Update 16 Mar 2012 ++]

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**Illinois Veterans Homes Update 04:** Illinois is increasing the cost for military veterans to live in its nursing homes. The Illinois Department of Veterans’ Affairs has notified residents of the increase. It’s the first time the state has raised monthly fees for residents since 1979. Costs will rise starting 1 JUL, going from about $930 per resident a month to about $1,430. New residents will see the increase immediately. The increase will be phased-in for current residents over four years. Starting in 2017 the monthly cost will be tied to inflation. The state operates nursing homes in Anna, LaSalle, Manteno and Quincy. More than 900 residents live in the facilities. A Chicago nursing home for about 200 veterans is scheduled to open in 2015. [Source: Associated Press article 13 Mar 2012 ++]

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**VAMC West Los Angeles Update 04:** Three homeless Southern California veterans suing the U.S. Department Veterans Affairs for failing to provide proper housing say court-ordered mediation has not worked and are requesting the case be brought to trial in June. The veterans say in court papers filed 14 MAR in U.S.
District Court in Los Angeles that only one mediation session was held last fall and the case then fell dormant. The veterans' lawyer, David Sapp of the American Civil Liberties Union-Southern California, says a trial is needed urgently because the men are mentally disabled and homeless. Veteran Affairs spokesman Dave Bayard says he cannot comment on pending litigation.

The ACLU sued the VA in June, saying the agency had misused large portions of its campus on L.A.'s Westside, and had failed to provide adequate housing and treatment for homeless veterans. The ACLU decried “enhanced sharing” agreements that have allowed entities not related to veteran care to use much of the sprawling campus at Wilshire and San Vicente boulevards. Enterprise Rent-a-Car, the UCLA baseball team and the private Brentwood School are among entities that lease portions of the campus even as thousands of veterans occupy streets and alleys, the ACLU said. The VA sought to have the case dismissed. In a ruling 16 MAR Judge Ortero essentially denied most of VA's attempt to have the lawsuit dismissed. Mark Rosenbaum, chief counsel of the ACLU Foundation of Southern California, hailed the ruling as “the first time in the nation's history that a federal court has held the VA responsible for assuring that severely mentally disabled veterans have access to housing and services ... they require to heal the wounds of war.” In addition, the Judge held that Congress has made “crystal clear that [its] intention was to ensure that the DVA’s land [the campus at Wilshire and San Vicente] was used primarily to benefit veterans.”

The lawsuit can now proceed and a favorable decision would mean that the VA campus in Los Angeles must be restored to its intended purpose to serve veterans, not house UCLA and private school baseball diamonds, dog parks and rental car lots. The ruling on Case No. CY 11-04846 SJO (MRWx) Gregory Valentini, et al. v. Eric Shinseki, et al. reads:

**III. CONCLUSION**
For the foregoing reasons, the Court GRANTS IN PART AND DENIES IN PART Defendants' Motion, disposing of the claims as follows:
(1) To the extent Claim One rests on the theory that there is a policy, rule, or regulation that on its face bars veterans with severe mental illness or who take psychotropic medication from obtaining an existing benefit offered by the VA GLA, the Claim is DISMISSED WITH LEAVE TO AMEND; to the extent Claim One rests on the theory that the Government fails to provide permanent supportive housing, the Claim is DISMISSED WITHOUT LEAVE TO AMEND;
(2) The Motion is DENIED with respect to Claim Two;
(3) Claims Three, Four, and Five are DISMISSED WITHOUT LEAVE TO AMEND;
(4) The Motion is DENIED with respect to Claim Six.
IT IS SO ORDERED


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**Tricare Data Breach (SAIC) Update 08:** Last fall, not long after someone stole computer tapes containing the health records of 4.9 million TRICARE beneficiaries, some of the victims discovered bogus charges on their credit card statements and unauthorized bank transactions. The tapes were stolen in SEP 2011 from the car of an employee with TRICARE contractor Science Applications International Corp. who was transporting them from one federal facility to another in San Antonio, Texas. The employee left the unencrypted tapes in a parking garage for most of a workday. In OCT 2011, the law firm Shulman, Rogers, Gandal, Pordy & Ecker of Potomac, Md., filed a $4.9 billion class action lawsuit against the Defense Department. Since then, Defense or SAIC have
been hit with seven additional lawsuits charging the company and the government with negligence in the care of sensitive personal and health information. In an amended complaint to the original suit against Defense, which now includes SAIC, plaintiffs said they started to notice fraudulent activity in their financial accounts soon after the theft:

- Virginia Gaffney of Hampton, Va., a TRICARE beneficiary and military spouse, said her USAA credit card was rejected at a restaurant; she later discovered the company had canceled her card due to suspicious activity.
- Antoinette Morelli, a disabled Air Force veteran of the Gulf War, said she and her husband, a retired Air Force colonel, discovered unauthorized charges on two credit cards and unauthorized withdrawals from two bank accounts.
- James Biggerman, a retired Army command sergeant major who lives in Shelbyville, Ind., was notified about fraudulent charges on his credit card account shortly after the tape theft and started receiving unsolicited calls from telemarketers and scam artists.
- Juan Diego Hernandez, a Frisco, Texas, Army veteran noticed unauthorized charges on the credit card account he holds with his wife and spent hours on the phone with the bank resolving the errors.
- Carol Keller, the Revere, Mass., spouse of a disabled Air Force veteran, said she discovered three separate fraudulent charges against her credit or debit cards since last October.

The amended complaint said TRICARE beneficiaries had to take extensive steps to protect their financial information. The plaintiffs “had to cancel credit cards and close bank accounts; open new credit cards and bank accounts; stop direct deposits to those compromised accounts and re-enroll in direct deposits for new accounts; stop recurring electronic payments from compromised accounts and re-enroll in electronic payments through new accounts; and otherwise spend time and money in mitigation responding to notifications following the wrongful disclosure that certain financial accounts have been compromised,” the complaint said. Dr. Deborah Peel, founder of the Patient Privacy Rights Advocacy Group in Austin, Texas, said unwanted marketing, credit card cancellation, and identity theft are typical and expected when sensitive, richly detailed personal health data is breached. It could take years to discover the repercussions of stolen medical information, she said.

The new complaint alleges that the theft was targeted. The SAIC employee's car, a 2003 Honda Civic, was parked in a garage that housed many luxury cars, “yet the thief or thieves, who went to great effort to avoid security, did not break into any of the luxury cars in the garage, targeting instead the relatively inexpensive car containing the confidential data.” The complaint added, “The thief or thieves stealthily broke into the employee's Honda Civic and took the unencrypted backup tapes and records, thereby gaining information worth billions of dollars. The nature of this theft supports the logical inference that the thief or thieves were specifically targeting the confidential information contained on the backup tapes and records.” There are currently five separate lawsuits over the TRICARE data theft pending in Washington, one in Texas, another in San Diego, and most recently, one in northern California. As part of their amended complaint, filing attorneys for the plaintiffs asked to consolidate all eight cases. Arnold & Porter LLP of Washington and Reed Smith LLP, SAIC’s attorneys, agreed and filed a motion for consolidation on 9 MAR. [Source: NextGov.com Bob Brewin article 14 Mar 2012 ++]

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Pentagon 911 Update 02:  We all have seen the pictures, read the government accounts, and generally accepted as fact what was reported about the events that led up to the crash of the Boeing 757 into the Pentagon on 9/11. However, there are some who question the veracity of what was reported and have gathered much evidence to dispute the facts in the official reports. In the interest of looking at all sides of the issue the attachment to this Bulletin titled, “Pentagon 911: Fact or Fantasy” is provided for your review. It is an interesting read and raises a few questions on what really happened. [Source: Veterans Today article 13 Mar 2012 ++]
Mobilized Reserve 20 MAR 2012:  The Department of Defense announced the current number of reservists on active duty as of 20 MAR 2012. The net collective result is 900 fewer reservists mobilized than last reported in the 15 MAR 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 52,118; Navy Reserve 4,748; Air National Guard and Air Force Reserve 9,267; Marine Corps Reserve 4,754; and the Coast Guard Reserve 775. This brings the total National Guard and Reserve personnel who have been activated to 71,662 including both units and individual augmentees. A cumulative roster of all National Guard and Reserve personnel who are currently activated may be found online at [http://www.defense.gov/news/d20120320ngr.pdf](http://www.defense.gov/news/d20120320ngr.pdf). Reservists deactivated since 9/11 total 772,618. [Source: DoD News Release No. 199-12 dtd 21 Mar 2012++]

PTSD Update 94:  The Defense Department violated regulations by discharging thousands of servicemembers under the pretense of personality disorders during the past decade, according to a study by Vietnam Veterans of America and the Veterans Services Clinic at Yale Law School. The study data — obtained through Freedom of Information Act requests — reinforces previous smaller studies from the General Accountability Office and supports claims by others that the military diagnosed combat veterans with personality disorders to avoid paying retirement benefits to servicemembers suffering from post-traumatic stress disorder. While PTSD constitutes a medical disability, personality-related diagnoses are considered pre-existing conditions by the Defense Department. The data showed that 31,000 servicemembers were discharged from 2001 to 2010 because of personality disorders, a group of disorders in which a person’s behaviors and thoughts differ from their culture’s expectations, causing work and relationship problems. The Army alone discharged 734 soldiers for personality disorders in 2002, but that number steadily climbed to 1,078 by 2007, according to the report, which was released in mid-MAR..

In 2007, a series of articles in The Nation and later from other media led to congressional hearings and tighter regulations. Subsequently, a 2010 GAO study of discharges from 2008 and 2009 found that the Defense Department was still not fully complying with those regulations, although data obtained by Vietnam Veterans of America for 2010 did show a substantial increase in compliance. In 2010, the Army discharged only 17 soldiers for personality disorders and complied with a series of notifications and diagnosis requirements in each case, according to the report. The Navy discharged 165 sailors in 2012, down from 1,606 sailors in 2002, though it failed to notify the discharged sailors that their diagnosis did not qualify as a disability in 52 percent of cases. Compliance generally improved in both the Air Force and Marine Corps as their personality disorder diagnoses plummeted, the report stated. The military has yet to address how, or if, it will deal with those who were wrongly discharged in the past 10 years, the report noted. “Although the number of PD discharges appears to be declining, the military has failed to take meaningful action to review and correct the wrongful (discharges),” it said.

Eileen Lainez, a spokeswoman for the Department of Defense, told the New Haven (Conn.) Register last week that she could not comment on the report because she had not reviewed it, but said the department periodically assesses its policies on discharges. “We encourage all separating service members who believe their discharges were incorrectly characterized or processed to request adjudication through their respective military department’s Discharge Review Board and Board for Correction of Military Records,” Lainez wrote in an email, according to the Register. For a servicemember to be discharged because of a personality disorder, a psychiatrist or a psychologist with a doctorate must conclude that “the disorder is so severe that the member’s ability to function effectively in the military environment is significantly impaired,” according to Defense Department regulation.
In January, the Army announced it would review the actions of Madigan Army Medical Center officials that reversed diagnoses of more than 14 soldiers originally found to have PTSD. The medical center reversed more than 40 percent of PTSD diagnoses for servicemembers under consideration for medical retirement since 2007, according to information released by Sen. Patty Murray (D-WA). Col. Dallas Homas, commander of Madigan’s medical services at Joint Base Lewis-McChord, Wash., was temporarily relieved in February. In November, an Army ombudsman reported in a memo obtained by the Los Angeles Times that a Madigan physician warned his colleagues that PTSD diagnoses could cost up to $1.5 million over soldiers’ lifetimes. The physician stated that “at the rate we are going the Army and the Department of Veterans Affairs will be broke” because of PTSD treatment, according to the ombudsman. [Source: Stars & Stripes Erik Slavin article 26 Mar 2012 ++]

Vet License Plates MD: A Maryland license plate for veterans of service is proposed in the 2012 session of the General Assembly. The license plate, similar to the Chesapeake Bay license, says “Maryland supports veterans.”

WBAL-TV News said that for most people, a round of applause for returning military veterans doesn’t come close to really appreciating the debt owed to the men and women in service. “We have the ‘Maryland supports veterans’ in a red banner,” Cecil County Delegate Michael Smigiel Sr., R-District 36, said in describing the plates. “All the money that’s raised will go to take care of them.” House Bill 541 requires the Maryland Motor Vehicle Administration to develop and distribute the plates, which would be available to the general public. The plates would cost $20 more than the Chesapeake Bay and agriculture license plates currently available. “The dollars raised will go to those Maryland vets who lost limbs, suffer from traumatic brain injuries or who otherwise are adversely affected as a result of serving our country,” said Delegate Mike McDermott, R-District 38B Smigiel. But the bill’s chances of passage are slim, Channel 11 reported.

The state secretary of the Maryland Department of Veteran Affairs opposes the measure because the MVA believes the plates are more trouble than they are worth. In a letter to a House committee considering the bill, transportation officials call the plates a significant administrative and operational burden. Agency officials said collecting and disbursing the money would be time consuming and intensive, and that it would require computer programming changes. They also said there is not enough space to keep the license plates stocked. Lt. Gov. Anthony Brown -- an Iraqi war veteran -- really liked the plate when he saw a sample. He was surprised to learn not everyone is embracing it and said he would look into it. Brown, a colonel in the U.S. Army Reserves, is the nation’s highest-ranking elected official to have served a tour of duty in Iraq. Maryland currently offers a number of veteran related license plates for passenger cars, multi-purpose vehicles, motorcycles, and trucks (10,000 lbs or less) a fee of $25.00. Refer to the attachment to this Bulletin titles, “Vet License Plates MD” for the type plate available, a sample image, and the application form. [Source: WBAL TV David Collins articles 28 Feb 2012 ++]
**Stolen Valor Update 62:** Lies, honor and military service are at the crux a case involving an alleged U.S. Coast Guard impostor. Delroy Bowe, 23, represented himself as a member of the United States Coast Guard with medals and a uniform, Panama City police reported Monday. He was arrested and charged with one count of unlawful use of uniforms, medals or insignia and one count of attempted grand theft. According to investigators, Bowe represented himself as an active member of the U.S. Coast Guard and opened a bank account at a local bank 6 MAR. He also used personal identification information of another person in an attempt to obtain a new vehicle on credit from a local car dealership, police reported. Police believe Bowe has utilized the same or similar scheme at other area businesses, representing himself as an active Coast Guard member. Bowe is not affiliated with the U.S. Coast Guard or any other branch of the military, authorities said. Agents with the U.S. Coast Guard Criminal Investigative Services are assisting with the ongoing investigation. The arrest comes as the Supreme Court is considering whether to uphold the Valor Act, which makes it a crime to impersonate a service member and wear medals that were not legitimately won. Opponents of the Valor Act say a court decision to uphold the law would infringe on free speech issues, ultimately outlawing lying. [Source: Panama City News Herald Randal Yakey article 13 Mar 2012 ++]

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**WWII Vets Update 16:** Tim Dolan, one time a member of the 1st Army, 329th Infantry Regiment of the 83rd Infantry Division, 1st battalion, knows all too well what it's like to use a weapon to defend one's self. The 83rd “Thunderbolt” Division took part in some of the heaviest combat in WWII, from the onslaught of Operation Neptune that led 160,000 troops into battle on D-Day, to the troops of the 83rd jumping into warm but deadly waters during the Normandy beach landings on June 6, 1944, to the fighting in Hurtgen Forest, a hellish battleground in Germany, to fighting 500,000 Germans in the Ardennes Mountains in Belgium with sub-zero temperatures during the Battle of the Bulge. The soldiers in the 83rd, as a part of the 329th Infantry Regiment, were in General George Patton’s own words, “The finest body of soldiers I have ever seen in the field.”

Dolan went into Normandy on the third wave of the invasion force. “I was a 16 mm mortar operator during the war,” he said. The assault on Germany by the Americans went by the code name Operation Overlord. “During D-Day, a general once told me that you’re going to want to save your helmet. You will use it for everything, as a pot to cook in or to shave in. You used it for everything,” Dolan remembered. The D-Day invasion started a month before the advance on the beaches, and by August 1, 1944, after the invasion, General George S. Patton of the Third Army was brought in to help fight against the Germans. The Normandy invasion was not over yet, and Patton was just getting started in the war in Europe. When Patton’s Third Army got involved in August of 1944, Dolan was “sitting in a foxhole the day Patton's army went over us with planes. We watched them go by and we tried to count all the B-51 airplanes. Some 3,000 of them flew over us.” Tim Dolan remembers when he first saw the general in person, “I was sitting on a dead cow eating my supper when Patton walked by,” he said laughing.

In the Ardennes Offensive, or as it’s commonly known, Battle of the Bulge, that raged over a month in the vast forest extending into Luxembourg, the Germans inflicted 81,000 American casualties. The Americans, with a tough fight, defeated the Fuehrer’s forces with 100,000 killed, wounded and captured, according to the History News Network. In the tenacious fighting, which characterized the Battle of the Bulge, the 329th played a major role. For it “halted the German onslaught near Rochefort in the Belgian sector of the Ardennes. Soon thereafter, American outfits, including the 329th, counterattacked, which in a short time, brought the ground war back to the German homeland,” reads the hnn.com article. The Fuehrer had this to say before the Ardennes Offensive, “In the East, the vastness of space will […] permit a loss of territory […] without suffering a mortal blow to Germany’s chance for survival. Not so in the West! If the enemy here succeeds […] consequences of staggering proportions will follow within a short time.” Adolf Hitler’s Directive 51.
Dolan’s unit was without supplies or food for extended periods of time during the Bulge. Recorded by the Disabled American Veterans (DAV), veterans said that the Bulge “was the worst” and that it was extremely cold and the soldiers didn’t have good equipment to keep them warm. Most soldiers would lay awake at night shivering in thin sleeping bags. An Army truck would arrive every morning to collect the grotesquely frozen bodies of American soldiers who died from the cold the night before. Tim Dolan was lucky to have survived. During the Bulge, on January 14, 1945, Dolan almost froze to death and was medically evacuated to the hospital until the end of the war. But the advance on Germany continued rapidly after the Bulge, and the soldiers breached the border of Germany. “So quickly did the 329th progress, it set a record in military history for infantry by marches being 15 to 17 miles a day,” reads hnn.com. Although he couldn’t be with his battalion on April 13, 1945, Dolan was with them in spirit for the “1st battalion, soon joined by the 2nd and 3rd became the first Allied infantry units to cross the Elbe River. The 1st and 3rd battalions […] advanced eastward to Nutha and Gutergluck (hnn.com). After this, the 329th Infantry Regiment took the town of Zerbst “the last operation of the 329th in Europe, and it did not involve the firing of a single shot on either side.”

The 329th was the closest U.S. unit to Berlin at the end of World War II, being ordered to stop some 30 miles short of the city. As a result, Hitler’s forces were perishing. Soon thereafter, on May 4, the Russians arrived and concluded in an unofficial way, the 329th’s noble role in World War II’s Western Front. Four days later, on May 8, 1945, Germany unconditionally surrendered. Alive, Dolan walked out of a hell that most cannot dream about in their worst nightmare. To show for his bravery, he earned the Combat Infantry Badge, Purple Heart, two Bronze Stars, European Theater Service Medal, the Victory Medal, and the Jubilee of Liberty Medal. He did a great service for the country, and one would expect that when he got home he would be treated with utmost respect. But a war that Dolan would battle for decades was on the horizon and on the home front. Dolan's injuries were hard to deal with back home. His legs and hands were stiff as bone from the frostbite, and they “itched and broke out in big bubbles,” said Dolan. His doctors would tell him some 50 years later, that his hair follicles also froze at the roots on his arms and legs. No hair has ever grown back.

In his plush chair, Dolan slid his sock down to show how far up his legs the frostbite actually went. Almost to his knees, a dark discoloration crawled upwards. “From 1945 to 2005, I’ve fought for my compensation for my injuries I got during the war,” said Dolan. He fought some 60 years with the Veterans Administration for his healthcare and compensation for his wartime injuries. On one of many trips to the VA, Dolan visited their office in Cincinnati in the 1980’s, and he was tired of fighting with them. “What made things worse was when I tucked some cigarettes in my pocket, and they accidentally dropped out onto the floor,” said Dolan. “After that, they blamed the discoloration on my legs from smoking.” Then Dolan went to the VA in Columbus. “I was getting fed up,” said Dolan. “I had to see a doctor there [so the VA could make sure the injuries were from wartime], and when she walked in I said, ‘Are you my doctor? You better get ready because I have a chip on my shoulder and you better knock it off.’” She never did fix that chip.

Not until 2005 when Dolan went to visit John Kitts, the previous director of the Morgan County Veterans Service Office, did Dolan receive the benefits and healthcare he had earned with his wartime service. Dolan is not the only veteran who has had to fight for his compensation and healthcare. There have been hundreds of cases the DAV and other agencies have tried to win for their clients who served in WWII. The problem most of the time for the WWII veterans was lack of medical records. “The place where [the records] were in St. Louis had a big fire. We had to fight so long because of that,” said Betty. “The Morgan County Veterans Service Office brought up my compensation from 30 to 80 percent and they got me back pay to 1988,” remembers Dolan. His 80 percent compensation turned into 100 percent after teaming up with Kitts. “We both said let’s go for it, and we fought for 100 percent and got the full amount in 2005,” said Dolan. After a 60 year battle, Dolan was 83 years old when he finally won all his compensation; today he is 90.
Dolan remembers his commander of the 329th Infantry Regiment – Colonel Erwin B. Crabill – who many called “Pete the Tramp.” To conclude with a few poignant words from the Colonel, he said: “Beneath the soil of Europe lie the bodies of over 850 of our comrades. To the hospitals have gone nearly 4,000 others wounded in action. Most of these were killed or wounded because when the time came for them to decide between safety or duty, they chose the latter.” Our debt to them cannot be paid, he concluded. Indeed, any payment cannot come close. [Source: Morgan County Herald Leona Jewell 8 Feb 2012 ++]

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World War II Posters (2)
POW/MIA Update 16: The United States has suspended efforts to find remains of U.S. service members lost during the Korean War due to North Korean threats to launch a ballistic missile, Pentagon Press Secretary George Little said here today. Recovering remains of those lost and unaccounted for is a priority to the Defense Department, and U.S. experts were due to enter North Korea this month. “We have suspended that effort because we believe that North Korea has not acted appropriately in recent days and weeks and that it’s important for them to return to the standards of behavior that the international community has called for,” Little said at a Pentagon news conference. “We do hope at some point to be able to re-engage the effort.”

The United States sees the recovery of remains as a humanitarian mission and does not link those operations with other policy issues, Tara Rigler, a Pentagon spokeswoman, said in a statement. However, she added, the North Koreans politicized these humanitarian operations “by linking them to long-standing annual military exercises which are defensive in nature and are designed to increase the interoperability between the United States and [South Korea].” Rigler said these actions and other developments call into question the credibility of all of North Korea’s commitments, including the remains recovery operations. “As a result,” she added, “we are suspending the current arrangement to resume remains recovery operations with [North Korea] until their actions indicate a willingness to move forward in good faith on its commitments.” North Korea cited the exercises in refusing to honor procedures agreed to in October. Since then, Little said, indications have emerged that North Korea might launch ballistic
missiles. “That would be in contravention of U.N. Security Council resolutions,” he added, “and that is unacceptable behavior.”

The United States hopes to engage in the future with North Korea on efforts to recover remains, Little said. “But when there are suggestions that they might launch ballistic missiles, when they make bellicose statements about South Korea and engage in actions that could be construed as provocative, we think that it’s not the right time to undertake this effort,” he told reporters. “We’re hopeful that we will get past this period and that we can continue the remains recovery effort.” The Defense Department remains committed to the fullest possible accounting of the more than 7,950 U.S. service members missing from the Korean War, officials said. An estimated 5,300 are missing in what is now North Korea. In many cases, the United States knows exactly where the service members were buried, as U.S. forces attacked up into North Korea in late 1950. The Chinese army entered the fray and pushed U.S. and other United Nations forces out of the north. U.S. officials say they know where those burials are, but have not been able to get to them. Other areas are more of a problem, officials said, especially graves associated with prisoner of war camps. The North Koreans and Chinese tortured, beat and starved POWs, and many hundreds died from the abuse, officials said. [Source: AFPS article 21 Mar 2012 ++]

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**Veteran Support Organizations (07):** The Armed Forces Support Foundation runs the Hire a Hero, Connect a Hero and Educate a Hero programs, which use social networking technologies to help service members leaving active duty to find necessary resources. The effort began with Hire a Hero and is expanding as the other two efforts are scheduled to roll out later this year. “The idea was to get the veteran community involved and help new people coming out to mingle, talk and help each other find jobs,” Rob Barr, executive director of the Armed Forces Support Foundation, explains. Because the veteran and military community is such a small part of the population, networking can be difficult. And many in the civilian world simply do not understand the military. Employers might even be hesitant to hire veterans because of concerns about PTSD, so part of what Barr tries to do is educate the general population. He likens Hire a Hero to monster.com, only limited to organizations looking to hire veterans. Through a revamping of the site, veterans can enter their military job codes to help them find relevant civilian jobs. Companies with government contracts requiring a certain number of veteran employees can benefit by searching the applicant pool on the site.

The service is integrating with Facebook to help connect people through the Connect a Hero initiative. When people apply to a company, an app will search through their “friends” to find someone who works there and/or could help them land the job. Because most positions are obtained through some type of networking, this helps veterans locate the support they need. Connect a Hero also will work through Twitter to find connections. In three to five years, Barr hopes to add social web workers who will help take veterans through the job process. These people could help disabled veterans find opportunities or assist someone who wants to become an engineer to obtain the appropriate skills and credentials. The goal is to bridge the various transition programs that troops receive upon leaving active duty to create a consistent resource. Social web workers also would institute a follow-up system to remain in contact with the veterans. Educate a Hero will connect veterans with various types of educational institutions from technical schools to graduate programs. But beyond determining a course of study, it also will help connect former service members to the veterans programs at the school, giving them additional resources. “Our ultimate goal is to create a better transition program for these young men and women,” Barr says.

Barr became involved in these initiatives after working for another veterans employment charity. “I was blown away with how unorganized and unfriendly it is to transfer from the military to civilian life,” he explains. “From that moment, I made it my mission to give back to the country.” He says one of the most important reasons for Hire a Hero and its spinoffs is creating continuity in the transition process and building the social capital that those who
have not served already enjoy. Current and soon-to-be veterans can begin to take advantage of the program by visiting the website, searching the resources and applying for an account. Military contractors can add a link to Hire a Hero on their site, which helps the organization gain visibility. They also can post jobs, which should be mutually beneficial as more connections are made. Since last year, the site has grown from 500,000 unique visitors to more than 3 million. To contact Hire a Hero call (866) 440-4424, email info@hireahero.org, or refer to http://www.hireahero.org or http://www.armedforcesupportfoundation.org. [Source: AFCRA Veterans Focus Rita Boland article Nov 2011 ++]

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

**March 29, 2012.** HVAC, Subcommittee on Disability Assistance and Memorial Affairs will hold a legislative hearing on the following bills:

- H.R. 4142 - American Heroes COLA Act
- H.R. 2051 - Veterans Missing in America Act of 2011
- H.R. 2498 - Veterans Day Moment of Silence Act
- H.R. 2377 – Rating and Processing Individuals’ Disability (RAPID) Claims Act
- H.R. 2717 - A bill to direct the Secretary of Veterans Affairs to designate one city in the United States each year as an “American World War II City,” and for other purposes;
- H.R. 4168 – A bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Philippines. 10:00 A.M.; 340 Cannon

[Source: Veterans Corner w/Michael Isam 29 Mar 2011 ++]

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**Saving Money:** Twenty percent of Americans get fewer than six hours a night, according to the National Sleep Foundation. Those folks are probably spending a large part of what researchers say the sleep industry rakes in: $23 billion a year. Some of that money goes to things everybody needs occasionally – like a new quality mattress (every 10 years) and pillows (one or two years). But a lot goes to sleeping medication, which can be an expensive and ultimately ineffective solution. So what’s more effective and cheaper than sleeping pills? Changing your habits. Here’s how…

1. **Get comfy**, Dr. A room that’s dark, a temperature you like, blankets and pillows that feel nice. The sound of a fan or the A/C helps some people (including me) sleep better too. When you’re uncomfortable in bed, that’s often all you can think about.
2. **Ditch distractions.** Minimize stimuli – things that keep your attention – in the bedroom. No TVs, no computers, no radios, no smartphones – not even books. The idea is to make your bedroom the place where the only thing you do (with perhaps one exception) is sleep. If you want to read or watch TV at night, do it elsewhere. When you get sleepy, go in your room and shut your eyes.

3. **Schedule sleep.** The Sleep Foundation says snoozing should be on your to-do list like everything else. If you get into bed thinking about work (instead of how soft and warm those blankets are), you may have trouble. A consistent sleep schedule (including weekends) also helps your body know when to rest.

4. **Create a wind-down routine.** Get into the habit of making the hour before bedtime relaxing. Whether it’s a long hot bath, listening to a soothing playlist, or reading a novel with a glass of milk (caffeine or food before bed are bad), do something that transitions you into rest mode.

5. **Use your bed as intended.** According to The Sleep Foundation, beds are for only two things: sex and sleep. If you work on the laptop or tablet or do anything else from bed, even during the daytime, your body may become more geared for those other activities instead of sleep.

6. **Get healthy.** Incorporating exercise into your daily schedule can help you sleep better – not only are you wearing yourself out in a healthy way, but it helps fight a vicious cycle. Being overweight puts you at higher risk of conditions like sleep apnea, which make it harder to breathe in bed and thus harder to stay asleep. And people who don’t get enough sleep are often too tired and poorly motivated to exercise properly, so the problem perpetuates itself. Smoking also contributes to the problem.

7. **Find professional help.** If none of this advice works for you, try visiting a sleep expert. SleepCenters.org can help you find a doctor in your area recommended by the American Academy of Sleep Medicine. The trip won’t be as cheap as the rest of this advice, but you can’t put a price on quality sleep.

Bottom line - Pills are the most expensive way to get a good night’s rest, and they’re the worst way. Sleep experts can help you save money – and while a mattress stuffed with cash probably won’t help you rest better, their advice will. [Source: MoneyTalksNews Brandon Ballenger article 7 Oct 2011 ++]

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**VA Fraud Waste & Abuse Update 45:** Smithville TN - Robert E. Neener, 65, who sold more than $200,000 in fake military and government documents online has accepted a plea agreement that would sentence him to three years in prison. Neener pleaded guilty to possessing and selling federal agency seals, and to pretending to be a federal officer or employee, according to court documents obtained from the U.S. Attorney for the Middle District of Tennessee. In addition to the prison term, Neener must also pay restitution to the customers who purchased the fraudulent certificates, according to the terms of the plea agreement. Neener sold documents purporting to be “authentic replacements” from all branches of the military, as well as the Department of Homeland Security and the Department of Veterans Affairs, according to the indictment. The documents for sale included certificates for honorable discharges, combat action ribbons and military police certifications. The indictment cited transactions ranging from $25.04 for a forged combat action ribbon certificate to $179.55 for multiple forgeries attributed to the Air Force and the Defense Department. Neener will be formally sentenced by Chief U.S. District Judge Todd Campbell on 13 JUL. [Source: Stars and Stripes article 16 Mar 2012 ++]

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**DoD Fraud, Waste, & Abuse:** Four Navy employees and three defense contractors pleaded guilty to participating in a wide-ranging corruption scheme in which the contractors won millions of dollars in military orders after offering officials massage chairs, bicycles, flat screen TVs and other bribes, federal officials announced Wednesday. The civilian employees who worked for a Navy aircraft maintenance program accepted a total of more than $1 million in bribes, U.S. Attorney Laura Duffy said. It was unclear if the scheme put national security or
military operations at risk. Assistant U. S. Attorney Robert S. Huie said the Navy employees worked for a program tasked with ensuring aircraft were combat ready at the Naval Air Station North Island in Coronado, near San Diego. "Corruption of this nature strikes at the heart of our national security and erodes public confidence," said Chris Hendrickson, the special agent in charge of the Defense Criminal Investigative Service Western Field Office.

The four Navy employees -- Donald Vangundy, Kiet Luc, David Lindsay and Brian Delaney -- worked for the Navy's Fleet Readiness Center and were assigned to maintaining the Navy's Grumman E-2 Hawkeye, an early warning aircraft, and the C-2 Greyhound, a derivative of the E-2 that has a widened fuselage with a rear loading ramp. Officials said the Defense Department paid more than $5.5 million in connection with fraudulent invoices submitted by the three defense contractors -- Michael Graven, John Newman and Paul Grubiss -- all from Southern California. Prosecutors said the Navy paid at least $2.26 million in connection with the fraud to X&D Supply Inc., a Carlsbad company owned by Graven, and at least $3.3 million to a defense contractor identified only as "Company A" in Poway, where Newman worked as a sales manager and was the former owner. The Navy paid about $1 million to a defense contractor identified only as "Company B," also located in Poway, where Grubiss was a sales manager, prosecutors say.

Also implicated in the scheme was Jesse Denome, owner of San Diego-based JD Machine Tech Inc. Denome pleaded guilty in January when he acknowledged that from June 2004 to September 2005 he gave a Navy official a bicycle worth nearly $2,500 and a model airplane engine worth $449, and made $18,000 in payments on the official's personal credit card. In exchange, prosecutors say, the official placed over 100 orders from the company for the Navy's aircraft program. Vangundy and Luc also pleaded guilty to filing false tax returns tied to the scheme. Graven also pleaded guilty to assisting in the filing of a false tax return by his business, X&D, for knowingly taking improper tax deductions for the bribes paid to the Navy employees, prosecutors say. The seven defendants could face up to 20 years each in prison. Sentencing is set for July 2. Denome could face up to eight year in prison and is scheduled to be sentenced in August. Prosecutors said they got an anonymous tip in 2009 from a citizen who called a hotline set up for people to report abuse of government contracts. [Source: Associated Press Julie Watson article 28 Mar 2012 ++]

Notes of Interest:

- **Vietnam Vet Children.** The Birth Defect Research for Children has put out a call for additional data on Vietnam veterans’ children with birth defects to increase the research on the linkage between Agent Orange and birth defects in Vietnam veterans’ children. Those who have been affected are requested to participate by joining the National Birth Defect registry on the Birth Research website [http://www.birthdefects.org/registry/](http://www.birthdefects.org/registry/).
- **Jury Duty Scam.** The phone rings, you pick it up, and the caller identifies himself as an officer of the court. He says you failed to report for jury duty and that a warrant is out for your arrest. You say you never
received a notice. To clear it up, the caller says he'll need some information for “verification purposes” - your birth date, social security number, maybe even a credit card number. This is when you should hang up the phone. It's a scam.

- **USS Dan Diego.** The CO of the USS San Diego, CDR Jon Haydel, became the fifth commanding officer fired this year; four of the firings involved allegations of improper conduct. Last year, 23 commanding officers were relieved, nearly reaching the recent high-water mark of 26 in 2003.

- **Reserve benefits.** If you’re in the Guard or Reserve, to find information on your eligibility for benefits like health care, the GI Bill, home loans, and more check out [http://www.va.gov/opa/publications/benefits_book/benefits_chap08.asp](http://www.va.gov/opa/publications/benefits_book/benefits_chap08.asp).

- **Health topics.** VA’s “A to Z Index” [http://www.va.gov/health/topics/](http://www.va.gov/health/topics/) provides Veterans and their caregivers with need-to-know information on a variety of services and health topics. VA captured the most popular topics and compiled them in one place to help you quickly retrieve information.

- **IU.** If you are unable to work because of your service-connected disability you may be eligible for Individual Unemployability. This program allows the VA to pay certain Veterans compensation at the 100 percent rate, even if VA has rated their service-connected disabilities less than 100 percent. Veterans must provide medical evidence that shows their disability prevents them from working. Learn more about the program at [http://www.vba.va.gov/VBA/benefits/factsheets/serviceconnected/IU.asp](http://www.vba.va.gov/VBA/benefits/factsheets/serviceconnected/IU.asp).

- **MOH.** Korean War veteran William Charette, a 79 year old Medal of Honor recipient, has died. With Charette's death, there are now 81 living recipients of the Medal of Honor.

- **Afghanistan.** President Hamid Karzai said 22 MAR the West will subsidize Afghan security forces by more than $4 billion a year for 10 years after U.S.-led troops leave in 2014.

- **GI Bill.** Some veterans have experienced delays in receiving their Post 9/11 GI Bill educational benefits for the spring term. The Department of Veterans Affairs (VA) has added additional staff and resources to resolve this situation as quickly as possible. Veterans should also remember that students using their Post-9/11 GI Bill benefits must ask their school officials to complete an enrollment certification, which the school official will send to VA.

[Source: Various 15-31 Mar 2012 ++]

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**Medicare Fraud Update 90:**

- **Detroit MI** - Karina Hernandez, 28; Marieva Briceno, 46; and Henry Briceno, 58, all of Miami, pleaded guilty 14 MAR before U.S. District Judge Arthur J. Tarnow in the Eastern District of Michigan to one
count of conspiracy to commit health care fraud. At sentencing, each defendant faces a maximum penalty of 10 years in prison and a $250,000 fine. According to the plea documents, Hernandez managed the daily operations of three Livonia, Michigan clinics: Blessed Medical Clinic, Alpha & Omega Medical Clinic, and Manuel Medical Clinic. Marieva Briceno contributed capital to fund the opening of one clinic, and assisted her daughter, Hernandez, in the daily management of the clinics. At each clinic, Hernandez and Marieva Briceno hired recruiters who paid cash bribes to Medicare beneficiaries to attend the clinics and provide their Medicare numbers and other information. Hernandez and Marieva Briceno admitted that they used the beneficiary information to bill for medically unnecessary diagnostic tests and treatments. Henry Briceno admitted that he incorporated Manuel Medical Clinic and opened a bank account to conceal the actual ownership of the clinic. According to court documents, Blessed Medical Clinic, Alpha & Omega Medical Clinic, and Manuel Medical Clinic fraudulently billed Medicare for $5.4 million during the course of the scheme.

- **Schaumburg IL** - Dr. Jswinder Rai Chhibber, who operated the former Cottage Grove Community Medical Clinic, was convicted 13 MAR of defrauding Medicare and Blue Cross Blue Shield of Illinois by submitting false insurance claims between 2007 and July 2010 for medically unnecessary tests and using false diagnosis codes to justify the tests he had ordered. Chhibber, 43, of, was found guilty of five counts of health care fraud and four counts of making false statements involving a health care benefits program after less than two full days of deliberations following a week-long trial, the release said. The jury found him not guilty of seven additional counts. Chhibber ordered medically unnecessary tests, falsified patients’ medical records, and used false diagnosis codes on insurance claim forms in various fashions for at least five patients who testified at trial, including two undercover federal agents who posed as patients. He faces a maximum penalty of 10 years in prison on each count of health care fraud, and five years in prison on each false statements count, and a $250,000 fine on each count.

- **Staten Island NY** - Rostislav (Steve) Vilshteyn, 33, was sentenced to five years in a New Jersey prison for lining his pockets with hundreds of thousands of dollars in Medicaid funds paid to his counseling center. Vilshteyn billed Medicaid for services he didn't perform or for which he overbilled at his clinic in Newark, said Jeffrey S. Chiesa, the Garden State's attorney general. The scheme occurred between October 2006 and January 2008 when Vilshteyn owned and operated Bloomfield Health Pavilion, prosecutors said. The business is now defunct. Prosecutors alleged that Vilshteyn submitted more than $1.2 million in claims to Medicaid, for which he was paid $574,504. Authorities maintain he obtained hundreds of thousands of dollars of those payments for mental health and substance abuse counseling services he didn't provide or for which he overcharged Medicaid. Vilshteyn offered kickbacks, such as Pathmark gift certificates, to induce Medicaid beneficiaries to go to his clinic, said prosecutors. The defendant was found guilty Feb. 2 of health care claims fraud and Medicaid fraud, after a three-week trial in Essex County Superior Court. As part of his sentence, Vilshteyn was ordered to pay New Jersey's Medicaid program $200,000 in restitution. “Mr. Vilshteyn's conduct not only defrauded taxpayers, but it also prevented certain patients of BHP from receiving the treatment they needed,” Chiesa said in a post-verdict statement.
Richmond VA - Joseph T. Hackett, 31, of Asheville NC was indicted 20 MAR on four counts of health care fraud and one count of conspiracy to pay health care kickbacks. According to the indictment, Hackett owned Richmond-based Access Regional Taskforce, which contracted with Medicaid to provide in-home mental health services for youth and adolescents. Hackett is accused of collecting at least $1.5 million from Medicaid for services that didn't meet the criteria for reimbursement. He also allegedly paid a marketing company more than $545,000 in illegal kickbacks for patient referrals. The owner of the marketing company, Lorie T. Monroe, pleaded guilty in January to conspiracy to receive illegal kickbacks.


Medicaid Fraud Update 60:

South Carolina - More than 30 South Carolina health care providers must repay nearly $1.9 million they inappropriately billed to the state Medicaid agency, according to state health officials. The repayment demand stems, in part, from an investigation of doctors' prescribing habits for painkillers and antipsychotics. Three of the providers must appear before the state Board of Medical Examiners, and their licenses could be revoked, according to documents prepared by the S.C. Department of Health and Human Services. The state also referred three providers to the Medicaid Fraud Control Unit in the S.C. attorney general's office. State Medicaid officials declined to say whether those are the same three providers who will appear before the medical board. The state already has recovered about $1.7 million from the providers. The state's February report was prompted by a nationwide investigation by U.S. Sen. Charles Grassley (R-IA). Grassley sought information from each state about doctors who have the highest rates of prescribing commonly abused prescription drugs to people enrolled in Medicaid, the government-funded health insurance program for the poor and disabled. The state, per Grassley's request, in 2010 compiled a list of the 10 providers who billed Medicaid the highest amounts for each of eight prescription drugs during 2008 and 2009. State officials investigated 34 of the 83 providers who appeared on those lists for possible Medicaid abuses. More recently, the state has opened investigations into an additional 13 cases of possible abuses among Medicaid providers, according to the documents. Those probes are ongoing. The state “conducts ongoing data mining to identify fraud and abuse in the Medicaid program that takes into account many factors besides the number of prescriptions written by an individual physician,” S.C. Medicaid Director Tony Keck said in a Feb. 10 letter to Grassley.

Newark NJ - pharmacist Calvin Osei has pleaded guilty to his role in a scheme in which pharmacy owners and employees purchased prescriptions, including HIV/AIDS drugs, from indigent patients, so that Medicaid could be billed for medications that were never actually dispensed. Osei, 34, pleaded guilty to third-degree Medicaid fraud before state Superior Court Judge Martin Cronin in Newark. The charge was contained in an Oct. 26, 2009 state grand jury indictment.
Cronin scheduled the sentencing for May 4 of this year. Under a plea agreement, the state will recommend Osei be sentenced to 60 days in county jail and a three-year term of probation. He will also be ordered to pay $100,000 in restitution and fines. Osei, a licensed pharmacist at Campus Pharmacy in Newark, admitted that between May 11, 2006 and Oct. 15, 2008, he submitted fraudulent claims to the Medicaid program for medications that were not dispensed. State Insurance Fraud Prosecutor Ronald Chillemi noted that this case was part of Operation PharmScam, which revealed that six pharmacies and two medical clinics in Jersey City and Newark participated in a multi-million dollar conspiracy to defraud Medicaid. During the course of the investigation, 14 people, including pharmacists, pharmacy technicians and the owner of a medical clinic were charged. Under the scheme, the pharmacies were billing Medicaid for high priced AIDS/HIV and specialty drugs that were never ordered from the wholesalers or dispensed to the beneficiaries. Osei is the last of the defendants to plead guilty in the case.

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

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

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


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Military History:  In the attachment to this bulletin titled “World War II Memories” is the personal account of William George Sauer’s experiences from October 1942 when he was drafted in the U.S. Army until his medical discharge September 20, 1945. It is typical of the daily routine combat soldiers lived through during the war in Europe. Sauer was assigned to Tank Platoon, 3rd Bn, HQ Co., 405th Regiment, 102nd Infantry Division

[Source: In their Own Words http://carol_fus.tripod.com/army_hero_william_sauer.html Mar 2012 ++]

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

- Apr 01 1865 - Civil War: Battle of Five Forks - In Siege of Petersburg, Confederate General Robert E. Lee begins his final offensive.
- Apr 01 1945 - WWII: Operation Iceberg - United States troops land on Okinawa in the last campaign of the war.
- Apr 01 1948 - Cold War: Berlin Airlift - Military forces, under direction of the Soviet-controlled government in East Germany, set-up a land blockade of West Berlin.
- Apr 01 1954 - President Dwight D. Eisenhower authorizes the creation of the United States Air Force Academy in Colorado.
- Apr 02 1865 - Civil War: The Siege of Petersburg is broken - Union troops capture the trenches around Petersburg, Virginia, forcing Confederate General Robert E. Lee to retreat.
• Apr 02 1917 - WW I: U.S. President Woodrow Wilson asks the U.S. Congress for a declaration of war on Germany.
• Apr 02 1972 - Vietnam: The Easter Offensive begins - North Vietnamese soldiers of the 304th Division take the northern half of Quang Tri Province.
• Apr 03 1865 - Civil War: Union forces occupy the Confederate capital of Richmond, Virginia.
• Apr 03 1942 - WWII: The Japanese begin their all-out assault on the U.S. and Filipino troops at Bataan.
• Apr 03 1945 - WWII: US 1st army conquers Hofgeismar, Germany
• Apr 04 1917 - WWI: The U.S. Senate votes 90-6 to enter World War I on Allied side.
• Apr 04 1918 - WWII: The Battle of the Somme ends.
• Apr 05 1968 - Vietnam: Operation Pegasus was launched by the 1st Air Cavalry Division to relieve the marines at Khe Sanh.
• Apr 06 1862 - Civil War: The Battle of Shiloh begins - in Tennessee, forces under Union General Ulysses S. Grant meet Confederate troops led by General Albert Sidney Johnston.
• Apr 06 1865 - Civil War: The Battle of Sayler's Creek - Confederate General Robert E. Lee's Army of Northern Virginia fights its last major battle while in retreat from Richmond, Virginia.
• Apr 06 1917 - WWI: The United States declares war on Germany (see President Woodrow Wilson's address to Congress).
• Apr 06 1917 - Vietnam: Easter Offensive - American forces begin sustained air strikes and naval bombardments.
• Apr 07 1862 - Civil War: Battle of Shiloh ends - the Union Army under General Ulysses S. Grant defeats the Confederates near Shiloh, Tennessee.
• Apr 07 1943 - Holocaust: In Terebovlia, Ukraine, Germans order 1,100 Jews to undress to their underwear and march through the city of Terebovlia to the nearby village of Plebanivka. There they are shot dead
• Apr 07 1945 - WWII: The Japanese battleship Yamato, the largest battleship ever constructed, is sunk 200 miles north of Okinawa while en-route to a suicide mission in Operation Ten-Go.
• Apr 07 2003 - Gulf War: U.S. troops capture Baghdad; Saddam Hussein's regime falls two days later.
• Apr 09 1865 - Civil War: Robert E. Lee surrenders the Army of Northern Virginia (26,765 troops) to Ulysses S. Grant at Appomattox Courthouse, Virginia, effectively ending the war.
• Apr 09 1916 - WWI: The Battle of Verdun - German forces launch their third offensive of the battle.
• Apr 09 1917 - WW I: The Battle of Arras - the battle begins with Canadian forces executing a massive assault on Vimy Ridge.
• Apr 09 1937 - The Kamikaze arrives at Croydon Airport in London - it is the first Japanese-built aircraft to fly to Europe.
• Apr 09 1942 - WWII: The Battle of Bataan/Bataan Death March - United States forces surrender on the Bataan Peninsula
• Apr 09 2003 - Invasion of Iraq: Baghdad falls to American forces.
• Apr 10 1972 - Vietnam: For the first time since NOV 67, American B-52 bombers reportedly begin bombing North Vietnam.
• Apr 11 1951 - Korea: President Truman fires General Douglas MacArthur as head of United Nations forces in Korea.
• Apr 13 1861 - Civil War: 1st day
• Apr 12 1966 - Vietnam: 1st B-52 bombing on North Vietnam
• Apr 13 1861 - Civil War: Fort Sumter surrenders to Confederate forces.
• Apr 14 1918 - WWI: Douglas Campbell is 1st US ace pilot (shooting down 5th German plane)
• Apr 14 1945 - WWII: US 7th Army & allies forces captured Nuremberg & Stuttgart in Germany
• Apr 09 2003- Invasion of Iraq: Baghdad falls to American forces.
**Military Trivia 48:** Should Teddy Roosevelt be the patron saint of submariners? Roosevelt was the first American President to go aboard a submarine and to make a dive. Roosevelt ventured beneath the waters of Long Island Sound aboard USS Plunger (SS-2) on March 25, 1905. Plunger was the United States’ second submarine, commissioned in September 1903. Beyond this historical first, however, is the fact that Roosevelt was the man directly responsible for submarine pay. The Naval hierarchy in 1905 considered submarine duty, neither unusual nor dangerous, and classified it as shore duty. Therefore, submariners received twenty-five percent less pay than sailors going to sea in destroyers, cruisers and similar surface ships. the beginning of submarine pay! Roosevelt’s two-hour trip on Plunger convinced him that this discrimination was unfair. He described submarine duty as hazardous and difficult, and he found that submariners “have to be trained to the highest possible point as well as to show iron nerve in order to be of any use in their positions…” Roosevelt directed that officer service on submarines be equated with duty on surface ships. Enlisted men qualified in submarines were to receive ten dollars per month in addition to the pay of their rating. They were also to be paid a dollar for every day in which they were submerged while underway. Enlisted men assigned to submarines but not yet qualified received an additional five dollars per month. Roosevelt did not dilly-dally once he made a decision. He issued an Executive Order directing the extra pay for enlisted personnel. This was the beginning of submarine pay!

The USS Theodore Roosevelt (SSBN-600) was launched in October 1959, in Mare Island, California, sponsored by Mrs. Alice Roosevelt Longworth. The ship was commissioned on February 13, 1961. In March of that year, the Roosevelt became the first Fleet Ballistic Missile submarine to transit the Panama Canal. (That is significant because the Canal was completed, largely due to the efforts of President Roosevelt.) On July 19th, she started her first deterrent patrol from Charleston. In March 1968, while returning to Holy Loch, Scotland from patrol, the Roosevelt “bounced” off an underwater mountain, causing flooding. Quick action by the crew saved the ship. The Torpedo Room was isolated and was pressurized to keep the sea out. The ship was repaired, and the Roosevelt continued to make deterrent patrols until it completed its 43rd patrol in 1978. and was decommissioned on February 28, 1981. In October of that year, construction was begun on USS Theodore Roosevelt, CVN 71, a Nimitz class aircraft carrier. The new “TR” was placed in active service in October 1986, and served with great distinction in the Gulf War. The Roosevelt is currently carrying America’s “Big Stick” in the war against terrorism. [Source: http://larryshomeport.com/html/subpay.html Mar 2012 ++]

**State Tax Comparisons Update 02:** Several states are continuing to raise excise taxes on cigarettes and other tobacco products in order to increase revenue. The following rates shown do not include the federal cigarette tax of $1.01 a pack. New York City is the most expensive place to buy cigarettes ($5.85), when you include the state and local tax. The top 12 states with the highest state tax on cigarettes are: New York ($4.35) Rhode Island ($3.46), Connecticut ($3.40), Washington ($3.025), Hawaii ($3.20), New Jersey ($2.70), Wisconsin ($2.52), Massachusetts ($2.51), District of Columbia (2.50), and Vermont ($2.62). Tied for eleventh place are: Alaska ($2.00), Arizona ($2.00), Maine ($2.00), Maryland ($2.00), and Michigan ($2.00). Counties and cities may
impose an additional tax ranging from 1 cent to $2.00 on a pack of cigarettes. About 82% of what consumers pay for a pack of cigarettes (average cost $5.95 – including statewide sales taxes but not local cigarette or sales taxes) ends up going to the government in taxes and other payments rather than for the cigarettes. [Source: MOAA General State Tax Overview Mar 2012++]

Tax Burden for Michigan 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 Michigan:

**Sales Taxes**
- **State Sales Tax:** 6% (food and prescription drugs exempt; home heating fuels are taxed at 4%)
- **Gasoline Tax:** 39.4 cents/gallon
- **Diesel Fuel Tax:** 37.9 cents/gallon
- **Cigarette Tax:** $2.00/pack of 20

**Personal Income Taxes**
- **Tax Rate Range:** Flat rate of 4.35% of federal adjusted gross income with modifications; some cities impose additional income taxes. For tax year 2013 the tax rate will be 4.25%. The rate will be reduced by 0.1% each year until the tax rate is 3.95%. Beginning October 1, 2015, the rate is 3.9%. Michigan has made numerous changes in its tax law which take effect in tax year 2012. To view them go to [http://www.michigan.gov/taxes/0,4676,7-238-260229--2012-00.html](http://www.michigan.gov/taxes/0,4676,7-238-260229--2012-00.html).

- **Personal Exemptions:** Single – $3,600; Married – $7,200; Dependents – $2,300; Persons 65 or older can claim an additional $2,300 exemption.

- **Standard Deduction:** None

- **Medical/Dental Deduction:** None

- **Federal Income Tax Deduction:** None

- **Retirement Income Taxes:** Social Security, military, federal, and state/local government pensions are exempt. Private pension income is exempt up to $45,842 (individual filers) or $91,684 (married filing jointly). These private pensions are reduced by the amount of any public pension deduction claimed. Taxpayers 65 or older may deduct interest, dividends, and capital gains up to $20,000 (individual filers) or $40,000 (married filing jointly). These deductions are reduced by any pension exemption taken. Federal and Michigan public pensions are totally exempt. Public pensions include benefits received from the federal civil service, State of Michigan public retirement systems and political subdivisions of Michigan, military retirement and Tier 2 railroad retirement. If the conditions of the plan under step one are met, then these payments are totally exempt from Michigan income tax. Michigan residents can treat the public pensions received from the following states as totally exempt: Alaska, Florida, Hawaii, Illinois, Massachusetts, Mississippi, Nevada, New Hampshire, Pennsylvania, South Dakota, Tennessee, Texas, Washington, and Wyoming. Michigan residents who receive public pensions from other states are subject to the private pension exemption limits. Michigan residents who receive public pensions from states not listed above are subject to the private pension exemption limits. For Frequently Asked Question go to [http://www.michigan.gov/taxes/0,1607,7-238-43513-44135-128936--00.html](http://www.michigan.gov/taxes/0,1607,7-238-43513-44135-128936--00.html). Information for Seniors and Retirees is available at [http://www.michigan.gov/taxes/0,1607,7-238-43513-44135-156347--00.html](http://www.michigan.gov/taxes/0,1607,7-238-43513-44135-156347--00.html). Michigan recently changed how it taxes retirement benefits. These changes are for returns filed for tax year 2012 in 2013. Go to
**Retired Military Pay:** Not taxed. Survivor benefits are exempt if the amounts are exempt from federal income tax or classified as military compensation or military retirement pay. Military retirement benefits that pass to the spouse of a deceased member of the military are exempt. Retirement benefits passing to other beneficiaries are taxed.

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

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

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

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**Property Taxes**
Property in Michigan is generally assessed at 50% of its true cash value. Some seniors, disabled persons, veterans, surviving spouses of veterans and farmers may be able to delay paying property taxes. It depends on the county of residence and your income level. If you own the home you live in, you may be exempt from a portion of local school taxes under the Homeowner’s Principal Residence Exemption Program, formerly known as the Michigan Homestead Exemption Program. It allows homeowners an exemption from their local School Operating Millage. In accordance with Public Act 237 of 1994, homeowners that occupy their property as their principal residence may exempt up to 18 mills. A homestead property tax credit is available to homeowners or renters. The credit is based on the property tax on a homestead that is subject to local property taxes or your household income. Only those whose household income is less than $82,650 are eligible. For information on the homestead credit, call 517-334-7076 or refer to [http://www.michigan.gov/taxes/0,1607,7-238-43535-43538---00.html](http://www.michigan.gov/taxes/0,1607,7-238-43535-43538---00.html). For other property tax matters, call 517-373-0500. To view the state’s property tax estimator, go to [http://www.michigan.gov/taxes/0,1607,7-238-43535-43540---00.html](http://www.michigan.gov/taxes/0,1607,7-238-43535-43540---00.html).

**Inheritance and Estate Taxes**
There is no inheritance tax and a limited estate tax related to federal estate tax collection.

For further information, visit the Michigan Taxes website [http://www.michigan.gov/taxes](http://www.michigan.gov/taxes). Seniors are invited to go to [http://www.michigan.gov/taxes/0,1607,7-238-43513-44135-156347--00.html](http://www.michigan.gov/taxes/0,1607,7-238-43513-44135-156347--00.html) or call the special assistance number: 800-487-7000. [Source: www.retirementliving.com Mar 2012 ++]

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**Veteran Legislation Status 28 MAR 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](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](http://thomas.loc.gov/bss/d111/sponlst.html).
Grassroots lobbying is perhaps the most effective way to let your Representative and Senators know your opinion. Whether you are calling into a local or Washington, D.C. office; sending a letter or e-mail; signing a petition; or making a personal visit, Members of Congress are the most receptive and open to suggestions from their constituents. The key to increasing cosponsorship on veteran related bills and subsequent passage into law is letting legislators know of veteran’s feelings on issues. You can reach their Washington office via the Capital Operator direct at (866) 272-6622, (800) 828-0498, or (866) 340-9281 to express your views. Otherwise, you can locate on http://thomas.loc.gov your legislator’s phone number, mailing address, or email/website to communicate with a message or letter of your own making. Refer to http://www.thecapitol.net/FAQ/cong_schedule.html for dates that you can access your legislators on their home turf.

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Aviation Art:

**A Gathering of Corsairs by David Lord**

**Description:** An Event of incredible significance occurred the weekend of September 8-9, 2002 in Indianapolis, Indiana, USA.....A GATHERING OF CORSAIRS... possibly the largest exhibition of Corsairs in the last 50 years! This celebration might be the final gathering of the last of the famous aircraft still flying in the world. Over 100 Veteran Pilots and Aces came for the weekend...men from World War II, Air Racing and the Black Sheep Squadron who defended our country in some of the actual fighter aircraft that were displayed. Thanks to Artist, David Lord and “Pullin’ a “Gee” Publishing, all of the Corsairs attending that weekend are in his original painting titled “A Gathering of Corsairs.”

250 Limited Edition prints, signed and numbered by the artist. 
Print size 20 1/2” x 38”.
**Price:** $95.00

[Source: http://aviationartcentral.com/  Mar 2012++]

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**Have You Heard?**

A store that sells new husbands has opened in New York City, where a woman may go to choose a husband. Among the instructions at the entrance is a description of how the store operates:

You may visit this store ONLY ONCE! There are six floors and the value of the products increase as the shopper ascends the flights. The shopper may choose any item from a particular floor, or may choose to go up to the next floor, but you cannot go back down except to exit the building! So, a woman goes to the Husband Store to find a husband.

- On the first floor the sign on the door reads: Floor 1 - These men Have Jobs
- She is intrigued, but continues to the second floor, where the sign reads: Floor 2 - These men Have Jobs and Love Kids. 'That's nice,' she thinks, 'but I want more.'
- So she continues upward. The third floor sign reads: Floor 3 - These men Have Jobs, Love Kids, and are Extremely Good Looking. 'Wow,' she thinks, but feels compelled to keep going.
- She goes to the fourth floor and the sign reads: Floor 4 - These men Have Jobs, Love Kids, are Drop-dead Good Looking and Help With Housework. 'Oh, mercy me!' she exclaims, 'I can hardly stand it!'
- Still, she goes to the fifth floor and the sign reads: Floor 5 - These men Have Jobs, Love Kids, are Drop-dead Gorgeous, Help with Housework, and Have a Strong Romantic Streak.
- She is so tempted to stay, but she goes to the sixth floor, where the sign reads: Floor 6 - You are visitor 31,456,012 to this floor. There are no men on this floor. This floor exists solely as proof that women are impossible to please. Thank you for shopping at the Husband Store.

To avoid gender bias charges, the store's owner opened a New Wives store just across the street.
- The first floor has wives that love sex.
- The second floor has wives that love sex and have money and like beer
- The third, fourth, fifth and sixth floors have never been visited.

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To try to break the back of the recession on the backs of the military means, who will have our back the next time we’re attacked?

--- Howard McKeon (Chairman HASC)

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Afghanistan drove out the Persians, Greeks, Mongols, Arabs, British and Russians...

But I assure you...that won’t happen to us...

Because WE will drive OURSELVES out!

SOLDIER KILLS 16 CIVILIANS

Koran Burning

Marines Urn Painted on Dead Talibans

He came at me with a bag of Skittles! I’m just protecting myself.

FLA’s STAND YOUR GROUND LAW
Stand Your Ground

I had a reasonable fear the neighborhood watch guy following me was going to fear for his life and shoot...

Makes sense to me.

So I shot him first.

The Stand Your Ground before he stands his ground defense.

Sorry, but you'll have to listen to the audio online.
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